

CITY OF SPOKANE



REGARDING CITY COUNCIL MEETINGS

City Council's standing committee meetings, Agenda Review Sessions, and Legislative 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 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 January 27, 2025, meetings is below. All meetings will 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 January 27, 2025:

3:30 p.m. Agenda Review Session: 1-408-418-9388; access code: 248 249 50291; password: 0320

6:00 p.m. Legislative Session: 1-408-418-9388; access code: 248 653 53421; password: 0320

To participate in public comment (including Open Forum):

Testimony sign-up is open beginning at 5:00 p.m. on Friday, January 24, 2024, and ending at 6:00 p.m. on Monday, January 27, 2025, via the online testimony sign-up form link which can be accessed by clicking <https://forms.gle/Vd7n381x3seaL1NW6> or in person outside council chambers beginning at 8:00 a.m. on January 27, 2025. You must sign up by 6:00 p.m. to be called on to testify. (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 not relating to the current or advance agendas, pending hearing items, or initiatives or referenda in a pending election. "Affairs of the city" shall include (i) matters within the legislative, fiscal or regulatory purview of the city, (ii) any ordinance, resolution or other official act adopted by the city council, (iii) any rule adopted by the city, (iv) the delivery of city services and operation of city departments, (v) any act of members of the city council, the mayor or members of the administration, or (vi) any other matter deemed by the council president to fall within the affairs of the city, which determination may be overridden by majority vote of the council members present. Individuals speaking during the open forum shall address their comments to the council president and shall maintain decorum as laid out in Rule 2.15 (Participation by Members of the Public in Council Meetings).

THE CITY OF SPOKANE



UPDATED DRAFT COUNCIL AGENDA

MEETING OF MONDAY, JANUARY 27, 2025

MISSION STATEMENT

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

MAYOR LISA BROWN

COUNCIL PRESIDENT BETSY WILKERSON

COUNCIL MEMBER JONATHAN BINGLE

COUNCIL MEMBER MICHAEL CATHCART

COUNCIL MEMBER PAUL DILLON

COUNCIL MEMBER KITTY KLITZKE

COUNCIL MEMBER LILI NAVARRETE

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

AGENDA REVIEW AND LEGISLATIVE SESSIONS

Council meetings consist of two parts: The Agenda Review Session (starting at 3:30 P.M.) and the Legislative Session (starting at 6:00 P.M.). The Agenda Review Session is open to the public, but participation is limited to Council Members and appropriate staff. The Legislative Session also is open to the public, and public comment is taken on legislative items (except those that are adjudicatory or solely administrative in nature). Following the conclusion of the Legislative portion of the meeting, an Open Forum is 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 AGENDA REVIEW 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

- Public participation in Council meetings is governed by Council Rules 2.15 and 2.16. A complete copy of the council rules can be found here: [City Council Rules](#).
- 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 name and city of residence as a condition of recognition.
- Persons speaking at the podium shall verbally identify themselves by name, city of residency and, if appropriate, representative capacity.
- Speakers may be provided additional written or verbal instructions to ensure that verbal remarks are electronically recorded. Documents submitted for the record are identified and marked by the Clerk. (If you are submitting paper copies of 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.)
- To ensure that evidence and expressions of opinion are included in the record, and to ensure that decorum befitting a deliberative process is maintained, no modes of expression including but not limited to demonstrations, banners, signs, applause, profanity, vulgar language, or personal insults are permitted. To prevent disruption of council meetings and visual obstruction of proceedings, members of the audience shall remain seated during council meetings.
- 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, and shall confine their remarks to the matters that are specifically before the Council at that time or, if speaking during Open Forum, shall confine their remarks to affairs of the city.
- City staff may testify at Council meetings, including open forum, providing the testimony is in compliance with the City of Spokane Code of Ethics and the staff follow the steps outlined in the City Council Rules of Procedure.

SPEAKING TIME LIMITS: Each person addressing the Council is limited to two minutes of speaking time, except during hearings and items under final consideration by the Council, for which three minutes will be allowed. 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.

CITY COUNCIL AGENDA: The City Council agendas may be obtained prior to Council Meetings by accessing the City's website at <https://my.spokanecity.org/citycouncil/documents/>.

AGENDA REVIEW 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

DRAFT AGENDAS REVIEW (Staff or Council Member briefings and discussion)

APPROVAL BY MOTION OF THE DRAFT AGENDA

CONSIDERATION OF ANY REQUESTS FOR DEFERRAL OF ITEMS ON THE FINAL AGENDA

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)

LAND ACKNOWLEDGEMENT

PLEDGE OF ALLEGIANCE

POETRY AT THE PODIUM, WORDS OF INSPIRATION, AND SPECIAL INTRODUCTIONS

ROLL CALL OF COUNCIL

PROCLAMATIONS AND SALUTATIONS

REPORTS FROM COMMUNITY ORGANIZATIONS

ANNOUNCEMENTS

(Announcements regarding Changes to the City Council Agenda)

NO BOARDS AND COMMISSIONS APPOINTMENTS

CONSENT AGENDA

The consent agenda consists of purchases and contracts for supplies and services provided to the city, as well as other agreements that arise (such as settlement or union agreements), and weekly claims and payments of previously approved obligations and biweekly payroll claims against the city. Any agreement over \$50,000 must be approved by the city council. Typically, the funding to pay for these agreements has already been approved by the city council through the annual budget ordinance, or through a separate special budget ordinance. If the contract requires a new allocation of funds, that fact usually will be indicated in the summary of the contract in the consent agenda.

Unless a council member requests that an item be considered separately, the council approves the consent agenda as a whole in a single vote. Note: The consent agenda is no longer read in full by the city clerk. The public is welcome to testify on matters listed in the consent agenda, but individual testimony is limited to three minutes for the entire consent agenda.

REPORTS, CONTRACTS AND CLAIMS

RECOMMENDATION

- | | | | |
|----|---|------------------------------------|---------------|
| 1. | Purchase from Mallory Safety and Supply LLC (Spokane Valley, WA) of Area Rae air monitoring system for the Fire Department for large community events (e.g. Bloomsday, Hoopfest) and expanded hazardous material incidents utilizing funds from a Department of Ecology Spill Response Grant awarded in 2024—\$93,461.84. (Council Sponsors: Council President Wilkerson and Council Members Dillon and Cathcart)
Mike Forbes | Approve | OPR 2025-0035 |
| 2. | Purchase of various insurance policies for the City, utilizing Willis Towers Watson Insurance (Seattle, WA) as broker, for the period of January 1, 2025, to January 1, 2026—\$4,063,002. (Council Sponsors: Council President Wilkerson and Council Members Dillon and Cathcart)
Jason Nechanicky | Approve | OPR 2025-0036 |
| 3. | Contract with Halme Construction, Inc. (Spokane) for emergency project to slip-line a failing 36-inch sewer pipe on a steep hillside—\$149,000. (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)
Raylene Gennett | Approve &
Authorize
Contract | OPR 2025-0037 |

Klitzke Proposed Amendment:

- Request motion to amend dollar amount to \$250,000 and replace briefing paper with updated revised version filed January 13, 2025, and included in agenda packet under OPR 2025-0037.

- | | | | |
|----|---|------------------------------------|---------------|
| 4. | Report of the Mayor of pending: | Approve &
Authorize
Payments | CPR 2025-0002 |
| | a. Claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2025, total \$_____, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$_____. | | |
| | b. Payroll claims of previously approved obligations through _____, 2025: \$_____. | | CPR 2025-0003 |
| 5. | a. City Council Meeting Minutes: _____, 2025. | Approve All | CPR 2025-0013 |
| | b. City Council Standing Committee Meeting Minutes: _____, 2025. | | |

The following item was deferred from the January 13, 2025, Agenda, during the January 13, 2025, 3:30 p.m. Agenda Review Session (OPR 2025-0014):

- | | | | |
|----|---|---------|---------------|
| 6. | Contract with Transitions to fast-track spend-down of \$1.26 million remaining eviction prevention funds under the System Demonstration Grant—\$230,047. (Council Sponsors: Council Members Zappone, Bingle, and Klitzke).
Arielle Anderson | Approve | OPR 2025-0014 |
|----|---|---------|---------------|

LEGISLATIVE AGENDA

NO SPECIAL BUDGET ORDINANCES

NO EMERGENCY ORDINANCES

RESOLUTIONS & FINAL READING ORDINANCES

(Require Four Affirmative, Recorded Roll Call Votes)

RES 2025-0004 Declaring the waiver of public bid requirements for the purchase of 2025 insurance premiums for specified City insurance coverages. (Council Sponsors: Council President Wilkerson and Council Members Dillon and Cathcart)

Jason Nechanicky

ORD C36629 (To be considered under Hearings Item H1.)

ORD C36630 Relating to language access and the recruitment of bilingual and multilingual applicants to the City of Spokane, and amending Section 18.11.050 of the Spokane Municipal Code. (Council Sponsors: Council Members Navarrete, Cathcart, and Dillon)

Andres Grageda

Staff requests motion to defer the following item to February 3, 2025, Agenda (ORD C36633):

ORD C36633 Amending Section 17D.100.230 of the Spokane Municipal Code to add Centers and Corridors to Historic Preservation review of proposed demolition of historic properties, also to bring review of buildings by the Spokane Historic Landmarks Commission into compliance with 2023 Washington House Bill 1293 by implementing clear and objective design standards, and to modify the limitations on redevelopment of a property after a historic or eligible structure has been demolished. (Council Sponsors: Council Members Zappone, Klitzke, and Bingle)

Spencer Gardner / Megan Duvall

FIRST READING ORDINANCES

ORD C36634 Relating to creating an Alcohol Impact Area within specific boundaries of the City of Spokane; adopting a new Chapter 10.82 of the Spokane Municipal Code. (Council Sponsors: Council President Wilkerson and Council Members Zappone and Dillon)

Maggie Yates / Adam McDaniel

ORD C36635 Implementing a Community Health Impact Area and public health measures to mitigate the impacts of addiction; adopting a new Division VII and Chapter 10.81 to the Spokane Municipal Code. (Council Sponsors: Council President Wilkerson and Council Members Zappone and Dillon)

Maggie Yates / Adam McDaniel

ORD C36632 Providing for the acquisition by eminent domain of certain lands necessary for water booster pump station in the vicinity of N. Wieber Drive and W. Shawnee Lane, located in the City and County of Spokane, State of Washington. (Deferred from January 13, 2025, Agenda, during the January 13, 2025, 3:30 p.m. Agenda Review Session) (Council

Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)

Dan Buller

FURTHER ACTION DEFERRED

NO SPECIAL CONSIDERATIONS

HEARINGS

RECOMMENDATION

H1.	<p>Hearing on Final Reading Ordinance C36629 relating to Building Opportunity for Housing (BOH) follow up code fixes making changes to the Unified Development Code that are intended to fix errors, clarify, and create more flexibility within the Spokane Municipal Code, amending Spokane Municipal Code (SMC) sections 17A.020.060 "F" Definitions, 17C.111.205 Development Standards Tables, 17C.111.210 Density, 17C.111.220 Building Coverage and Impervious Coverage, 17C.111.235 Setbacks, 17C.111.310 Open Space, 17C.111.315 Entrances, 17C.111.320 Windows, 17C.111.325 Building Articulation, 17C.111.335 Parking Facilities, 17C.111.420 Open Spaces, 17C.230.100 General Standards, 17C.230.110 Minimum Required Parking Spaces, 17C.230.120 Maximum Required Parking Spaces, 17C.230.130 Parking Exceptions, 17C.230.140 Development Standards, 17G.080.040 Short Subdivisions, 17G.080.065 Unit Lot Subdivisions, adopting a new section 17C.230.020 Vehicle Parking Summary Table, and repealing 17C.111.450 Pitched Roofs. (As amended during the January 6, 2025, 3:30 p.m. Agenda Review Session.) (Council Sponsors: Council Members Bingle, Zappone, and Klitzke)</p> <p>Ryan Shea</p>	<p>Hold Hearing/ Pass Upon Roll Call Vote</p>	<p>ORD C36629</p>
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Klitzke Proposed Amendment:

- Request motion to amend Final Reading Ordinance C36629 with proposed updates

filed January 14, 2025, and included in agenda packet under Hearings Item H1.

OPEN FORUM

At the conclusion of legislative business, the Council may recess briefly and then convene an open public comment period for up to twenty (20) speakers, unless a majority of council members vote otherwise. If more than twenty (20) people sign up for open forum, the individuals assigned to the twenty (20) spaces available will be chosen at random, with preference given to individuals who have not spoken at open forum during the calendar month. Each speaker is limited to no more than two (2) minutes. In order to participate in Open Forum, you must sign up beginning at 5:00 p.m. on the Friday immediately preceding the legislative session and ending at 6:00 p.m. on the date of the meeting via the virtual testimony form linked in the meeting packet (<https://my.spokanecity.org/citycouncil/documents/>) or in person outside council chambers beginning at 8:00 a.m. on the day of the legislative session. The virtual sign-up form can also be found here: <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.) Speakers must sign themselves in using a name. 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 other than items appearing on the final or draft agendas, pending hearing items, and 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.

Motion to Approve Updated Draft Agenda for January 27, 2025 (per Council Rule 2.1.B)

ADJOURNMENT

The January 27, 2025, Regular Legislative Session of the City Council is adjourned to February 3, 2025.

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 mlovmaster@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:****Committee:** Urban Experience **Date:** 01/13/2025**Committee Agenda type:** Consent**Date Rec'd**

12/31/2024

Clerk's File #

OPR 2025-0035

Cross Ref #**Project #****Council Meeting Date:** 01/27/2025**Submitting Dept**

FIRE

Bid #**Contact Name/Phone**

MIKE FORBES 509-435-7029

Requisition #**Contact E-Mail**

MFORBES@SPOKANECITY.ORG

Agenda Item Type

Purchase w/o Contract

Council Sponsor(s)

PDILLON BWILKERSON MCATHCART

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** YES**Public Works?** NO**Agenda Item Name**

HAZMAT AIR MONITORS EQUIPMENT PURCHASE

Agenda Wording

The Spokane Fire Department is requesting permission to use grant funds to purchase a new air monitoring system (Area Rae) for large community events (e.g. Bloomsday, Hoopfest) and expanded hazardous material incidents.

Summary (Background)

The SFD is requesting permission to use grant funds to purchase a new air monitoring system (Area Rae) for large community events (e.g. Bloomsday, Hoopfest) and expanded hazardous material incidents. This system monitors radiological, flammability and chemical signatures in the atmosphere. The system uses portable monitor cases that link back to one main computer for a centralized operations center. It is used in several large cities throughout United States and has the servicing support of Honeywell Industries.

What impacts would the proposal have on historically excluded communities?

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?

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

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget? YES	
Total Cost	\$ 93,461.84
Current Year Cost	\$ 93,461.84
Subsequent Year(s) Cost	\$ n/a
<u>Narrative</u>	
This purchase would be with funds from a Department of Ecology Spill Response Grant awarded in 2024. The purchase would be from the following pre-competed federal contract.	
Amount	
Select	\$ #
Select	\$ #
Select	\$ #
Select	\$ #
Select	\$ #
Select	\$ #
Funding Source One-Time	
Funding Source Type Grant	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence Recurring	
Other budget impacts (revenue generating, match requirements, etc.)	
This equipment has periodic maintenance needs and software updates. Those items will be funded through M&O budgets within the fire department.	
Approvals	
Dept Head	GBYRD
Division Director	GBYRD
Accounting Manager	GBYRD
Legal	GBYRD
For the Mayor	GBYRD
Additional Approvals	
PS EXEC REVIEW	YATES, MAGGIE
ACCOUNTING -	MURRAY, MICHELLE
Distribution List	
Mike Forbes mforbes@spokanecity.org	Kevin Schmitt kschmitt@spokanecity.org
Fire Accounting fireaccounting@spokanecity.org	Sue Raymon sraymon@spokanecity.org

Committee Agenda Sheet

Public Safety & Community Health Committee

Committee Date	01/06/2025
Submitting Department	Fire
Contact Name	Mike Forbes
Contact Email & Phone	mforbes@spokanecity.org – 509-435-7029
Council Sponsor(s)	<u>Councilmember Dillon, Council President Wilkerson, Councilmember Cathcart</u>
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Equipment Purchase – Hazmat Air Monitors
Proposed Council Action	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input checked="" type="checkbox"/> Information Only
Summary (Background)	The SFD is requesting permission to use grant funds to purchase a new air monitoring system (Area Rae) for large community events (e.g. Bloomsday, Hoopfest) and expanded hazardous material incidents. This system monitors radiological, flammability and chemical signatures in the atmosphere. The system uses portable monitor cases that link back to one main computer for a centralized operations center. It is used in several large cities throughout United States and has the servicing support of Honeywell Industries.
<p>*use the Fiscal Impact box below for relevant financial information</p>	<p>Fiscal Impact</p> <p>Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Total Cost: <u>\$93,461.84</u></p> <p> Current year cost: \$93,461.84</p> <p> Subsequent year(s) cost: n/a</p> <p>Narrative: This purchase would be with funds from a Department of Ecology Spill Response Grant awarded in 2024. The purchase would be from the following pre-competed federal contract.</p> <p>Vendor: Mallory Safety and Supply – Contract: US Communities #4400008495</p> <p>Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A</p> <p>Specify funding source: Select Funding Source*</p> <p>Is this funding source sustainable for future years, months, etc? Click or tap here to enter text.</p> <p>Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring <input type="checkbox"/> N/A</p> <p>This equipment has periodic maintenance needs and software updates. Those items will be funded through M&O budgets within the fire department.</p> <p>Other budget impacts: (revenue generating, match requirements, etc.) - None</p>
Operations Impacts (If N/A, please give a brief description as to why)	
What impacts would the proposal have on historically excluded communities?	
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?	

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



MALLORY

SAFETY AND SUPPLY LLC

3808 N Sullivan B100 Ste B ■ Spokane, WA 99216
Ph: 509-534-0661 ■ Fax: 509-534-0991

QUOTATION

Purchase Order Address:
PO Box 2068
Longview, WA 98632

Order Number	
3610817	
Order Date	Page
08/16/2024 07:59:06	1 of 1
ESTIMATED DATE	
09/27/2024 00:00:00	

Quote Expires On: 10/15/2024

Bill To:

CITY OF SPOKANE- FIRE DEPARTMENT
ATTN: ACCOUNTS PAYABLE
44 WEST RIVERSIDE
SPOKANE, WA 99201

509-625-7025

Ship To:

SPOKANE FIRE DEPARTMENT
1722 SOUTH BERNARD ST
SPOKANE, WA 99203
US

Requested By: Mr. ROB MATHEWS

Customer ID: 15814

Job Name:

Freight Code: CUSTOMER PAYS INCOMING AND OUTGOING FREIGHT

<i>PO Number</i>		<i>Carrier</i>		<i>Ship Route</i>		<i>Taker</i>			
RAE PRO QUOTE		UPS Ground commercial				TDONLEY			
<i>Line No</i>	<i>Quantities</i>					<i>Item ID</i> <i>Item Description</i>	<i>Pricing UOM</i> <i>Unit Size</i>	<i>Unit Price</i>	<i>Extended Price</i>
	<i>Ordered</i>	<i>Allocated</i>	<i>Remaining</i>	<i>UOM Unit Size</i>	<i>Disp.</i>				

Delivery Instructions: US COMMUNITIES #4400008495
THIS PRICING IS FOR CITY OF SPOKANE
FIRE DEPT AND IS NOT ELIGIBLE FOR
OTHER PUBLIC OR NON PROFIT
AGENCIES
FOB: DESTINATION

1	1.0000	0.0000	1.0000	EA		RAESY-W01R11010105607911	EA	81,602.76	81,602.76
					1.0	AREA RAE PRO RDK CSA ASM 900MHZ MESH PID PPB LEL O2 CO H2S GAMMA RAEMET			
2	1.0000	0.0000	1.0000	EA		RAESY-0290505000	EA	4,142.05	4,142.05
					1.0	RAElink 3 Kit Model RLM-3000 includes-charging cradle,power adapter,alkaline battery pack,cable assembly,whip antenna,antenna assembly for magnetic mount,antenna for magnetic mount,25' & 50' remote antenna cable extension			

Total Lines: 2

SUB-TOTAL: 85,744.81
TAX: 7,717.03
AMOUNT DUE: 93,461.84
U.S. Dollars

**Agenda Sheet for City Council:****Committee:** Public Safety **Date:** 01/06/2025**Committee Agenda type:** Consent**Date Rec'd**

12/30/2024

Clerk's File #

OPR 2025-0036

Cross Ref #

OPR 2022-0260

Project #**Council Meeting Date:** 01/27/2025**Submitting Dept**

RISK MANAGEMENT

Bid #**Contact Name/Phone**

JASON 625-6585

Requisition #**Contact E-Mail**

JNECHANICKY@SPOKANECITY.ORG

Agenda Item Type

Contract Item

Council Sponsor(s)

PDILLON BWILKERSON MCATHCART

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

2025 CITY INSURANCE PREMIUM RENEWALS

Agenda Wording

The City is self-insured but carries excess liability coverage as part of fiscal policy to minimize financial exposure. The estimated premium cost is ~ 0.26% lower than 2024 expense

Summary (Background)

Requesting approval to purchase various insurance policies for the City of Spokane for the period of 1/1/2025 to 1/1/2026. Willis Towers Watson, the City's contracted broker has marketed the City's insurance requirements. Policy coverage information, 2025 estimated expense and comparison to prior year expense is listed in the attachment "2025 01 COS Estimate Premium Comparison Updated 12-23-2024".

What impacts would the proposal have on historically excluded communities?

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?

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

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget? YES	
Total Cost	\$ 4,063,002.00
Current Year Cost	\$ 3,766,955.00, *395,000 was paid in 2024.
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Willis Towers Watson (WTW) compensation is covered under a separate contract OPR 2022-0620. Paying WTW a flat fee for services helps to ensure best pricing for premiums.	
Amount	
Select	\$
Select	\$
Select	\$
Select	\$
Select	\$
Select	\$
Budget Account	
	#
	#
	#
	#
	#
	#
Funding Source	
Funding Source Type Select	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	JORDAN, SCOTT
Division Director	BOSTON, MATTHEW
Accounting Manager	BAIRD, CHRISTI
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	

Committee Briefing Paper

Public Safety & Community Health Committee

Committee Date	1/6/2025
Submitting Department	Risk Management
Contact Name	Jason Nechanicky
Contact Email & Phone	jnechanicky@spokanecity.org
Council Sponsor(s)	
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	2025 City insurance premiums renewals
Proposed Council Action	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
Summary (Background)	<p>*use the Fiscal Impact box below for relevant financial information</p> <p>Requesting approval to purchase various insurance policies for the City of Spokane for the period of 1/1/2025 to 1/1/2026. Willis Towers Watson, the City's contracted broker has marketed the City's insurance requirements. Policy coverage information, 2025 estimated expense and comparison to prior year expense is listed in the attachment "2025 01 COS Estimate Premium Comparison Updated 12-23-2024".</p> <p>The City is self-insured but carries excess coverage liability as part of fiscal policy to minimize financial exposure. The estimated premium cost is ~ 0.26% lower than 2024 expense.</p>
Fiscal Impact	
Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Total Cost: <u>4,063,002.00</u> Current year cost: 3,766,955.00, *395,000 was paid in 2024. Subsequent year(s) cost:	
Narrative: <u>Willis Towers Watson (WTW) compensation is covered under a separate contract OPR 2022-0260. Paying WTW a flat fee for services helps to ensure best pricing for premiums.</u>	
Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A Specify funding source: Program revenue Is this funding source sustainable for future years, months, etc? Funding is covered by various departments as part of operation costs.	
Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring <input type="checkbox"/> N/A Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts (If N/A, please give a brief description as to why)	
<ul style="list-style-type: none"> • What impacts would the proposal have on historically excluded communities? 	

- N/A – part of fiscal policy.
- 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 – part of fiscal policy.
- How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?
- Risk management reviews City operations to help identify the correct level of coverage as well as promote opportunities to reduce risk in an effort to minimize the need for coverage.
- 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?
- As part of risk management strategy and good fiscal management.

Council Subcommittee Review

- Please provide a summary of council subcommittee review. If not reviewed by a council subcommittee, please explain why not.

City of Spokane
Premium Comparison
January 1, 2025 to January 2026

Coverage	Excluding TRIA Premiums	Excluding TRIA Premiums	Diff \$/#	Diff %
	Bound Premiums 2023 to 2024	Renewal Premiums 2025 to 2026		
Excess Workers Compensation				
Insurer	Safety National	Safety National		
Limit of Liability				
Employers' Liability Limit of Liability	\$5,000,000	\$5,000,000		
Self Insured Retention (SIR)				
Each Accident	\$1,500,000	\$1,500,000		
Premium	\$316,203	\$338,581	\$22,378	7.08%
Total Limit of Liability	\$10,000,000	\$10,000,000		
PE Excess Retained Limit Liability \$5m x SIR				
CGL, BAUT, LEL, POL, EPL & EXLI Safety National	\$630,534	\$716,254	\$85,720	13.59%
Premium \$5m x \$1.5m SIR	\$630,534	\$716,254		
Excess Liability (EXLI) \$5m x \$5m x SIR - Obsidian	n/a	\$600,000		
Surplus Lines Taxes & Fees		\$13,800		
Premium \$5m x \$5m x SIR	\$0	\$613,800		
Excess Liability (EXLI) 1st 2m x \$5m x SIR - Upland	\$349,920	Replaced by Obsidian		
Surplus Lines Tax & Fee	\$7,348			
Premium \$2m x \$5m x SIR	\$357,268	\$0		
Excess Liability (EXLI) 2nd \$3m x \$7m x SIR - General Star	\$454,250	Replaced by Obsidian		
Surplus Lines Tax & Fee	\$9,539			
Premium \$3m X \$7m x SIR	\$463,789	\$0		
Total Excess Liability Program Premium \$10m x SIR	\$1,451,592	\$1,330,054	-\$121,538	-8.37%
Upriver Dam Hydro Project				
Insurer	Hartford & Princeton	Hartford & Princeton		
Policy Limit \$129,468,677				
Premium (100%)	\$356,485	\$338,404		
Surplus Lines Tax & Fee	\$7,486	\$7,783		
Total Premium (100%)	\$363,971	\$346,187	-\$17,784	-4.89%
Waste to Energy Plant				
Insurer	HSB, ACE, Princeton	HSB, ACE, Princeton		
Policy Limit \$285,308,630				
Premium (100%) * Estimated for 2024-2025	\$877,343	\$950,861		
Surplus Lines Tax & Fee (100%)	\$18,424	\$21,870		
Total Premium (100%)	\$895,767	\$972,731	\$76,964	8.59%
Waste Water Treatment Plant				
Insurer	Affiliated FM	Affiliated FM		
Policy Limit \$500,000,000				
Premium	\$413,524	\$421,795	\$8,271	2.00%
Terrorism				
Insurer	Lloyd's of London	Lloyd's of London		
Policy Limit \$100,000,000				
Premium	\$69,500	\$69,500		
Surplus Lines Tax & Fee	\$1,459	\$1,599		
Total Premium	\$70,959	\$71,099	\$140	0.20%
Equipment Breakdown (B&M)				
Insurer	Liberty Mutual	Liberty Mutual		
Policy Limit \$200,000,000				
Premium	\$96,017	\$104,915	\$8,898	9.27%
Crime				

City of Spokane
 Premium Comparison
 January 1, 2025 to January 2026

Coverage	Excluding TRIA Premiums		Diff \$/#	Diff %
	Bound Premiums 2023 to 2024	Renewal Premiums 2025 to 2026		
Insurer	AIG	AIG		
Premium	\$21,528	\$21,523	-\$5	-0.02%
Inland Marine (Equipment Floater)				
Insurer	AGCS	AGCS		
Catastrophe Limit	\$32,509,079	\$48,700,000	\$16,190,921	49.80%
Premium	\$49,934	\$75,238	\$25,304	50.67%
Aviation				
Insurer	Various	Various		
Number of Units on Schedule	30	25	-5	-16.67%
Premium (Pro-Rated 9/12/2023 to 9/1/2024)	\$8,834	\$6,061	-\$2,773	-31.39%
Cyber Security				
Insurer	AIG	AIG		
Premium	\$116,350	\$77,000		
Surplus Lines Tax & Fee	\$2,443	\$1,771		
Total Premium	\$118,793	\$78,771	-\$40,022	-33.69%
Total 1-01-2025 Insurance Premium Including SL Taxes & Fees - All Policies	\$3,807,122	\$3,766,955	-\$40,167	-1.06%

	9/1/2023 to 9/1/2024	Bound 9/1/2024 - 1/1/2026	Diff \$/#	Diff %
City Property				
Insurer	Travelers	Travelers		
Policy Limit \$250,000,000	12-month	15-month		
Premium	\$266,545	\$395,000	\$128,455	48.19%
Annualized Premium	\$266,545	\$296,047	\$29,502	11.07%

**Agenda Sheet for City Council:****Committee:** PIES **Date:** 12/16/2024**Committee Agenda type:** Discussion**Date Rec'd**

12/9/2024

Clerk's File #

OPR 2025-0037

Cross Ref #**Project #****Council Meeting Date:** 01/27/2025**Submitting Dept**

WASTEWATER MANAGEMENT

Bid #**Contact Name/Phone**

RAYLENE X7901

Requisition #

CR 27013

Contact E-Mail

RGENNETT@SPOKANECITY.ORG

Agenda Item Type

Contract Item

Council Sponsor(s)

BWILKERSON JBINGLE KKLITZKE

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** YES**Agenda Item Name**

4310 - INTERCEPTOR 3 CORRODED PIPE EMERGENCY SLIP-LINING

Agenda Wording

Emergency project to slip-line a failing 36-inch sewer pipe (interceptor 3) on a steep hillside before it completely fails and becomes a hazard to the public and the larger interceptor pipe below it.

Summary (Background)

Sinkhole was a displacement of soil that fell into the pipe where the top of the 1981 concrete pipe collapsed, presumably from hydrogen sulfide (H₂S) internal corrosion in an unexpected part of the system (fast flow rather than slow flows that are more commonly susceptible to hydrogen sulfide).

What impacts would the proposal have on historically excluded communities?

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?

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

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget? YES	
Total Cost	\$ 149,000.00
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Expense \$ 149,000.00	# 4310-43117-35148-54899-99999
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	
Funding Source Type Select	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	Additional Approvals
Dept Head	GBYRD
Division Director	GBYRD
Accounting Manager	GBYRD
Legal	GBYRD
For the Mayor	GBYRD
Distribution List	
	sspence@spokanecity.org
kkeck@spokanecity.org	mmurray@spokanecity.org
Tax & Licenses	rgennett@spokanecity.org
dstuder@spokanecity.org	mlund@spokanecity.org
tlester@spokanecity.org	

Committee Agenda Sheet

Public Infrastructure, Environment & Sustainability Committee

Committee Date	12-16-24
Submitting Department	Wastewater Management
Contact Name	Duane Studer
Contact Email & Phone	dstuder@spokanecity.org , 509-625-7902
Council Sponsor(s)	Wilkerson, Bingle, Klitze
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested: 5 minutes
Agenda Item Name	Interceptor 3 corroded pipe emergency slip-lining
Proposed Council Action	<input type="checkbox"/> Approval to proceed to Legislative Agenda <input checked="" type="checkbox"/> Information Only
Summary (Background) *use the Fiscal Impact box below for relevant financial information	<ul style="list-style-type: none"> • The City recently discovered a sinkhole where a 36 inch interceptor pipe is failing. It is a connecting segment that is outside the street pavement, but on a steep hillside. Sinkhole was a displacement of soil that fell into the pipe where the top of the pipe collapsed from excessive corrosion, presumably from hydrogen sulfide (H2S). • This is an emergency project to slip-line a failing 36-inch sewer pipe (Interceptor 3) on a steep hillside before it completely fails and becomes a hazard to the public and the larger interceptor pipe below it. This 1981 concrete pipe has apparent hydrogen sulfide internal corrosion in an unexpected part of the system (fast flow rather than slow flows that are more commonly susceptible to H2S). Condition was difficult to assess previously due to excessively high flow velocities that prevented crew's ability to safely CCTV sewer camera the line more than the upper section. • See attached exhibit for location of the project. • Construction of the project is as soon as possible in 2024. • This briefing paper pertains to the proposed construction contract with Halme Construction, who already is responsible for the adjacent site (final stages of the T.J. Meenach Sewer Siphon project). • This project design will be paid with existing utility funds already budgeted for 2024 (Sewer Line Replacement).
Fiscal Impact Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Total Cost: \$149,000 (est.) to be confirmed later Current year cost: \$149,000 (est.) Subsequent year(s) cost: \$0 Narrative: Please provide financial due diligence review, as applicable, such as number and type of positions, grant match requirements, summary type details (personnel, maintenance and supplies, capital, revenue), impact on rates, fees, or future shared revenue Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A Specify funding source: Select Funding Source* Is this funding source sustainable for future years, months, etc? Click or tap here to enter text. Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A 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?

Public works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community and to respond to gaps in services identified in various City plans.

- 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

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

Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

- 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 work is consistent with annual budget strategies to limit costs and approved projects in the 6-year CIP.

Council Subcommittee Review

- Please provide a summary of council subcommittee review. If not reviewed by a council subcommittee, please explain why not.

Interceptor 3 (I03) pipe segment to be lined (north is up):





**EMERGENCY NONCOMPETITIVE PROCUREMENT
JUSTIFICATION FORM**

**CITY OF SPOKANE
808 W Spokane Falls Blvd
Spokane WA 99201**

Description of Product/Service: pipe slip lining

Requisition Number: ?

Estimated amount of this purchase: \$ \$60,000

Contract Period: December 11, 2024 - Jan. 15, 2025

Department: Wastewater Management Contact Person: Duane Studer Phone: 509-625-7902

Due Date: substantial Dec. 20, 2024 Work must be completed by: Dec. 31, 2024

Date Material/Equipment/Supplies must be delivered by: Dec. 16, 2024

Location: Riverview & Alberta (Near TJ Meenach)

Date Service must begin by: Dec. 13, 2024

Please provide the following information in order to document justification of an emergency noncompetitive procurement.

1. Identify which of the four circumstances listed in 2 C.F.R. § 200.320(f) justify a noncompetitive procurement:

The item is available only from a single source

The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation

The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal

After solicitation of a number of sources, competition is determined inadequate

2. Provide a brief description of the product or service being procured, including the expected amount of the procurement.

- Excavate and remove top section of MH 0367836 for direct access to pipe
- Slip-line a severely corroded concrete pipe. Seal annular ends of new pipe.
- Grout lower section and grout annulus between pipes (steep hillside).
- Reassemble, backfill and compact MH.

+

3. Explain why a noncompetitive procurement is necessary. If utilizing the exigency/emergency exception, the justification should explain the nature of the public exigency or emergency, including specific conditions and circumstances that clearly illustrate why procurement other than through noncompetitive proposals would cause unacceptable delay in addressing the public exigency or emergency. (Failure to plan for transition to competitive procurement cannot be the basis for continued use of noncompetitive procurement based on public exigency or emergency).

Severely degraded pipe that has already failed in multiple locations 10' deep will not last in the event of rain storm and active soil forces. The consequence of a failure at this site (such as washing out the hillside and jeopardizing the 60" interceptor pipe immediately below that carries majority of the City's sewer flow) would put the public at

+

4. State how long the noncompetitively procured contract will be used for the defined scope of work and the impact on that scope of work should the noncompetitively procured contract not be available for that amount of time (e.g., how long do you anticipate the exigency or emergency circumstances will continue; how long will it take to identify your requirements and award a contract that complies with all procurement requirements; or how long would it take another contractor to reach the same level of competence).

Non-compet. contract term to be used: 2 to 3 weeks anticipated.

Basic parameters and sketch to construct repair - 2 to 4 days +/- . Ancillary items like erosion control and logistics for stockpiling/access could be worked out as material gathering commences. Scope of work would exponentially increase to mitigating

+

5. Describe the specific steps taken to determine that full and open competition could not have been used, or was not used, for the scope of work (e.g., research conducted to determine that there were limited qualified resources available that could meet the contract provisions).

Contractor likely would follow Force Account (GSP Section 1-09.6) procedures for actual labor, equipment, and materials per WSDOT/City Standard Specifications.

6. Describe any known conflicts of interest and any efforts that were made to identify possible conflicts of interest before the noncompetitive procurement occurred. If no efforts were made, explain why. If a conflict of interest is unavoidable, such as due to exigent/emergency circumstances, explain how it was unavoidable and any steps taken to address the impact of that conflict of interest.

None known. Contractors preliminarily screened verbally for any known interest conflicts or relatives that could bias selection.

Requested Vendor: Halme
Construction

Vendor's Address: _____

Vendor Contact: _____ Phone: _____

If the cost of the noncompetitive procurement is greater than the appropriate procurement threshold for department action, immediately contact the Purchasing Division or City Attorney's Office as appropriate.

My department's recommendation for noncompetitive procurement is based upon an objective review of the good/service being required and appears to be in the best interest of the City. I know of no conflict of interest on my part or personal involvement in any way with this request. No gratuities, favor, or compromising action have taken place. Neither has my personal familiarity with particular brands, types of equipment, materials or firms been a deciding influence on my request to sole source this purchase when there are other known suppliers to exist.

Malfred Lund Digitally signed by Malfred Lund
Date: 2024.12.06 07:19:32 -08'00'

Signature of Requestor
(Must be an authorized Department Buyer)

_____ Date

Malfred Lund Digitally signed by Malfred Lund
Date: 2024.12.06 09:21:22 -08'00'

Signature of Department Head or Designee

_____ Date

APPROVED
By Jason Nechanicky at 9:33 am, Dec 06, 2024

Approval by Purchasing (Over \$50,000)

_____ Date

Approval by Grants Management
(Required for grant funded purchases)

_____ Date

In the Consent Agenda Item No. 3, OPR 2025-0037:

1. Strike the current agenda wording and replace it with the following:

OPR 2025-0037

Contract with Halme Construction, Inc. (Spokane) for emergency project to slip-line a failing 36-inch sewer pipe on a steep hillside– ~~not to exceed \$250,000~~. (Council Sponsors: Council President Wilkerson and Council Members Bingle and Klitzke)

Raylene Gennett

2. Correct all references to the dollar amount in the agenda sheet and companion materials to reflect the correct dollar amount.
3. Strike the current briefing paper and replace it with the attached briefing paper.

PURPOSE OF AMENDMENT: The amendment would strike the current briefing paper and replace it with the attached. The amendment would also adjust the dollar amount listed on the agenda sheet to read “not to exceed \$250,000.”

UPDATED Committee Briefing Paper

Public Infrastructure, Environment & Sustainability Committee

Committee Date	12-16-24
Submitting Department	Wastewater Management
Contact Name	Duane Studer
Contact Email & Phone	dstuder@spokanecity.org , 509-625-7902
Council Sponsor(s)	Wilkerson, Bingle, Klitze
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested: 5 minutes
Agenda Item Name	Interceptor 3 corroded pipe emergency slip-lining
Proposed Council Action	<input type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
Summary (Background) *use the Fiscal Impact box below for relevant financial information	<ul style="list-style-type: none"> • The City recently discovered a sinkhole where a 36 inch interceptor pipe is failing. It is a connecting segment that is outside the street pavement, but on a steep hillside. Sinkhole was a displacement of soil that fell into the pipe where the top of the pipe collapsed from excessive corrosion, presumably from hydrogen sulfide (H2S). • This is an emergency project to slip-line a failing 36-inch sewer pipe (Interceptor 3) on a steep hillside before it completely fails and becomes a hazard to the public and the larger interceptor pipe below it. This 1981 concrete pipe has apparent hydrogen sulfide internal corrosion in an unexpected part of the system (fast flow rather than slow flows that are more commonly susceptible to H2S). Condition was difficult to assess previously due to excessively high flow velocities that prevented crew’s ability to safely CCTV sewer camera the line more than the upper section. • See attached exhibit for location of the project. • Construction of the project is as soon as possible in 2024. • This briefing paper pertains to the proposed construction contract with Halme Construction, who already is responsible for the adjacent site (final stages of the T.J. Meenach Sewer Siphon project). • This project design will be paid with existing utility funds already budgeted for 2024 (Sewer Line Replacement).
Fiscal Impact Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Total Cost: \$250,000 (est.) to be confirmed later Current year cost: \$250,000 (est.) Subsequent year(s) cost: \$0	
Narrative: <u>COUNCIL APPROVAL IS SOUGHT FOR UP TO \$250,000</u>	
Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A Specify funding source: Select Funding Source* Is this funding source sustainable for future years, months, etc? Click or tap here to enter text.	

Expense Occurrence One-time Recurring N/A

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?

Public works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community and to respond to gaps in services identified in various City plans.

- 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

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

Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.

- 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 work is consistent with annual budget strategies to limit costs and approved projects in the 6-year CIP.

Council Subcommittee Review

- Please provide a summary of council subcommittee review. If not reviewed by a council subcommittee, please explain why not.

Not applicable





Agenda Sheet for City Council:

Committee: Urban Experience **Date:** 01/13/2025

Committee Agenda type: Consent

Date Rec'd 12/19/2024

Clerk's File # OPR 2025-0014

Cross Ref #

Project #

Council Meeting Date: 01/13/2025

Submitting Dept	COMMUNITY, HOUSING & HUMAN	Bid #	
------------------------	----------------------------	--------------	--

Contact Name/Phone	KERI 6577	Requisition #	
---------------------------	-----------	----------------------	--

Contact E-Mail	KCEDERQUIST@SPOKANECITY.ORG		
-----------------------	-----------------------------	--	--

Agenda Item Type	Contract Item		
-------------------------	---------------	--	--

Council Sponsor(s)	ZZAPPONE KKLITZKE JBINGLE		
---------------------------	---------------------------	--	--

Agenda Item Name	1680- EVICTION PREVENTION FUND SUBCONTRACT APPROVAL		
-------------------------	---	--	--

Agenda Wording

Requesting City Council approval to enter new contracts to fast-track spend-down of \$1.26m remaining Eviction Prevention Funds under the System Demonstration Grant, ensuring expenditure by the June 30, 2025, deadline.

Transitions - OPR 2025-0014

Summary (Background)

CHHS manages \$3.4m Eviction Prevention fund through WA Dept. of Commerce. Subawards were initially made to 3 organizations for FY23-25. As of Nov. 2024, \$1.26m remains in the award, due to slow draw-down and unused admin/operations held by the City. CHHS issued an RFP from Nov. 15-Dec. 8. 2024 for providers with capacity to rapidly mobilize funds and received 4 applications. The CHHS Human Services committee recommends entering subcontracts with providers listed in attachments.

Lease? NO Grant related? YES Public Works? NO

Fiscal Impact

Approved in Current Year Budget? YES

Total Cost	\$ 3,462,099.00
------------	-----------------

Current Year Cost	\$
-------------------	----

Subsequent Year(s) Cost	\$ 1,261,337.00
-------------------------	-----------------

Narrative

Unused admin/operations held by City CHHS was originally intended for 1.0 FTE but consolidated into existing portfolio.

Amount	Budget Account
---------------	-----------------------

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



Continuation of Wording, Summary, Approvals, and Distribution

Agenda Wording

Summary (Background)

Approvals

<u>Dept Head</u>	GBYRD
<u>Division Director</u>	GBYRD
<u>Accounting Manager</u>	GBYRD
<u>Legal</u>	GBYRD
<u>For the Mayor</u>	GBYRD

Additional Approvals

<u>ACCOUNTING -</u>	GBYRD

Distribution List

	arielleanderson@spokanecity.org
dkinder@spokanecity.org	mmorisson@spokanecity.org
kcederquist@spokanecity.org	sbrown@spokanecity.org
aduffey@spokanecity.org	dnorman@spokanecity.org
zhjelm@spokanecity.org	

Committee Agenda Sheet

Urban Experience Committee

Committee Date	1/13/2025
Submitting Department	Community Housing and Human Services
Contact Name	Keri Cederquist
Contact Email & Phone	kcederquist@spokanecity.org ext. 6577
Council Sponsor(s)	Zappone, Bingle, Klitzke
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: 5 min
Agenda Item Name	Eviction Prevention Subcontract Approval
Proposed Council Action	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
Summary (Background)	<p>*use the Fiscal Impact box below for relevant financial information. Click or tap here to enter text.</p> <p>CHHS manages a \$3.4m Eviction Prevention grant funded by WA State Dept. of Commerce. As of Nov. 2024, \$1.26m remained in the award, which must be expended by June 30, 2025. CHHS issued an RFP from Nov. 15-Dec. 8. 2024 for contractors with demonstrated capacity to rapidly mobilize prevention funds. The CHHS Human Services committee recommends subcontracting with SNAP, Catholic Charities, and Transitions in addition to current subgrantees Carl Maxey Center, Nuestras Raices Centro Comunitario, and Family Promise of Spokane.</p>
Fiscal Impact	
Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Total Cost: \$3,462,099.00 Current year cost: Subsequent year(s) cost: \$1,261,337.00	
<p>Narrative: The \$3.4m Eviction Prevention portfolio, funded by the WA Department of Commerce’s System Demonstration Grant (SDG), requires all funds to be expended by June 30, 2025 or returned to Commerce. \$2.4m was subcontracted to three providers in 2023. As of Nov. 2024, \$1.26m remained due to slow spend-down and unutilized administrative funds. To prevent forfeiture of funds, an RFP was issued (Nov.15-Dec.8) and four applicants responded. The CHHS Human Services Committee recommends funding SNAP, Catholic Charities, and Transitions as they demonstrated capacity to rapidly deploy rental assistance and comply with program requirements.</p>	
Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A Specify funding source: Grant Is this funding source sustainable for future years, months, etc? Dept. of Commerce indicates the fund will be included in Homelessness Prevention activities under the System Demonstration Grant (SDG) in subsequent years	
Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A	

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

Unused admin/operations held by City CHHS was originally intended for 1.0 FTE but consolidated into existing portfolio

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

- What impacts would the proposal have on historically excluded communities?
44% of funds are distributed through by-and-for organizations to ensure resources are directed to communities most affected by housing instability.
- 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 is collected through HMIS and is reviewed in accordance with city, state, and federal performance metrics. In addition, Commerce maintains an Equity Analysis dataset to identify service gaps and guide resource distribution to historically underserved/marginalized populations
- How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?
Department of Commerce will use submitted data to benchmark the effectiveness of this program.
- 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 program aligns with the CoC's Five Year Strategic Plan to End Homelessness

Council Subcommittee Review

- Please provide a summary of council subcommittee review. If not reviewed by a council subcommittee, please explain why not.

Provider	Avg Score	Funds Requested	% of funds available	Funds Recommended	# Served	Cost per
SNAP - Singles	94.0	\$ 787,332.86	62.4%	\$ -	155 singles & youth	\$ 3,875.00
SNAP - Families	94.0	\$ 1,045,572.86	82.9%	\$ 873,290.00	103 singles&youth 83 Families	\$3,875 = S \$4,800 = F
St. Margarets	79.7	\$ 158,000.00	12.5%	\$ 158,000.00	20 households	\$ 5,000.00
Transitions	93.9	\$ 230,047.00	18.2%	\$ 230,047.00	12 households	\$ 1,380.00
NECC-Zone	0.0	\$ 225,862.30	17.9%	\$ -	12 households	\$ 7,500.00



CITY OF SPOKANE
Eviction Prevention

Project applicants may submit applications for eviction prevention activities as described in the associated Eviction Prevention City of Spokane Notice of Funding Availability (NOFA).

PROPOSAL SUBMITTED BY:

ORGANIZATION	Transitions
POINT OF CONTACT	Sarah Lickfold
PHONE	(509) 328-6702
E-MAIL	slickfold@help4women.org

SIGNATURE *Sarah M. Lickfold*

Signature here will confirm compliance with all instructions, terms, and conditions of Funding Notice.

Applicants that wish to be considered for funding under this opportunity must respond to the following questions in writing and meet all conditions and requirements as stated in the NOFA. Submission of this application does not guarantee that a proposal will be approved.

General Instructions

Please complete a single narrative application for the proposal. Please be concise but complete in your responses.

Proposal Summary

Organization Signing Authority Contact Information

Contact Person: Sarah Lickfold
Mailing Address: 3128 N. Hemlock St
Spokane, WA 99205
Telephone: (509) 328-6702
E-mail: slickfold@help4women.org

Organization Project Contact Information

Contact Person: Angela Amos
Mailing Address: 920 W. 2nd Ave
Spokane, WA 99201
Telephone: (509) 455-4249
E-mail: aamos@help4women.org

Submission Date: **12/8/24**

Project Title: **Eviction Prevention**

Applicant Organization / Lead Agency Name: **Transitions**

Dollar Amount Requested from City of Spokane: **\$230,047**

Project Overview and Description Questions

1. Describe your experience managing Eviction Prevention Funds:

Transitions has managed and disbursed housing assistance funds for many years. We operate six programs with the mission of ending poverty and homelessness for women and children in Spokane; 100% of our participants are low-income, with most below 30% AMI. We have administered direct client assistance funds routinely over our decades of operation, and our intake processes at all program sites ensure and document client eligibility for projects like these. All Transitions housing and housing case management participants are entered into the City of Spokane's Community Management Information System (CMIS).

Most recently, our Women's Hearth site, the focus of this current request, disbursed Spokane County/ Dept. of Commerce Eviction Prevention funds over the past 12 months. Through this program, we were able to assist 40 households who were facing acute risk of eviction due to rental or utilities arrears. We have disbursed assistance approximately once a week since the initial County award, managing a total of \$55,200. We have maintained compliance with all Commerce disbursement parameters, eligibility requirements, and reporting schedules. We have well-established intake and recordkeeping processes in place. The County has affirmed our performance and approach with positive feedback during desk audits. This experience has been extremely positive for participants, as Transitions is able to complement the disbursed funds with individualized case management and aftercare to help households address their risk factors for eviction.

2. Describe your proposed intake and assessment process; including the capacity to manage a potentially high volume of applications for assistance effectively within a six-month period:

Our current Eviction Prevention assessment and disbursement process is already in line with Commerce's Consolidated Homeless Grant requirements. The Women's Hearth is an extremely low-barrier environment, with no participation or documentation requirements for entry. Households are not screened out based on income, credit history, rental history, disability, justice system involvement, substance use, lack of ID, or other potential barriers to housing readiness. Intake scheduling is very flexible, and our drop-in service model increases access for participants who may not have the personal infrastructure or capacity to maintain scheduled appointments. Community expectations at the Hearth are focused on maintaining an environment that is safe and affirming for all participants, including transgender women. The Women's Hearth is Spokane's only daytime shelter space solely for women and non-binary individuals. If awarded Eviction Prevention funds, however, the Hearth is well-equipped to offer virtual appointments and dedicated drop-in visit times for male participants. Participants will also be welcome to submit scanned documentation electronically as part of the virtual appointment process; we hope this will further reduce barriers or delays to assessment and project enrollment.

When participants disclose housing insecurity and/or a desire to participate in housing case management, Case Managers complete a more formal intake for Eviction Prevention assistance, assessing participant eligibility for grant funds. We next communicate directly with the participant's property manager to obtain a ledger of balances owed and a copy of the rental agreement. If participants are indeed eligible for Eviction Prevention funds, the amount owed is paid directly to landlords. This process is accompanied by ongoing case management and supportive conversations with participants to determine what financial stability looks like for them following this assistance, to minimize repeat need. Goals may include seeking a roommate to share rental expenses, vocational services to increase income, referrals for healthcare or services, and transportation to referral appointments to ensure access and further participation. With an added 1.0 FTE case manager, we could increase capacity for Eviction Prevention funds disbursement to up to 8 clients participants served per day.

3. Describe how you will conduct marketing and outreach activities to connect with households most likely to become homeless:

The Women's Hearth serves approximately 1200 individuals annually; in fact, we are on track to serve at least 1400 in 2024. Our busy event and services calendar has a wide reach among Spokane's homeless and insecurely-housed communities; simply adding Eviction Prevention drop-in hours, announcing these funds at monthly Matters of the Hearth meetings, and our ongoing daily conversations with participants will create widespread awareness. Word-of-mouth is one of the primary ways new participants find their way to the Hearth; referrals from a peer or trusted friend often help new participants feel safe and more likely to engage in services. Our soft-touch, relationship-focused approach builds trust with participants who may not otherwise feel inclined to disclose housing insecurity. And the Hearth has no requirements for participation, which also helps participants take ownership of their pathways and seek the assistance that they most need. We often serve participants who have been exited from services elsewhere, and our drop-in service model and supportive staff enable us to have successful case management appointments with high-need participants. Additionally, our Housing Alumnae Case Management staff and New Leaf Vocational Services sites will be able to refer participants to the Hearth for Eviction Prevention Funds.

4. Please provide a detailed plan of how you will mobilize rental assistance funds efficiently and effectively within a six-month period:

We anticipate a brisk spend-down of any funds awarded. The Hearth currently receives constant requests for housing assistance funds by phone, email, and Homeless Coalition listserv messages. We already have a well-established Eviction Prevention intake process, which will be scalable if we are awarded funds to add case management staff hours. Adding case management staffing will increase our capacity to complete eligibility intakes, submit referrals to Coordinated Entry, and process Coordinated Entry referrals for disbursement. We estimate that we can more than double the Hearth's current assessment/disbursement capacity with the addition of a 1.0 FTE case manager.

The Hearth exclusively serves women and non-binary individuals during our regular opening hours. To accommodate male participants for assessment, referral, and disbursement, we are well-prepared to offer both virtual appointments and dedicated drop-in hours so that male participants can complete intakes and access disbursement and case management.

5. Please describe how your project will document program eligibility:

Our current Eviction Prevention intake process includes documented eligibility verification, assessing each participant's level of need and verifying that the participant meets grant-required eligibility parameters, including income level and having a signed lease agreement. Once eligibility is established, our case manager contacts the participant's property management company to obtain a balance owed and a copy of the rental agreement. If a participant meets the eligibility requirements, their referral will be submitted to Coordinated Entry. Case managers keep documentation throughout this process and of financial stability problem-solving conversations with participant and what goals are formulated through this discussion. All of the steps of this process are documented in the participant's confidential file and retained in a locked cabinet for a minimum of seven years.

6. Describe the experience/qualifications required by your staff for financial report preparation, management, and frontline positions:

Financial reports are prepared by the Women’s Hearth Program Director and Transitions’ Financial Controller. Our Financial Controller holds an MBA and 7 years of experience in accounting in both the private and nonprofit sectors. The Women’s Hearth Program Director holds an M.A. in Addiction Studies, is a certified Substance Use Disorder Professional trainee, and has 8 years experience in management roles and social service delivery.

Front-line staff and all program volunteers are required to complete a background check and sign a confidentiality contract. Staff must have either significant relevant employment or first-hand life experience in social work/housing insecurity/poverty/disability services. Upon hire, staff are required to complete trainings in trauma-informed care and race equity, and to adhere to the Hearth’s values of engagement-centered healing, respect for human dignity, and client-led goalsetting. Additionally, by the end of 2024, all staff members at Transitions will have completed the required trainings (Trauma-Informed Care, Rapid Re-Housing, Race Equity, et al) for Commerce CHG funding projects.

7. Please describe how your organization interacts and collaborates with Coordinated Entry:

Transitions is an experienced collaborator with Coordinated Entry (CE) as both a source and recipient of referrals. Our three housing sites receive CE referrals for both Singles and Families, and at the Hearth, we participate in CE by offering Singles Coordinated Entry assessments. At the Hearth, Case Managers enter new participants into CMIS when they enroll in case management. All Transitions Housing participants are also entered into CMIS. We are fully equipped to accept CE referrals for Eviction Prevention assistance and to fill Eviction Prevention openings exclusively through those referrals.

We maintain strong and cordial relationships with other CE providers and are active in the Spokane homeless services provider network, participating in the Spokane Homeless Coalition, bimonthly Spokane Regional Health District Service Providers call, Empire Health Foundation’s Housing Navigation/Storm Shelter provider forums, and the City of Spokane Street Outreach meetings. And we collaborate frequently with other Coordinated Entry intake sites (Catholic Charities, SNAP, and Goodwill) to ensure that the referral process works as smoothly as possible so that participants can get housed quickly.

Budget Narrative

Rent Payments

Monthly rent, rental arrears as described in SDG guidelines

\$141,800 is requested for rent payments: \$124,057 is requested for direct client assistance with monthly rent / rental arrears. At an average disbursement about of \$1,380 per household, we estimated serving 89 households with rent assistance. \$17,725 is requested for direct assistance with application fees, background and credit check fees. Our current disbursements indicate that approximately one out of every seven households requesting assistance is seeking help with property rental application and screening fees, so the above requested amounts reflect that ratio. At an average of \$1480 per household, we anticipate serving 12 households with rental application process fees.

Operations

Salaries and Benefits for staff costs directly attributable to the program, including but not limited to program staff, information technology staff, human resources staff, bookkeeping staff, and accounting staff:

\$58,241 is requested for salaries and benefits: \$45,479 for a 1.0 FTE case manager salary; \$8,417 for case manager benefits; \$3,666 for 0.05 FTE Hearth Program Director salary staff hours; and \$678 for Hearth Program Director benefits. This figure is arrived at using internal payroll scales and an 18.5% rate for calculating benefits. The case management staff time would support client intake appointments, assessment and referral time, documentation time, and disbursement time. The Program Director staff time supports direct supervision of case management time and Eviction Prevention project implementation.

Indirect Administration (not to exceed 15% of eligible expenses)

\$30,006 is requested for project administration.

Required Attachments

Please see attached Risk Assessment. Transitions is currently under contract with the City of Spokane, so please refer to previously submitted business license, financial audit, and confirmation of insurance.

**Agenda Sheet for City Council:****Committee:** Public Safety **Date:** 01/06/2025**Committee Agenda type:** Consent**Date Rec'd**

12/30/2024

Clerk's File #

RES 2025-0004

Cross Ref #**Project #****Council Meeting Date:** 01/27/2025**Submitting Dept**

RISK MANAGEMENT

Bid #**Contact Name/Phone**

JASON 625-6585

Requisition #**Contact E-Mail**

JNECHANICKY@SPOKANECITY.ORG

Agenda Item Type

Resolutions

Council Sponsor(s)

PDILLON BWILKERSON MCATHCART

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

RESOLUTION REGARDING INSURANCE PREMIUM PURCHASES

Agenda Wording

Resolution regarding Insurance premium purchases

Summary (Background)

Insurance policies are secured for various categories as part of good fiscal policy. We contract with a broker to negotiate premiums on our behalf. In order to optimize the use of the broker and comply with RCW and SMC for competitive procurement process the Council needs to exercise their power to waive the competitive procurement process.

What impacts would the proposal have on historically excluded communities?

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?

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

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget? N/A	
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	
Funding Source Type Select	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	JORDAN, SCOTT
Division Director	BOSTON, MATTHEW
Accounting Manager	BAIRD, CHRISTI
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	

RESOLUTION NO. 2025-_____

A Resolution declaring the waiver of public bid requirements for the purchase of 2025 insurance premiums for specified City insurance coverages.

WHEREAS, the City of Spokane is self-insured but carries various insurance policies as a practice of fiscal policy; and

WHEREAS, the City annually secures coverage for property casualty, general liability, law enforcement liability, commercial auto liability, public officials' liability, damage and repair to boilers and machinery, acts of terrorism, inland marine casualty (fire truck), excess worker's compensation, cyber liability, criminal acts, and limited aviation coverage; and

WHEREAS, the nature of the insurance industry is such that utilizing normal public procurement processes are likely to result in a higher cost of premiums; and

WHEREAS, the City of Spokane does not have sufficient subject matter experts to coordinate and negotiate the various insurance coverages and premiums necessary to properly insure the City, and for this reason the City hired an insurance broker, who was selected through normal competitive procurement process and whose fees are paid separately from premiums, to negotiate premiums and coverages on behalf of the City; and

WHEREAS, it is recommended the City secure certain insurance coverages as negotiated by its insurance broker and recommended from time to time, usually on an annual basis; and

WHEREAS, as allowed by RCW 39.04.280 (1) (d), and SMC 07.06.170, the Council may by resolution waive the public bid requirements of insurance; and

WHEREAS, the City desires to waive public bid requirements for the foregoing insurance coverages, as well as other coverages that may be identified as prudent for the City to secure; and

NOW, THEREFORE, BE IT RESOLVED that the Spokane City Council hereby declares a waiver of public bid requirements for the purchase of insurance policies; and

BE IT ALSO RESOLVED that the Council resolution is a general approval of waiver of public bidding procedures for securing of insurance quotes, and that approval of actual coverages and associated premiums shall be by separate resolution.

Passed by the City Council this ____ day of _____, 2025.

City Clerk

Approved as to form:

Assistant City Attorney



Agenda Sheet for City Council:

Committee: Finance & Administration **Date:** 11/25/2024

Committee Agenda type: Discussion

Date Rec'd 11/14/2024

Clerk's File # ORD C36630

Cross Ref #

Project #

Council Meeting Date: 01/13/2025

Submitting Dept CITY COUNCIL

Bid #

Contact Name/Phone ANDRES (509)651-0855

Requisition #

Contact E-Mail AGRAGEDA@SPOKANECITY.ORG

Agenda Item Type First Reading Ordinance

Council Sponsor(s) LNAVARRETE MCATHCART PDILLON

Agenda Item Name 0320 - MULTILINGUAL RECRUITMENT ORDINANCE

Agenda Wording

An ordinance relating to language access and the recruitment of bilingual and multilingual applicants to the City of Spokane, and amending Section 18.11.050 of the Spokane Municipal Code.

Summary (Background)

City Council wishes to work with Civil Service to advance the recruitment of bilingual and multilingual applicants to the City of Spokane. This ordinance calls for the City to establish policies and procedures to improve the recruitment of applicants for the City of Spokane who are fluent in multiple languages.

Lease? NO Grant related? NO Public Works? NO

Fiscal Impact

Approved in Current Year Budget? NO

Total Cost \$

Current Year Cost \$

Subsequent Year(s) Cost \$

Narrative

This ordinance could compel Civil Service to promote vacant positions to communities or populations through means that it wouldn't normally in order to reach these populations. This could include flyers, posters or direct outreach to organizations.

Amount

Budget Account

Expense \$ tbd

tbd

Select \$

#

Select \$

#

Select \$

#

\$

#

\$

#

Committee Briefing Paper

Finance & Administration Committee

Committee Date	11/25/2024
Submitting Department	City Council
Contact Name	Andres Grageda
Contact Email & Phone	agrageda@spokanecity.org (509)651-0855
Council Sponsor(s)	CM Navarrete CM Dillon CM Cathcart
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested: 5
Agenda Item Name	Multilingual Recruitment ORD
Proposed Council Action	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
Summary (Background)	<p>City Council wishes to work with Civil Service to advance the recruitment of bilingual and multilingual applicants to the City of Spokane. This ordinance calls for the City to establish policies and procedures to improve the recruitment of applicants for the City of Spokane who are fluent in multiple languages.</p> <p>*use the Fiscal Impact box below for relevant financial information</p>
<p>Fiscal Impact</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Total Cost: Click or tap here to enter text.</p> <p> Current year cost: Unknown</p> <p> Subsequent year(s) cost: Unknown</p> <p>Narrative: ! <u>This ordinance could compel Civil Service to promote vacant positions to communities or populations through means that it wouldn't normally in order to reach these populations. This could include flyers, posters or direct outreach to organizations that work with these populations. They would also need to verify that the applicants are fluent in the language that they are claiming to be fluent in which could have a cost associated with it.</u></p> <p>Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A</p> <p>Specify funding source: Select Funding Source*</p> <p>Is this funding source sustainable for future years, months, etc? Click or tap here to enter text.</p> <p>Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring <input checked="" type="checkbox"/> N/A</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
<p>Operations Impacts (If N/A, please give a brief description as to why)</p> <ul style="list-style-type: none"> • What impacts would the proposal have on historically excluded communities? <p>This would give people who might not normally work for city government the opportunity to get a job that would advance their career. It would increase their likelihood of getting hired for a position at the City of Spokane. It also benefits our constituents who aren't fluent in English when the city has personnel that speak their language.</p> <ul style="list-style-type: none"> • 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? 	

Civil Service collects data on people hired. We would be able to know if more people are hired from different demographics who are bilingual and multilingual.

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

Civil Service collects data on the demographics of people hired to the City. They would keep track of the people who are hired with language capabilities. The policy will have been effective if the number of people hired to the City who possess multilingual capabilities increases.

- 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?

The SMC has a section called “Language Access in Municipal Proceedings”, the provisions of which would be easier to implement if the City had many people who speak multiple languages.

Council Subcommittee Review

- Please provide a summary of council subcommittee review. If not reviewed by a council subcommittee, please explain why not.

The ordinance was presented to the Equity Subcommittee and the SHRC. Both groups reacted positively to the ordinance and feel that more could be done to attract these applicants, such as pay increases for multilingual capabilities.

ORDINANCE NO. C36630

An ordinance relating to language access and the recruitment of bilingual and multilingual applicants to the City of Spokane, and amending Section 18.11.050 of the Spokane Municipal Code.

WHEREAS, nearly 8% of Spokane residents reported speaking a language other than English at home; and

WHEREAS, Spokane Public Schools (SPS) estimates students throughout the school district represent nearly 80 different languages; and

WHEREAS, in 2023, the City Council adopted Ordinance C36449, which requires City departments to establish a language access program, including identifying vital government documents for regular translation and interpretation services for municipal proceedings; and

WHEREAS, the growing number of Spokane residents speaking a language other than English, combined with the requirement to create a Language Access Program for municipal operations, creates a need for more bilingual/multilingual persons employed by the City of Spokane, especially in divisions with high public interaction; and

WHEREAS, in 2024 the Washington State Legislature enacted SB 6157, which allows public employers to provide additional credit or points to a passing examination to applicants who have full professional proficiency or are completely fluent as a native speaker in one or more languages other than English; and

WHEREAS, the City of Spokane wishes to implement the provisions of SB 6157 and adopt it as the official hiring practice of the City.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That section 18.11.050 of the Spokane Municipal Code is amended to read as follows:

Section 18.11.050 Scope, Implementation and Milestones

- A. Except where earlier timelines are specified in this section or unless expressly exempted by SMC 18.11.070, all City departments shall have an implemented Language Access Program in place no later than January 1, 2026.

1. As soon as practical after the effective date of this ordinance, the City Council and Planning Department shall henceforth incorporate language access into any adopted departmental operating procedures.
2. No later than July 1, 2024, each affected city department shall identify those Vital Documents and Public Communication Materials it intends to include within the scope of its departmental LAP.
3. Commencing with the 2025 Annual Budget of the City, all affected departments shall include LAP planning as a line-item appropriation within any proposed departmental budget, which planning shall be consistent with the scope of its Vital Documents and Public Communication Materials identified pursuant to subsection 2 above.
4. Commencing with the 2026 Annual Budget of the City, all affected departments shall incorporate Language Access implementation as a line-item appropriation within any proposed departmental budget.
5. Commencing January 1, 2026, all departmental operating procedures shall be compliant with this Chapter.

B. Subject to allocated funding, the following milestones shall apply to specific operations and functions within the City of Spokane:

1. As soon as practical after the effective date of this ordinance, the City Council shall have drafted and implemented a Language Access Plan that assumes (a) translation of council-generated Public Communication Materials, which may include council ordinances, resolutions, proclamations, salutations, and further which may also include standing committee and subcommittee meeting agendas and materials; and (b) translation and/or interpretation services for council legislative sessions, briefing sessions, and standing committee meetings.
2. As soon as practical after the effective date of this ordinance, the Division of Information Technology shall have drafted and implemented a limited Language Access Plan that assumes translation of digital Public Communication Materials, including but not limited to the City's official website and social media.

3. The timelines in sections A and B above may be adjusted as necessary to comply with the procurement requirements and procedures in [SMC 07.06](#).

C. Consistent with state law and to achieve the goals of this section, the City shall establish policies and procedures that attract, recruit, and effectively utilize City of Spokane employees who possess professional fluency or are a native speaker in one or more languages other than English, thereby ensuring their skills are strategically leveraged by the City to meet the needs of the community.

D. Nothing in this section shall affect, modify, or amend any collective bargaining agreement or Civil Service rule that exists on the effective date of this section.

~~(E)~~ E. Nothing in this section shall be deemed to prevent a department from developing and implementing a multi-year, phased LAP, so long as meaningful implementation begins no later than January 1, 2026.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 4. Clerical Errors. Upon approval by the city attorney, the city clerk is authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

City Attorney

Mayor

Date

Effective Date



Agenda Sheet for City Council:

Committee: Urban Experience **Date:** 12/09/2024

Committee Agenda type: Discussion

Date Rec'd 11/21/2024

Clerk's File # ORD C36633

Cross Ref #

Project #

Council Meeting Date: 01/13/2025

Submitting Dept PLANNING & ECONOMIC

Bid #

Contact Name/Phone SPENCER X6097 / X6543

Requisition #

Contact E-Mail SGARDNER@SPOKANECITY.ORG/MD

Agenda Item Type First Reading Ordinance

Council Sponsor(s) ZZAPPONE KKLITZKE JBINGLE

Agenda Item Name 0650 CHANGES TO HISTORIC PRESERVATION REVIEW OF DEMOLITIONS

Agenda Wording

CHANGES TO SMC 17D.100.230 ADDING CENTERS AND CORRIDORS TO HISTORIC PRESERVATION REVIEW OF PROPOSED DEMOLITION OF HISTORIC PROPERTIES; UPDATES TO COMPLY WITH STATE LAW; MODIFYING LIMITATIONS ON REDEVELOPMENT OF HISTORIC PROPERTIES

Summary (Background)

Pursuant to SMC 17G.025.010, the Spokane Plan Commission has a duty to review and make recommendations to City Council on proposed changes to SMC Title 17. Furthermore, pursuant to SMC Section 04.35.080, the Spokane Historic Landmarks Commission has a duty to review and comment on proposed changes to land use decisions as they relate to historic resources in Spokane. The Historic Landmarks Commission and Plan Commission both considered this proposal.

Lease? NO Grant related? NO Public Works? NO

Fiscal Impact

Approved in Current Year Budget? N/A

Total Cost \$ 0

Current Year Cost \$

Subsequent Year(s) Cost \$

Narrative

While this will may require additional staff time for occasional reviews, there are review fees associated.

Amount

Budget Account

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



Continuation of Wording, Summary, Approvals, and Distribution

Agenda Wording

Summary (Background)

Plan Commission held a hearing on the proposal on October 9, at which two amendments were presented and approved. Historic Landmarks Commission held a subsequent hearing on Oct 16 and recommended approval of the proposal as originally drafted. The version included in the draft ordinance reflects the recommendation of the Plan Commission. The version recommended by the Landmarks Commission is also included in the packet for reference. This proposal amends SMC 17D.100.230 to add Center and Corridor zones to the identified areas in Spokane where Historic Preservation review is required when demolition is proposed. The proposal also modifies aspects of the Historic Preservation code to conform with the requirements of 2023 House Bill 1293 by providing clear and objective design standards for review of proposed buildings. Continued on briefing paper.

Approvals		Additional Approvals	
<u>Dept Head</u>	GARDNER, SPENCER		
<u>Division Director</u>	GARDNER, SPENCER		
<u>Accounting Manager</u>	ORLOB, KIMBERLY		
<u>Legal</u>	SCHOEDEL, ELIZABETH		
<u>For the Mayor</u>	SCOTT, ALEXANDER		

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Committee Agenda Sheet

Urban Experience Committee

Committee Date	12/9/24
Submitting Department	Planning and Economic Development
Contact Name	Spencer Gardner
Contact Email & Phone	sgardner@spokanecity.org
Council Sponsor(s)	<u>CM Zappone; CM Klitzke; CM Bingle</u>
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested: 15 min
Agenda Item Name	CHANGES TO SMC 17D.100.230 ADDING CENTERS AND CORRIDORS TO HISTORIC PRESERVATION REVIEW OF PROPOSED DEMOLITION OF HISTORIC PROPERTIES; UPDATES TO COMPLY WITH STATE LAW; MODIFYING LIMITATIONS ON REDEVELOPMENT OF HISTORIC PROPERTIES
Proposed Council Action	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
Summary (Background) *use the Fiscal Impact box below for relevant financial information	<p>Pursuant to SMC 17G.025.010, the Spokane Plan Commission has a duty to review and make recommendations to City Council on proposed changes to SMC Title 17. Furthermore, pursuant to SMC Section 04.35.080, the Spokane Historic Landmarks Commission has a duty to review and comment on proposed changes to land use decisions as they relate to historic resources in Spokane.</p> <p>The Historic Landmarks Commission and Plan Commission both considered this proposal. Plan Commission held a hearing on the proposal on October 9, at which two amendments were presented and approved. Historic Landmarks Commission held a subsequent hearing on Oct 16 and recommended approval of the proposal as originally drafted. The version included in the draft ordinance reflects the recommendation of the Plan Commission. The version recommended by the Landmarks Commission is also included in the packet for reference.</p> <p>This proposal amends SMC 17D.100.230 to add Center and Corridor zones to the identified areas in Spokane where Historic Preservation review is required when demolition is proposed. The proposal also modifies aspects of the Historic Preservation code to conform with the requirements of 2023 House Bill 1293 by providing clear and objective design standards for review of proposed buildings. The proposal also expands the limits on demolition of historic buildings by requiring both a building permit for the replacement structure and a demonstration of financial commitment for construction of the replacement structure.</p> <p>The amendments recommended by Plan Commission consist of two items relating to limitations on a new building that replaces a demolished historic structure. First, the Plan Commission recommended removal of limitations that a replacement building must be located on the footprint of the building it replaces. Second, the Plan Commission recommended that a building that replaces a historic structure within the Downtown Boundary Area (map included below) should not be limited by the size of the structure it replaces, but should instead have the size limitations of the underlying zoning.</p>
Fiscal Impact	
Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Total Cost: <u>\$0</u>	
Current year cost:	

Subsequent year(s) cost:

Narrative: While this will may require additional staff time for occasional reviews, there are review fees associated.

Funding Source One-time Recurring N/A

Specify funding source: Select Funding Source*

Is this funding source sustainable for future years, months, etc? N/A

Expense Occurrence One-time Recurring N/A

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

There will be demolition review fees associated

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

What impacts would the proposal have on historically excluded communities?

This ordinance change would not have any meaningful impact on historically excluded communities.

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 additional data collection beyond the Planning department's ongoing work to evaluate disparate impacts as part of the 2026 Comprehensive Plan update.

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

The Historic Preservation Office's primary responsibility is to protect historic properties and neighborhoods in Spokane. This policy change provides for review of historic structures that are proposed for demolition in an effort to retain the sense of place in our centers and corridors. The Historic Preservation department will monitor how this proposal changes the nature of their review process, but it is anticipated that this will streamline and increase the speed of reviews.

