

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 March 3, 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 March 3, 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: 249 442 13599; password: 0320

To participate in public comment (including Open Forum):

Testimony sign-up is open beginning at 5:00 p.m. on Friday, February 28, 2024, and ending at 6:00 p.m. on Monday, March 3, 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 March 3, 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, MARCH 3, 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**

City of Spokane Guest Wireless access for Council Chambers:

Username: **COS Guest**

Password: **K8vCr44y**

Please note the space in username.

Both username and password are case sensitive.

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)

BOARDS AND COMMISSIONS APPOINTMENTS

(Includes Announcements of Boards and Commissions Vacancies)

APPOINTMENTS

RECOMMENDATION

Spokane Park Board: One Appointment – Lindsey Shaw	Confirm	CPR 1981-0402
Health Sciences & Services Authority of Spokane County Board: One Appointment – John Powers	Confirm	CPR 2017-0033

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. Multiple Family Housing Property Tax Exemption Conditional Agreements with:	Approve All	
a. Woodbee, LLC, for the future construction of approximately 12 units at 2517 E. Upriver Drive. Following construction the project intends to finalize under the 8-year exemption.		OPR 2025-0120
b. Riverpoint, LLC, for the future construction of approximately 65 units at 643 N. Riverpoint Blvd. Following construction the project intends to finalize under the 12-year exemption.		OPR 2025-0121

The Conditional Agreements will ultimately result in the issuances of final certificates of tax exemption to be filed with the Spokane County Assessor's Office

post construction. (Council Sponsors: Council Members Bingle and Navarrete)

Amanda Beck

- 2. Contract Amendments to add funding to inclement weather contracts with: Approve

- a. The Salvation Army (The Way Out Shelter) (Amendment D)—\$70,000. OPR 2024-0984

- b. Catholic Charities of Eastern Washington (The House of Charity and St. Margaret’s) (Amendment C)—\$120,000. OPR 2024-1022

- c. Revive Counseling (Revive Inclement Weather Beds) (Amendment C)—\$30,000. OPR 2024-0982

(Council Sponsors: Council Members Zappone and Klitzke)

Arielle Anderson

- 3. Contract with (to be determined) (City, ST) for Water Department Meter Shop Main Office Renovation Phase 1 project—\$(_____). (Council Sponsor: Council President Wilkerson) Approve OPR 2025-0129
PW ITB 6316-25

Dave Steele

Dillon Proposed Amendment:

- Request motion to amend OPR 2025-0129 with proposed amendments filed February 19, 2025, and included in agenda packet under OPR 2025-0129. (Updates vendor information and dollar amount, replaces briefing paper with an updated one, and adds the contract.)

- 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: \$_____.

5. Meeting Minutes:

Approve All

a. City Council Meeting Minutes: _____, 2025.

CPR 2025-0013

b. City Council Standing Committee Meeting Minutes: _____, 2025.

LEGISLATIVE AGENDA

NO SPECIAL BUDGET ORDINANCES

NO EMERGENCY ORDINANCES

RESOLUTIONS & FINAL READING ORDINANCES

(Require Four Affirmative, Recorded Roll Call Votes)

RES 2025-0005 Approving year 2026 applications and 2025 adaptive projects to be paid from the Spokane Safe Streets for All Fund—not to exceed \$2,200,000. (Deferred from February 24, 2025, Agenda, during the February 10, 2025, 3:30 p.m. Agenda Review Session) (Council Sponsors: Council Members Cathcart, Dillon, and Zappone)

Abigail Martin

[Zappone/Dillon/Cathcart Proposed Amendment:](#)

- Request motion to amend Resolution 2025-0005 and with proposed updates filed February 19, 2025, and included in agenda packet under Resolution 2025-0005.

RES 2025-0013 Setting hearing before City Council for April 14, 2025, for the vacation of the west 150 feet of the alley between Mission & Sinto, from Ruby to Pearl, as requested by Chick-Fil-A. (Council Sponsors: Council Members Bingle and Navarrete)

Eldon Brown

RES 2025-0014 Setting hearing before City Council for April 14, 2025, for the vacation of Grace Avenue west of Northwest Blvd as requested by Excelsior Wellness. (Council Sponsors: Council Members Klitzke and Bingle)

Eldon Brown

RES 2025-0015 Acknowledging the completion of the Land Capacity Analysis for the City of Spokane, a required part of Plan Spokane, the 2026 periodic update of the City of Spokane Comprehensive Plan, analyzing the capacity of the existing city boundaries to accommodate additional

people and housing units expected in the City between 2023 and 2046. (Council Sponsors: Council Members Bingle and Navarrete)

Kevin Freibott

RES 2025-0016

Acknowledging the recommendation of the Neighborhood Project Advisory Committee for the West Quadrant Tax Increment Financing district and accepting the use of \$138,876 in TIF funding for public improvements to be installed as part of the “27 by 2027 Urban Mobility Network” project. (Council Sponsors: Council Members Bingle and Navarrete)

Kevin Freibott

ORD C36641

Relating to the mid-biennial review process; amending Sections 07.01.020, 07.14.010, and 07.14.030 of the Spokane Municipal Code; repealing Section 07.14.040 of the Spokane Municipal Code. (Pending amendment on the February 24, 2025, Final Agenda) (Council Sponsors: Council President Wilkerson and Council Member Dillon)