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 Goals

DP 1.1: Landmark Structures, Buildings, and Sites

Recognize and preserve unique or outstanding landmark structures, buildings, and sites.

DP 1.2: New Development in Established Neighborhoods

Encourage new development that is of a type, scale, orientation, and design that maintains or improves the character, aesthetic quality, and livability of the neighborhood

DP 3.3: Identification and Protection of Resources

Identify historic resources to guide decision making in planning.

DP 3.4: Reflect Spokane's Diversity

Encourage awareness and recognition of the many cultures that are an important and integral aspect of Spokane's heritage.

DP 3.10 Zoning Provisions and Building Regulations

Utilize zoning provisions, building regulations, and design standards that are appropriate for historic districts, sites, and structures.

DP 3.11: Rehabilitation of Historic Properties

Assist and cooperate with owners of historic properties to identify, recognize, and plan for the use of their property to ensure compatibility with preservation objectives.

N 2.4: Neighborhood Improvement

Encourage revitalization and improvement programs to conserve and upgrade existing properties and buildings

LU 3.1 Coordinated and Efficient Land Use

Encourage coordinated and efficient growth and development through infrastructure financing and construction programs, tax and regulatory incentives, and by focusing growth in areas where adequate services and facilities exist or can be economically extended.

ED 2.2 Revitalization Opportunities

Provide incentives to encourage the revitalization and utilization of historic and older commercial and industrial districts for redevelopment.

ED 2.4 Mixed-Use

Support mixed-use development that brings employment, shopping, and residential activities into shared locations that stimulate opportunities for economic activity.

ED 3.10 Downtown Spokane

Promote downtown Spokane as the economic and cultural center of the region.

ED 7.6 Development Standards and Permitting Process

Periodically evaluate and improve the City of Spokane's development standards and permitting process to ensure that they are equitable, cost-effective, timely, and meet community needs and goals.

ORDINANCE NO C36633

An ordinance amending Section 17D.100.230 of the Spokane Municipal Code to add Centers and Corridors to Historic Preservation review of proposed demolition of historic properties, also to bring review of buildings by the Spokane Historic Landmarks Commission into compliance with 2023 Washington House Bill 1293 by implementing clear and objective design standards, and to modify the limitations on redevelopment of a property after a historic or eligible structure has been demolished.

WHEREAS, the City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA) as set forth in RCW 36.70A; and,

WHEREAS, the Comprehensive Plan includes policies and goals to evaluate and improve the permitting process to ensure that they meet community needs and goals, especially Policy ED 7.6; and,

WHEREAS, the Comprehensive Plan includes policies and goals to promote the preservation of historic districts, sites, and structures, especially Policy DP 3.10; and,

WHEREAS, the State Legislature passed House Bill 1293 which amends RCW 36.70B.160, and adds a new section to chapter 36.70A relating to the design review process; and,

WHEREAS, compliance with House Bill 1293 is a requirement on the Periodic Update Checklist for Fully-Planning Cities and advances the City's work on the required Periodic Update to the Comprehensive Plan 2026 and the required development code amendments; and,

WHEREAS, the City improves its compliance with the amendments to RCW 36.70B.160 and the new section of RCW 36.70A established by House Bill 1293 in the adoption of this Ordinance; and,

WHEREAS, on August 08, 2024, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Unified Development Code pursuant to RCW 36.70A.106; and,

WHEREAS, on August 16, 2024, a State Environmental Policy Act (SEPA) Checklist was issued for this proposal; and,

WHEREAS, on August 28, 2024, Notice of Intent to Adopt was published in the City Council Gazette; and,

WHEREAS, on September 19, 2024, a SEPA Determination of Non-Significance (DNS) was issued for the proposal, the deadline to appeal the SEPA determination was October 3, 2024, and no comments pertaining to the DNS were received; and,

WHEREAS, the City of Spokane Historic Landmarks Commission considered these proposed amendments during a public meeting on September 18; and,

WHEREAS, a legal notice of public hearing for the City of Spokane Historic Landmarks Commission was published in the Spokesman-Review on October 2; and,

WHEREAS, on October 9 a notice of public hearing for the City of Spokane Historic Landmarks Commission was published in the City Council Gazette; and,

WHEREAS, the City of Spokane Historic Landmarks Commission held a public hearing on October 16; and,

WHEREAS, at the City of Spokane Historic Landmarks Commission hearing, the Commission unanimously voted to recommend approval of the draft amendments as presented by staff, and recommended against amendments recommended by the City of Spokane Plan Commission; and,

WHEREAS, the proposed text amendments were drafted and reviewed consistent with the requirements of RCW 36.70A.370 to assure protection of private property rights; and,

WHEREAS, the City of Spokane Plan Commission held public workshops on the provisions in this ordinance on August 28 and September 11; and,

WHEREAS, a legal notice of public hearing for the City of Spokane Plan Commission was published in the Spokesman-Review on September 23, 2024 and September 30, 2024; and,

WHEREAS, the City of Spokane Plan Commission held a public hearing on October 9, 2024, to obtain public comments on the proposed amendments and no comments were received; and,

WHEREAS, at the City of Spokane Plan Commission public hearing, the Commission unanimously voted to recommend approval with conditions, as outlined in the Plan Commission Findings of Fact, Conclusions, and Recommendation signed October 22; and,

WHEREAS, the City of Spokane Plan Commission finds that the proposed text amendments meet the decision criteria established in SMC 17G.025.010(G); 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 and incorporates the following for the same purpose: the Staff Report, the Plan Commission Findings of Fact, Conclusions, and Recommendation, and the entire record relating to the adoption of this amendment; -- Now, Therefore,

The City of Spokane does ordain:

Section 1. That Section 17D.100.230 SMC is amended to read as follows:

Section 17D.100.230 Demolition Permits for Historic Structures in the Downtown Boundary Area (~~(and)~~), National Register Historic Districts, and Centers and Corridors

A. Definitions.

1. Building Footprint.

As defined in SMC 17A.020.020.

2. Floor Area.

As defined in SMC 17A.020.060.

B. Where This Section Applies.

1. The requirements of this section only apply to structures that are listed or eligible to be listed on the National or Local Register of Historic Places; and

2. This section only applies to structures in the following areas:

a. The Downtown Boundary Area shown in Map 17D.100.230-M1; or

b. Land zoned as Center and Corridor (as defined in SMC 17C.122 Center and Corridor Zones); or

c. Within a National Register Historic District.

3. Structures listed as Historic Landmarks or Contributing Resources within Spokane Register Historic Districts are addressed in SMC 17D.100.220 and are not subject to the requirements of this section.

4. This section shall not apply to orders of the building official or fire marshal regarding orders that a structure be demolished due to public health, safety, or welfare concerns.

C. Determination of Eligibility.

1. Administrative Determination.

The HPO may administratively determine that a structure proposed for demolition is not eligible for listing and may waive requirements for the submission of an eligibility document.

2. Determination from Spokane Historic Landmarks Commission.

Eligibility shall be determined by the Spokane Historic Landmarks Commission within thirty (30) days of the submission of the application for a demolition permit and a completed determination of eligibility document. The applicant shall be responsible to submit a determination of eligibility

demonstrating the ineligibility of the structure based upon the National Register Criteria for Evaluation (36 CFR 60). Applications for structures that are determined not to be listed or eligible to be listed on a National or Local Register of Historic Places shall be processed pursuant to existing regulations for non-historic buildings.

D. Limitation on Issuance of Demolition Permit.

~~((A.))~~ No demolition permits ~~((for structures that are listed or eligible to be listed on the National or Local Register of Historic Places located in the area shown on Map 17D.100.230-M1, Downtown Boundary Area and in all National Register Historic Districts))~~ shall be issued unless the structure to be demolished is to be replaced with a replacement structure that is administratively approved ~~((by the commission))~~ through a Certificate of Appropriateness under the ~~((following))~~ criteria provided herein.~~((:))~~

E. Criteria for Certificate of Appropriateness.

1. Building Footprint of Replacement Structure.

a. The replacement structure shall have a Building Footprint equal to or greater than the Building Footprint of the landmark structure to be demolished.

2. Floor Area for Replacement Structure.

a. Downtown Boundary Area or Centers and Corridors Zones.

The replacement structure shall have a Floor Area equal to or greater than one hundred percent (100%) of that of the eligible or listed structure(s) to be demolished. The maximum size of the replacement structure shall be as determined by the underlying zoning of the area.

b. National Register Historic Districts.

~~((1. The replacement structure shall have a footprint square footage equal to or greater than the footprint square footage of the landmark structure to be demolished. The replacement structure must also have a floor area ratio equal to or greater than 60% of that of the landmark structure to be demolished. The square footage of the footprint may be reduced:))~~

The replacement structure shall have a Floor Area equal to or greater than seventy-five percent (75%) and not larger than one hundred fifty percent (150%) of that of the contributing structure(s) to be demolished.

c. Overlap of National Register Historic District with Downtown Boundary Area or Centers and Corridors Zone.

Where property is within a Centers and Corridors zone or the Downtown Boundary Area and also within a National Register Historic District, the requirements under subsection (a) shall govern. The maximum size of the replacement structure shall be as determined by the underlying zoning of the area.

- ~~((a. to accommodate an area intended for public benefit, such as public green space and/or public art;~~
~~b. if the owner submits plans in lieu for review and approval by the City's design review board subject to applicable zoning and design guidelines; and~~
~~c. if the replacement structure is, in the opinion of the HPO and the commission, and in consultation with the Design Review Board, compatible with the historic character of the Downtown Boundary Area or National Register Historic District, as appropriate.))~~

3. Building Materials.

Exterior materials of the replacement structure shall be in keeping with the surrounding historic structures. Appropriate materials include brick, stone, wood, or similar.

4. Building Permit for Replacement Structure.

No demolition permit shall be issued until a building permit for the replacement structure has been accepted, processed, and issued.

- ~~((2. Any replacement structure under this section shall satisfy all applicable zoning and design guidelines, and shall be considered by the commission within thirty days of the commission's receipt of an application for a certificate of appropriateness concerning the building for which a demolition permit is sought.~~
~~3. A building permit for a replacement structure under this section must be accepted, processed, and issued prior to the issuance of the demolition permit. In the alternative, the owner may obtain a demolition permit prior to the issuance of the building permit if the owner demonstrates to the satisfaction of the director of building services, in consultation with the HPO, that the owner has a valid and binding commitment or commitments for financing sufficient for the replacement use subject only to unsatisfied contingencies that are beyond the control of the owner other than another commitment for financing; or has other financial resources that are sufficient~~

(together with any valid and binding commitments for financing) and available for such purpose.))

5. Financial Commitment.

The applicant shall demonstrate to the satisfaction of the Director of the Developer Services Center (DSC), in consultation with the Historic Preservation Officer, that there is a valid and binding commitment for financing (such as a term sheet or MOU) for the construction of the replacement structure.

6. Deviations from Criteria.

Deviations from these may be approved by the Historic Preservation Officer in consultation with the Planning Director at their discretion. Deviations may be less restrictive and shall not be more restrictive.

- ~~((B. Eligibility shall be determined by the commission within thirty (30) days of the submission of the application for a demolition permit. The applicant shall be responsible to submit a determination of eligibility demonstrating the ineligibility of the structure based upon the National Register Criteria for Evaluation (36 CFR 60). Applications for structures that are determined not to be listed or eligible to be listed on a National or Local Register of Historic Places shall be processed pursuant to existing regulations.~~
- ~~C. This section shall not apply to orders of the building official or fire marshal regarding orders that a structure be demolished due to public health, safety, or welfare concerns.~~
- ~~D. If the commission issues a certificate of appropriateness for the demolition of an building on the national register or located within the downtown boundary zone, such certificate shall include conditions such as:~~
- ~~1. any temporary measures deemed necessary by the commission for the condition of the resulting property after the demolition, including, without limitation, fencing or other screening of the property;~~
 - ~~2. the provision of ongoing, specific site security measures;~~
 - ~~3. salvage of any historically significant artifacts or fixtures, determined in consultation with the HPO prior to demolition;~~
 - ~~4. limitations on the extent of the demolition permitted, such that only non-historically significant portions of the property are subject to demolition;~~
 - ~~5. if construction on a replacement structure is not commenced on the site within six (6) months of the issuance of the certificate, the owner must landscape the site for erosion protection and weed control and provide for solid waste clean-up;~~
 - ~~6. abatement of any hazardous substances on the property prior to demolition;~~

- 7. ~~requirement for dust control during the demolition process; and~~
- 8. ~~that the certificate of appropriateness for demolition of the building is valid for three months.)~~

F. Conditions of Approval.

A Certificate of Appropriateness may be issued administratively for the demolition of a structure under this section subject to these conditions:

- 1. salvage of any historically significant artifacts or fixtures, determined in consultation with the HPO prior to demolition; and
- 2. the certificate of appropriateness for demolition of the building is valid for three months.

G. Review Period.

Administrative review of the replacement structure by the HPO will be completed within 10 business days of receipt of a completed application that addresses all requirements of this section.

H. Other Codes Apply.

Before a demolition permit is issued, all other relevant codes shall be met.

Section 2. Severability Clause. If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, the decision shall not affect the validity of the remaining portions of this ordinance.

Passed by the City Council on _____

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

**CITY OF SPOKANE PLAN COMMISSION
FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS
REGARDING PROTECTION OF HISTORIC BUILDINGS IN DOWNTOWN AND CENTER AND
CORRIDOR AREAS**

A recommendation of the City of Spokane Plan Commission to the City Council to approve amendments to Title 17 of the Spokane Municipal Code to add Center and Corridor zones to the identified areas in Spokane where Historic Preservation review is required when demolition is proposed. Also modifying aspects of the Historic Preservation code to conform with the requirements 2023 House Bill 1293. Specifically, amending 17D.100.230 Demolition Permits for Historic Structures in the Downtown Boundary Area and National Register Historic Districts, and other matters properly related thereto.

FINDINGS OF FACT:

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA) as set forth in RCW 36.70A.
- B. The proposed text amendments are mandated by State Legislature in order to be in compliance with House Bill 1293 which streamlines development regulations, including a requirement that design review use “clear and objective” standards, in order to expedite the construction permitting process.
- C. Consistency with House Bill 1293 is a requirement on the Periodic Update Checklist for Fully-Planning Cities and advances our work on the required Periodic Update to the Comprehensive Plan 2026 and the required development code amendments.
- D. Public notice and communication began in August 2024 and included the following:
 - 1. A Plan Commission workshop on August 28, 2024.
 - 2. A Plan Commission workshop on September 11, 2024.
 - 3. A public open house on September 18, 2024.
 - 4. A Spokane Historic Landmarks Commission meeting on September 18, 2024.
 - 5. A public virtual open house on September 19, 2024.
 - 6. A Plan Commission Public Hearing on October 9, 2024.
- E. Three public and agency comments were received and considered by the Plan Commission.
- F. On August 28, 2024 and September 11, 2024, the City of Spokane Plan Commission held workshops to discuss draft language, and review and evaluate with city staff alternatives to proposed text changes.
- G. On August 08, 2024, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Unified Development Code pursuant to RCW 36.70A.106.

Findings of Fact, Conclusion, and Recommendation

- H. On August 16, 2024, a State Environmental Policy Act (SEPA) Checklist was issued for this proposal.
- I. On August 28, 2024, Notice of Intent to Adopt was published in the City Council Gazette.
- J. On September 19, 2024, a SEPA Determination of Non-Significance (DNS) was issued for the proposal. The deadline to appeal the SEPA determination was October 3, 2024. No comments pertaining to the DNS were received.
- K. A legal notice of public hearing was published in the *Spokesman-Review* on September 23, 2024 and September 30, 2024.
- L. The proposed text amendments were drafted and reviewed consistent with the requirements of RCW 36.70A.370 to assure protection of private property rights.
- M. Amendments to the Unified Development Code Title 17 are subject to the review and recommendation by the City of Spokane Plan Commission.
- N. The Plan Commission held a public hearing on October 9, 2024, to obtain public comments on the proposed amendments. No comments were received.
- O. The City of Spokane Plan commission adopts the findings and analysis set forth in the staff report prepared for the proposal.
- P. The City of Spokane Plan Commission finds that the proposed text amendments meet the decision criteria established in SMC 17G.025.010(G).

CONCLUSIONS:

Based upon the draft text amendments, staff report and analysis (which is hereby incorporated into these findings, conclusions, and recommendations), SEPA review, agency and public comments received, and public testimony presented, the Spokane Plan Commission makes the following conclusions with respect to the proposed code amendments:

1. The Plan Commission finds that the proposed amendments bear a substantial relation to the public health, safety, welfare, and protection of the environment pursuant to the requirements outlined in SMC 17G.025.010(G).
2. The proposed text amendments will implement the goals and policies of the City of Spokane Comprehensive Plan.
3. Interested agencies and the public have had opportunities to participate throughout the process and persons desiring to comment were given an opportunity to comment.
4. The Plan Commission finds that the proposed amendments are consistent with the applicable provisions of the Comprehensive Plan.

RECOMMENDATION:

In the matter of the ordinances pertaining to the proposed text amendments, amending the Unified Development Code of the City of Spokane.

As based on the above listed findings and conclusions, the Spokane Plan Commission takes the following actions:

Findings of Fact, Conclusion, and Recommendation

1. By a unanimous vote recommends to the Spokane City Council the **APPROVAL WITH MODIFICATIONS** of the proposed amendments to Section 17D.100.230 Demolition Permits for Historic Structures in the Downtown Boundary Area and National Register Historic Districts.
 - a. Amend the proposed language in 17D.100.230(E)(2)(c) to read:
Where property is within a Centers and Corridors zone or the Downtown Boundary Area and also within a National Register Historic District, the requirements under subsection (a) shall govern. The maximum size of the replacement structure shall be as determined by the underlying zoning of the area.
 - b. Strike the proposed language in 17D.100.230(E)(1)(b) to remove the requirement that the new construction be located on the footprint of the demolished building.

2. Authorizes the President to prepare and sign on the Commission's behalf a written decision setting forth the Plan Commission's findings, conclusions, and recommendations on the proposed amendments.

Greg Francis

[Greg Francis \(Oct 22, 2024 15:15 PDT\)](#)

Greg Francis, President

Spokane Plan Commission

Date: Oct 22, 2024







PC Findings and Conclusions 17D.100.230

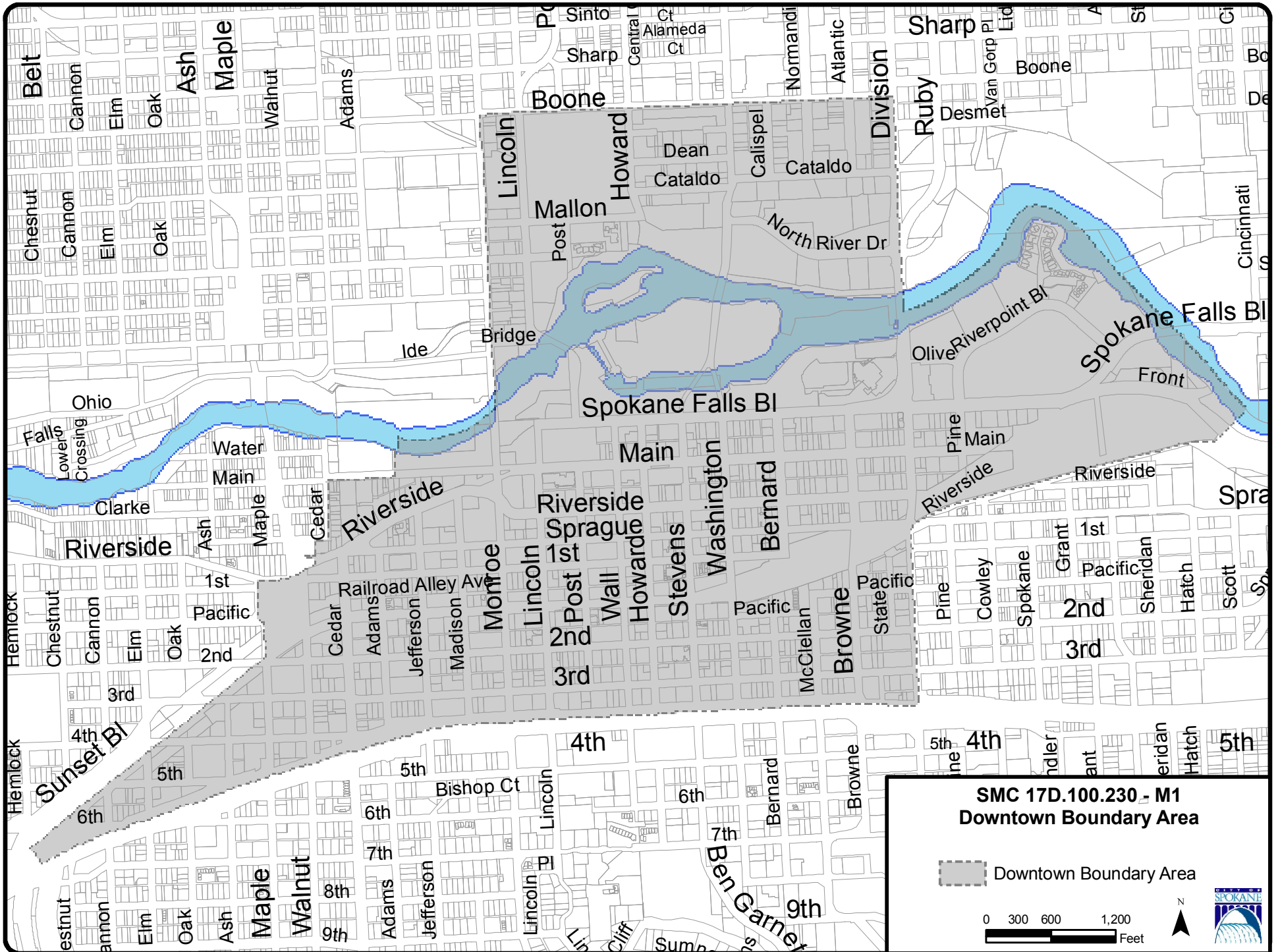
Final Audit Report

2024-10-22

Created:	2024-10-22
By:	Angela McCall (amccall@spokanecity.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAGz8ANq7MWTBH9apQxOssYXpxRCy5Sfhr

"PC Findings and Conclusions 17D.100.230" History

-  Document created by Angela McCall (amccall@spokanecity.org)
2024-10-22 - 6:14:32 PM GMT
-  Document emailed to gfrancis@spokanecity.org for signature
2024-10-22 - 6:15:06 PM GMT
-  Email viewed by gfrancis@spokanecity.org
2024-10-22 - 10:14:19 PM GMT
-  Signer gfrancis@spokanecity.org entered name at signing as Greg Francis
2024-10-22 - 10:15:34 PM GMT
-  Document e-signed by Greg Francis (gfrancis@spokanecity.org)
Signature Date: 2024-10-22 - 10:15:36 PM GMT - Time Source: server
-  Agreement completed.
2024-10-22 - 10:15:36 PM GMT



Streets shown on the map:

- Vertical Streets (West to East):** Hemlock, Chestnut, Cannon, Elm, Oak, Ash, Maple, Cedar, Adams, Jefferson, Madison, Monroe, Lincoln, Post, Wall, Howard, Stevens, Washington, Bernard, Browne, Pacific, State, Pine, Cowley, Spokane, Grant, Pacific, Sheridan, Hatch, Scott, Sprague.
- Vertical Streets (North to South):** Sinto, Sharp, Central, Alameda, Normandi, Atlantic, Division, Sharp, Van Gorp, Boone, Desmet, Ruby, Olive, Riverpoint, Spokane Falls, Front, Pine, Main, Riverside, Riverside, Sprague, 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, Ben Garnet.
- Horizontal Streets (North to South):** Boone, Lincoln, Howard, Dean, Cataldo, Calispel, Cataldo, North River Dr, Bridge, Ide, Spokane Falls Bl, Main, Riverside, Sprague, 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, Bishop Ct, Cliff, Sump.
- Other Streets:** Chesnut, Cannon, Elm, Oak, Ash, Maple, Walnut, Adams, Ohio, Lower Crossing, Water, Main, Clarke, Ash, Maple, Cedar, Hemlock, Chestnut, Cannon, Elm, Oak, Pacific, 1st, 2nd, 3rd, 4th, 5th, 6th, Sunset Bl, estnut, Cannon, Elm, Oak, Ash, Maple, Walnut, Adams, Jefferson, Lincoln, Ben Garnet.

Findings of Fact and Decision for Spokane City Council Review Changes to SMC 17D.100.230

Adding Centers and Corridors to Historic Preservation review of proposed demolition of historic properties; updates to comply with state law; and papercuts

A recommendation of the Spokane Historic Landmarks Commission to Spokane City Council to approve amendments to Title 17 of the Spokane Municipal Code to add Center and Corridor zones to the identified areas in Spokane where Historic Preservation review is required when demolition is proposed. The proposal also modifies aspects of the Historic Preservation code to conform with the requirements 2023 House Bill 1293. Specifically, amending 17D.100.230 Demolition Permits for Historic Structures in the Downtown Boundary Area and National Register Historic Districts, and other matters properly related thereto.

FINDINGS OF FACT

1. SMC Section 04.35.080.A.4 and B.2.c: “Advise the council and board on matters of history, historic planning and preservation;” and “review and comment to the council or board on land use, housing and redevelopment, municipal improvement and other types of planning and programs undertaken by any agency of City or County government, other neighboring communities, the state or federal governments, as they relate to historic resources in Spokane and Spokane County.”

- The Landmarks Commission has a duty to review and comment on proposed changes to land use decisions as they relate to historic resources in Spokane. Since the proposed changes to SMC 17D.100.230 are directly related to historic resources, it is the commission’s responsibility to advise the council on this matter.

2. SMC Section 17D.100.230: “No demolition permits for structures that are listed or eligible to be listed on the National or Local Register of Historic Places located in the area shown on Map 17D.100.230-M1, Downtown Boundary Area, and in all National Register Historic Districts shall be issued unless the structure to be demolished is to be replaced with a replacement structure that is approved by the commission.”

- The City of Spokane and the Landmarks Commission have previously recognized the importance of protecting historic properties in our urban core. Centers and Corridors are a natural extension of this type of review because centers and corridors are often like tiny downtowns.
- The Planning Department conducted a study of Centers and Corridors in 2024 and concluded that: “there are currently few protections against the demolition of historic buildings within the urban fabric of some historic Centers. Placing appropriate controls on demolition of historic structures in Centers and Corridors and standards that support adaptive re-use can help ensure historic structures support the development of a sense of place in centers, linking these areas past and its future.”

3. Washington House Bill 1293 (2023-2024): “Counties and cities planning under RCW 36.70A.040 may apply in any design review process only clear and objective development regulations governing the exterior design of new development.”

- The Spokane Historic Preservation office is eager to come into compliance with a new state law that makes some provisions in SMC 17D.100.230 in conflict with state law. These proposed changes which abandon subjective design review for objective review of size, siting, and materials will bring this SMC in compliance with objective design review provisions well before the 2026-27

deadline.

- The objective design review contemplated in this ordinance is limited in scope and will only apply when a building that is eligible for listing on the Spokane Register of Historic Places is demolished.

4. Spokane Comprehensive Plan DP 3.10 Zoning Provisions and Building Regulations: “Utilize zoning provisions, building regulations, and design standards that are appropriate for historic districts, sites, and structures. *Discussion: Regulations are tools that can and should be used to promote preservation and renovation rather than demolition. City Departments such as Building, Planning and Development, Engineering, Parks and Recreation, and Streets should include Historic Preservation in their plans, policies, regulations and City of Spokane Comprehensive Plan operations. Examples include retaining favorable zoning options (Historic Conditional Use Permits and Historic District Overlay Zones), and encouraging the use of form based codes and special building codes like the historic building sections of the International Building Code (IBC) and International Existing Building Code (IEBC) in development projects involving historic properties and historic districts”*

- The proposed changes to SMC 17D.100.230 are a perfect example of utilizing appropriate zoning provisions, building regulations, and design standards to promote preservation and renovation rather than demolition.

5. SMC Section 17G.025.010: “Amendments to Title 17 SMC require a public hearing before the plan commission.”

- The Spokane City Plan Commission made a recommendation in favor of the proposed changes to 17D.100.230 on October 9, 2024, HOWEVER, they made two amendments to the proposal before making the recommendation. The two amendments they made were:
 - Amend the proposed language in 17D.100.230(E)(2)(c) to read: Where property is within a Centers and Corridors zone or the Downtown Boundary Area and also within a National Register Historic District, the requirements under subsection (a) shall govern. The maximum size of the replacement structure shall be as determined by the underlying zoning of the area.
 - Strike the proposed language in 17D.100.230(E)(1)(b) to remove the requirement that the new construction be located on the footprint of the demolished building.
- The Spokane Historic Landmarks Commission is opposed to the amendments proposed by the Plan Commission because they abandon a thoughtful and careful compromise between the Planning Department and Historic Preservation Department.
- The compromise between Planning and Historic Preservation staff balanced high density development with protecting historic structures where National Register Historic Districts overlap with Downtown and Centers and Corridors. The Landmarks Commission views that compromise as integral to the effectiveness of these proposed changes to SMC 17D.100.230.
- The requirement to locate a replacement structure on the site so that it encompasses the footprint of the historic building to be demolished will help to ensure that the replacement structure has limited disruption to the sense of place while simultaneously allowing for flexibility when the demolished historic building’s footprint was not consistent with the surrounding context.

6. Washington State and City of Spokane Notice and Review Requirements: Public notice and communication began in August 2024 and included the following:

- A notice of intent to adopt was made to Department of Commerce on August 8, 2024.
- A SEPA Checklist was issued for this proposal on August 16, 2024.

- A Plan Commission workshop on August 28, 2024.
- A Notice of Intent to Adopt was published in the City Council Gazette on August 28, 2024.
- A Plan Commission workshop on September 11, 2024.
- A public open house on September 18, 2024.
- A Spokane Historic Landmarks Commission meeting on September 18, 2024.
- A public virtual open house on September 19, 2024.
- A SEPA Determination of Non-Significance (DNS) was issued for the proposal on September 19, 2024. The deadline to appeal the SEPA determination was October 3, 2024. No comments pertaining to the DNS were received.
- A legal notice of public hearing was published in the Spokesman-Review on September 23, 2024 and September 30, 2024.
- A Plan Commission Public Hearing on October 9, 2024.
- A Spokane Historic Landmarks Commission Public Hearing on October 16, 2024.

RECOMMENDATION

This recommendation is on the matter of the ordinance pertaining to the proposed text amendments which will amend section 17D.100.230 of the Unified Development Code of the City of Spokane which include the city's Historic Preservation regulations.

As based on the above listed findings, the Spokane Historic Landmarks Commission takes the following actions:

The Spokane Historic Landmarks Commission recommends by unanimous vote that Spokane City Council approve the proposed amendments to Section 17D.100.230 Demolition Permits for Historic Structures in the Downtown Boundary Area and National Register Historic Districts. The Landmarks Commission recommends approving the ordinance as it was prepared collaboratively between Historic Preservation and Planning Staff and to not incorporate the amendments recommended by Plan Commission. The motion was made, seconded, and unanimously approved at the regularly scheduled October 16, 2024 meeting of the Spokane Historic Landmarks Commission. The approved motion is:

- Mac McCandless moved, based on Findings of Fact, that the proposed change to SMC 17D.100.230 further important goals to protect historic resources that are outlined in Chapter 4 and Chapter 17 of the Municipal Code, the City of Spokane Comprehensive Plan, and in state law. The Spokane Historic Landmarks Commission recommends that the proposal be forwarded to the Spokane City Council with the ordinance language that was prepared collaboratively by Planning and Historic Preservation staff. Jill-Lynn Nunemaker seconded; motion carried unanimously. (7-0)

[VERSION RECOMMENDED BY HISTORIC LANDMARKS COMMISSION]

Section 17D.100.230 Demolition Permits for Historic Structures in the Downtown Boundary Area ~~((and))~~, National Register Historic Districts, and Centers and Corridors

A. Definitions.

1. Building Footprint.

As defined in SMC 17A.020.020.

2. Floor Area.

As defined in SMC 17A.020.060.

B. Where This Section Applies.

1. The requirements of this section only apply to structures that are listed or eligible to be listed on the National or Local Register of Historic Places;

and

2. This section only applies to structures in the following areas:

a. The Downtown Boundary Area shown in Map 17D.100.230-M1; or

b. Land zoned as Center and Corridor (as defined in SMC 17C.122 Center and Corridor Zones); or

c. Within a National Register Historic District.

3. Structures listed as Historic Landmarks or Contributing Resources within Spokane Register Historic Districts are addressed in SMC 17D.100.220 and are not subject to the requirements of this section.

4. This section shall not apply to orders of the building official or fire marshal regarding orders that a structure be demolished due to public health, safety, or welfare concerns.

C. Determination of Eligibility.

1. Administrative Determination.

The HPO may administratively determine that a structure proposed for demolition is not eligible for listing and may waive requirements for the submission of an eligibility document.

2. Determination from Spokane Historic Landmarks Commission.

Eligibility shall be determined by the Spokane Historic Landmarks Commission within thirty (30) days of the submission of the application for a demolition permit and a completed determination of eligibility document. The applicant shall be responsible to submit a determination of eligibility demonstrating the ineligibility of the structure based upon the National Register Criteria for Evaluation (36 CFR 60). Applications for structures that are determined not to be listed or eligible to be listed on a National or Local Register of Historic Places shall be processed pursuant to existing regulations for non-historic buildings.

D. Limitation on Issuance of Demolition Permit.

~~((A.))~~ No demolition permits ~~((for structures that are listed or eligible to be listed on the National or Local Register of Historic Places located in the area shown on Map 17D.100.230-M1, Downtown Boundary Area and in all National Register Historic Districts))~~ shall be issued unless the structure to be demolished is to be replaced with a replacement structure that is administratively approved ~~((by the commission))~~ through a Certificate of Appropriateness under the ~~((following))~~ criteria provided herein.~~((:))~~

E. Criteria for Certificate of Appropriateness.

1. Building Footprint of Replacement Structure.

- a. The replacement structure shall have a Building Footprint equal to or greater than the Building Footprint of the landmark structure to be demolished.
- b. The footprint of the new construction shall be located on the footprint of the demolished building.
- c. Requirements for the size of the Building Footprint or the location of the Building Footprint may be modified by the Historic Preservation Officer and Planning Director if it is determined that:
 - i. An alternative size or location is more consistent with the intent of the zoning requirements on the property; and

- ii. The requirements related to the size or footprint do not serve the public interest for preserving the historic character of a place.

2. Floor Area for Replacement Structure.

a. Downtown Boundary Area or Centers and Corridors Zones.

The replacement structure shall have a Floor Area equal to or greater than one hundred percent (100%) of that of the eligible or listed structure(s) to be demolished. The maximum size of the replacement structure shall be as determined by the underlying zoning of the area.

b. National Register Historic Districts.

~~((1. The replacement structure shall have a footprint square footage equal to or greater than the footprint square footage of the landmark structure to be demolished. The replacement structure must also have a floor area ratio equal to or greater than 60% of that of the landmark structure to be demolished. The square footage of the footprint may be reduced:))~~

The replacement structure shall have a Floor Area equal to or greater than seventy-five percent (75%) and not larger than one hundred fifty percent (150%) of that of the contributing structure(s) to be demolished.

c. Overlap of National Register Historic District with Downtown Boundary Area or Centers and Corridors Zone.

i. For property within a National Register Historic District and also with the Downtown Boundary Area or a Centers and Corridors Zone, the replacement structure shall have a Floor Area equal to or greater than seventy-five percent (75%) and not larger than two hundred percent (200%) of that of the contributing structure(s) to be demolished.

ii. In cases where another section of Title 17 imposes a minimum Floor Area that exceeds two hundred percent (200%) of the contributing structure to be demolished, the minimum Floor Area of the other section plus ten percent (10%) shall become the new maximum Floor Area of the replacement structure.

- ~~((a. — to accommodate an area intended for public benefit, such as public green space and/or public art;~~
- ~~b. — if the owner submits plans in lieu for review and approval by the City's design review board subject to applicable zoning and design guidelines; and~~
- ~~c. — if the replacement structure is, in the opinion of the HPO and the commission, and in consultation with the Design Review Board, compatible with the historic character of the Downtown Boundary Area or National Register Historic District, as appropriate.))~~

3. Building Materials.

Exterior materials of the replacement structure shall be in keeping with the surrounding historic structures. Appropriate materials include brick, stone, wood, or similar.

4. Building Permit for Replacement Structure.

No demolition permit shall be issued until a building permit for the replacement structure has been accepted, processed, and issued.

- ~~((2. — Any replacement structure under this section shall satisfy all applicable zoning and design guidelines, and shall be considered by the commission within thirty days of the commission's receipt of an application for a certificate of appropriateness concerning the building for which a demolition permit is sought.~~
- ~~3. — A building permit for a replacement structure under this section must be accepted, processed, and issued prior to the issuance of the demolition permit. In the alternative, the owner may obtain a demolition permit prior to the issuance of the building permit if the owner demonstrates to the satisfaction of the director of building services, in consultation with the HPO, that the owner has a valid and binding commitment or commitments for financing sufficient for the replacement use subject only to unsatisfied contingencies that are beyond the control of the owner other than another commitment for financing; or has other financial resources that are sufficient (together with any valid and binding commitments for financing) and available for such purpose.))~~

5. Financial Commitment.

The applicant shall demonstrate to the satisfaction of the Director of the Developer Services Center (DSC), in consultation with the Historic Preservation Officer, that there is a valid and binding commitment for

financing (such as a term sheet or MOU) for the construction of the replacement structure.

6. Deviations from Criteria.

Deviations from these may be approved by the Historic Preservation Officer in consultation with the Planning Director at their discretion.

Deviations may be less restrictive and shall not be more restrictive.

- ~~((B. Eligibility shall be determined by the commission within thirty (30) days of the submission of the application for a demolition permit. The applicant shall be responsible to submit a determination of eligibility demonstrating the ineligibility of the structure based upon the National Register Criteria for Evaluation (36 CFR 60). Applications for structures that are determined not to be listed or eligible to be listed on a National or Local Register of Historic Places shall be processed pursuant to existing regulations.~~
- ~~C. This section shall not apply to orders of the building official or fire marshal regarding orders that a structure be demolished due to public health, safety, or welfare concerns.~~
- ~~D. If the commission issues a certificate of appropriateness for the demolition of a building on the national register or located within the downtown boundary zone, such certificate shall include conditions such as:~~
- ~~1. any temporary measures deemed necessary by the commission for the condition of the resulting property after the demolition, including, without limitation, fencing or other screening of the property;~~
 - ~~2. the provision of ongoing, specific site security measures;~~
 - ~~3. salvage of any historically significant artifacts or fixtures, determined in consultation with the HPO prior to demolition;~~
 - ~~4. limitations on the extent of the demolition permitted, such that only non-historically significant portions of the property are subject to demolition;~~
 - ~~5. if construction on a replacement structure is not commenced on the site within six (6) months of the issuance of the certificate, the owner must landscape the site for erosion protection and weed control and provide for solid waste clean-up;~~
 - ~~6. abatement of any hazardous substances on the property prior to demolition;~~
 - ~~7. requirement for dust control during the demolition process; and~~
 - ~~8. that the certificate of appropriateness for demolition of the building is valid for three months.))~~

F. Conditions of Approval.

A Certificate of Appropriateness may be issued administratively for the demolition of a structure under this section subject to these conditions:

1. salvage of any historically significant artifacts or fixtures, determined in consultation with the HPO prior to demolition; and
2. the certificate of appropriateness for demolition of the building is valid for three months.

G. Review Period.

Administrative review of the replacement structure by the HPO will be completed within 10 business days of receipt of a completed application that addresses all requirements of this section.

H. Other Codes Apply.

Before a demolition permit is issued, all other relevant codes shall be met.

Coe, Melanie

From: Byrd, Giacobbe
Sent: Monday, December 9, 2024 6:51 PM
To: City Council Testimony
Subject: FW: Historic Preservation Topic - Centers and Corridors

From: Matthew Hurd <matthewh@communityframeworks.org>
Sent: Monday, December 9, 2024 3:30 PM
To: Byrd, Giacobbe <gbyrd@spokanecity.org>; Bingle, Jonathan <jbingle@spokanecity.org>
Cc: Davis, Candi L. <cldavis@spokanecity.org>
Subject: Re: Historic Preservation Topic - Centers and Corridors

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Thank you. I will be sure to sign up. I may also submit a written record.

Noted that I am generally in favor of requiring that a replacement building be permit-ready before the historic or architecturally significant building is torn down (the exception being for obvious blight and nuisance properties). However, I do not believe replacement structures should be limited in height by what was historically present, or even what is adjacent. Rather the building and zoning codes in the area should be the prevailing determinant of both height and footings. I do think a compromise could be implemented about the utilization of congruent materials (up to 3 or 4 stories), in order to tie to a specific/historic pedestrian feel and activation.

I'll even use the Carr building as a perfect example. I've seen the inside of that place & it will take A LOT of money to reprogram and put the full building back into use. Also, the Jefferson is going to get popped first since it has already been gutted - and even that place just can't get legs as is. Carr is more likely to just sit and rot until someone decides to knock it down after it becomes less savable - which makes me sad. If it was knocked down, under the proposed ordinance, it could only be replaced with a 6-story building (200% of 3 stories). But at that location right now, we might be able to get a 7-story building (2 stories of concrete podium deck for parking and/or retail & then 5 stories of wood). 7 stories is potentially feasible. That last story might prove to be what makes the building pencil - and there could still be requirements to clad the building in an era appropriate brick veneer. And with CLT super tall buildings the potential to hit 10 to 14 stories and higher exists now (at lower costs per square foot than steel and glass), but it is not likely to happen in Spokane any time soon, but is fairly common in Portland, Seattle, and even Boise. Spokane is difficult to pencil a deal above 4 stories right now, but if/when we can it will be in a centers and corridors zone that it makes the most sense.

Let's not kneecap ourselves if we can avoid it. Remove the height maximum but go ahead and keep the replacement requirement and potentially add in a required height to maintain visual continuity with district buildings (but even end that requirement at 2, 3, or even 4 stories. Let's save what can and should be saved, but not hold development hostage to the ghosts of dead buildings.

Cheers, MH

Matthew Hurd, MRED

Community Frameworks / Housing Developer

907 W. Riverside Ave. Spokane, WA 99201

matthewh@communityframeworks.org

Direct Line: 509-890-1214



**Agenda Sheet for City Council:****Committee:** Public Safety **Date:** 01/06/2025**Committee Agenda type:** Discussion**Date Rec'd** 12/26/2024**Clerk's File #** ORD C36634**Cross Ref #****Project #****Council Meeting Date:** 01/27/2025**Submitting Dept** MAYOR**Bid #****Contact Name/Phone** MAGGIE 6753/6779**Requisition #****Contact E-Mail** MYATES@SPOKANECITY.ORG/AMCD**Agenda Item Type** First Reading Ordinance**Council Sponsor(s)** ZZAPPONE BWILKERSON PDILLON**Sponsoring at Administrators Request** NO**Lease?** NO **Grant Related?** NO **Public Works?** NO**Agenda Item Name** ORDINANCE RELATING TO CREATING AN ALCOHOL IMPACT AREA**Agenda Wording**

An ordinance relating to creating an Alcohol Impact Area within specific boundaries of the City of Spokane; adopting a new Chapter 10.82 of the Spokane Municipal Code.

Summary (Background)

Due to internal and external regulatory gaps this administration recommends an alcohol impact area within the downtown police precinct area as a public safety policy with a documented track record of reducing violent crime, shrinking narcotics violations, and lessening waste and litter on streets and right of ways in the city of Spokane

What impacts would the proposal have on historically excluded communities?

See legislative findings.

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?

The City of Spokane intends to use emergency medical services data, crime statistics, and public health information to establish a geographical area in the City of Spokane as a Community Health Impact Area to target policy and programmatic resources that mitigate the disproportionate public health and secondary neighborhood impacts of the addiction crisis.

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

The City shall publish on the City website quarterly data from the community health impact area. Data shall include but is not limited to likely overdose calls for service, crime statistics, and other relevant data.

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 ordinance aligns with WAC 314-12.

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	Additional Approvals
<u>Dept Head</u>	SCOTT, ALEXANDER
<u>Division Director</u>	
<u>Accounting Manager</u>	BUSTOS, KIM
<u>Legal</u>	SCHOEDEL, ELIZABETH
<u>For the Mayor</u>	PICCOLO, MIKE
Distribution List	
	amcdaniel@spokanecity.org
myates@spokanecity.org	

ORDINANCE NO. C36634

An ordinance relating to creating an Alcohol Impact Area within specific boundaries of the City of Spokane; adopting a new Chapter 10.82 of the Spokane Municipal Code.

WHEREAS, the Washington Administrative Code (WAC) Section 314-12- 215 provides that, as a condition precedent to the City requesting that the Washington State Liquor Control Board enact additional restrictions on off premises alcohol sales within an area of the City adversely affected by chronic public inebriation or illegal activity associated with alcohol sales or consumption, an ordinance must designate such an area as an Alcohol Impact Area (AIA); and

WHEREAS, the City seeks to establish a downtown AIA within the boundaries of the downtown police precinct area; and

WHEREAS, illegal activity associated with alcohol sales and consumption within the AIA is contributing to the deterioration of the general quality of life within the AIA and threatens the welfare, health, peace, or safety of the area's residents and visitors; and

WHEREAS, there is a pervasive pattern of alcohol-related incidents within the AIA and within 1,000 feet of licensed off-premises alcohol outlets documented in crime statistics, police reports, emergency medical response data, code enforcement reports, and other similar records maintained by law enforcement and public health agencies; and

WHEREAS, alcohol-related incidents within the proposed AIA are up more than 60% over the last three years; and

WHEREAS, the City's previous AIAs in downtown and in East Central were found by public health researchers to reduce crime including narcotic drug violations and assaults; and

WHEREAS, over 30% of alcohol-related incidents between December 15, 2021, and December 15, 2024 took place between 12:00am and 2:00am; and

WHEREAS, the City is spending hundreds of thousands of dollars addressing the litter and solid waste issues within the AIA where single-serve alcohol containers are a significant source of the litter; and

WHEREAS, the City has met with neighborhood leaders, public health professionals, non-profit providers, and business organizations located within the proposed AIA for the purpose of developing solutions to the illegal activity associated with off-premises alcohol sales and consumption within the AIA; and

WHEREAS, the Downtown Spokane Partnership, representing the downtown business improvement district, requests the [re]establishment of an alcohol impact area downtown to address illegal activity associated with off-premises alcohol sales; and

WHEREAS, the rationale for the City to establish an AIA is to reduce the illegal activities associated with alcohol sales and consumption within the proposed AIA in order to protect the public safety, health and welfare; and

WHEREAS, the City intends to make good faith efforts for at least six months to mitigate the effects of chronic public inebriation and illegal activity associated with alcohol sales and consumption within the AIA through voluntary efforts that include coordinated and cooperative efforts with business, community and neighborhood associations to promote business practices that reduce chronic public inebriation and promote public welfare, health, peace, and safety; and

WHEREAS, notification has been given to all Washington State Liquor and Cannabis Board off-premises liquor licensees selling single-serve containers and/or selling liquor between the hours of 12:00am and 2:00am about the proposed alcohol impact area and about the negative effects off-premises alcohol sales are having on residents and visitors in downtown Spokane; and

WHEREAS, additional notification will be given to all Washington State Liquor and Cannabis Board off-premises liquor licensees within the AIA of voluntary remedies available to them to resolve the problem; and

WHEREAS, the City may meet with the off-premises sale licensees located within the AIA, as well with other interested parties, to develop and promote voluntary efforts to reduce chronic public inebriation and illegal activity associated with off-premises alcohol sales and consumption; and

WHEREAS, should the voluntary remedies fail to significantly reduce the impact of chronic public inebriation and illegal activity associated with alcohol sales and consumption within the AIA, the City will petition the Liquor and Cannabis Board to recognize the alcohol impact area.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That a new Chapter 10.82 of the Spokane Municipal Code is created to read as follows:

Chapter 10.82 Alcohol Impact Areas

Section 10.82.010 Purpose

The purpose of an Alcohol Impact Area is for local authorities to have a process to mitigate problems with chronic public inebriation or illegal activities linked to the sale or consumption of alcohol within a geographic area of their city, town or county, but not the

entire jurisdiction. An Alcohol Impact Area is designated by geographical boundaries as defined in Washington Administrative Code Chapter 314-12-015.

Section 10.82.020 Establishment of Alcohol Impact Areas

Upon the identification of problems related to chronic public inebriation or illegal activities linked to the sale or consumption of alcohol within a geographic area, the City may establish an alcohol impact area by first attempting a voluntary Alcohol Impact Area. If the voluntary Alcohol Impact Area does not reduce problems in that area, the City may then petition the Liquor and Cannabis Board to request that the Board adopt a resolution creating a state-recognized Alcohol Impact Area which is mandatory.

Section 10.82.030 Alcohol Impact Area in Spokane’s Downtown Police Precinct

The geographical area encompassing the Spokane Police Department’s Downtown Precinct is declared to be alcohol impact area as defined by WAC 314.12.215. This geographical area is shown in Exhibit A. The boundaries shall include properties located on both sides of the public right-of-way that constitute the boundaries of the alcohol impact area as further depicted on the attached map.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

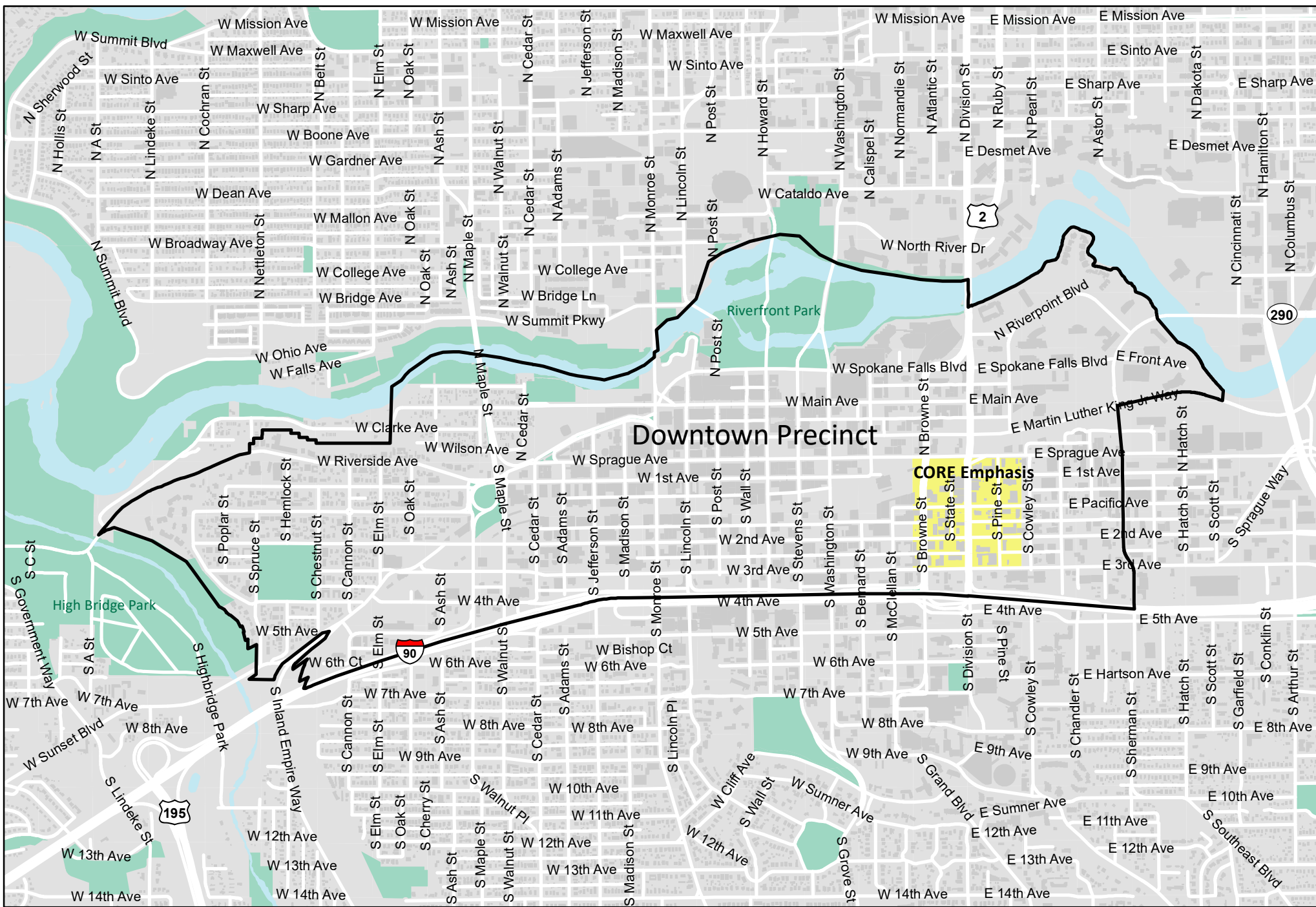
City Clerk

City Attorney

Mayor

Date

Effective Date



City of Spokane

Downtown Precinct with CORE Emphasis Area



1:18,000





Memorandum

Office of the Mayor

DATE: December 26, 2024

FROM: Adam McDaniel – Policy Advisor, Office of the Mayor

TO: Councilmember Paul Dillon – Chair, Public Safety and Community Health Committee

RE: Alcohol Impact Area | Community Health Impact Area

This memo recommends potential public health and crime reduction strategies to address the secondary impacts of addiction. This memo identifies both internal and external regulatory gaps and ultimately recommends an alcohol impact area within the downtown police precinct area as a public safety policy with a documented track record of reducing violent crime, shrinking narcotics violations, and lessening waste and litter on streets and right of ways in the city of Spokane. This memo also recommends a policy for expanding naloxone distribution to address the overdose crisis impacting the downtown police precinct area.

Executive Summary – Alcohol Impact Area

I. **Background:** The previous administration inadvertently repealed a pre-existing alcohol impact area, which regulated the sale of certain single use alcohol products for off-premises consumption.

II. **Issue:** The sale of single serve alcohol products for off-premises consumption creates dangerous public health and public safety outcomes, disproportionately impacting poor communities and communities of color.

III. Policy Recommendations

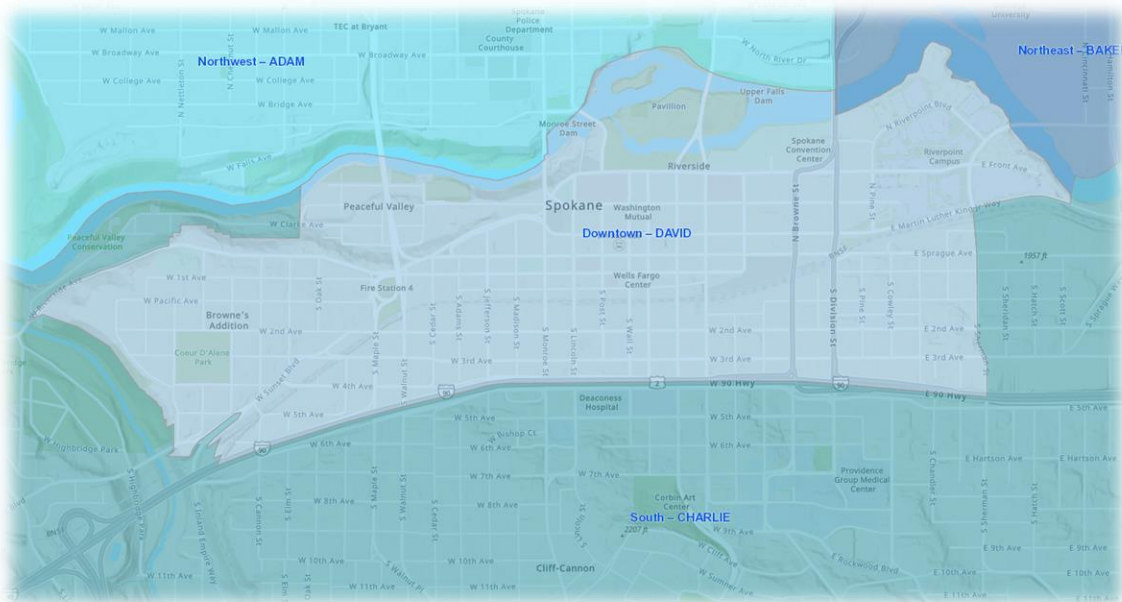
Reestablish an alcohol impact area for downtown Spokane to match the boundaries on the Spokane Police Department's downtown precinct.



2nd Avenue and Maple Street – October 23, 2024

Downtown Police Precinct Area

Census Tract 35, Census Tract 36.01, Census Tract 36.02, and a small part of Census Tract 145 fall within the Spokane Police Department’s downtown precinct area. The downtown precinct borders I-90 to the south, the Spokane River to the north, Latah Creek/High Bridge Park to the west, and Sherman Avenue to the east.



Census Tracts 35, 36.01 and 36.02 encompass the Riverside, Peaceful Valley, and Browne’s Addition neighborhoods, respectively. Over 9,000 Spokane residents live in these three census



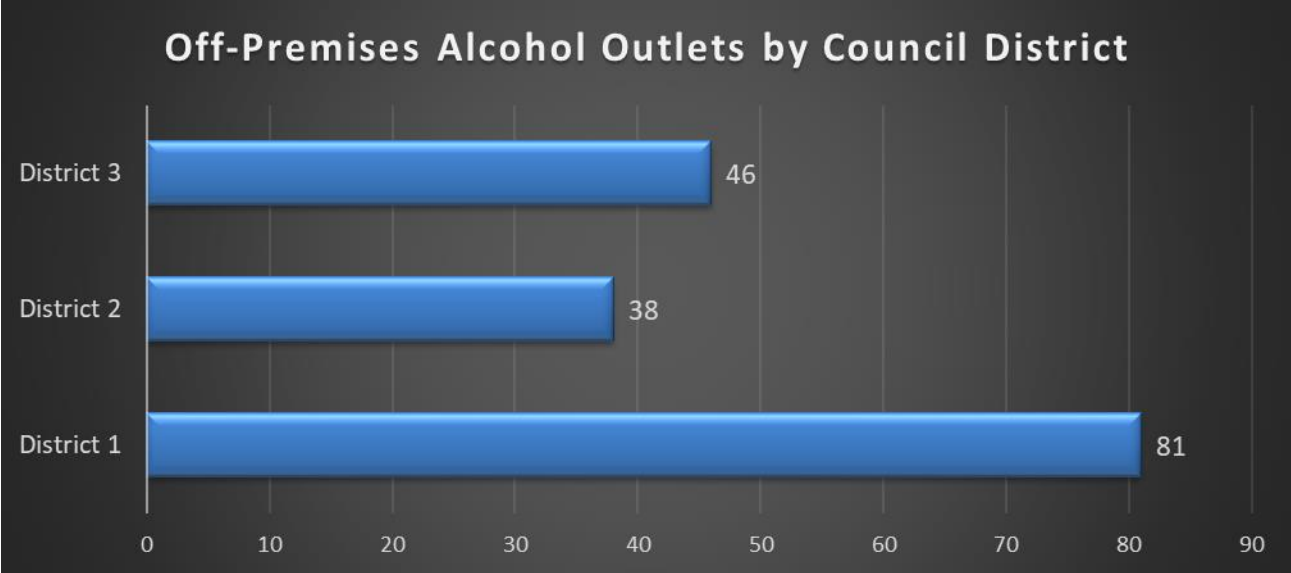
tracts – a population larger than the city of Medical Lake. These neighborhoods are racially more diverse than most other neighborhoods and have high Social Vulnerability Index (SVI) scores as measured by the Centers for Disease Control and Prevention (Agency for Toxic Substances and Disease Registry, 2024). Half of residents in the Riverside Neighborhood (Census Tract 35) live below the federal poverty line. Census Tract 35 has the lowest median household income of any census tract in the city, and all three neighborhoods have unemployment rates higher than the citywide rates.

Nearly 95% of Census Tract 35 residents are renters, and more than a quarter of residents in both Riverside and Browne’s Addition neighborhoods lack access to a vehicle (U.S. Census Bureau, 2024). Most of the downtown area is considered a food desert (Spokane Food Policy Council, 2016). Some residents formerly utilized the Rite Aid along Howard Street for basic food and grocery items but the store’s closure in 2023 necessitates many residents to depend on other off-premises alcohol outlets for basic food items. If Main Market Co-op closes, dependence on off-premises alcohol outlets for necessities will grow even greater (Billingham, 2024). Currently, nine of the fourteen SNAP retailers within the downtown police precinct area are convenience stores (U.S. Department of Agriculture, 2024).

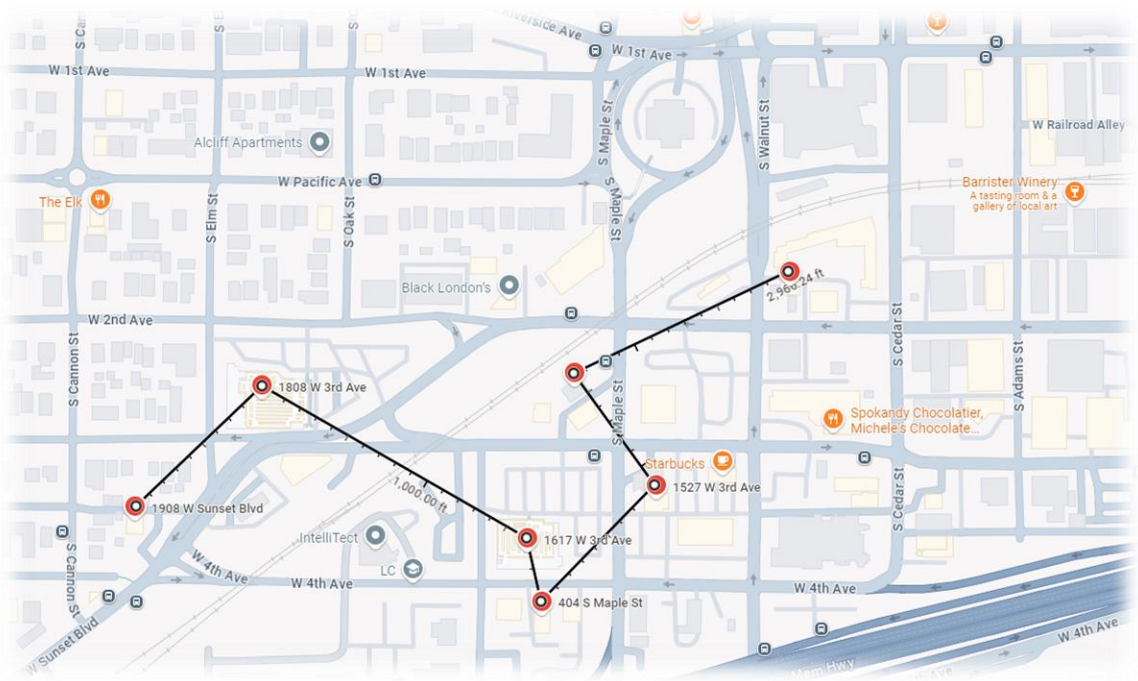
Historically, the Riverside Neighborhood suffered from the highest violent crime rate of any area in Spokane County while Browne’s Addition had the fourth highest violent crime rate in the county (Spokane Regional Health District, 2017). Current crime statistics show a reduction in violent crime year-to-date within the downtown police precinct area, however downtown Spokane is perceived as being “unsafe” (Greater Spokane Inc., 2024). The perception that downtown Spokane is “unsafe” has compounding social capital impacts on the residents living in these neighborhoods (Theall, Scribner, Cohen, Schonlau, & Farley, 2009). This perception may slow the physical property investments critical to improving public safety and enhancing public health within the neighborhood (Walter, Acolin, & Marie, 2024).

Off-Premises Alcohol Outlets (Liquor Stores/Convenience Stores)

Off-premises alcohol outlets include liquor stores and convenience stores selling liquor and high-octane alcohol products where patrons buy the alcohol to be consumed off-premises. As of early October 2024, there were 145 off-premises alcohol outlets licensed by the Washington State Liquor and Cannabis Board (LCB) or going through the licensing process in the city of Spokane. More than half of all off-premises alcohol outlets were in City Council District 1.



Multiple studies show that off-premises alcohol outlets are disproportionately located in communities with lower incomes and in neighborhoods with a higher percentage of non-white residents (Romley, Cohen, Ringel, & Sturm, 2007). The Riverside and Browne’s Addition neighborhoods have nearly three off-premises alcohol outlets for every 1,000 residents. Contrast this with the Southgate neighborhood, which boasts only 0.38 off-premises alcohol outlets for every 1,000 residents and Indian Trail which has 0.50 off-premises alcohol outlets for every 1,000 residents.



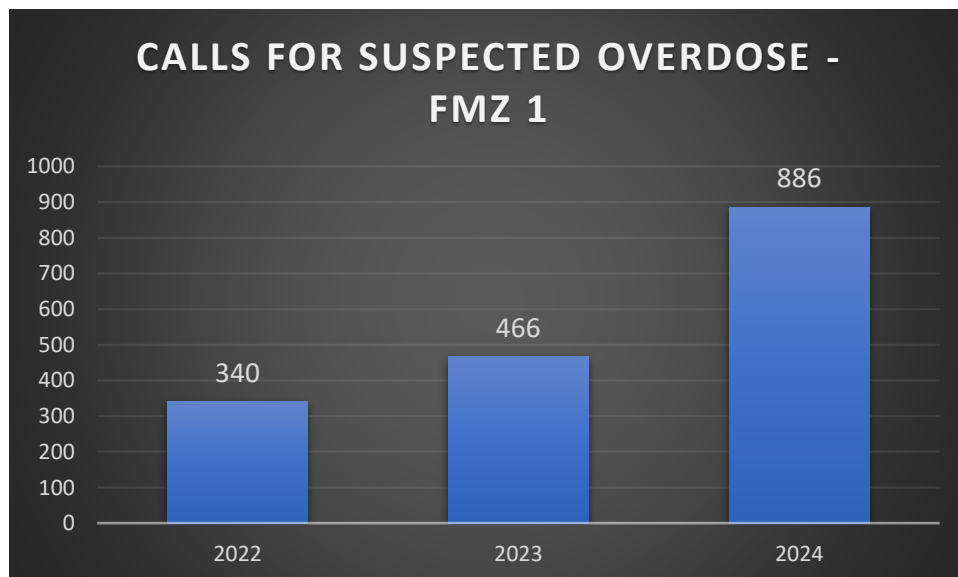
Seven Off-Premises Alcohol Outlets within 0.5 miles in downtown Spokane



Census Tract 145 has nearly four off-premises alcohol outlets for every 1,000 residents. Like the Riverside neighborhood, nearly half of residents in Census Tract 145 (East Central) live below the federal poverty line.

Alcohol and drug-related deaths continue to rise in Spokane County (Starks, Sharkova, Leibenguth, & Huber, 2024) Off-premises alcohol outlets have a significant effect on crime and the quality of life in neighborhoods (Fitterer, Nelson, & Stockwell, 2015). Off-premises alcohol outlets are associated with shootings (Osborne, Duggan, Shulman, & Cabeza, 2024), assaults (Miller, 2024), and robberies (Frint, 2024). There is even a strong association between off-premises alcohol outlets and the rate of pedestrian injuries (Nesoff, et al., 2018). The density of off-premises alcohol outlets in neighborhoods is a risk factor for youth and young adult substance use (U.S. Department of Health & Human Services, 2016).

Off-premises alcohol outlets in downtown Spokane are also places where drug activities take place (Sanford, We spent a weekend at Spokane's most notorious intersection. Here's what we saw., 2023). Unsurprisingly, public health research finds the proliferation of off-premises alcohol outlets is associated with higher rates of drug overdose. A study of the city of Baltimore published in the International Journal of Drug Policy found “each additional off-premises alcohol outlet was associated with a 16.6% increase in neighborhood overdose rate” (Nesoff, et al., 2021). The City of Spokane’s Fire Management Zone 1 serves the downtown police precinct area east of Lincoln Street to I-90 to the south and the Spokane River to the north. There are eight off-premises alcohol outlets within Fire Management Zone 1. Fire Management Zone 1 has seen an alarming increase in overdose calls over the last 3 years.



Spokane Fire Department Data - October 31, 2024

Off-Premises Alcohol Outlets in Downtown Spokane

There are seventeen active and licensed off-premises alcohol outlets in the downtown police precinct area and one licensee pending approval from the Washington State Liquor and Cannabis Board. Most of these off-premises alcohol outlets are traditional convenience retailers except for four supermarkets (Rosauers Supermarket, Downtown Grocery Outlet, Main Market Co-op, and PM Jacoy’s), a specialty wine shop (Vino! A Wine Shop), and a hotel (Best Western Plus City Center).

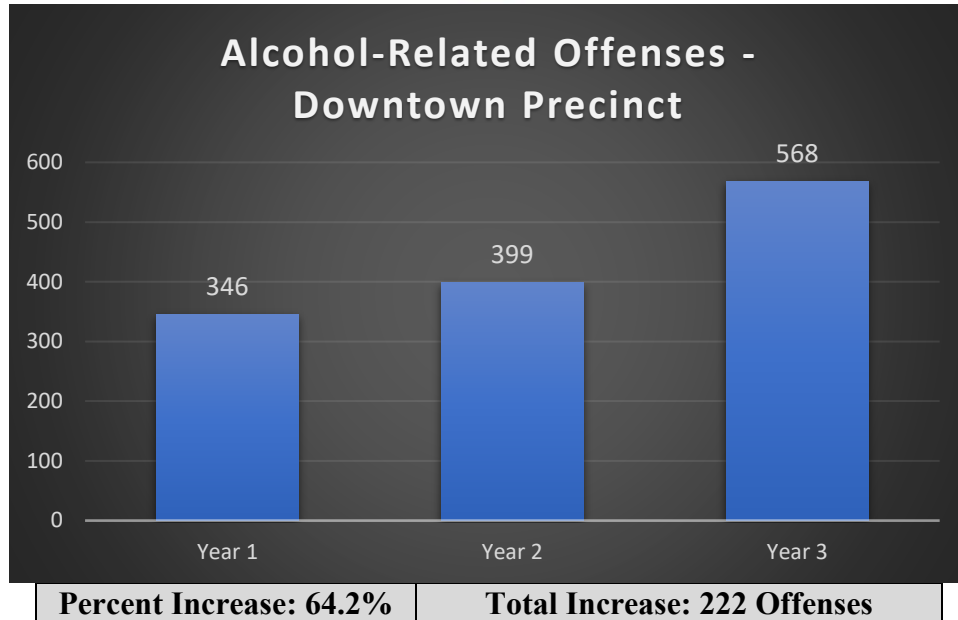
Off-Premises Licensee (Tradename)	Address	Hours
7-ELEVEN STORE #32703B	177 S DIVISION ST	24 Hours
BAINS LIQUOR MART MAPLE	404 S MAPLE ST	24 Hours
BAINS MART 2ND AVE	1428 W 2ND AVE	24 Hours
BEST WESTERN PLUS CITY CENTER	33 W SPOKANE FALLS BLVD	N/A
CITY FUEL	1527 W 3RD AVE	6:00am – 10:00pm
CONOCO FOOD MART	1602 W 3RD AVE	24 Hours
DIVINE 11 MIDCITY	822 W 2ND AVE	6:00am – 1:00am
DIVISION EXPRESS	3 EAST 3RD AVE	6:00am – 12:30am
DOWNTOWN QUICK STOP	10 N POST ST STE 102	6:00am – 12:00am
DOWNTOWN QUICK STOP 2	10 N POST ST STE 16	6:00am – 12:00am
DOWNTOWN QUICK STOP III ¹	501 W SPRAGUE AVE	
DOWNTOWN SPOKANE GROCERY OUTLET	1617 W 3RD AVE	8:00am – 9:00pm
MAIN MARKET CO-OP	44 W MAIN AVE	8:00am – 8:00pm
P M JACOY’S	402 W SPRAGUE AVE	7:00am – 7:00pm
ROSAUERS SUPERMARKETS #2	1808 W 3RD AVE	6:00am – 10:00pm
SUNSET GROCERY	1908 W SUNSET BLVD	24 Hours
THE PIGGY MART	932 W 3RD AVE	5:00am – 2:00am
VINO! A WINE SHOP	222 S WASHINGTON ST	10:00am – 7:00pm

Although crime is down year-to-date in the downtown police precinct area overall, alcohol-related incidents in the area have grown 64% over the last three years.²³

¹ Off-Premises liquor license is currently pending.

² Ernst, Spokane Police Department; **Method:** All police report offenses were reviewed using the FBI NIBRS flag “Offender suspected of using Alcohol”. Any offenses where that flag was set to Yes were included. Additionally, all statutes in the system were reviewed for key terms like “alcohol”, “liquor”, “open container”, and “DUI”. If the statute reflected alcohol use but the “Offender suspected of using Alcohol” flag was set to No or Unknown, the offense was counted anyway.

³ Year 1 is 10/1/2021 to 9/30/2022. Year 2 is 10/1/2022 to 9/30/2023. Year 3 is 10/1/2023 to 9/30/2024



Specifically, alcohol-related offenses within 1,000 feet of ten off-premises alcohol outlets within the downtown police precinct area are up over the same 3-year period.

<u>Licensee</u>	<u>Percent Increase – 3 Year Period</u>
7-ELEVEN STORE #32703B	108%
BAINS LIQUOR MART MAPLE	4%
CONOCO FOOD MART	30%
DIVINE 11 MIDCITY	44%
DIVISION EXPRESS	154%
DOWNTOWN QUICK STOP 1 & 2	106%
DOWNTOWN SPOKANE GROCERY OUTLET	23%
P M JACOY'S	114%
THE PIGGY MART	39%

Alcohol Impact Areas (AIA)

The purpose of an alcohol impact area is for local governments to mitigate illegal activities linked with the sale or public consumption of alcohol within a geographic area of their jurisdiction (Washington State Liquor and Cannabis Board, 2024). Certain conditions and

restrictions may be implemented on off-premises alcohol outlets including the limitation of hours of operation for off-premises sales, banning of certain alcohol items, and a prohibition on the sale of single-serve containers (Washington State Liquor and Cannabis Board, 2019).

As of October 2024, most of the off-premises alcohol outlets within the downtown police precinct area were selling high-octane alcohol products that were previously restricted less than two years ago within the downtown alcohol impact area.

Importantly, the petitioning local government is responsible for suggesting the conditions and restrictions for consideration of the Washington Liquor and Cannabis Board per Washington Administrative Code 314-12-215. In addition to LCB-adopted conditions and restrictions, local governments are given sixty days to register objections under RCW 66.24.010 to new liquor license applications within alcohol impact areas versus only twenty days for licenses outside of an alcohol impact area. Implementation of an alcohol impact area requires adoption of an ordinance by the Spokane City Council executing a six-month voluntary compliance period. The City will communicate to all off-premises alcohol outlet licensees in the area with a request to voluntarily comply with the conditions and restrictions. The LCB may formalize the conditions and restrictions if the licensees fail to comply with the conditions and restrictions placed by the voluntary alcohol impact area.