Matt Boston / Adam McDaniel

FIRST READING ORDINANCES

ORD C36644

Amending Ordinance C14947 that vacated a portion of Nettleton Street in the City of Spokane. (Council Sponsors: Council Members Navarrete and Bingle)

Eldon Brown

ORD C36645

Amending Ordinance C22933 that vacated that portion of Grace Avenue except the north 10 feet of the south half thereof, from the extended west line of vacated Nettleton Street to the arc of a circle having a radius of 37 ½ feet, the center point of which is the center point of the existing cul-de-sac, and located on the center line of Grace Avenue. (Council Sponsors: Council Members Navarrete and Klitzke)

Eldon Brown

ORD C36646

Interim Zoning Ordinance concerning permitting and encouraging construction projects in downtown Spokane; contributing to the revitalization of downtown Spokane; fixing inconsistencies in height limits between zones; adopting a new Chapter 17C.425 SMC, Interim Height Limits; setting a public hearing (for May 5, 2025); and establishing a work program. (Council Sponsors: Council Members Bingle, Zappone, and Klitzke)

Spencer Gardner

FURTHER ACTION DEFERRED

NO SPECIAL CONSIDERATIONS

NO HEARINGS

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 March 3, 2025 (per Council Rule 2.1.B)

ADJOURNMENT

The March 3, 2025, Regular Legislative Session of the City Council is adjourned to March 10, 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 mlowmaster@spokanecity.org. Persons who are deaf or hard of hearing may contact Risk Management through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

NOTES

**Agenda Sheet for City Council:****Committee:** Date: N/A**Committee Agenda type:****Council Meeting Date:** 03/03/2025

Date Rec'd		2/4/2025
Clerk's File #		CPR 1981-0402
Cross Ref #		
Project #		
Submitting Dept	MAYOR	Bid #
Contact Name/Phone	ADAM 6779	Requisition #
Contact E-Mail	AMCDANIEL@SPOKANECITY.ORG	
Agenda Item Type	Boards and Commissions	
Council Sponsor(s)		
Sponsoring at Administrators Request		NO
Lease? NO	Grant Related? NO	Public Works? NO
Agenda Item Name	APPOINTMENT OF LINDSEY SHAW TO THE SPOKANE PARK BOARD	

Agenda Wording

Mayor Brown has appointed Lindsey Shaw to the Spokane Park Board for a term of March 3, 2025 to March 3, 2030.

Summary (Background)

Mission Statement/Purpose: The Spokane Park Board was created in 1910 and granted power by Article V of the City Charter to layout, establish, purchase, procure, accept and have the care, management, control, and improvement of all parks grounds and parkways controlled by the City of Spokane and used for park purposes.

What impacts would the proposal have on historically excluded communities?

N/A

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?

N/A

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

N/A

Council Subcommittee Review

N/A

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	N/A
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	SCOTT, ALEXANDER
Division Director	
Accounting Manager	
Legal	
For the Mayor	SCOTT, ALEXANDER
Distribution List	
	amcdaniel@spokanecity.org

Committee Agenda Sheet

Select Committee Name

Committee Date	March 3, 2025
Submitting Department	Mayor's Office
Contact Name	Adam McDaniel
Contact Email & Phone	amcdaniel@spokanecity.org 625-6779
Council Sponsor(s)	Please enter the name of the Council Sponsor(s)
Select Agenda Item Type	<input type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Appointment of Lindsey Shaw to the Spokane Park Board.
Proposed Council Action	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
Summary (Background)	<p>Mayor Brown has appointed Lindsey Shaw to the Spokane Park Board for a term of March 3, 2025– March 3, 2030.</p> <p>*use the Fiscal Impact box below for relevant financial information</p> <p>Mission Statement/Purpose: The Spokane Park Board was created in 1910 and granted power by Article V of the City Charter to layout, establish, purchase, procure, accept and have the care, management, control, and improvement of all parks grounds and parkways controlled by the City of Spokane and used for park purposes.</p>
<p>Fiscal Impact</p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>Total Cost: Click or tap here to enter text.</p> <p>Current year cost:</p> <p>Subsequent year(s) cost:</p> <p>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</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>	
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	
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?	

N/A

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

N/A



Agenda Sheet for City Council:

Committee: **Date:** N/A

Committee Agenda type:

Council Meeting Date: 03/03/2025

Date Rec'd 1/23/2025

Clerk's File # CPR 2017-0033

Cross Ref #

Project #

Submitting Dept MAYOR **Bid #**

Contact Name/Phone ADAM 6779 **Requisition #**

Contact E-Mail AMCDANIEL@SPOKANECITY.ORG

Agenda Item Type Boards and Commissions

Council Sponsor(s)

Sponsoring at Administrators Request NO

Lease? NO **Grant Related?** NO **Public Works?** NO

Agenda Item Name APPT OF JOHN POWERS TO THE HEALTH SCIENCES & SERVICES AUTH OF

Agenda Wording

Mayor Brown has appointed John Powers to the Health Sciences & Services Authority of Spokane County Board for a term of March 3, 2025- March 3, 2029.

Summary (Background)

The Health Sciences and Services Authority (HSSA) of Spokane County was created by the Washington State Legislature in 2007 (RCW 35.104) to promote bioscience-based economic development and to advance new therapies and procedures to combat disease and to promote public health.

What impacts would the proposal have on historically excluded communities?

N/A

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?