There are mandatory alcohol impact areas in large cities across Washington. All four cities with current alcohol impact areas have alcohol impact areas in their downtown core.

City	# of AIAs	Year Established
Seattle	2	1999
Tacoma	3	2008
Olympia	1	2014
Everett	1	2016

The first alcohol impact area was approved in Seattle’s Pioneer Square. In addition to certain product bans, the Pioneer Square alcohol impact area restricted the sale of off-premises alcohol between 6:00am and 9:00am and prohibited the sale of single serve containers (Nguyen, n.d.).

There is also a voluntary alcohol impact area in the city of Vancouver (City of Vancouver Washington, 2008). These large Washington cities have had multiple opportunities to end their alcohol impact area designations and have chosen not to repeal them. Reports published by law enforcement from these cities are clear: alcohol impact areas reduce crime. A report from the City of Seattle reviewing a five-year period from 2017-2022 found alcohol impact areas continue to have, “significant and positive effects on curbing the problems associated with chronic inebriation and public safety”. An external study of the City of Seattle’s alcohol impact areas supports the City of Seattle’s Department of Neighborhoods findings (Tarnai, 2009). Community organizations such as the Downtown Seattle Association and Chinatown-International District Business Improvement Area strongly advocated for the renewal of Seattle’s alcohol impact areas in 2022 (City of Seattle - Seattle Department of Neighborhoods, 2022). Similarly, the City of Everett also saw a decrease in alcohol-related incidents after the implementation of their alcohol impact area (Templeman, 2022).



The City of Spokane previously had two mandatory alcohol impact areas: Downtown, East Central, and one voluntary area: West Central. The downtown alcohol impact area’s previous perimeter was from Cannon Street as the west boundary to Scott Street to the east and Spokane Falls Boulevard as the north boundary to Fifth Avenue as the south boundary. The downtown alcohol impact area was officially adopted by the Washington Liquor and Cannabis Board in 2010. The West Central voluntary alcohol impact area was created in 2011 and subsequently repealed by the City Council in 2012 after neighborhood pushback (Brunt, Alcohol impact area dropped, 2012). The Downtown and East Central alcohol impact areas existed until 2022, when they were inadvertently repealed by the previous administration and City Council in Emergency Ordinance C36289.

A year before the downtown and East Central alcohol impact areas were repealed, researchers from the University of Minnesota School of Public Health published a study on the crime reduction success of alcohol impact areas in Tacoma as well as downtown and East Central in Spokane. Crucially, one of the most significant reductions of crime within the alcohol impact areas were narcotic drug violations. Other crimes, including assaults, also decreased significantly (Jones-Webb, et al., 2021). This study matches Washington State University research published in 2009 that established the efficacy of the City of Seattle’s alcohol impact areas. The WSU study found the rate of drug-related EMS incidents declined after implementing the alcohol impact area (Tarnai, 2009).

A five-year analysis of the downtown alcohol impact area completed and published by the Spokane Police Department showed the downtown alcohol impact area to have a “consistent and lower rate of increase in calls for service than the City [sic] of Spokane as a whole (Meidl, 2020)”.



Downtown AIA - City of Spokane

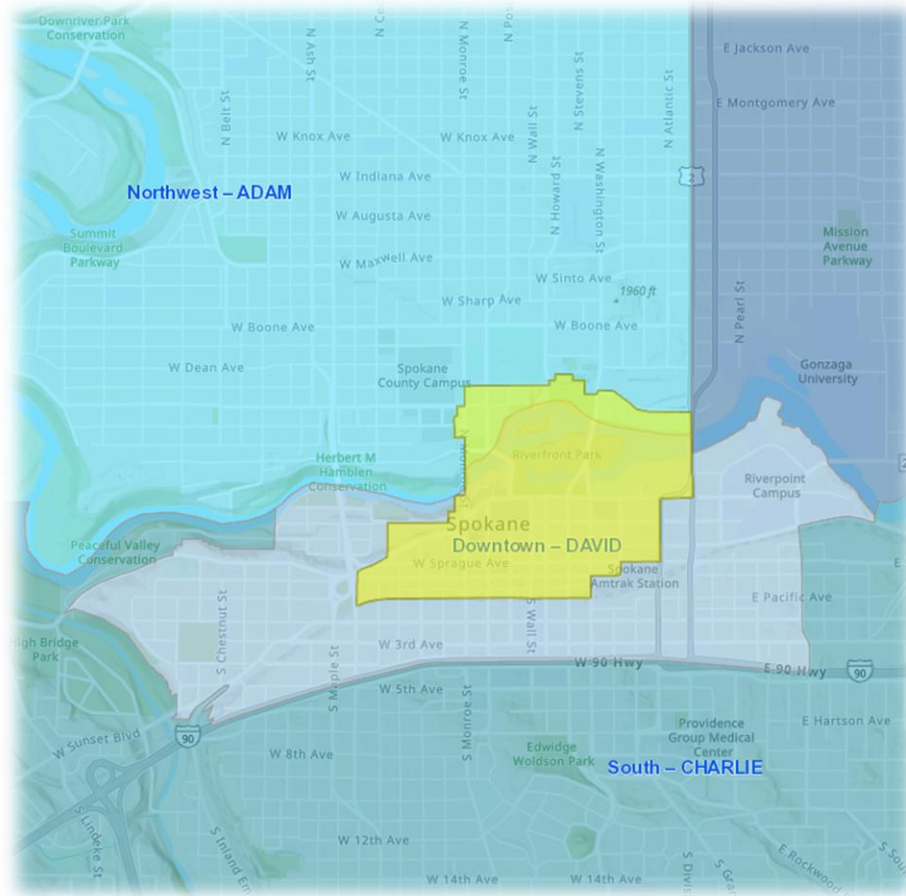
The East Central alcohol impact area drew praise from the East Spokane Business Association as having an almost immediate impact (Hewitt, 2012 Annual Report - East Central AIA, 2013):

“The East Central Alcohol Impact Area (AIA) has made a significant impact in the very short time it has been in effect. The East Central Neighborhood, Spokane International District and South Perry Street District have seen decreases in public intoxication, littering, loitering and disorderly conduct. The East Spokane Business Association is pleased with the immediate and positive impact the AIA has made in this neighborhood” - Jack-Daniyel Strong, Former ESBA President

Opponents of alcohol impact areas see the implementation of an alcohol impact area as designating that neighborhood a ‘problem’ zone (Brunt, Restrictions on alcohol sales get fresh look, 2012). Critics of alcohol impact areas also argue the criminal and nuisance activities reduced by an alcohol impact area simply get pushed to other neighborhoods (Hewitt, Retired Neighborhood Resource Officer - Spokane Police Officer, 2024). There is no evidence that supports the alcohol impact areas in East Central or downtown shifted chronic inebriation and other alcohol-related illegal activities to other neighborhoods. The Washington State University study of the City of Seattle alcohol impact areas found no evidence of dispersion of alcohol-related incidents to other neighborhoods. Furthermore, the study found no evidence of decline in retail sales for the retailers with liquor licenses within the alcohol impact area. In fact, retailers saw stable growth during the study period after the alcohol impact area was implemented (Tarnai, 2009).

Mitigating the data collection and reporting requirements of the alcohol impact area is an important consideration as the resources necessary to implement and maintain the designation could outweigh potential benefits (Anderson, 2024). To maximize crime reduction and public health benefits and to streamline data collection, a restored downtown alcohol impact area should match the boundaries of the downtown police precinct area (Census Tract 35, Census Tract 36.02, and western portion of Census Tract 145). This area is slightly smaller than the previous downtown alcohol impact area.

The Downtown Spokane Partnership recently added the restoration of the downtown alcohol impact area to their 2025 local legislative priorities. The downtown police precinct area covers most of the downtown business improvement district (BID) boundary.



Downtown BID Boundary overlaid on the Downtown Police Precinct Area

Off-premises Alcohol Retail Sales Hours

Washington state law prohibits the sale of alcohol from 2:00am to 6:00am unless restricted by local government (State of Washington, 2001). Local governments must restrict *all* operating hours within the jurisdiction equally unless the licensees are within a Washington Liquor and Cannabis Board-recognized alcohol impact area.

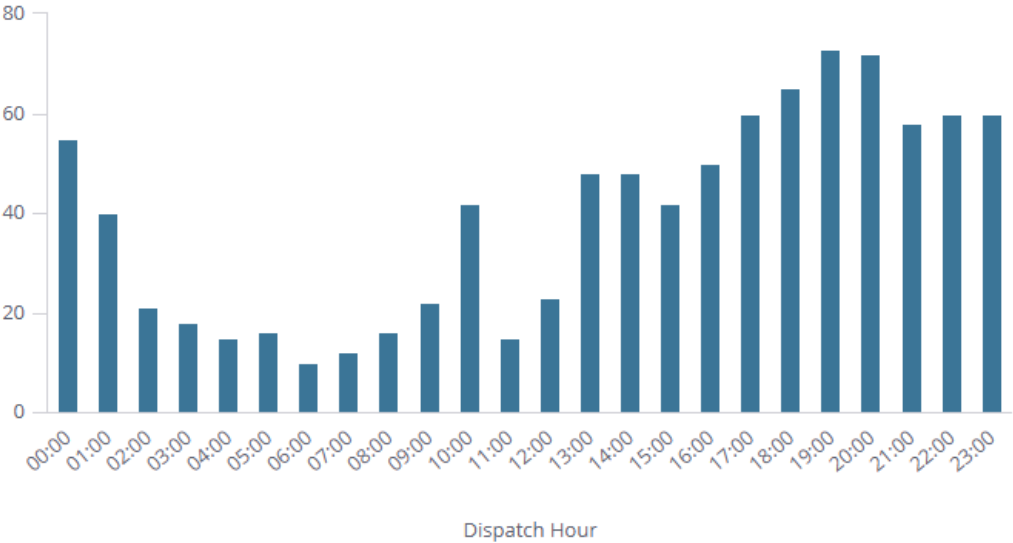
Spokane Police Department data over the last three years show more than 30% of all alcohol-related incidents⁴ downtown take place between midnight and 2:00am.⁵

⁴ NIBRS “Offender Suspected of Using Alcohol” value set to “Yes”.

⁵ Data pulled by Shawna Ernst from December 15th, 2021, through December 15th, 2024.



Likewise, the Spokane Fire Department responded to nearly 1500 calls for service and transported 363 individuals to the emergency department between 2022 and 2024 for alcohol-related incidents just within Fire Management Zone 1.



Calls for service related to alcohol peak between 7:00pm and 8:00pm within Fire Management Zone 1, however, many EMS calls also come between 12:00am and 2:00am.⁶ Calls for service drop significantly between 2:00am and 6:00am when alcohol sales are prohibited.

⁶ It is likely that this data is underreported. Based on information provided by the Spokane Fire Department, it is possible that many additional calls have an alcohol component but were documented as a trauma. For example,



Limiting hours when alcohol can be sold and served is a proven public health intervention and public safety strategy (Jernigan, Sparks, Yang, & Schwartz, 2013). This public health and safety strategy is endorsed by the World Health Organization (World Health Organization, 2017) and the Substance Abuse and Mental Health Services Administration (Substance Abuse and Mental Health Services Administration (SAMHSA), 2022). A recent study from Baltimore found that shortening overnight sales of alcohol reduced violent crime in the immediate and surrounding areas and saved the City of Baltimore millions of dollars in annual costs (McKoy, 2024).

Off-Premises Licensee (Tradename)	Weekday Hours	Weekend Hours
7-ELEVEN STORE #32703B	24 Hours	24 Hours
BAINS LIQUOR MART MAPLE	24 Hours	24 Hours
BAINS MART 2ND AVE	24 Hours	24 Hours
BEST WESTERN PLUS CITY CENTER	N/A	N/A
CITY FUEL	6:00am – 10:00pm	6:00am – 10:00pm
CONOCO FOOD MART	24 Hours	24 Hours
DIVINE 11 MIDCITY	6:00am – 11:00pm	6:00am – 1:00am
DIVISION EXPRESS	6:00am – 10:00pm	6:00am – 12:30am
DOWNTOWN QUICK STOP	6:00am – 12:00am	6:00am – 12:00am
DOWNTOWN QUICK STOP 2	6:00am – 12:00am	6:00am – 12:00am
DOWNTOWN SPOKANE GROCERY OUTLET	8:00am – 9:00pm	8:00am – 9:00pm
MAIN MARKET CO-OP	8:00am – 8:00pm	8:00am – 8:00pm
P M JACOY'S	7:00am – 7:00pm	7:00am – 7:00pm
ROSAUERS SUPERMARKETS #2	6:00am – 10:00pm	6:00am – 10:00pm
SUNSET GROCERY	24 Hours	24 Hours
THE PIGGY MART	5:00am – 2:00am	5:00am – 2:00am
VINO! A WINE SHOP	10:00am – 7:00pm	10:00am – 7:00pm

Extending the prohibition of overnight off-premises retail sales of alcohol from 2:00am to 12:00am would reduce the current alcohol sales periods for eight off-premises alcohol outlets in the downtown police precinct area. Extending the overnight sales prohibition by two hours would reduce the five twenty-four-hour stores daily alcohol sale period by two hours each day. Division Express would reduce its alcohol sale period by 30 minutes on weekends. Divine 11 MIDCITY would reduce its alcohol sale period by 1 hour on weekends. The Piggy Mart would reduce its alcohol sale period a total of two hours each day.

when a patient falls from intoxication and 911 is activated, that call could get recorded as a trauma. Also, if the Fire Department arrives on a scene and a person is intoxicated and is requesting detox services the call could be recorded as a public assist.

Off-Premises Licensee (Tradename)	Weekday Alcohol Retail Hours Reduced	Weekend Alcohol Retail Hours Reduced
7-ELEVEN STORE #32703B	2 Hours	2 Hours
BAINS LIQUOR MART MAPLE	2 Hours	2 Hours
BAINS MART 2ND AVE	2 Hours	2 Hours
CONOCO FOOD MART	2 Hours	2 Hours
DIVINE 11 MIDCITY	0 Hours	1 Hour
DIVISION EXPRESS	0 Hours	30 minutes
SUNSET GROCERY	2 Hours	2 Hours
THE PIGGY MART	2 Hours	2 Hours

Importantly, this condition would not require businesses to change their retail hours. This condition would simply prohibit the sale of alcohol during the overnight hours.

Single-Serve Alcohol Containers

Single-serve/ready-to-drink alcohol beverages have grown in popularity over the last several years. Nationally, flavored malt beverage products such as Twisted Tea⁷, Mike’s Harder Lemonade, and Smirnoff products are second only to regular beer in beer-based beverage sales at convenience stores. Flavored malt beverages also have the largest gross profit margins among beer-based beverages at off-premises alcohol outlets such as convenience stores (Conway, 2024). Collectively, these multi-billion-dollar beverage companies engage in marketing that public health professionals contend target youth and vulnerable communities (O’Brien, Mathieu, Bikomeye, Busalacchi, & Borisy-Rudin, 2023).

Single-serve alcohol bottles, ready-to-drink (alcopops), tall boy cans, and miniatures (also known as ‘nips’) are also a significant source of litter and trash in the downtown core. Elected leaders in cities such as Boston (Jonas, 2023) have sought to prohibit the outright sale of miniatures and single-serve alcohol containers because of the detrimental waste impacts (Thys, 2023). The City of Spokane is currently spending hundreds of thousands of taxpayer dollars addressing litter and trash in the downtown core where single-serve alcohol containers are a significant source of litter⁸.

The following photos are a snapshot informal trash survey of single-serve containers found within the downtown police precinct area along 2nd Avenue and 3rd Avenue on October 26, 2024.

⁷ Owned by the Boston Beer Company

⁸ Special Budget Ordinance C36520











The single-serve containers seen above are inexpensive and have a higher alcohol by volume than traditional beer. Earthquake High Gravity Lager was the product most noticeable during the October 26, 2024, informal trash survey. Earthquake High Gravity Lager is also the product with the highest alcohol by volume content at the lowest price identified during the survey. Earthquake High Gravity Lager was previously restricted for purchase downtown under the downtown alcohol impact area.

Product	Purchase Price in \$	Alcohol/Volume	Number of U.S. standard drinks⁹
Earthquake High Gravity Lager	\$1.99	10%	4.0 Drinks
Hurricane High Gravity	\$2.39	8.1%	3.4 Drinks
Mike's Harder (Mango)	\$4.35	8%	3.2 Drinks
Smirnoff Ice Smash	\$3.69	8.1%	3.2 Drinks
Fireball Miniature	\$1.19	16.5%	0.5 Drinks
99 Brand Peaches	\$1.19	15%	0.4 Drinks

⁹ <https://rethinkingdrinking.niaaa.nih.gov/tools/calculators/drink-size-calculator>

Alcohol Impact Area Process



The Alcohol Impact Area process is lengthy and will require commitment from multiple departments including the Spokane Police Department, Code Enforcement, and City Attorney's Office. The City will be required to conduct multiple litter/trash surveys, obtain letters of support from neighborhood councils and business organizations, and provide evidence of the City's good faith efforts to address the problems voluntarily. If the petition to the LCB is successful, the City will publish a Year One Report on the effectiveness of the alcohol impact area followed by an assessment every five years.



Executive Summary – Naloxone Distribution and Smoking Paraphernalia

I. **Background:** The State of Washington preempts the field of drug paraphernalia except for ordinances regulating harm reduction practices.

II. **Issue:** Downtown Spokane is suffering from its highest overdose rate on record. Data suggests that people who use drugs and/or witness overdoses do not have adequate access to naloxone to reverse an opioid overdose. There are multiple businesses in downtown Spokane selling products such as pipes and foils used to consume illicit substances creating negative externalities for taxpayers and residents in the Riverside and surrounding neighborhoods.

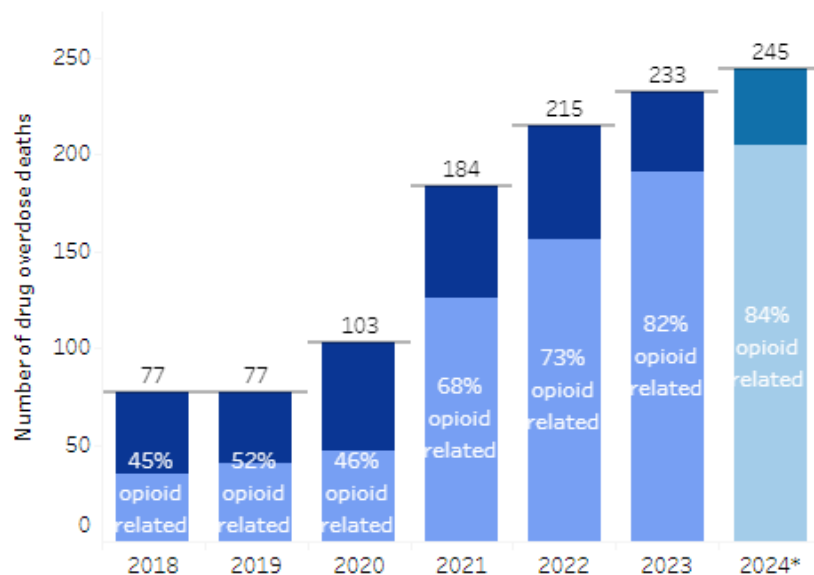
III. Policy Recommendation

Prohibit the sale of smoking paraphernalia within the downtown police precinct area unless providing naloxone for free during every transaction involving smoking paraphernalia.

Downtown Spokane Overdose Crisis

Preliminary numbers from Spokane County death certificate data indicate 245 people have died from drug overdose in 2024 in Spokane County. Spokane continues to see an alarming increase in drug overdose deaths with most of those deaths caused by opioids.

Overdose Deaths Over Time, Spokane County



The 2024 death data are preliminary and are expected to change.

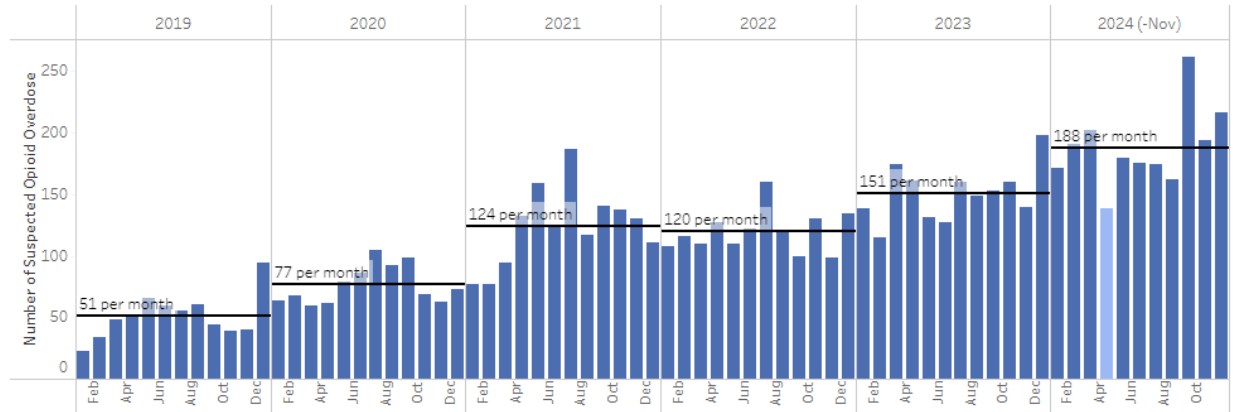
*Data were updated as of 12/16/2024.

Source: Death Certificate Data

Spokane County Opioid Dashboard

In September, Spokane County saw its highest number of Emergency Medical Services (EMS) calls for suspected overdose on record. Spokane County’s non-fatal overdose emergency department visits also outpace the state rate.

Suspected opioid overdose

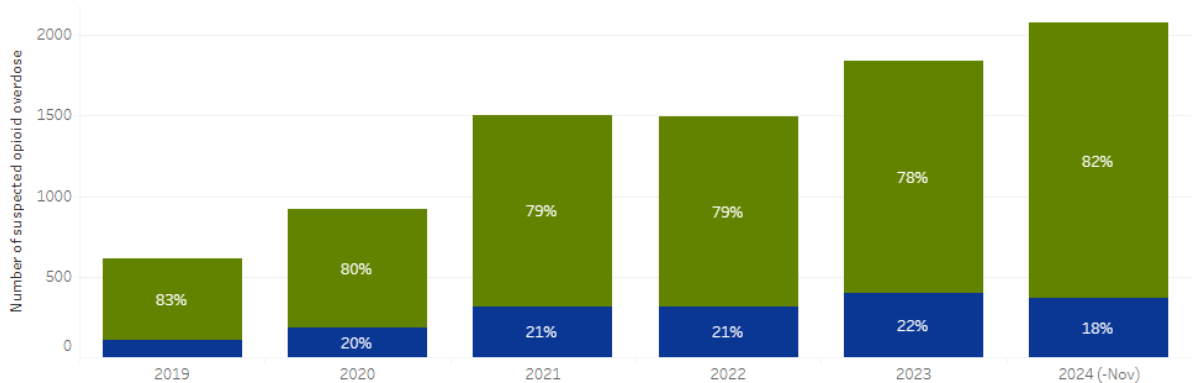


Source: Washington Emergency Medical Services Information System (WEMSIS) (As of 12/05/2024)
 Note: The April 2024 EMS Opioid Overdose report data are incomplete. Interpret with caution. The reporting issues are due to the transition between ePCR vendors and to the NEMSIS V3.5 data standard. The estimated % of EMS responses reported to WEMSIS in Spokane County in April 2024 was 39% as compared to nearly 100% in other months.

Paradoxically, the percentage of people experiencing opioid overdoses in Spokane who were administered naloxone *prior* to EMS arrival is also the lowest it has been since 2019.

- Indicators
 - Improved Naloxone response
 - Opioid impression
 - Suspected opioid overdose
 - % of suspected overdose with improved Naloxone respon...
 - Incident by age overtime (Spokane only)
 - Naloxone administered prior to EMS arrival (Spokane only)
- Geography
 - Spokane County
 - Washington State

Naloxone administered prior to EMS arrival (Spokane only)



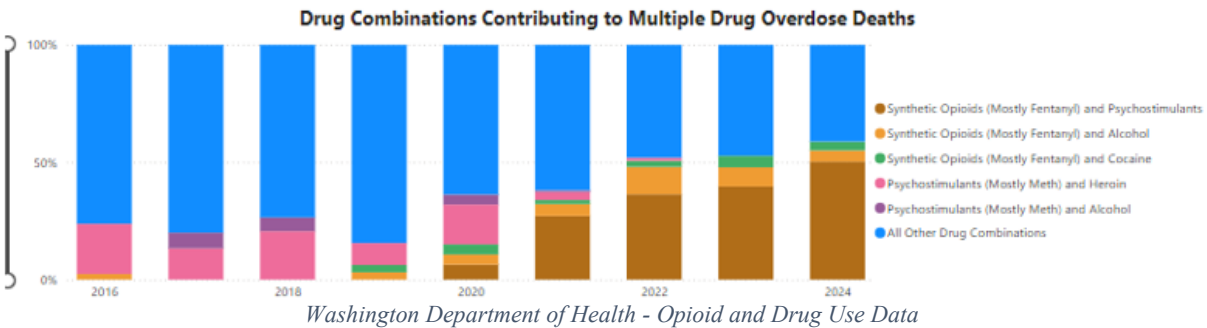
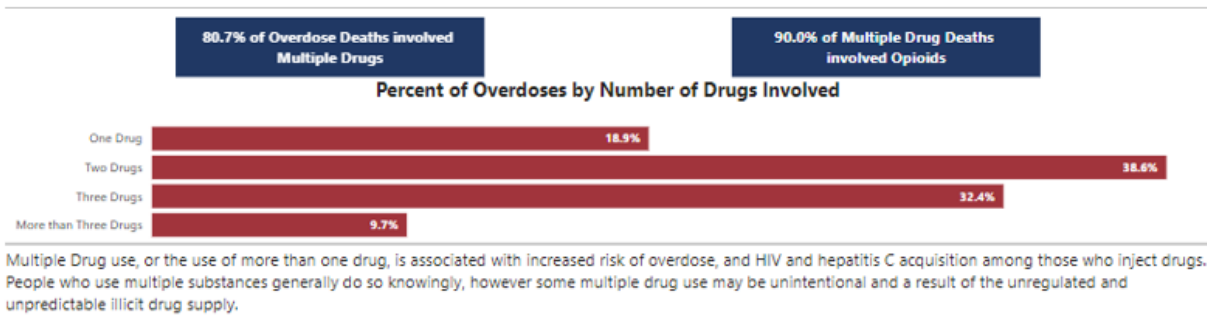
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Smoking Supplies/Drug Paraphernalia

Smoking is the most common way individuals consume both fentanyl and methamphetamine (Singh, Banta-Green, & Kingston, 2022). Foil is the most used smoking equipment for fentanyl followed by glassware such as pipes. A report published by the Centers for Disease Control and Prevention in February 2024 found that smoking was the predominant method of consumption that resulted in overdose deaths in the Western United States. In fact, almost 80% of overdose deaths showed no signs of injection/intravenous use (Tanz, et al., 2024).

The Spokane Regional Opioid Task Force (SROTF) reports synthetic opioids like fentanyl and carfentanil are showing up in other drugs including methamphetamine, cocaine, MDMA, and molly (Spokane Regional Opioid Task Force (SROTF), n.d.). A combination of fentanyl and psychostimulants, such as methamphetamine, are responsible for more than half of all overdose deaths in Spokane County.



There are multiple retail outlets in the city of Spokane that sell smoking paraphernalia such as butane torches, pipes, and foils. These businesses are primarily off-premises alcohol outlets, marijuana outlets, or smoke shops. There are five off-premises alcohol outlets selling torches, pipes, and foils within the downtown police precinct area (not including marijuana retailers). While marijuana retailers selling pipes and smoking paraphernalia are regulated by the Washington State Liquor and Cannabis Board and are age restricted to minors¹⁰, off-premises alcohol outlets selling the same smoking paraphernalia are not age restricted.

¹⁰ RCW 69.50.357

Foils are also sold at many off-premises alcohol outlets downtown. New studies suggest that the re-use of foil for smoking may increase the risk of overdose (Ciccarone, et al., 2024). Burned foil is also a significant source of litter in downtown Spokane. Littered foils with drug residue are dangerous for animals and have led to multiple incidents involving pets who required overdose reversal medication after consuming littered foils (Sanford, It's not just humans — dogs in Spokane are also overdosing on drugs, 2024).



It is a Class 1 civil infraction under Washington state law to sell drug paraphernalia.¹¹ Washington’s drug paraphernalia law provides that “[In determining whether an object is drug paraphernalia under this section, a court or other authority should consider, in addition to all other logically relevant factors, the following:] (6)[(f)] *Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he or she knows, or should reasonably know, intend to use the object to facilitate a violation of this chapter; the innocence of an owner, or of anyone in control of the object, as to a direct violation of this chapter shall not prevent a finding that the object is intended or designed for use as drug paraphernalia.*” Simply, these outlets are either breaking state law and subject to a Class 1 civil infraction, or they are selling products that may be subject to regulation by local governments utilizing their policing power (Spitzer, 2000).

The outlets selling pipes, torches, foils, and other smoking supplies market the paraphernalia for legal use only despite common sense and acknowledgement by local (Lawrence-Turner, 2008) and federal law enforcement (Drug Enforcement Agency, 2023) that these products are generally used for consuming illicit substances. Historically, some major gas companies have ended their

¹¹ RCW 69.50.4121



relationship with Washington state convenience stores over the sale of drug paraphernalia (Schiffner, 2008).



Downtown Quick Stop 2 Window Display (Riverside Avenue – Riverside Neighborhood)

Although the State of Washington has preempted the entire field of drug paraphernalia, cities may enact ordinances relating to the establishment or regulation of harm reduction services concerning drug paraphernalia.¹² Tobacco products¹³ and vapor products¹⁴ are regulated exclusively by the Washington State Liquor and Cannabis Board. Cities like Vancouver have attempted to tackle the prevalence of smoking paraphernalia by prohibiting its display to minors (City of Vancouver Washington, 2014) – an ordinance that was modeled after the City of Spokane’s Ordinance C34213 adopted in 2008 and subsequently repealed by the Council in 2022 through the adoption of RCW criminal statutes by reference in Ordinance C36289. Other communities like Boise (Idaho Press, 2024) and Philadelphia (City of Philadelphia Licenses and Inspections, 2023) have used a mix of law enforcement and zoning to address the proliferation of stores selling smoking paraphernalia.

Naloxone Distribution

Public health leaders advocate “saturating” a community with naloxone. The goal of saturation is to eliminate lack of access to naloxone as a reason for overdose deaths (Bennett & Elliott, 2021).

¹² RCW 69.50.612

¹³ RCW 82.26.010(21)

¹⁴ RCW 70.345.010.

Naloxone, also commonly known as NARCAN, is a medication that saves lives by reversing the effects of an opioid overdose. The Washington State Department of Health recommends that people who use drugs, friends and family of people who use drugs, and those who interact with people who use drugs carry naloxone (Washington State Department of Health, n.d.). The City of Spokane's first responders carry naloxone.



Despite some access to naloxone within the city of Spokane, it is clear from the local EMS data that we are nowhere near naloxone saturation. Stigma and an inability to reach those most at risk are barriers to naloxone distribution. The reduction in injection/intravenous drug use also creates a gap in harm reduction distribution in Spokane, which has traditionally been carried out by syringe service programs (Wohlfeil, 2022). Spokane Regional Health District's syringe service program currently does not provide injective alternatives such as glass, pipes, and foils.

Naloxone is available for free at the Spokane Regional Health District Syringe Service Program and a handful of community-based organizations¹⁵ within in the city of Spokane (stopoverdose.org, n.d.). Naloxone is covered by Medicaid and may be dispensed in Washington state with or without a prescription due to a statewide standing order (Washington State Department of Health, 2024). There is no certification or training required to use naloxone and individuals are generally protected under Washington's Good Samaritan Law from civil liabilities as well as charge and prosecution for possession of a controlled substance (stopoverdose.org, 2024). Stopoverdose.org has free materials such as posters and wallet cards that could be used to distribute information about the Good Samaritan Law.

NARCAN (naloxone) can be bought online through Amazon.com, NACARAN.com, and other online retailers. The City maintains an online list of NARCAN providers on the Emergency Management webpage on the City of Spokane website along with training videos (City of Spokane, n.d.). NARCAN also available for purchase at retailers within the city of Spokane (Emergent Devices Inc. , n.d.).

¹⁵ Peer Spokane; Compassionate Addiction Treatment; M.H.A. Speakout Speakup; West Spokane Wellness Partnership



Online NARCAN (naloxone) Retailers
CVS.com
Instacart.com
Kroger.com
Riteaid.com
Target.com
Walgreens.com
Walmart.com
Wegmans.com

NARCAN (naloxone) Retailers	Address	Phone	Neighborhood
CVS Pharmacy	4915 S Regal Street	509-822-3275	Southgate
CVS Pharmacy	9770 N Newport Highway	509-466-7226	Shiloh Hills
Rite Aid	810 E 29 th Avenue	509-838-3508	Comstock
Rite Aid	2215A W Wellesley Avenue	509-328-7887	Audubon/Downriver
Rite Aid	2929 E 29 th Avenue	509-535-9056	Lincoln Heights
Target	4915 S Regal Street	509-822-3290	Southgate
Target	9770 N Newport Highway	509-466-3006	Shiloh Hills
The Medicine Shoppe Pharmacy	902 W Indiana Avenue	509-327-1504	Emerson/Garfield
Walgreens	1708 W Northwest Boulevard	509-323-0309	Emerson/Garfield
Walgreens	2830 S Grand Boulevard	509-455-3736	Manito/Cannon Hill
Walgreens	327 W 3 rd Avenue	509-838-0175	Riverside
Walmart	2301 W Wellesley Avenue	509-327-0404	Audubon/Downriver
Walmart	9212 N Colton Street	509-464-2173	Shiloh Hills

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**Agenda Sheet for City Council:****Committee:** Public Safety **Date:** 01/06/2025**Committee Agenda type:** Discussion**Date Rec'd**

12/26/2024

Clerk's File #

ORD C36635

Cross Ref #**Project #****Council Meeting Date:** 01/27/2025**Submitting Dept**

MAYOR

Bid #**Contact Name/Phone**

MAGGIE 6753/6779

Requisition #**Contact E-Mail**

MYATES@SPOKANECITY.ORG/AMCD

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

ZZAPPONE BWILKERSON PDILLON

Sponsoring at Administrators Request

NO

Lease? NO**Grant Related?** NO**Public Works?** NO**Agenda Item Name**

ORDINANCE IMPLEMENTING A COMMUNITY HEALTH IMPACT AREA

Agenda Wording

An ordinance implementing a Community Health Impact Area and public health measures to mitigate the impacts of addiction; adopting a new Division VII and Chapter 10.81 to the Spokane Municipal Code.

Summary (Background)

The City of Spokane recognizes the opioid crisis as a national public health epidemic and community safety issue. Due to record numbers of opioid overdoses in Spokane and the effectiveness of naloxone in reducing deaths from these overdoses, the City of Spokane seeks to prohibit any person or business selling or distributing smoking paraphernalia in downtown Spokane unless also providing overdose risk reduction supplies (naloxone) at no cost upon a transaction that includes smoking supplies.

What impacts would the proposal have on historically excluded communities?

See legislative findings.

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?

The City of Spokane intends to use emergency medical services data, crime statistics, and public health information to establish a geographical area in the City of Spokane as a Community Health Impact Area to target policy and programmatic resources that mitigate the disproportionate public health and secondary neighborhood impacts of the addiction crisis.

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

The City shall publish on the City website quarterly data from the community health impact area. Data shall include but is not limited to likely overdose calls for service, crime statistics, and other relevant data.

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 ordinance aligns with Executive Order 2024-0006.

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget?	N/A
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	Additional Approvals
<u>Dept Head</u>	SCOTT, ALEXANDER
<u>Division Director</u>	
<u>Accounting Manager</u>	BUSTOS, KIM
<u>Legal</u>	SCHOEDEL, ELIZABETH
<u>For the Mayor</u>	PICCOLO, MIKE
Distribution List	
	amcdaniel@spokanecity.org
myates@spokanecity.org	

ORDINANCE NO. C36635

An ordinance implementing a Community Health Impact Area and public health measures to mitigate the impacts of addiction; adopting a new Division VII and Chapter 10.81 to the Spokane Municipal Code.

WHEREAS, the City of Spokane recognizes the opioid crisis as a national public health epidemic and community safety issue requiring an integrated response that includes overdose prevention, access to additional behavioral health and treatment resources, law enforcement action against illegal drug traffickers and dealers, and the revitalization of neighborhoods decimated by this crisis; and

WHEREAS, Death Certificate Data compiled by the Spokane Regional Opioid Task Force (SROTF) found that opioids accounted for 46% of overdose deaths in 2020, 68% in 2021, 73% in 2022, 82% in 2023, and 84% in 2024 (preliminary data); and

WHEREAS, preliminary data through December 16th, 2024, suggests 205 people in Spokane County have already died from opioid overdose in Spokane County this year; and

WHEREAS, In September 2024, Spokane County saw its highest number of Emergency Medical Services (EMS) calls for suspected overdose on record and its emergency department visit rate for non-fatal overdoses continues to outpace the state rate; and

WHEREAS, the percentage of people experiencing opioid overdoses in Spokane who were administered naloxone prior to EMS arrival is the lowest it has been since 2019; and

WHEREAS, smoking foil and pipes is the most common way individuals consume both fentanyl and methamphetamine; and

WHEREAS, and the Centers for Disease Control and Prevention in February 2024 found that smoking was the predominant method of consumption that resulted in overdose deaths in the Western United States; and

WHEREAS, there are multiple retail outlets in downtown Spokane that sell smoking supplies such as pipes, and foils marketed for legal use only despite acknowledgement by law enforcement that these products are generally being used for consuming illicit substances including synthetic opioids; and

WHEREAS, the City of Spokane seeks to prohibit any person or business selling or distributing smoking paraphernalia in downtown Spokane unless also providing

overdose risk reduction supplies (naloxone) at no cost upon a transaction that includes smoking supplies.

The City of Spokane does ordain:

Section 1. There is enacted a new chapter 10.81 to Title 10 of the Spokane Municipal Code to read as follows:

Division VII	City of Spokane Community Health Programs
Chapter 10.81	Community Health Impact Areas
SMC 10.81.010	Scope and Purpose
SMC 10.81.020	Community Health Impact Area in Spokane’s Downtown Police Precinct Area
SMC 10.81.030	Definitions
SMC 10.81.040	Overdose Risk Reduction Products Required
SMC 10.81.050	Violation and Penalties

Chapter 10.81 Community Health Impact Areas

Section 10.81.010 Scope and Purpose

A. The City of Spokane recognizes the addiction crisis as a public health and community safety issue requiring an integrated crisis response that includes overdose prevention, access to additional behavioral health and treatment resources, law enforcement action against illegal drug traffickers and dealers, and the revitalization of neighborhoods decimated by the addiction crisis. The City of Spokane finds that residents within some neighborhoods suffer disproportionately from the impacts of the addiction crisis and seeks to implement public health programs and strategies to mitigate these impacts.

B. The City of Spokane intends to use emergency medical services data, crime statistics, and public health information to establish a geographical area in the city of Spokane as a Community Health Impact Area to target policy and programmatic resources that mitigate the disproportionate public health and secondary neighborhood impacts of the addiction crisis.

Section 10.81.020 Community Health Impact Area in Spokane’s Downtown Police Precinct Area

A. The geographical area encompassing the Spokane Police Department’s Downtown Precinct is declared to be a community health impact area. This geographical area is shown in Exhibit A. The boundaries shall include properties located on both sides of the public right of-way that constitute the boundaries of the community health impact area as further depicted on the attached map.

B. The City shall publish on the City website quarterly data from the community health impact area. Data shall include but is not limited to likely overdose calls for service, crime statistics, and other relevant data.

Section 10.81.030 Definitions

A. "Agency" means the state of Washington, a county, municipal corporation, health district, school district, special taxing authority, postsecondary institutions, or federally-recognized Indian tribe.

B. "Distribute" or "Distribution" means to furnish, give away, exchange, transfer, deliver or supply, whether or not for monetary gain

C. "Foil" also known as aluminum foil or tinfoil includes aluminum sheeting or leaves used for smoking tobacco, to cover or wrap food, or to line cooking equipment.

D. "Health care provider" means a person who is licensed, certified, registered, or otherwise authorized by the State of Washington to provide health care in the ordinary course of business or practice of a profession.

E. "Nonprofit Corporation" or "Nonprofit Organization" means a corporation, organization or limited liability corporation:

1. Formed and organized under chapter 24.03 RCW, and
2. In accordance with Internal Revenue Code sections 501(c)(3) or 501(c)(4), and as hereafter amended.
3. Where the term nonprofit organization is used, it is meant to include a nonprofit corporation or nonprofit limited liability corporation.

F. "Overdose risk reduction supplies" means at least one unopened box or package of Naloxone HCl Nasal Spray containing at least two single-dose nasal spray devices. Instructions for use shall be included in each unopened box.

G. "Person" means an individual, corporation, business trust, estate, trust, partnership, association, joint venture, government, governmental subdivision or agency, or any other legal or commercial entity.

H. "Pharmacy" means every place properly licensed by the Pharmacy Quality Assurance Commission where the practice of pharmacy is conducted as defined by RCW 18.64.011(32).

I. "Smoking supplies" means any equipment, product, or material of any kind which is used, intended for use, designed for use, to package, repack, store, contain, conceal,

ingest, inhale, or otherwise introduce tobacco of any form into the human body including, but not limited to:

1. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
2. Water pipes;
3. Carburetion tubes and devices;
4. Smoking and carburetion masks;
5. Roach clips, meaning objects used to hold burning material, such as a cigarette, that has become too small or short to be held in the hand;
6. Chamber pipes;
7. Carburetor pipes;
8. Electric pipes;
9. Air-driven pipes;
10. Chillums;
11. Bongs;
12. Ice pipes or chillers; and
13. Foils

“Smoking supplies” does not include cigarettes, cigars, matches, lighters, tobacco products as defined by RCW 82.26.010(21) or vapor products as defined by RCW 70.345.010.

J. “Supermarket”, as designated by the North American Industry Classification System, means a business where the primary business activity is retailing a general line of food, such as canned and frozen foods; fresh fruits and vegetables; and fresh and prepared meats, fish, and poultry. It does not include Convenience Retailers or Gasoline Stations with Convenience Stores as defined by the North American Industry Classification System.

K. “Transaction” means a purchase, sale, loan, gift, transfer, transmission, delivery, trade, exchange, extension of credit, or any other method of acquisition or disposition of smoking supplies.

Section 10.81.040 Overdose Risk Reduction Products Required

A. A person shall not distribute, sell or permit to be sold smoking supplies within a community health impact area unless the person also provides overdose risk reduction supplies at no cost upon a transaction that includes smoking supplies.

B. This section shall not apply to any agency, health care provider, pharmacy, supermarket, retail outlet regulated by RCW 69.50.357, or any nonprofit providing addiction treatment, harm reduction services, or distributing overdose risk reduction supplies.

10.81.050 Violation and Penalties

Any person violating this chapter shall be guilty of a Class 1 Civil Infraction. It shall not be a defense to an alleged violation that overdose risk reduction supplies were unavailable to the person distributing, selling or permitting the distribution or sale of smoking supplies.

PASSED by the City Council on _____

Council President

Attest:

Approved as to form:

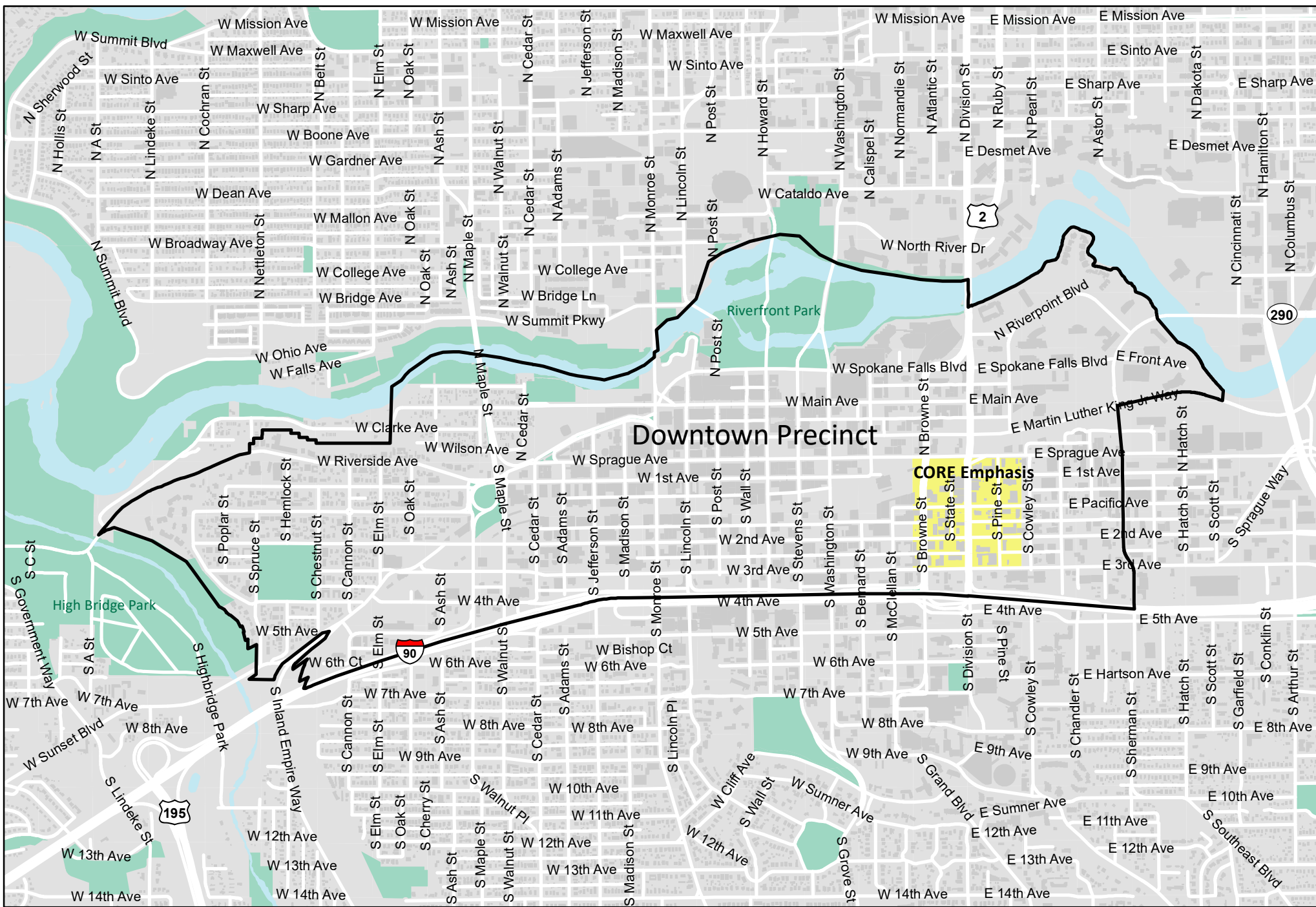
City Clerk

City Attorney

Mayor

Date

Effective Date



City of Spokane

Downtown Precinct with CORE Emphasis Area



1:18,000





Memorandum

Office of the Mayor

DATE: December 26, 2024

FROM: Adam McDaniel – Policy Advisor, Office of the Mayor

TO: Councilmember Paul Dillon – Chair, Public Safety and Community Health Committee

RE: Alcohol Impact Area | Community Health Impact Area

This memo recommends potential public health and crime reduction strategies to address the secondary impacts of addiction. This memo identifies both internal and external regulatory gaps and ultimately recommends an alcohol impact area within the downtown police precinct area as a public safety policy with a documented track record of reducing violent crime, shrinking narcotics violations, and lessening waste and litter on streets and right of ways in the city of Spokane. This memo also recommends a policy for expanding naloxone distribution to address the overdose crisis impacting the downtown police precinct area.

Executive Summary – Alcohol Impact Area

I. **Background:** The previous administration inadvertently repealed a pre-existing alcohol impact area, which regulated the sale of certain single use alcohol products for off-premises consumption.

II. **Issue:** The sale of single serve alcohol products for off-premises consumption creates dangerous public health and public safety outcomes, disproportionately impacting poor communities and communities of color.

III. Policy Recommendations

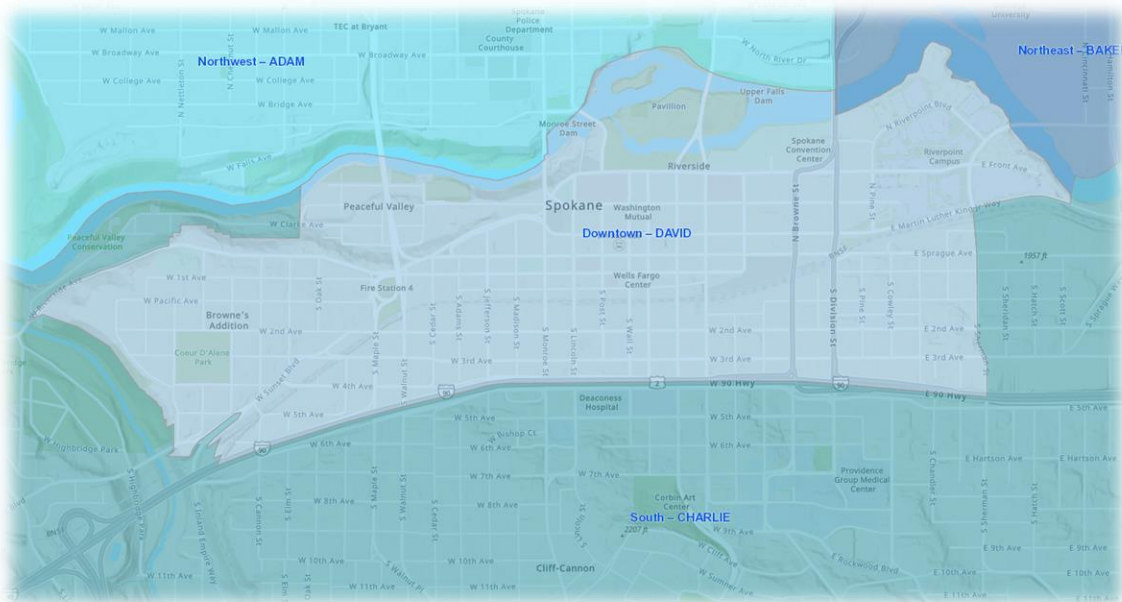
Reestablish an alcohol impact area for downtown Spokane to match the boundaries on the Spokane Police Department's downtown precinct.



2nd Avenue and Maple Street – October 23, 2024

Downtown Police Precinct Area

Census Tract 35, Census Tract 36.01, Census Tract 36.02, and a small part of Census Tract 145 fall within the Spokane Police Department’s downtown precinct area. The downtown precinct borders I-90 to the south, the Spokane River to the north, Latah Creek/High Bridge Park to the west, and Sherman Avenue to the east.



Census Tracts 35, 36.01 and 36.02 encompass the Riverside, Peaceful Valley, and Browne’s Addition neighborhoods, respectively. Over 9,000 Spokane residents live in these three census



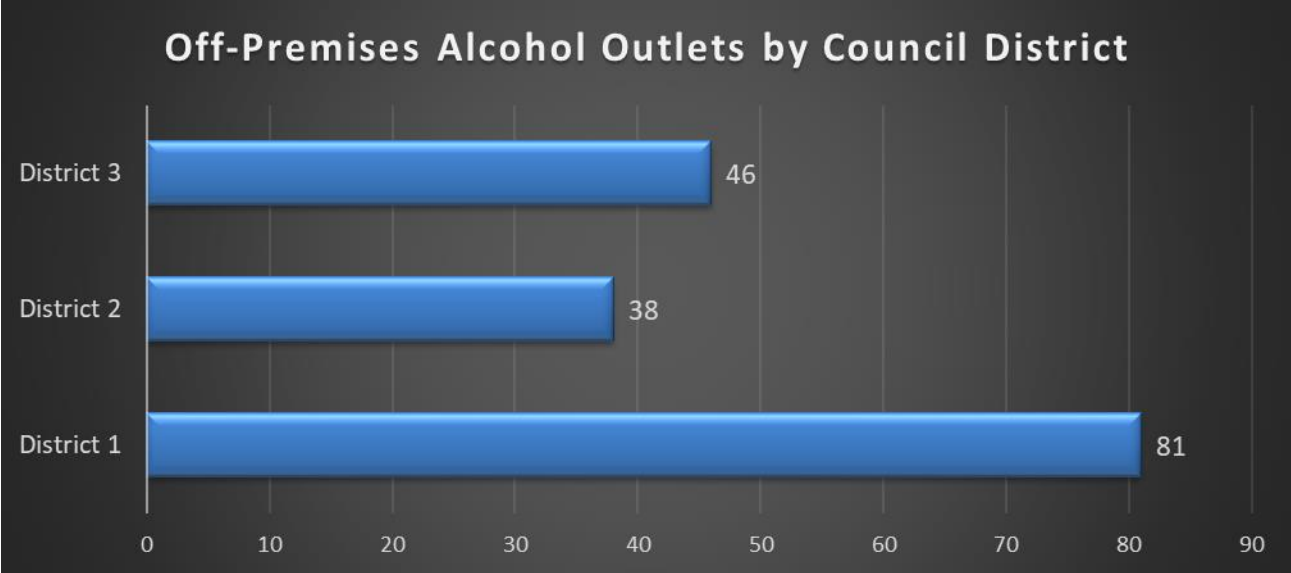
tracts – a population larger than the city of Medical Lake. These neighborhoods are racially more diverse than most other neighborhoods and have high Social Vulnerability Index (SVI) scores as measured by the Centers for Disease Control and Prevention (Agency for Toxic Substances and Disease Registry, 2024). Half of residents in the Riverside Neighborhood (Census Tract 35) live below the federal poverty line. Census Tract 35 has the lowest median household income of any census tract in the city, and all three neighborhoods have unemployment rates higher than the citywide rates.

Nearly 95% of Census Tract 35 residents are renters, and more than a quarter of residents in both Riverside and Browne’s Addition neighborhoods lack access to a vehicle (U.S. Census Bureau, 2024). Most of the downtown area is considered a food desert (Spokane Food Policy Council, 2016). Some residents formerly utilized the Rite Aid along Howard Street for basic food and grocery items but the store’s closure in 2023 necessitates many residents to depend on other off-premises alcohol outlets for basic food items. If Main Market Co-op closes, dependence on off-premises alcohol outlets for necessities will grow even greater (Billingham, 2024). Currently, nine of the fourteen SNAP retailers within the downtown police precinct area are convenience stores (U.S. Department of Agriculture, 2024).

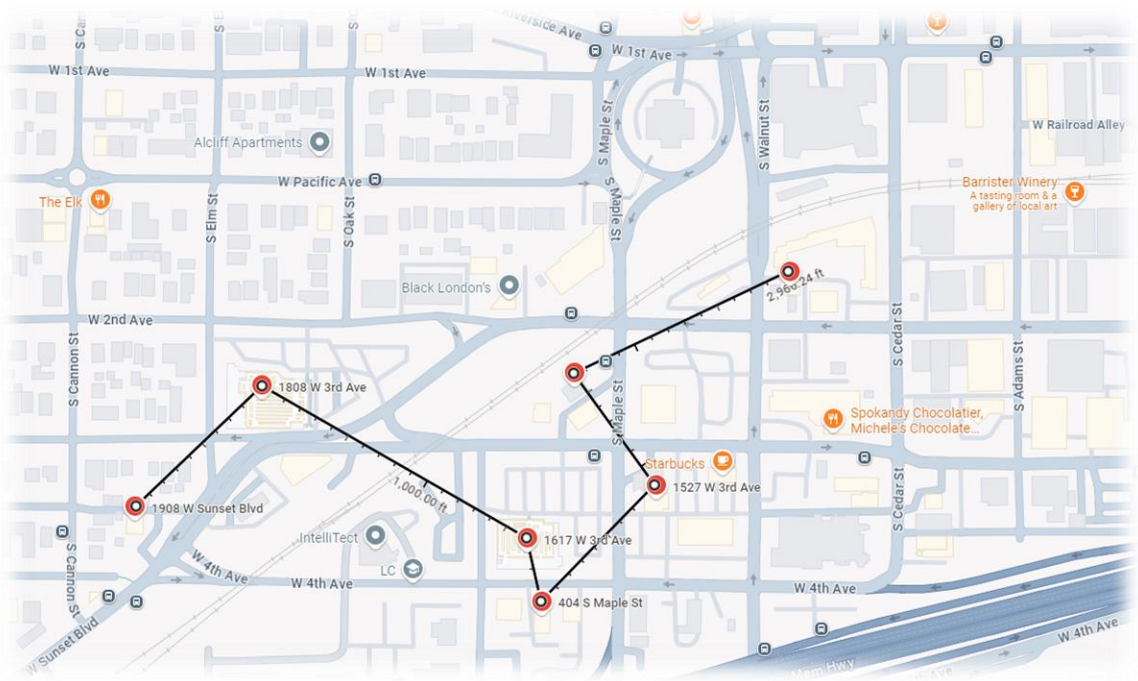
Historically, the Riverside Neighborhood suffered from the highest violent crime rate of any area in Spokane County while Browne’s Addition had the fourth highest violent crime rate in the county (Spokane Regional Health District, 2017). Current crime statistics show a reduction in violent crime year-to-date within the downtown police precinct area, however downtown Spokane is perceived as being “unsafe” (Greater Spokane Inc., 2024). The perception that downtown Spokane is “unsafe” has compounding social capital impacts on the residents living in these neighborhoods (Theall, Scribner, Cohen, Schonlau, & Farley, 2009). This perception may slow the physical property investments critical to improving public safety and enhancing public health within the neighborhood (Walter, Acolin, & Marie, 2024).

Off-Premises Alcohol Outlets (Liquor Stores/Convenience Stores)

Off-premises alcohol outlets include liquor stores and convenience stores selling liquor and high-octane alcohol products where patrons buy the alcohol to be consumed off-premises. As of early October 2024, there were 145 off-premises alcohol outlets licensed by the Washington State Liquor and Cannabis Board (LCB) or going through the licensing process in the city of Spokane. More than half of all off-premises alcohol outlets were in City Council District 1.



Multiple studies show that off-premises alcohol outlets are disproportionately located in communities with lower incomes and in neighborhoods with a higher percentage of non-white residents (Romley, Cohen, Ringel, & Sturm, 2007). The Riverside and Browne’s Addition neighborhoods have nearly three off-premises alcohol outlets for every 1,000 residents. Contrast this with the Southgate neighborhood, which boasts only 0.38 off-premises alcohol outlets for every 1,000 residents and Indian Trail which has 0.50 off-premises alcohol outlets for every 1,000 residents.



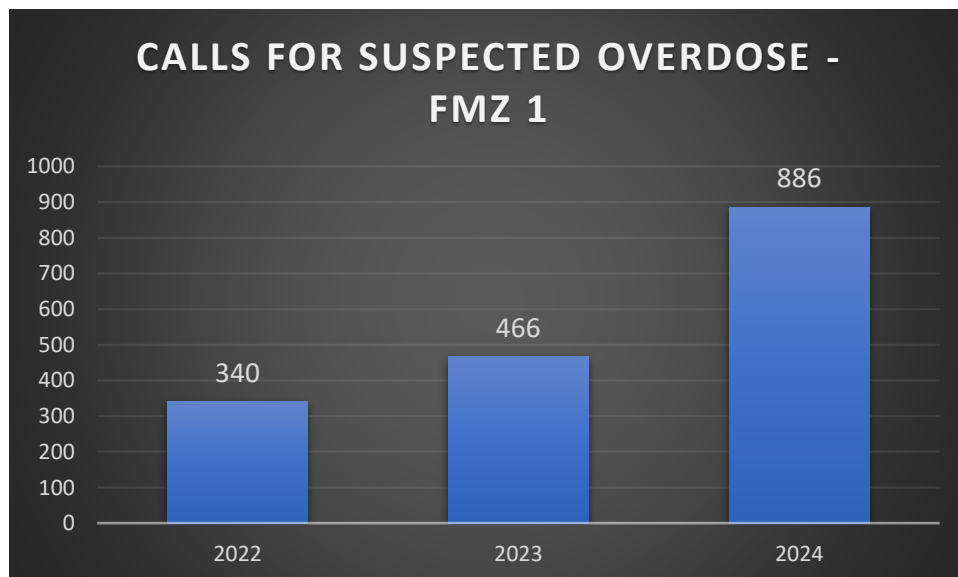
Seven Off-Premises Alcohol Outlets within 0.5 miles in downtown Spokane



Census Tract 145 has nearly four off-premises alcohol outlets for every 1,000 residents. Like the Riverside neighborhood, nearly half of residents in Census Tract 145 (East Central) live below the federal poverty line.

Alcohol and drug-related deaths continue to rise in Spokane County (Starks, Sharkova, Leibenguth, & Huber, 2024) Off-premises alcohol outlets have a significant effect on crime and the quality of life in neighborhoods (Fitterer, Nelson, & Stockwell, 2015). Off-premises alcohol outlets are associated with shootings (Osborne, Duggan, Shulman, & Cabeza, 2024), assaults (Miller, 2024), and robberies (Frint, 2024). There is even a strong association between off-premises alcohol outlets and the rate of pedestrian injuries (Nesoff, et al., 2018). The density of off-premises alcohol outlets in neighborhoods is a risk factor for youth and young adult substance use (U.S. Department of Health & Human Services, 2016).

Off-premises alcohol outlets in downtown Spokane are also places where drug activities take place (Sanford, We spent a weekend at Spokane's most notorious intersection. Here's what we saw., 2023). Unsurprisingly, public health research finds the proliferation of off-premises alcohol outlets is associated with higher rates of drug overdose. A study of the city of Baltimore published in the International Journal of Drug Policy found “each additional off-premises alcohol outlet was associated with a 16.6% increase in neighborhood overdose rate” (Nesoff, et al., 2021). The City of Spokane’s Fire Management Zone 1 serves the downtown police precinct area east of Lincoln Street to I-90 to the south and the Spokane River to the north. There are eight off-premises alcohol outlets within Fire Management Zone 1. Fire Management Zone 1 has seen an alarming increase in overdose calls over the last 3 years.



Spokane Fire Department Data - October 31, 2024

Off-Premises Alcohol Outlets in Downtown Spokane

There are seventeen active and licensed off-premises alcohol outlets in the downtown police precinct area and one licensee pending approval from the Washington State Liquor and Cannabis Board. Most of these off-premises alcohol outlets are traditional convenience retailers except for four supermarkets (Rosauers Supermarket, Downtown Grocery Outlet, Main Market Co-op, and PM Jacoy’s), a specialty wine shop (Vino! A Wine Shop), and a hotel (Best Western Plus City Center).

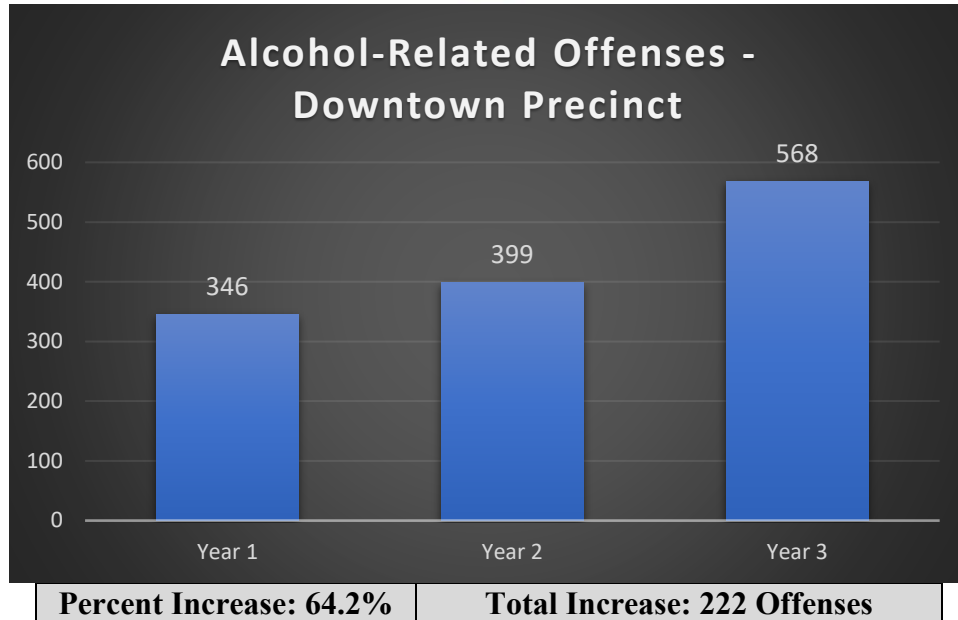
Off-Premises Licensee (Tradename)	Address	Hours
7-ELEVEN STORE #32703B	177 S DIVISION ST	24 Hours
BAINS LIQUOR MART MAPLE	404 S MAPLE ST	24 Hours
BAINS MART 2ND AVE	1428 W 2ND AVE	24 Hours
BEST WESTERN PLUS CITY CENTER	33 W SPOKANE FALLS BLVD	N/A
CITY FUEL	1527 W 3RD AVE	6:00am – 10:00pm
CONOCO FOOD MART	1602 W 3RD AVE	24 Hours
DIVINE 11 MIDCITY	822 W 2ND AVE	6:00am – 1:00am
DIVISION EXPRESS	3 EAST 3RD AVE	6:00am – 12:30am
DOWNTOWN QUICK STOP	10 N POST ST STE 102	6:00am – 12:00am
DOWNTOWN QUICK STOP 2	10 N POST ST STE 16	6:00am – 12:00am
DOWNTOWN QUICK STOP III ¹	501 W SPRAGUE AVE	
DOWNTOWN SPOKANE GROCERY OUTLET	1617 W 3RD AVE	8:00am – 9:00pm
MAIN MARKET CO-OP	44 W MAIN AVE	8:00am – 8:00pm
P M JACOY’S	402 W SPRAGUE AVE	7:00am – 7:00pm
ROSAUERS SUPERMARKETS #2	1808 W 3RD AVE	6:00am – 10:00pm
SUNSET GROCERY	1908 W SUNSET BLVD	24 Hours
THE PIGGY MART	932 W 3RD AVE	5:00am – 2:00am
VINO! A WINE SHOP	222 S WASHINGTON ST	10:00am – 7:00pm

Although crime is down year-to-date in the downtown police precinct area overall, alcohol-related incidents in the area have grown 64% over the last three years.²³

¹ Off-Premises liquor license is currently pending.

² Ernst, Spokane Police Department; **Method:** All police report offenses were reviewed using the FBI NIBRS flag “Offender suspected of using Alcohol”. Any offenses where that flag was set to Yes were included. Additionally, all statutes in the system were reviewed for key terms like “alcohol”, “liquor”, “open container”, and “DUI”. If the statute reflected alcohol use but the “Offender suspected of using Alcohol” flag was set to No or Unknown, the offense was counted anyway.

³ Year 1 is 10/1/2021 to 9/30/2022. Year 2 is 10/1/2022 to 9/30/2023. Year 3 is 10/1/2023 to 9/30/2024



Specifically, alcohol-related offenses within 1,000 feet of ten off-premises alcohol outlets within the downtown police precinct area are up over the same 3-year period.

<u>Licensee</u>	<u>Percent Increase – 3 Year Period</u>
7-ELEVEN STORE #32703B	108%
BAINS LIQUOR MART MAPLE	4%
CONOCO FOOD MART	30%
DIVINE 11 MIDCITY	44%
DIVISION EXPRESS	154%
DOWNTOWN QUICK STOP 1 & 2	106%
DOWNTOWN SPOKANE GROCERY OUTLET	23%
P M JACOY'S	114%
THE PIGGY MART	39%

Alcohol Impact Areas (AIA)

The purpose of an alcohol impact area is for local governments to mitigate illegal activities linked with the sale or public consumption of alcohol within a geographic area of their jurisdiction (Washington State Liquor and Cannabis Board, 2024). Certain conditions and

restrictions may be implemented on off-premises alcohol outlets including the limitation of hours of operation for off-premises sales, banning of certain alcohol items, and a prohibition on the sale of single-serve containers (Washington State Liquor and Cannabis Board, 2019).

As of October 2024, most of the off-premises alcohol outlets within the downtown police precinct area were selling high-octane alcohol products that were previously restricted less than two years ago within the downtown alcohol impact area.

Importantly, the petitioning local government is responsible for suggesting the conditions and restrictions for consideration of the Washington Liquor and Cannabis Board per Washington Administrative Code 314-12-215. In addition to LCB-adopted conditions and restrictions, local governments are given sixty days to register objections under RCW 66.24.010 to new liquor license applications within alcohol impact areas versus only twenty days for licenses outside of an alcohol impact area. Implementation of an alcohol impact area requires adoption of an ordinance by the Spokane City Council executing a six-month voluntary compliance period. The City will communicate to all off-premises alcohol outlet licensees in the area with a request to voluntarily comply with the conditions and restrictions. The LCB may formalize the conditions and restrictions if the licensees fail to comply with the conditions and restrictions placed by the voluntary alcohol impact area.

There are mandatory alcohol impact areas in large cities across Washington. All four cities with current alcohol impact areas have alcohol impact areas in their downtown core.

City	# of AIAs	Year Established
Seattle	2	1999
Tacoma	3	2008
Olympia	1	2014
Everett	1	2016

The first alcohol impact area was approved in Seattle’s Pioneer Square. In addition to certain product bans, the Pioneer Square alcohol impact area restricted the sale of off-premises alcohol between 6:00am and 9:00am and prohibited the sale of single serve containers (Nguyen, n.d.).

There is also a voluntary alcohol impact area in the city of Vancouver (City of Vancouver Washington, 2008). These large Washington cities have had multiple opportunities to end their alcohol impact area designations and have chosen not to repeal them. Reports published by law enforcement from these cities are clear: alcohol impact areas reduce crime. A report from the City of Seattle reviewing a five-year period from 2017-2022 found alcohol impact areas continue to have, “significant and positive effects on curbing the problems associated with chronic inebriation and public safety”. An external study of the City of Seattle’s alcohol impact areas supports the City of Seattle’s Department of Neighborhoods findings (Tarnai, 2009). Community organizations such as the Downtown Seattle Association and Chinatown-International District Business Improvement Area strongly advocated for the renewal of Seattle’s alcohol impact areas in 2022 (City of Seattle - Seattle Department of Neighborhoods, 2022). Similarly, the City of Everett also saw a decrease in alcohol-related incidents after the implementation of their alcohol impact area (Templeman, 2022).



The City of Spokane previously had two mandatory alcohol impact areas: Downtown, East Central, and one voluntary area: West Central. The downtown alcohol impact area’s previous perimeter was from Cannon Street as the west boundary to Scott Street to the east and Spokane Falls Boulevard as the north boundary to Fifth Avenue as the south boundary. The downtown alcohol impact area was officially adopted by the Washington Liquor and Cannabis Board in 2010. The West Central voluntary alcohol impact area was created in 2011 and subsequently repealed by the City Council in 2012 after neighborhood pushback (Brunt, Alcohol impact area dropped, 2012). The Downtown and East Central alcohol impact areas existed until 2022, when they were inadvertently repealed by the previous administration and City Council in Emergency Ordinance C36289.

A year before the downtown and East Central alcohol impact areas were repealed, researchers from the University of Minnesota School of Public Health published a study on the crime reduction success of alcohol impact areas in Tacoma as well as downtown and East Central in Spokane. Crucially, one of the most significant reductions of crime within the alcohol impact areas were narcotic drug violations. Other crimes, including assaults, also decreased significantly (Jones-Webb, et al., 2021). This study matches Washington State University research published in 2009 that established the efficacy of the City of Seattle’s alcohol impact areas. The WSU study found the rate of drug-related EMS incidents declined after implementing the alcohol impact area (Tarnai, 2009).

A five-year analysis of the downtown alcohol impact area completed and published by the Spokane Police Department showed the downtown alcohol impact area to have a “consistent and lower rate of increase in calls for service than the City [sic] of Spokane as a whole (Meidl, 2020)”.



Downtown AIA - City of Spokane

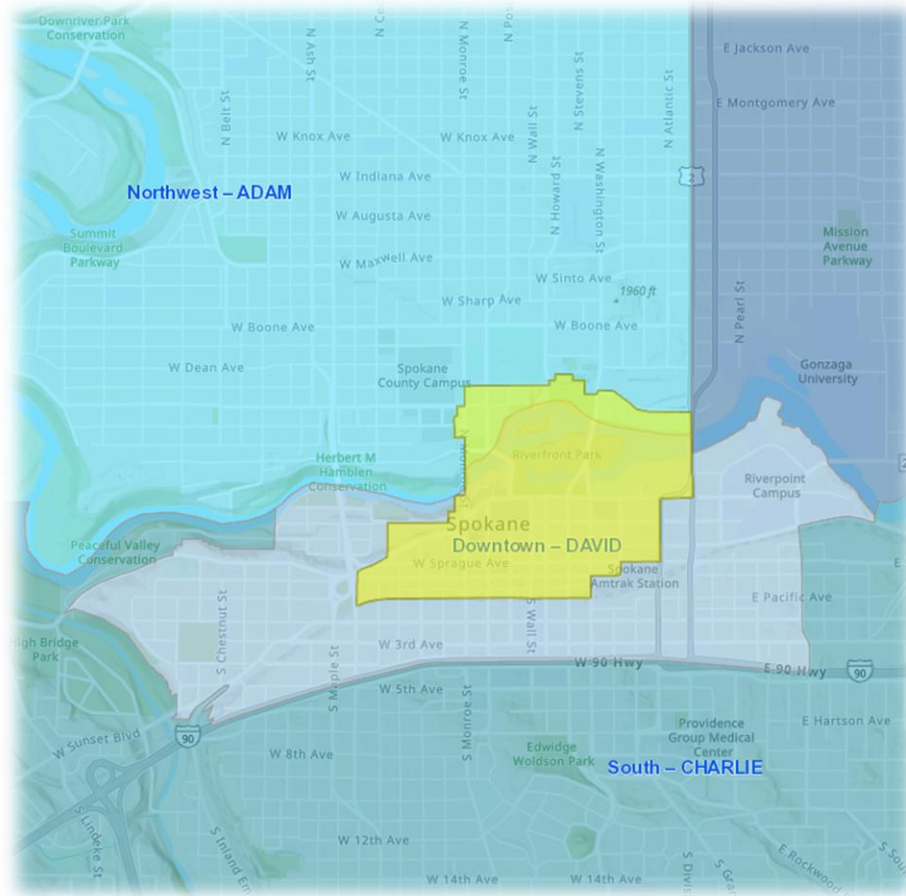
The East Central alcohol impact area drew praise from the East Spokane Business Association as having an almost immediate impact (Hewitt, 2012 Annual Report - East Central AIA, 2013):

“The East Central Alcohol Impact Area (AIA) has made a significant impact in the very short time it has been in effect. The East Central Neighborhood, Spokane International District and South Perry Street District have seen decreases in public intoxication, littering, loitering and disorderly conduct. The East Spokane Business Association is pleased with the immediate and positive impact the AIA has made in this neighborhood” - Jack-Daniyel Strong, Former ESBA President

Opponents of alcohol impact areas see the implementation of an alcohol impact area as designating that neighborhood a ‘problem’ zone (Brunt, Restrictions on alcohol sales get fresh look, 2012). Critics of alcohol impact areas also argue the criminal and nuisance activities reduced by an alcohol impact area simply get pushed to other neighborhoods (Hewitt, Retired Neighborhood Resource Officer - Spokane Police Officer, 2024). There is no evidence that supports the alcohol impact areas in East Central or downtown shifted chronic inebriation and other alcohol-related illegal activities to other neighborhoods. The Washington State University study of the City of Seattle alcohol impact areas found no evidence of dispersion of alcohol-related incidents to other neighborhoods. Furthermore, the study found no evidence of decline in retail sales for the retailers with liquor licenses within the alcohol impact area. In fact, retailers saw stable growth during the study period after the alcohol impact area was implemented (Tarnai, 2009).