N/A

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

N/A

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	N/A
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	SCOTT, ALEXANDER
Division Director	
Accounting Manager	
Legal	
For the Mayor	SCOTT, ALEXANDER
Distribution List	
	amcdaniel@spokanecity.org

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 02/10/2025**Committee Agenda type:** Consent**Date Rec'd**

1/28/2025

Clerk's File #

OPR 2025-0120

Cross Ref #**Project #****Council Meeting Date:** 03/03/2025**Submitting Dept**

COMMUNITY AND ECONOMIC

Bid #**Contact Name/Phone**

AMANDA BECK X6414

Requisition #**Contact E-Mail**

ABECK@SPOKANECITY.ORG

Agenda Item Type

Contract Item

Council Sponsor(s)

JBINGLE LNAVARRETE

Sponsoring at Administrators Request

NO

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

0750 – MFTE CONDITIONAL AGREEMENT FOR 2517 E UPRIVER DR

Agenda Wording

Conditional Multifamily Tax Exemption contract with Woodbee LLC, for the property located at 2517 E Upriver Dr, to create 12 dwelling units. Following construction the project intends to finalize under the 8yr exemption.

Summary (Background)

RCW 84.14 authorizes the New and Rehabilitated Multiple-Unit Dwellings in Urban Centers incentive, known as Multifamily Tax Exemption (MFTE) Program, to certify qualified properties for this residential property tax exemption. The City adopted this incentive in 2007 and SMC 08.15 outlines Spokane's MFTE Program and project eligibility requirements. Staff has determined that the Woodbee Apartments Conditional application meets the project eligibility requirements outlined in SMC 08.15.040, and is located in an adopted Residential Target Areas identified in SMC 08.15.030. The application proposes 12 new multifamily units on the property at 2517 E Upriver Dr, within the Bemiss neighborhood (District 1). The property is zoned RMF, and the proposed use is allowed. Once the project is constructed, the applicant intends to finalize as an 8-year Market Rate Exemption. This Conditional Agreement authorizes the City to enter into the Multiple Family Housing Property Tax Exemption Conditional Agreement, which will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor's Office post construction.

What impacts would the proposal have on historically excluded communities?

The goal of the MFTE Program is to stimulate the construction of new multifamily housing and the rehabilitation of existing vacant or underutilized buildings, as well as increase the supply of mixed-income housing opportunities. Data on demographic metrics such as race, ethnicity, gender orientation, age, or religious affiliation are not tracked by this program, but the program specifically supports housing creation for residents whose income is between 80-115% Area Median Income.

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 Department of Commerce conducts annual audits of all jurisdictions with MFTE programs. The City collects annual reports for each property. For projects that finalized under the 12-year exemption, which requires income and rent restrictions, staff collect tenant income certifications as well. Annual reporting ensures projects maintain affordability compliance through the length of the exemption and that only income-qualifying tenants receive the benefit.

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

Excluding external factors such as raw land costs and current financing rates, staff monitor program efficiency through annual reporting compliance, the number of conditional and then finalized projects, and the need detailed by developers for such an incentive to make workforce housing projects financially feasible. Some of these metrics include the number of projects granted a final certificate, the total number of units created and the percentage of affordable units, as well as the type and size of units being constructed.

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 Policies: LU 1.4 Higher Density Residential Uses LU 3.5 Mix of Uses in Centers LU 4.2 Land Uses That Support Travel Options and Active Transportation LU 4.6 Transit-Supported Development H 1.9 Mixed-Income Housing H 1.4 Use of Existing Infrastructure H 1.10 Lower-Income Housing Development Incentives H 1.11 Access to Transportation H 1.18 Distribution of Housing Options ED 2.4 Mixed-Use ED 7.4 Tax Incentives for Land Improvement

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget? N/A	
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Once finalized, the Spokane County Assessor will defer collection of the residential property tax portion for the duration of the exemption, after which the new residential construction value will be added to the tax rolls.	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source N/A	
Funding Source Type Select	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	GARDNER, SPENCER
Division Director	GARDNER, SPENCER
Accounting Manager	BAIRD, CHRISTI
Legal	HARRINGTON,
For the Mayor	PICCOLO, MIKE
Distribution List	
Matthew Jennings Matthew.Jennings@Larson.com	jchurchill@spokanecity.org
abeck@spokanecity.org	eking@spokanecity.org
smacdonald@spokanecity.org	sgardner@spokanecity.org

MULTIPLE FAMILY HOUSING PROPERTY
TAX EXEMPTION CONDITIONAL AGREEMENT
OPR 2025-0120

THIS CONDITIONAL AGREEMENT is between the City of Spokane, a Washington State municipal corporation, as “City”, and Woodbee LLC, as “Owner/Taxpayer” whose business address is 100 N BROADWAY STE 1700, ST LOUIS, MO, 63102.

W I T N E S S E T H:

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

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

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

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

ROSS PARK NE SUB BLK 29 LT 1 BLK 29 TOG W/VAC 50' STP LYG ELY OF & ADJ

Assessor’s Parcel Number(s) **35091.2914**, commonly known as **2517 E UPRIVER DR.**

WHEREAS, this property is located in the Spokane Targeted Investment Area and is eligible to seek a Final Certificate of Tax Exemption post construction under the **Eight year exemption - No income and rent restrictions** as defined in SMC 08.15.090.

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

NOW, THEREFORE;

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

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

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

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

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

4. The Owner/Taxpayer intends to construct on the site, approximately **12** new multiple family residential housing units substantially as described in their application filed with and approved by the City. In no event shall such construction provide fewer than a total of four multiple family permanent residential housing units.

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

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

- (a) a statement of the actual development cost of each multiple family housing unit, and the total expenditures made in the rehabilitation or construction of the entire property;
- (b) a description of the completed work and a statement that the rehabilitation improvements or new construction of the Owner/Taxpayer's property qualifies the property for the exemption;
- (c) a statement that the project meets the affordable housing requirements, if applicable; and
- (d) a statement that the work was completed within the required three-year period or any authorized extension of the issuance of the conditional certificate of tax exemption.

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

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

- (a) a statement of occupancy, use of the property/unit, income and rents for qualifying 12-year and 20-year and vacancy of the multi-family units during the previous year;
- (b) a certification that the property has not changed to a commercial use or been used as a transient (short-term rental) basis and, if applicable, that the property has been in compliance with the affordable housing income and rent requirements as described in SMC 8.15.090 since the date of the filing

of the Final Certificate of Tax Exemption, and continues to be in compliance with this Agreement and the requirements of SMC Chapter 8.15;

(c) for affordable multi-family housing units, information providing the household income, rent and utility cost, of each qualifying as low and moderate-income, which shall be reported on a form provided by the City and signed by the tenants; and

(d) a description of any improvements or changes to the property made after the filing of the final certificate or last declaration.

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

10. To qualify for the twelve-year tax exemption, the Owner/Taxpayer will be required to rent or sell at least **twenty-five percent** of the multiple family housing units as affordable housing units to low and moderate-income households and will ensure that the units within the 12-yr program are dispersed throughout the building and distributed proportionally among the buildings; not be clustered in certain sections of the building or stacked; comparable to market-rate units in terms of unit size and leasing terms; and are comparable to market-rate units in terms of functionality and building amenities and access in addition to the other requirements set forth in the Agreement. The Owner/Taxpayer is further required to comply with the rental relocation assistance requirements set forth in RCW 84.14.020 (7) and (8) and in SMC 8.15.090 (D).

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

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

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

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

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

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

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

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

DATED this _____ day of _____, 2025

CITY OF SPOKANE

By: _____

City Administrator, Alex Scott

Woodbee LLC

By: _____

Its: _____

Attest:

City Clerk

Approved as to form:

City Attorney

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 02/10/2025**Committee Agenda type:** Consent**Date Rec'd**

1/28/2025

Clerk's File #

OPR 2025-0121

Cross Ref #**Project #****Council Meeting Date:** 03/03/2025**Submitting Dept**

COMMUNITY AND ECONOMIC

Bid #**Contact Name/Phone**

AMANDA BECK X6414

Requisition #**Contact E-Mail**

ABECK@SPOKANECITY.ORG

Agenda Item Type

Contract Item

Council Sponsor(s)

JBINGLE LNAVARRETE

Sponsoring at Administrators Request

NO

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

0750 – MFTE CONDITIONAL AGREEMENT FOR 643 N RIVERPOINT BLVD

Agenda Wording

Conditional Multifamily Tax Exemption contract with Riverpoint LLC, for the property located at 643 N Riverpoint Blvd, to create 65 dwelling units. Following construction the project intends to finalize under the 12yr exemption.

Summary (Background)

RCW 84.14 authorizes the New and Rehabilitated Multiple-Unit Dwellings in Urban Centers incentive, known as Multifamily Tax Exemption (MFTE) Program, to certify qualified properties for this residential property tax exemption. The City adopted this incentive in 2007 and SMC 08.15 outlines Spokane's MFTE Program and project eligibility requirements. Staff has determined that the Riverpoint Apartments Conditional application meets the project eligibility requirements outlined in SMC 08.15.040, and is located in an adopted Residential Target Areas identified in SMC 08.15.030. The application proposes 65 new multifamily units on the property at 643 N Riverpoint Blvd, within the Logan neighborhood (District 1). The property is zoned Downtown University (DTU), and the proposed use is allowed. Once the project is constructed, the applicant intends to finalize as a 12-year Affordable Exemption. This Conditional Agreement authorizes the City to enter into the Multiple Family Housing Property Tax Exemption Conditional Agreement, which will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor's Office post construction.

What impacts would the proposal have on historically excluded communities?

The goal of the MFTE Program is to stimulate the construction of new multifamily housing and the rehabilitation of existing vacant or underutilized buildings, as well as increase the supply of mixed-income housing opportunities. Data on demographic metrics such as race, ethnicity, gender orientation, age, or religious affiliation are not tracked by this program, but the program specifically supports housing creation for residents whose income is between 80-115% Area Median Income.

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 Department of Commerce conducts annual audits of all jurisdictions with MFTE programs. The City collects annual reports for each property. For projects that finalized under the 12-year exemption, which requires income and rent restrictions, staff collect tenant income certifications as well. Annual reporting ensures projects maintain affordability compliance through the length of the exemption and that only income-qualifying tenants receive the benefit.

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

Excluding external factors such as raw land costs and current financing rates, staff monitor program efficiency through annual reporting compliance, the number of conditional and then finalized projects, and the need detailed by developers for such an incentive to make workforce housing projects financially feasible. Some of these metrics include the number of projects granted a final certificate, the total number of units created and the percentage of affordable units, as well as the type and size of units being constructed.