Mitigating the data collection and reporting requirements of the alcohol impact area is an important consideration as the resources necessary to implement and maintain the designation could outweigh potential benefits (Anderson, 2024). To maximize crime reduction and public health benefits and to streamline data collection, a restored downtown alcohol impact area should match the boundaries of the downtown police precinct area (Census Tract 35, Census Tract 36.02, and western portion of Census Tract 145). This area is slightly smaller than the previous downtown alcohol impact area.

The Downtown Spokane Partnership recently added the restoration of the downtown alcohol impact area to their 2025 local legislative priorities. The downtown police precinct area covers most of the downtown business improvement district (BID) boundary.



Downtown BID Boundary overlaid on the Downtown Police Precinct Area

Off-premises Alcohol Retail Sales Hours

Washington state law prohibits the sale of alcohol from 2:00am to 6:00am unless restricted by local government (State of Washington, 2001). Local governments must restrict *all* operating hours within the jurisdiction equally unless the licensees are within a Washington Liquor and Cannabis Board-recognized alcohol impact area.

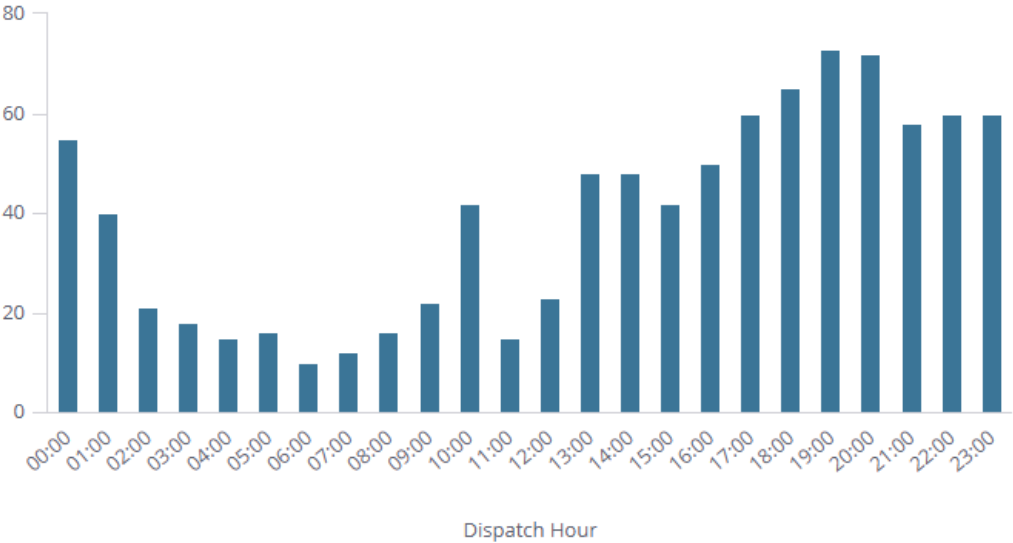
Spokane Police Department data over the last three years show more than 30% of all alcohol-related incidents⁴ downtown take place between midnight and 2:00am.⁵

⁴ NIBRS “Offender Suspected of Using Alcohol” value set to “Yes”.

⁵ Data pulled by Shawna Ernst from December 15th, 2021, through December 15th, 2024.



Likewise, the Spokane Fire Department responded to nearly 1500 calls for service and transported 363 individuals to the emergency department between 2022 and 2024 for alcohol-related incidents just within Fire Management Zone 1.



Calls for service related to alcohol peak between 7:00pm and 8:00pm within Fire Management Zone 1, however, many EMS calls also come between 12:00am and 2:00am.⁶ Calls for service drop significantly between 2:00am and 6:00am when alcohol sales are prohibited.

⁶ It is likely that this data is underreported. Based on information provided by the Spokane Fire Department, it is possible that many additional calls have an alcohol component but were documented as a trauma. For example,



Limiting hours when alcohol can be sold and served is a proven public health intervention and public safety strategy (Jernigan, Sparks, Yang, & Schwartz, 2013). This public health and safety strategy is endorsed by the World Health Organization (World Health Organization, 2017) and the Substance Abuse and Mental Health Services Administration (Substance Abuse and Mental Health Services Administration (SAMHSA), 2022). A recent study from Baltimore found that shortening overnight sales of alcohol reduced violent crime in the immediate and surrounding areas and saved the City of Baltimore millions of dollars in annual costs (McKoy, 2024).

Off-Premises Licensee (Tradename)	Weekday Hours	Weekend Hours
7-ELEVEN STORE #32703B	24 Hours	24 Hours
BAINS LIQUOR MART MAPLE	24 Hours	24 Hours
BAINS MART 2ND AVE	24 Hours	24 Hours
BEST WESTERN PLUS CITY CENTER	N/A	N/A
CITY FUEL	6:00am – 10:00pm	6:00am – 10:00pm
CONOCO FOOD MART	24 Hours	24 Hours
DIVINE 11 MIDCITY	6:00am – 11:00pm	6:00am – 1:00am
DIVISION EXPRESS	6:00am – 10:00pm	6:00am – 12:30am
DOWNTOWN QUICK STOP	6:00am – 12:00am	6:00am – 12:00am
DOWNTOWN QUICK STOP 2	6:00am – 12:00am	6:00am – 12:00am
DOWNTOWN SPOKANE GROCERY OUTLET	8:00am – 9:00pm	8:00am – 9:00pm
MAIN MARKET CO-OP	8:00am – 8:00pm	8:00am – 8:00pm
P M JACOY'S	7:00am – 7:00pm	7:00am – 7:00pm
ROSAUERS SUPERMARKETS #2	6:00am – 10:00pm	6:00am – 10:00pm
SUNSET GROCERY	24 Hours	24 Hours
THE PIGGY MART	5:00am – 2:00am	5:00am – 2:00am
VINO! A WINE SHOP	10:00am – 7:00pm	10:00am – 7:00pm

Extending the prohibition of overnight off-premises retail sales of alcohol from 2:00am to 12:00am would reduce the current alcohol sales periods for eight off-premises alcohol outlets in the downtown police precinct area. Extending the overnight sales prohibition by two hours would reduce the five twenty-four-hour stores daily alcohol sale period by two hours each day. Division Express would reduce its alcohol sale period by 30 minutes on weekends. Divine 11 MIDCITY would reduce its alcohol sale period by 1 hour on weekends. The Piggy Mart would reduce its alcohol sale period a total of two hours each day.

when a patient falls from intoxication and 911 is activated, that call could get recorded as a trauma. Also, if the Fire Department arrives on a scene and a person is intoxicated and is requesting detox services the call could be recorded as a public assist.

Off-Premises Licensee (Tradename)	Weekday Alcohol Retail Hours Reduced	Weekend Alcohol Retail Hours Reduced
7-ELEVEN STORE #32703B	2 Hours	2 Hours
BAINS LIQUOR MART MAPLE	2 Hours	2 Hours
BAINS MART 2ND AVE	2 Hours	2 Hours
CONOCO FOOD MART	2 Hours	2 Hours
DIVINE 11 MIDCITY	0 Hours	1 Hour
DIVISION EXPRESS	0 Hours	30 minutes
SUNSET GROCERY	2 Hours	2 Hours
THE PIGGY MART	2 Hours	2 Hours

Importantly, this condition would not require businesses to change their retail hours. This condition would simply prohibit the sale of alcohol during the overnight hours.

Single-Serve Alcohol Containers

Single-serve/ready-to-drink alcohol beverages have grown in popularity over the last several years. Nationally, flavored malt beverage products such as Twisted Tea⁷, Mike’s Harder Lemonade, and Smirnoff products are second only to regular beer in beer-based beverage sales at convenience stores. Flavored malt beverages also have the largest gross profit margins among beer-based beverages at off-premises alcohol outlets such as convenience stores (Conway, 2024). Collectively, these multi-billion-dollar beverage companies engage in marketing that public health professionals contend target youth and vulnerable communities (O’Brien, Mathieu, Bikomeye, Busalacchi, & Borisy-Rudin, 2023).

Single-serve alcohol bottles, ready-to-drink (alcopops), tall boy cans, and miniatures (also known as ‘nips’) are also a significant source of litter and trash in the downtown core. Elected leaders in cities such as Boston (Jonas, 2023) have sought to prohibit the outright sale of miniatures and single-serve alcohol containers because of the detrimental waste impacts (Thys, 2023). The City of Spokane is currently spending hundreds of thousands of taxpayer dollars addressing litter and trash in the downtown core where single-serve alcohol containers are a significant source of litter⁸.

The following photos are a snapshot informal trash survey of single-serve containers found within the downtown police precinct area along 2nd Avenue and 3rd Avenue on October 26, 2024.

⁷ Owned by the Boston Beer Company

⁸ Special Budget Ordinance C36520











The single-serve containers seen above are inexpensive and have a higher alcohol by volume than traditional beer. Earthquake High Gravity Lager was the product most noticeable during the October 26, 2024, informal trash survey. Earthquake High Gravity Lager is also the product with the highest alcohol by volume content at the lowest price identified during the survey. Earthquake High Gravity Lager was previously restricted for purchase downtown under the downtown alcohol impact area.

Product	Purchase Price in \$	Alcohol/Volume	Number of U.S. standard drinks⁹
Earthquake High Gravity Lager	\$1.99	10%	4.0 Drinks
Hurricane High Gravity	\$2.39	8.1%	3.4 Drinks
Mike's Harder (Mango)	\$4.35	8%	3.2 Drinks
Smirnoff Ice Smash	\$3.69	8.1%	3.2 Drinks
Fireball Miniature	\$1.19	16.5%	0.5 Drinks
99 Brand Peaches	\$1.19	15%	0.4 Drinks

⁹ <https://rethinkingdrinking.niaaa.nih.gov/tools/calculators/drink-size-calculator>

Alcohol Impact Area Process



The Alcohol Impact Area process is lengthy and will require commitment from multiple departments including the Spokane Police Department, Code Enforcement, and City Attorney's Office. The City will be required to conduct multiple litter/trash surveys, obtain letters of support from neighborhood councils and business organizations, and provide evidence of the City's good faith efforts to address the problems voluntarily. If the petition to the LCB is successful, the City will publish a Year One Report on the effectiveness of the alcohol impact area followed by an assessment every five years.



Executive Summary – Naloxone Distribution and Smoking Paraphernalia

I. **Background:** The State of Washington preempts the field of drug paraphernalia except for ordinances regulating harm reduction practices.

II. **Issue:** Downtown Spokane is suffering from its highest overdose rate on record. Data suggests that people who use drugs and/or witness overdoses do not have adequate access to naloxone to reverse an opioid overdose. There are multiple businesses in downtown Spokane selling products such as pipes and foils used to consume illicit substances creating negative externalities for taxpayers and residents in the Riverside and surrounding neighborhoods.

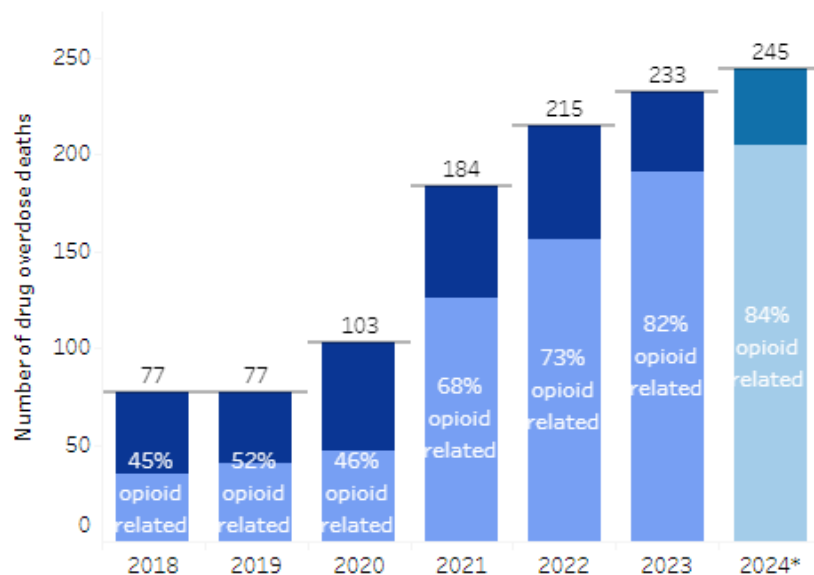
III. Policy Recommendation

Prohibit the sale of smoking paraphernalia within the downtown police precinct area unless providing naloxone for free during every transaction involving smoking paraphernalia.

Downtown Spokane Overdose Crisis

Preliminary numbers from Spokane County death certificate data indicate 245 people have died from drug overdose in 2024 in Spokane County. Spokane continues to see an alarming increase in drug overdose deaths with most of those deaths caused by opioids.

Overdose Deaths Over Time, Spokane County



The 2024 death data are preliminary and are expected to change.

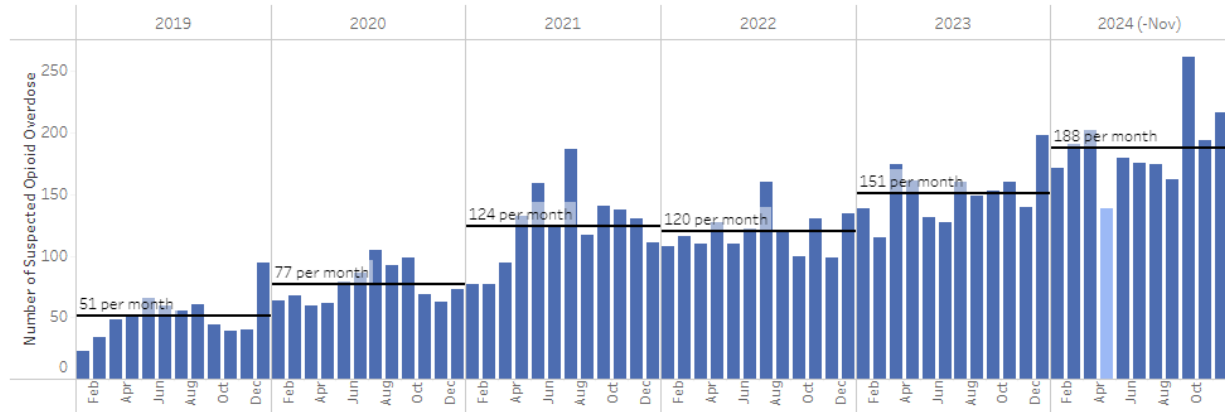
*Data were updated as of 12/16/2024.

Source: Death Certificate Data

Spokane County Opioid Dashboard

In September, Spokane County saw its highest number of Emergency Medical Services (EMS) calls for suspected overdose on record. Spokane County’s non-fatal overdose emergency department visits also outpace the state rate.

Suspected opioid overdose

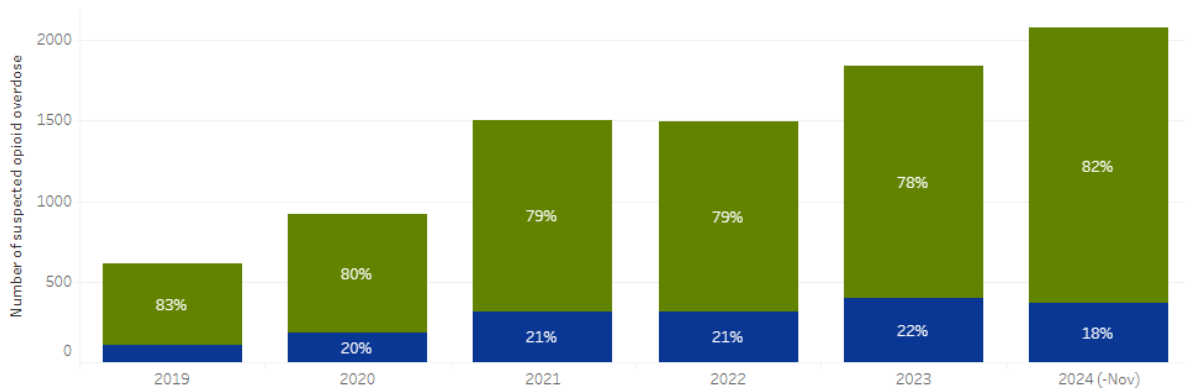


Source: Washington Emergency Medical Services Information System (WEMSIS) (As of 12/05/2024)
 Note: The April 2024 EMS Opioid Overdose report data are incomplete. Interpret with caution. The reporting issues are due to the transition between ePCR vendors and to the NEMSIS V3.5 data standard. The estimated % of EMS responses reported to WEMSIS in Spokane County in April 2024 was 39% as compared to nearly 100% in other months.

Paradoxically, the percentage of people experiencing opioid overdoses in Spokane who were administered naloxone prior to EMS arrival is also the lowest it has been since 2019.

- Indicators
 - Improved Naloxone response
 - Opioid impression
 - Suspected opioid overdose
 - % of suspected overdose with improved Naloxone respon...
 - Incident by age overtime (Spokane only)
 - Naloxone administered prior to EMS arrival (Spokane only)
- Geography
 - Spokane County
 - Washington State

Naloxone administered prior to EMS arrival (Spokane only)



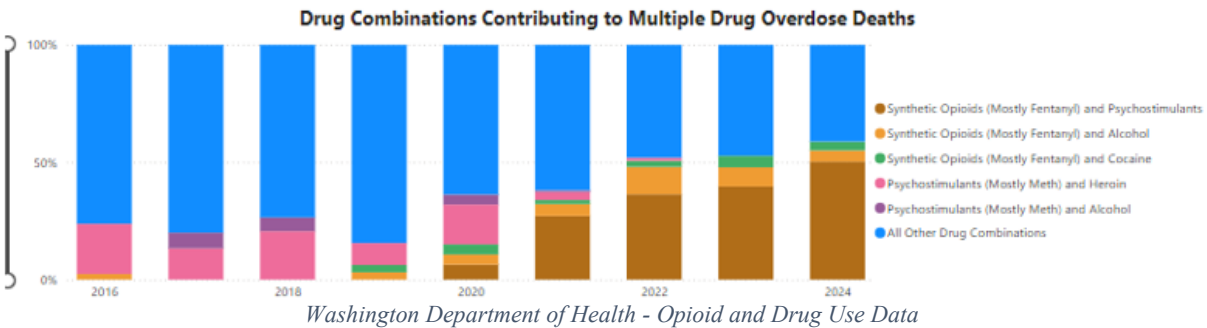
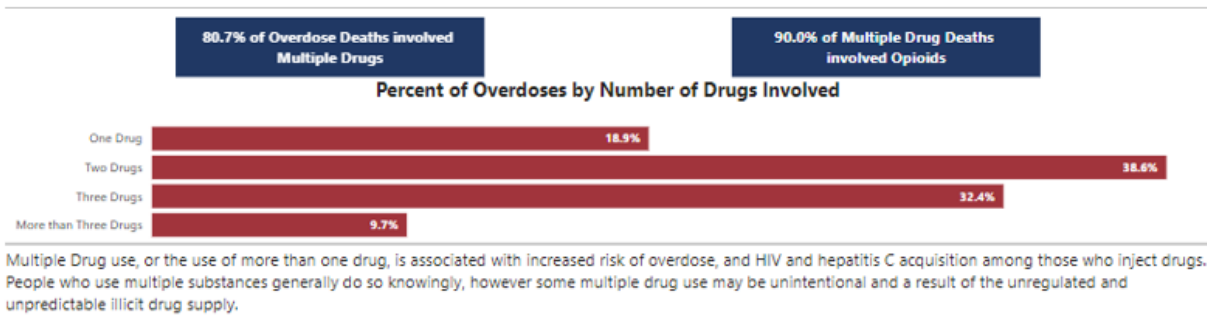
Source: Washington Emergency Medical Services Information System (WEMSIS) (As of 12/05/2024)
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Smoking Supplies/Drug Paraphernalia

Smoking is the most common way individuals consume both fentanyl and methamphetamine (Singh, Banta-Green, & Kingston, 2022). Foil is the most used smoking equipment for fentanyl followed by glassware such as pipes. A report published by the Centers for Disease Control and Prevention in February 2024 found that smoking was the predominant method of consumption that resulted in overdose deaths in the Western United States. In fact, almost 80% of overdose deaths showed no signs of injection/intravenous use (Tanz, et al., 2024).

The Spokane Regional Opioid Task Force (SROTF) reports synthetic opioids like fentanyl and carfentanil are showing up in other drugs including methamphetamine, cocaine, MDMA, and molly (Spokane Regional Opioid Task Force (SROTF), n.d.). A combination of fentanyl and psychostimulants, such as methamphetamine, are responsible for more than half of all overdose deaths in Spokane County.



There are multiple retail outlets in the city of Spokane that sell smoking paraphernalia such as butane torches, pipes, and foils. These businesses are primarily off-premises alcohol outlets, marijuana outlets, or smoke shops. There are five off-premises alcohol outlets selling torches, pipes, and foils within the downtown police precinct area (not including marijuana retailers). While marijuana retailers selling pipes and smoking paraphernalia are regulated by the Washington State Liquor and Cannabis Board and are age restricted to minors¹⁰, off-premises alcohol outlets selling the same smoking paraphernalia are not age restricted.

¹⁰ RCW 69.50.357

Foils are also sold at many off-premises alcohol outlets downtown. New studies suggest that the re-use of foil for smoking may increase the risk of overdose (Ciccarone, et al., 2024). Burned foil is also a significant source of litter in downtown Spokane. Littered foils with drug residue are dangerous for animals and have led to multiple incidents involving pets who required overdose reversal medication after consuming littered foils (Sanford, It's not just humans — dogs in Spokane are also overdosing on drugs, 2024).



It is a Class 1 civil infraction under Washington state law to sell drug paraphernalia.¹¹ Washington’s drug paraphernalia law provides that “[In determining whether an object is drug paraphernalia under this section, a court or other authority should consider, in addition to all other logically relevant factors, the following:] (6)[(f)] *Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he or she knows, or should reasonably know, intend to use the object to facilitate a violation of this chapter; the innocence of an owner, or of anyone in control of the object, as to a direct violation of this chapter shall not prevent a finding that the object is intended or designed for use as drug paraphernalia.*” Simply, these outlets are either breaking state law and subject to a Class 1 civil infraction, or they are selling products that may be subject to regulation by local governments utilizing their policing power (Spitzer, 2000).

The outlets selling pipes, torches, foils, and other smoking supplies market the paraphernalia for legal use only despite common sense and acknowledgement by local (Lawrence-Turner, 2008) and federal law enforcement (Drug Enforcement Agency, 2023) that these products are generally used for consuming illicit substances. Historically, some major gas companies have ended their

¹¹ RCW 69.50.4121



relationship with Washington state convenience stores over the sale of drug paraphernalia (Schiffner, 2008).



Downtown Quick Stop 2 Window Display (Riverside Avenue – Riverside Neighborhood)

Although the State of Washington has preempted the entire field of drug paraphernalia, cities may enact ordinances relating to the establishment or regulation of harm reduction services concerning drug paraphernalia.¹² Tobacco products¹³ and vapor products¹⁴ are regulated exclusively by the Washington State Liquor and Cannabis Board. Cities like Vancouver have attempted to tackle the prevalence of smoking paraphernalia by prohibiting its display to minors (City of Vancouver Washington, 2014) – an ordinance that was modeled after the City of Spokane’s Ordinance C34213 adopted in 2008 and subsequently repealed by the Council in 2022 through the adoption of RCW criminal statutes by reference in Ordinance C36289. Other communities like Boise (Idaho Press, 2024) and Philadelphia (City of Philadelphia Licenses and Inspections, 2023) have used a mix of law enforcement and zoning to address the proliferation of stores selling smoking paraphernalia.

Naloxone Distribution

Public health leaders advocate “saturating” a community with naloxone. The goal of saturation is to eliminate lack of access to naloxone as a reason for overdose deaths (Bennett & Elliott, 2021).

¹² RCW 69.50.612

¹³ RCW 82.26.010(21)

¹⁴ RCW 70.345.010.

Naloxone, also commonly known as NARCAN, is a medication that saves lives by reversing the effects of an opioid overdose. The Washington State Department of Health recommends that people who use drugs, friends and family of people who use drugs, and those who interact with people who use drugs carry naloxone (Washington State Department of Health, n.d.). The City of Spokane's first responders carry naloxone.



Despite some access to naloxone within the city of Spokane, it is clear from the local EMS data that we are nowhere near naloxone saturation. Stigma and an inability to reach those most at risk are barriers to naloxone distribution. The reduction in injection/intravenous drug use also creates a gap in harm reduction distribution in Spokane, which has traditionally been carried out by syringe service programs (Wohlfeil, 2022). Spokane Regional Health District's syringe service program currently does not provide injective alternatives such as glass, pipes, and foils.

Naloxone is available for free at the Spokane Regional Health District Syringe Service Program and a handful of community-based organizations¹⁵ within in the city of Spokane (stopoverdose.org, n.d.). Naloxone is covered by Medicaid and may be dispensed in Washington state with or without a prescription due to a statewide standing order (Washington State Department of Health, 2024). There is no certification or training required to use naloxone and individuals are generally protected under Washington's Good Samaritan Law from civil liabilities as well as charge and prosecution for possession of a controlled substance (stopoverdose.org, 2024). Stopoverdose.org has free materials such as posters and wallet cards that could be used to distribute information about the Good Samaritan Law.

NARCAN (naloxone) can be bought online through Amazon.com, NACARAN.com, and other online retailers. The City maintains an online list of NARCAN providers on the Emergency Management webpage on the City of Spokane website along with training videos (City of Spokane, n.d.). NARCAN also available for purchase at retailers within the city of Spokane (Emergent Devices Inc. , n.d.).

¹⁵ Peer Spokane; Compassionate Addiction Treatment; M.H.A. Speakout Speakup; West Spokane Wellness Partnership



Online NARCAN (naloxone) Retailers
CVS.com
Instacart.com
Kroger.com
Riteaid.com
Target.com
Walgreens.com
Walmart.com
Wegmans.com

NARCAN (naloxone) Retailers	Address	Phone	Neighborhood
CVS Pharmacy	4915 S Regal Street	509-822-3275	Southgate
CVS Pharmacy	9770 N Newport Highway	509-466-7226	Shiloh Hills
Rite Aid	810 E 29 th Avenue	509-838-3508	Comstock
Rite Aid	2215A W Wellesley Avenue	509-328-7887	Audubon/Downriver
Rite Aid	2929 E 29 th Avenue	509-535-9056	Lincoln Heights
Target	4915 S Regal Street	509-822-3290	Southgate
Target	9770 N Newport Highway	509-466-3006	Shiloh Hills
The Medicine Shoppe Pharmacy	902 W Indiana Avenue	509-327-1504	Emerson/Garfield
Walgreens	1708 W Northwest Boulevard	509-323-0309	Emerson/Garfield
Walgreens	2830 S Grand Boulevard	509-455-3736	Manito/Cannon Hill
Walgreens	327 W 3 rd Avenue	509-838-0175	Riverside
Walmart	2301 W Wellesley Avenue	509-327-0404	Audubon/Downriver
Walmart	9212 N Colton Street	509-464-2173	Shiloh Hills

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Agenda Sheet for City Council:

Committee: PIES **Date:** 12/16/2024

Committee Agenda type: Consent

Date Rec'd 11/26/2024

Clerk's File # ORD C36632

Cross Ref #

Project # 2024071

Council Meeting Date: 01/13/2025

Submitting Dept ENGINEERING SERVICES **Bid #**

Contact Name/Phone DAN BULLER 625-6391 **Requisition #**

Contact E-Mail DBULLER@SPOKANECITY.ORG

Agenda Item Type First Reading Ordinance

Council Sponsor(s) BWILKERSON JBINGLE KKLITZKE

Agenda Item Name 0370 - CONDEMNATION ORDINANCE FOR SHAWNEE BOOSTER STATION SITE

Agenda Wording

Condemnation Ordinance for the acquisition of 4500 square feet of land, a portion of parcel 26143.0513 for the Shawnee Booster Station site.

Summary (Background)

The City and the private property owner have agreed on the purchase of approximately 4500 SF of land for a booster station site. There is a greenbelt easement that is part of the drainage way and is a restrictive covenant on the Plat. The only practical way to remove this easement is by condemning the property, due to the fact that the easement is a covenant in the plat where the property is situated, and agreement of all homeowners subject to the plat for a plat alteration is likely impossible.

Lease? NO Grant related? NO Public Works? NO

Fiscal Impact

Approved in Current Year Budget? YES

Total Cost \$

Current Year Cost \$

Subsequent Year(s) Cost \$

Narrative

Amount

Budget Account

Select \$ #

Select \$ #

Select \$ #

Select \$ #

\$ #

\$ #



Continuation of Wording, Summary, Approvals, and Distribution

Agenda Wording

Summary (Background)

Approvals

Dept Head

BULLER, DAN

Division Director

FEIST, MARLENE

Accounting Manager

ALBIN-MOORE, ANGELA

Legal

SCHOEDEL, ELIZABETH

For the Mayor

PICCOLO, MIKE

Additional Approvals

Distribution List

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Committee Agenda Sheet

Public Infrastructure, Environment & Sustainability Committee

Committee Date	12-16-24
Submitting Department	Engineering Services
Contact Name	Dan Buller
Contact Email & Phone	dbuller@spokanecity.org , 625-6391
Council Sponsor(s)	Wilkerson, Bingle, Klitzke
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Shawnee Booster Station Site Acquisition – Condemnation
Proposed Council Action	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
Summary (Background) *use the Fiscal Impact box below for relevant financial information	<ul style="list-style-type: none"> The city and the private property owner have agreed on the purchase of approx. 4500 SF of land for a booster station site for the price of \$70,000. The location can be seen on the attached exhibit. There are two obstacles to use the property for a booster station. The first obstacle is that this area serves as a stormwater drainage way. This obstacle is not complicated and can be addressed by proper engineering. The second obstacle is that a greenbelt easement is part of the drainage way, and is a restrictive covenant on the Plat. The only practical way to remove this easement is by condemning the property, due to the fact that as the easement is a covenant in the plat where the property is situated, and agreement of all homeowners subject to the plat for a plat alteration is likely impossible. Condemnation is a process typically utilized to acquire property from an unwilling property owner. But in this case, the property owner is entirely willing to sell the city the parcel for the agreed upon \$70,000. The property owner agrees with this “friendly” condemnation process as the only practical way to address the greenbelt easement. The other owners of the plat will receive notice of the lawsuit in one manner or another, which is still to be determined, and would have the right to object. Since the purpose of the easement is to channel water, as set forth in the covenant and the plat, we do not believe any potential claims are apparent at this time from any other plat parcels, approximately 44, or would be very minimal, if any, as long as the City preserves the drainage/culvert, or improves it. Engineering Services is requesting council approval of a condemnation ordinance in order to move ahead with the acquisition of this property.
Fiscal Impact Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Total Cost: <u>\$74,000</u> Current year cost: \$74,000 Subsequent year(s) cost: None	
Narrative: Please provide financial due diligence review, as applicable, such as number and type of positions, grant match requirements, summary type details (personnel, maintenance and supplies, capital, revenue), impact on rates, fees, or future shared revenue	

Funding Source One-time Recurring N/A

Specify funding source: Select Funding Source*

Is this funding source sustainable for future years, months, etc? [Click or tap here to enter text.](#)

Expense Occurrence One-time Recurring N/A

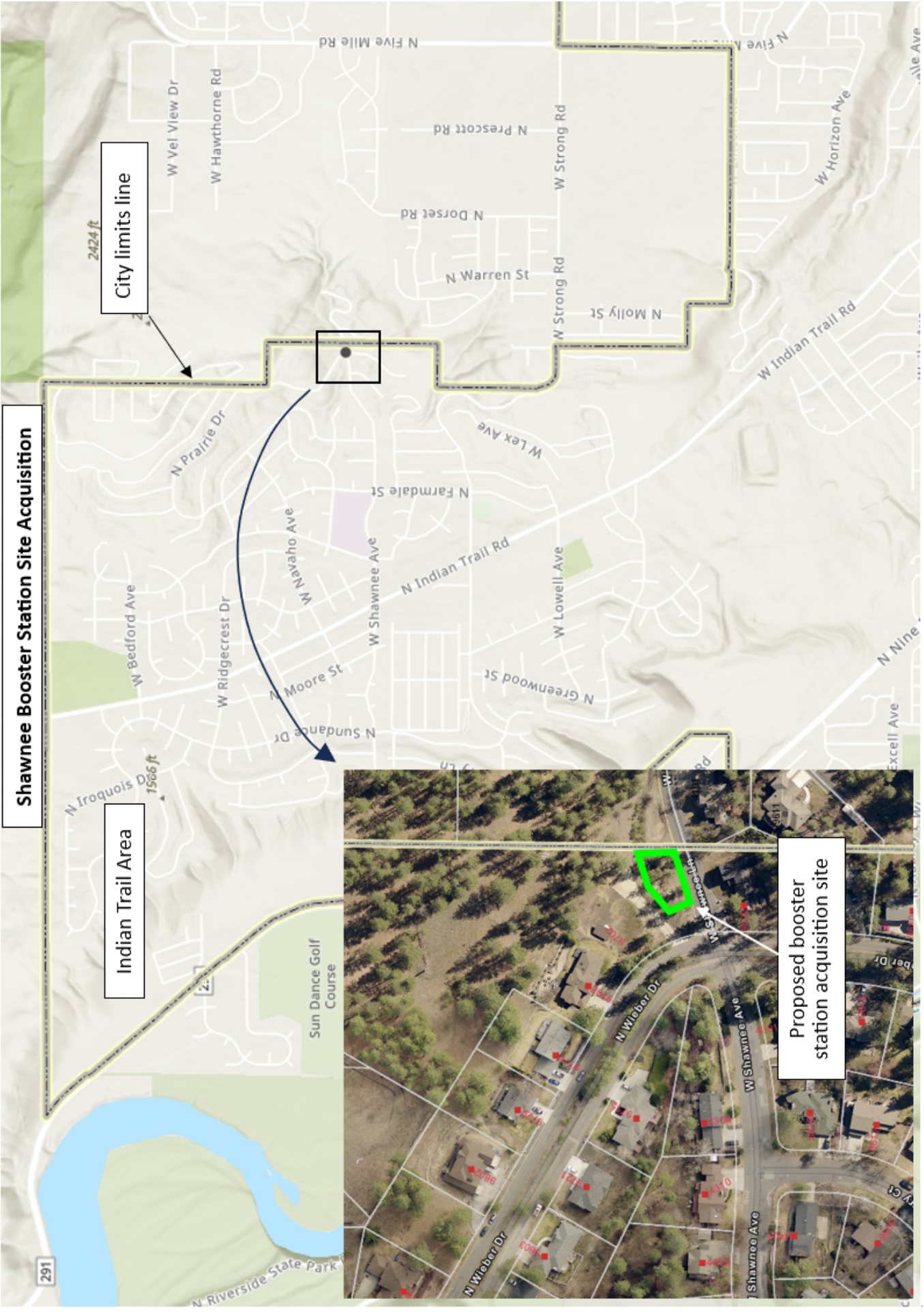
Other budget impacts: (revenue generating, match requirements, etc.)

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

- What impacts would the proposal have on historically excluded communities?
Public works services and projects are designed to serve all citizens and businesses. We strive to offer a consistent level of service to all, to distribute public investment throughout the community and to respond to gaps in services identified in various City plans.
- 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
- How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution?
Public Works follows the City's established procurement and public works bidding regulations and policies to bring items forward, and then uses contract management best practices to ensure desired outcomes and regulatory compliance.
- 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 work is consistent with annual budget strategies to limit costs and approved projects in the 6-year CIP.

Council Subcommittee Review

- Please provide a summary of council subcommittee review. If not reviewed by a council subcommittee, please explain why not.



City limits line

2424 ft

Shawnee Booster Station Site Acquisition

Indian Trail Area

1506 ft

Proposed booster station acquisition site

291

N Riverside State Park

Sun Dance Golf Course

N Wieber Dr

W Shawnee Ave

N Wieber Dr

N Five Mile Rd

W Vel View Dr

W Hawthorne Rd

N Prescott Rd

W Strong Rd

N Dorset Rd

N Warren St

W Strong Rd

N Molly St

W Horizon Ave

W Indian Trail Rd

N Prairie Dr

W Bedford Ave

W Ridgecrest Dr

W Moore St

N Sundance Dr

W Navaho Ave

W Shawnee Ave

N Indian Trail Rd

W Lex Ave

N Farmdale St

W Lowell Ave

N Greenwood St

N Nine

Excell Ave

ORDINANCE NO. C36632

AN ORDINANCE PROVIDING FOR THE ACQUISITION BY EMINENT DOMAIN OF CERTAIN LANDS NECESSARY FOR WATER BOOSTER PUMP STATION IN THE VICINITY OF N. WIEBER DRIVE AND W. SHAWNEE LANE, LOCATED IN THE CITY AND COUNTY OF SPOKANE, STATE OF WASHINGTON.

RECITALS

1. The City of Spokane, Washington (the “City”) is a first class charter city duly organized and existing under and by virtue of the constitution and laws of the State of Washington, and Charter of the City.
2. The laws of the State of Washington, RCW 35.92.010, provide that the City may operate waterworks and perform acts relating thereto, including specifically the power of condemnation of private property for public use as may needed therefore.
3. The Constitution of the State of Washington, Article I Section 16 and the laws of the State of Washington RCW 35.22.280(6) allow the City to purchase or appropriate private property for public use upon making just compensation to the owners pursuant to RCW Chapter 8.12.
4. The City Department of Water & Hydro-electric has determined that it requires certain private property to situate a water booster pump station in the vicinity of N. Wieber Drive and W. Shawnee Lane and must construct necessary improvements to result in providing an adequate and necessary flow of water at required pressure in the surrounding water distribution system.
5. The City Department of Public Works has negotiated in good faith for the acquisition of the property identified in Exhibit A, and the parties have agreed upon the purchase price and the owner has participated in negotiations for acquisition of the premises.
6. The Property on Exhibit “A” is subject to an easement identified on the Plat and elimination of the easement is necessary to complete the project, and condemnation is necessary for that purpose.
7. Pursuant to RCW 8.25.290, the City has caused notice to be mailed to each and every property owner of record, as indicated on the tax rolls of Spokane County according to such addresses shown on such rolls, at least fifteen (15) days prior to the City Council taking final action on this ordinance, including publication of notice of this ordinance in the Spokesman Review for two (2) consecutive weeks before final action by the City Council.

NOW, THEREFORE, The City of Spokane does ordain:

Section 1. The public use and necessity requires the acquisition by the City of Spokane, a Washington municipal corporation, of the land and property described on Exhibit A for public

purposes to situate a water booster pump station for the municipal waterworks, together with such temporary construction easements as are deemed necessary by City staff, for public purposes in order to complete the Water Booster, all as set forth in Public Works file number _____.

Section 2. The City Attorney is hereby authorized and directed to commence an action or actions in the Superior Court of Spokane County, State of Washington, in the name of the City of Spokane, to acquire and take by eminent domain the lands necessary to be acquired for the purposes set forth herein, the lands to be so taken situate in the City of Spokane, County of Spokane, all in the State of Washington, and more specifically described in Exhibit A attached hereto and by this reference made a part hereof, together with such amendments thereto and such additional temporary construction easements as are deemed necessary by City staff to complete the project.

Section 3. That compensation for the land and property described on Exhibit A order to be taken shall be payable from the City of Spokane fund account number _____, of the City of Spokane and funds which are allocated for waterworks needs by the City of Spokane Department of Water & Hydro-electric.

PASSED by the Spokane City Council this _____ day of _____, 2025.

COUNCIL PRESIDENT

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

Attachment: Exhibit A

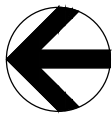
EXHIBIT A

LEGAL DESCRIPTION OF TAKE AREA

Acquisition (Portion of Assessor's Parcel No. 26143.0513)

ACQUISITION EXHIBIT

BEING A PORTION OF THE SW 1/4, S.14, T.26N., R.42E., W.M., CITY OF SPOKANE, SPOKANE COUNTY, WA



GRID NORTH

To Remain Description

Lots 9 and 10, Block 12, Sunset Trails Second Addition, according to the plat thereof recorded in Volume 14 of plats, page(s)15, records of Spokane County, Washington. Together with: the north half of vacated Shawnee Avenue. And together with: that portion of the Southwest Quarter of Section 14, Township 26 North, Range 42 East of the Willamette Meridian, more particularly Described as follows: Beginning at the most Easterly point of Lot 10, Block 12, Sunset Trails Second Addition, as per plat recorded in Volume 14, Page 15, records of Spokane County, Thence Northwesterly along the Northeasterly line to the most Northerly Corner of said lot 10; Thence East a distance of 99.96 feet to the East line of the West half of the Southwest quarter of the Southwest Quarter of said section 14; Thence South 0°08'20" West along the said west line 147.83 feet to the Point of Beginning.

Together with: That portion of the South 1810.00 feet of the Southwest Quarter of the Southwest Quarter of Section 14, Township 26 North, Range 42 East, W.M., in the City of Spokane, Spokane County, Washington described as follows: Beginning at the most Northerly corner of Lot 10, Block 12 of Sunset Trails Second Addition according to the plat thereof recorded in Book 14 of Plats, Page 15, records of Spokane County; Thence North 58° 44' 08" West along the northerly boundary of said Block 12, a distance of 321.86 feet to the Northwest corner of Lot 7, Block 12 of said Plat thence North 29° 34' East a distance of 170.58 feet; Thence North 89° 49'57": East a distance of 291.03 feet to its intersection with the East line of the West Quarter of the Southwest Quarter of said section 14; Thence South 00° 10' 03" East along said East line, a distance of 168.97 feet to the Northwest corner of Lot 1, Block 2 of Shawnee Canyon Estates recorded in book 29 of Plats, pages 44 and 45, records of Spokane County; Thence continue South 00° 10' 03" East along the Westerly boundary of said Lot 1, a distance of 145.56 feet; Thence South 89° 59' 48" West a distance of 99.25 feet to the point of beginning. Record of Survey recording number 5986837 in book 144 of surveys at page 12. Situate in the City of Spokane, County of Spokane, State of Washington.

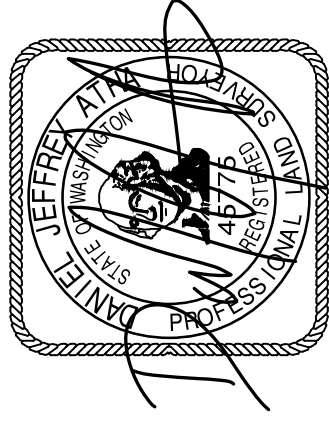
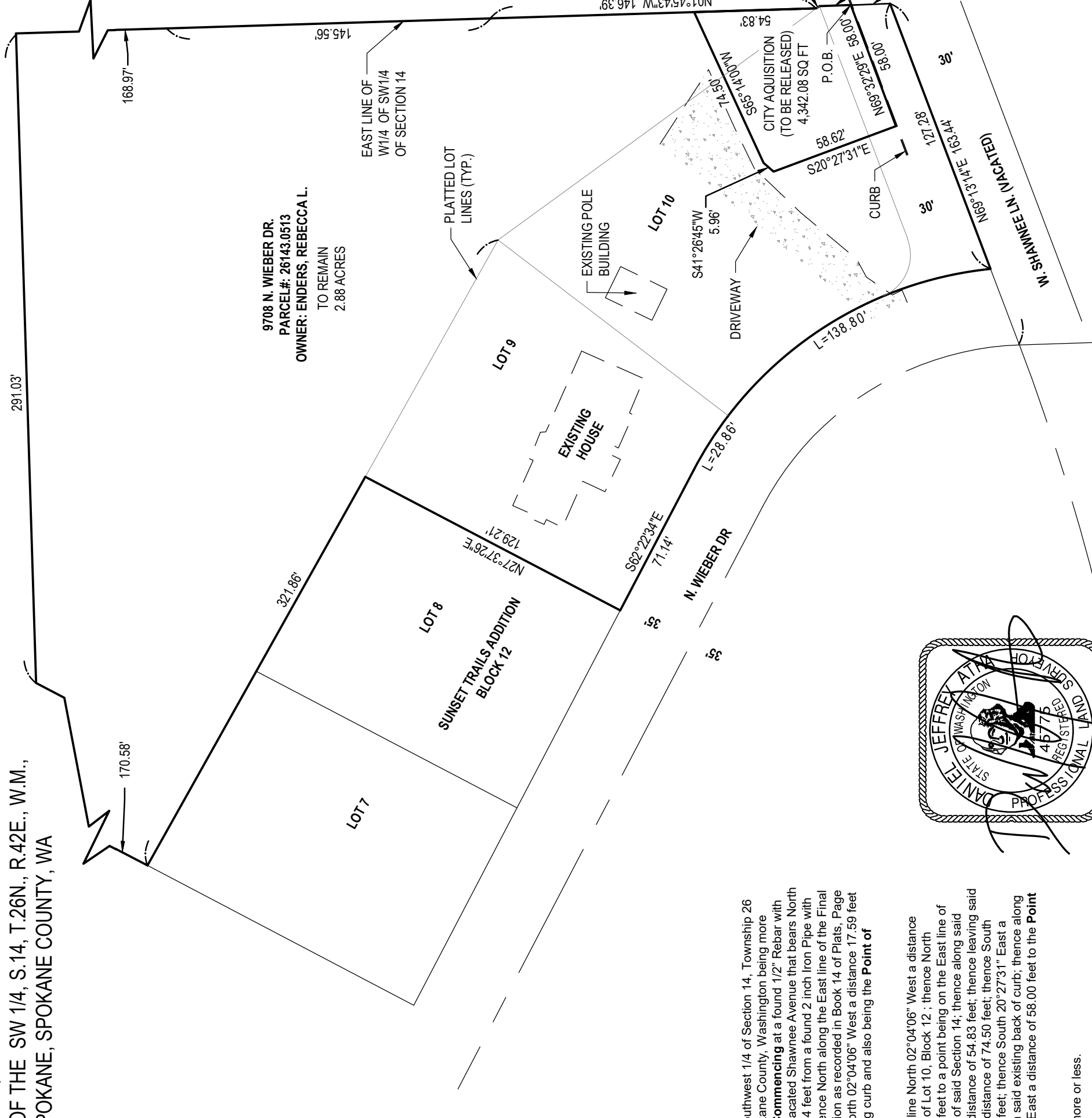
Except the To Be Released Description.

To Be Released Description

A portion of land situated in the Southwest 1/4 of Section 14, Township 26 North, Range 42 East, W.M., Spokane County, Washington being more particularly described as follows: **Commencing** at a found 1/2" Rebar with no cap marking the Centerline of vacated Shawnee Avenue that bears North 69°13'14" East a distance of 163.44 feet from a found 2 inch Iron Pipe with Brass Wire in Monument Case; thence North along the East line of the Final Plat of Sunset Trails Second Addition as recorded in Book 14 of Plats, Page 15, records of Spokane County; North 02°04'06" West a distance 17.59 feet to a point on the back of an existing curb and also being the **Point of Beginning**;

thence continuing along said East line North 02°04'06" West a distance 14.08 feet to the Southeast corner of Lot 10, Block 12 ; thence North 35°58'56" West a distance of 1.79 feet to a point being on the East line of the West 1/4 of the Southwest 1/4 of said Section 14; thence along said East line, North 01°45'43" West a distance of 54.83 feet; thence leaving said East line, South 65°14'00" West a distance of 74.50 feet; thence South 41°26'45" West a distance of 5.96 feet; thence South 20°27'31" East a distance of 58.62 feet to a point on said existing back of curb; thence along said back of curb North 69°32'29" East a distance of 58.00 feet to the **Point of Beginning**;

Containing 4,342.08 S.F. of land more or less.



LOCATION:	SPOKANE, WA		
CLIENT:	CITY OF SPOKANE		
PROJECT NO.	232620	DATE:	10/30/2024
			X OF X

COFFMAN ENGINEERS
 221 N. Wall Street, Suite 500
 Spokane, WA 99201
 ph 509.328.2994
 www.coffman.com

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 12/09/2024**Committee Agenda type:** Discussion**Date Rec'd**

11/26/2024

Clerk's File #

ORD C36629

Cross Ref #**Project #****Council Meeting Date:** 01/13/2025**Submitting Dept**

PLANNING & ECONOMIC

Bid #**Contact Name/Phone**

RYAN SHEA 509-625-6087

Requisition #**Contact E-Mail**

RSHEA@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

JBINGLE ZZAPPONE KKLITZKE

Agenda Item Name

0650 BUILDING OPPORTUNITY FOR HOUSING (BOH) TEXT AMENDMENTS

Agenda Wording

Corrections to the Spokane Unified Development Code intended to fix errors, clarify, and create more flexibility.

Summary (Background)

The proposal amends 17A.020.060 "F" Definitions, 17C.111.205 Development Standards Tables, 17C.111.210 Density, 17C.111.220 Building Coverage and Impervious Coverage, 17C.111.235 Setbacks, 17C.111.310 Open Space, 17C.111.315 Entrances, 17C.111.320 Windows, 17C.111.325 Building Articulation, 17C.111.335 Parking Facilities, 17C.111.420 Open Spaces, 17C.111.450 Pitched Roofs, 17C.230.020 Vehicle Parking Summary Table, 17C.230.100 General Standards, 17C.230.110 Minimum Required Parking Spaces,

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact

Approved in Current Year Budget? N/A

Total Cost

\$

Current Year Cost

\$

Subsequent Year(s) Cost

\$

Narrative

N/A

Amount**Budget Account**

Neutral

\$

#

Select

\$

#

Select

\$

#

Select

\$

#

Select

\$

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Select

\$

#



Continuation of Wording, Summary, Approvals, and Distribution

Agenda Wording

Summary (Background)

17C.230.120 Maximum Required Parking Spaces, 17C.230.130 Parking Exceptions, 17C.230.140 Development Standards, 17G.080.040 Short Subdivisions, and 17G.080.065 Unit Lot Subdivisions.

Approvals

Dept Head

BLACK, TIRRELL

Division Director

BLACK, TIRRELL

Accounting Manager

MURRAY, MICHELLE

Legal

SCHOEDEL, ELIZABETH

For the Mayor

SCOTT, ALEXANDER

Additional Approvals

Distribution List

rshea@spokanecity.org

akiehn@spokanecity.org

eking@spokanecity.org

amccall@spokanecity.org

sgardner@spokanecity.org

smacdonald@spokanecity.org

Committee Agenda Sheet

Urban Experience Committee

Submitting Department	Planning Services & Economic Development
Contact Name	Ryan Shea
Contact Email & Phone	rshea@spokanecity.org
Council Sponsor(s)	
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested: 15 min
Agenda Item Name	Building Opportunity for Housing (BOH) Code Fixes
Summary (Background) *use the Fiscal Impact box below for relevant financial information	<p>In November of 2023 the City of Spokane adopted new zoning regulations for lower-intensity residential zones. These changes, referred to as “Building Opportunity for Housing” (BOH) were intended to permanently implement the temporary changes put in place by the Building Opportunities and Choices for All program (BOCA).</p> <p>BOH was a major change to The City’s zoning regulations. As staff have worked with developers and property owners to implement the new regulations, some areas have been identified that need clarification or further refinement. This is an expected aspect of adopting major changes to the development code.</p> <p>These corrections are intended to fix errors, clarify, and create more flexibility within the Spokane Unified Development Code (Title 17).</p> <p>The proposal amends 17A.020.060 "F" Definitions, 17C.111.205 Development Standards Tables, 17C.111.210 Density, 17C.111.220 Building Coverage and Impervious Coverage, 17C.111.235 Setbacks, 17C.111.310 Open Space, 17C.111.315 Entrances, 17C.111.320 Windows, 17C.111.325 Building Articulation, 17C.111.335 Parking Facilities, 17C.111.420 Open Spaces, 17C.111.450 Pitched Roofs, 17C.230.020 Vehicle Parking Summary Table, 17C.230.100 General Standards, 17C.230.110 Minimum Required Parking Spaces, 17C.230.120 Maximum Required Parking Spaces, 17C.230.130 Parking Exceptions, 17C.230.140 Development Standards, 17G.080.040 Short Subdivisions, and 17G.080.065 Unit Lot Subdivisions.</p>
Proposed Council Action	Approval
<p>Fiscal Impact</p> <p>Total Cost: Click or tap here to enter text.</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring</p> <p>Specify funding source: N/A</p> <p>Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
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- these changes are minor in nature and only seek to improve clarity of code language.

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- no data will be collected as a result of these minor text amendments.

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

We are continually monitoring and assessing the effectiveness of the City's development code. We regularly interact with Development Services staff as they implement code to identify problems and areas for refinement.

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 text amendments do not change the application or outcome related to the enforcement of the UDC. Proposed text amendments are refinements and do not affect alignment with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, etc.

Code section	Description of Changes
17A.020.060 "F" Definitions	- Add definitions for Front Facade and Street Side Facade.
17C.111.205 Development Standards Tables	<ul style="list-style-type: none"> - Clarify that single-family and duplex construction within RMF and RHD should use the impervious coverage requirements of the R1 zone. - Fix footnote references. - Consolidate minimum lot width to 15 ft regardless of driveway approach (include footnote that other limitations on driveways may prevent a property owner from achieving the minimum).
17C.111.210 Density	<ul style="list-style-type: none"> - Reorganize section to improve clarity. - Change density calculation to gross area rather than net area. - Specify that for subdivisions in R1 and R2 zones, one lot is counted as one dwelling unit. - Ensure that no matter what a density calculation says, a property is allowed to have a minimum of six units (ensures compliance with HB 1110) - Clarify that minimum density does not apply when new construction occurs on an existing lot - Provide guidance for how to apply minimum density for subdivisions on a property with an existing structure - Small changes describing how to calculate density, including examples - Ensure critical areas "may" be deducted from density calculations, consistent with prior practice
17C.111.220 Building Coverage and Impervious Coverage	- Remove outdated references to FAR
17C.111.235 Setbacks	- Reinstate allowance for covered front porch to extend into front setback up to six feet. (was mistakenly removed)
17C.111.310 Open Space	<ul style="list-style-type: none"> - Rename from "Outdoor Areas" to "Open Space" - Rename "common outdoor area" to "courtyard outdoor area" - Clarify that private open space must be met in whole. It can't be partially met with the remainder going to courtyard open space. - Clarify how units whose open space is provided via a courtyard are identified. - Clarify how to count open space when multiple courtyards are provided.
17C.111.315 Entrances	<ul style="list-style-type: none"> - Clarify that houses adjacent to a courtyard can front onto the courtyard and are not required to face the street. - Clarify that a door may face the side yard on a recessed entrance as long as there is a direct pedestrian connection to the street and the entrance is recognizable as a building entryway.
17C.111.320 Windows	<ul style="list-style-type: none"> - Clarify that for living units with attached garages, the window requirement is only applicable to the part of the facade related to living unit (such as an ADU above a garage). - Clarify that window requirements don't apply to facades that are not visible from the street or 60' away from a street lot line.
17C.111.325 Building Articulation	<ul style="list-style-type: none"> - Clarify that attached houses are treated as a single building for this section - Clarify exceptions for ADUs above a garage and for facades not visible from the street or 60' away from a street lot line. - Adjust building modulation rules to be more flexible by: <ul style="list-style-type: none"> * increasing the width at which modulation is required (increase from 30' to 40') * allowing for bay windows or bump-outs to meet the requirement *- allowing for a covered porch to meet the requirement - Adjust requirements for design features on long facades to be more flexible as follows: <ul style="list-style-type: none"> * Clarify that the building modulation requirement can count towards the required design features - Provide specific examples to make requirements clearer

17C.111.335 Parking Facilities	<ul style="list-style-type: none"> - Add definition for Primary Street-Facing Facade - Exempt garages that are not visible from the street or are at least 60' from a lot line - Allow a single-car garage to cover more than 50% of the front facade in certain situations with narrow houses - Clarify application of garage width limitations to Front Facade only (do not apply on side street facades on corner lots) - Allow a single-car garage to be even with the house instead of stepped back - Allow a covered porch to count towards the step-back requirement for a garage - Exempt garages that are turned to face the side lot line as long as the facade meets other design standards (e.g. windows) - Provide for waivers of garage step-back requirement in limited conditions, including additions to existing structures - Clarify that detached garages should not be located between the primary structure and the street, with exceptions provided for limited situations - Provide limited exceptions to the 36' driveway approach requirement.
17C.111.420 Open Spaces	<ul style="list-style-type: none"> - Fix inconsistency in how to measure distance to a park. The measurement should occur from the property boundary.
17C.111.450 Pitched Roofs	<ul style="list-style-type: none"> - Repeal as it doesn't make sense to have this requirement be more burdensome on RMF/RHD development than what is allowed in R1/R2
17C.230.020 Vehicle Parking Summary Table	<ul style="list-style-type: none"> - New table summarizing required/allowed parking amounts
17C.230.100 General Standards	<ul style="list-style-type: none"> - Remove elements related to parking minimums per recent Council action to remove minimums - Minor wording changes
17C.230.110 Minimum Required Parking Spaces	<ul style="list-style-type: none"> - Remove current language and state no minimum spaces are required
17C.230.120 Maximum Required Parking Spaces	<ul style="list-style-type: none"> - Remove Table 17C.230.120-1 and relocate information to 17C.230.020
17C.230.130 Parking Exceptions	<ul style="list-style-type: none"> - Remove Table 17C.230.130-1 and relocate information to 17C.230.020 - Remove elements related to parking minimums
17C.230.140 Development Standards	<ul style="list-style-type: none"> - Remove language referring to City applying surfacing requirements retroactively - Remove Table 17C.230.140-1 and apply same dimensional requirements across all zones - Clarify curbing requirements to only apply adjacent to parking stalls and parking aisles - Extend exceptions for marked parking for detached homes to apply to Middle Housing as well (per HB 1110 requirement to treat them equally)
17G.080.040 Short Subdivisions	<ul style="list-style-type: none"> - Clarifications to submittal requirements regarding electronic submittals - Wording clarifications
17G.080.065 Unit Lot Subdivisions	<ul style="list-style-type: none"> - Clarify parent site requirements. - Clarify that common space may be owned by an HOA that is larger than the Unit Lot portion of a development. - Clarify that an ADU lot may be created whether it is existing or planned. - Add section with requirements for combining a Unit Lot Subdivision with a regular long plat or short plat. - Clarify that parent sites within a larger plat are limited to 2 acres total. - Remove requirement for utility lines to branch from a common line.

ORDINANCE NO. C36629

AN ORDINANCE relating to Building Opportunity for Housing (BOH) follow up code fixes making changes to the Unified Development Code that are intended to fix errors, clarify, and create more flexibility within the Spokane Municipal Code, amending Spokane Municipal Code (SMC) sections 17A.020.060 "F" Definitions, 17C.111.205 Development Standards Tables, 17C.111.210 Density, 17C.111.220 Building Coverage and Impervious Coverage, 17C.111.235 Setbacks, 17C.111.310 Open Space, 17C.111.315 Entrances, 17C.111.320 Windows, 17C.111.325 Building Articulation, 17C.111.335 Parking Facilities, 17C.111.420 Open Spaces, 17C.230.100 General Standards, 17C.230.110 Minimum Required Parking Spaces, 17C.230.120 Maximum Required Parking Spaces, 17C.230.130 Parking Exceptions, 17C.230.140 Development Standards, 17G.080.040 Short Subdivisions, 17G.080.065 Unit Lot Subdivisions, adopting a new section 17C.230.020 Vehicle Parking Summary Table, and repealing 17C.111.450 Pitched Roofs.

WHEREAS, the maintenance of the Unified Development Code (UDC) and in general the Spokane Municipal Code (SMC) has been a periodic, recurring project of Planning Services as well as other City departments to improve clarity and consistency with local policy and State and Federal laws; and,

WHEREAS, as part of its regular review and assessment of the Unified Development Code, Planning Services has identified multiple sections of the SMC requiring corrections, clarification, and adjustments to enable more flexibility in response to development applications; and,

WHEREAS, in the City of Spokane Comprehensive Plan Chapter 3 Land Use, Policy 7.2 Continuing Review Process, calls out a process to periodically review and correct the SMC; and,

WHEREAS, by the public process outlined in the Plan Commission Findings of Fact, Conclusions, and Recommendations (Exhibit A), and the Planning Services Staff Report (Exhibit B), interested agencies and the public have had opportunities to participate throughout the process and all persons wishing to comment on the amendment were given an opportunity to be heard; and,

WHEREAS, the proposed text amendments were drafted and reviewed consistent with the requirements of RCW 36.70A.370 to assure protection of private property rights; and,

WHEREAS, on September 11, 2024, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before the adoption of proposed changes to the Unified Development Code according to RCW 36.70A.106; and,

WHEREAS, on October 16, 2024 a notice of intent to adopt was issued through the City of Spokane Gazette according to SMC 17G.025.010; and,

WHEREAS, a legal notice of a SEPA Determination of Nonsignificance was issued by the director of Planning Services on October 29, 2024 and published in the *Spokesman Review* on October 30 and November 6, 2024, for the amendment related to the proposed code text amendments. No comments were received; and,

WHEREAS, before the Plan Commission public hearing a legal notice was published in the *Spokesman-Review* on October 30 and November 6, 2024; and,

WHEREAS, on November 13, 2024, the Plan Commission held a public hearing on the proposed amendments. No testimony was heard; and,

WHEREAS, on November 13, 2024, the Plan Commission voted to recommend the City Council adopt the proposed amendments (see Exhibit A); and,

WHEREAS, the proposed actions are consistent with and supported by the Spokane Comprehensive Plan as outlined in the Plan Commission Findings of Fact, Conclusions, and Recommendations (Exhibit A); and,

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of the adoption of this ordinance and further adopts the findings, conclusions, and recommendations from the Planning Services Staff Report (Exhibit B) and the City of Spokane Plan Commission Findings of Fact, Conclusions, and Recommendations (Exhibit A) for the same purposes.

NOW, THEREFORE, the City of Spokane Does ordain:

Section 1. That Section 17A.020.060 SMC is amended to read as follows:

Section 17A.020.060 “F” Definitions

A. Facade.

All the wall planes of a structure as seen from one side or view. (~~For example, the front facade of a building would include all of the wall area that would be shown on the front elevation of the building plans.~~)

1. Front Facade.

The facade facing the Front Lot Line as defined in SMC 17A.020.120(T). For example, the Front Facade of a building would include all of the wall area that would be shown on the front elevation of the building plans.

2. Side Street Facade.

The facade facing a Side Street Lot Line as defined in SMC
17A.020.120(T).

B. Facade Easement.

A use interest, as opposed to an ownership interest, in the property of another. The easement is granted by the owner to the City or County and restricts the owner's exercise of the general and natural rights of the property on which the easement lies. The purpose of the easement is the continued preservation of significant exterior features of a structure.

C. Facility and Service Provider.

The department, district, or agency responsible for providing the specific concurrency facility.

D. Factory-built Structure.

1. "Factory-built housing" is any structure designed primarily for human occupancy, other than a mobile home, the structure or any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site.
2. "Factory-built commercial structure" is a structure designed or used for human habitation or human occupancy for industrial, educational, assembly, professional, or commercial purposes, the structure or any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site.

E. Fair Market Value.

The open market bid price for conducting the work, using the equipment and facilities, and purchase of the goods, services, and materials necessary to accomplish the development. This would normally equate to the cost of hiring a contractor to undertake the development from start to finish, including the cost of labor, materials, equipment and facility usage, transportation and contractor overhead, and profit. The fair market value of the development shall include the fair market value of any donated, contributed, or found labor, equipment, or materials.

F. Fascia Sign.

See SMC 17C.240.015.

G. Feasible (Shoreline Master Program).

1. For the purpose of the shoreline master program, means that an action, such as a development project, mitigation, or preservation requirement, meets all of the following conditions:
 - a. The action can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results;
 - b. The action provides a reasonable likelihood of achieving its intended purpose; and
 - c. The action does not physically preclude achieving the project's primary intended legal use.
2. In cases where these guidelines require certain actions, unless they are infeasible, the burden of proving infeasibility is on the applicant.
3. In determining an action's infeasibility, the reviewing agency may weigh the action's relative public costs and public benefits, considered in the short- and long-term time frames.

H. Feature.

To give special prominence to.

I. Feeder Bluff.

Or "erosional bluff" means any bluff (or cliff) experiencing periodic erosion from waves, sliding, or slumping, and/or whose eroded sand or gravel material is naturally transported (littoral drift) via a driftway to an accretion shoreform; these natural sources of beach material are limited and vital for the long-term stability of driftways and accretion shoreforms.

J. Fill.

The addition of soil, sand, rock, gravel, sediment, earth retaining structure, or other material to an area waterward of the ordinary high-water mark in wetlands, or on shorelands in a manner that raises the elevation or creates dry land.

K. Financial Guarantee.

A secure method, in a form and in an amount both of which are acceptable to the city attorney, providing for and securing to the City the actual construction and installation of any improvements required in connection with plat and/or building permit approval within a period specified by the City, and/or securing to the City the successful operation of the improvements for two years after the City's final inspection and acceptance of such improvements. There are two types of financial guarantees under chapter 17D.020 SMC, Financial Guarantees: Performance guarantee and performance/warranty retainer.

L. Fish Habitat.

A complex of physical, chemical, and biological conditions that provide the life-supporting and reproductive needs of a species or life stage of fish. Although the habitat requirements of a species depend on its age and activity, the basic components of fish habitat in rivers, streams, ponds, lakes, estuaries, marine waters, and near-shore areas include, but are not limited to, the following:

1. Clean water and appropriate temperatures for spawning, rearing, and holding.
2. Adequate water depth and velocity for migrating, spawning, rearing, and holding, including off-channel habitat.
3. Abundance of bank and in-stream structures to provide hiding and resting areas and stabilize stream banks and beds.
4. Appropriate substrates for spawning and embryonic development. For stream- and lake-dwelling fishes, substrates range from sands and gravel to rooted vegetation or submerged rocks and logs. Generally, substrates must be relatively stable and free of silts or fine sand.
5. Presence of riparian vegetation as defined in this program. Riparian vegetation creates a transition zone, which provides shade and food sources of aquatic and terrestrial insects for fish.
6. Unimpeded passage (i.e., due to suitable gradient and lack of barriers) for upstream and downstream migrating juveniles and adults.

M. Fiveplex.

A building that contains five dwelling units on the same lot that share a common wall or common floor/ceiling.

N. Flag.

See SMC 17C.240.015.

O. Float.

A floating platform similar to a dock that is anchored or attached to pilings.

P. Flood Insurance Rate Map or FIRM.

The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the City.

Q. Flood Insurance Study (FIS).

The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

R. Flood or Flooding.

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - a. The overflow of inland waters;
 - b. The unusual and rapid accumulation of runoff of surface waters from any source; or
 - c. Mudslides or mudflows, which are proximately caused by flooding as defined in section (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in section (1)(a) of this definition.

S. Flood Elevation Study.

An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination,

evaluation and determination of mudslide or mudflow, and/or flood-related erosion hazards. Also known as a Flood Insurance Study (FIS).

T. Flood Insurance Rate Map (FIRM).

The official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

U. Floodplain or Flood Prone Area.

Any land area susceptible to being inundated by water from any source. See "Flood or Flooding."

V. Floodplain administrator.

The community official designated by title to administer and enforce the floodplain management regulations.

W. Floodway.

1. As identified in the Shoreline Master Program: ~~((, the area that either))~~

a. The floodway is the area that either

- i. has been established in federal emergency management agency flood insurance rate maps or floodway maps; or
- ii. consists of those portions of a river valley lying streamward from the outer limits of a watercourse upon which flood waters are carried during periods of flooding that occur with reasonable regularity, although not necessarily annually, said floodway being identified, under normal condition, by changes in surface soil conditions or changes in types or quality of vegetative ground cover condition, topography, or other indicators of flooding that occurs with reasonable regularity, although not necessarily annually.

b. Regardless of the method used to identify the floodway, the floodway shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state.

2. For floodplain management purposes, the floodway is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway."

X. Floor Area.

The total floor area of the portion of a building that is above ground. Floor area is measured from the exterior faces of a building or structure. Floor area does not include the following:

1. Areas where the elevation of the floor is four feet or more below the lowest elevation of an adjacent right-of way.
2. Roof area, including roof top parking.
3. Roof top mechanical equipment.
4. Attic area with a ceiling height less than six feet nine inches.
5. Porches, exterior balconies, or other similar areas, unless they are enclosed by walls that are more than forty-two inches in height, for fifty percent or more of their perimeter; and
6. In residential zones, FAR does not include mechanical structures, uncovered horizontal structures, covered accessory structures, attached accessory structures (without living space), detached accessory structures (without living space).

Y. Flood Proofing.

Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Flood proofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.

Z. Floor Area Ratio (FAR).

The amount of floor area in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of two to one means two square feet of floor area for every one square foot of site area.

AA. Focused Growth Area.

Includes mixed-use district centers, neighborhood centers, and employment centers.

AB. Fourplex.

A building that contains four dwelling units on the same lot that share a common wall or common floor/ceiling.

AC. Frame Effect.

A visual effect on an electronic message sign applied to a single frame to transition from one message to the next. This term shall include, but not be limited to scrolling, fade, and dissolve. This term shall not include flashing.

AD. Freestanding Sign.

See SMC 17C.240.015.

AE. Frontage.

The full length of a plot of land or a building measured alongside the road on to which the plot or building fronts. In the case of contiguous buildings individual frontages are usually measured to the middle of any party wall.

AF. Functionally Dependent Water-Use.

A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.

Section 2. That Section 17C.111.205 SMC is amended to read as follows:

Section 17C.111.205 Development Standards Tables

Development standards that apply within the residential zones are provided in Tables 17C.111.205-1 through 17C.111.205-3.

TABLE 17C.111.205-1 LOT DEVELOPMENT STANDARDS [1]					
	RA	R1	R2	RMF	RHD
DENSITY STANDARDS					

Maximum density on sites 2 acres or less [2][3]	No maximum	No maximum	No maximum	No maximum	No maximum
Maximum density on sites larger than 2 acres [2]	10 units/acre	10 units/acre	20 units/acre	No maximum	No maximum
Minimum density [2]	4 units/acre	4 units/acre	10 units/acre	15 units/acre	15 units/acre
LOT DIMENSIONS FOR SUBDIVISIONS AND SHORT SUBDIVISIONS					
Minimum lot area	7,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.
Minimum lot width ((with no driveway approach)) [4]	40 ft.	15 ft.	15 ft.	15 ft.	15 ft.
((Minimum lot width with driveway approach [4]))	((40 ft.))	((36 ft.))	((36 ft.))	((25 ft.))	((25 ft.))
Minimum lot width within Airfield Overlay Zone	40 ft.	40 ft.	36 ft.	25 ft.	25 ft.
Minimum lot depth	80 ft.	80 ft.	40 ft.	N/A	N/A
Minimum lot frontage	40 ft.	Same as minimum lot width	Same as minimum lot width	Same as minimum lot width	Same as minimum lot width
MINIMUM LOT DIMENSIONS FOR UNIT LOT SUBDIVISIONS					
Minimum parent lot area	No minimum	No minimum	No minimum	No minimum	No minimum
Maximum parent lot area	2 acres	2 acres	2 acres	2 acres	2 acres
Minimum child lot area	No minimum	No minimum	No minimum	No minimum	No minimum
Minimum child lot depth	No minimum	No minimum	No minimum	No minimum	No minimum
LOT COVERAGE					
Maximum total building coverage [5][6][7]	50%	65%	80%	100%	100%
Maximum lot impervious coverage without engineer's stormwater drainage plan - not in ADC [5][8][9]	50%	60%	60%	N/A	N/A
Maximum lot impervious coverage without engineer's	40%	40%	40%	N/A	N/A

stormwater drainage plan - inside ADC [5][8][9]					
<p>Notes:</p> <p>[1] Plan district, overlay zone, or other development standards contained in Title 17C SMC may supersede these standards.</p> <p>[2] See SMC 17C.111.210 for applicability of minimum and maximum density standards in the residential zones.</p> <p>[3] Development within Airfield Overlay Zones is further regulated as described in SMC 17C.180.090, Limited Use Standards.</p> <p>[4] ((Lots with vehicle access only from an alley are not considered to have a “driveway approach” for the purposes of this standard.)) <u>Requirements for driveway approaches may prevent narrow lots with a driveway approach from achieving the minimum.</u></p> <p>[5] Lot and building coverage calculation includes all primary and accessory structures.</p> <p>[6] Building coverage for attached housing is calculated based on the overall development site, rather than individual lots.</p> <p>[7] Developments meeting certain criteria relating to transit, Centers & Corridors, or housing affordability are given a bonus for building coverage. See SMC 17C.111.225 for detailed eligibility criteria.</p> <p>[8] Projects may exceed impervious coverage requirements by including an engineer’s drainage plan in submittals, subject to review by the City Engineer as described in SMC 17D.060.135. “ADC” means Area of Drainage Concern.</p> <p>[9] <u>Projects in the RMF and RHD zones that are exempted from review under the Spokane Regional Stormwater Manual shall follow the impervious coverage requirements of the R1 zone.</u></p>					

TABLE 17C.111.205-2 BUILDING AND SITING STANDARDS [1]					
	RA	R1	R2	RMF	RHD
PRIMARY BUILDINGS					
Floor area ratio	N/A	N/A	N/A	N/A	N/A
Maximum building footprint per primary building - lot area 7,000 sq. ft. or less	N/A	2,450 sq. ft.	2,450 sq. ft.	N/A	N/A
Maximum building footprint per primary building - lot area more than 7,000 sq. ft.	N/A	35%	35%	N/A	N/A
Maximum building height [2]	35 ft.	40 ft.	40 ft.	55 ft.	75 ft.
Minimum Setbacks					
Front [3]	15 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Interior side lot line - lot width 40 ft or less ([3])	3 ft.	3 ft.	3 ft.	3 ft.	3 ft.

Interior side lot line - lot width more than 40 ft [4] [5]	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
Street side lot line – all lot widths	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
Attached garage or carport entrance from street	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Rear	25 ft.	15 ft.	15 ft.	10 ft.	10 ft.
ACCESSORY DWELLING UNITS					
Maximum building footprint for accessory dwelling unit - lot area 5,500 sq. ft. or less	1,100 sq. ft.	1,100 sq. ft.	1,100 sq. ft.	1,100 sq. ft.	1,100 sq. ft.
Maximum building footprint for accessory dwelling unit - lots larger than 5,500 sq. ft.	15%	15%	15%	15%	15%
Maximum building height	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.
Minimum side lot line setbacks [5] [6]	Same as Primary Structure				
Minimum rear setback with alley [4] [5] [6]	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
Minimum rear setback no alley	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
OTHER ACCESSORY STRUCTURES					
Maximum lot coverage for accessory structures – lots 5,500 sq. ft. or less	20%	20%	20%	See Primary Structure	See Primary Structure
Maximum lot coverage for accessory structures – lots larger than 5,500 sq. ft.	20%	15%	15%	See Primary Structure	See Primary Structure
Maximum building height	30 ft.	20 ft.	20 ft.	35 ft.	35 ft.
Minimum side lot line setbacks [4] [5] [6]	Same as Primary Structure				
Minimum rear setback with alley	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
Minimum rear setback no alley	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
OPEN SPACE [7]					
Minimum open space per unit [8]	250 sq. ft.	250 sq. ft.	250 sq. ft.	Studio: 48 sq. ft. per unit 1- bedroom: 75 sq. ft. per unit	Studio: 48 sq. ft. per unit 1- bedroom: 75 sq. ft. per unit

				2+ bedrooms: 150 sq. ft. per unit	2+ bedrooms: 100 sq. ft. per unit Sites 20,000 sq. ft. or less: 36 sq. ft. per unit
Minimum common open space per unit as a substitute for private area - first six units	200 sq. ft.	200 sq. ft.	200 sq. ft.	Studio: 48 sq. ft. per unit 1- bedroom: 75 sq. ft. per unit 2+ bedrooms: 150 sq. ft. per unit	Studio: 48 sq. ft. per unit 1- bedroom: 75 sq. ft. per unit 2+ bedrooms: 100 sq. ft. per unit Sites 20,000 sq. ft. or less: 36 sq. ft. per unit
Minimum common open space per unit as a substitute for private area - all units after six	150 sq. ft.	150 sq. ft.	150 sq. ft.	Studio: 36 sq. ft. per unit 1- bedroom: 48 sq. ft. per unit	Studio: 36 sq. ft. per unit 1- bedroom: 48 sq. ft. per unit

				2+ bedrooms: 48 sq. ft. per unit	2+ bedrooms: 48 sq. ft. per unit Sites 20,000 sq. ft. or less: 25 sq. ft. per unit
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Notes:

- [1] Plan district, overlay zone, or other development standards contained in Title 17C SMC may supersede these standards.
- [2] Base zone height may be modified according to SMC 17C.111.230, Height.
- [3] Certain elements such as covered porches may extend into the front setback. See SMC 17C.111.235, Setbacks.
- [4] There is an additional angled setback from the interior side lot line. Refer to SMC 17C.111.230(C) and 17C.111.235(E) for more detail.
- [5] Setbacks for a detached accessory structure and a covered accessory structure may be reduced to zero feet with a signed waiver from the neighboring property owner as specified in SMC 17C.111.240(C).
- [6] Accessory structures may be subject to an additional side setback adjacent to streets as specified in 17C.111.240(C)(5).
- [7] Residential units with a continuous pedestrian route as defined in SMC Section 17C.111.420(B) from the property boundary to a public park within 800 feet shall have a minimum of not more than 36 square feet of open space per unit.
- [8] Common open space may be substituted for private outdoor area according to SMC 17C.111.310.

TABLE 17C.111.205-3 DEVELOPMENT STANDARDS FOR PROPERTIES QUALIFYING FOR DEVELOPMENT BONUS [1] [2]					
	RA	R1	R2	RMF	RHD
LOT COVERAGE					
Maximum total building coverage	N/A	80%	90%	100%	100%
PRIMARY BUILDINGS					
Floor area ratio	N/A	N/A	N/A	N/A	N/A
Maximum building footprint per primary building - lot area 7,000 sq. ft. or less	N/A	2,450 sq. ft.	2,450 sq. ft.	N/A	N/A

Maximum building footprint per primary building - lot area more than 7,000 sq. ft.	N/A	35%	35%	N/A	N/A
Notes: [1] Standards not addressed in this table are consistent with the general standards in Tables 17C.111.205-1 and 17C.111.205-2. [2] Criteria to qualify for Development Bonuses is outlined in SMC 17C.111.225.					

Section 3. That Section 17C.111.210 SMC is amended to read as follows:

Section 17C.111.210 Density

A. Purpose.

The number of dwellings per unit of land, the density, is controlled so that housing can match the availability of public services. The use of density minimums ensures that in areas with the highest level of public services, ~~((that))~~ the service capacity is not wasted and that the City's housing goals are met.

B. Unless specifically exempted, all residential development shall meet the minimum and maximum densities provided in Table 17C.111.205-1.

~~((B))~~C. ((Calculating)) Gross Density Used.

The calculation of density for a subdivision or residential development is ~~((net area and is))~~ based on the total (gross) area of the subject property ~~((, less the area set aside for right-of-way and tracts of land dedicated for stormwater facilities. Land within a critical area (see definitions under chapter 17A.020 SMC) may be subtracted from the calculation of density. When the calculation of density results in a fraction, the density allowed is rounded up to the next whole number. For example, a calculation in which lot area, divided by minimum unit area equals 4.35 units, the number is rounded up to five units))~~.

~~((C. Maximum Density Applicability and Calculation.~~

- ~~1. The maximum density standards in Table 17C.111.205-1 shall be met only when the development site exceeds 2 acres in area. In such cases, the following apply:
 - ~~a. If a land division is proposed, the applicant must demonstrate how the proposed lots can meet maximum density once construction is completed.~~~~

- b. ~~If no land division is proposed, maximum density must be met at the time of development.~~
 - c. ~~Maximum density is based on the zone and size of the site. The following formula is used to determine the maximum number of units allowed on the site:
Square footage of site, less the area set aside for right-of-way and tracts of land dedicated for stormwater facilities;
Divided by maximum density from Table 17C.111.205-1;
Equals maximum number of units allowed. If this formula results in a decimal fraction, the resulting maximum number of units allowed is rounded up to the next whole number. Decimal fractions of five tenths or greater are rounded up. Fractions less than five tenths are rounded down.~~
- 2. ~~If the development site is 2 acres or less in area, the maximum density standards do not apply.~~
 - 3. ~~The number of units allowed on a site is based on the presumption that all site development standards will be met.~~

~~D. Minimum Density Applicability and Calculation:~~

- 1. ~~The minimum density standards in Table 17C.111.205-1 shall be met under the following circumstances:
 - a. ~~A land division is proposed.~~
 - b. ~~In such cases, the applicant must demonstrate how the proposed lots can meet minimum density once construction is completed.~~
 - c. ~~Minimum density standards can be modified by a PUD under SMG 17G.070.030(B)(2).~~
 - d. ~~Development is proposed in the RMF or RHD zones. In such cases, minimum density must be met at the time of development.~~~~
- 2. ~~Except as provided in subsection (3), when development is proposed on an existing legal lot in the RA, R1, or R2 zones, minimum density standards do not apply.~~
- 3. ~~A site with pre-existing development may not move out of conformance or further out of conformance with the minimum density standard, including sites in the RA, R1, and R2 zones (regardless of whether a land division is proposed).~~
- 4. ~~Minimum density is based on the zone and size of the site, and whether there are critical areas (see definitions under chapter 17A.020 SMC). Land within a critical area may be subtracted from the calculation of density.~~

~~The following formula is used to determine the minimum number of lots required on the site.~~

~~Square footage of site, less the area set aside for right-of-way and tracts of land dedicated for stormwater facilities;~~

~~Divided by minimum density from Table 17C.111.205-1;~~

~~Equals minimum number of units required.~~

E. Transfer of Density.

~~Density may be transferred from one site to another subject to the provisions of chapter 17G.070 SMC, Planned Unit Developments.)~~

D. Critical Areas May Be Subtracted.

Land within a critical area (see definitions under chapter 17A.020 SMC) may be, but is not required to be, subtracted from the calculation of density.

E. Right-of-Way May Be Subtracted.

Land dedicated as Right-of-Way may be, but is not required to be, subtracted from a calculation of density.

F. Numbers Rounded Up.

When the calculation of density results in a fraction, the density allowed or required is rounded up to the next whole number. For example, when a calculation results in 4.35 units, the number is rounded up to five units.

G. Formula.

The following formula is used to determine the maximum number of units allowed or the minimum number of units required on the site:

Square footage of site, less any land within a critical area or dedicated to right-of-way, divided by the square footage of one acre (43,560 square feet), multiplied by the density number from Table 17C.111.205-1 equals maximum number of units allowed or minimum number of units required.

Example of determining the minimum number of units with a minimum density of 4 units/acre on a 135,036 square foot (3.1 acre) site:
(135,036 square ft / 43,560 square ft/acre) * 4 units/acre = 12.4 units
(rounded up to 13 units)

Example of determining the maximum number of units with a maximum density of 20 units/acre on a 112,400 square foot (2.58 acre) site encumbered by 21,780 square feet (0.5 acre) of Critical Areas (see Title 17E):

((112,400 square feet – 21,780 square feet) / 43,560 square ft/acre) * 20 units/acre = 41.6 units (rounded up to 42 units)

If this formula results in a decimal fraction, the resulting number of units allowed is rounded up to the next whole number.

H. Land Division in R1 or R2 Zones.

If a land division is proposed in an R1 or R2 zone, the calculation of density shall count one lot as one dwelling unit.

I. Exceptions to Maximum Density Limits.

1. Development Less Than Two (2) Acres.

If the development site excluding any land within a critical area is two (2) acres or less in area, the maximum density standards shall not apply. Proposed new Right-of-Way may also be subtracted from the development site.

2. Middle Housing Allowance.

Notwithstanding any density maximum resulting from a density calculation, any combination of Middle Housing types identified under SMC 17A.020.130(J) shall be allowed on a lot up to six total units, including Accessory Dwelling Units. Such development shall still be subject to other site development standards which may limit the total amount of achievable development on the site.

J. Exceptions to Minimum Density Requirements.

1. Construction on Existing Legal Lots.

Except as provided in subsection (K), when renovation or new construction is proposed on an existing legal lot in the RA, R1, or R2 zones, minimum density shall not apply.

2. Land Divisions with Existing Structures.

When a land division is proposed on a lot below the minimum density and with an existing dwelling unit, any new lots created shall meet these density requirements. A lot which retains an existing primary structure may continue its nonconforming density.

K. Nonconforming Situations.

A site with pre-existing development may not move out of conformance or further out of conformance with the density standards, including sites in the RA, R1, and R2 zones (regardless of whether a land division is proposed).

((E))L. Transfer of Density.

Density may be transferred from one site to another subject to the provisions of chapter 17G.070 SMC, Planned Unit Developments.

M. Other Standards Apply.

The number of units allowed or required on a site is based on the presumption that all site development standards will be met. A calculation of maximum allowable density does not ensure the maximum number is achievable under other standards and regulations that govern site development.

Section 4. That Section 17C.111.220 SMC is amended to read as follows:

Section 17C.111.220 Building Coverage and Impervious Coverage

A. Purpose.

The building coverage standards, together with ~~((the floor area ratio (FAR),))~~ height and setback standards control the overall bulk of structures. They are intended to assure that taller buildings will not have such a large footprint that their total bulk will overwhelm adjacent houses. The standards also help define the form of the different zones by limiting the amount of building area allowed on a site. Additionally, the impervious coverage standards ensure that there is adequate space on a site for stormwater infiltration.

B. Building Coverage and Impervious Coverage Standards.

The maximum combined building coverage allowed on a site for all covered structures is stated in Table 17C.111.205-1.

1. "Impervious surface" is defined in SMC 17A.020.090.
2. For development applications that submit an engineer's stormwater drainage plan pursuant to SMC 17D.060.140, total impervious coverage on a lot is not limited by this chapter, and the building coverage standards control.
3. For development applications that do not submit an engineer's stormwater drainage plan, the maximum impervious coverage standards in Table 17C.111.205-1 must be met. The impervious coverage standards vary depending on whether or not the subject site is located in an Area of Drainage Concern pursuant to SMC 17D.060.135.

~~((C. How to Use FAR with Building Coverage.~~

~~The FAR determines the total amount of living space within a residential structure while the maximum building site coverage determines the maximum building footprint for all structures, including garages and the primary residence(s). The FAR is defined under chapter 17A.020 SMC, Definitions. FAR does not apply to Residentially zoned areas.))~~

Section 5. That Section 17C.111.235 SMC is amended to read as follows:

Section 17C.111.235 Setbacks

A. Purpose.

The setback standards for primary and accessory structures serve several purposes. They maintain light, air, separation for fire protection, and access for fire fighting. They reflect the general building scale and placement of houses in the City's neighborhoods. They promote options for privacy for neighboring properties. They provide adequate flexibility to site a building so that it may be complementary to the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity. They provide room for a car to park in front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street.

B. Applicability.

1. Setbacks are applied to all primary and accessory structures, including Accessory Dwelling Units. Setbacks for structures are applied relative to property lines. Separation between multiple structures on a lot is governed by the requirements of Title 17F SMC. Child lots created via Unit Lot

Subdivision under Section 17G.080.065 SMC are only subject to the standards of this section inasmuch as they are applied to the parent lot.

2. Additional setback requirements may be applied through other sections of Title 17C SMC, including but not limited to:
 - a. Parking areas under Chapter 17C.230 SMC
 - b. Fences under Section 17C.111.230 SMC
 - c. Signs under Chapter 17C.240 SMC

C. Front, Side, and Rear Setbacks.

The required Front, Side, and Rear Setbacks for primary and accessory structures are stated in Table 17C.111.205-2. Angled setback standards are described in SMC 17C.111.235(E) and listed in Table 17C.111.235-1.

1. Extensions into Front, Side, and Rear Building Setbacks.
 - a. Minor features of a structure such as eaves, awnings, chimneys, fire escapes, bay windows and uncovered balconies may extend into a Front, Side, Rear Setback up to twenty-four (24) inches.
 - b. Bays, bay windows, and uncovered balconies may extend into the Front, Side, and Rear Setback up to twenty-four (24) inches, subject to the following requirements:
 - i. Each bay, bay window, and uncovered balcony may be up to twelve (12) feet long.
 - ii. The total area of all bays and bay windows on a building facade shall not be more than thirty percent (30%) of the area of the facade.
 - iii. Bays and bay windows that project into the setback must cantilever beyond the foundation of the building; and
 - iv. The bay shall not include any doors.
 - c. A covered porch without Floor Area above may extend into the front setback up to six feet (6').

D. Exceptions to the Front, Side, and Rear Setbacks.

1. The rear yard of a lot established as of May 27, 1929, may be reduced to provide a building depth of thirty (30) feet.

E. Angled Setbacks.

1. Purpose.

To help new development respond to the scale and form of existing residential areas and to limit the perceived bulk and scale of buildings from adjoining properties.

2. Applicability.

Angled setbacks apply in the R1 and R2 zones.

3. Angled Setback Implementation.

Buildings are subject to an angled setback plane as follows:

- a. Starting at a height of 25 feet, the setback plane increases along a slope of 2:1 (a rate of 2 feet vertically for every 1 foot horizontally) away from the interior side setback, up to the maximum building height in Table 17C.111.205-2. The minimum setbacks that are paired with each height measurement are provided in Table 17C.111.235-1. See Figure 17C.111.235-A for examples.
- b. No portion of the building shall project beyond the Angled Setback plane described in this subsection, except as follows:
 - i. Minor extensions allowed by SMC 17C.111.235(C)(1) may project into the Angled Setback.
 - ii. Elements of the roof structure such as joists, rafters, flashing, and shingles may project into the Angled Setback.
 - iii. Dormer windows may project into the Angled Setback if the cumulative length of dormer windows is no more than fifty percent (50%) of the length of the roof line.

Figure 17C.111.235-A. Angled Setback Plane Examples

FIGURE 17C.110.235-A: Angled Setback Plane

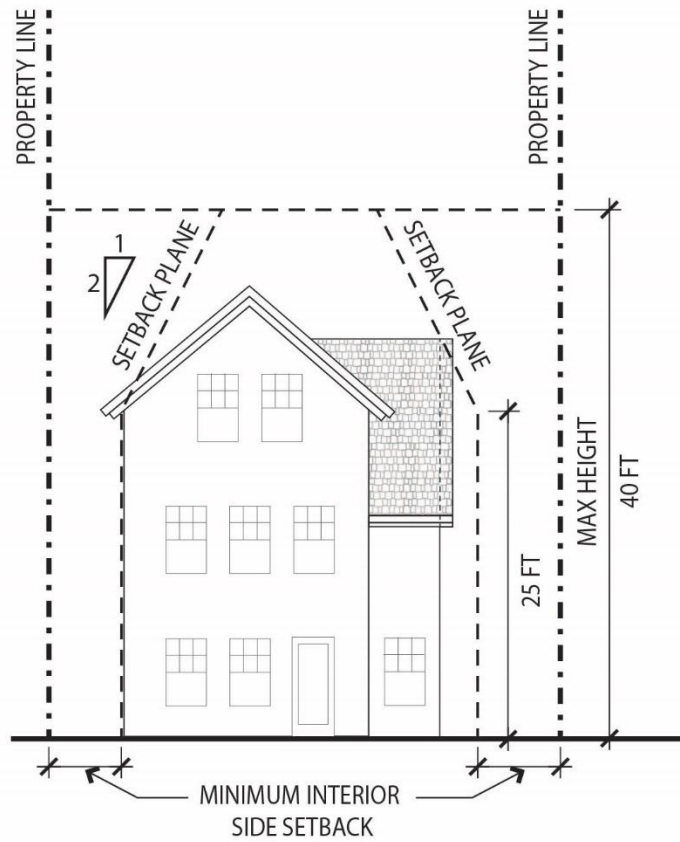


TABLE 17C.111.235-1 ROOF SETBACK FROM SIDE LOT LINE ON LOTS IN R1 and R2 ZONES LOT WIDTHS 40 FT. OR LESS	
Height	Setback
25 ft.	3 ft.
27 ft.	4 ft.
29 ft.	5 ft.
31 ft.	6 ft.
33 ft.	7 ft.
35 ft.	8 ft.
40 ft.	10.5 ft.
LOT WIDTHS MORE THAN 40 FT.	
Height	Setback

25 ft.	5 ft.
27 ft.	6 ft.
29 ft.	7 ft.
31 ft.	8 ft.
33 ft.	9 ft.
35 ft.	10 ft.
40 ft.	12.5 ft.

Section 6. That Section 17C.111.310 SMC is amended to read as follows:

Section 17C.111.310 (~~Outdoor Areas~~) Open Space

A. Purpose.

To create usable areas through the use of engaging (~~outdoor~~) recreational spaces for the enjoyment and health of the residents.

B. (~~Outdoor Areas~~) Open Space Implementation.

1. Developments shall provide (~~outdoor areas~~) open space in the quantity required by Table 17C.111.205-2. (R)
2. The (~~outdoor area~~) open space may be configured as either:
 - a. A private outdoor area, such as a balcony (~~or~~), patio, or private yard directly accessible from the unit;
 - b. (~~A common~~) One or multiple (~~outdoor area~~) common open spaces, such as courtyards or common greens. (~~accessible by all units in the building.~~)
3. Developments may provide a mix of private and common open space. In developments with a mix of private and common open space, each unit shall meet the full requirements for at least one type of open space. Those units making use of common open space shall meet all the standards for a common open space. Those units making use of private open space shall meet all the standards for private open space. (R)
- (~~3~~)4. If a common (~~outdoor area~~) open space, such as a courtyard or common green is provided, it shall meet the following:
 - a. Each courtyard, common green, or other form of common open space shall be associated with housing units for which it is providing open space. The association shall be clearly identified in

submitted plans. The association shall be established through a direct pedestrian connection from the unit to the open space.

~~((a))~~b. ~~((Connected))~~ Each courtyard, common green, or other form of common open space shall be connected to each associated unit by a pedestrian ~~((paths))~~ path. A pedestrian connection from a unit to an associated common open space shall not cross a parking area and shall not require walking in the opposite direction of the open space to gain access. (R)

~~((b))~~c. At least 50 percent of units associated with a courtyard, common green, or other form of common open space shall have windows that face directly onto the space or doors that ~~((face))~~ provide direct access from the unit to the common ~~((outdoor))~~ area. (R)

d. In a development with multiple common open spaces, the calculation of square footage shall occur separately for each common open space based on the number of units associated with it. The reduction of square footage after six (6) units shall only apply if that common open space has more than six (6) associated units. (R)

~~((e))~~d. ~~((Common))~~ Each common ~~((outdoor areas))~~ open space shall provide at least three of the following amenities to accommodate a variety of ages and activities. Amenities may include, but are not limited to: (P)

- i. Site furnishings (benches, tables, bike racks when not required for the development type, etc.);
- ii. Picnic areas;
- iii. Patios~~((,))~~ or plazas ~~((or courtyards))~~;
- iv. Shaded playgrounds;
- v. Rooftop gardens, planter boxes, or garden plots; ~~((or))~~
- vi. Fenced pet area~~((,))~~; or
- vii. Grass or other living ground cover suitable for recreational use.

4. ~~((Outdoor))~~ Open spaces shall not be located adjacent to dumpster enclosures, loading/service, areas or other incompatible uses that are known to cause smell or noise nuisances. ~~((P))~~ (R)

Section 7. That Section 17C.111.315 SMC is amended to read as follows:

Section 17C.111.315 Entrances

A. Purpose.

To ensure that entrances are easily identifiable, clearly visible, and accessible from streets, sidewalks, and common areas, to encourage pedestrian activity and enliven the street.

B. Applicability.

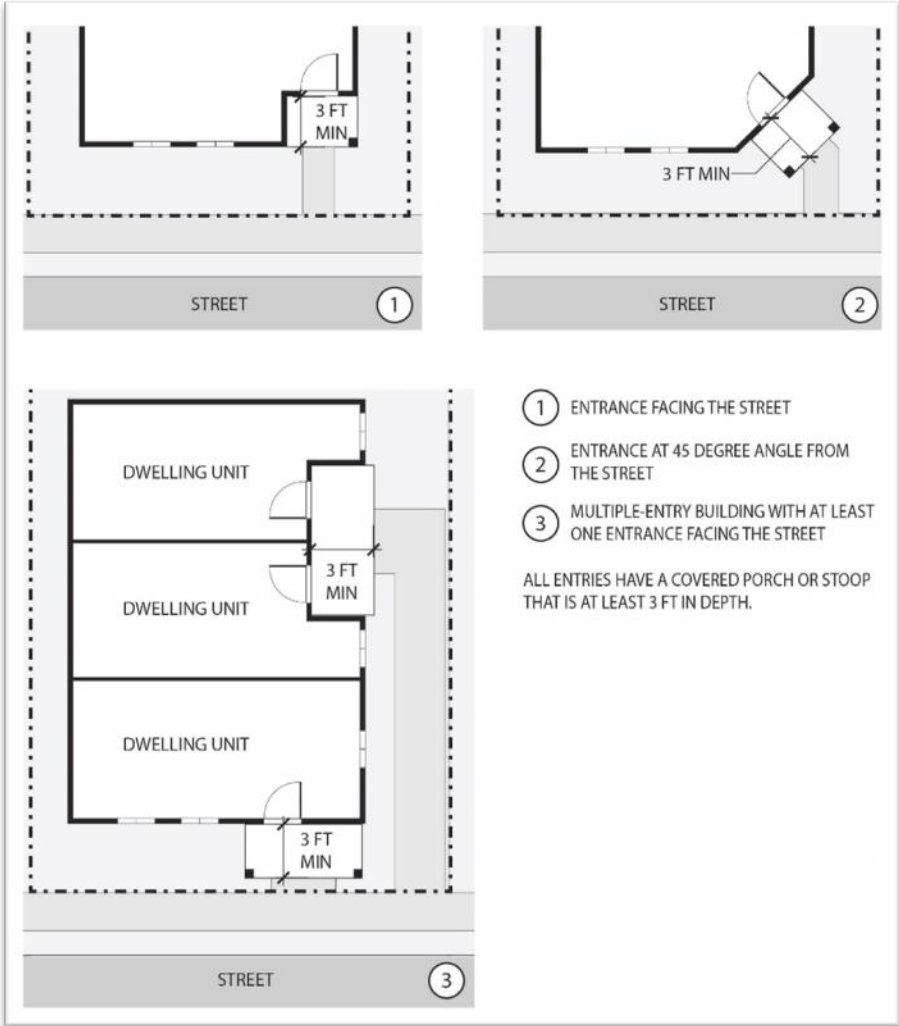
The following standards apply to all building facades that face a public or private street, except those that are separated from the street by another building.

C. Entrances Implementation.

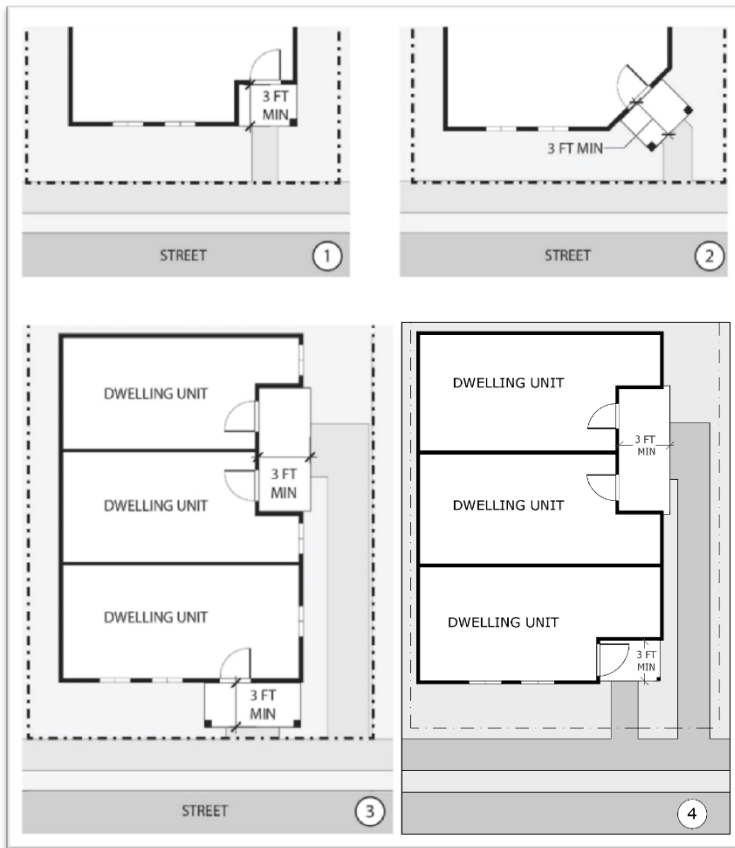
See Figure 17C.111.315-A.

1. ~~((Each))~~ Except as provided in subsection (3), each residential structure fronting a public or private street must have at least one address and main entrance facing or within a 45 degree angle of a street frontage. On a recessed entryway, the door of the entry is not required to face the street so long as the entryway has a pedestrian walkway directly to the street and is recognizable as a building entryway. Buildings with multiple units may have shared entries. (R)
2. Each unit with individual ground-floor entry and all shared entries must have a porch or stoop cover that is at least 3-feet deep. (P)
- ~~((3. On corner lots, buildings with multiple units must have at least one entrance facing or within a 45 degree angle on each street frontage. (C)))~~
3. For a common open space, such as a courtyard or common green, directly abutting a public or private street, residential structures that abut both the common open space and the public or private street may directly face the common open space instead of facing the public or private street. (P)

Figure 17C.111.315-A. Building Entrances



Note: Graphic to be removed and replaced with graphic below.



- ① ENTRANCE FACING THE STREET
- ② ENTRANCE AT 45 DEGREE ANGLE FROM THE STREET
- ③ MULTIPLE-ENTRY BUILDING WITH AT LEAST ONE ENTRANCE FACING THE STREET
- ④ MULTIPLE-ENTRY BUILDING WITH AT LEAST ONE RECOGNIZABLE ENTRYWAY ADDRESSING THE STREET AND WITH THE DOOR FACING THE SIDE YARD.

ALL ENTRIES HAVE A COVERED PORCH OR STOOP THAT IS AT LEAST 3 FT IN DEPTH.

Note: Graphic to be inserted.

Section 8. That Section 17C.111.320 SMC is amended to read as follows:

Section 17C.111.320 Windows

A. Purpose.

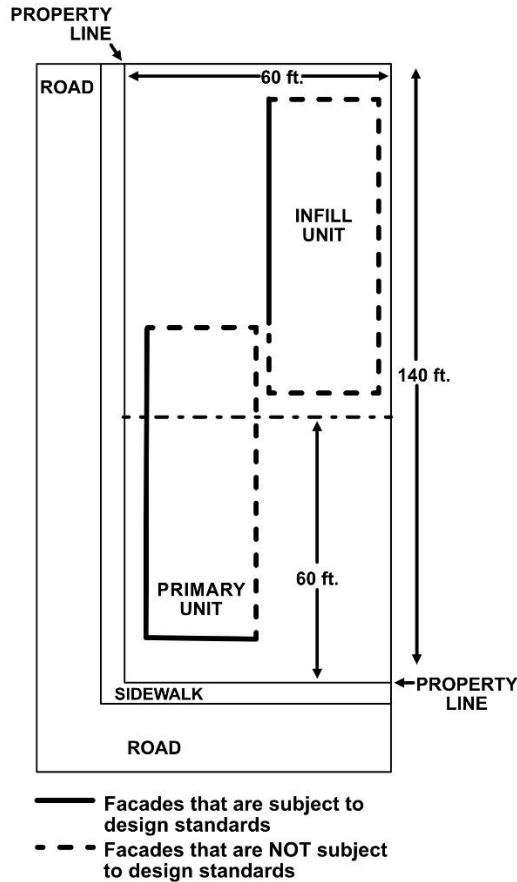
To maintain a lively and active street face while increasing safety and general visibility to the public realm.

B. Applicability.

The following standards apply to all ~~((building facades))~~ facade areas that face a public or private street and enclose floor area, ~~((except those that are separated from the street by another building.))~~ with the following exceptions:

1. When a façade or portion of the façade is not visible from a public or private street or further than 60' away from a street lot line. See Figure 17C.111.320-A.
2. For garages attached to living units, this section does not apply to the portion of the façade associated with the garage.

Figure 17C.111.320-A. Façade Exemption



Note: Graphic to be inserted.

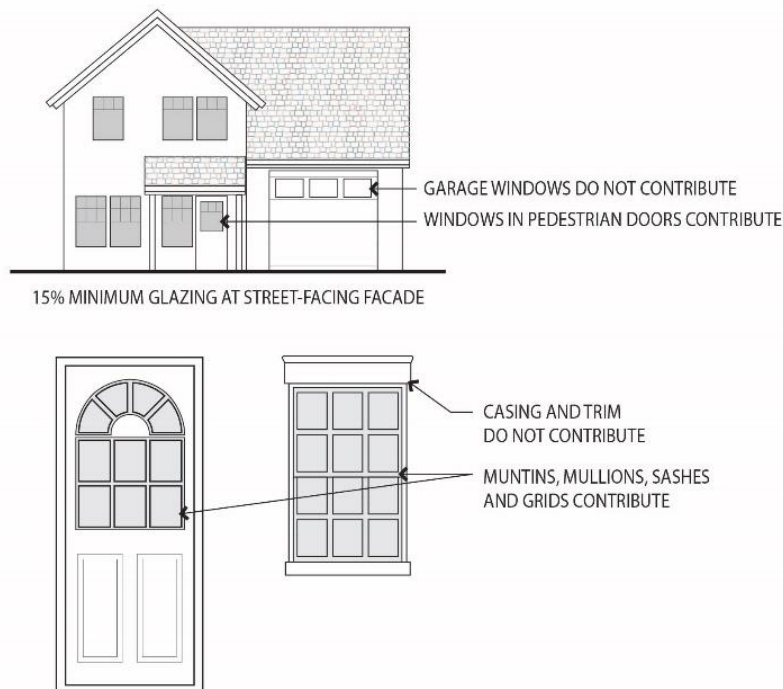
C. Windows Implementation.

See Figure 17C.111.320-((A))B.

1. Windows shall be provided in facades facing public or private streets, comprising at least fifteen percent of the facade area that encloses floor area (R).
2. Window area is considered the entire area within, but not including, the window casing, including any interior window grid.

3. Windows in pedestrian doors may be counted toward this standard. Windows in garage doors may not be counted toward this standard.
4. At least one of the following decorative window features must be included on all of the windows on street facing facades: (P)
 - a. Arched or transom windows.
 - b. Mullions.
 - c. Awnings or bracketed overhangs.
 - d. Flower boxes.
 - e. Shutters.
 - f. Window trim with a minimum width of three inches.
 - g. Pop-outs or recesses greater than three inches.
 - h. Bay windows.
 - i. Dormers.

Figure 17C.111.320-((A))B. Window Coverage



Section 9. That Section 17C.111.325 SMC is amended to read as follows:

Section 17C.111.325 Building Articulation

- A. Purpose.

To ensure that buildings along any public or private street display the greatest amount of visual interest and reinforce the residential scale of the streetscape and neighborhood.

B. Applicability.

~~((The following))~~ These standards apply to all ~~((building))~~ facades that face a public or private street ~~(, except those that are separated from the street by another building. The standards apply to facades of attached housing irrespective of underlying lot lines))~~.

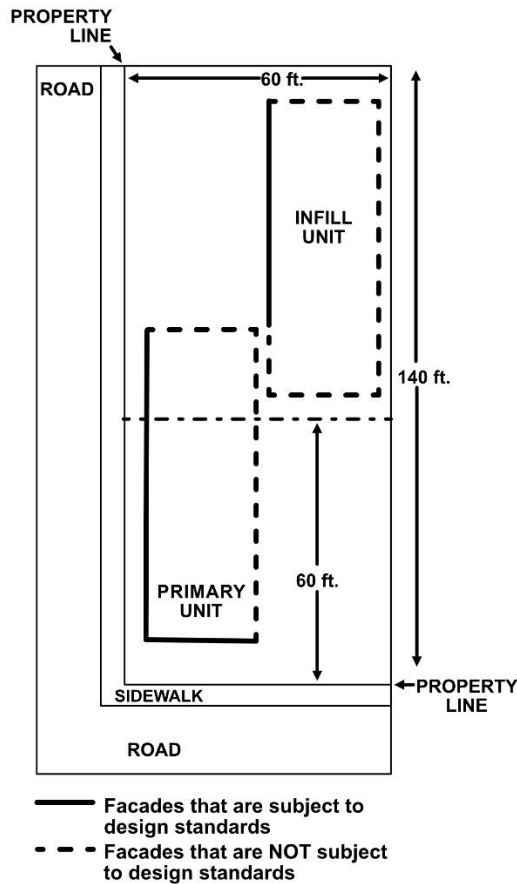
1. Attached Housing.

These standards apply to facades of attached housing. For purposes of this section, a grouping of attached houses shall be considered as a single building.

2. Exceptions.

- a. These standards do not apply when a façade or portion of façade is not visible from a public or private street or further than 60' away from a street lot line. See Figure 17C.111.325-A.
- b. These standards do not apply to a detached Accessory Dwelling Unit above a detached garage.

Figure 17C.111.325-A. Façade Exemption.



Note: Graphic to be inserted.

C. Building Articulation Implementation.

1. ~~((Buildings must))~~ Street-facing Facades shall be modulated along the street at least every ((thirty)) forty feet. ((Building modulations must step the building wall back or forward at least four feet. See Figure 17C.11325-A. (R)) Building modulations may be achieved in any one of the following ways. (R)
 - a. A step back or forward in the building wall of at least four feet. See Figure 17C.111.325-B.
 - b. For facades no more than two stories high, a bay window or cantilevered bump-out at least four feet (4') wide and two feet (2') deep on the ground floor.
 - c. A cantilevered bump-out at least four feet (4') wide and two feet (2') deep that extends vertically the entire height of the facade.
 - d. A covered porch at least ten feet (10') wide and six feet (6') deep.

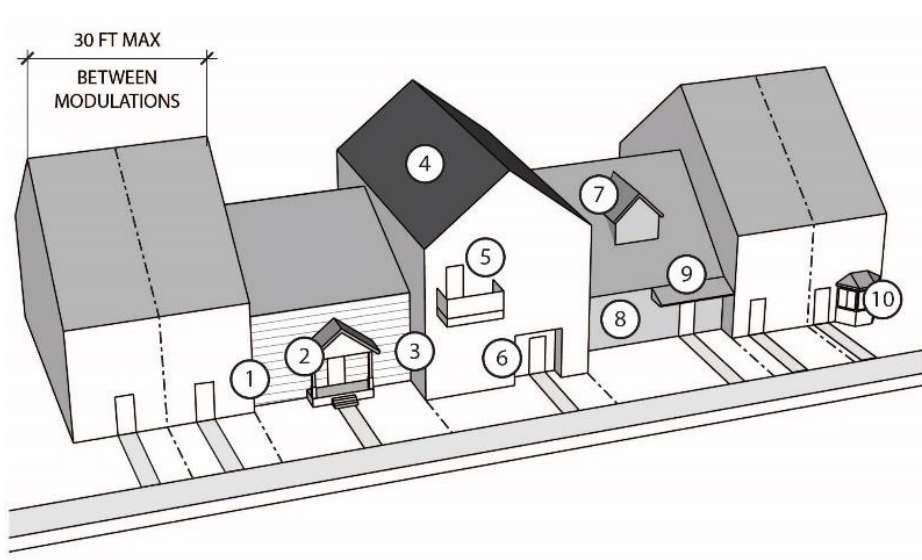
2. The scale of buildings ~~((must))~~ shall be moderated to create a human scale streetscape by including vertical and horizontal delineation as expressed by bays, belt lines, doors, or windows. (P)
3. ~~((Horizontal street-facing facades))~~ In addition to the requirement of subsection (C)(1), street-facing Facades longer than ~~((thirty))~~ forty feet (40') ~~((must))~~ shall include at least ~~((four))~~ one of the ~~((following))~~ design features listed below, or a similar treatment, ~~((per façade. At least one of these features must be used))~~ every thirty feet (30'). For portions of a facade in excess of an increment of thirty (30), an additional feature shall be required after ten feet (10'). The modulation implemented to meet subsection (C)(1) may be counted in meeting this requirement. (P)

a. Design Features.

- ~~((a. Varied building heights.~~
- ~~b. Use of different materials.~~
- ~~c. Different colors.~~
- ~~d. Offsets.~~
- ~~e. Projecting roofs (minimum of twelve inches).~~
- ~~f. Recesses.~~
- ~~g. Bay windows.~~
- ~~h. Variation in roof materials, color, pitch, or aspect.~~
- ~~i. Balconies~~
- ~~j. Covered porch or patio.~~
- ~~k. Dormers))~~

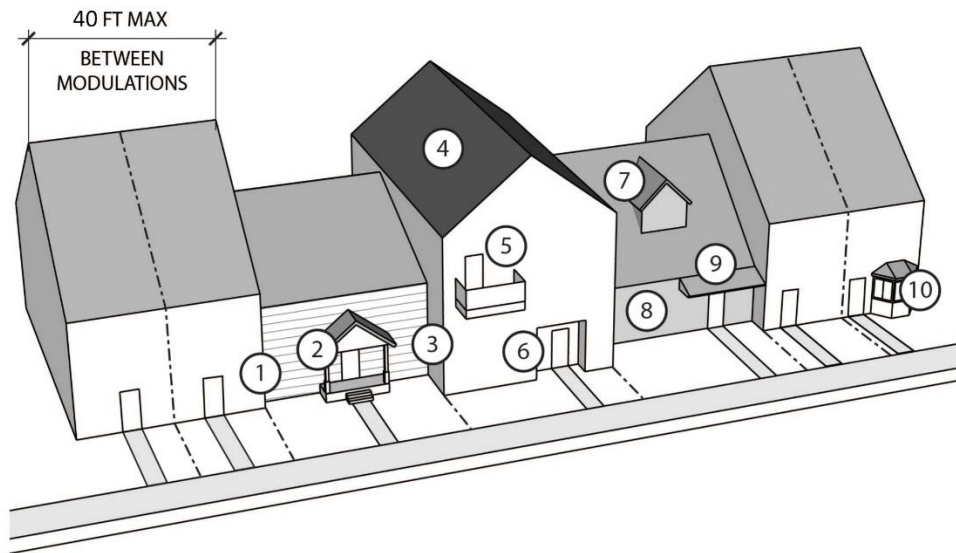
- i. Varied building heights.
- ii. Use of different materials.
- iii. Different colors.
- iv. Offsets.
- v. Projecting roofs (minimum of twelve inches).
- vi. Recesses.
- vii. Bay windows or bump-outs.
- viii. Variation in roof materials, color, pitch, or aspect.
- ix. Balconies
- x. Covered porch or patio.
- xi. Dormers

Figure 17C.111.325-((A))B. Building Articulation for Long Facades



- ① USE OF DIFFERENT MATERIALS
- ② COVERED PORCH OR PATIO
- ③ OFFSETS IN BUILDING FACE
- ④ VARIATION IN ROOF MATERIALS, COLOR, PITCH, OR ASPECT
- ⑤ BALCONIES
- ⑥ RECESSES
- ⑦ DORMER
- ⑧ DIFFERENT COLORS
- ⑨ PROJECTING ROOFS (12 INCH MIN)
- ⑩ BAY WINDOWS

Note: Graphic above to be removed (replaced with graphic below).



- | | |
|---|----------------------------------|
| ① USE OF DIFFERENT MATERIALS | ⑥ RECESSES |
| ② COVERED PORCH OR PATIO | ⑦ DORMER |
| ③ OFFSETS IN BUILDING FACE | ⑧ DIFFERENT COLORS |
| ④ VARIATION IN ROOF MATERIALS,
COLOR, PITCH, OR ASPECT | ⑨ PROJECTING ROOFS (12 INCH MIN) |
| ⑤ BALCONIES | ⑩ BAY WINDOWS |

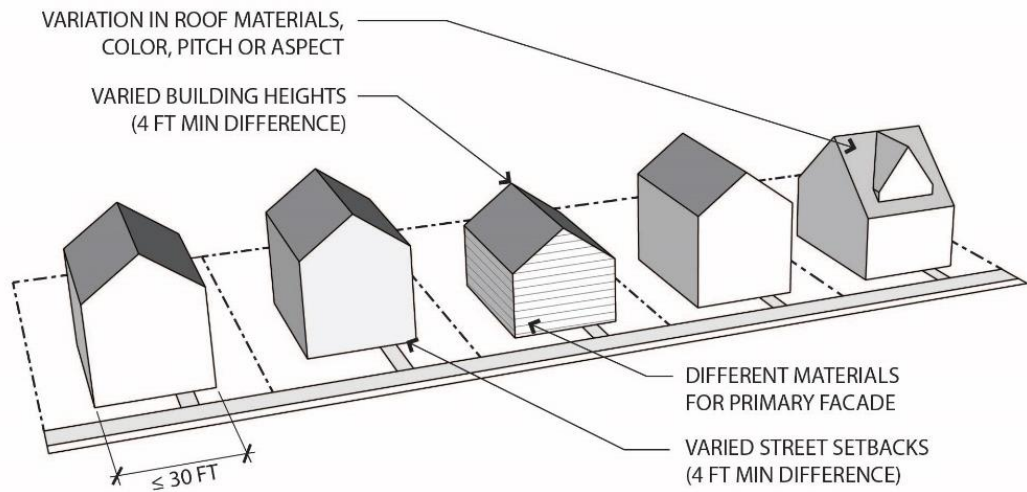
Note: Graphic above to be inserted.

TABLE 17C.111.325-1 BUILDING ARTICULATION EXAMPLES	
<u>Street-Facing Facade Width</u>	<u>Requirements</u>
<u>35 feet</u>	<u>No modulation required</u> <u>No design features required from subsection (3)(a)</u>
<u>40 feet</u>	<u>Modulation required</u> <u>No additional design features required from subsection (3)(a)</u>
<u>45 feet</u>	<u>Modulation required</u> <u>One additional design feature required from subsection (3)(a)</u>
<u>60 feet</u>	<u>Modulation required</u> <u>One additional design feature required from subsection (3)(a)</u>
<u>70 feet</u>	<u>Modulation required</u> <u>Two additional design features required from subsection (3)(a)</u>

~~((4. The following standard applies when detached housing units or individual units of attached housing have street-facing facades that are thirty feet or less in width. Each such unit shall provide variation from adjacent units by using one or more of the following design features (see Figure 17C.111.325-B):~~

- ~~a. Street setbacks that differ by at least four feet.~~
- ~~b. Building heights that differ by at least four feet.~~
- ~~c. Use of different materials for the primary façade.~~
- ~~d. Variation in roof materials, color, pitch, or aspect.~~

~~Figure 17C.111.325-B. Building Variation for Narrow Facades))~~



Note: Graphic to be removed

~~((5. Development should reduce the potential impact of new housing on established and historic neighborhoods by incorporating elements and forms from nearby buildings. This may include reference to architectural details, building massing, proportionality, and use of high-quality materials such as wood, brick, and stone. (C)))~~

D. Consideration for Historic Features.

Development should reduce the potential impact of new housing on established and historic neighborhoods by incorporating elements and forms from nearby buildings. This may include reference to architectural details, building massing, proportionality, and use of high-quality materials such as wood, brick, and stone. (C)

Section 10. That Section 17C.111.335 SMC is amended to read as follows:

Section 17C.111.335 Parking Facilities

A. Purpose.

To integrate parking facilities with the building and surrounding residential context, promote pedestrian-oriented environments along streets, reduce

impervious surfaces, and preserve on-street parking and street tree opportunities.

B. Definitions.

1. Primary Street-Facing Facade.

a. The Primary Street-Facing Facade is the portion of the Front Facade that:

i. is closest to the front lot line; and

ii. encloses living space; and

iii. is situated at ground level.

b. Projections such as bay windows or cantilevered bump-outs shall not be counted as the Primary Street-Facing Facade.

~~((B))~~C. Parking Facilities Implementation.

~~((1. The combined width of all garage doors facing the street may be up to fifty percent of the length of the street-facing building facade. For attached housing, this standard applies to the combined length of the street-facing facades of all units. For all other lots and structures, the standards apply to the street-facing facade of each individual building. See Figure 17C.111.335-A. (R)))~~

1. Garage Opening Width.

a. Width Limited.

Unless otherwise exempted within this subsection, the combined width of all garage door openings on the Front Facade shall not exceed fifty percent of the width of the Front Facade. For attached housing, this standard applies to the combined length of the Front Facades of all units. For all other lots and structures, the standards apply to the Front Facade of each individual building. See Figure 17C.111.335-A. (P)

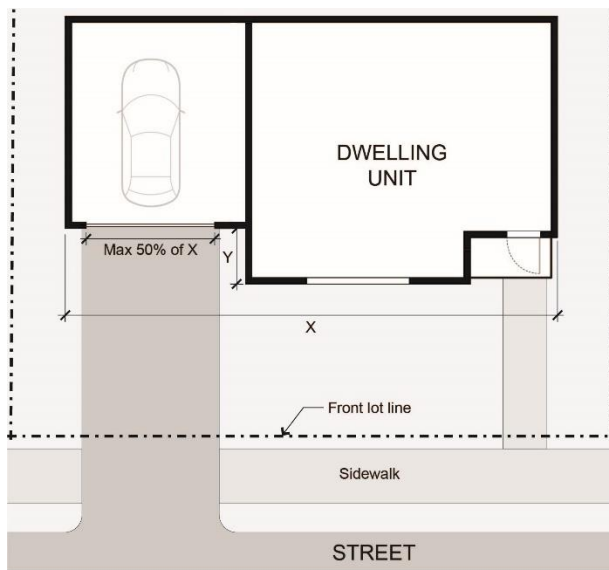
b. Exemptions.

i. The garage opening width standard does not apply to facades or portions of the facade that are not visible from a

private or public street or further than sixty feet (60') away from a street lot line. See Figure 17C.111.335-B.

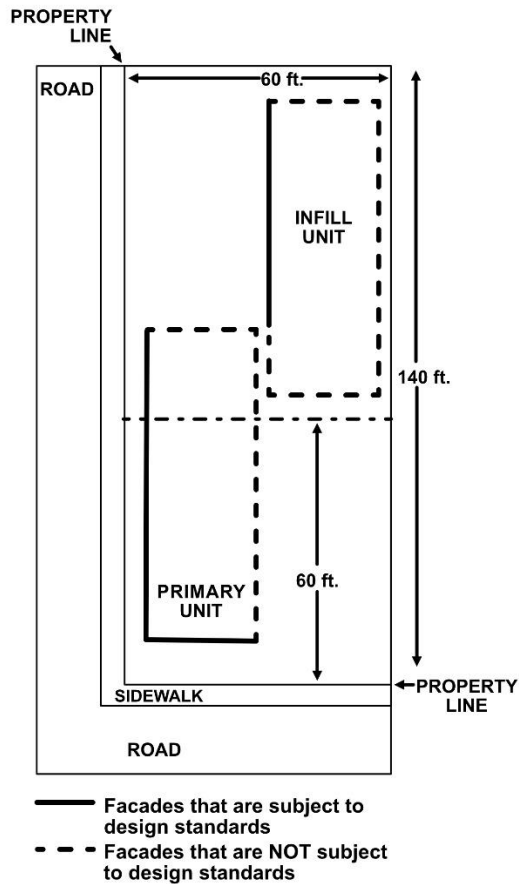
- ii. For attached housing units less than twenty feet (20') in width or for detached houses less than twenty feet (20') in width, a single opening of no more than ten feet (10') in width is permitted. Units meeting this exemption shall have enclosed living space above the first floor that is set back no further than the face of the garage and extends the entire width of the width of the unit.

Figure 17C.111.335-A. Garage Door Standard



X = Length of street-facing building façade
Y = 2 ft minimum setback from primary street-facing building façade

Figure 17C.111.335-B. Façade Exemption.



Note: Insert new image above.

~~((2. Street-facing garage walls must be set back at least two feet from the primary street-facing building facade. (R)))~~

2. Garage Wall Step Back.

a. On a Front Facade with garage openings cumulatively totaling more than ten feet (10') in width, all garage openings shall be set back in one of the following ways: (R)

i. at least two feet (2') behind the Primary Street-Facing Facade; or

ii. at least two feet (2') behind the front of a covered porch that is a minimum of six feet (6') in depth and spans at least half of the Front Facade. The covered porch shall have columns, railing, or other vertical elements along the front to visually establish the edge of the porch.

- b. A Front Facade with one street-facing garage opening of ten feet (10') or less in width shall be even with or set back from the Primary Street-Facing Facade. (R)
- c. A Front Facade for a garage with the opening facing the side lot line is not required to step back from the Primary Street-Facing Facade, but shall meet all other relevant design standards. (P)
- d. A grouping of attached housing units shall be considered a single building for purposes of these step back requirements.
- e. This standard does not apply to facades or portions of the façade that are not visible from a private or public street or further than 60' away from a street lot line.
- f. Waivers.

A waiver or modification of the garage wall step back may be granted by the Planning Director. The Planning Director shall consider contextual issues such as:

- i. Topography that does not allow a step back; and
- ii. An addition to an existing structure where a step back is impractical.

Merely the presence of existing structures on nearby properties with garages situated forward of the Primary Street-Facing Facade shall not be grounds for a waiver.

3. Access to Parking.

- a. Vehicular access to ~~((parking))~~ a parking area, garage, or carport shall occur only via an approved driveway approach from an alley, improved street, or easement ~~((is required if parking is required))~~ pursuant to chapter 17C.230 SMC Parking and Loading. (R)
- b. If the lot abuts a public alley, then vehicle access shall be from the alley unless the applicant requests a waiver of the requirement and the Planning Director determines that one of the following conditions exists: (R)
 - i. Existing topography does not permit alley access; or
 - ii. A portion of the alley abuts a nonresidential zone; or
 - iii. The alley is used for loading or unloading by an existing nonresidential use; or
 - iv. Due to the relationship of the alley to the street system, use of the alley for parking access would create a significant safety hazard.

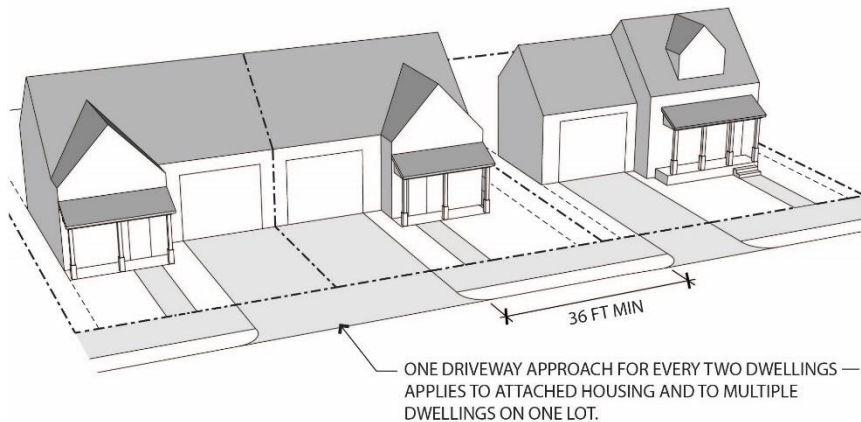
- c. For lots with vehicle access through an alley, garages shall not be accessed from the street. (R)
 - d. Where off-street parking is provided for attached housing or for two or more units on one lot, only one driveway approach and sidewalk crossing for each two dwellings may be permitted. See Figure 17C.111.335-~~((B))~~C. (R)
 - e. Driveway approaches shall be separated by a minimum distance of 36 feet. The Planning Director (~~((will))~~) may grant an exception to this standard if ~~((the 36-foot separation from existing driveways on adjacent lots would preclude vehicular access to the subject lot))~~ one of the following conditions exist. See Figure 17C.111.335-~~((B))~~C. (R)
 - i. existing driveways on adjacent lots would preclude vehicular access to the subject lot; or
 - ii. existing topography makes shared driveway approaches infeasible; or
 - iii. development is proposed on a lot created prior to January 1, 2024 with insufficient frontage for the required separation; or
 - iv. the Planning Director determines that the conditions of the lot render an alternate form of access infeasible.
4. ~~((Parking structures,))~~Detached garages and detached carports~~((, and parking areas other than driveways))~~ shall not be located between the ~~((principal structure))~~ Front Facade and ~~((streets))~~ the street unless the Planning Director determines that one of the following conditions is met. (P)
- a. The lot and primary structure existed prior to January 1, 2024 and are situated such that a garage or carport cannot reasonably be located to the side of or behind the primary structure; or
 - b. Existing topography does not permit the placement of a garage or carport to the side of or behind the proposed or existing primary structure; or
 - c. Placement of the garage or carport to the side of or behind the primary structure would create a safety hazard.

Upon meeting one of these conditions, the garage or carport shall follow all other design standards as practicable.

5. Parking areas shall not be located between the Front Facade and the street except for driveways that lead to an allowable vehicle parking facility. (R)

Figure 17C.111.335-((B))C. Paired Driveways and Minimum Spacing

FIGURE 17C.110.335-B: Paired Driveways and Minimum Spacing



Section 11. That Section 17C.111.420 SMC is amended to read as follows:

Section 17C.111.420 Open Spaces

A. Purpose.

To create pedestrian friendly, usable areas through the use of plazas, courtyards, rooftop decks, and other open spaces for the enjoyment and health of the residents.

B. Open Spaces Implementation.

1. Minimum Required Space.

- a. Each multifamily development shall provide the minimum open space area for each living unit in the complex, including those units occupied by the owner or building management personnel, as identified in Table 17C.111.205-2. Open spaces may be provided individually, such as by balconies, or combined into a larger

common open space. Developments in RMF and RHD may provide both private and common open space to meet the minimum requirement; however, each unit must provide either the full private or common open space to count towards the minimum required space. (R)

- b. Residential units with a continuous pedestrian route from the ~~((building entrance))~~ property boundary to a public park within 800 ft are not required to provide more than 36 square feet of open space per unit. For purposes of this requirement, an unsignalized crossing of a minor arterial road or greater shall not be considered a continuous pedestrian route.

2. Private Open Space.

Private open space area is typically developed for passive recreational use. Examples include balconies, patios, and private rooftop decks.

- a. Private open space must be directly accessible from the unit. (R)
- b. Private open space must be surfaced with landscaping, pavers, decking, or sport court paving which allows the area to be used for recreational purposes. (R)
- c. Private open space may be covered, such as a covered balcony, but may not be fully enclosed. (R)
- d. Berms, low walls, fences, hedges and/or landscaping shall be used to define private open spaces such as yards, decks, terraces, and patios from each other and from the street right-of-way. The material or plantings between private open spaces shall be a maximum of four feet in height and visually permeable, such as open rails, ironwork, or trellis treatment to encourage interaction between neighbors. Material or plantings between units and right-of-way shall meet applicable fencing restrictions. (P)

3. Common Open Space.

Common open space area may be developed for active or passive recreational use. Examples include play areas, plazas, rooftop patios, picnic areas, fitness centers, pools, tennis courts, and open recreational facilities.

- a. The total amount of required common open space is the cumulative amount of the required area per dwelling unit for common areas, minus any units that provide individual open space (if provided).

However, a combined required open space must comply with the minimum area and meet ADA Standards for Accessible Design.

- b. Common open space must be surfaced with landscaping, pavers, decking, or sport court paving, which allows the area to be used for recreational purposes. (R).
 - c. Common open space may be covered, such as a covered patio, but may not be fully enclosed unless the open space is an equipped interior fitness area or furnished meeting space not reservable by individual residents. (R)
 - d. Common open spaces with active uses used to meet these guidelines shall not be located within required buffer areas, if prohibited by critical area or shoreline regulations. (R)
 - e. Common open spaces shall provide at least three of the following amenities to accommodate a variety of ages and activities. Amenities include: (P)
 - i. Site furnishings (benches, tables, bike racks)
 - ii. Picnic or outdoor grilling areas
 - iii. Patios, plazas, or courtyards
 - iv. Tot lots or other children's play areas
 - v. Enclosed pet areas that make up no more than fifty percent of the required common open space
 - vi. Community gardens accessible for use by residents
 - vii. Open lawn
 - viii. Play fields
 - ix. Sports courts, such as tennis or basketball courts, and pools that make up no more than fifty percent of the required common open space
 - x. Interior equipped fitness areas that make up no more than fifty percent of the required common open space
 - f. If common open spaces are located adjacent to a street right-of-way, landscaping should be used to provide a buffer between outdoor spaces and the street right-of-way. (P)
4. Lighting shall be provided within open spaces to provide visual interest, as well as an additional security function. Lighting should not cause off-site glare. (R)
 5. Open spaces should not be located adjacent to dumpster enclosures, loading/service areas or other facility and/or utility enclosures. (C)

Section 12. That SMC section 17C.111.450 entitled “Pitched Roofs” is repealed.

Section 13. That there is adopted a new section 17C.230.020 to read as follows:

17C.230.020 Vehicle Parking Summary Table

Parking requirements are summarized in Table 17C.230.020-1.

TABLE 17C.230.020-1				
SUMMARY OF PARKING REQUIREMENTS [1]				
RESIDENTIAL CATEGORIES				
USE CATEGORY	SPECIFIC USE	MINIMUM REQUIRED	MAXIMUM ALLOWED: CC, DOWNTOWN, FBC ZONES [2]	MAXIMUM ALLOWED: RA, R1, R2, RMF, RHD, O, OR, NR, NMU, CB, GC, INDUSTRIAL ZONES [2]
Group Living		None	CC: 4 per 1,000 sq. ft. of floor area Downtown: 3 per 1,000 sq. ft. of floor area FBC: 2 per 500 sq. ft. of floor area	No maximum
Residential Household Living				

COMMERCIAL CATEGORIES				
USE CATEGORY	SPECIFIC USE	MINIMUM REQUIRED	MAXIMUM ALLOWED: CC, DOWNTOWN, FBC ZONES [2]	MAXIMUM ALLOWED: RA, R1, R2, RMF, RHD, O, OR, NR, NMU, CB, GC, INDUSTRIAL ZONES [2]
Adult Business		None	CC: 4 per 1,000 sq. ft. of floor area Downtown: 3 per 1,000 sq. ft. of floor area FBC: 2 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Commercial Outdoor Recreation				30 per acre of site
Commercial Parking				None
Drive-through Facility				None
Major Event Entertainment				1 per 5 seats or per CU review
Office				1 per 200 sq. ft. of floor area
Quick Vehicle Servicing				1 per 200 sq. ft. of floor area
Retail Sales and Service	Retail, Personal Service, Repair-oriented			1 per 200 sq. ft. of floor area
	Restaurants and Bars	1 per 60 sq. ft. of floor area		
	Health Clubs, Gyms, Lodges, Meeting Rooms and similar continuous entertainment, such as Arcades and Bowling Alleys	1 per 180 sq. ft. of floor area		
	Temporary Lodging	1.5 per rentable room; for associated uses such as Restaurants, see above		

	Theaters			1 per 2.7 seats or 1 per 4 feet of bench area
	Retail sales and services of large items, such as appliances, furniture and equipment			1 per 200 sq. ft. of floor area
Mini-storage Facilities				Same as Warehouse and Freight Movement
Vehicle Repair				1 per 200 sq. ft.
INDUSTRIAL CATEGORIES				
USE CATEGORY	SPECIFIC USE	MINIMUM REQUIRED	MAXIMUM ALLOWED: CC, DOWNTOWN, FBC ZONES [2]	MAXIMUM ALLOWED: RA, R1, R2, RMF, RHD, O, OR, NR, NMU, CB, GC, INDUSTRIAL ZONES [2]
Industrial Services, Railroad Yards, Wholesale Sales		None	CC: 4 per 1,000 sq. ft. of floor area Downtown: 3 per 1,000 sq. ft. of floor area FBC: 2 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Manufacturing and Production				1 per 200 sq. ft. of floor area
Warehouse and Freight Movement				1 per 200 sq. ft. of floor area
Waste-related				Per CU review

INSTITUTIONAL CATEGORIES				
USE CATEGORY	SPECIFIC USE	MINIMUM REQUIRED	MAXIMUM ALLOWED: CC, DOWNTOWN, FBC ZONES [2]	MAXIMUM ALLOWED: RA, R1, R2, RMF, RHD, O, OR, NR, NMU, CB, GC, INDUSTRIAL ZONES [2]
Basic Utilities		None	CC: 4 per 1,000 sq. ft. of floor area Downtown: 3 per 1,000 sq. ft. of floor area FBC: 2 per 500 sq. ft. of floor area	None
Colleges				1 per 200 sq. ft. of floor area
Community Service				exclusive of dormitories, plus 1per 2.6 dorm room
Daycare				1 per 200 sq. ft. of floor area
Medical Centers				1 per 200 sq. ft. of floor area
Parks and Open Areas				1 per 200 sq. ft. of floor area
Religious Institutions				Per CU review for active areas
Schools	Grade, Elementary, Junior High			2.5 per classroom
	High School			10.5 per classroom

OTHER CATEGORIES				
USE CATEGORY	SPECIFIC USE	MINIMUM REQUIRED	MAXIMUM ALLOWED: CC, DOWNTOWN, FBC ZONES [2]	MAXIMUM ALLOWED: RA, R1, R2, RMF, RHD, O, OR, NR, NMU, CB, GC, INDUSTRIAL ZONES [2]
Agriculture		None	CC: 4 per 1,000 sq. ft. of floor area Downtown: 3 per 1,000 sq. ft. of floor area FBC: 2 per 500 sq. ft. of floor area	None or per CU review
Aviation and Surface Passenger Terminals				Per CU review
Detention Facilities				Per CU review
Essential Public Facilities				Per CU review
Wireless Communication Facilities				None or per CU review
Rail Lines and Utility Corridors				None

[1] The Planning Director may approve different amounts of parking spaces under the exceptions listed in SMC 17C.230.130.

[2] Parking provided within a parking structure is not counted towards the maximum allowed per SMC 17C.230.120(B)(2).

Section 14. That Section 17C.230.100 SMC is amended to read as follows:

Section 17C.230.100 General Standards

A. ~~((Where the Standards Apply))~~ Applicability.

The standards of this chapter apply to all parking areas in ~~((RA, R1, R2, RMF, RHD, O, OR, NR, NMU, CB, GC, Downtown, CC, industrial, and FBC zones))~~ all zones, whether required by this code or put in for the convenience of property owners or users. Parking areas include those accessory to a use, part of a commercial parking use, or for a park and ride facility in the basic utilities use category. Some zoning categories have unique parking standards as provided in Table 17C.230.120-1.

~~((B. Occupancy.~~

All required parking areas must be completed and landscaped prior to occupancy of any structure except as provided in chapter 17C.200 SMC, Landscaping and Screening.)

~~((G))~~ B. ~~((Calculations of Amounts of Required and Allowed Parking))~~ Calculation.

1. When computing parking spaces based on floor area, floor area dedicated for parking is not counted.
2. The number of parking spaces is computed based on the uses on the site. When there is more than one use on a site, the required or allowed parking for the site is the sum of the required or allowed parking for the individual uses. ~~((For joint use parking, see SMC 17C.230.110(B)(2).))~~
- ~~((3. If the maximum number of spaces allowed is less than or equal to the minimum number required, then the maximum number is automatically increased to one more than the minimum.))~~
- ~~((4))~~ 3. If the maximum number of spaces allowed is less than one, then the maximum number is automatically increased to one.
- ~~((5))~~ 4. When the calculation of required or allowed parking results in a decimal fraction, the number of parking spaces required or allowed is rounded up to the next whole number.

~~((D. Use of Required Parking Spaces.~~

~~Required parking spaces must be available for the use of residents, customers, or employees of the use. Fees may be charged for the use of required parking spaces, except for group living and residential household living uses. Required parking spaces may not be assigned in any way to a use on another site, except for joint parking situations. Required parking spaces must be made available to employees; it cannot be restricted only to customers. See SMC 17C.230.110(B)(2). Also, required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.~~

~~E. Proximity of Parking to Use.~~

- ~~1. Required parking spaces for all industrial and commercial zones, except center and corridor zones, must be located on the site of the use or in parking areas whose closest point is within four hundred feet of the site. In center and corridor zones, parking is required to be located within six hundred feet of the use.~~
- ~~2. Required parking spaces for uses in the RA, R1, R2, and RMF zones must be located on the site of the use. Required parking for the uses in~~

~~the RHD zone must be located on the site of the use or in parking areas whose closest point is within four hundred feet of the site.~~

~~F. Stacked Parking.~~

~~Stacked or valet parking is allowed if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, some form of guarantee must be filed with the City ensuring that an attendant will always be present when the lot is in operation. The requirements for minimum or maximum spaces and all parking area development standards continue to apply for stacked parking.~~

~~G. On-Street Parking.~~

~~The minimum number of required parking spaces may be reduced by the number of on-street parking spaces immediately adjacent to a site's public right-of-way frontages, located on the same side of the street. The street must be paved, with sidewalks that are ADA accessible. Each complete twenty linear foot section of right-of-way where parallel parking is permitted is considered a parking space. Where parallel, diagonal or other on-street parking is marked on the street or officially designated by other means; the number of complete parking spaces that are adjacent on the same side of the street to the site's frontage are counted. An on-street parking space shall not be counted if it is restricted in its use as a designated loading, taxi or other special use zone or if parking is prohibited for more than five hours any twenty four-hour period. When calculating the number of required bicycle parking spaces per SMC 17C.230.200, the number of vehicle off-street parking spaces that would be required before this reduction is applied is the figure that is used.))~~

~~((H))C. Curb Cuts.~~

~~Curb cuts and access restrictions are regulated by the City engineering services department. Other zoning standards or design ((guidelines)) standards may apply.~~

Section 15. That Section 17C.230.110 SMC is amended to read as follows:

Section 17C.230.110 Minimum Required Parking Spaces

~~((A. Purpose.~~

~~The purpose of required parking spaces is to provide enough parking to accommodate the majority of traffic generated by the range of uses, which might~~

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

~~B. Minimum Number of Parking Spaces Required.~~

~~1. The minimum number of parking spaces for all zones is stated in Table 17C.230.120-1. Table 17C.230.130-1 states the required number of spaces for use categories. The standards of Table 17C.230.120-1 and Table 17C.230.130-1 apply unless specifically superseded by other portions of the city code.~~

~~2. Joint Use Parking.~~

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

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

~~3. Bicycle parking may substitute for up to twenty-five (25) percent of required vehicle parking. For every four (4) short-term bicycle parking spaces, the motor vehicle parking requirement is reduced by one space. For every one (1) long-term bicycle parking space, the motor vehicle parking required is reduced by one space. Vehicle parking associated with residential uses may only be substituted by long-term bicycle parking. Existing parking may be converted to take advantage of this provision. Required bicycle parking spaces may be used to substitute for vehicle parking.~~

4. Existing Uses.

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

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

5. Change of Use.

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

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

6. Uses Not Mentioned.

In the case of a use not specifically mentioned in Table 17C.230.130-1, the requirements for off-street parking shall be determined by the planning and economic development services director. If there is/are comparable

~~uses, the planning and economic development services director's determination shall be based on the requirements for the most comparable use(s). Where, in the judgment of the planning and economic development services director, none of the uses in Table 17C.230.130-1 are comparable, the planning and economic development services director may base his or her determination as to the amount of parking required for the proposed use on detailed information provided by the applicant. The information required may include, but not be limited to, a description of the physical structure(s), identification of potential users, and analysis of likely parking demand.~~

~~C. Carpool Parking.~~

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

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

A. No Minimum Required.

Except as provided herein, there is no required minimum number of off-street parking spaces.

B. Conditional Use.

A requirement to provide a minimum number of off-street parking spaces may be included as a condition in a Conditional Use permit.

Section 16. That Section 17C.230.120 SMC is amended to read as follows:

Section 17C.230.120 Maximum Required Parking Spaces

A. Purpose.

Limiting the number of spaces allowed promotes efficient use of land, enhances urban form, encourages use of alternative modes of transportation, provides for better pedestrian movement, and protects air and water quality. The maximum ratios in this section vary with the use the parking ((#)) is accessory to. ~~((These maximums will accommodate most auto trips to a site based on typical peak parking demand for each use.))~~

B. Maximum Number of Parking Spaces Allowed.

Standards in a plan district or overlay zone may supersede the standards in this subsection or the amounts listed in Table 17C.230.020-1.

1. Surface Parking.

The maximum number of parking spaces allowed is stated in Table ~~((17C.230.120-1 and Table 17C.230.130-1))~~ 17C.230.020-1, except as specified in subsection (B)(2) of this section.

2. Structure Parking.

Parking provided within a building or parking structure is not counted when calculating the maximum parking allowed.

((

TABLE 17C.230.120-1		
PARKING SPACES BY ZONE [1]		
(Refer to Table 17C.230.130-1 for Parking Spaces Standards by Use)		
ZONE	SPECIFIC USES	REQUIREMENT
RA, R1, R2, RMF, RHD O, OR, NR, NMU, CB, GC, Industrial	All Land Uses	Minimum and maximum standards are shown in Table 17C.230.130-1.
CC1, CC2, CC3, CC4 [2]	Nonresidential	There is no minimum parking requirement. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.
	Residential	There is no minimum parking requirement. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.

Downtown [2]	Nonresidential	There is no minimum parking requirement. Maximum ratio is 3 stalls per 1,000 gross square feet of floor area.
	Residential	There is no minimum parking requirement. Maximum ratio is 3 stalls per 1,000 gross square feet of floor area.
FBC [2]	All Land Uses	See SMC 17C.123.040, Hamilton Form Based Code for off-street parking requirements.
Overlay	All Land Uses	No off-street parking is required. See the No Off-Street Parking Required Overlay Zone Map 17C.230-M2 and No Off-Street Parking Required Overlay Zone Map 17C.230-M3.
<p>[1] Standards in a plan district or overlay zone may supersede the standards of this table.</p> <p>[2] See exceptions in SMC 17C.230.130, CC and Downtown Zone Parking Exceptions.</p>		

))

Section 17. That Section 17C.230.130 SMC is amended to read as follows:

Section 17C.230.130 Parking Exceptions

~~((A. — Parking is not required for commercial or institutional uses.~~

~~B. — The Planning Director may approve ratios that are higher than the maximum ((or lower than the minimum)) if sufficient factual data is provided to indicate that a different amount is appropriate. The applicant assumes the burden of proof. Approval of parking above the maximum shall be conditioned upon increasing the amount of required landscaping by thirty percent. ((Approval of parking below the minimum shall be conditioned upon the project contributing towards a pedestrian and transit supportive environment both next to the immediate site and in the surrounding area.)) When determining if a different amount of parking is appropriate, the Director shall consider the proximity of the site to frequent transit service, the intensity of the zoning designation of the site and surrounding sites, and the form of the proposed use.))~~

The Planning Director may approve ratios that are higher than the maximum if sufficient factual data is provided to indicate that a different amount is appropriate. The applicant assumes the burden of proof. Approval of parking above the maximum shall be conditioned upon increasing the amount of required landscaping by thirty percent. When determining if a different amount of parking is appropriate, the Director shall consider the proximity of the site to frequent transit service, the intensity of the zoning designation of the site and surrounding sites, and the form of the proposed use.