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 Policies: LU 1.4 Higher Density Residential Uses LU 3.5 Mix of Uses in Centers LU 4.2 Land Uses That Support Travel Options and Active Transportation LU 4.6 Transit-Supported Development H 1.9 Mixed-Income Housing H 1.4 Use of Existing Infrastructure H 1.10 Lower-Income Housing Development Incentives H 1.11 Access to Transportation H 1.18 Distribution of Housing Options ED 2.4 Mixed-Use ED 7.4 Tax Incentives for Land Improvement

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget? N/A	
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Once finalized, the Spokane County Assessor will defer collection of the residential property tax portion for the duration of the exemption, after which the new residential construction value will be added to the tax rolls.	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source N/A	
Funding Source Type Select	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	GARDNER, SPENCER
Division Director	GARDNER, SPENCER
Accounting Manager	BAIRD, CHRISTI
Legal	HARRINGTON,
For the Mayor	PICCOLO, MIKE
Distribution List	
Sean Barnes sean@eastmarkcapitalgroup.com	jchurchill@spokanecity.org
abeck@spokanecity.org	eking@spokanecity.org
smacdonald@spokanecity.org	sgardner@spokanecity.org

MULTIPLE FAMILY HOUSING PROPERTY
TAX EXEMPTION CONDITIONAL AGREEMENT
OPR 2025-0121

THIS CONDITIONAL AGREEMENT is between the City of Spokane, a Washington State municipal corporation, as “City”, and RIVERPOINT DEVCO LLC, as “Owner/Taxpayer” whose business address is 2212 QUEEN ANNE AVE N, SUITE 339, SEATTLE, WA 98109.

W I T N E S S E T H:

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

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

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

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

RIVERPOINT VILLAGE CONDOMINIUM 10TH AMEND SPACE UNIT 12.

Assessor’s Parcel Number(s) **35173.3003**, commonly known as **643 N RIVERPOINT BLVD**.

WHEREAS, this property is located in the Spokane Targeted Investment Area and is eligible to seek a Final Certificate of Tax Exemption post construction under the **Twelve year Affordable Housing - with income and rent restrictions** as defined in SMC 08.15.090.

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

NOW, THEREFORE;

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

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

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

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

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

4. The Owner/Taxpayer intends to construct on the site, approximately **65** new multiple family residential housing units substantially as described in their application filed with and approved by the City. In no event shall such construction provide fewer than a total of four multiple family permanent residential housing units.

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

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

- (a) a statement of the actual development cost of each multiple family housing unit, and the total expenditures made in the rehabilitation or construction of the entire property;
- (b) a description of the completed work and a statement that the rehabilitation improvements or new construction of the Owner/Taxpayer's property qualifies the property for the exemption;
- (c) a statement that the project meets the affordable housing requirements, if applicable; and
- (d) a statement that the work was completed within the required three-year period or any authorized extension of the issuance of the conditional certificate of tax exemption.

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

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

- (a) a statement of occupancy, use of the property/unit, income and rents for qualifying 12-year and 20-year and vacancy of the multi-family units during the previous year;
- (b) a certification that the property has not changed to a commercial use or been used as a transient (short-term rental) basis and, if applicable, that the property has been in compliance with the affordable housing income and rent requirements as described in SMC 8.15.090 since the date of the filing of the Final Certificate of Tax Exemption, and continues to be in compliance with this Agreement and the requirements of SMC Chapter 8.15;
- (c) for affordable multi-family housing units, information providing the household income, rent and utility cost, of each qualifying as low and

moderate-income, which shall be reported on a form provided by the City and signed by the tenants; and

(d) a description of any improvements or changes to the property made after the filing of the final certificate or last declaration.

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

10. To qualify for the twelve-year tax exemption, the Owner/Taxpayer will be required to rent or sell at least **thirty percent** of the multiple family housing units as affordable housing units to low and moderate-income households and will ensure that the units within the 12-yr program are dispersed throughout the building and distributed proportionally among the buildings; not be clustered in certain sections of the building or stacked; comparable to market-rate units in terms of unit size and leasing terms; and are comparable to market-rate units in terms of functionality and building amenities and access in addition to the other requirements set forth in the Agreement. The Owner/Taxpayer is further required to comply with the rental relocation assistance requirements set forth in RCW 84.14.020 (7) and (8) and in SMC 8.15.090 (D).

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

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

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

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

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

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

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

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

DATED this _____ day of _____, 2025

CITY OF SPOKANE

By: _____

City Administrator, Alex Scott

RIVERPOINT DEVCO LLC

By: _____

Its: _____

Attest:

City Clerk

Approved as to form:

City Attorney

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 02/10/2025**Committee Agenda type:** Consent**Date Rec'd**

2/5/2025

Clerk's File #

OPR 2024-0984

Cross Ref #**Project #****Council Meeting Date:** 03/03/2025**Submitting Dept**

COMMUNITY, HOUSING & HUMAN

Bid #**Contact Name/Phone**

ARIELLE 509.564.5278

Requisition #**Contact E-Mail**

ARIELLEANDERSON@SPOKANECITY.

Agenda Item Type

Contract Item

Council Sponsor(s)

ZZAPPONE KKLITZKE

Sponsoring at Administrators Request

NO

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

1680- ADDING INCLEMENT WEATHER FUNDS

Agenda Wording

CHHS requests City Council approval to amend the inclement weather contracts by a total amount of \$220,000.