- ~~((C. If property owners and businesses establish a parking management area program with shared parking agreements, the Planning Director may reduce or waive parking requirements.~~
- ~~D. Existing legal nonconforming buildings that do not have adequate parking to meet the standards of this section are not required to provide off-street parking when remodeling which increases the amount of required parking occurs within the existing structure.~~
- ~~E. Attached Housing.~~

~~The following exceptions apply only to attached housing (defined in SMC 17A.020.010) in the RMF and RHD zones. Distances are measured in a straight line between the zone/overlay boundary to the lot line of the site containing the development.~~

- ~~1. On a lot at least partially within one thousand three hundred twenty feet of CC, CA, or DT zone or CC3 zoning overlay, the minimum number of off-street vehicle parking spaces required is fifty percent less than the minimum required for Residential Household Living in Table 17C.230.130-1.~~
- ~~2. On a lot farther than one thousand three hundred twenty feet of a CC, CA, or DT zone or CC3 zoning overlay, the minimum number of off-street vehicle parking spaces required is thirty percent less than the minimum required for Residential Household Living in Table 17C.230.130-1.~~
- ~~F. Parking is not required for residential development on sites located within one-half mile of a transit stop.~~

<p>TABLE 17C.230.130-1 PARKING SPACES BY USE [1] (Refer to Table 17C.230.120-1 for Parking Space Standards by Zone) GU = Conditional Use</p>
<p>RESIDENTIAL CATEGORIES</p>

USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Group Living	-	None	None
Residential Household Living	-	None	None
COMMERCIAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Adult Business	-	None	1 per 200 sq. ft. of floor area
Commercial Outdoor Recreation	-	None	30 per acre of site
Commercial Parking	-	Not applicable	None
Drive-through Facility	-	Not applicable	None
Major Event Entertainment	-	None	1 per 5 seats or per CU review
Office	General Office	None	1 per 200 sq. ft. of floor area
	Medical/Dental Office	None	1 per 200 sq. ft. of floor area
Quick Vehicle Servicing	-	None	1 per 200 sq. ft. of floor area
Retail Sales and Service	Retail, Personal Service, Repair-oriented	None	1 per 200 sq. ft. of floor area
	Restaurants and Bars	None	1 per 60 sq. ft. of floor area
	Health Clubs, Gyms, Lodges, Meeting Rooms and similar	None	1 per 180 sq. ft. of floor area

	continuous entertainment, such as Arcades and Bowling Alleys		
	Temporary Lodging	None	1.5 per rentable room; for associated uses such as Restaurants, see above
	Theaters	None	1 per 2.7 seats or 1 per 4 feet of bench area
	Retail sales and services of large items, such as appliances, furniture and equipment	None	1 per 200 sq. ft. of floor area
Mini-storage Facilities	-	None	Same as Warehouse and Freight Movement
Vehicle Repair	-	None	1 per 200 sq. ft. of floor area
INDUSTRIAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Industrial Services, Railroad Yards, Wholesale Sales	-	None	1 per 200 sq. ft. of floor area
Manufacturing and Production	-	None	1 per 200 sq. ft. of floor area
Warehouse and Freight Movement	-	None	1 per 200 sq. ft. of floor area
Waste-related	-	Per CU review	Per CU review

INSTITUTIONAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Basic Utilities	-	None	None
Colleges	-	None	1 per 200 sq. ft. of floor area exclusive of dormitories, plus 1 per 2.6 dorm room
Community Service	-	None	1 per 200 sq. ft. of floor area
Daycare	-	None	1 per 200 sq. ft. of floor area
Medical Centers	-	None	1 per 200 sq. ft. of floor area
Parks and Open Areas	-	None	Per CU review for active areas
Religious Institutions	-	None	1 per 60 sq. ft. of main assembly area
Schools	Grade, Elementary, Junior High	None	2.5 per classroom
	High School	None	10.5 per classroom
OTHER CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Agriculture	-	None or per CU review	None or per CU review
Aviation and Surface Passenger Terminals	-	Per CU review	Per CU review
Detention Facilities	-	Per CU review	Per CU review
Essential Public Facilities	-	Per CU review	Per CU review

Wireless Communication Facilities	-	None or per CU review	None or per CU review
Rail Lines and Utility Corridors	-	None	None
[1] The Planning Director may approve different amounts of parking spaces under the exceptions listed in SMC 17C.230.130.			

))

Section 18. That Section 17C.230.140 SMC is amended to read as follows:

Section 17C.230.140 Development Standards

A. Purpose.

The parking area layout standards are intended to promote safe circulation within the parking area and provide for convenient entry and exit of vehicles.

B. ~~((Where These Standards Apply))~~ Applicability.

The standards of this section apply to all vehicle areas whether required or excess parking.

C. Improvements.

1. Paving.

In order to control dust and mud, all vehicle areas must be surfaced with a minimum all-weather surface. Such surface shall be specified by the city engineer. Alternatives to the specified all-weather surface may be provided, subject to approval by the city engineer. The alternative must provide results equivalent to paving. All surfacing must provide for the following minimum standards of approval:

- a. Dust is controlled.
- b. Stormwater is treated to City standards; and
- c. Rock and other debris is not tracked off-site.

The applicant shall be required to prove that the alternative surfacing provides results equivalent to paving. ~~((If, after construction, the City determines that the~~

~~alternative is not providing the results equivalent to paving or is not complying with the standards of approval, paving shall be required.))~~

2. Striping.

All parking areas, except for stacked parking, must be striped in conformance with the parking dimension standards ~~((of subsection (E)))~~ of this section, except parking for ~~((single-family residences, duplexes, and accessory dwelling units))~~ Single-Unit Residential Buildings, Accessory Dwelling Units, or Middle Housing developments of no more than six units.

3. Protective Curbs Around Landscaping.

All perimeter and interior landscaped areas directly adjacent to parking aisles, parking spaces, or an abutting sidewalk must have continuous, cast in place, or extruded protective curbs along the edges. Curbs separating landscaped areas from parking areas may allow stormwater runoff to pass through them. Tire stops, bollards or other protective barriers may be used at the front ends of parking spaces. Curbs may be perforated or have gaps or breaks. Trees must have adequate protection from car doors as well as car bumpers. This provision does not apply to ~~((single-family residence, duplexes and accessory dwelling units))~~ Single-Unit Residential Buildings, Accessory Dwelling Units, or Middle Housing developments of no more than six units.

D. Stormwater Management.

Stormwater runoff from parking lots is regulated by the engineering services department.

E. Parking Area Layout.

1. Access to Parking Spaces.

All parking areas, except stacked parking areas, must be designed so that a vehicle may enter or exit without having to move another vehicle.

2. Parking Space and Aisle Dimensions.

- a. Parking spaces and aisles ~~((in RA, R1, R2, RMF, RHD, FBC CA4, O, OR, NR, NMU, CB, GC, and industrial zones must))~~ shall meet the minimum dimensions contained in Table 17C.230.140-1.

~~((b. — Parking spaces and aisles in Downtown CC, and FBC CA1, CA2, CA3 zones must meet the minimum dimensions contained in Table 17C.230.140-2.))~~

~~((e))~~b. In all zones, on dead end aisles, aisles shall extend five feet beyond the last stall to provide adequate turnaround.

3. Parking for Disabled Persons.

The city building services department regulates the following disabled person parking standards and access standards through the building code and the latest ANSI standards for accessible and usable buildings and facilities:

- a. Dimensions of disabled person parking spaces and access aisles.
- b. The minimum number of disabled person parking spaces required.
- c. Location of disabled person parking spaces and circulation routes.
- d. Curb cuts and ramps including slope, width and location; and
- e. Signage and pavement markings.

4. A portion of a standard parking space may be landscaped instead of paved, as follows:

- a. The landscaped area may be up to two feet of the front of the space as measured from a line parallel to the direction of the bumper of a vehicle using the space, as shown in Figure ~~((17C.230-3))~~ 17C.230.140-1. Any vehicle overhang must be free from interference from sidewalks, landscaping, or other required elements.

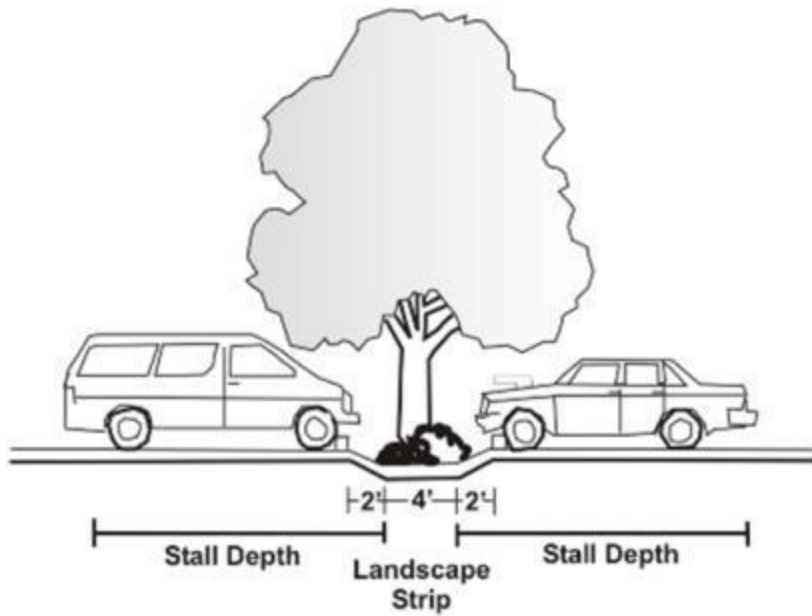


Figure 17C.230-3 Landscaped area at front of parking space
Note: Remove image and replace with the one below.

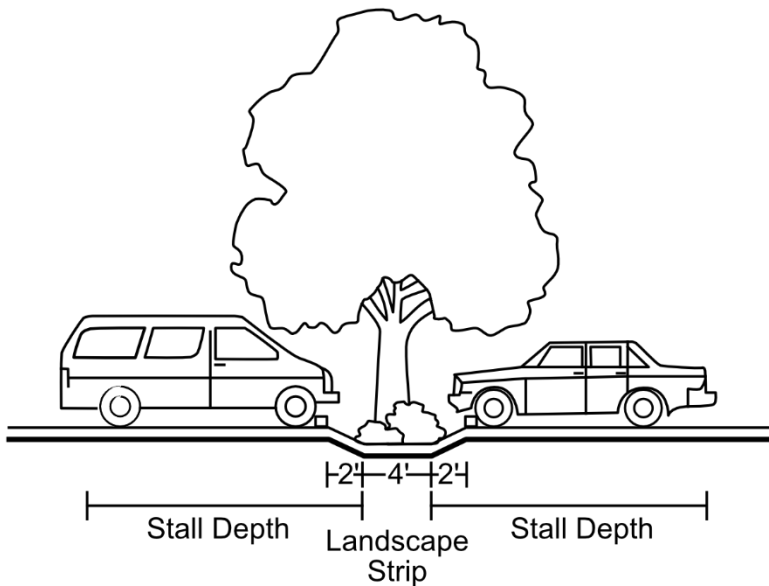


Figure 17C.230-3 Landscaped area at front of parking space

Note: Insert above image.

- b. Landscaping must be ground cover plants; and
- c. The landscaped area counts toward parking lot interior landscaping requirements and toward any overall site landscaping requirements. However, the landscaped area does not count toward perimeter landscaping requirements.

5. Engineering Services Department Review.

The engineering services department reviews the layout of parking areas for compliance with the curb cut and access restrictions of chapter 17H.010 SMC.

((

Table 17C.230.140-1 RA, R1, R2, RMF, RHD, FBC CA4, O, OR, NMU, CB, GC and Industrial Zones Minimum Parking Space and Aisle Dimensions [1, 2]					
Angle (A)	Width (B)	Curb Length (C)	1-way Aisle Width (D)	2-way Aisle Width (D)	Stall Depth (E)
0° (Parallel)	8 ft.	20 ft.	12 ft.	22 ft.	8 ft.
30°	8 ft. 6 in.	17 ft.	12 ft.	22 ft.	15 ft.
45°	8 ft. 6 in.	12 ft.	12 ft.	22 ft.	17 ft.
60°	8 ft. 6 in.	9 ft. 9 in.	16 ft.	22 ft.	18 ft.
90°	8 ft. 6 in.	8 ft. 6 in.	22 ft.	22 ft.	18 ft.

Notes:
 [1] See Figure 17C.230-4.
 [2] Dimensions of parking spaces for the disabled are regulated by the building code. See SMC 17C.230.140(E)(3).

))

Table ((17C.230.140-2)) 17C.230.140-1 ((Downtown, CC, NR, FBC CA1, CA2, and CA3 Zones)) Minimum Parking Space and Aisle Dimensions [1, 2]					
Angle (A)	Width (B)	Curb Length (C)	1-way Aisle Width (D)	2-way Aisle Width (D)	Stall Depth (E)
0° (Parallel)	8 ft.	20 ft.	12 ft.	20 ft.	8 ft.
30°	8 ft. 6 in.	17 ft.	12 ft.	20 ft.	15 ft.
45°	8 ft. 6 in.	12 ft.	12 ft.	20 ft.	17 ft.
60°	8 ft. 6 in.	9 ft. 9 in.	16 ft.	20 ft.	17 ft. 6 in.
90°	8 ft. 6 in.	8 ft. 6 in.	20 ft.	20 ft.	16 ft.

Notes:
 (([1] See Figure 17C.230-4.))
 [1] See Figure 17C.230.140-2.
 [2] Dimensions of parking spaces for the disabled are regulated by the building code. See SMC 17C.230.140(E)(3).

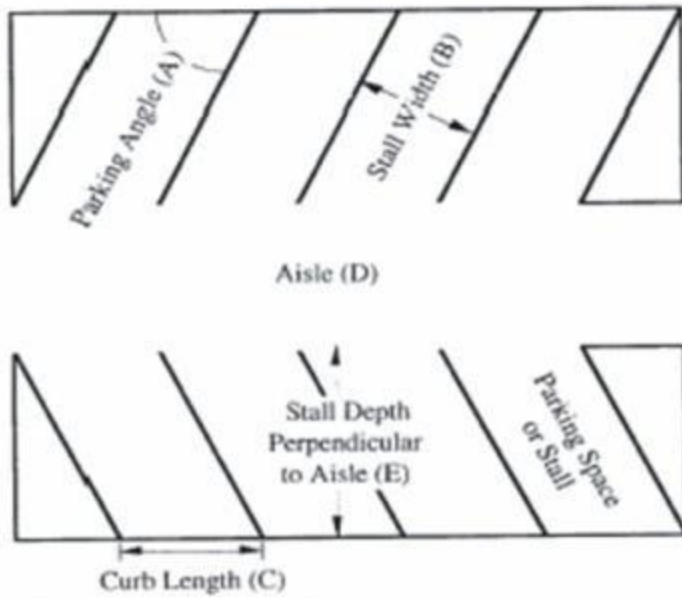


Figure 17C.230-4 Parking Dimension Factors

Note: Remove above graphic and replace with the one below.

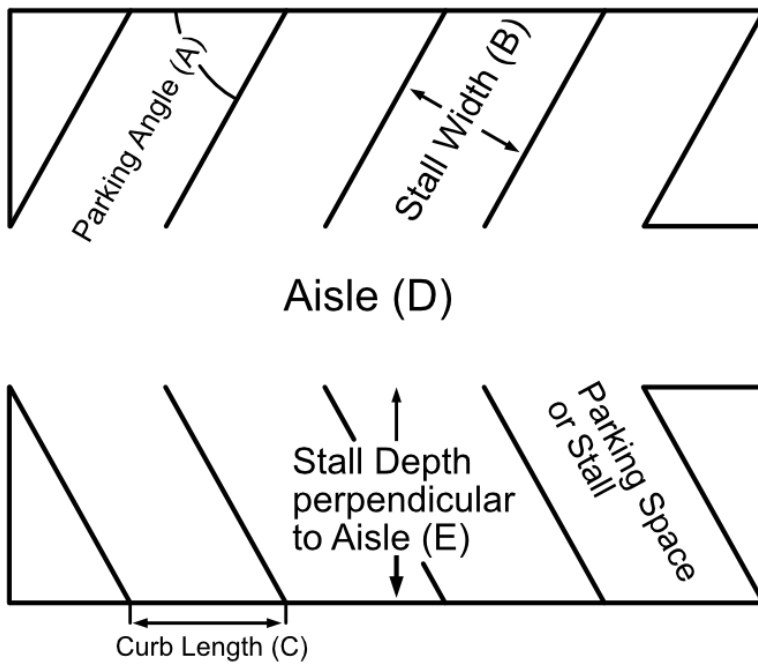
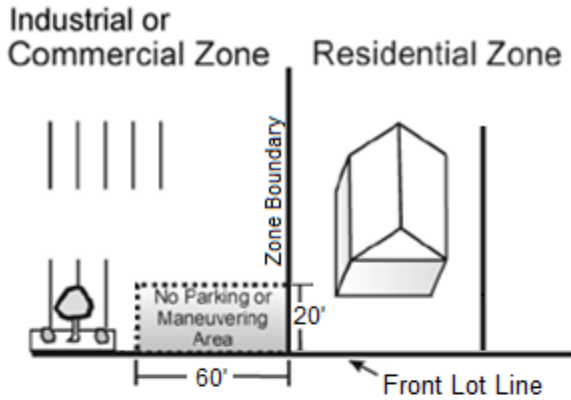


Figure 17C.230-4 Parking Dimension Factors

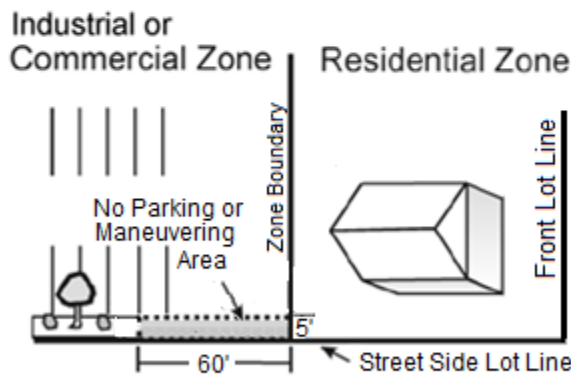
Note: Insert above graphic.

F. Parking Area Setbacks and Landscaping.

1. For parking areas on sites abutting residential zoning districts, parking spaces or maneuvering areas for parking spaces, other than driveways that are perpendicular to the street, are required to be setback a distance equal to the setback specified in SMC 17C.230.145(C)(1) of the adjacent residential zoning district for the first sixty feet from the zoning district boundary (Figure ((17C.230-5)) 17C.230.140-3).



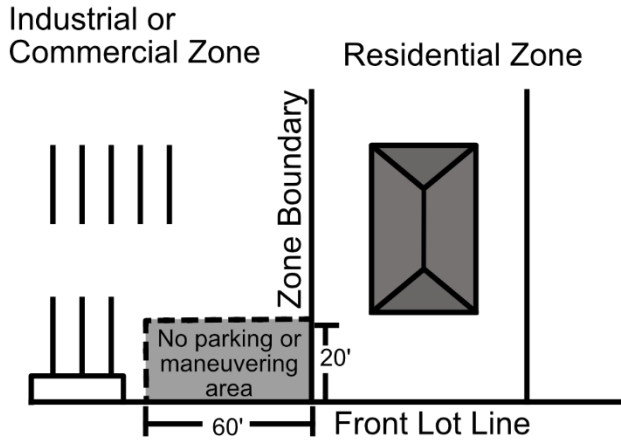
A. Setback adjacent to front lot line.



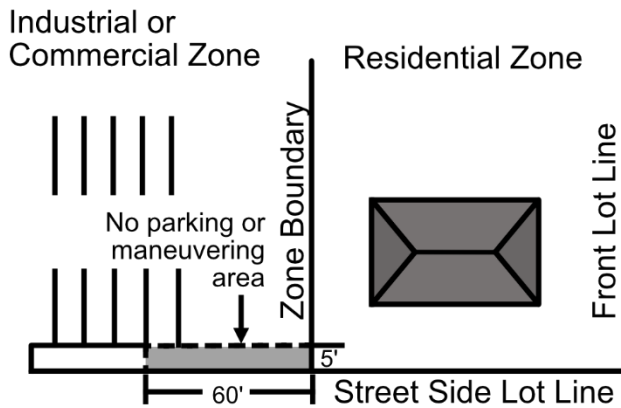
B. Setback adjacent to street side lot line.

Figure 17C.230-5 Parking Area Setback

Note: Remove above graphic and replace with the one below.



A. Setback adjacent to front lot line



B. Setback adjacent to street lot line.

Figure 17C.230-5 Parking Area Setback

Note: Insert above graphic.

2. All landscaping must comply with the standards of chapter 17C.200 SMC, Landscaping and Screening.

Section 19. That Section 17G.080.040 SMC is amended to read as follows:

Section 17G.080.040 Short Subdivisions

- A. Predevelopment Meeting

A predevelopment meeting is recommended (~~(for all other proposals)~~) for new short subdivisions prior to submittal of the application. The purpose of a predevelopment meeting is to acquaint the applicant with the applicable provisions of this chapter, minimum submission requirements and other plans or regulations, which may impact the proposal.

B. Preliminary Short Plat Application and Map Requirements

1. Applications for approval of a preliminary short subdivision shall be filed with the director. All applications shall be submitted on forms provided for such purpose by the department. The director may waive specific submittal requirements determined to be unnecessary for review of the application. The application shall include the following:

- a. The general application.
- b. The supplemental application.
- c. The environmental checklist, if required under chapter 17E.050 SMC.
- d. Title report no older than thirty days from issuance from the title company.
- e. The filing fees as required under chapter 8.02 SMC.
- f. ~~((The required number of documents, plans or maps))~~ One electronic copy of the proposed preliminary plat map drawn to a minimum scale of one-inch equals one hundred feet ~~((, on a sheet twenty-four by thirty-six inches, as set forth in the application checklist))~~.
- g. A written narrative identifying consistency with the applicable policies, regulations and criteria for approval of the permit requested; and
- h. Additional application information which may be requested by the permitting department and may include, but is not limited to, the following: geotechnical studies, hydrologic studies, critical area studies, noise studies, air quality studies, visual analysis and transportation impact studies.
- i. One copy of the predevelopment conference notes (if applicable); and
- j. One copy of the notification district map, if required.

2. Contents of Preliminary Short Plat Map

The preliminary short plat shall be prepared by a land surveyor and shall show the following:

- a. Plat name and the name of any subdivision to be replatted.
- b. The name, mailing address and phone number of the owner and the person with whom official contact should be made regarding the application.
- c. Surveyor's name, mailing address, and phone number.
- d. Legal description.
- e. Section, township, and ~~((range))~~ range
- f. Vicinity map.
- g. North arrow, scale and date.
- h. Datum plane.
- i. Acreage.
- j. Number of lots, proposed density, and number of housing units.
- k. Zoning designation.
- l. The boundary lines of the proposed subdivision.
- m. City limits and section lines.
- n. Park or open space (if proposed).
- o. Existing topography at two-foot maximum interval.
- p. The boundaries and approximate dimensions of all blocks and lots, along with the following information:
 - i. the numbers proposed to be assigned each lot and block;
 - ii. the dimensions, square footage, and acreage of all proposed lots and tracts; and
 - iii. for residential lots zoned R1 or R2, the ~~((proposed Middle Housing types, included single-unit detached houses, and))~~ total number of proposed units on ~~((all))~~ each proposed ~~((lots))~~ lot.
- q. Proposed names of streets.
- r. The location and widths of streets, alleys, rights-of-way, easements (both public and private), turn around and emergency access, parks and open spaces.
- s. Conditions of adjacent property, platted or unplatted, and if platted, giving the name of the subdivision. If the proposed short plat is the subdivision of a portion of an existing plat, the approximate lines of the existing plat are to be shown along with any and all recorded covenants and easement
- t. The names and address of the record owners and taxpayers of each parcel adjoining the subdivision.
- u. Indicate any street grades in excess of eight percent.
- v. The location and, where ascertainable, sizes of all permanent buildings, wells, wellhead protection areas, sewage disposal systems, water courses, bodies of water, flood zones, culverts,

bridges, structures, overhead and underground utilities, railroad lines, and other features existing upon, over or under the land proposed to be subdivided, and identifying any which are to be retained or removed.

- w. Proposed one-foot strips for right-of-way conveyed to the City, in cases where a proposed public street or alley abuts unplatted land.
- x. If a body of water forms the boundary of the plat, the ordinary high water mark as defined in chapter 90.58 RCW.
- y. Critical areas as defined in chapters 17E.020, 17E.030, 17E.070 and 17G.030 SMC.
- z. Significant historic, cultural or archaeological resources; and
- aa. If the proposal is located in an irrigation district, the irrigation district name.

C. Review of Preliminary Short Plat

1. The application shall be reviewed in accordance with the procedures set forth in chapter 17G.061 SMC for a Type II application, except an application that meets the requirements for minor engineering review as provided in subsection (2) of this section shall be excluded from the public notice requirements contained in SMC 17G.06210 and public comment period under SMC 17G.061.220.
2. Minor Engineering Review.
 - a. A preliminary short plat application may qualify for a Minor Engineering Review if it meets all of the following conditions:
 - i. The application is categorically exempt from chapter 43.21C RCW (SEPA);
 - ii. There is direct water and sewer main lot frontage on an existing and improved public right-of-way;
 - iii. No extensions of public water, sewer, or other utility services will be needed;
 - iv. No public easements for water, sewer, or other utility service exists on the lot;
 - v. The lot is not situated in a Special Drainage District as defined in SMC 17D.060.130; and
 - vi. Public utility mains do not exist on the lot.
 - b. The City Engineer is authorized to (~~waiver~~) waive conditions ii through vi of (~~the subsection~~) subsection (a) if the application substantially meets the intent of the Minor Engineering Review.

D. Public Notice And Public Comment.

All public notice of the application and opportunities for public comment shall be given in accordance with the procedures set forth in chapter 17G.061 SMC for a Type II application.

1. Exceptions.

- a. A short plat that meets the requirements of Minor Engineering Review as provided in subsection (C)(2) of this section shall not require a notice of application.
- b. A short plat that is categorically exempt from SEPA and results in four or fewer lots shall not require a posted or signed notice of application.

E. Preliminary Short Plat Approval Criteria.

Prior to approval of a short plat application, the director shall find the application to be in the public use and interest, conform to applicable land use controls and the comprehensive plan of the City, and the approval criteria set forth in chapter 17G.061 SMC. The director has the authority to approve or disapprove a proposed preliminary short plat under the provisions of this chapter, subject to appeal as provided in chapters 17F.050 and 17G.061 SMC.

F. Final Short Plat Review Procedure

1. The subdivider shall submit to the director for review the following:

- a. A final short plat, prepared by a registered land surveyor licensed in the state of Washington, consistent with the approved preliminary short plat.
- b. A title report less than thirty days old confirming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate or instrument of dedication.
- c. Covenants, conditions and restrictions, if applicable; and
- d. Fees pursuant to chapter 8.02 SMC.

2. Within thirty days, unless the applicant has consented to a longer period of time, of receipt of a proposed final short plat, the director shall review the plat for conformance with all conditions of the preliminary short plat approval, the requirements of this chapter and that arrangements have

been made to insure the construction of required improvements. If all such conditions are met, the director shall approve the final short plat and authorize the recording of the plat. If all conditions are not met, the director shall provide the applicant in writing a statement of the necessary changes to bring the final short plat into conformance with the conditions.

- a. If the final short plat is required to be resubmitted, the subdivider is required to provide the following:
 - b. A cover letter addressing the corrections, additions or modifications required.
 - c. Title report no older than thirty days from issuance of a title company conforming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate or instrument of dedication; and
 - d. The required number of copies of the corrected final short plat map.
3. If the final short plat is approved, the surveyor causes the plat to be signed by the Spokane county treasurer and file of record with the Spokane county auditor. The surveyor is required to file the appropriate number of mylar and bond copies of the recorded short plat with the director.

G. Final Short Plat Map Requirements

The subdivider shall submit to the director a final short plat in the same form and with the same content as the preliminary short plat, as provided in subsections (B)(1) and (2) of this section, with the following exceptions or additional requirements:

1. A final short plat shall contain all the information required of the preliminary plat, except the following:
 - a. Show existing buildings.
 - b. Show existing utility lines and underground structures.
 - c. Show the topographical elevations; or
 - d. Contain the names and addresses of adjoining landowners.
2. The final short plat shall include the following:
 - a. Surveyor's certificate, stamp, date and signature, as follows:
The following land surveyor's certificate to be shown on each sheet of the plat: "I, _____ registered land surveyor, hereby certify the plat of _____, as shown hereon, is based upon

actual field survey of the land described and that all angles, distances, and courses are correctly shown and that all non fronting lot corners are set as shown on the plat. Monuments and fronting lot corners shall be set upon completion of the utility and street improvements.

Signed _____(Seal)"

b. A certification by the city treasurer, as applicable:

i. "I hereby certify that the land described by this plat, as of the date of this certification, is not subject to any local improvement assessments. Examined and approved, this _____ day of _____, 20__.

City of Spokane Treasurer"

ii. "I hereby certify that the land described by this plat, as of the date of this certificate, is not subject to any delinquent local improvement assessment. Future installments, if any, shall remain due and payable and it shall be the responsibility of the owners to initiate the segregation of the LID assessment. Examined and approved, this ____ day of _____, 20__.

City of Spokane Treasurer"

iii. "A preliminary local improvement assessment exists against this property. It shall be the responsibility of the owner's to initiate the segregation of the LID assessment. After this assessment is finalized, it shall be due and payable. Examined and approved this _____ day of _____, 20__.

City of Spokane Treasurer"

c. The certification by the planning director, as follows:

"This plat has been reviewed on this _____ day of _____, 20__ and is found to be in full compliance with all the conditions of approval stipulated in the Hearing Examiner's/Planning Director's approval of the preliminary plat # - -PP/SP.

City of Spokane Planning Director”

- d. The certification by the city engineer, as follows:

“Approved as to compliance with the survey data, the design of public works and provisions made for constructing the improvements and permanent control monuments this _____ day of _____, 20__.

City of Spokane Engineer”

- e. The certification by the Spokane county treasurer, as follows:

“I hereby certify that the land described in this plat, as of the date of this certification, is not subject to any outstanding fees or assessments. Examined and approved _____ day of _____, 20__.

Spokane County Treasurer”

- f. The certification by the Spokane county auditor on each page of the final short plat including the time, date, book and page number of the recording of the final mylar.

- g. Signature of every owner certifying that:

- i. the plat is made with the free consent and in accordance with the desires of the owners of the land;
- ii. the plat is made with the free consent and in accordance with the desires of the owners of the land;
- iii. the owners are the owners of the property and the only parties having interest in the land and is not encumbered by any delinquent taxes or assessments;
- iv. the owners adopt the plan of lots, blocks and streets shown;
- v. owner dedicates to the City and the City’s permittees the easements shown for utilities and cable television purposes;
- vi. owner dedicates to the City the streets, alleys and other public places, including slope and construction easements and waives all claims for damages against any governmental authority including, without limitation, the City which may be occasioned to the adjacent land by the establishment,

- construction, drainage and maintenance of any public way so dedicated; and
- vii. owner conveys to the City as general City property the buffer strips adjoining unplatted property.

h. The drawing shall:

- i. be a legibly drawn, printed or reproduced permanent map;
- ii. if more than one sheet is required, each sheet shall show sheet numbers for the total sheets;
- iii. have margins that comply with the standards of the Spokane county auditor;
- iv. show in dashed lines the existing plat being replatted, if applicable;
- v. show monuments in accordance with SMC 17G.080.020(H)(1);
- vi. include any other information required by the conditions of approval; and
- vii. include any special statements of approval required from governmental agencies, including those pertaining to flood hazard areas, shorelines, critical areas and connections to adjacent state highways.

H. Filing.

Once the final plat has been reviewed, approved and signed by the applicable departments, the applicant shall file the final short plat with the county auditor within ten days of approval. No permits shall be issued for a proposed lot until the required conformed copies of the short plat have been submitted to the planning services department.

I. Redivision.

No land within the boundaries of a short subdivision may be further divided in any manner which will create additional lots within a period of five years except by subdivision in accordance with SMC 17G.080.050.

Section 20. That Section 17G.080.065 SMC is amended to read as follows:

Section 17G.080.065 Unit Lot Subdivisions

A. Purpose.

The purpose of these provisions is to allow for the more flexible creation of lots of varying sizes and types, including for attached housing, cottage housing, and similar developments with multiple dwelling units on a parent site, while applying only those site development standards applicable to the parent site as a whole, rather than to individual lots resulting from the subdivision.

B. Applicability.

A unit lot subdivision creates a relationship between the parent site and each lot created, referred to as a “child” lot.

1. Unit Lot Subdivisions are allowed for all residential development on parent sites of two acres or less in zones that allow residential development. Subdivisions with a commercial or other non-residential use seeking similar flexibility must be approved through another platting action under chapter 17G.080 SMC.
2. A ~~((unit lot subdivision))~~ Unit Lot Subdivision may be used in any development with two or more dwelling units meeting the standards of this section.
3. A ~~((unit lot subdivision))~~ Unit Lot Subdivision may also be used to subdivide an existing or planned accessory dwelling unit from the principal structure, subject to the additional standards in subsection ~~((F))~~ (G) of this section.
4. A ~~((unit lot subdivision))~~ Unit Lot Subdivision may be combined with a subdivision or short subdivision so long as the portion of the development utilizing this section meets the ~~((requirements))~~ standards of this section and the additional requirements of subsection (E).

C. Application Procedure.

Unit ~~((lot subdivisions))~~ Lot Subdivisions resulting in nine or fewer lots shall be processed as short plats and all others shall be processed as subdivisions according to the associated permit types in chapter 17G.061 SMC.

D. General Regulations.

1. ~~((A unit lot subdivision shall meet development standards applicable to the parent lot's zoning, including but not limited to))~~ The parent site as a whole shall meet all applicable development standards with respect to its surroundings, including but not limited to:
 - a. Setbacks;

- b. ~~((Lot size))~~ Building coverage;
- c. Design standards;
- ~~((e))~~d. ~~((Building))~~ Street frontage; and
- ~~((d))~~e. ~~((Floor area ratio))~~ Density;

2. So long as the parent site meets the applicable standards as a whole, each child lot may deviate from site development standards including but not limited to:

- a. Setbacks;
- b. Building coverage;
- c. Street frontage; and
- d. Density.

- ~~((2))~~3. All buildings shall meet all applicable provisions of the building and fire code;
- ~~((3))~~4. Lots created through a ~~((unit lot subdivision))~~ Unit Lot Subdivision shall be subject to all applicable requirements of Title 17 SMC, except as otherwise modified by this section;
- ~~((4))~~5. Each child lot's area and width for purposes of subdivision may be as small as the footprint of the building situated upon it, subject to the requirements of the building and fire code;
- ~~((5))~~6. Portions of the parent site ~~((not subdivided for child lots))~~ designated for common use shall be identified as Tracts or other common space and owned in common by the owners of the child lots or a larger collective organization. For example, a homeowners association comprised of the owners of the child lots located within the parent site. This requirement shall be included in deed restrictions as required in subsection ~~((E))~~ (F) of this section;
- ~~((6))~~7. The parent site and each child lot shall make adequate provisions for ingress, egress, and utility access to and from each lot created by reserving such common areas or other easements over and across the parent site as deemed necessary to comply with all other design and development standards generally applicable to the underlying site development plan.
- ~~((7))~~8. Separation requirements for utilities ~~((must))~~ shall be met.
- ~~((8))~~9. Driveways providing vehicle access to lots shall not serve more than nine (9) units unless approved by the City Engineer.

E. Combining with Other Platting Types.

When combined with another platting type, the following additional requirements apply:

1. A parent site within a larger subdivision is defined as the contiguous acreage identified for use of the Unit Lot Subdivision rules.
2. The plat shall identify and delineate all parent sites where Unit Lot Subdivision rules are to be applied.
3. A subdivision may include multiple parent sites. The aggregate size of all parent sites shall not exceed two acres.

((E))E. Recording.

1. The plat recorded with the county auditor's office shall include the following:
 - a. Access easements, joint use and maintenance agreements, and covenants, conditions, and restrictions identifying the rights and responsibilities of property owners and/or the homeowners association for use and maintenance of common garage, parking and vehicle access areas; on-site recreation; landscaping; utilities; common open space; exterior building facades and roofs; and other similar features.
 - b. A note that approval of the subdivision was granted by the review of the site as a whole (stating the subject project file number if applicable);
 - c. A note that subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent site as a whole, and shall conform to the approved site development plan;
 - d. A note stating that if a structure or portion of a structure has been damaged or destroyed, any repair, reconstruction or replacement of the structure(s) shall conform to the approved site development plan;
 - e. A note that additional development of the individual lots may be limited as a result of the application of development standards to the parent ~~(sit)~~ site.
2. The legal description of each lot shall identify it as part of a unit lot subdivision.

((F))G. Accessory Dwelling Units.

A lot with an accessory dwelling unit may be subdivided under this section with the following additional requirements:

1. ~~((All utility lines for the accessory dwelling unit must branch from a common line on a portion of the parent site owned in common.))~~ Utility lines may cross property lines internal to the development provided that easements are placed to preserve access and protect them.
2. The plat recorded with the county auditor's office shall further specify the following:
 - a. The child lot that is associated with the accessory dwelling unit;
 - b. That the child lot associated with the accessory dwelling unit is subject to any and all additional regulations of an accessory dwelling unit under the Spokane Municipal Code.
3. The legal description of a lot for an accessory dwelling unit shall identify the lot as an accessory dwelling unit within a ~~((unit lot subdivision))~~ Unit Lot Subdivision.

Passed the City Council _____

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date: _____

Exhibit A
Plan Commission Findings of Fact, Conclusions, and Recommendations

Exhibit B
Planning Services Staff Report

Exhibit A

Plan Commission Findings of Fact, Conclusions, and Recommendations

CITY OF SPOKANE PLAN COMMISSION
FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS
REGARDING BUILDING OPPORTUNITY FOR HOUSING (BOH) FOLLOW-UP CODE UPDATES

A recommendation of the City of Spokane Plan Commission to the City Council to approve amendments to the City's Unified Development Code. This proposal will amend sections 17A.020.060 "F" Definitions, 17C.111.205 Development Standards Tables, 17C.111.210 Density, 17C.111.220 Building Coverage and Impervious Coverage, 17C.111.235 Setbacks, 17C.111.310 Open Space, 17C.111.315 Entrances, 17C.111.320 Windows, 17C.111.325 Building Articulation, 17C.111.335 Parking Facilities, 17C.111.420 Open Spaces, 17C.111.450 Pitched Roofs, 17C.230.020 Vehicle Parking Summary Table, 17C.230.100 General Standards, 17C.230.110 Minimum Required Parking Spaces, 17C.230.120 Maximum Required Parking Spaces, 17C.230.130 Parking Exceptions, 17C.230.140 Development Standards, 17G.080.040 Short Subdivisions, 17G.080.065 Unit Lot Subdivisions.

FINDINGS OF FACT:

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA) as set forth in RCW 36.70A.
- B. The proposed text amendments do not significantly alter the outcome and purpose of the Unified Development Code and therefore remain consistent with the City of Spokane's Comprehensive Plan.
- C. The Unified Development Code includes community goals that bears a substantial relation to public health, safety, welfare, and protection of the environment. Propose amendments to clarify or correct errors in the Unified Development Code further implement those goals.
- D. Public notice and communication began in August 2024 and included the following:
 1. Plan Commission workshops held on August 28, September 11, October 9, and October 23, 2024.
 2. Project information posted on the project website going live on October 15, 2024.
 3. A description of the project and SEPA status posted to the City Official Gazette on October 16, 2024.
 4. The issuance of a SEPA Determination of Nonsignificance for code text amendments on October 29, 2024.
 5. For a hearing scheduled for November 13, 2024, legal notices were published to the Spokesman Review on October 30 and November 6, 2024.

6. Description of the project and hearing posted in the PlanSpokane Newsletter on November 7, 2024.
- E. No public comment was received.
- F. On August 28, September 11, October 9, and October 23, 2024, the City of Spokane Plan Commission held workshops to discuss draft language, and review and evaluate with city staff alternatives to proposed text changes.
- G. On September 11, 2024, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Unified Development Code pursuant to RCW 36.70A.106.
- H. A SEPA Determination of Nonsignificance was issued by the director of Planning Services on October 29, 2024, for the proposed text amendments. No comments were received.
- I. The proposed text amendments were drafted and reviewed consistent with the requirements of RCW 36.70A.370 to assure protection of private property rights.
- J. Amendments to the Unified Development Code Title 17 are subject to the review and recommendation by the City of Spokane Plan Commission.
- K. The Plan Commission held a public hearing on November 13, 2024, to obtain public comments on the proposed amendments. No comments were received.
- L. The City of Spokane Plan commission adopts the findings and analysis set forth in the staff report prepared for the proposal.
- M. The City of Spokane Plan Commission finds that the amendment proposal and SEPA status were noticed in the City Gazette at the time of a Plan Commission workshop as required in SMC 17G.025.010(G).

CONCLUSIONS:

Based upon the draft text amendments, staff report and analysis (which is hereby incorporated into these findings, conclusions, and recommendations), SEPA review, agency and public comments received, and public testimony presented, the Spokane Plan Commission makes the following conclusions with respect to the proposed Building Opportunity for Housing Follow-Up Code Amendments:

1. The Plan Commission finds that the proposed amendments bear a substantial relation to the public health, safety, welfare, and protection of the environment pursuant to the requirements outlined in SMC 17G.025.010(G).
2. The proposed text amendments will implement the goals and policies of the City of Spokane Comprehensive Plan.

Findings of Fact, Conclusion, and Recommendation

3. Interested agencies and the public have had opportunities to participate throughout the process and persons desiring to comment were given an opportunity to comment.
4. The Plan Commission finds that the proposed amendments are consistent with the applicable provisions of the Comprehensive Plan.

RECOMMENDATION:

In the matter of the ordinances pertaining to the proposed text amendments, amending the Unified Development Code of the City of Spokane.

As based on the above listed findings and conclusions, by unanimous vote of nine in favor to zero not in favor, the Spokane Plan Commission takes the following actions:

1. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17A.020.060 "F" Definitions.
2. Recommends to the Spokane City Council the **APPROVAL WITH MODIFICATIONS** of the proposed amendments to Section 17C.111.205 Development Standards Tables.
 - a. By unanimous vote of nine in favor, zero not in favor, a change to section 17C.111.205 within Table 17C.111.205-1 to remove the "Minimum lot width with driveway approach" row and update the "Minimum lot width" row to also remove "with no driveway approach." Also, replace language in Note [4] to read "Requirements for driveway approaches may prevent narrow lots with a driveway approach from achieving the minimum."
3. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17C.111.210 Density.
4. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17C.111.220 Building Coverage and Impervious Coverage.
5. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17C.111.235 Setbacks.
6. Recommends to the Spokane City Council the **APPROVAL WITH MODIFICATIONS** of the proposed amendments to Section 17C.111.310 Open Space.
 - a. By unanimous vote of nine in favor, zero not in favor, a change to section 17C.111.310 to correct the mention of "outdoor area" to "open space" to be consistent with the rest of the code.
7. Recommends to the Spokane City Council the **APPROVAL WITH MODIFICATIONS** of the proposed amendments to Section 17C.111.315 Entrances.
 - a. By unanimous vote of nine in favor, zero not in favor, a change to section 17C.111.315 that deals with entrances; specifically, updating the figure and inserting the following text at the end of C-1: "On a recessed entryway, the door of the entry is not required to face the street so long as the entryway has a

pedestrian walkway directly to the street and is recognizable as a building entryway.”

8. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17C.111.320 Windows.
9. Recommends to the Spokane City Council the **APPROVAL WITH MODIFICATIONS** of the proposed amendments to Section 17C.111.325 Building Articulation.
 - a. By unanimous vote of nine in favor, zero not in favor, a change to section 17C.111.325 dealing with the articulation to correct Figure 17C.111.325-B to state “40 FT MAX” to match the written text.
10. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17C.111.335 Parking Facilities.
11. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17C.111.420 Open Spaces.
12. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17C.111.450 Pitched Roofs.
13. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17C.230.020 Vehicle Parking Summary Table.
14. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17C.230.100 General Standards.
15. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17C.230.110 Minimum Required Parking Spaces.
16. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17C.230.120 Maximum Required Parking Spaces.
17. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17C.230.130 Parking Exceptions.
18. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17C.230.140 Development Standards.
19. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17G.080.040 Short Subdivisions.
20. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17G.080.065 Unit Lot Subdivisions.
21. Authorizes the President to prepare and sign on the Commission’s behalf a written decision setting forth the Plan Commission’s findings, conclusions, and recommendations on the proposed amendments.

Findings of Fact, Conclusion, and Recommendation

Greg Francis
Greg Francis (Nov 20, 2024 20:12 PST)

**Greg Francis, President
Spokane Plan Commission**

Date: Nov 20, 2024

PC Findings and Conclusions BOH Follow-up code fixes

Final Audit Report

2024-11-21

Created:	2024-11-20
By:	Emily King (eking@spokanecity.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAWdovsNLXmPTXtFBucu7Fnb2S1bsBtXHm

"PC Findings and Conclusions BOH Follow-up code fixes" History







-  Document created by Emily King (eking@spokanecity.org)
2024-11-20 - 9:57:41 PM GMT
-  Document emailed to gfrancis@spokanecity.org for signature
2024-11-20 - 9:58:16 PM GMT
-  Email viewed by gfrancis@spokanecity.org
2024-11-21 - 4:10:50 AM GMT
-  Signer gfrancis@spokanecity.org entered name at signing as Greg Francis
2024-11-21 - 4:12:56 AM GMT
-  Document e-signed by Greg Francis (gfrancis@spokanecity.org)
Signature Date: 2024-11-21 - 4:12:58 AM GMT - Time Source: server
-  Agreement completed.
2024-11-21 - 4:12:58 AM GMT

Exhibit B
Planning Services Staff Report



STAFF REPORT

PLANNING AND ECONOMIC DEVELOPMENT SERVICES DEPARTMENT

To:	Plan Commission	
Subject:	BOH Follow Up Code Fixes	
Staff Contact:	Ryan Shea Planner II rshea@spokanecity.org	Spencer Gardner Planning Director sgardner@spokanecity.org
Report Date:	November 5, 2024	
Hearing Date:	November 13, 2024	
Recommendation:	Approval	

I. SUMMARY

The proposal amends 17A.020.060 "F" Definitions, 17C.111.205 Development Standards Tables, 17C.111.210 Density, 17C.111.220 Building Coverage and Impervious Coverage, 17C.111.235 Setbacks, 17C.111.310 Open Space, 17C.111.315 Entrances, 17C.111.320 Windows, 17C.111.325 Building Articulation, 17C.111.335 Parking Facilities, 17C.111.420 Open Spaces, 17C.111.450 Pitched Roofs, 17C.230.020 Vehicle Parking Summary Table, 17C.230.100 General Standards, 17C.230.110 Minimum Required Parking Spaces, 17C.230.120 Maximum Required Parking Spaces, 17C.230.130 Parking Exceptions, 17C.230.140 Development Standards, 17G.080.040 Short Subdivisions, and 17G.080.065 Unit Lot Subdivisions.

II. BACKGROUND

In November of 2023 the City of Spokane adopted new zoning regulations for lower-intensity residential zones. These changes, referred to as "Building Opportunity for Housing" (BOH) were intended to permanently implement the temporary changes put in place by the Building Opportunities and Choices for All program (BOCA).

BOH was a major change to The City's zoning regulations. As staff have worked with developers and property owners to implement the new regulations, some areas have been identified that need clarification or further refinement. This is an expected aspect of adopting major changes to the development code.

These corrections are intended to fix errors, clarify, and create more flexibility within the Spokane Unified Development Code (Title 17).

III. PROCESS

DEVELOPMENT CODE AMENDMENT PROCEDURE

Article III Section 21, Amendments and Repeals, of the City of Spokane Charter provides for the ability of amendments of the Charter and Spokane Municipal Code through ordinances. Title 17 is known as the Unified Development Code (UDC) and is incorporated into the Spokane Municipal Code to implement the City's Comprehensive Plan, and by reference, the requirements of the Washington State Growth Management Act (GMA). Section [17G.025.010](#) establishes the procedure and decision criteria that the City uses to review and amend the UDC. The City may approve amendments to the UDC if it is found that a proposed amendment is consistent with the provisions of the Comprehensive Plan, and bears a substantial relation to public health, safety, welfare, and protection of the environment.

Role of the City Plan Commission

The proposed text amendments require a review process set forth in Section 17G.025.010(F) SMC. The Plan Commission is responsible for holding a public hearing and forwarding its findings, conclusions, and recommendations to the City

Council. Utilizing the decision criteria in 17G.025 SMC, the Plan Commission may recommend approval, modification, or denial of the proposal.

The Plan Commission may incorporate the facts and findings of the staff report as the basis for its recommendation to the City Council or may modify the findings as necessary to support their final recommendation.

Role of City Council

The City Council will also conduct a review process considering the proposed text amendment, public comments and testimony, the staff report, and the Plan Commission’s recommendation. The final decision to approve, modify, or deny the proposed amendment rests with the City Council. Proposals adopted by ordinance after public hearings are official amendments to the Spokane Municipal Code.

COMMUNITY ENGAGEMENT

Plan Commission Workshops	August 28, 2024
	September 11, 2024
	October 9, 2024
	October 23, 2024
Project Webpage Goes Live	October 15, 2024
Project Posted in the City Gazette	October 16, 2024
SEPA Determination of Non-significance issued	October 29, 2024
Description of Project & Hearing in PlanSpokane Newsletter	November 7, 2024
Plan Commission Public Hearing	November 13, 2024

SEPA REVIEW

As outlined in Section 17G.025.010 SMC, notices of proposals to amend the UDC are distributed and interested parties should be made aware of such proposals during the Plan Commission review, including the SEPA checklist and determination. Similarly, a public notice published in the *Spokesman-Review* fourteen days prior to the Plan Commission public hearing is required.

This proposal was properly noticed pursuant to Section 17G.025.010(E). See **Exhibit B** for the SEPA Determination of Non-significance issued on October 30, 2024 for the proposed code amendments.

COMMENTS RECEIVED

- No comments were received as of November 5, 2024. All comments received between November 5, 2024 and November 13, 2024 will be forwarded to the Plan Commission prior to their public hearing.

IV. ANALYSIS

PROPOSAL DESCRIPTION

The proposed amendments are described below.

- **17A.020.060 "F" Definitions**
 - Added definitions for “Front Facade” and “Side Street Façade” to establish consistent terminology throughout Title 17.
- **17C.111.205 Development Standards Tables**
 - Clarify that projects within RMF and RHD that are exempted from the requirements of the Spokane Regional Stormwater Manual should use the impervious coverage requirements of the R1 zone.
 - Rename "outdoor area" to "open space" because some types of qualifying open space can be indoor amenities.
 - Rename "common outdoor area" to "common open space."
- **17C.111.210 Density:**
 - Change density calculation to gross area rather than net area.
 - Specify that for subdivisions in R1 and R2 zones, one lot is counted as one dwelling unit. This clarifies how minimum density requirements are met during a land use action where building plans with a defined number of units may not exist.
 - Ensure that no matter what a density calculation says, a property is allowed to have a minimum of six units (ensures compliance with [HB 1110](#)).
 - Clarify that minimum density does not apply when new construction occurs on an existing lot. This helps provide leeway for existing lower density lots. Construction occurring brings them closer to compliance to minimum density.
 - Provide guidance for how to apply minimum density for subdivisions on a property with an existing structure.
 - Small changes describing how to calculate density, including providing example calculations.
 - Current code does not require critical areas be subtracted from density calculations and states that it “may” be removed. This was inadvertently changed in a previous draft. Reverted proposed language back to remain consistent with current code and Plan Commission’s recommendation to not require critical areas be deducted from the density calculation.
- **17C.111.220 Building Coverage and Impervious Coverage**
 - Removed outdated references to Floor Area Ratio (FAR) requirements.
- **17C.111.235 Setbacks**
 - Reinstate allowance for covered front porch to extend into front setback up to six feet. This was mistakenly removed during previous code changes.
- **17C.111.310 Open Space**
 - Rename from "Outdoor Areas" to "Open Space" because some types of qualifying open space may be indoor amenities.
 - Rename "common outdoor area" to "common open space."
 - Clarify that private open space must be met in whole. It can't be partially met with the remainder going to common open space.
 - Clarify how units whose open space is provided via common open space are identified.
 - Clarify how to count open space when multiple common open spaces are provided.
- **17C.111.315 Entrances**
 - Clarify that houses adjacent to a courtyard, common green, or other form of common open space can front onto the courtyard and are not required to face the street. This allows for more flexibility permitting cottage-housing style development where each unit is fronting a common courtyard.
- **17C.111.320 Windows**
 - Clarify that for living units attached to garages, the window requirement is only applicable to the part of the facade related to living unit (such as an ADU above a garage).
 - Clarify that window requirements don't apply to facades that are not visible from the street or 60' away from a street lot line. Add supporting graphics.

- Don't apply window requirements to garages. For some one-story home designs applying the garage to the window requirements was creating untenable situations where too many square feet of window was required and resulted in undesirable design alternatives.
- **17C.111.325 Building Articulation**
 - Clarify that attached houses are treated as a single building for this section. This helps prevent scenarios where attached homes separated by lot lines may have avoided these requirements.
 - Clarify exceptions for ADUs above a garage and for facades not visible from the street or 60' away from a street lot line. Add supporting graphics.
 - Adjust building modulation rules to be more flexible by:
 - increasing the width at which modulation is required (increase from 30' to 40')
 - allowing for bay windows or bump-outs to meet the requirement
 - allowing for a covered porch to meet the requirement
 - Adjust requirements for design features on long facades to be more flexible as follows:
 - increasing the width at which modulation is required (increase from 30' to 40')
 - clarify that the building modulation requirement can count towards the required design features
 - Provide specific examples to make requirements clearer.
 - Encourage consideration for incorporating historic features from nearby structures into new construction.
- **17C.111.335 Parking Facilities**
 - Clarify that garage opening requirements don't apply to facades that are not visible from the street or 60' away from a street lot line. Add supporting graphics.
 - Provide more flexibility through the following:
 - Exempting garages on corner lots that face the side street
 - Allowing a single-car garage to be even with the house instead of stepped back
 - Allowing a covered porch to count towards the step-back requirement for a garage
 - Exempting garages that are turned to face the side lot line as long as the facade meets other design standards (e.g. windows)
 - Clarifying that detached garages should not be located between the primary structure and the street, with exceptions provided for limited situations.
 - Provide limited exceptions for the 36' driveway approach separation requirement.
 - Add in exceptions to 50% garage rule allowing for multi-story narrow units with small garages on first floor per Plan Commission's recommendations.
- **17C.111.420 Open Spaces**
 - Fix inadvertent conflict in how to measure distance to a park. The measurement should occur from the property boundary.
- **17C.111.450 Pitched Roofs**
 - Repeal as it is undesirable to have this requirement be more burdensome on RMF/RHD development than what is allowed in R1/R2.
- **17C.230.020 Vehicle Parking Summary Table**
 - New table summarizing required/allowed parking amounts consistent with recent removal of all minimum parking requirements.
- **17C.230.100 General Standards**
 - Remove elements related to parking minimums per recent Council action to remove minimums.
 - Minor wording changes.
- **17C.230.110 Minimum Required Parking Spaces**
 - Remove current language and state no minimum spaces are required, consistent with recent removal of all minimum parking requirements.
- **17C.230.120 Maximum Required Parking Spaces**
 - Remove Table 17C.230.120-1 and relocate information to 17C.230.020.
- **17C.230.130 Parking Exceptions**
 - Remove Table 17C.230.130-1 and relocate information to 17C.230.020.
 - Remove elements related to parking minimums.
- **17C.230.140 Development Standards**
 - Remove language referring to City applying surfacing requirements retroactively
 - Remove Table 17C.230.140-1 and apply same dimensional requirements across all zones

- Clarify curbing requirements on private driveways to only apply adjacent to parking stalls and parking aisles
- Extend exceptions for marked parking for detached homes to apply to Middle Housing as well (per HB 1110 requirement to treat them equally)
- **17G.080.040 Short Subdivisions**
 - Clarifications to submittal requirements regarding electronic submittals.
 - Wording clarifications.
- **17G.080.065 Unit Lot Subdivisions**
 - Clarify parent site requirements.
 - Clarify that common space may be owned by an HOA that is larger than the Unit Lot portion of a development.
 - Clarify that an ADU lot may be created whether it is existing or planned.
 - Add section with requirements for combining a Unit Lot Subdivision with a regular long plat or short plat.
 - Clarify that parent sites within a larger plat are limited to 2 acres total.
 - Remove requirement for utility lines to branch from a common line.

IMPLEMENTATION OF COMPREHENSIVE PLAN GOALS AND POLICIES

Section [17G.025.010](#) SMC establishes the review criteria for text amendments to the Unified Development Code. In order to approve a text amendment, City Council shall consider the findings and recommendations of the Plan Commission along with the approval criteria outlined in the Code. The applicable criteria are shown below in *bold and italic* with staff analysis following the complete list. Review of the Comprehensive Plan goals and policies indicates that the proposal meets the approval criteria for internal consistency set forth in SMC 17G.025.010(G).

17G.025.010(G) Approval criteria

1. The proposed amendment is consistent with the applicable provisions of the comprehensive plan.

Staff Analysis: The proposed amendments do not alter the outcomes of the Unified Development Code (UDC) and therefore remains consistent with the various comprehensive plan goals of managing land use in an efficient manner. Furthermore, clarifying or correcting errors in the UDC helps further goals of transparency in government.

2. The proposed amendment bears a substantial relation to public health, safety, welfare, and protection of the environment.

Staff Analysis: The purpose of development regulations in the UDC is to provide a vehicle to implement the City's comprehensive plan, and by reference, the requirements of the Washington State Growth Management Act (GMA). The UDC includes community goals that bear a substantial relation to public health, safety, welfare, and protection of the environment and the proposed amendments to clarify or correct errors to the code language help further implement those goals.

V. DISCUSSION

The proposed text amendments clarify and correct errors within the UDC ensuring that the implementation and enforcement of the development regulations are more straightforward for City staff and provide additional flexibility for development. The amendments also provide clarity for applicants as to what is expected for land use and building applications.

VI. CONCLUSION

Based on the facts and findings presented herein, staff concludes that the requested text amendments to the Unified Development Code satisfy the applicable criteria for approval as set forth in SMC Section 17G.025.010. To comply with RCW 36.70A.370 the proposed text amendments have been evaluated to ensure proposed changes do not result in unconstitutional takings of private property.

VII. STAFF RECOMMENDATION

Following the close of public testimony and deliberation regarding conclusions with respect to the review criteria and decision criteria detailed in SMC 17G.025.010, Plan Commission will need to make a recommendation to City Council for approval or denial of the requested code amendments to the Unified Development Code.

Staff **recommends approval** of the requested text amendments to 17A.020.060 "F" Definitions, 17C.111.205 Development Standards Tables, 17C.111.210 Density, 17C.111.220 Building Coverage and Impervious Coverage, 17C.111.235 Setbacks, 17C.111.310 Open Space, 17C.111.315 Entrances, 17C.111.320 Windows, 17C.111.325 Building Articulation, 17C.111.335 Parking Facilities, 17C.111.420 Open Spaces, 17C.111.450 Pitched Roofs, 17C.230.020 Vehicle Parking Summary Table, 17C.230.100 General Standards, 17C.230.110 Minimum Required Parking Spaces, 17C.230.120 Maximum Required Parking Spaces, 17C.230.130 Parking Exceptions, 17C.230.140 Development Standards, 17G.080.040 Short Subdivisions, and 17G.080.065 Unit Lot Subdivisions.

VIII. LIST OF EXHIBITS

- A. Proposed text amendments
- B. Noticing Requirements
 - a. City Gazette Posting (10/16/24)
 - b. Signed SEPA Determination of Non-significance (10/29/24)
 - c. Newspaper Postings (10/30/24 & 11/06/24)

EXHIBIT A

Section 17A.020.060 “F” Definitions

A. Facade.

All the wall planes of a structure as seen from one side or view. ~~((For example, the front facade of a building would include all of the wall area that would be shown on the front elevation of the building plans.))~~

1. Front Facade.

The facade facing the Front Lot Line as defined in SMC 17A.020.120(T). For example, the Front Facade of a building would include all of the wall area that would be shown on the front elevation of the building plans.

2. Side Street Facade.

The facade facing a Side Street Lot Line as defined in SMC 17A.020.120(T).

B. Facade Easement.

A use interest, as opposed to an ownership interest, in the property of another. The easement is granted by the owner to the City or County and restricts the owner’s exercise of the general and natural rights of the property on which the easement lies. The purpose of the easement is the continued preservation of significant exterior features of a structure.

C. Facility and Service Provider.

The department, district, or agency responsible for providing the specific concurrency facility.

D. Factory-built Structure.

1. “Factory-built housing” is any structure designed primarily for human occupancy, other than a mobile home, the structure or any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site.
2. “Factory-built commercial structure” is a structure designed or used for human habitation or human occupancy for industrial, educational, assembly, professional, or commercial purposes, the structure or any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site.

E. Fair Market Value.

The open market bid price for conducting the work, using the equipment and facilities, and purchase of the goods, services, and materials necessary to accomplish the development. This would normally equate to the cost of hiring a contractor to undertake the development from start to finish, including the cost of labor, materials, equipment and facility usage, transportation and contractor overhead, and profit. The fair market value of the development shall include the fair market value of any donated, contributed, or found labor, equipment, or materials.

F. Fascia Sign.

See SMC 17C.240.015.

G. Feasible (Shoreline Master Program).

1. For the purpose of the shoreline master program, means that an action, such as a development project, mitigation, or preservation requirement, meets all of the following conditions:
 - a. The action can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results;
 - b. The action provides a reasonable likelihood of achieving its intended purpose; and
 - c. The action does not physically preclude achieving the project's primary intended legal use.
2. In cases where these guidelines require certain actions, unless they are infeasible, the burden of proving infeasibility is on the applicant.
3. In determining an action's infeasibility, the reviewing agency may weigh the action's relative public costs and public benefits, considered in the short- and long-term time frames.

H. Feature.

To give special prominence to.

I. Feeder Bluff.

Or “erosional bluff” means any bluff (or cliff) experiencing periodic erosion from waves, sliding, or slumping, and/or whose eroded sand or gravel material is naturally transported (littoral drift) via a driftway to an accretion shoreform; these natural sources of beach material are limited and vital for the long-term stability of driftways and accretion shoreforms.

J. Fill.

The addition of soil, sand, rock, gravel, sediment, earth retaining structure, or other material to an area waterward of the ordinary high-water mark in wetlands, or on shorelands in a manner that raises the elevation or creates dry land.

K. Financial Guarantee.

A secure method, in a form and in an amount both of which are acceptable to the city attorney, providing for and securing to the City the actual construction and installation of any improvements required in connection with plat and/or building permit approval within a period specified by the City, and/or securing to the City the successful operation of the improvements for two years after the City’s final inspection and acceptance of such improvements. There are two types of financial guarantees under chapter 17D.020 SMC, Financial Guarantees: Performance guarantee and performance/warranty retainer.

L. Fish Habitat.

A complex of physical, chemical, and biological conditions that provide the life-supporting and reproductive needs of a species or life stage of fish. Although the habitat requirements of a species depend on its age and activity, the basic components of fish habitat in rivers, streams, ponds, lakes, estuaries, marine waters, and near-shore areas include, but are not limited to, the following:

1. Clean water and appropriate temperatures for spawning, rearing, and holding.
2. Adequate water depth and velocity for migrating, spawning, rearing, and holding, including off-channel habitat.
3. Abundance of bank and in-stream structures to provide hiding and resting areas and stabilize stream banks and beds.
4. Appropriate substrates for spawning and embryonic development. For stream- and lake-dwelling fishes, substrates range from sands and gravel to rooted vegetation or submerged rocks and logs. Generally, substrates must be relatively stable and free of silts or fine sand.

5. Presence of riparian vegetation as defined in this program. Riparian vegetation creates a transition zone, which provides shade and food sources of aquatic and terrestrial insects for fish.
6. Unimpeded passage (i.e., due to suitable gradient and lack of barriers) for upstream and downstream migrating juveniles and adults.

M. Fiveplex.

A building that contains five dwelling units on the same lot that share a common wall or common floor/ceiling.

N. Flag.

See SMC 17C.240.015.

O. Float.

A floating platform similar to a dock that is anchored or attached to pilings.

P. Flood Insurance Rate Map or FIRM.

The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the City.

Q. Flood Insurance Study (FIS).

The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

R. Flood or Flooding.

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - a. The overflow of inland waters;
 - b. The unusual and rapid accumulation of runoff of surface waters from any source; or
 - c. Mudslides or mudflows, which are proximately caused by flooding as defined in section (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land

areas, as when earth is carried by a current of water and deposited along the path of the current.

2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in section (1)(a) of this definition.

S. Flood Elevation Study.

An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide or mudflow, and/or flood-related erosion hazards. Also known as a Flood Insurance Study (FIS).

T. Flood Insurance Rate Map (FIRM).

The official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

U. Floodplain or Flood Prone Area.

Any land area susceptible to being inundated by water from any source. See "Flood or Flooding."

V. Floodplain administrator.

The community official designated by title to administer and enforce the floodplain management regulations.

W. Floodway.

1. As identified in the Shoreline Master Program:, the area that either:
 - a. The floodway is the area that either

- i. has been established in federal emergency management agency flood insurance rate maps or floodway maps; or
 - ii. consists of those portions of a river valley lying streamward from the outer limits of a watercourse upon which flood waters are carried during periods of flooding that occur with reasonable regularity, although not necessarily annually, said floodway being identified, under normal condition, by changes in surface soil conditions or changes in types or quality of vegetative ground cover condition, topography, or other indicators of flooding that occurs with reasonable regularity, although not necessarily annually.
 - b. Regardless of the method used to identify the floodway, the floodway shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state.
2. For floodplain management purposes, the floodway is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway."

X. Floor Area.

The total floor area of the portion of a building that is above ground. Floor area is measured from the exterior faces of a building or structure. Floor area does not include the following:

1. Areas where the elevation of the floor is four feet or more below the lowest elevation of an adjacent right-of way.
2. Roof area, including roof top parking.
3. Roof top mechanical equipment.
4. Attic area with a ceiling height less than six feet nine inches.
5. Porches, exterior balconies, or other similar areas, unless they are enclosed by walls that are more than forty-two inches in height, for fifty percent or more of their perimeter; and
6. In residential zones, FAR does not include mechanical structures, uncovered horizontal structures, covered accessory structures, attached accessory structures (without living space), detached accessory structures (without living space).

Y. Flood Proofing.

Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Flood proofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.

Z. Floor Area Ratio (FAR).

The amount of floor area in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of two to one means two square feet of floor area for every one square foot of site area.

AA. Focused Growth Area.

Includes mixed-use district centers, neighborhood centers, and employment centers.

AB. Fourplex.

A building that contains four dwelling units on the same lot that share a common wall or common floor/ceiling.

AC. Frame Effect.

A visual effect on an electronic message sign applied to a single frame to transition from one message to the next. This term shall include, but not be limited to scrolling, fade, and dissolve. This term shall not include flashing.

AD. Freestanding Sign.

See SMC 17C.240.015.

AE. Frontage.

The full length of a plot of land or a building measured alongside the road on to which the plot or building fronts. In the case of contiguous buildings individual frontages are usually measured to the middle of any party wall.

AF. Functionally Dependent Water-Use.

A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.

DRAFT

Section 17C.111.205 Development Standards Tables

Development standards that apply within the residential zones are provided in Tables 17C.111.205-1 through 17C.111.205-3.

TABLE 17C.111.205-1 LOT DEVELOPMENT STANDARDS [1]					
	RA	R1	R2	RMF	RHD
DENSITY STANDARDS					
Maximum density on sites 2 acres or less [2][3]	No maximum	No maximum	No maximum	No maximum	No maximum
Maximum density on sites larger than 2 acres [2]	10 units/acre	10 units/acre	20 units/acre	No maximum	No maximum
Minimum density [2]	4 units/acre	4 units/acre	10 units/acre	15 units/acre	15 units/acre
LOT DIMENSIONS FOR SUBDIVISIONS AND SHORT SUBDIVISIONS					
Minimum lot area	7,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.
Minimum lot width with no driveway approach [4]	40 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Minimum lot width with driveway approach [4]	40 ft.	36 ft.	36 ft.	25 ft.	25 ft.
Minimum lot width within Airfield Overlay Zone	40 ft.	40 ft.	36 ft.	25 ft.	25 ft.
Minimum lot depth	80 ft.	80 ft.	40 ft.	N/A	N/A
Minimum lot frontage	40 ft.	Same as minimum lot width	Same as minimum lot width	Same as minimum lot width	Same as minimum lot width
MINIMUM LOT DIMENSIONS FOR UNIT LOT SUBDIVISIONS					
Minimum parent lot area	No minimum	No minimum	No minimum	No minimum	No minimum
Maximum parent lot area	2 acres	2 acres	2 acres	2 acres	2 acres
Minimum child lot area	No minimum	No minimum	No minimum	No minimum	No minimum
Minimum child lot depth	No minimum	No minimum	No minimum	No minimum	No minimum
LOT COVERAGE					

Maximum total building coverage [5][6][7]	50%	65%	80%	100%	100%
Maximum lot impervious coverage without engineer's stormwater drainage plan - not in ADC [5][8][9]	50%	60%	60%	N/A	N/A
Maximum lot impervious coverage without engineer's stormwater drainage plan - inside ADC [5][8][9]	40%	40%	40%	N/A	N/A

Notes:

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

[2] See SMC 17C.111.210 for applicability of minimum and maximum density standards in the residential zones.

[3] Development within Airfield Overlay Zones is further regulated as described in SMC 17C.180.090, Limited Use Standards.

[4] Lots with vehicle access only from an alley are not considered to have a "driveway approach" for the purposes of this standard.

[5] Lot and building coverage calculation includes all primary and accessory structures.

[6] Building coverage for attached housing is calculated based on the overall development site, rather than individual lots.

[7] Developments meeting certain criteria relating to transit, Centers & Corridors, or housing affordability are given a bonus for building coverage. See SMC 17C.111.225 for detailed eligibility criteria.

[8] Projects may exceed impervious coverage requirements by including an engineer's drainage plan in submittals, subject to review by the City Engineer as described in SMC 17D.060.135. "ADC" means Area of Drainage Concern.

[9] Projects in the RMF and RHD zones that are exempted from review under the Spokane Regional Stormwater Manual shall follow the impervious coverage requirements of the R1 zone.

TABLE 17C.111.205-2 BUILDING AND SITING STANDARDS [1]					
	RA	R1	R2	RMF	RHD
PRIMARY BUILDINGS					
Floor area ratio	N/A	N/A	N/A	N/A	N/A
Maximum building footprint per primary building - lot area 7,000 sq. ft. or less	N/A	2,450 sq. ft.	2,450 sq. ft.	N/A	N/A
Maximum building footprint per primary building - lot area more than 7,000 sq. ft.	N/A	35%	35%	N/A	N/A

Maximum building height [2]	35 ft.	40 ft.	40 ft.	55 ft.	75 ft.
Minimum Setbacks					
Front [3]	15 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Interior side lot line - lot width 40 ft or less ((3))	3 ft.	3 ft.	3 ft.	3 ft.	3 ft.
Interior side lot line - lot width more than 40 ft [4] [5]	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
Street side lot line – all lot widths	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
Attached garage or carport entrance from street	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Rear	25 ft.	15 ft.	15 ft.	10 ft.	10 ft.
ACCESSORY DWELLING UNITS					
Maximum building footprint for accessory dwelling unit - lot area 5,500 sq. ft. or less	1,100 sq. ft.	1,100 sq. ft.	1,100 sq. ft.	1,100 sq. ft.	1,100 sq. ft.
Maximum building footprint for accessory dwelling unit - lots larger than 5,500 sq. ft.	15%	15%	15%	15%	15%
Maximum building height	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.
Minimum side lot line setbacks [5] [6]	Same as Primary Structure				
Minimum rear setback with alley [4] [5] [6]	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
Minimum rear setback no alley	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
OTHER ACCESSORY STRUCTURES					
Maximum lot coverage for accessory structures – lots 5,500 sq. ft. or less	20%	20%	20%	See Primary Structure	See Primary Structure
Maximum lot coverage for accessory structures – lots larger than 5,500 sq. ft.	20%	15%	15%	See Primary Structure	See Primary Structure
Maximum building height	30 ft.	20 ft.	20 ft.	35 ft.	35 ft.
Minimum side lot line setbacks [4] [5] [6]	Same as Primary Structure				
Minimum rear setback with alley	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
Minimum rear setback no alley	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
OPEN SPACE [7]					
Minimum open space per unit [8]	250 sq. ft.	250 sq. ft.	250 sq. ft.	Studio: 48 sq. ft. per unit	Studio: 48 sq. ft. per unit

				1- bedroom: 75 sq. ft. per unit	1- bedroom: 75 sq. ft. per unit
				2+ bedrooms: 150 sq. ft. per unit	2+ bedrooms: 100 sq. ft. per unit
					Sites 20,000 sq. ft. or less: 36 sq. ft. per unit
Minimum common open space per unit as a substitute for private area - first six units	200 sq. ft.	200 sq. ft.	200 sq. ft.	Studio: 48 sq. ft. per unit	Studio: 48 sq. ft. per unit
				1- bedroom: 75 sq. ft. per unit	1- bedroom: 75 sq. ft. per unit
				2+ bedrooms: 150 sq. ft. per unit	2+ bedrooms: 100 sq. ft. per unit
					Sites 20,000 sq. ft. or less: 36 sq. ft. per unit
Minimum common open space per unit as a substitute for private area - all units after six	150 sq. ft.	150 sq. ft.	150 sq. ft.	Studio: 36 sq. ft. per unit	Studio: 36 sq. ft. per unit

				1- bedroom: 48 sq. ft. per unit	1- bedroom: 48 sq. ft. per unit
				2+ bedrooms: 48 sq. ft. per unit	2+ bedrooms: 48 sq. ft. per unit
					Sites 20,000 sq. ft. or less: 25 sq. ft. per unit

Notes:

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

[2] Base zone height may be modified according to SMC 17C.111.230, Height.

[3] Certain elements such as covered porches may extend into the front setback. See SMC 17C.111.235, Setbacks.

[4] There is an additional angled setback from the interior side lot line. Refer to SMC 17C.111.230(C) and 17C.111.235(E) for more detail.

[5] Setbacks for a detached accessory structure and a covered accessory structure may be reduced to zero feet with a signed waiver from the neighboring property owner as specified in SMC 17C.111.240(C).

[6] Accessory structures may be subject to an additional side setback adjacent to streets as specified in 17C.111.240(C)(5).

[7] Residential units with a continuous pedestrian route as defined in SMC Section 17C.111.420(B) from the property boundary to a public park within 800 feet shall have a minimum of not more than 36 square feet of open space per unit.

[8] Common open space may be substituted for private outdoor area according to SMC 17C.111.310.