The Way Out Center (The Salvation Army) Singles (\$70,000) (OPR 2024-0984)

Summary (Background)

CHHS requests that the inclement weather contracts be amended to include additional funds per contract for the following providers: 1. The Way Out Center (The Salvation Army) Singles (\$70,000) (OPR 2024-0984) 2. House of Charity and St. Margaret's (Catholic Charities of Eastern Washington) Singles and Families (\$120,000) (OPR 2024-1022) 3. Revive Inclement Weather Beds (Revive) Singles and Small Families (\$30,000) (OPR 2024-0982) The monies used to increase the current contracts will come from 1590 Funds that had previously been allocated in Ordinance Number C36572. The total amount added to the Inclement Weather allocation from 1590 was \$800,000. The amount spent/encumbered as of February 5, 2025 (for all inclement weather beds) is \$171,661.75 and we surged 13 days in November; 19-days in December, and 28-days in January. Though we have not yet received invoices as of the date of this briefing paper (February 5, 2025) for January 2025, we anticipate an expenditure of \$162,750.00 based on 100% utilization at a 28-day surge. We are not requesting an increase for Hope House as the current amounts allotted are enough to reimburse based on their per bed night cost at 10 beds per night even if we were to surge all month in February and a portion of March. We will continue to update the community and City Council on the amounts spent and number of days surged as the year continues.

What impacts would the proposal have on historically excluded communities?

Inclement Weather Beds are dedicated to community members who are unsheltered and in need of a bed due to extreme weather conditions.

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?

We have created a special enrollment in HMIS that is truncated than the general Emergency Shelter Enrollment. This allows providers to quickly enter folks into HMIS and not worry about the more detailed questions associated with a traditional ES Enrollment. CHHS is happy to elaborate on this at the Council's leisure. To date, providers are entering data on a regular cadence into HMIS and ShelterMe.

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

The data collected through the ShelterMe App and HMIS will be critical in how we might shift funds around to support more beds for a specific sub population. CHHS will share out the utilization rate of each of shelter as time goes on with both Council and the community.

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 and SMC 18.05.020.

Council Subcommittee Review

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

Fiscal Impact	
Approved in Current Year Budget? YES	
Total Cost	\$ 220,000.00
Current Year Cost	\$ 220,000.00
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Expense \$ 220,000.00	# 1595-53126-51010-54201-99999
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	One-Time
Funding Source Type	Grant
Is this funding source sustainable for future years, months, etc?	
These are 1590 funds that will take us through until the end of 2025.	
Expense Occurrence	One-Time
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	GBYRD
Division Director	GBYRD
Accounting Manager	GBYRD
Legal	GBYRD
For the Mayor	GBYRD
Additional Approvals	
ACCOUNTING -	BROWN, SKYLER
Distribution List	
	chhscontracts@spokanecity.org
chhsaccounting@spokanecity.org	

Committee Briefing Paper

Urban Experience Committee

Committee Date	February 10, 2025
Submitting Department	City Council
Contact Name	Arielle M. Anderson
Contact Email & Phone	arielleanderson@spokanecity.org
Council Sponsor(s)	CM Navarrete, CM Zappone
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: 5 minutes
Agenda Item Name	Adding Inclement Weather Funds
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>CHHS requests that the inclement weather contracts be amended to include additional funds per contract for the following providers:</p> <ol style="list-style-type: none"> 1. The Way Out Center (The Salvation Army) <i>Singles (\$70,000)</i> 2. House of Charity and St. Margrets (Catholic Charities of Eastern Washington) <i>Singles and Families (\$120,000)</i> 3. Revive Inclement Weather Beds (Revive) <i>Singles and Small Families (\$30,000)</i> <p>The monies used to increase the current contracts will come from 1590 Funds that had previously been allocated in Ordinance Number C36572. The total amount added to the Inclement Weather allocation from 1590 was \$800,000. The amount spent/incumbered as of February 5, 2025 (for all inclement weather beds) is \$171,661.75 and we surged 13 days in November; 19-days in December, and 28-days in January. Though we have not yet received invoices as of the date of this briefing paper (February 5, 2025) for January 2025, we anticipate an expenditure of \$162,750.00 based on 100% utilization at a 28-day surge.</p> <p>We are not requesting an increase for Hope House as the current amounts allotted are enough to reimburse based on their per bed night cost at 10 beds per night even if we were to surge all month in February and a portion of March.</p> <p>We will continue to update the community and City Council on the amounts spent and number of days surged as the year continues.</p>
Fiscal Impact	
Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Total Cost: Click or tap here to enter text. Current year cost: Subsequent year(s) cost:	
Narrative: <u>Total amount to be obligated is \$220,000</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? These are 1590 funds that will take us through until the end of 2025.	
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? *Inclement Weather Beds are dedicated to community members who are unsheltered and in need of a bed due to extreme weather conditions.*
- 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? *We have created a special enrollment in HMIS that is truncated than the general Emergency Shelter Enrollment. This allows providers to quickly enter folks into HMIS and not worry about the more detailed questions associated with a traditional ES Enrollment. CHHS is happy to elaborate on this at the Council's leisure. To date, providers are entering data on a regular cadence into HMIS and ShelterMe.*
- How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution? *The data collected through the ShelterMe App and HMIS will be critical in how we might shift funds around to support more beds for a specific sub population. CHHS will share out the utilization rate of each of shelter as time goes on with both Council and the community.*
- 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 and SMC 18.05.020.*

Council Subcommittee Review

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

**AGREEMENT BETWEEN
CITY OF SPOKANE ("CITY) AND THE SALVATION ARMY ("GRANTEE")
IN CONJUNCTION WITH 1590 - HOUSING RELATED SERVICES FUNDS**

1. Grantee THE SALVATION ARMY 222 E INDIANA AVE SPOKANE, WA 99207		2. Contract Amount \$ 170,000.00 Amendment Amount \$ 70,000.00		3. Tax ID 91-1156347 4. UEI# 626874572	
5. Grantee's Program Representative ANDREA REEDY 222 E INDIANA AVE SPOKANE, WA 99207 (509)435-4988 ANREA.REEDY@USW.SALVATIONARMY.ORG			6. City's Program Representative PARADIS POURZANJANI, PROGRAM PROFESSIONAL 808 W SPOKANE FALLS BLVD SPOKANE, WA 99201 (509)625-6510 PPOURZANJANI@SPOKANECITY.ORG		
7. Grantee's Financial Representative MEGAN SMITH 222 E INDIANA AVE SPOKANE, WA 99207 (509)435-9021 MEGA.SMITH@USW.SALVATIONARMY.ORG			8. City's Contract Signatory ALEXANDER SCOTT, CITY ADMINISTRATOR 808 W SPOKANE FALLS BLVD SPOKANE, WA 99201 (509)625-6774 ASCOTT@SPOKANECITY.ORG		
9. Grantee's Signatory CYNTHIA FOLEY 222 E INDIANA AVE SPOKANE, WA 99207 (509)358-4250 x 4269 CINDY.FOLEY@USW.SALVATIONARMY.ORG			10. City of Spokane Internal Items Project Name: INCLEMENT WEATHER BEDS FMS Vendor ID: 000768 IDIS ID: N/A		
11. Grantor Award # N/A		12. Start Date 11/1/2024		13. End Date 12/31/2025	
14. Federal Funds N/A		ALN # N/A	Federal Agency N/A		Program Title N/A
15. Total Federal Award N/A		16. Federal Award Date N/A		17. Research & Development N/A	
				18. Indirect Cost Rate N/A	
19. Grantee Selection Process: (check all that apply or qualify) <input type="checkbox"/> Sole Source <input type="checkbox"/> A/E Services <input checked="" type="checkbox"/> Competitive Bidding/RFP <input type="checkbox"/> Pre-approved by Funder			20. Grantee Type: (check all that apply) <input type="checkbox"/> Private Organization/Individual <input type="checkbox"/> Public Organization/Jurisdiction <input type="checkbox"/> CONTRACTOR <input checked="" type="checkbox"/> SUBRECIPIENT <input checked="" type="checkbox"/> Non-Profit <input type="checkbox"/> For-Profit		
21. CITY and the GRANTEE, as identified above, acknowledge and accept the terms of this Agreement and attachments and have executed this Agreement on the date signed, to start as of the date and year referenced above. The rights and obligations of both parties to this Agreement are governed by this Agreement.					



CITY OF SPOKANE
CONTRACT AMENDMENT D
Title: Inclement Weather Beds

This CONTRACT AMENDMENT is between the **CITY OF SPOKANE**, a Washington State municipal corporation, as ("CITY"), and **THE SALVATION ARMY**, a California nonprofit corporation registered to do business in Washington, whose address is 30840 HAWTHORNE BLVD, RANCHO PALOS VERDES, CA 90275 with a local business address at 222 E INDIANA AVE, SPOKANE, WA 99207 as ("GRANTEE"). Individually hereafter referenced as a "PARTY", and together as the "PARTIES".

WHEREAS, the PARTIES entered into a CONTRACT wherein the GRANTEE agreed to administer for the CITY the INCLEMENT WEATHER BED project ("PROJECT"); and

WHEREAS, the PARTIES desire to increase funding for the administration of the PROJECT.

-- Now, therefore, the PARTIES agree as follows:

1. DOCUMENTS.

The original CONTRACT dated **November 1, 2024** any previous amendments and/or extensions/renewals thereto are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

2. EFFECTIVE DATE.

This CONTRACT AMENDMENT shall become effective **December 1, 2024**.

3. AMENDMENT.

[SECTION 3 – COMPENSATION] The total amount CITY shall pay GRANTEE is increased by **SEVENTY THOUSAND AND NO/100 DOLLARS (\$70,000.00)** for everything furnished and done under this AMENDMENT which equates to a new total CONTRACT amount not to exceed **ONE HUNDRED SEVENTY THOUSAND AND NO/100 DOLLARS (\$170,000.00)** for everything furnished and done under the original CONTRACT and this AMENDMENT. This is the maximum amount to be paid under this AMENDMENT and original CONTRACT and shall not be exceeded without the prior written authorization of the CITY, memorialized with the same formality as the original CONTRACT and this AMENDMENT document.

**THIS SECTION
INTENTIONALLY
LEFT BLANK**

IN WITNESS WHEREOF, in consideration of the terms, conditions, and covenants contained, or attached and incorporated and made a part, the parties have executed this CONTRACT by having legally-binding representatives affix their signature below. The undersigned certifies compliance with all CONTRACT provisions as listed above.