TABLE 17C.111.205-3 DEVELOPMENT STANDARDS FOR PROPERTIES QUALIFYING FOR DEVELOPMENT BONUS [1] [2]					
	RA	R1	R2	RMF	RHD
LOT COVERAGE					
Maximum total building coverage	N/A	80%	90%	100%	100%
PRIMARY BUILDINGS					
Floor area ratio	N/A	N/A	N/A	N/A	N/A

Maximum building footprint per primary building - lot area 7,000 sq. ft. or less	N/A	2,450 sq. ft.	2,450 sq. ft.	N/A	N/A
Maximum building footprint per primary building - lot area more than 7,000 sq. ft.	N/A	35%	35%	N/A	N/A
<p>Notes:</p> <p>[1] Standards not addressed in this table are consistent with the general standards in Tables 17C.111.205-1 and 17C.111.205-2.</p> <p>[2] Criteria to qualify for Development Bonuses is outlined in SMC 17C.111.225.</p>					

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Section 17C.111.210 Density

A. Purpose.

The number of dwellings per unit of land, the density, is controlled so that housing can match the availability of public services. The use of density minimums ensures that in areas with the highest level of public services, ~~((that))~~ the service capacity is not wasted and that the City's housing goals are met.

B. Unless specifically exempted, all residential development shall meet the minimum and maximum densities provided in Table 17C.111.205-1.

~~((B))~~C. ~~((Calculating))~~ Gross Density Used.

The calculation of density for a subdivision or residential development is ~~((net area and is))~~ based on the total (gross) area of the subject property ~~((, less the area set aside for right-of-way and tracts of land dedicated for stormwater facilities. Land within a critical area (see definitions under chapter 17A.020 SMC) may be subtracted from the calculation of density. When the calculation of density results in a fraction, the density allowed is rounded up to the next whole number. For example, a calculation in which lot area, divided by minimum unit area equals 4.35 units, the number is rounded up to five units))~~.

~~((C.))~~ Maximum Density Applicability and Calculation.

- ~~1. The maximum density standards in Table 17C.111.205-1 shall be met only when the development site exceeds 2 acres in area. In such cases, the following apply:~~
 - ~~a. If a land division is proposed, the applicant must demonstrate how the proposed lots can meet maximum density once construction is completed.~~
 - ~~b. If no land division is proposed, maximum density must be met at the time of development.~~
 - ~~c. Maximum density is based on the zone and size of the site. The following formula is used to determine the maximum number of units allowed on the site:
Square footage of site, less the area set aside for right-of-way and tracts of land dedicated for stormwater facilities;
Divided by maximum density from Table 17C.111.205-1;
Equals maximum number of units allowed. If this formula results in a decimal fraction, the resulting maximum number of units allowed is rounded up to the next whole number. Decimal fractions of five~~

~~tenths or greater are rounded up. Fractions less than five tenths are rounded down.~~

- ~~2. If the development site is 2 acres or less in area, the maximum density standards do not apply.~~
- ~~3. The number of units allowed on a site is based on the presumption that all site development standards will be met.~~

~~D. Minimum Density Applicability and Calculation.~~

- ~~1. The minimum density standards in Table 17C.111.205-1 shall be met under the following circumstances:
 - ~~a. A land division is proposed.~~
 - ~~b. In such cases, the applicant must demonstrate how the proposed lots can meet minimum density once construction is completed.~~
 - ~~c. Minimum density standards can be modified by a PUD under SMC 17G.070.030(B)(2).~~
 - ~~d. Development is proposed in the RMF or RHD zones. In such cases, minimum density must be met at the time of development.~~~~
- ~~2. Except as provided in subsection (3), when development is proposed on an existing legal lot in the RA, R1, or R2 zones, minimum density standards do not apply.~~
- ~~3. A site with pre-existing development may not move out of conformance or further out of conformance with the minimum density standard, including sites in the RA, R1, and R2 zones (regardless of whether a land division is proposed).~~
- ~~4. Minimum density is based on the zone and size of the site, and whether there are critical areas (see definitions under chapter 17A.020 SMC). Land within a critical area may be subtracted from the calculation of density. The following formula is used to determine the minimum number of lots required on the site:
Square footage of site, less the area set aside for right-of-way and tracts of land dedicated for stormwater facilities;
Divided by minimum density from Table 17C.111.205-1;
Equals minimum number of units required.~~

~~E. Transfer of Density.~~

~~Density may be transferred from one site to another subject to the provisions of chapter 17G.070 SMC, Planned Unit Developments.)~~

D. Critical Areas May Be Subtracted.

Land within a critical area (see definitions under chapter 17A.020 SMC) may be, but is not required to be, subtracted from the calculation of density.

E. Right-of-Way May Be Subtracted.

Land dedicated as Right-of-Way may be, but is not required to be, subtracted from a calculation of density.

F. Numbers Rounded Up.

When the calculation of density results in a fraction, the density allowed or required is rounded up to the next whole number. For example, when a calculation results in 4.35 units, the number is rounded up to five units.

G. Formula.

The following formula is used to determine the maximum number of units allowed or the minimum number of units required on the site:

Square footage of site, less any land within a critical area or dedicated to right-of-way, divided by the square footage of one acre (43,560 square feet), multiplied by the density number from Table 17C.111.205-1 equals maximum number of units allowed or minimum number of units required.

Example of determining the minimum number of units with a minimum density of 4 units/acre on a 135,036 square foot (3.1 acre) site:
(135,036 square ft / 43,560 square ft/acre) * 4 units/acre = 12.4 units
(rounded up to 13 units)

Example of determining the maximum number of units with a maximum density of 20 units/acre on a 112,400 square foot (2.58 acre) site encumbered by 21,780 square feet (0.5 acre) of Critical Areas (see Title 17E):
((112,400 square feet – 21,780 square feet) / 43,560 square ft/acre) * 20 units/acre = 41.6 units (rounded up to 42 units)

If this formula results in a decimal fraction, the resulting number of units allowed is rounded up to the next whole number.

H. Land Division in R1 or R2 Zones.

If a land division is proposed in an R1 or R2 zone, the calculation of density shall count one lot as one dwelling unit.

I. Exceptions to Maximum Density Limits.

1. Development Less Than Two (2) Acres.

If the development site excluding any land within a critical area is two (2) acres or less in area, the maximum density standards shall not apply. Proposed new Right-of-Way may also be subtracted from the development site.

2. Middle Housing Allowance.

Notwithstanding any density maximum resulting from a density calculation, any combination of Middle Housing types identified under SMC 17A.020.130(J) shall be allowed on a lot up to six total units, including Accessory Dwelling Units. Such development shall still be subject to other site development standards which may limit the total amount of achievable development on the site.

J. Exceptions to Minimum Density Requirements.

1. Construction on Existing Legal Lots.

Except as provided in subsection (K), when renovation or new construction is proposed on an existing legal lot in the RA, R1, or R2 zones, minimum density shall not apply.

2. Land Divisions with Existing Structures.

When a land division is proposed on a lot below the minimum density and with an existing dwelling unit, any new lots created shall meet these density requirements. A lot which retains an existing primary structure may continue its nonconforming density.

K. Nonconforming Situations.

A site with pre-existing development may not move out of conformance or further out of conformance with the density standards, including sites in the RA, R1, and R2 zones (regardless of whether a land division is proposed).

~~(E)~~L. Transfer of Density.

Density may be transferred from one site to another subject to the provisions of chapter 17G.070 SMC, Planned Unit Developments.

M. Other Standards Apply.

The number of units allowed or required on a site is based on the presumption that all site development standards will be met. A calculation of maximum allowable density does not ensure the maximum number is achievable under other standards and regulations that govern site development.

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Section 17C.111.220 Building Coverage and Impervious Coverage

A. Purpose.

The building coverage standards, together with ~~((the floor area ratio (FAR),))~~ height and setback standards control the overall bulk of structures. They are intended to assure that taller buildings will not have such a large footprint that their total bulk will overwhelm adjacent houses. The standards also help define the form of the different zones by limiting the amount of building area allowed on a site. Additionally, the impervious coverage standards ensure that there is adequate space on a site for stormwater infiltration.

B. Building Coverage and Impervious Coverage Standards.

The maximum combined building coverage allowed on a site for all covered structures is stated in Table 17C.111.205-1.

1. “Impervious surface” is defined in SMC 17A.020.090.
2. For development applications that submit an engineer’s stormwater drainage plan pursuant to SMC 17D.060.140, total impervious coverage on a lot is not limited by this chapter, and the building coverage standards control.
3. For development applications that do not submit an engineer’s stormwater drainage plan, the maximum impervious coverage standards in Table 17C.111.205-1 must be met. The impervious coverage standards vary depending on whether or not the subject site is located in an Area of Drainage Concern pursuant to SMC 17D.060.135.

~~((C. — How to Use FAR with Building Coverage.~~

~~The FAR determines the total amount of living space within a residential structure while the maximum building site coverage determines the maximum building footprint for all structures, including garages and the primary residence(s). The FAR is defined under chapter 17A.020 SMC, Definitions. FAR does not apply to Residentially zoned areas.))~~

Section 17C.111.235 Setbacks

A. Purpose.

The setback standards for primary and accessory structures serve several purposes. They maintain light, air, separation for fire protection, and access for fire fighting. They reflect the general building scale and placement of houses in the City's neighborhoods. They promote options for privacy for neighboring properties. They provide adequate flexibility to site a building so that it may be complementary to the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity. They provide room for a car to park in front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street.

B. Applicability.

1. Setbacks are applied to all primary and accessory structures, including Accessory Dwelling Units. Setbacks for structures are applied relative to property lines. Separation between multiple structures on a lot is governed by the requirements of Title 17F SMC. Child lots created via Unit Lot Subdivision under Section 17G.080.065 SMC are only subject to the standards of this section inasmuch as they are applied to the parent lot.
2. Additional setback requirements may be applied through other sections of Title 17C SMC, including but not limited to:
 - a. Parking areas under Chapter 17C.230 SMC
 - b. Fences under Section 17C.111.230 SMC
 - c. Signs under Chapter 17C.240 SMC

C. Front, Side, and Rear Setbacks.

The required Front, Side, and Rear Setbacks for primary and accessory structures are stated in Table 17C.111.205-2. Angled setback standards are described in SMC 17C.111.235(E) and listed in Table 17C.111.235-1.

1. Extensions into Front, Side, and Rear Building Setbacks.
 - a. Minor features of a structure such as eaves, awnings, chimneys, fire escapes, bay windows and uncovered balconies may extend into a Front, Side, Rear Setback up to twenty-four (24) inches.

- b. Bays, bay windows, and uncovered balconies may extend into the Front, Side, and Rear Setback up to twenty-four (24) inches, subject to the following requirements:
 - i. Each bay, bay window, and uncovered balcony may be up to twelve (12) feet long.
 - ii. The total area of all bays and bay windows on a building facade shall not be more than thirty percent (30%) of the area of the facade.
 - iii. Bays and bay windows that project into the setback must cantilever beyond the foundation of the building; and
 - iv. The bay shall not include any doors.

c. A covered porch without Floor Area above may extend into the front setback up to six feet (6').

D. Exceptions to the Front, Side, and Rear Setbacks.

- 1. The rear yard of a lot established as of May 27, 1929, may be reduced to provide a building depth of thirty (30) feet.

E. Angled Setbacks.

- 1. Purpose.

To help new development respond to the scale and form of existing residential areas and to limit the perceived bulk and scale of buildings from adjoining properties.

- 2. Applicability.

Angled setbacks apply in the R1 and R2 zones.

- 3. Angled Setback Implementation.

Buildings are subject to an angled setback plane as follows:

- a. Starting at a height of 25 feet, the setback plane increases along a slope of 2:1 (a rate of 2 feet vertically for every 1 foot horizontally) away from the interior side setback, up to the maximum building height in Table 17C.111.205-2. The minimum setbacks that are paired with each height measurement are provided in Table 17C.111.235-1. See Figure 17C.111.235-A for examples.

- b. No portion of the building shall project beyond the Angled Setback plane described in this subsection, except as follows:
 - i. Minor extensions allowed by SMC 17C.111.235(C)(1) may project into the Angled Setback.
 - ii. Elements of the roof structure such as joists, rafters, flashing, and shingles may project into the Angled Setback.
 - iii. Dormer windows may project into the Angled Setback if the cumulative length of dormer windows is no more than fifty percent (50%) of the length of the roof line.

Figure 17C.111.235-A. Angled Setback Plane Examples

FIGURE 17C.110.235-A: Angled Setback Plane

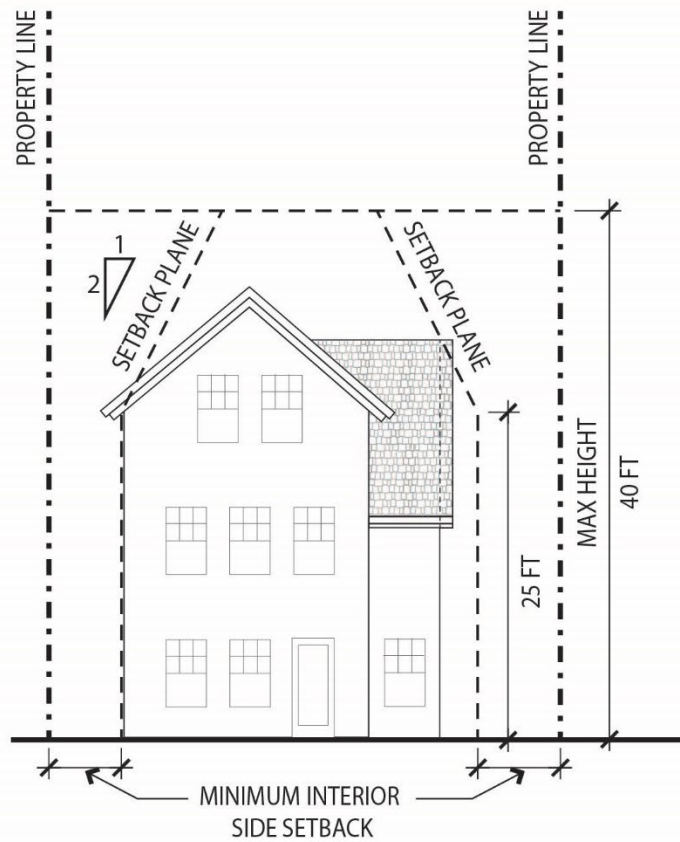


TABLE 17C.111.235-1 ROOF SETBACK FROM SIDE LOT LINE ON LOTS IN R1 and R2 ZONES LOT WIDTHS 40 FT. OR LESS	
Height	Setback
25 ft.	3 ft.
27 ft.	4 ft.
29 ft.	5 ft.
31 ft.	6 ft.
33 ft.	7 ft.
35 ft.	8 ft.
40 ft.	10.5 ft.
LOT WIDTHS MORE THAN 40 FT.	
Height	Setback
25 ft.	5 ft.
27 ft.	6 ft.
29 ft.	7 ft.
31 ft.	8 ft.
33 ft.	9 ft.
35 ft.	10 ft.
40 ft.	12.5 ft.

Section 17C.111.310 ~~((Outdoor Areas))~~ Open Space

A. Purpose.

To create usable areas through the use of engaging ~~((outdoor))~~ recreational spaces for the enjoyment and health of the residents.

B. ~~((Outdoor Areas))~~ Open Space Implementation.

1. Developments shall provide ~~((outdoor areas))~~ open space in the quantity required by Table 17C.111.205-2. (R)
2. The ~~((outdoor area))~~ open space may be configured as either:
 - a. A private outdoor area, such as a balcony ~~((or))~~, patio, or private yard directly accessible from the unit;
 - b. ~~((A common))~~ One or multiple ((outdoor area)) common open spaces, such as courtyards or common greens. ((accessible by all units in the building.))
3. Developments may provide a mix of private and common open space. In developments with a mix of private and common open space, each unit shall meet the full requirements for at least one type of outdoor area. Those units making use of common open space shall meet all the standards for a common open space. Those units making use of private open space shall meet all the standards for private open space. (R)
- ~~((3))~~4. If a common ((outdoor area)) open space, such as a courtyard or common green is provided, it shall meet the following:
 - a. Each courtyard, common green, or other form of common open space shall be associated with housing units for which it is providing open space. The association shall be clearly identified in submitted plans. The association shall be established through a direct pedestrian connection from the unit to the open space.
 - ~~((a))~~b. ~~((Connected))~~ Each courtyard, common green, or other form of common open space shall be connected to each associated unit by a pedestrian ((paths)) path. A pedestrian connection from a unit to an associated common open space shall not cross a parking area and shall not require walking in the opposite direction of the open space to gain access. (R)
 - ~~((b))~~c. At least 50 percent of units associated with a courtyard, common green, or other form of common open space shall have windows that face directly onto the space or doors that ((face)) provide direct access from the unit to the common ((outdoor)) area. (R)

d. In a development with multiple common open spaces, the calculation of square footage shall occur separately for each common open space based on the number of units associated with it. The reduction of square footage after six (6) units shall only apply if that common open space has more than six (6) associated units. (R)

~~((e))~~d. ~~((Common))~~ Each common ~~((outdoor areas))~~ open space shall provide at least three of the following amenities to accommodate a variety of ages and activities. Amenities may include, but are not limited to: (P)

- i. Site furnishings (benches, tables, bike racks when not required for the development type, etc.);
- ii. Picnic areas;
- iii. Patios~~((,))~~ or plazas ~~((or courtyards))~~;
- iv. Shaded playgrounds;
- v. Rooftop gardens, planter boxes, or garden plots; ~~((or))~~
- vi. Fenced pet area~~((,))~~; or
- vii. Grass or other living ground cover suitable for recreational use.

4. ~~((Outdoor))~~ Open spaces shall not be located adjacent to dumpster enclosures, loading/service, areas or other incompatible uses that are known to cause smell or noise nuisances. ~~((P))~~ (R)

Section 17C.111.315 Entrances

A. Purpose.

To ensure that entrances are easily identifiable, clearly visible, and accessible from streets, sidewalks, and common areas, to encourage pedestrian activity and enliven the street.

B. Applicability.

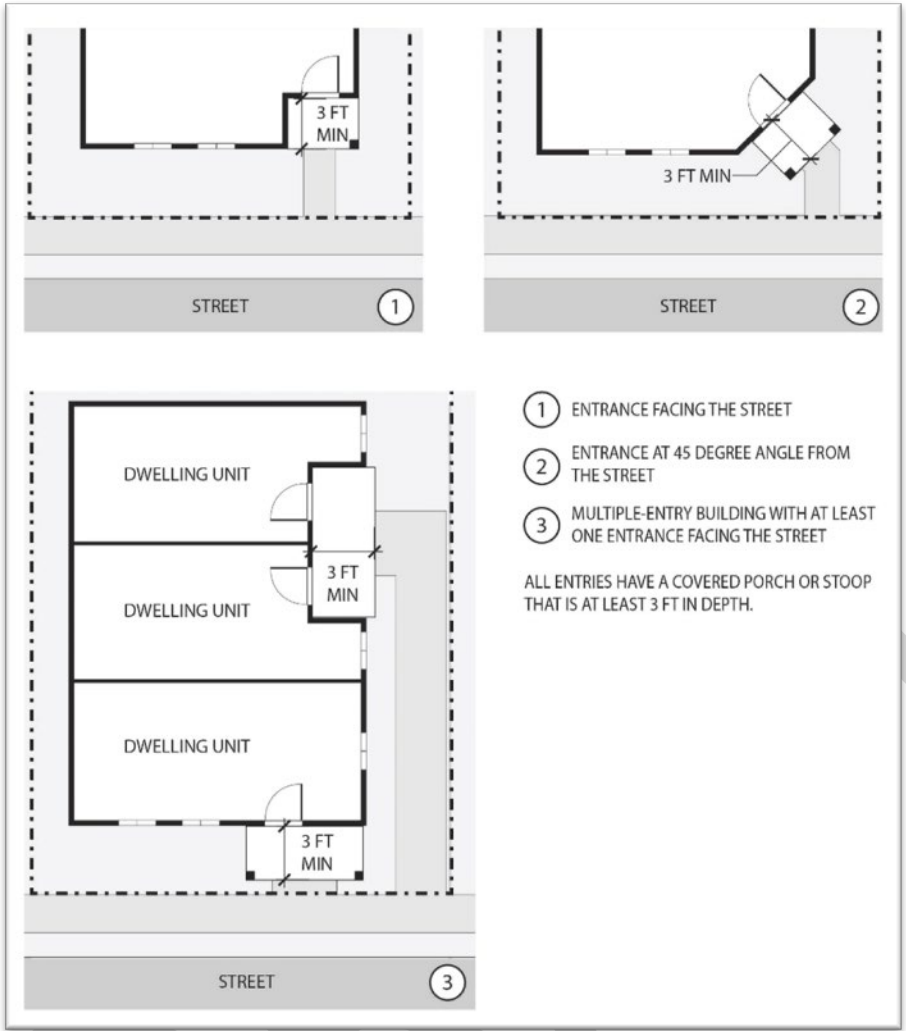
The following standards apply to all building facades that face a public or private street, except those that are separated from the street by another building.

C. Entrances Implementation.

See Figure 17C.111.315-A.

1. ~~((Each))~~ Except as provided in subsection (3), each residential structure fronting a public or private street must have at least one address and main entrance facing or within a 45 degree angle of a street frontage. Buildings with multiple units may have shared entries. (R)
2. Each unit with individual ground-floor entry and all shared entries must have a porch or stoop cover that is at least 3-feet deep. (P)
- ~~((3. — On corner lots, buildings with multiple units must have at least one entrance facing or within a 45-degree angle on each street frontage. (C)))~~
3. For a common open space, such as a courtyard or common green, directly abutting a public or private street, residential structures that abut both the common open space and the public or private street may directly face the common open space instead of facing the public or private street. (P)

Figure 17C.111.315-A. Building Entrances



- ① ENTRANCE FACING THE STREET
- ② ENTRANCE AT 45 DEGREE ANGLE FROM THE STREET
- ③ MULTIPLE-ENTRY BUILDING WITH AT LEAST ONE ENTRANCE FACING THE STREET

ALL ENTRIES HAVE A COVERED PORCH OR STOOP THAT IS AT LEAST 3 FT IN DEPTH.

Section 17C.111.320 Windows

A. Purpose.

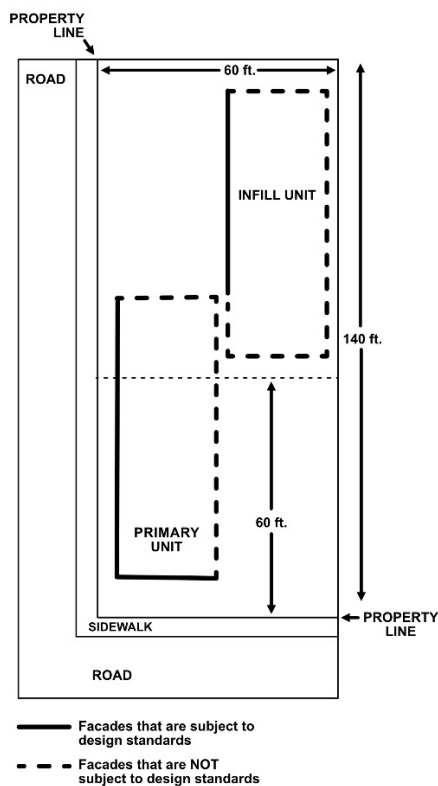
To maintain a lively and active street face while increasing safety and general visibility to the public realm.

B. Applicability.

The following standards apply to all ~~((building facades))~~ facade areas that face a public or private street and enclose floor area, ~~((except those that are separated from the street by another building.))~~ with the following exceptions:

1. When a façade or portion of the façade is not visible from a public or private street or further than 60' away from a street lot line. See Figure 17C.111.320-A.
2. For garages attached to living units, this section does not apply to the portion of the facade associated with the garage.

Figure 17C.111.320-A. Façade Exemption

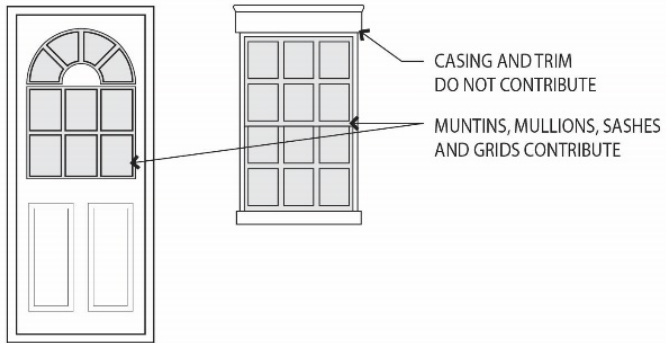
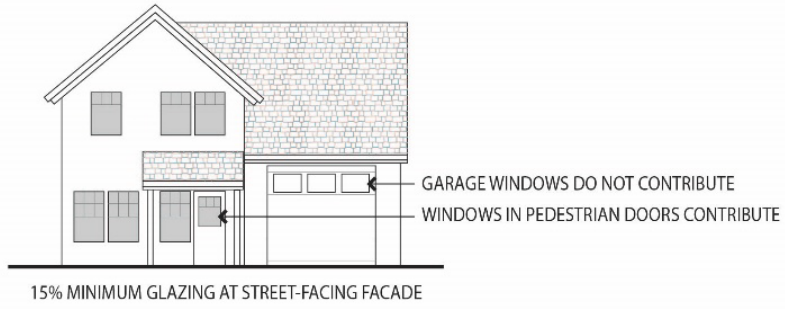


C. Windows Implementation.

See Figure 17C.111.320-((A))B.

1. Windows shall be provided in facades facing public or private streets, comprising at least fifteen percent of the facade area that encloses floor area (R).
2. Window area is considered the entire area within, but not including, the window casing, including any interior window grid.
3. Windows in pedestrian doors may be counted toward this standard. Windows in garage doors may not be counted toward this standard.
4. At least one of the following decorative window features must be included on all of the windows on street facing facades: (P)
 - a. Arched or transom windows.
 - b. Mullions.
 - c. Awnings or bracketed overhangs.
 - d. Flower boxes.
 - e. Shutters.
 - f. Window trim with a minimum width of three inches.
 - g. Pop-outs or recesses greater than three inches.
 - h. Bay windows.
 - i. Dormers.

Figure 17C.111.320-((A))B. Window Coverage



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Section 17C.111.325 Building Articulation

A. Purpose.

To ensure that buildings along any public or private street display the greatest amount of visual interest and reinforce the residential scale of the streetscape and neighborhood.

B. Applicability.

~~((The following)) These standards apply to all ((building)) facades that face a public or private street(, -except those that are separated from the street by another building. The standards apply to facades of attached housing irrespective of underlying lot lines)).~~

1. Attached Housing.

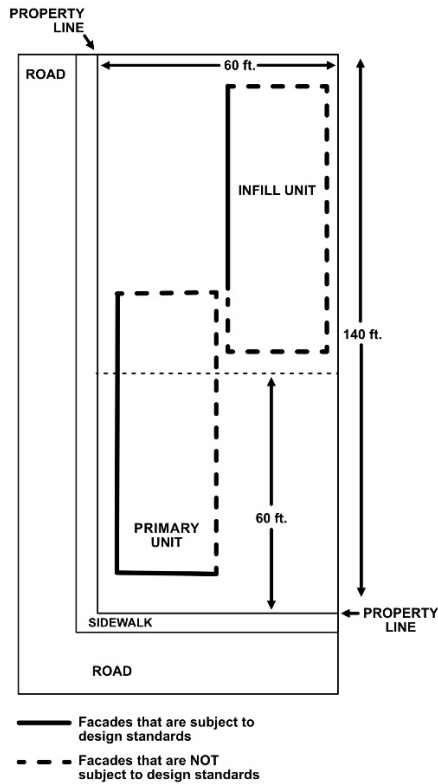
These standards apply to facades of attached housing. For purposes of this section, a grouping of attached houses shall be considered as a single building.

2. Exceptions.

a. These standards do not apply when a façade or portion of façade is not visible from a public or private street or further than 60' away from a street lot line. See Figure 17C.111.325-A.

b. These standards do not apply to a detached Accessory Dwelling Unit above a detached garage.

Figure 17C.111.325-A. Façade Exemption.



C. Building Articulation Implementation.

1. ~~((Buildings must))~~ Street-facing Facades shall be modulated along the street at least every ((thirty)) forty feet. ((Building modulations must step the building wall back or forward at least four feet. See Figure 17C.11325-A. (R)) Building modulations may be achieved in any one of the following ways. (R)
 - a. A step back or forward in the building wall of at least four feet. See Figure 17C.111.325-B.
 - b. For facades no more than two stories high, a bay window or cantilevered bump-out at least four feet (4') wide and two feet (2') deep on the ground floor.
 - c. A cantilevered bump-out at least four feet (4') wide and two feet (2') deep that extends vertically the entire height of the facade.
 - d. A covered porch at least ten feet (10') wide and six feet (6') deep.
2. The scale of buildings ~~((must))~~ shall be moderated to create a human scale streetscape by including vertical and horizontal delineation as expressed by bays, belt lines, doors, or windows. (P)

3. ~~((Horizontal street-facing facades))~~ In addition to the requirement of subsection (C)(1), street-facing Facades longer than ((thirty)) forty feet (40') ((must)) shall include at least ((four)) one of the ((following)) design features listed below, or a similar treatment, ((per façade. At least one of these features must be used)) every thirty feet (30'). For portions of a facade in excess of an increment of thirty (30), an additional feature shall be required after ten feet (10'). The modulation implemented to meet subsection (C)(1) may be counted in meeting this requirement. (P)

a. Design Features.

- ~~((a. Varied building heights.~~
- ~~b. Use of different materials.~~
- ~~c. Different colors.~~
- ~~d. Offsets.~~
- ~~e. Projecting roofs (minimum of twelve inches).~~
- ~~f. Recesses.~~
- ~~g. Bay windows.~~
- ~~h. Variation in roof materials, color, pitch, or aspect.~~
- ~~i. Balconies~~
- ~~j. Covered porch or patio.~~
- ~~k. Dormers))~~

- i. Varied building heights.
- ii. Use of different materials.
- iii. Different colors.
- iv. Offsets.
- v. Projecting roofs (minimum of twelve inches).
- vi. Recesses.
- vii. Bay windows or bump-outs.
- viii. Variation in roof materials, color, pitch, or aspect.
- ix. Balconies
- x. Covered porch or patio.
- xi. Dormers

Figure 17C.111.325-((A))B. Building Articulation for Long Facades

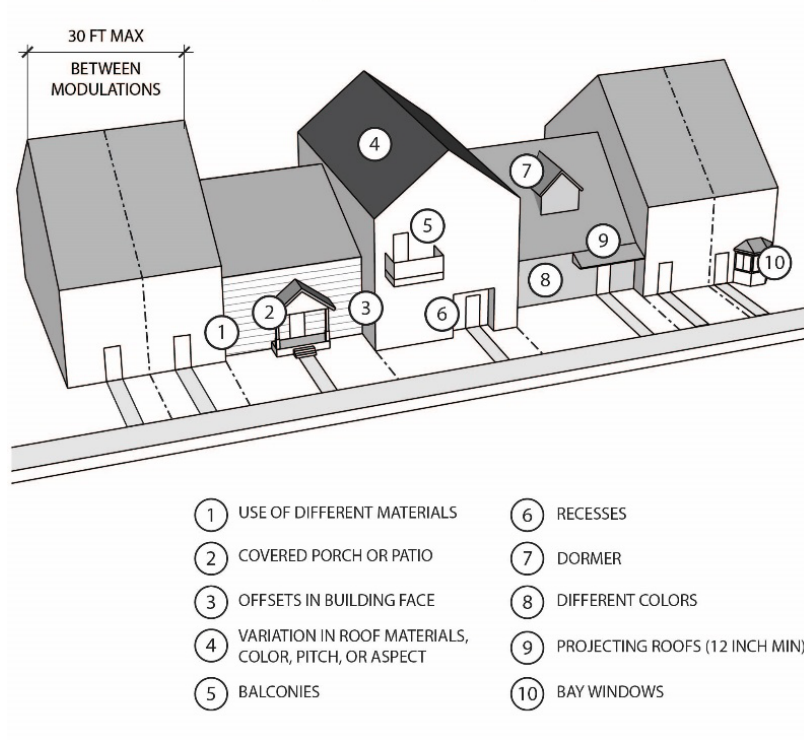


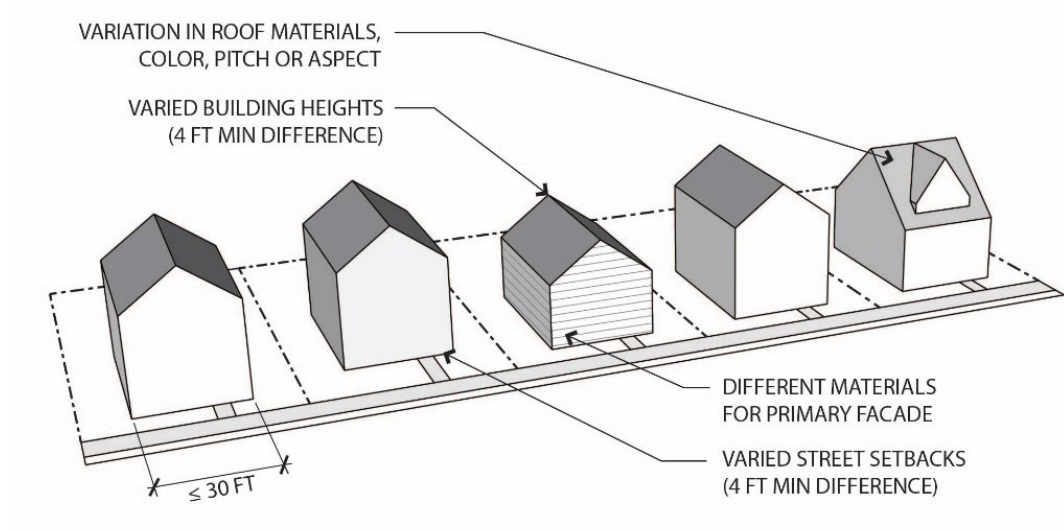
TABLE 17C.111.325-1 BUILDING ARTICULATION EXAMPLES	
<u>Street-Facing Facade Width</u>	<u>Requirements</u>
<u>35 feet</u>	<u>No modulation required</u> <u>No design features required from subsection (3)(a)</u>
<u>40 feet</u>	<u>Modulation required</u> <u>No additional design features required from subsection (3)(a)</u>
<u>45 feet</u>	<u>Modulation required</u> <u>One additional design feature required from subsection (3)(a)</u>
<u>60 feet</u>	<u>Modulation required</u> <u>One additional design feature required from subsection (3)(a)</u>
<u>70 feet</u>	<u>Modulation required</u> <u>Two additional design features required from subsection (3)(a)</u>

~~((4.—The following standard applies when detached housing units or individual units of attached housing have street-facing facades that are thirty feet or less in width. Each such unit shall provide variation from adjacent units by using one or more of the following design features (see Figure 17C.111.325-B):~~

~~a.—Street setbacks that differ by at least four feet.~~

- b. ~~Building heights that differ by at least four feet.~~
- c. ~~Use of different materials for the primary façade.~~
- d. ~~Variation in roof materials, color, pitch, or aspect.~~

Figure 17C.111.325-B. ~~Building Variation for Narrow Facades~~)



Note: Graphic to be removed

~~((5. Development should reduce the potential impact of new housing on established and historic neighborhoods by incorporating elements and forms from nearby buildings. This may include reference to architectural details, building massing, proportionality, and use of high-quality materials such as wood, brick, and stone. (C)))~~

D. Consideration for Historic Features.

Development should reduce the potential impact of new housing on established and historic neighborhoods by incorporating elements and forms from nearby buildings. This may include reference to architectural details, building massing, proportionality, and use of high-quality materials such as wood, brick, and stone. (C)

Section 17C.111.335 Parking Facilities

A. Purpose.

To integrate parking facilities with the building and surrounding residential context, promote pedestrian-oriented environments along streets, reduce impervious surfaces, and preserve on-street parking and street tree opportunities.

B. Definitions.

1. Primary Street-Facing Facade.

a. The Primary Street-Facing Facade is the portion of the Front Facade that:

- i. is closest to the front lot line; and
- ii. encloses living space; and
- iii. is situated at ground level.

b. Projections such as bay windows or cantilevered bump-outs shall not be counted as the Primary Street-Facing Facade.

~~((B))~~C. Parking Facilities Implementation.

~~((1. The combined width of all garage doors facing the street may be up to fifty percent of the length of the street facing building facade. For attached housing, this standard applies to the combined length of the street-facing facades of all units. For all other lots and structures, the standards apply to the street-facing facade of each individual building. See Figure 17C.111.335-A. (R)))~~

1. Garage Opening Width.

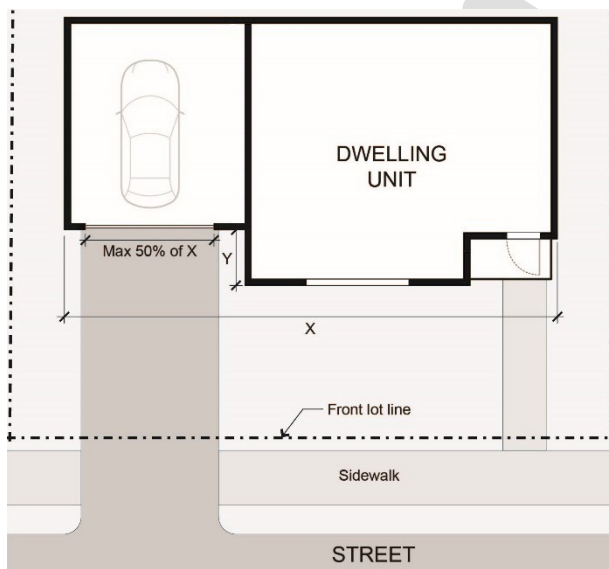
a. Width Limited.

Unless otherwise exempted within this subsection, the combined width of all garage door openings on the Front Facade shall not exceed fifty percent of the width of the Front Facade. For attached housing, this standard applies to the combined length of the Front Facades of all units. For all other lots and structures, the standards apply to the Front Facade of each individual building. See Figure 17C.111.335-A. (P)

b. Exemptions.

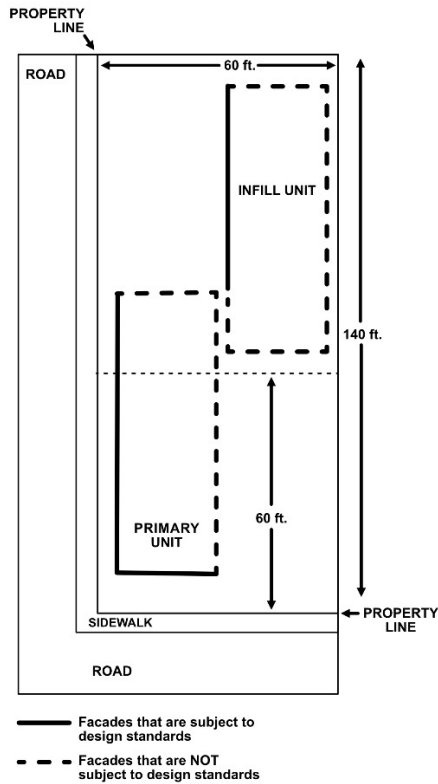
- i. The garage opening width standard does not apply to facades or portions of the facade that are not visible from a private or public street or further than sixty feet (60') away from a street lot line. See Figure 17C.111.335-B.
- ii. For attached housing units less than twenty feet (20') in width or for detached houses less than twenty feet (20') in width, a single opening of no more than ten feet (10') in width is permitted. Units meeting this exemption shall have enclosed living space above the first floor that is set back no further than the face of the garage and extends the entire width of the width of the unit.

Figure 17C.111.335-A. Garage Door Standard



X = Length of street-facing building façade
Y = 2 ft minimum setback from primary street-facing building façade

Figure 17C.111.335-B. Façade Exemption.



~~((2. Street-facing garage walls must be set back at least two feet from the primary street-facing building facade. (R)))~~

2. Garage Wall Step Back.

a. On a Front Facade with garage openings cumulatively totaling more than ten feet (10') in width, all garage openings shall be set back in one of the following ways: (R)

i. at least two feet (2') behind the Primary Street-Facing Facade; or

ii. at least two feet (2') behind the front of a covered porch that is a minimum of six feet (6') in depth and spans at least half of the Front Facade. The covered porch shall have columns, railing, or other vertical elements along the front to visually establish the edge of the porch.

b. A Front Facade with one street-facing garage opening of ten feet (10') or less in width shall be even with or set back from the Primary Street-Facing Facade. (R)

- c. A Front Facade for a garage with the opening facing the side lot line is not required to step back from the Primary Street-Facing Facade, but shall meet all other relevant design standards. (P)
- d. A grouping of attached housing units shall be considered a single building for purposes of these step back requirements.
- e. This standard does not apply to facades or portions of the façade that are not visible from a private or public street or further than 60' away from a street lot line.
- f. Waivers.

A waiver or modification of the garage wall step back may be granted by the Planning Director. The Planning Director shall consider contextual issues such as:

- i. Topography that does not allow a step back; and
- ii. An addition to an existing structure where a step back is impractical.

Merely the presence of existing structures on nearby properties with garages situated forward of the Primary Street-Facing Facade shall not be grounds for a waiver.

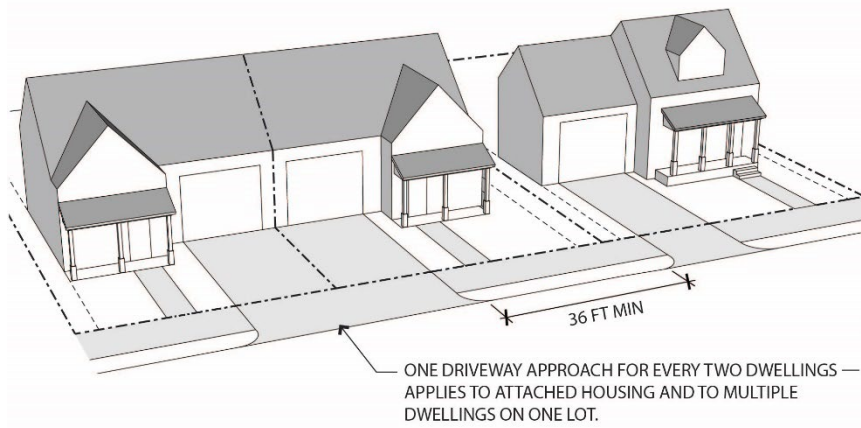
- 3. Access to Parking.
 - a. Vehicular access to ~~((parking))~~ a parking area, garage, or carport shall occur only via an approved driveway approach from an alley, improved street, or easement ~~((is required if parking is required))~~ pursuant to chapter 17C.230 SMC Parking and Loading. (R)
 - b. If the lot abuts a public alley, then vehicle access shall be from the alley unless the applicant requests a waiver of the requirement and the Planning Director determines that one of the following conditions exists: (R)
 - i. Existing topography does not permit alley access; or
 - ii. A portion of the alley abuts a nonresidential zone; or
 - iii. The alley is used for loading or unloading by an existing nonresidential use; or
 - iv. Due to the relationship of the alley to the street system, use of the alley for parking access would create a significant safety hazard.
 - c. For lots with vehicle access through an alley, garages shall not be accessed from the street. (R)

- d. Where off-street parking is provided for attached housing or for two or more units on one lot, only one driveway approach and sidewalk crossing for each two dwellings may be permitted. See Figure 17C.111.335-~~((B))~~C. (R)
- e. Driveway approaches shall be separated by a minimum distance of 36 feet. The Planning Director ~~((will))~~ may grant an exception to this standard if ~~((the 36-foot separation from existing driveways on adjacent lots would preclude vehicular access to the subject lot))~~ one of the following conditions exist. See Figure 17C.111.335-~~((B))~~C. (R)
 - i. existing driveways on adjacent lots would preclude vehicular access to the subject lot; or
 - ii. existing topography makes shared driveway approaches infeasible; or
 - iii. development is proposed on a lot created prior to January 1, 2024 with insufficient frontage for the required separation; or
 - iv. the Planning Director determines that the conditions of the lot render an alternate form of access infeasible.
- 4. ~~((Parking structures,))~~Detached garages and detached carports~~((, and parking areas other than driveways))~~ shall not be located between the ~~((principal structure))~~ Front Facade and ~~((streets))~~ the street unless the Planning Director determines that one of the following conditions is met. (P)
 - a. The lot and primary structure existed prior to January 1, 2024 and are situated such that a garage or carport cannot reasonably be located to the side of or behind the primary structure; or
 - b. Existing topography does not permit the placement of a garage or carport to the side of or behind the proposed or existing primary structure; or
 - c. Placement of the garage or carport to the side of or behind the primary structure would create a safety hazard.

Upon meeting one of these conditions, the garage or carport shall follow all other design standards as practicable.
- 5. Parking areas shall not be located between the Front Facade and the street except for driveways that lead to an allowable vehicle parking facility. (R)

Figure 17C.111.335-~~((B))~~C. Paired Driveways and Minimum Spacing

FIGURE 17C.110.335-B: Paired Driveways and Minimum Spacing



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Section 17C.111.420 Open Spaces

A. Purpose.

To create pedestrian friendly, usable areas through the use of plazas, courtyards, rooftop decks, and other open spaces for the enjoyment and health of the residents.

B. Open Spaces Implementation.

1. Minimum Required Space.

- a. Each multifamily development shall provide the minimum open space area for each living unit in the complex, including those units occupied by the owner or building management personnel, as identified in Table 17C.111.205-2. Open spaces may be provided individually, such as by balconies, or combined into a larger common open space. Developments in RMF and RHD may provide both private and common open space to meet the minimum requirement; however, each unit must provide either the full private or common open space to count towards the minimum required space. (R)
- b. Residential units with a continuous pedestrian route from the ~~((building entrance))~~ property boundary to a public park within 800 ft are not required to provide more than 36 square feet of open space per unit. For purposes of this requirement, an unsignalized crossing of a minor arterial road or greater shall not be considered a continuous pedestrian route.

2. Private Open Space.

Private open space area is typically developed for passive recreational use. Examples include balconies, patios, and private rooftop decks.

- a. Private open space must be directly accessible from the unit. (R)
- b. Private open space must be surfaced with landscaping, pavers, decking, or sport court paving which allows the area to be used for recreational purposes. (R)
- c. Private open space may be covered, such as a covered balcony, but may not be fully enclosed. (R)
- d. Berms, low walls, fences, hedges and/or landscaping shall be used to define private open spaces such as yards, decks, terraces, and patios from each other and from the street right-of-way. The

material or plantings between private open spaces shall be a maximum of four feet in height and visually permeable, such as open rails, ironwork, or trellis treatment to encourage interaction between neighbors. Material or plantings between units and right-of-way shall meet applicable fencing restrictions. (P)

3. Common Open Space.

Common open space area may be developed for active or passive recreational use. Examples include play areas, plazas, rooftop patios, picnic areas, fitness centers, pools, tennis courts, and open recreational facilities.

- a. The total amount of required common open space is the cumulative amount of the required area per dwelling unit for common areas, minus any units that provide individual open space (if provided). However, a combined required open space must comply with the minimum area and meet ADA Standards for Accessible Design.
- b. Common open space must be surfaced with landscaping, pavers, decking, or sport court paving, which allows the area to be used for recreational purposes. (R).
- c. Common open space may be covered, such as a covered patio, but may not be fully enclosed unless the open space is an equipped interior fitness area or furnished meeting space not reservable by individual residents. (R)
- d. Common open spaces with active uses used to meet these guidelines shall not be located within required buffer areas, if prohibited by critical area or shoreline regulations. (R)
- e. Common open spaces shall provide at least three of the following amenities to accommodate a variety of ages and activities. Amenities include: (P)
 - i. Site furnishings (benches, tables, bike racks)
 - ii. Picnic or outdoor grilling areas
 - iii. Patios, plazas, or courtyards
 - iv. Tot lots or other children's play areas
 - v. Enclosed pet areas that make up no more than fifty percent of the required common open space
 - vi. Community gardens accessible for use by residents
 - vii. Open lawn
 - viii. Play fields

- ix. Sports courts, such as tennis or basketball courts, and pools that make up no more than fifty percent of the required common open space
 - x. Interior equipped fitness areas that make up no more than fifty percent of the required common open space
- f. If common open spaces are located adjacent to a street right-of-way, landscaping should be used to provide a buffer between outdoor spaces and the street right-of-way. (P)
- 4. Lighting shall be provided within open spaces to provide visual interest, as well as an additional security function. Lighting should not cause off-site glare. (R)
- 5. Open spaces should not be located adjacent to dumpster enclosures, loading/service areas or other facility and/or utility enclosures. (C)

Section 17C.111.450 Pitched Roofs

[repealed]

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17C.230.020 Vehicle Parking Summary Table

Parking requirements are summarized in Table 17C.230.020-1.

TABLE 17C.230.020-1 SUMMARY OF PARKING REQUIREMENTS [1]				
RESIDENTIAL CATEGORIES				
USE CATEGORY	SPECIFIC USE	MINIMUM REQUIRED	MAXIMUM ALLOWED: CC, DOWNTOWN, FBC ZONES [2]	MAXIMUM ALLOWED: RA, R1, R2, RMF, RHD, O, OR, NR, NMU, CB, GC, INDUSTRIAL ZONES [2]
Group Living		None	CC: 4 per 1,000 sq. ft. of floor area Downtown: 3 per 1,000 sq. ft. of floor area FBC: 2 per 500 sq. ft. of floor area	No maximum
Residential Household Living				

COMMERCIAL CATEGORIES				
USE CATEGORY	SPECIFIC USE	MINIMUM REQUIRED	MAXIMUM ALLOWED: CC, DOWNTOWN, FBC ZONES [2]	MAXIMUM ALLOWED: RA, R1, R2, RMF, RHD, O, OR, NR, NMU, CB, GC, INDUSTRIAL ZONES [2]
Adult Business		None	CC: 4 per 1,000 sq. ft. of floor area Downtown: 3 per 1,000 sq. ft. of floor area FBC: 2 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Commercial Outdoor Recreation				30 per acre of site
Commercial Parking				None
Drive-through Facility				None
Major Event Entertainment				1 per 5 seats or per CU review
Office				1 per 200 sq. ft. of floor area
Quick Vehicle Servicing				1 per 200 sq. ft. of floor area
Retail Sales and Service	Retail, Personal Service, Repair-oriented			1 per 200 sq. ft. of floor area
	Restaurants and Bars			1 per 60 sq. ft. of floor area
	Health Clubs, Gyms, Lodges, Meeting Rooms and similar continuous entertainment, such as Arcades and Bowling Alleys			1 per 180 sq. ft. of floor area
	Temporary Lodging	1.5 per rentable room; for associated uses such as Restaurants, see above		
	Theaters	1 per 2.7 seats or 1 per 4 feet of bench area		

	Retail sales and services of large items, such as appliances, furniture and equipment			1 per 200 sq. ft. of floor area
Mini-storage Facilities				Same as Warehouse and Freight Movement
Vehicle Repair				1 per 200 sq. ft.

INDUSTRIAL CATEGORIES

USE CATEGORY	SPECIFIC USE	MINIMUM REQUIRED	MAXIMUM ALLOWED: CC, DOWNTOWN, FBC ZONES [2]	MAXIMUM ALLOWED: RA, R1, R2, RMF, RHD, O, OR, NR, NMU, CB, GC, INDUSTRIAL ZONES [2]
Industrial Services, Railroad Yards, Wholesale Sales		None	CC: 4 per 1,000 sq. ft. of floor area Downtown: 3 per 1,000 sq. ft. of floor area FBC: 2 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Manufacturing and Production				1 per 200 sq. ft. of floor area
Warehouse and Freight Movement				1 per 200 sq. ft. of floor area
Waste-related				Per CU review

INSTITUTIONAL CATEGORIES				
USE CATEGORY	SPECIFIC USE	MINIMUM REQUIRED	MAXIMUM ALLOWED: CC, DOWNTOWN, FBC ZONES [2]	MAXIMUM ALLOWED: RA, R1, R2, RMF, RHD, O, OR, NR, NMU, CB, GC, INDUSTRIAL ZONES [2]
Basic Utilities		None	CC: 4 per 1,000 sq. ft. of floor area Downtown: 3 per 1,000 sq. ft. of floor area FBC: 2 per 500 sq. ft. of floor area	None
Colleges				1 per 200 sq. ft. of floor area
Community Service				exclusive of dormitories, plus 1 per 2.6 dorm room
Daycare				1 per 200 sq. ft. of floor area
Medical Centers				1 per 200 sq. ft. of floor area
Parks and Open Areas				1 per 200 sq. ft. of floor area
Religious Institutions				Per CU review for active areas
Schools	Grade, Elementary, Junior High			2.5 per classroom
	High School	10.5 per classroom		

OTHER CATEGORIES				
USE CATEGORY	SPECIFIC USE	MINIMUM REQUIRED	MAXIMUM ALLOWED: CC, DOWNTOWN, FBC ZONES [2]	MAXIMUM ALLOWED: RA, R1, R2, RMF, RHD, O, OR, NR, NMU, CB, GC, INDUSTRIAL ZONES [2]
Agriculture		None	CC: 4 per 1,000 sq. ft. of floor area Downtown: 3 per 1,000 sq. ft. of floor area FBC: 2 per 500 sq. ft. of floor area	None or per CU review
Aviation and Surface Passenger Terminals				Per CU review
Detention Facilities				Per CU review
Essential Public Facilities				Per CU review
Wireless Communication Facilities				None or per CU review
Rail Lines and Utility Corridors				None

[1] The Planning Director may approve different amounts of parking spaces under the exceptions listed in SMC 17C.230.130.

[2] Parking provided within a parking structure is not counted towards the maximum allowed per SMC 17C.230.120(B)(2).

Section 17C.230.100 General Standards

A. ~~((Where the Standards Apply))~~ Applicability.

The standards of this chapter apply to all parking areas in ~~((RA, R1, R2, RMF, RHD, O, OR, NR, NMU, CB, GC, Downtown, CC, industrial, and FBC zones))~~ all zones, whether required by this code or put in for the convenience of property owners or users. Parking areas include those accessory to a use, part of a commercial parking use, or for a park and ride facility in the basic utilities use category. Some zoning categories have unique parking standards as provided in Table 17C.230.120-1.

~~((B.—Occupancy:~~

~~All required parking areas must be completed and landscaped prior to occupancy of any structure except as provided in chapter 17C.200 SMC, Landscaping and Screening.))~~

~~((C))~~B.((Calculations of Amounts of Required and Allowed Parking)) Calculation.

1. When computing parking spaces based on floor area, floor area dedicated for parking is not counted.
2. The number of parking spaces is computed based on the uses on the site. When there is more than one use on a site, the required or allowed parking for the site is the sum of the required or allowed parking for the individual uses. ~~((For joint use parking, see SMC 17C.230.110(B)(2).))~~
- ~~((3.—If the maximum number of spaces allowed is less than or equal to the minimum number required, then the maximum number is automatically increased to one more than the minimum.))~~
- ~~((4))~~3. If the maximum number of spaces allowed is less than one, then the maximum number is automatically increased to one.
- ~~((5))~~4. When the calculation of required or allowed parking results in a decimal fraction, the number of parking spaces required or allowed is rounded up to the next whole number.

~~((D.—Use of Required Parking Spaces:~~

~~Required parking spaces must be available for the use of residents, customers, or employees of the use. Fees may be charged for the use of required parking spaces, except for group living and residential household living uses. Required parking spaces may not be assigned in any way to a use on another site, except for joint parking situations. Required parking spaces must be made available to employees; it cannot be restricted only to customers. See SMC~~

~~17C.230.110(B)(2). Also, required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.~~

~~E. Proximity of Parking to Use.~~

- ~~1. Required parking spaces for all industrial and commercial zones, except center and corridor zones, must be located on the site of the use or in parking areas whose closest point is within four hundred feet of the site. In center and corridor zones, parking is required to be located within six hundred feet of the use.~~
- ~~2. Required parking spaces for uses in the RA, R1, R2, and RMF zones must be located on the site of the use. Required parking for the uses in the RHD zone must be located on the site of the use or in parking areas whose closest point is within four hundred feet of the site.~~

~~F. Stacked Parking.~~

~~Stacked or valet parking is allowed if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, some form of guarantee must be filed with the City ensuring that an attendant will always be present when the lot is in operation. The requirements for minimum or maximum spaces and all parking area development standards continue to apply for stacked parking.~~

~~G. On-Street Parking.~~

~~The minimum number of required parking spaces may be reduced by the number of on-street parking spaces immediately adjacent to a site's public right-of-way frontages, located on the same side of the street. The street must be paved, with sidewalks that are ADA accessible. Each complete twenty linear foot section of right-of-way where parallel parking is permitted is considered a parking space. Where parallel, diagonal or other on-street parking is marked on the street or officially designated by other means; the number of complete parking spaces that are adjacent on the same side of the street to the site's frontage are counted. An on-street parking space shall not be counted if it is restricted in its use as a designated loading, taxi or other special use zone or if parking is prohibited for more than five hours any twenty four-hour period. When calculating the number of required bicycle parking spaces per SMC 17C.230.200, the number of vehicle off-street parking spaces that would be required before this reduction is applied is the figure that is used.))~~

~~((H))C. Curb Cuts.~~

Curb cuts and access restrictions are regulated by the City engineering services department. Other zoning standards or design ~~((guidelines))~~ standards may apply.

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Section 17C.230.110 Minimum Required Parking Spaces

~~((A.—Purpose.~~

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

~~B.—Minimum Number of Parking Spaces Required.~~

~~1.—The minimum number of parking spaces for all zones is stated in Table 17C.230.120-1. Table 17C.230.130-1 states the required number of spaces for use categories. The standards of Table 17C.230.120-1 and Table 17C.230.130-1 apply unless specifically superseded by other portions of the city code.~~

~~2.—Joint Use Parking.~~

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

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

~~3.—Bicycle parking may substitute for up to twenty-five (25) percent of required vehicle parking. For every four (4) short-term bicycle parking spaces, the motor vehicle parking requirement is reduced by one space.~~

~~For every one (1) long-term bicycle parking space, the motor vehicle parking required is reduced by one space. Vehicle parking associated with residential uses may only be substituted by long-term bicycle parking. Existing parking may be converted to take advantage of this provision. Required bicycle parking spaces may be used to substitute for vehicle parking.~~

~~4. Existing Uses.~~

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

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

~~5. Change of Use.~~

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

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

~~6. Uses Not Mentioned.~~

~~In the case of a use not specifically mentioned in Table 17C.230.130-1, the requirements for off-street parking shall be determined by the planning and economic development services director. If there is/are comparable uses, the planning and economic development services director's determination shall be based on the requirements for the most comparable use(s). Where, in the judgment of the planning and economic development services director, none of the uses in Table 17C.230.130-1 are comparable, the planning and economic development services director may base his or her determination as to the amount of parking required for the proposed use on detailed information provided by the applicant. The information required may include, but not be limited to, a description of the physical structure(s), identification of potential users, and analysis of likely parking demand.~~

~~C. Carpool Parking.~~

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

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

A. No Minimum Required.

Except as provided herein, there is no required minimum number of off-street parking spaces.

B. Conditional Use.

A requirement to provide a minimum number of off-street parking spaces may be included as a condition in a Conditional Use permit.

Section 17C.230.120 Maximum Required Parking Spaces

A. Purpose.

Limiting the number of spaces allowed promotes efficient use of land, enhances urban form, encourages use of alternative modes of transportation, provides for better pedestrian movement, and protects air and water quality. The maximum ratios in this section vary with the use the parking ((it)) is accessory to. ~~((These maximums will accommodate most auto trips to a site based on typical peak parking demand for each use.))~~

B. Maximum Number of Parking Spaces Allowed.

Standards in a plan district or overlay zone may supersede the standards in this subsection or the amounts listed in Table 17C.230.020-1.

1. Surface Parking.

The maximum number of parking spaces allowed is stated in Table ~~((17C.230.120-1 and Table 17C.230.130-1))~~ 17C.230.020-1, except as specified in subsection (B)(2) of this section.

2. Structure Parking.

Parking provided within a building or parking structure is not counted when calculating the maximum parking allowed.

((

TABLE 17C.230.120-1		
PARKING SPACES BY ZONE [1]		
(Refer to Table 17C.230.130-1 for Parking Spaces Standards by Use)		
ZONE	SPECIFIC USES	REQUIREMENT
RA, R1, R2, RMF, RHD O, OR, NR, NMU, CB, CC, Industrial	All Land Uses	Minimum and maximum standards are shown in Table 17C.230.130-1.
CC1, CC2, CC3, CC4 [2]	Nonresidential	There is no minimum parking requirement. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.
	Residential	There is no minimum parking requirement.

		Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.
Downtown [2]	Nonresidential	There is no minimum parking requirement. Maximum ratio is 3 stalls per 1,000 gross square feet of floor area.
	Residential	There is no minimum parking requirement. Maximum ratio is 3 stalls per 1,000 gross square feet of floor area.
FBC [2]	All Land Uses	See SMC 17C.123.040, Hamilton Form Based Code for off-street parking requirements.
Overlay	All Land Uses	No off-street parking is required. See the No Off-Street Parking Required Overlay Zone Map 17C.230-M2 and No Off-Street Parking Required Overlay Zone Map 17C.230-M3.
<p>[1] Standards in a plan district or overlay zone may supersede the standards of this table. [2] See exceptions in SMC 17C.230.130, CC and Downtown Zone Parking Exceptions.</p>		

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Section 17C.230.130 Parking Exceptions

~~((A. Parking is not required for commercial or institutional uses.~~

~~B. The Planning Director may approve ratios that are higher than the maximum ((or lower than the minimum)) if sufficient factual data is provided to indicate that a different amount is appropriate. The applicant assumes the burden of proof. Approval of parking above the maximum shall be conditioned upon increasing the amount of required landscaping by thirty percent. ((Approval of parking below the minimum shall be conditioned upon the project contributing towards a pedestrian and transit supportive environment both next to the immediate site and in the surrounding area.)) When determining if a different amount of parking is appropriate, the Director shall consider the proximity of the site to frequent transit service, the intensity of the zoning designation of the site and surrounding sites, and the form of the proposed use.))~~

The Planning Director may approve ratios that are higher than the maximum if sufficient factual data is provided to indicate that a different amount is appropriate. The applicant assumes the burden of proof. Approval of parking above the maximum shall be conditioned upon increasing the amount of required landscaping by thirty percent. When determining if a different amount of parking is appropriate, the Director shall consider the proximity of the site to frequent transit service, the intensity of the zoning designation of the site and surrounding sites, and the form of the proposed use.

~~((C. If property owners and businesses establish a parking management area program with shared parking agreements, the Planning Director may reduce or waive parking requirements.~~

~~D. Existing legal nonconforming buildings that do not have adequate parking to meet the standards of this section are not required to provide off-street parking when remodeling which increases the amount of required parking occurs within the existing structure.~~

~~E. Attached Housing.~~

~~The following exceptions apply only to attached housing (defined in SMC 17A.020.010) in the RMF and RHD zones. Distances are measured in a straight line between the zone/overlay boundary to the lot line of the site containing the development.~~

- ~~1. On a lot at least partially within one thousand three hundred twenty feet of CC, CA, or DT zone or CC3 zoning overlay, the minimum number of off-street vehicle parking spaces required is fifty percent less than the minimum required for Residential Household Living in Table 17C.230.130-4.~~

2. On a lot farther than one thousand three hundred twenty feet of a CC, CA, or DT zone or CC3 zoning overlay, the minimum number of off-street vehicle parking spaces required is thirty percent less than the minimum required for Residential Household Living in Table 17C.230.130-1.

F. Parking is not required for residential development on sites located within one-half mile of a transit stop.

TABLE 17C.230.130-1 PARKING SPACES BY USE [1] (Refer to Table 17C.230.120-1 for Parking Space Standards by Zone) CU = Conditional Use			
RESIDENTIAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Group Living	-	None	None
Residential Household Living	-	None	None
COMMERCIAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Adult Business	-	None	1 per 200 sq. ft. of floor area
Commercial Outdoor Recreation	-	None	30 per acre of site
Commercial Parking	-	Not applicable	None
Drive-through Facility	-	Not applicable	None
Major Event Entertainment	-	None	1 per 5 seats or per CU review
Office	General Office	None	1 per 200 sq. ft. of floor area
	Medical/Dental Office	None	1 per 200 sq. ft. of floor area
Quick Vehicle Servicing	-	None	1 per 200 sq. ft. of floor area
Retail Sales and Service	Retail, Personal	None	1 per 200 sq. ft. of floor area

	Service,- Repair-oriented		
	Restaurants and Bars	None	1 per 60 sq. ft.- of floor area
	Health Clubs, Gyms, Lodges, Meeting Rooms and similar continuous entertainment, such as Arcades and Bowling Alleys	None	1 per 180 sq. ft.- of floor area
	Temporary Lodging	None	1.5 per rentable room;- for associated uses such as Restaurants,- see above
	Theaters	None	1 per 2.7 seats or 1 per 4 feet of bench area
	Retail sales and services of large items, such as appliances, furniture and equipment	None	1 per 200 sq. ft.- of floor area
Mini-storage Facilities	-	None	Same as Warehouse and Freight Movement
Vehicle Repair	-	None	1 per 200 sq. ft.- of floor area
INDUSTRIAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Industrial Services, Railroad Yards, Wholesale Sales	-	None	1 per 200 sq. ft.- of floor area
Manufacturing and Production	-	None	1 per 200 sq. ft.- of floor area
Warehouse and Freight Movement	-	None	1 per 200 sq. ft.- of floor area

Waste-related	-	Per CU review	Per CU review
INSTITUTIONAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Basic Utilities	-	None	None
Colleges	-	None	1 per 200 sq. ft. of floor area exclusive of dormitories, plus 1 per 2.6 dorm room
Community Service	-	None	1 per 200 sq. ft. of floor area
Daycare	-	None	1 per 200 sq. ft. of floor area
Medical Centers	-	None	1 per 200 sq. ft. of floor area
Parks and Open Areas	-	None	Per CU review for active areas
Religious Institutions	-	None	1 per 60 sq. ft. of main assembly area
Schools	Grade, Elementary, Junior High	None	2.5 per classroom
	High School	None	10.5 per classroom
OTHER CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Agriculture	-	None or per CU review	None or per CU review
Aviation and Surface Passenger Terminals	-	Per CU review	Per CU review
Detention Facilities	-	Per CU review	Per CU review
Essential Public Facilities	-	Per CU review	Per CU review
Wireless Communication Facilities	-	None or per CU review	None or per CU review

Rail Lines and Utility Corridors	-	None	None
[1] The Planning Director may approve different amounts of parking spaces under the exceptions listed in SMC 17C.230.130.			

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Section 17C.230.140 Development Standards

A. Purpose.

The parking area layout standards are intended to promote safe circulation within the parking area and provide for convenient entry and exit of vehicles.

B. ~~((Where These Standards Apply))~~ Applicability.

The standards of this section apply to all vehicle areas whether required or excess parking.

C. Improvements.

1. Paving.

In order to control dust and mud, all vehicle areas must be surfaced with a minimum all-weather surface. Such surface shall be specified by the city engineer. Alternatives to the specified all-weather surface may be provided, subject to approval by the city engineer. The alternative must provide results equivalent to paving. All surfacing must provide for the following minimum standards of approval:

- a. Dust is controlled.
- b. Stormwater is treated to City standards; and
- c. Rock and other debris is not tracked off-site.

The applicant shall be required to prove that the alternative surfacing provides results equivalent to paving. ~~((If, after construction, the City determines that the alternative is not providing the results equivalent to paving or is not complying with the standards of approval, paving shall be required.))~~

2. Striping.

All parking areas, except for stacked parking, must be striped in conformance with the parking dimension standards ~~((of subsection (E)))~~ of this section, except parking for ~~((single-family residences, duplexes, and accessory dwelling units))~~ Single-Unit Residential Buildings, Accessory Dwelling Units, or Middle Housing developments of no more than six units.

3. Protective Curbs Around Landscaping.

All perimeter and interior landscaped areas directly adjacent to parking aisles, parking spaces, or an abutting sidewalk must have continuous, cast in place, or extruded protective curbs along the edges. Curbs separating landscaped areas from parking areas may allow stormwater runoff to pass through them. Tire stops, bollards or other protective barriers may be used at the front ends of parking spaces. Curbs may be perforated or have gaps or breaks. Trees must have adequate protection from car doors as well as car bumpers. This provision does not apply to ~~((single family residence, duplexes and accessory dwelling units))~~ Single-Unit Residential Buildings, Accessory Dwelling Units, or Middle Housing developments of no more than six units.

D. Stormwater Management.

Stormwater runoff from parking lots is regulated by the engineering services department.

E. Parking Area Layout.

1. Access to Parking Spaces.

All parking areas, except stacked parking areas, must be designed so that a vehicle may enter or exit without having to move another vehicle.

2. Parking Space and Aisle Dimensions.

a. Parking spaces and aisles ~~((in RA, R1, R2, RMF, RHD, FBC CA4, O, OR, NR, NMU, CB, GC, and industrial zones must))~~ shall meet the minimum dimensions contained in Table 17C.230.140-1.

~~((b. Parking spaces and aisles in Downtown CC, and FBC CA1, CA2, CA3 zones must meet the minimum dimensions contained in Table 17C.230.140-2.))~~

~~((e))~~b. In all zones, on dead end aisles, aisles shall extend five feet beyond the last stall to provide adequate turnaround.

3. Parking for Disabled Persons.

The city building services department regulates the following disabled person parking standards and access standards through the building code and the latest ANSI standards for accessible and usable buildings and facilities:

a. Dimensions of disabled person parking spaces and access aisles.

- b. The minimum number of disabled person parking spaces required.
 - c. Location of disabled person parking spaces and circulation routes.
 - d. Curb cuts and ramps including slope, width and location; and
 - e. Signage and pavement markings.
4. A portion of a standard parking space may be landscaped instead of paved, as follows:
- a. The landscaped area may be up to two feet of the front of the space as measured from a line parallel to the direction of the bumper of a vehicle using the space, as shown in Figure ~~((17C.230-3))~~ [17C.230.140-1](#). Any vehicle overhang must be free from interference from sidewalks, landscaping, or other required elements.

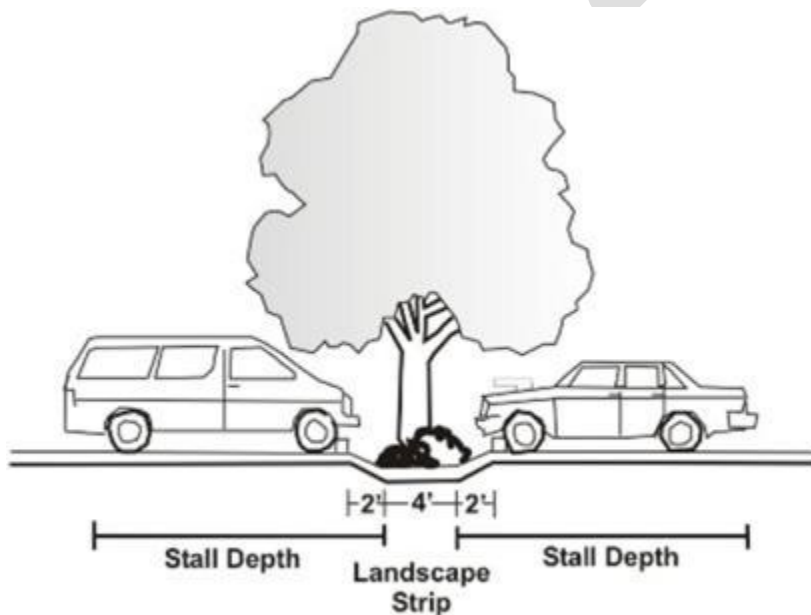


Figure 17C.230-3 Landscaped area at front of parking space

[Note: Remove image and replace with the one below]

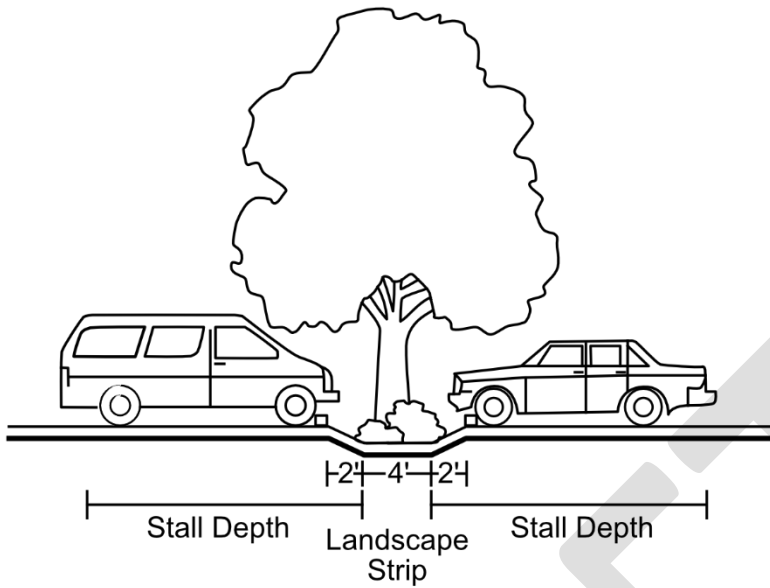


Figure 17C.230-3 Landscaped area at front of parking space

- b. Landscaping must be ground cover plants; and
- c. The landscaped area counts toward parking lot interior landscaping requirements and toward any overall site landscaping requirements. However, the landscaped area does not count toward perimeter landscaping requirements.

5. Engineering Services Department Review.

The engineering services department reviews the layout of parking areas for compliance with the curb cut and access restrictions of chapter 17H.010 SMC.

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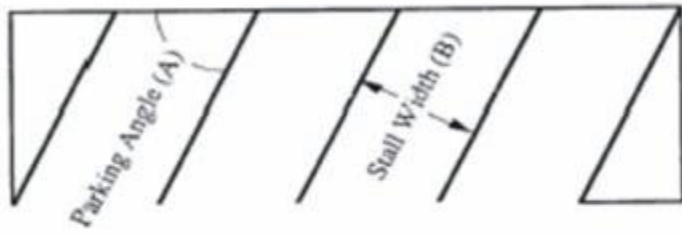
Table 17C.230.140-1 RA, R1, R2, RMF, RHD, FBC CA4, O, OR, NMU, CB, GC and Industrial Zones Minimum Parking Space and Aisle Dimensions [1, 2]					
Angle (A)	Width (B)	Curb Length (C)	1-way Aisle Width (D)	2-way Aisle Width (D)	Stall Depth (E)
0° (Parallel)	8 ft.	20 ft.	12 ft.	22 ft.	8 ft.
30°	8 ft. 6 in.	17 ft.	12 ft.	22 ft.	15 ft.
45°	8 ft. 6 in.	12 ft.	12 ft.	22 ft.	17 ft.
60°	8 ft. 6 in.	9 ft. 9 in.	16 ft.	22 ft.	18 ft.
90°	8 ft. 6 in.	8 ft. 6 in.	22 ft.	22 ft.	18 ft.

Notes:
 [1] See Figure 17C.230-4.
 [2] Dimensions of parking spaces for the disabled are regulated by the building code. See SMC 17C.230.140(E)(3).

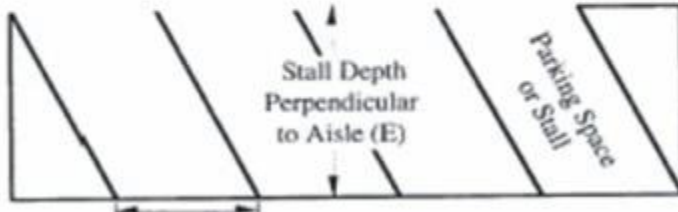
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Table ((17C.230.140-2)) 17C.230.140-1 ((Downtown, CC, NR, FBC CA1, CA2, and CA3 Zones)) Minimum Parking Space and Aisle Dimensions [1, 2]					
Angle (A)	Width (B)	Curb Length (C)	1-way Aisle Width (D)	2-way Aisle Width (D)	Stall Depth (E)
0° (Parallel)	8 ft.	20 ft.	12 ft.	20 ft.	8 ft.
30°	8 ft. 6 in.	17 ft.	12 ft.	20 ft.	15 ft.
45°	8 ft. 6 in.	12 ft.	12 ft.	20 ft.	17 ft.
60°	8 ft. 6 in.	9 ft. 9 in.	16 ft.	20 ft.	17 ft. 6 in.
90°	8 ft. 6 in.	8 ft. 6 in.	20 ft.	20 ft.	16 ft.

Notes:
 (([1] See Figure 17C.230-4.))
 [1] See Figure 17C.230.140-2.
 [2] Dimensions of parking spaces for the disabled are regulated by the building code. See SMC 17C.230.140(E)(3).



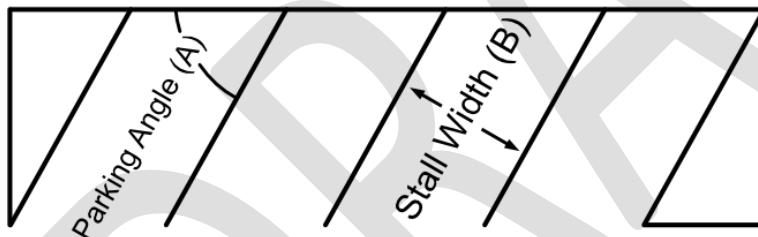
Aisle (D)



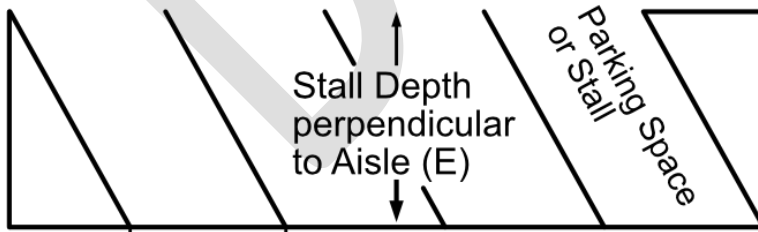
Curb Length (C)

Figure 17C.230-4 Parking Dimension Factors

[Note: Remove image and replace with the one below]



Aisle (D)

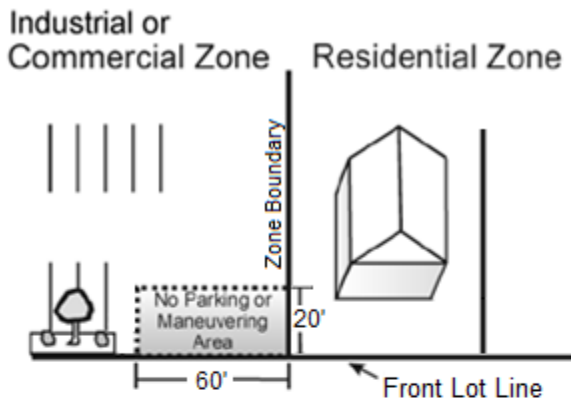


Curb Length (C)

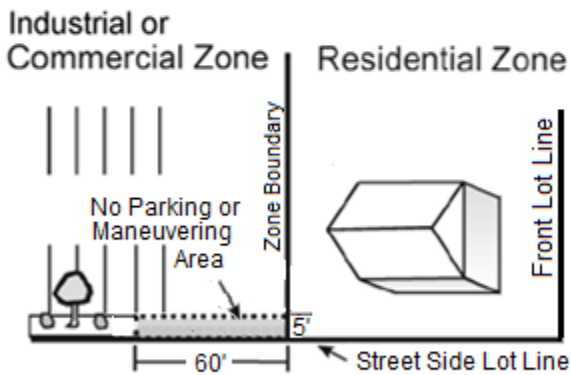
Figure 17C.230-4 Parking Dimension Factors

F. Parking Area Setbacks and Landscaping.

1. For parking areas on sites abutting residential zoning districts, parking spaces or maneuvering areas for parking spaces, other than driveways that are perpendicular to the street, are required to be setback a distance equal to the setback specified in SMC 17C.230.145(C)(1) of the adjacent residential zoning district for the first sixty feet from the zoning district boundary (Figure ((17C.230-5)) [17C.230.140-3](#)).



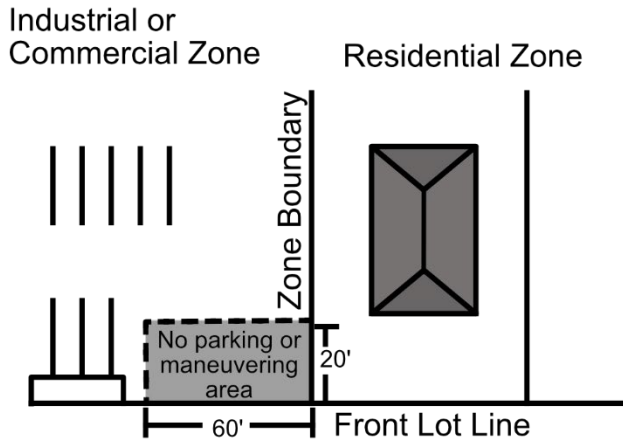
A. Setback adjacent to front lot line.



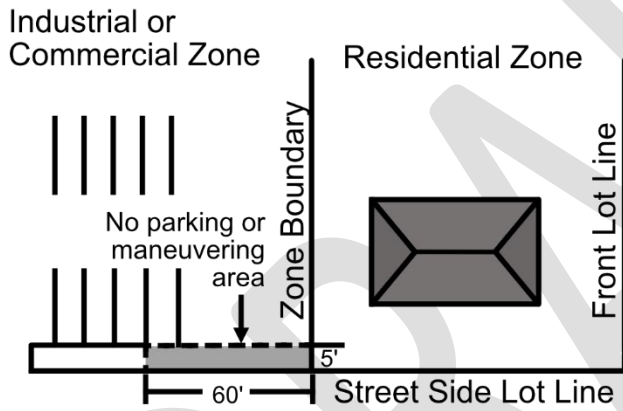
B. Setback adjacent to street side lot line.

Figure 17C.230-5 Parking Area Setback

[Note: Remove image and replace with the one below]



A. Setback adjacent to front lot line



B. Setback adjacent to street lot line.

Figure 17C.230-5 Parking Area Setback

2. All landscaping must comply with the standards of chapter 17C.200 SMC, Landscaping and Screening.

Section 17G.080.040 Short Subdivisions

A. Predevelopment Meeting

A predevelopment meeting is ~~((required if the proposal is located in the central business district, unless waived by the director, and is))~~ recommended ~~((for all other proposals))~~ for new short subdivisions prior to submittal of the application. The purpose of a predevelopment meeting is to acquaint the applicant with the applicable provisions of this chapter, minimum submission requirements and other plans or regulations, which may impact the proposal.

B. Preliminary Short Plat Application and Map Requirements

1. Applications for approval of a preliminary short subdivision shall be filed with the director. All applications shall be submitted on forms provided for such purpose by the department. The director may waive specific submittal requirements determined to be unnecessary for review of the application. The application shall include the following:
 - a. The general application.
 - b. The supplemental application.
 - c. The environmental checklist, if required under chapter 17E.050 SMC.
 - d. Title report no older than thirty days from issuance from the title company.
 - e. The filing fees as required under chapter 8.02 SMC.
 - f. ~~((The required number of documents, plans or maps))~~ One electronic copy of the proposed preliminary plat map drawn to a minimum scale of one-inch equals one hundred feet ~~((, on a sheet twenty-four by thirty-six inches, as set forth in the application checklist))~~.
 - g. A written narrative identifying consistency with the applicable policies, regulations and criteria for approval of the permit requested; and
 - h. Additional application information which may be requested by the permitting department and may include, but is not limited to, the following: geotechnical studies, hydrologic studies, critical area studies, noise studies, air quality studies, visual analysis and transportation impact studies.
 - i. One copy of the predevelopment conference notes (if applicable); and
 - j. One copy of the notification district map, if required.

2. Contents of Preliminary Short Plat Map

The preliminary short plat shall be prepared by a land surveyor and shall show the following:

- a. Plat name and the name of any subdivision to be replatted.
- b. The name, mailing address and phone number of the owner and the person with whom official contact should be made regarding the application.
- c. Surveyor's name, mailing address, and phone number.
- d. Legal description.
- e. Section, township, and ~~((rang))~~ range
- f. Vicinity map.
- g. North arrow, scale and date.
- h. Datum plane.
- i. Acreage.
- j. Number of lots, proposed density, and number of housing units.
- k. Zoning designation.
- l. The boundary lines of the proposed subdivision.
- m. City limits and section lines.
- n. Park or open space (if proposed).
- o. Existing topography at two-foot maximum interval.
- p. The boundaries and approximate dimensions of all blocks and lots, along with the following information:
 - i. the numbers proposed to be assigned each lot and block;
 - ii. the dimensions, square footage, and acreage of all proposed lots and tracts; and
 - iii. for residential lots zoned R1 or R2, the ~~((proposed Middle Housing types, included single unit detached houses, and))~~ total number of proposed units on ~~((all))~~ each proposed ~~((lots))~~ lot.
- q. Proposed names of streets.
- r. The location and widths of streets, alleys, rights-of-way, easements (both public and private), turn around and emergency access, parks and open spaces.
- s. Conditions of adjacent property, platted or unplatted, and if platted, giving the name of the subdivision. If the proposed short plat is the subdivision of a portion of an existing plat, the approximate lines of the existing plat are to be shown along with any and all recorded covenants and easement

- t. The names and address of the record owners and taxpayers of each parcel adjoining the subdivision.
- u. Indicate any street grades in excess of eight percent.
- v. The location and, where ascertainable, sizes of all permanent buildings, wells, wellhead protection areas, sewage disposal systems, water courses, bodies of water, flood zones, culverts, bridges, structures, overhead and underground utilities, railroad lines, and other features existing upon, over or under the land proposed to be subdivided, and identifying any which are to be retained or removed.
- w. Proposed one-foot strips for right-of-way conveyed to the City, in cases where a proposed public street or alley abuts unplatted land.
- x. If a body of water forms the boundary of the plat, the ordinary high water mark as defined in chapter 90.58 RCW.
- y. Critical areas as defined in chapters 17E.020, 17E.030, 17E.070 and 17G.030 SMC.
- z. Significant historic, cultural or archaeological resources; and
- aa. If the proposal is located in an irrigation district, the irrigation district name.

C. Review of Preliminary Short Plat

1. The application shall be reviewed in accordance with the procedures set forth in chapter 17G.061 SMC for a Type II application, except an application that meets the requirements for minor engineering review as provided in subsection (2) of this section shall be excluded from the public notice requirements contained in SMC 17G.06210 and public comment period under SMC 17G.061.220.
2. Minor Engineering Review.
 - a. A preliminary short plat application may qualify for a Minor Engineering Review if it meets all of the following conditions:
 - i. The application is categorically exempt from chapter 43.21C RCW (SEPA);
 - ii. There is direct water and sewer main lot frontage on an existing and improved public right-of-way;
 - iii. No extensions of public water, sewer, or other utility services will be needed;
 - iv. No public easements for water, sewer, or other utility service exists on the lot;

- v. The lot is not situated in a Special Drainage District as defined in SMC 17D.060.130; and
 - vi. Public utility mains do not exist on the lot.
- b. The City Engineer is authorized to ~~((waiver))~~ waive conditions ii through vi of ~~((the-subjection))~~ subsection (a) if the application substantially meets the intent of the Minor Engineering Review.

D. Public Notice And Public Comment.

All public notice of the application and opportunities for public comment shall be given in accordance with the procedures set forth in chapter 17G.061 SMC for a Type II application.

1. Exceptions.

- a. A short plat that meets the requirements of Minor Engineering Review as provided in subsection (C)(2) of this section shall not require a notice of application.
- b. A short plat that is categorically exempt from SEPA and results in four or fewer lots shall not require a posted or signed notice of application.

E. Preliminary Short Plat Approval Criteria.

Prior to approval of a short plat application, the director shall find the application to be in the public use and interest, conform to applicable land use controls and the comprehensive plan of the City, and the approval criteria set forth in chapter 17G.061 SMC. The director has the authority to approve or disapprove a proposed preliminary short plat under the provisions of this chapter, subject to appeal as provided in chapters 17F.050 and 17G.061 SMC.

F. Final Short Plat Review Procedure

- 1. The subdivider shall submit to the director for review the following:
 - a. A final short plat, prepared by a registered land surveyor licensed in the state of Washington, consistent with the approved preliminary short plat.
 - b. A title report less than thirty days old confirming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate or instrument of dedication.

- c. Covenants, conditions and restrictions, if applicable; and
 - d. Fees pursuant to chapter 8.02 SMC.
2. Within thirty days, unless the applicant has consented to a longer period of time, of receipt of a proposed final short plat, the director shall review the plat for conformance with all conditions of the preliminary short plat approval, the requirements of this chapter and that arrangements have been made to insure the construction of required improvements. If all such conditions are met, the director shall approve the final short plat and authorize the recording of the plat. If all conditions are not met, the director shall provide the applicant in writing a statement of the necessary changes to bring the final short plat into conformance with the conditions.
- a. If the final short plat is required to be resubmitted, the subdivider is required to provide the following:
 - b. A cover letter addressing the corrections, additions or modifications required.
 - c. Title report no older than thirty days from issuance of a title company conforming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate or instrument of dedication; and
 - d. The required number of copies of the corrected final short plat map.
3. If the final short plat is approved, the surveyor causes the plat to be signed by the Spokane county treasurer and file of record with the Spokane county auditor. The surveyor is required to file the appropriate number of mylar and bond copies of the recorded short plat with the director.

G. Final Short Plat Map Requirements

The subdivider shall submit to the director a final short plat in the same form and with the same content as the preliminary short plat, as provided in subsections (B)(1) and (2) of this section, with the following exceptions or additional requirements:

- 1. A final short plat shall contain all the information required of the preliminary plat, except the following:
 - a. Show existing buildings.
 - b. Show existing utility lines and underground structures.
 - c. Show the topographical elevations; or
 - d. Contain the names and addresses of adjoining landowners.

2. The final short plat shall include the following:

- a. Surveyor's certificate, stamp, date and signature, as follows:
The following land surveyor's certificate to be shown on each sheet of the plat: "I, _____ registered land surveyor, hereby certify the plat of _____, as shown hereon, is based upon actual field survey of the land described and that all angles, distances, and courses are correctly shown and that all non fronting lot corners are set as shown on the plat. Monuments and fronting lot corners shall be set upon completion of the utility and street improvements.

Signed _____ (Seal)"

- b. A certification by the city treasurer, as applicable:

- i. "I hereby certify that the land described by this plat, as of the date of this certification, is not subject to any local improvement assessments. Examined and approved, this _____ day of _____, 20__.

City of Spokane Treasurer"

- ii. "I hereby certify that the land described by this plat, as of the date of this certificate, is not subject to any delinquent local improvement assessment. Future installments, if any, shall remain due and payable and it shall be the responsibility of the owners to initiate the segregation of the LID assessment. Examined and approved, this _____ day of _____, 20__.

City of Spokane Treasurer"

- iii. "A preliminary local improvement assessment exists against this property. It shall be the responsibility of the owner's to initiate the segregation of the LID assessment. After this assessment is finalized, it shall be due and payable. Examined and approved this _____ day of _____, 20__.

City of Spokane Treasurer"

c. The certification by the planning director, as follows:

“This plat has been reviewed on this _____ day of _____, 20____ and is found to be in full compliance with all the conditions of approval stipulated in the Hearing Examiner’s/Planning Director’s approval of the preliminary plat # - -PP/SP.

City of Spokane Planning Director”

d. The certification by the city engineer, as follows:

“Approved as to compliance with the survey data, the design of public works and provisions made for constructing the improvements and permanent control monuments this _____ day of _____, 20____.

City of Spokane Engineer”

e. The certification by the Spokane county treasurer, as follows:

“I hereby certify that the land described in this plat, as of the date of this certification, is not subject to any outstanding fees or assessments. Examined and approved _____ day of _____, 20____.

Spokane County Treasurer”

f. The certification by the Spokane county auditor on each page of the final short plat including the time, date, book and page number of the recording of the final mylar.

g. Signature of every owner certifying that:

- i. the plat is made with the free consent and in accordance with the desires of the owners of the land;
- ii. the plat is made with the free consent and in accordance with the desires of the owners of the land;
- iii. the owners are the owners of the property and the only parties having interest in the land and is not encumbered by any delinquent taxes or assessments;
- iv. the owners adopt the plan of lots, blocks and streets shown;

- v. owner dedicates to the City and the City's permittees the easements shown for utilities and cable television purposes;
- vi. owner dedicates to the City the streets, alleys and other public places, including slope and construction easements and waives all claims for damages against any governmental authority including, without limitation, the City which may be occasioned to the adjacent land by the establishment, construction, drainage and maintenance of any public way so dedicated; and
- vii. owner conveys to the City as general City property the buffer strips adjoining unplatted property.

h. The drawing shall:

- i. be a legibly drawn, printed or reproduced permanent map;
- ii. if more than one sheet is required, each sheet shall show sheet numbers for the total sheets;
- iii. have margins that comply with the standards of the Spokane county auditor;
- iv. show in dashed lines the existing plat being replatted, if applicable;
- v. show monuments in accordance with SMC 17G.080.020(H)(1);
- vi. include any other information required by the conditions of approval; and
- vii. include any special statements of approval required from governmental agencies, including those pertaining to flood hazard areas, shorelines, critical areas and connections to adjacent state highways.

H. Filing.

Once the final plat has been reviewed, approved and signed by the applicable departments, the applicant shall file the final short plat with the county auditor within ten days of approval. No permits shall be issued for a proposed lot until the required conformed copies of the short plat have been submitted to the planning services department.

I. Redivision.

No land within the boundaries of a short subdivision may be further divided in any manner which will create additional lots within a period of five years except by subdivision in accordance with SMC 17G.080.050.

Section 17G.080.065 Unit Lot Subdivisions

A. Purpose.

The purpose of these provisions is to allow for the more flexible creation of lots of varying sizes and types, including for attached housing, cottage housing, and similar developments with multiple dwelling units on a parent site, while applying only those site development standards applicable to the parent site as a whole, rather than to individual lots resulting from the subdivision.

B. Applicability.

A unit lot subdivision creates a relationship between the parent site and each lot created, referred to as a “child” lot.

1. Unit Lot Subdivisions are allowed for all residential development on parent sites of two acres or less in zones that allow residential development. Subdivisions with a commercial or other non-residential use seeking similar flexibility must be approved through another platting action under chapter 17G.080 SMC.
2. A ~~((unit lot subdivision))~~ Unit Lot Subdivision may be used in any development with two or more dwelling units meeting the standards of this section.
3. A ~~((unit lot subdivision))~~ Unit Lot Subdivision may also be used to subdivide an existing or planned accessory dwelling unit from the principal structure, subject to the additional standards in subsection ~~((F))~~ (G) of this section.
4. A ~~((unit lot subdivision))~~ Unit Lot Subdivision may be combined with a subdivision or short subdivision so long as the portion of the development utilizing this section meets the ~~((requirements))~~ standards of this section and the additional requirements of subsection (E).

C. Application Procedure.

Unit ~~((lot subdivisions))~~ Lot Subdivisions resulting in nine or fewer lots shall be processed as short plats and all others shall be processed as subdivisions according to the associated permit types in chapter 17G.061 SMC.

D. General Regulations.

1. ~~((A unit lot subdivision shall meet development standards applicable to the parent lot's zoning, including but not limited to))~~ The parent site as a whole

shall meet all applicable development standards with respect to its surroundings, including but not limited to:

- a. Setbacks;
- b. ~~((Lot-size))~~ Building coverage;
- c. Design standards;
- ~~((e))~~d. ~~((Building))~~ Street frontage; and
- ~~((d))~~e. ~~((Floor-area-ratio))~~ Density;

2. So long as the parent site meets the applicable standards as a whole, each child lot may deviate from site development standards including but not limited to:

- a. Setbacks;
- b. Building coverage;
- c. Street frontage; and
- d. Density.

- ~~((2))~~3. All buildings shall meet all applicable provisions of the building and fire code;
- ~~((3))~~4. Lots created through a ~~((unit lot subdivision))~~ Unit Lot Subdivision shall be subject to all applicable requirements of Title 17 SMC, except as otherwise modified by this section;
- ~~((4))~~5. Each child lot's area and width for purposes of subdivision may be as small as the footprint of the building situated upon it, subject to the requirements of the building and fire code;
- ~~((5))~~6. Portions of the parent site ~~((not subdivided for child lots))~~ designated for common use shall be identified as Tracts or other common space and owned in common by the owners of the child lots or a larger collective organization. For example, a homeowners association comprised of the owners of the child lots located within the parent site. This requirement shall be included in deed restrictions as required in subsection ~~((E))~~ (F) of this section;
- ~~((6))~~7. The parent site and each child lot shall make adequate provisions for ingress, egress, and utility access to and from each lot created by reserving such common areas or other easements over and across the parent site as deemed necessary to comply with all other design and development standards generally applicable to the underlying site development plan.
- ~~((7))~~8. Separation requirements for utilities ~~((must))~~ shall be met.
- ~~((8))~~9. Driveways providing vehicle access to lots shall not serve more than nine (9) units unless approved by the City Engineer.

E. Combining with Other Platting Types.

When combined with another platting type, the following additional requirements apply:

1. A parent site within a larger subdivision is defined as the contiguous acreage identified for use of the Unit Lot Subdivision rules.
2. The plat shall identify and delineate all parent sites where Unit Lot Subdivision rules are to be applied.
3. A subdivision may include multiple parent sites. The aggregate size of all parent sites shall not exceed two acres.

~~(E)~~E. Recording.

1. The plat recorded with the county auditor's office shall include the following:
 - a. Access easements, joint use and maintenance agreements, and covenants, conditions, and restrictions identifying the rights and responsibilities of property owners and/or the homeowners association for use and maintenance of common garage, parking and vehicle access areas; on-site recreation; landscaping; utilities; common open space; exterior building facades and roofs; and other similar features.
 - b. A note that approval of the subdivision was granted by the review of the site as a whole (stating the subject project file number if applicable);
 - c. A note that subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent site as a whole, and shall conform to the approved site development plan;
 - d. A note stating that if a structure or portion of a structure has been damaged or destroyed, any repair, reconstruction or replacement of the structure(s) shall conform to the approved site development plan;
 - e. A note that additional development of the individual lots may be limited as a result of the application of development standards to the parent ~~(sit)~~ site.
2. The legal description of each lot shall identify it as part of a unit lot subdivision.

~~(F)~~G. Accessory Dwelling Units.

A lot with an accessory dwelling unit may be subdivided under this section with the following additional requirements:

1. ~~((All utility lines for the accessory dwelling unit must branch from a common line on a portion of the parent site owned in common.))~~ Utility lines may cross property lines internal to the development provided that easements are placed to preserve access and protect them.
2. The plat recorded with the county auditor's office shall further specify the following:
 - a. The child lot that is associated with the accessory dwelling unit;
 - b. That the child lot associated with the accessory dwelling unit is subject to any and all additional regulations of an accessory dwelling unit under the Spokane Municipal Code.
3. The legal description of a lot for an accessory dwelling unit shall identify the lot as an accessory dwelling unit within a ~~((unit lot subdivision))~~ Unit Lot Subdivision.

EXHIBIT B

17. Update on SREC
18. Update from Catholic Charities

Consent items

1. 1970 – Gall's VB Renewal for Firefighter Uniforms
2. 0680 – Approval of Police Jumpsuits Value Blanket
3. 0680 – AXON MY90 Pilot Project
4. 0680 – AXON Interview Room System
5. 0680 – AXON Fleet 3
6. 0680 – Acceptance of Registered Sex Offender Grant FY 24-25

Executive session

None.

Adjournment

The meeting adjourned at 11:40 AM

Hearing Notices

Notice of Intent to Adopt 2024 Building Opportunities for Housing (BOH) Follow UP Fixes

The City of Spokane Planning Services Department proposed amendments to various code sections to correct errors, clarify requirements, and make it easier to implement.

Project Description: The proposal amends 17A.020.060 "F" Definitions, 17C.111.205 Development Standards Tables, 17C.111.210 Density, 17C.111.220 Building Coverage and Impervious Coverage, 17C.111.235 Setbacks, 17C.111.310 Open Space, 17C.111.315 Entrances, 17C.111.320 Windows, 17C.111.325 Building Articulation, 17C.111.335 Parking Facilities, 17C.111.420 Open Spaces, 17C.111.450 Pitched Roofs, 17C.230.020 Vehicle Parking Summary Table, 17C.230.100 General Standards, 17C.230.110 Minimum Required Parking Spaces, 17C.230.120 Maximum Required Parking Spaces, 17C.230.130 Parking Exceptions, 17C.230.140 Development Standards, 17G.080.040 Short Subdivisions, 17G.080.065 Unit Lot Subdivisions, and 17H.010.040 Initiation of Street Improvement Projects.

SEPA: These proposed changes will be reviewed as a non-project action under the State Environmental Policy Act (SEPA) under Spokane Municipal Code Section 17E.050.

Legislative Process: Initial Plan Commission Workshops were held on August 28, 2024, September 11, 2024, October 9th, 2024, and one is scheduled for October 23rd, 2024 to introduce the Commission to proposed amendments. A Plan Commission Public Hearing is tentatively scheduled for November 13, 2024. City Council action is expected to occur in Winter 2024.

More information: Any person may call or email Ryan Shea, Planner II, for more information regarding this proposed amendment. rshea@spokanecity.org, 509-625-6087.

BUILDING OFFICIAL HEARING NOTICE

Notice is hereby given that the Building Official has caused proper notice to be served upon the persons responsible for 1522 W Maxwell Avenue, PARCEL NO: 25131.3911 LEGAL DESCRIPTION: CHAMBERLIN ADD L11 B39 in compliance with the Spokane Municipal Code stating that a first hearing on this matter will be held before the Building Official on October 29, 2024, at 1:30 p.m. These hearings are held at 808 W Spokane Falls Blvd. Spokane. WA 99201, in the Council Briefing Room, Lower Level, City Hall. Remote participation is also available via Microsoft Teams, and remote participation information for this hearing will be posted on the city website as well on each agenda, which can be found under the substandard building topic here: <https://my.spokanecity.org/neighborhoods/code-enforcement/topics/>.

Notice is hereby given that attention has been directed to anyone who knows the present address or whereabouts of the owner or to any new owner or person in the position of responsibility over this property to contact the City of Spokane regarding plans to correct deficiencies and avoid potential outcomes of the show cause hearing, which may include a demolition or receivership order. Not hearing further on this matter the said first hearing will proceed. For more information on this hearing, including information regarding participation in the remote hearing, please contact:

Jennifer Loparco
Code Enforcement, City of Spokane
808 West Spokane Falls Blvd.
Spokane, WA 99201-3333



NONPROJECT DETERMINATION OF NONSIGNIFICANCE

FILE NO(s): 24-010CODE BOH Follow Up Fixes

PROPONENT: City of Spokane

DESCRIPTION OF PROPOSAL:

In November of 2023 the City of Spokane adopted new zoning regulations for lower-intensity residential zones. These changes, referred to as “Building Opportunity for Housing” (BOH) permanently implemented the temporary changes put in place by the Building Opportunities and Choices for All program (BOCA).

BOH was a major change to The City’s zoning regulations. As staff have worked with developers and property owners to implement the new regulations, many issues have been identified. This is an expected aspect of adopting major changes to the development code.

This proposal is expected to improve the public’s understanding of the code requirements and make it easier for staff to administer requirements. It also modifies some requirements based on challenges that exist in the current code that have been identified during review of proposed projects.

Plan Commission Consideration:

This proposal will be brought forward to Plan Commission for a hearing later this year.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: Citywide

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 upon 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 4:00 p.m. on Nov. 13, 2024 if they are intended to alter the DNS.**

Responsible Official: Spencer Gardner **Position/Title:** Director, Planning Services

Address: 808 W. Spokane Falls Blvd., Spokane, WA 99201 **Phone:** 509-625-6097

Date Issued:10/29/2024 **Signature:** 

APPEAL OF THIS DETERMINATION



After a determination has become final, appeal may be made to:

Responsible Official: City of Spokane Hearing Examiner

Address: 808 W. Spokane Falls Blvd., Spokane, WA 99201

Email: hearingexaminer@spokanecity.org

Phone: 509-625-6010

Deadline: 21 days from the date of the signed DNS

12:00 p.m. on MM DD, 2024

The appeal must be on forms provided by the Responsible Official, and make specific factual objections. Appeals must be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.





SEPA City Nonproject DNS- BOH Fixes

Final Audit Report

2024-10-29

Created:	2024-10-29
By:	Angela McCall (amccall@spokanecity.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAQAsXAJ2uEMV6wLDJqSwZ5mV6iCBAnQX-

"SEPA City Nonproject DNS- BOH Fixes" History

-  Document created by Angela McCall (amccall@spokanecity.org)
2024-10-29 - 3:16:45 PM GMT
-  Document emailed to Spencer Gardner (sgardner@spokanecity.org) for signature
2024-10-29 - 3:17:26 PM GMT
-  Email viewed by Spencer Gardner (sgardner@spokanecity.org)
2024-10-29 - 3:31:51 PM GMT
-  Document e-signed by Spencer Gardner (sgardner@spokanecity.org)
Signature Date: 2024-10-29 - 3:32:20 PM GMT - Time Source: server
-  Agreement completed.
2024-10-29 - 3:32:20 PM GMT

LEGAL NOTICES

NOTICE OF PUBLIC HEARING AND NOTICE OF SEPA DETERMINATION PROPOSED AMENDMENTS TO THE SPOKANE MUNICIPAL CODE RELATED TO THE BUILDING OPPORTUNITY FOR HOUSING PROJECT

Notice is hereby given that a SEPA Determination has been made and that the City of Spokane Plan Commission will hold a Public Hearing in a hybrid format on Wednesday, November 13, 2024 beginning at 4 p.m. in the Council Chambers, Lower Level of City Hall, 808 West Spokane Falls Blvd. and online via the Microsoft Teams Meetings software and over the phone, to receive public testimony regarding proposed citywide amendments to SMC Chapters 17A.020.060, 17C.111.205, 17C.111.210, 17C.111.220, 17C.111.235, 17C.111.310, 17C.111.315, 17C.111.320, 17C.111.325, 17C.111.335, 17C.111.420, 17C.111.450, 17C.230.020, 17C.230.100, 17C.230.110, 17C.230.120, 17C.230.130, 17C.230.140, 17G.080.040, and 17G.080.065. This hearing or portions thereof may be continued to a later date at the discretion of the Plan Commission.

Public testimony on these applications will be taken at the hearing and will be made part of the record. Written comments and oral testimony at the public hearing will be made part of the public record. Only the applicant, persons submitting written comments, and persons testifying at the hearing may appeal the decision.

Any person may submit written comments on the proposed action or request additional information:

City of Spokane, Planning Services & Economic Development, Ryan Shea, Planner II, 808 W. Spokane Falls Blvd., Spokane, WA 99201 (509) 625-6500; rshea@spokanecity.org

LOCATION: Citywide

SEPA: A SEPA Checklist for this non-project action has been submitted. A Determination of Non-Significance (DNS) was issued on October 30, 2024, under WAC 197-11-340(2); the lead agency will not act on this proposal for at least 14 days. Comments regarding this DNS must be submitted no later than 4 pm, November 13, 2024, if they are intended to alter the DNS.

To learn more: Project webpage: https://my.spokanecity.org/projects/building-opportunity-for-housing-follow-up-code-amendments/

How to Attend the Meeting: The Public can attend the meeting in-person in the City Council Chambers at 808 W Spokane Falls Blvd. People may also attend online via Microsoft Teams or call in by phone to hear and testify. Access the meeting link and call-in information at the agenda posted in advance on the Commission's website: https://my.spokanecity.org/bcc/commissions/plan-commission/

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 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 Human Resources through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

SR225930

LEGAL NOTICES

NOTICE

NOTICE IS HEREBY GIVEN THAT ON THE 5th DAY OF NOVEMBER 2024 AT 2:00 PM A PUBLIC AUCTION WILL BE HELD FOR THE PURPOSE OF SATISFYING A LANDLORDS LIEN ON THE CONTENTS OF 1 STORAGE UNIT (S), AT STORAGEAUCTION.COM. THE GOODS TO BE SOLD ARE GENERALLY DESCRIBED AS HOUSEHOLD ITEMS, FURNITURE AND BOXES.

UNIT 0949 ISAAC JOLLEY 649 LYNNWOOD LOOP RICHLAND WA 99354

UNIT 0340 ALEXANDER COLLINSON 101 E WEDGEWOOD AVE SPOKANE WA 992208

UNIT 0148 & 0060 LINDA THAIN 15019 E WELLSLEY AVE SPOKANE VALLEY WA 99218

UNIT 0346 LEAONA MIRANDA 2124 E BISMARCK AVE SPOKANE WA 99208

SR225599

NOTICE

NOTICE IS HEREBY GIVEN THAT ON THE 3rd DAY OF DECEMBER 2024 AT 2:00 PM A PUBLIC AUCTION WILL BE HELD FOR THE PURPOSE OF SATISFYING A LANDLORDS LIEN ON THE CONTENTS OF 5 STORAGE UNIT (S), AT STORAGEAUCTION.COM. THE GOODS TO BE SOLD ARE GENERALLY DESCRIBED AS HOUSEHOLD ITEMS, FURNITURE AND BOXES.

UNIT 2029 MERRILL SMITH 315 N 15TH ST APT B COEUR D ALENE ID 83814

UNIT 2129 ANTHONY SCARDINA 615 W STODDARD COEUR D ALENE ID 83814

UNIT 3138 MARY MCCORMICK 2707 N FRUITLAND LM F40 COEUR D ALENE ID 83815

UNIT 0030 KATRINA DOUGALL 2914 N FRANCIS COEUR D ALENE ID 83814

UNIT 1218 JESSICA WIESE 2005 E FRONT AVE 1 COEUR D ALENE ID 83814 SR225369

REQUEST FOR PROPOSAL

Property Management Services

RFP NO. 14321

Spokane County Requests That Qualified Parties Submit Proposals To: www.publicpurchase.com

PURPOSE: The purpose of this Request for Proposal (RFP) is for Spokane County ("the County"), is soliciting proposals from interested parties who offer property management services.

THE BOARD hereby notifies all bidders that no person or organization shall be discriminated against on the basis of race, religion, color, age, sex, sexual orientation or national origin in consideration for an award issued pursuant to this advertisement. Additionally, minority and women owned business enterprises are encouraged to submit bids in response to this invitation.

COPIES of the RFP document are only available electronically and can be downloaded from www.publicpurchase.com.

SUBMITTALS, due by 11:00am local time, November 13, 2024, should follow the format outlined in the request for bid document on www.publicpurchase.com.

QUESTIONS regarding the bid process shall be submitted via www.publicpurchase.com. Spokane County Purchasing will respond to questions via www.publicpurchase.com, thus providing all questions and answers to all prospective bidders.

DATED THIS 29th day of October, 2024.

GINNA VASQUEZ, Clerk of the Board SR225951

LEGAL NOTICES

PUBLIC HEARING

The Deer Park City Council will hold a public hearing on Wednesday, November 6, 2024, and Wednesday, November 20, 2024 at 7:00 p.m. to receive written and oral communications in reference to Ordinance 2024-1025 that sets the property tax levy and revenue sources for the 2024 preliminary budget. The hearings will be held at City Hall, 316 E. Crawford, and Deer Park, WA.

Americans with Disabilities Act (ADA) accommodations provided upon request.

By: Deby Cragun, City Clerk/Treasurer Published: October 30, 2024, and November 13, 2024 SR225789

MERCHANDISE FOR SALE

BABY TAYLOR GUITAR new condition, \$280 obo, w/ soft case and strap, 208-659-1974.

WURLITZER PIANO You move. \$500 CASH No text. 509-484-3286

MERCHANDISE WANTED

\$\$\$Paying top dollar\$\$ for Sports card collections & Pokémon. Premium paid for vintage pre-1980. Corey 541-838-0364

Wanted Postcards & Black & White Photographs, any subject. Even old family photo albums. For top dollar. Mark (509) 951-7783



CEMETERY LOTS

GREENWOOD CEMETERY PLOT Top of the hill, "Inspiration" lawn, 1 plot with companion urn, second use, and marker. Today's value \$9,272. Will sell for \$7,000, includes \$295 property transfer fee. Please text 509-951-7356.



DOGS



AKC DOBERMAN PUPPIES AKC Doberman Pinscher puppies for sale. 3 black/rust males, 1 blue/rust female. 1 year health guarantee, delivery available, tails cropped, dew claws removed. Ready for forever homes November 21st. \$2500. 509-859-9818



AKC MINI AMER. SHEPHERD 8wks, \$1000+, all colors, exc. hith, Sire Gr. CH. 1yr old, \$500, 509-979-9270



BORDER COLLIE PUPPIES These are purebred with both parents being registered in multiple registries. They were born September 6th, so are close to being ready. We are taking reservations at this time so folks may choose their favorite. We are located north of Spokane and are currently welcoming folks to come meet them. We also can send photos to folks that are too far to come see them and are offering delivery for those interested. Please text or call for information. Call or Text 509-936-4184 Starting at \$600.

ICELANDIC SHEEPDOGS - AVAILABLE NOW 3 AKC registered Icelandic Sheepdog Puppies - 2 - male, 1 - female. 10 weeks old. Had a vet wellness check, 1st shots, de-worming and chipped. Call Patty - 509-668-1503



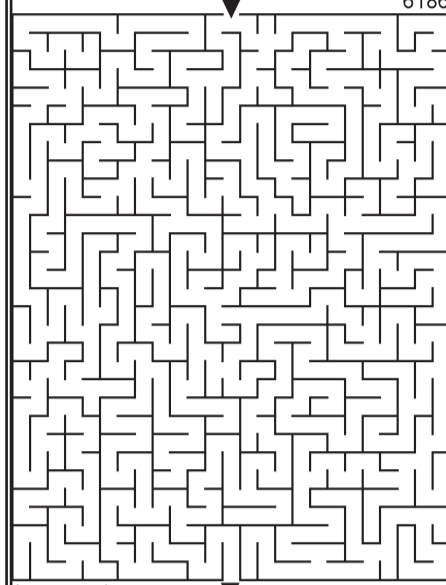
WORD Roundup

Find and Circle... Four four-letter units of length Four words related to hockey Three seven-letter countries Three birds of prey Two fish starting with T

Answers to Tuesday's puzzle: LEMMING LEOPARD LLAMA LEMUR LION / SYRUP LEAF TREE / TRIANGLE CIRCLE OVAL / FRANCE SPAIN ITALY / ZIPPER

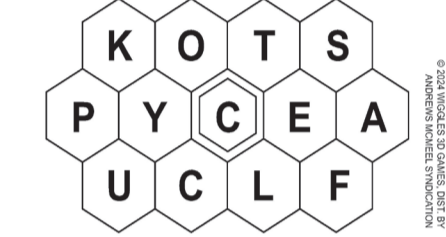


Minute Maze



LEXICO Start at the double hexagon. Spell solutions to the clues below by winding your way through the grid. You can backtrack to use letters more than once. Each new word starts with the last letter of the previous word.

- 1. Travel by bike C
2. Canvas holder
3. Information sheet L
4. 'Godzilla' setting
5. Take up residence in O



BRIDGE Bobby Wolff, Dist. by Andrews McMeel for UFS

"Those to whom no distant horizons beckon ... for whom no challenges remain ... though they have inherited a Universe ... they possess only empty sand!" - Stan Lee

When this deal was first played in an online pairs game, South reached the inferior five diamonds after a unilateral action at his second turn saw him bypass three no-trump. Doubling - with the intent of pulling spades or clubs to diamonds to show a strong hand, but otherwise intending to pass three no-trump - would have been better. This sequence would not be 100% forcing in my book.

West led a heart to dummy's ace, and declarer immediately laid down the diamond ace-king, getting the bad news. He exited with a third round of trumps, but West still had a safe heart exit. Declarer ruffed and played out the spade ace and another spade. West taking his two black-suit tricks for one down.

South could have given his contract a better go. East would have bid four hearts with king-queen-jack-eighth of that suit, so it was relatively safe to ruff a heart at trick two, which would have the effect of extracting West's exit card. Then come the diamond ace, king and a third diamond, forcing West to open a black suit. A club shift is immediately fatal, but a low spade is no better. Declarer wins with the spade 10, ruffs a heart and runs all his diamonds.

In the four-card ending, West cannot keep the guarded spade king and all three clubs, meaning declarer can either duck out the club ace or enjoy the spade queen if he reads the position. Whether or not he finds the winning line, this approach certainly gives him a better chance than the original line.

NORTH 10-30-A Q 10 8 5 A 10 4 10 8 Q 9 6 2 WEST K J 3 2 8 2 Q 9 7 A 10 7 5 EAST 9 7 6 K Q J 9 7 5 3 2 J 4 SOUTH A 4 6 A K J 6 5 4 3 K 8 3

Vulnerable: Neither Dealer: South The bidding: South West North East 1 Pass 1 3 4 Pass 5 All pass

Opening Lead: Heart eight

BID WITH THE ACES

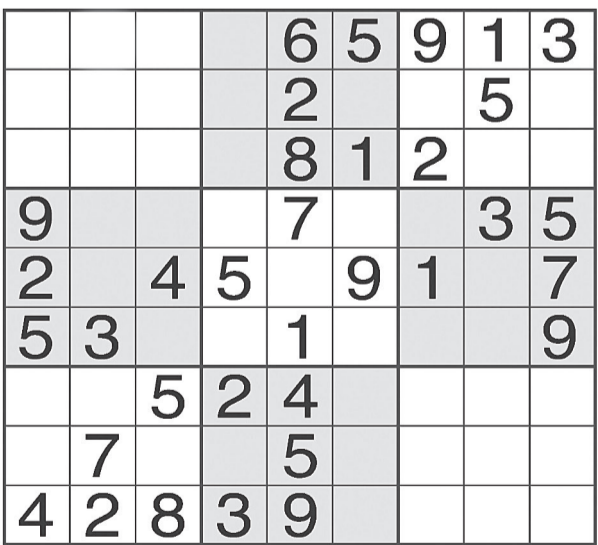
South holds: K J 3 2 8 2 Q 9 7 A 10 7 5

South West North East 1 Pass 1 3 4 Pass 5 All pass

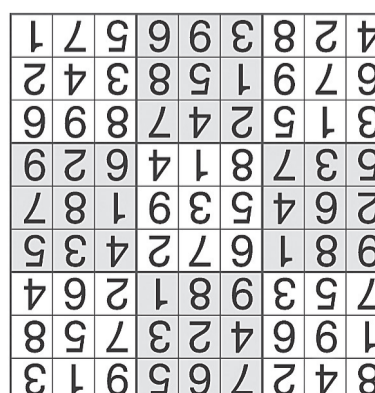
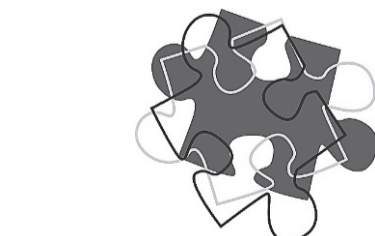
ANSWER: You do not quite have the values for an invitational two no-trump. This hand is nothing special, and your spade honors are not particularly useful facing likely shortness. Make do with showing preference for two hearts, and bid it smoothly! The reason is that you want partner to be able to make a decision as to whether to bid on, but you must avoid using tempo to tip him off to your extra values.

UNIVERSAL Sudoku Puzzle

Complete the grid so that every row, column and 3x3 box contains every digit from 1 to 9 inclusively.



DIFFICULTY RATING: ★★☆☆☆



7 LITTLE WORDS

Find the 7 words to match the 7 clues. The numbers in parentheses represent the number of letters in each solution. Each letter combination can be used only once, but all letter combinations will be necessary to complete the puzzle.

- CLUES SOLUTIONS 1 soup and cereal dishes (5) 2 like a very dry throat (7) 3 "Godmother of Soul" Patti (7) 4 alongside (4) 5 trait of Pigen (10) 6 Bering and Bosphorus (7) 7 "foot fault" (7)



Tuesday's Answers: 1. CONTAMINATE 2. ROSA 3. TUTORING 4. INHALING 5. TIARAS 6. FREEZE 7. LEASE

Legal Advertising Deadlines NOON THE DAY BEFORE PUBLICATION 10:00am Friday for Sunday or Monday publication. (Some exceptions do apply) (509)459-5121

CLOSET GETTING TOO FULL? To Place Your Ad Call (509) 456-7355

LEGAL NOTICES

NOTICE OF PUBLIC HEARING AND NOTICE OF SEPA DETERMINATION PROPOSED AMENDMENTS TO THE SPOKANE MUNICIPAL CODE RELATED TO THE BUILDING OPPORTUNITY FOR HOUSING PROJECT

Notice is hereby given that a SEPA Determination has been made and that the City of Spokane Plan Commission will hold a Public Hearing in a hybrid format on Wednesday, November 13, 2024 beginning at 4 p.m. in the Council Chambers, Lower Level of City Hall, 808 West Spokane Falls Blvd. and online via the Microsoft Teams Meetings software and over the phone, to receive public testimony regarding proposed citywide amendments to SMC Chapters 17A.020.060, 17C.111.205, 17C.111.210, 17C.111.220, 17C.111.235, 17C.111.310, 17C.111.315, 17C.111.320, 17C.111.325, 17C.111.335, 17C.111.420, 17C.111.450, 17C.230.020, 17C.230.100, 17C.230.110, 17C.230.120, 17C.230.130, 17C.230.140, 17G.080.040, and 17G.080.065. This hearing or portions thereof may be continued to a later date at the discretion of the Plan Commission.

Public testimony on these applications will be taken at the hearing and will be made part of the record. Written comments and oral testimony at the public hearing will be made part of the public record. Only the applicant, persons submitting written comments, and persons testifying at the hearing may appeal the decision.

Any person may submit written comments on the proposed action or request additional information:

City of Spokane, Planning Services & Economic Development, Ryan Shea, Planner II, 808 W. Spokane Falls Blvd., Spokane, WA 99201 (509) 625-6500; rshea@spokanecity.org

LOCATION: Citywide

SEPA: A SEPA Checklist for this non-project action has been submitted. A Determination of Non-Significance (DNS) was issued on October 30, 2024, under WAC 197-11-340(2); the lead agency will not act on this proposal for at least 14 days. Comments regarding this DNS must be submitted no later than 4 pm, November 13, 2024, if they are intended to alter the DNS.

To learn more: Project webpage: https://my.spokanecity.org/projects/building-opportunity-for-housing-follow-up-code-amendments/

How to Attend the Meeting: The Public can attend the meeting in-person in the City Council Chambers at 808 W Spokane Falls Blvd. People may also attend online via Microsoft Teams or call in by phone to hear and testify. Access the meeting link and call-in information at the agenda posted in advance on the Commission's website: https://my.spokanecity.org/bcc/commissions/plan-commission/

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 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 mlwmaster@spokanecity.org. Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date. SR225930

FOR ASSISTANCE OR QUESTIONS REGARDING A LEGAL ADVERTISEMENT, Please Call (509) 459-5121 or Toll Free 800-338-8801 • Ext. #5121 Weekdays.

LEGAL NOTICES



STATE ENVIRONMENTAL POLICY ACT DETERMINATION OF NONSIGNIFICANCE ADOPTION OF EXISTING DOCUMENT

Lead Agency:

Spokane Airport Board, 9000 W. Airport Drive #204 Spokane, WA 99224

Agency Contact / Responsible Official: Colin Hayden, Project Manager, Planning & Development Department, Chayden@spokaneairports.net, 509-455-6413

Agency File Number: 23-44-1809

Description of Proposal:

Rail-Truck Transload Facility, Phase 4

Location of Proposal:

East of Craig Road, between McFarlane and Thorpe Roads, Spokane, WA

Title of document being adopted: Categorical Exclusion Worksheet

Date adopted document was prepared: 01-27-2021

Description of document (or portion thereof) being adopted: The Categorical Exclusion (CatEx) Worksheet (OMB No. 2130-0615) and its findings are hereby adopted in its entirety. The CatEx document was prepared for the National Environmental Policy Act (NEPA) process, facilitated by the Federal Railroad Administration (FRA) as the Lead Agency. After review and evaluation of the project, proposed action and the CatEx documentation, FRA issued a Categorical Exclusion with no required mitigation. No appeals were received.

The adopted document is available at: SEPA Register - https://fortress.wa.gov/ecy/separ/Main/SEPA/Search.aspx

We have identified and adopted this document as being appropriate for this proposal after independent review. The document meets our environmental review needs for the current proposal and will accompany the proposal to the decision makers.

The Lead Agency has determined that this proposal will 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 determination is based on the findings and conclusions from the adopted NEPA document.

This DNS is issued under WAC 197-11-340(2). The Lead Agency will not act on this proposal for 14 days from the date below. Comments must be submitted by November 18, 2024.

Signature Colin Hayden, Date 11/4/2024, SR226105

Legal Advertising Deadlines

NOON THE DAY BEFORE PUBLICATION

10:00am Friday for Sunday or Monday publication. (Some exceptions do apply)

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LEGAL NOTICES

Mead School District 354 will receive proposals for School Security and Patrol Services. Proposals will be accepted until November 26th, 2024 at 2:00pm at the Mead School District Administration Building, 2323 East Farwell Road, Mead, WA 99021. Proposals will be publically open and read aloud at 2:00pm of said day. To obtain proposal documents please go the Mead School District web site: Mead354.org/AboutUs/ Department Directory/Purchasing. The Mead School District 354 Board of Directors reserves the right to accept or reject any or all proposals and to waive informalities. SR225928

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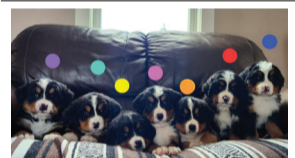
Wanted Postcards & Black & White Photographs, any subject. Even old family photo albums. For top dollar. Mark (509) 951-7783



DOGS



AKC DOBERMAN PUPPIES AKC Doberman Pinscher puppies for sale. 3 black/rust males, 1 blue/rust female. 1 year health guarantee, delivery available, tails cropped, dew claws removed. Ready for forever homes November 21st. \$2500. 509-859-9818



BERNESE MOUNTAIN DOG PUPPIES Beautiful, Playful, sweet Bernese Mountain Dog Puppies. The best family dogs who love water and snow. Smart, very responsive and love kids. No papers. Have first puppy shot and deworm. \$1500. For more info please text or call Olga at 509-220-4355.



BORDER COLLIE PUPPIES Ready to go, birthdate Sept 6th. Family raised, blue merles and black/white. Registered parents in multiple registries. We are North of Spokane. If you have questions or would like photos or to come meet them, please contact us at 509-722-4721. Starting at \$500



MINI AUSSIEDOODLE PUPPIES Ready 9-4-2024. Very handsome litter of parti pattern puppies. Parents are low 20s in size. We can deliver with a deposit or come view them and take one home :)! Very friendly engaging puppies with beautiful fluffy curly coats that will be very low to non-shedding. For more photos information or to arrange to come see them, please call 509-722-4721. Starting at \$600.

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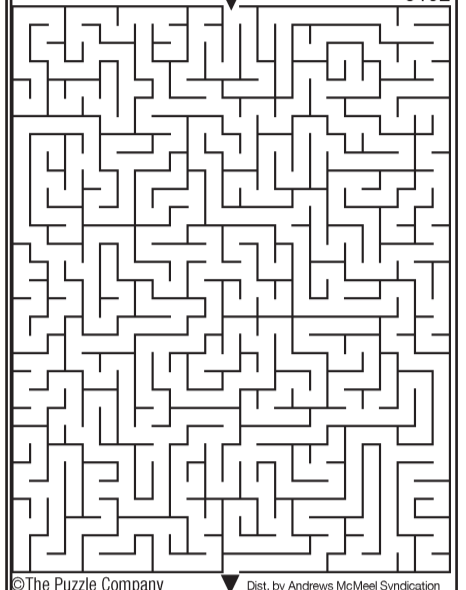
WORD Roundup

Find and Circle... Four words starting and ending with K, Four car companies, Four African countries, Two coin-flip possibilities, Home to U.S. presidents: the

Answers to Tuesday's puzzle: OCTOBER APRIL JUNE JULY / PEACH APPLE MANGO LEMON / PRAGUE VIENNA ROME / MERCURY VENUS EARTH / CENTAUR

Letter puzzle grid with a diagonal line through it.

Minute Maze



LEXICO Start at the double hexagon. Spell solutions to the clues below by winding your way through the grid. You can backtrack to use letters more than once. Each new word starts with the last letter of the previous word.

- 1. High body temperature F _ _ _ _
2. Invigorate _ _ _ _ _ _
3. Weather forecast numbers H _ _ _ _
4. Sword blocker _ _ _ _ _
5. Evade D _ _ _ _



Previous Puzzle: ELECT, TILES, SELECTIVE, ETCHED, DISPEL

BRIDGE Bobby Wolff, Dist. by Andrews McMeel for UFS

Bridge puzzle text including a quote by Francis Bacon, bidding details for North, West, East, and South, and a final answer section.

UNIVERSAL Sudoku Puzzle

Complete the grid so that every row, column and 3x3 box contains every digit from 1 to 9 inclusively.

Sudoku grid with some numbers filled in, and puzzle pieces graphic on the right.

DIFFICULTY RATING: ★★☆☆☆

7 LITTLE WORDS

Find the 7 words to match the 7 clues. The numbers in parentheses represent the number of letters in each solution. Each letter combination can be used only once, but all letter combinations will be necessary to complete the puzzle.

Clues and solutions for 7 Little Words puzzle, including a word bank and the final answers.

ORD C36629 (KLITZKE AMENDMENT)(01-14-25)

1. That Section 2 of Ordinance C36629, relating to SMC 17C.111.205, be stricken and the following substituted in its place:

Section 17C.111.205 Development Standards Tables

Development standards that apply within the residential zones are provided in Tables 17C.111.205-1 through 17C.111.205-3.

TABLE 17C.111.205-1 LOT DEVELOPMENT STANDARDS [1]					
	RA	R1	R2	RMF	RHD
DENSITY STANDARDS					
Maximum density on sites 2 acres or less [2][3]	No maximum	No maximum	No maximum	No maximum	No maximum
Maximum density on sites larger than 2 acres [2]	10 units/acre	10 units/acre	20 units/acre	No maximum	No maximum
Minimum density [2]	4 units/acre	4 units/acre	10 units/acre	15 units/acre	15 units/acre
LOT DIMENSIONS FOR SUBDIVISIONS AND SHORT SUBDIVISIONS					
Minimum lot area	7,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.
Minimum lot width ((with no driveway approach)) [4]	40 ft.	15 ft.	15 ft.	15 ft.	15 ft.
((Minimum lot width with driveway approach [4]))	((40 ft.))	((36 ft.))	((36 ft.))	((25 ft.))	((25 ft.))
Minimum lot width within Airfield Overlay Zone	40 ft.	40 ft.	36 ft.	25 ft.	25 ft.
Minimum lot depth	80 ft.	80 ft.	40 ft.	N/A	N/A
Minimum lot frontage	40 ft.	Same as minimum lot width	Same as minimum lot width	Same as minimum lot width	Same as minimum lot width
MINIMUM LOT DIMENSIONS FOR UNIT LOT SUBDIVISIONS					
Minimum parent lot area	No minimum	No minimum	No minimum	No minimum	No minimum
Maximum parent lot area	2 acres	2 acres	2 acres	2 acres	2 acres
Minimum child lot area	No minimum	No minimum	No minimum	No minimum	No minimum

ORD C36629 (KLITZKE AMENDMENT)(01-14-25)

Minimum child lot depth	No minimum	No minimum	No minimum	No minimum	No minimum
LOT COVERAGE					
Maximum total building coverage [5][6][7]	50%	65%	80%	100%	100%
Maximum lot impervious coverage without engineer's stormwater drainage plan - not in ADC [5][8][9]	50%	60%	60%	N/A	N/A
Maximum lot impervious coverage without engineer's stormwater drainage plan - inside ADC [5][8][9]	40%	40%	40%	N/A	N/A
<p>Notes:</p> <p>[1] Plan district, overlay zone, or other development standards contained in Title 17C SMC may supersede these standards.</p> <p>[2] See SMC 17C.111.210 for applicability of minimum and maximum density standards in the residential zones.</p> <p>[3] Development within Airfield Overlay Zones is further regulated as described in SMC 17C.180.090, Limited Use Standards.</p> <p>[4] ((Lots with vehicle access only from an alley are not considered to have a "driveway approach" for the purposes of this standard.)) <u>Requirements associated with driveways such as minimum approach separation and driveway coverage maximums may limit driveways on narrow lots.</u></p> <p>[5] Lot and building coverage calculation includes all primary and accessory structures.</p> <p>[6] Building coverage for attached housing is calculated based on the overall development site, rather than individual lots.</p> <p>[7] Developments meeting certain criteria relating to transit, Centers & Corridors, or housing affordability are given a bonus for building coverage. See SMC 17C.111.225 for detailed eligibility criteria.</p> <p>[8] Projects may exceed impervious coverage requirements by including an engineer's drainage plan in submittals, subject to review by the City Engineer as described in SMC 17D.060.135. "ADC" means Area of Drainage Concern.</p> <p>[9] <u>Projects in the RMF and RHD zones that are exempted from review under the Spokane Regional Stormwater Manual shall follow the impervious coverage requirements of the R1 zone.</u></p>					

TABLE 17C.111.205-2 BUILDING AND SITING STANDARDS [1]					
	RA	R1	R2	RMF	RHD
PRIMARY BUILDINGS					
Floor area ratio	N/A	N/A	N/A	N/A	N/A

ORD C36629 (KLITZKE AMENDMENT)(01-14-25)

Maximum building footprint per primary building - lot area 7,000 sq. ft. or less	N/A	2,450 sq. ft.	2,450 sq. ft.	N/A	N/A
Maximum building footprint per primary building - lot area more than 7,000 sq. ft.	N/A	35%	35%	N/A	N/A
Maximum building height [2]	35 ft.	40 ft.	40 ft.	55 ft.	75 ft.
Minimum Setbacks					
Front [3]	15 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Interior side lot line - lot width 40 ft or less (({3}))	3 ft.	3 ft.	3 ft.	3 ft.	3 ft.
Interior side lot line - lot width more than 40 ft [4] [5]	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
Street side lot line – all lot widths	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
Attached garage or carport entrance from street	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Rear	25 ft.	15 ft.	15 ft.	10 ft.	10 ft.
ACCESSORY DWELLING UNITS					
Maximum building footprint for accessory dwelling unit - lot area 5,500 sq. ft. or less	1,100 sq. ft.	1,100 sq. ft.	1,100 sq. ft.	1,100 sq. ft.	1,100 sq. ft.
Maximum building footprint for accessory dwelling unit - lots larger than 5,500 sq. ft.	15%	15%	15%	15%	15%
Maximum building height	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.
Minimum side lot line setbacks [5] [6]	Same as Primary Structure				
Minimum rear setback with alley [4] [5] [6]	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
Minimum rear setback no alley	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
OTHER ACCESSORY STRUCTURES					
Maximum lot coverage for accessory structures – lots 5,500 sq. ft. or less	20%	20%	20%	See Primary Structure	See Primary Structure
Maximum lot coverage for accessory structures – lots larger than 5,500 sq. ft.	20%	15%	15%	See Primary Structure	See Primary Structure
Maximum building height	30 ft.	20 ft.	20 ft.	35 ft.	35 ft.
Minimum side lot line setbacks [4] [5] [6]	Same as Primary Structure				
Minimum rear setback with alley	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
Minimum rear setback no alley	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.

ORD C36629 (KLITZKE AMENDMENT)(01-14-25)

OPEN SPACE [7]					
Minimum open space per unit [8]	250 sq. ft.	250 sq. ft.	250 sq. ft.	Studio: 48 sq. ft. per unit 1- bedroom: 75 sq. ft. per unit 2+ bedrooms: 150 sq. ft. per unit	Studio: 48 sq. ft. per unit 1- bedroom: 75 sq. ft. per unit 2+ bedrooms: 100 sq. ft. per unit Sites 20,000 sq. ft. or less: 36 sq. ft. per unit
Minimum common open space per unit as a substitute for private area - first six units	200 sq. ft.	200 sq. ft.	200 sq. ft.	Studio: 48 sq. ft. per unit 1- bedroom: 75 sq. ft. per unit 2+ bedrooms: 150 sq. ft. per unit	Studio: 48 sq. ft. per unit 1- bedroom: 75 sq. ft. per unit 2+ bedrooms: 100 sq. ft. per unit Sites 20,000 sq. ft. or less: 36 sq. ft. per unit

ORD C36629 (KLITZKE AMENDMENT)(01-14-25)

Minimum common open space per unit as a substitute for private area - all units after six	150 sq. ft.	150 sq. ft.	150 sq. ft.	Studio: 36 sq. ft. per unit 1- bedroom: 48 sq. ft. per unit 2+ bedrooms: 48 sq. ft. per unit	Studio: 36 sq. ft. per unit 1- bedroom: 48 sq. ft. per unit 2+ bedrooms: 48 sq. ft. per unit Sites 20,000 sq. ft. or less: 25 sq. ft. per unit
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Notes:

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

[2] Base zone height may be modified according to SMC 17C.111.230, Height.

[3] Certain elements such as covered porches may extend into the front setback. See SMC 17C.111.235, Setbacks.

[4] There is an additional angled setback from the interior side lot line. Refer to SMC 17C.111.230(C) and 17C.111.235(E) for more detail.

[5] Setbacks for a detached accessory structure and a covered accessory structure may be reduced to zero feet with a signed waiver from the neighboring property owner as specified in SMC 17C.111.240(C).

[6] Accessory structures may be subject to an additional side setback adjacent to streets as specified in 17C.111.240(C)(5).

[7] Residential units with a continuous pedestrian route as defined in SMC Section 17C.111.420(B) from the property boundary to a public park within 800 feet shall have a minimum of not more than 36 square feet of open space per unit.

[8] Common open space may be substituted for private outdoor area according to SMC 17C.111.310.

TABLE 17C.111.205-3
DEVELOPMENT STANDARDS FOR PROPERTIES QUALIFYING FOR
DEVELOPMENT BONUS [1] [2]

ORD C36629 (KLITZKE AMENDMENT)(01-14-25)

	RA	R1	R2	RMF	RHD
LOT COVERAGE					
Maximum total building coverage	N/A	80%	90%	100%	100%
PRIMARY BUILDINGS					
Floor area ratio	N/A	N/A	N/A	N/A	N/A
Maximum building footprint per primary building - lot area 7,000 sq. ft. or less	N/A	2,450 sq. ft.	2,450 sq. ft.	N/A	N/A
Maximum building footprint per primary building - lot area more than 7,000 sq. ft.	N/A	35%	35%	N/A	N/A
Notes:					
[1] Standards not addressed in this table are consistent with the general standards in Tables 17C.111.205-1 and 17C.111.205-2.					
[2] Criteria to qualify for Development Bonuses is outlined in SMC 17C.111.225.					

2. That Section 9 of Ordinance C36629, relating to SMC 17C.111.325, be stricken and the following substituted in its place:

Section 17C.111.325 Building Articulation

A. Purpose.

To ensure that buildings along any public or private street display the greatest amount of visual interest and reinforce the residential scale of the streetscape and neighborhood.

B. Applicability.

~~((The following))~~ These standards apply to all ~~((building))~~ facades that face a public or private street ~~((, except those that are separated from the street by another building. The standards apply to facades of attached housing irrespective of underlying lot lines))~~.

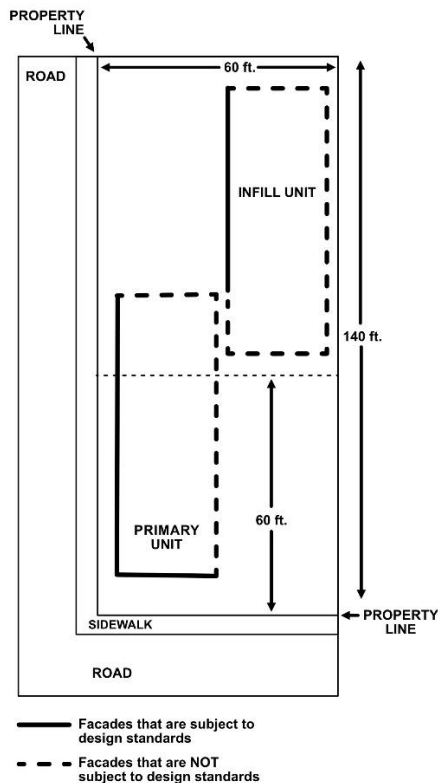
1. Attached Housing.

These standards apply to facades of attached housing. For purposes of this section, a grouping of attached houses shall be considered as a single building.

2. Exceptions.

- a. These standards do not apply when a façade or portion of façade is not visible from a public or private street or further than 60' away from a street lot line. See Figure 17C.111.325-A.
- b. These standards do not apply to a detached Accessory Dwelling Unit above a detached garage.

Figure 17C.111.325-A. Façade Exemption.



Note: Graphic to be inserted.

C. Building Articulation Implementation.

1. ~~((Buildings must))~~ Street-facing Facades shall be modulated along the street at least every ((thirty)) forty feet. ((Building modulations must step the building wall back or forward at least four feet. See Figure 17C.11325-A. (R)) Building modulations may be achieved in any one of the following ways. (R)
 - a. A step back or forward in the building wall of at least four feet. See Figure 17C.111.325-B.

ORD C36629 (KLITZKE AMENDMENT)(01-14-25)

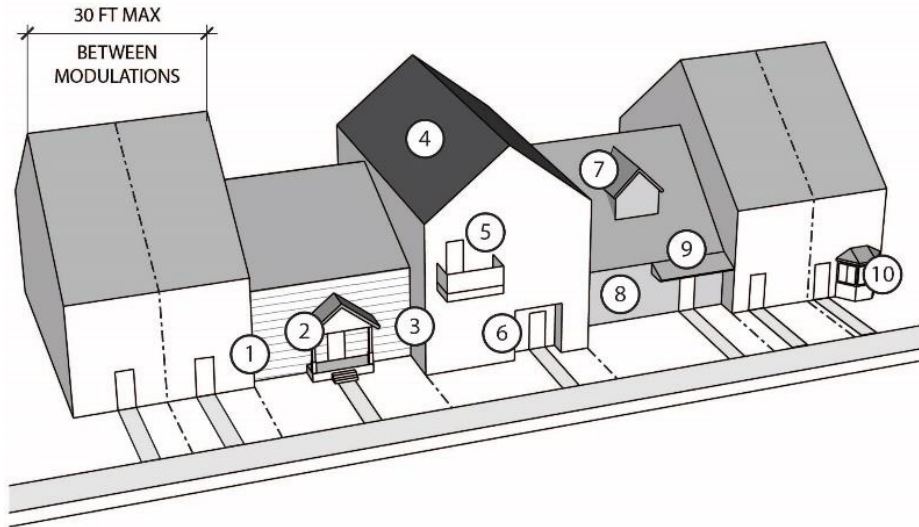
- b. For facades no more than two stories high, a bay window or cantilevered bump-out at least four feet (4') wide and two feet (2') deep on the ground floor.
 - c. A cantilevered bump-out at least four feet (4') wide and two feet (2') deep that extends vertically the entire height of the facade.
 - d. A covered porch at least ten feet (10') wide and six feet (6') deep.
2. The scale of buildings ~~((must))~~ shall be moderated to create a human scale streetscape by including vertical and horizontal delineation as expressed by bays, belt lines, doors, or windows. (P)
3. ~~((Horizontal street-facing facades))~~ In addition to the requirement of subsection (C)(1), street-facing Facades thirty feet (30') or longer ((must)) shall include at least ((four)) one of the ((following)) design features listed below, or a similar treatment, ((per façade. At least one of these features must be used)) every thirty feet (30'). The modulation implemented to meet subsection (C)(1) may be counted in meeting this requirement. (P)

a. Design Features.

- ~~((a. Varied building heights.~~
- ~~b. Use of different materials.~~
- ~~c. Different colors.~~
- ~~d. Offsets.~~
- ~~e. Projecting roofs (minimum of twelve inches).~~
- ~~f. Recesses.~~
- ~~g. Bay windows.~~
- ~~h. Variation in roof materials, color, pitch, or aspect.~~
- ~~i. Balconies~~
- ~~j. Covered porch or patio.~~
- ~~k. Dormers))~~

- i. Varied building heights.
- ii. Use of different materials.
- iii. Different colors.
- iv. Offsets.
- v. Projecting roofs (minimum of twelve inches).
- vi. Recesses.
- vii. Bay windows or bump-outs.
- viii. Variation in roof materials, color, pitch, or aspect.
- ix. Balconies
- x. Covered porch or patio.
- xi. Dormers

Figure 17C.111.325-((A))B. Building Articulation for Long Facades



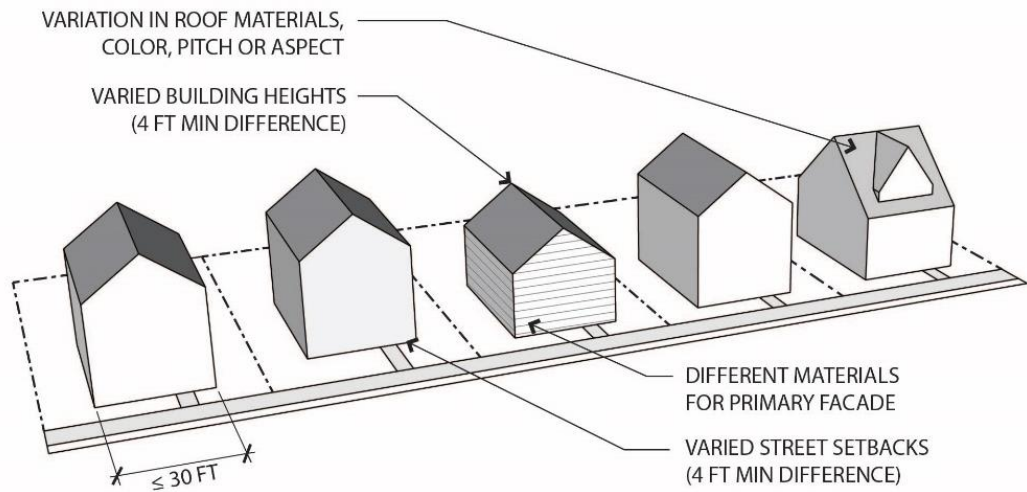
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|---|----------------------------------|
| ① USE OF DIFFERENT MATERIALS | ⑥ RECESSES |
| ② COVERED PORCH OR PATIO | ⑦ DORMER |
| ③ OFFSETS IN BUILDING FACE | ⑧ DIFFERENT COLORS |
| ④ VARIATION IN ROOF MATERIALS,
COLOR, PITCH, OR ASPECT | ⑨ PROJECTING ROOFS (12 INCH MIN) |
| ⑤ BALCONIES | ⑩ BAY WINDOWS |

<u>TABLE 17C.111.325-1</u> <u>BUILDING ARTICULATION</u>		
<u>Street-Facing Facade Width</u>	<u>Requirements</u>	<u>Total Number of Elements</u>
<u>Less than 30 feet</u>	<u>No modulation required from subsection (C)(1)</u> <u>No design features required from subsection (C)(3)</u>	<u>0</u>
<u>30-40 feet (not including 40 feet)</u>	<u>No modulation required from subsection (C)(1)</u> <u>One design feature required from subsection (C)(3)</u> <u>(modulation feature under (C)(1) may also meet this requirement)</u>	<u>1</u>
<u>40-60 feet (not including 60 feet)</u>	<u>One modulation required from subsection (C)(1)</u> <u>One additional design feature required from subsection (C)(3)</u>	<u>2</u>
<u>60-80 feet (not including 80 feet)</u>	<u>One modulation required from subsection (C)(1)</u> <u>Two additional design features required from subsection (C)(3)</u>	<u>3</u>
<u>80-90 feet (not including 90 feet)</u>	<u>Two modulations required from subsection (C)(1)</u> <u>One additional design feature required from subsection (C)(3)</u>	<u>3</u>
<u>90 feet or more</u>	<u>Two or more modulations required from subsection (C)(1), see subsection (C)(1) for further guidance</u> <u>Two or more additional design features required from subsection (C)(3), see subsection (C)(3) for further guidance</u>	<u>4+</u>

~~((4. The following standard applies when detached housing units or individual units of attached housing have street-facing facades that are thirty feet or less in width. Each such unit shall provide variation from adjacent units by using one or more of the following design features (see Figure 17C.111.325-B):~~

- ~~a. Street setbacks that differ by at least four feet.~~
- ~~b. Building heights that differ by at least four feet.~~
- ~~c. Use of different materials for the primary façade.~~
- ~~d. Variation in roof materials, color, pitch, or aspect.~~

~~Figure 17C.111.325-B. Building Variation for Narrow Facades))~~



Note: Graphic to be removed

~~((5. Development should reduce the potential impact of new housing on established and historic neighborhoods by incorporating elements and forms from nearby buildings. This may include reference to architectural details, building massing, proportionality, and use of high-quality materials such as wood, brick, and stone. (C)))~~

D. Consideration for Historic Features.

Development should reduce the potential impact of new housing on established and historic neighborhoods by incorporating elements and forms from nearby buildings. This may include reference to architectural details, building massing, proportionality, and use of high-quality materials such as wood, brick, and stone. (C)

PURPOSE OF AMENDMENT: The amendment of Section 2 is a simple wording change of the footnote to add clarity to SMC 17C.111.205. There are no substantive changes to this section.

The amendment of Section 9 is a further revision of SMC 17C.111.325 to add clarity to a section of BOH that has been difficult to administer. The changes to Table 17C.111.325-1 are to improve clarity and understanding of the requirements. There is one substantive change, which retains the requirement for certain design features at 30 feet in subsection (C)(3), as found in the current code (as opposed to 40 feet in the proposal as filed).