GRANTEE

By _____
Signature Date

Type or Print Name

Title

Attest:

CITY Clerk

CITY OF SPOKANE

By _____
Signature Date

Type or Print Name

Title

Approved as to form:

Assistant CITY Attorney

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 02/10/2025**Committee Agenda type:** Consent**Date Rec'd**

2/5/2025

Clerk's File #

OPR 2024-1022

Cross Ref #**Project #****Council Meeting Date:** 03/03/2025**Submitting Dept**

COMMUNITY, HOUSING & HUMAN

Bid #**Contact Name/Phone**

ARIELLE 509.564.5278

Requisition #**Contact E-Mail**

ARIELLEANDERSON@SPOKANECITY.ORG

Agenda Item Type

Contract Item

Council Sponsor(s)

ZZAPPONE KKLITZKE

Sponsoring at Administrators Request

NO

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

1680- ADDING INCLEMENT WEATHER FUNDS

Agenda Wording

CHHS requests City Council approval to amend the inclement weather contracts by a total amount of \$220,000.

House of Charity and St. Margaret's (Catholic Charities of Eastern Washington) Singles and Families (\$120,000) (OPR 2024-1022)

Summary (Background)

CHHS requests that the inclement weather contracts be amended to include additional funds per contract for the following providers: 1. The Way Out Center (The Salvation Army) Singles (\$70,000) (OPR 2024-0984) 2. House of Charity and St. Margaret's (Catholic Charities of Eastern Washington) Singles and Families (\$120,000) (OPR 2024-1022) 3. Revive Inclement Weather Beds (Revive) Singles and Small Families (\$30,000) (OPR 2024-0982) The monies used to increase the current contracts will come from 1590 Funds that had previously been allocated in Ordinance Number C36572. The total amount added to the Inclement Weather allocation from 1590 was \$800,000. The amount spent/encumbered as of February 5, 2025 (for all inclement weather beds) is \$171,661.75 and we surged 13 days in November; 19-days in December, and 28-days in January. Though we have not yet received invoices as of the date of this briefing paper (February 5, 2025) for January 2025, we anticipate an expenditure of \$162,750.00 based on 100% utilization at a 28-day surge. We are not requesting an increase for Hope House as the current amounts allotted are enough to reimburse based on their per bed night cost at 10 beds per night even if we were to surge all month in February and a portion of March. We will continue to update the community and City Council on the amounts spent and number of days surged as the year continues.

What impacts would the proposal have on historically excluded communities?

Inclement Weather Beds are dedicated to community members who are unsheltered and in need of a bed due to extreme weather conditions.

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?

We have created a special enrollment in HMIS that is truncated than the general Emergency Shelter Enrollment. This allows providers to quickly enter folks into HMIS and not worry about the more detailed questions associated with a traditional ES Enrollment. CHHS is happy to elaborate on this at the Council's leisure. To date, providers are entering data on a regular cadence into HMIS and ShelterMe.

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

The data collected through the ShelterMe App and HMIS will be critical in how we might shift funds around to support more beds for a specific sub population. CHHS will share out the utilization rate of each of shelter as time goes on with both Council and the community.

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 and SMC 18.05.020.

Council Subcommittee Review

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

Fiscal Impact	
Approved in Current Year Budget? YES	
Total Cost	\$ 220,000.00
Current Year Cost	\$ 220,000.00
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Expense \$ 220,000.00	# 1595-53126-51010-54201-99999
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	One-Time
Funding Source	Grant
Is this funding source sustainable for future years, months, etc?	
These are 1590 funds that will take us through until the end of 2025.	
Expense	One-Time
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	GBYRD
Division Director	GBYRD
Accounting Manager	GBYRD
Legal	GBYRD
For the Mayor	GBYRD
Distribution List	
	chhscontracts@spokanecity.org
chhsaccounting@spokanecity.org	

Committee Briefing Paper

Urban Experience Committee

Committee Date	February 10, 2025
Submitting Department	City Council
Contact Name	Arielle M. Anderson
Contact Email & Phone	arielleanderson@spokanecity.org
Council Sponsor(s)	CM Navarrete, CM Zappone
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: 5 minutes
Agenda Item Name	Adding Inclement Weather Funds
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>CHHS requests that the inclement weather contracts be amended to include additional funds per contract for the following providers:</p> <ol style="list-style-type: none"> 1. The Way Out Center (The Salvation Army) <i>Singles (\$70,000)</i> 2. House of Charity and St. Margrets (Catholic Charities of Eastern Washington) <i>Singles and Families (\$120,000)</i> 3. Revive Inclement Weather Beds (Revive) <i>Singles and Small Families (\$30,000)</i> <p>The monies used to increase the current contracts will come from 1590 Funds that had previously been allocated in Ordinance Number C36572. The total amount added to the Inclement Weather allocation from 1590 was \$800,000. The amount spent/incumbered as of February 5, 2025 (for all inclement weather beds) is \$171,661.75 and we surged 13 days in November; 19-days in December, and 28-days in January. Though we have not yet received invoices as of the date of this briefing paper (February 5, 2025) for January 2025, we anticipate an expenditure of \$162,750.00 based on 100% utilization at a 28-day surge.</p> <p>We are not requesting an increase for Hope House as the current amounts allotted are enough to reimburse based on their per bed night cost at 10 beds per night even if we were to surge all month in February and a portion of March.</p> <p>We will continue to update the community and City Council on the amounts spent and number of days surged as the year continues.</p>
Fiscal Impact Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Total Cost: Click or tap here to enter text. Current year cost: Subsequent year(s) cost:	
Narrative: <u>Total amount to be obligated is \$220,000</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? These are 1590 funds that will take us through until the end of 2025.	
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? *Incllement Weather Beds are dedicated to community members who are unsheltered and in need of a bed due to extreme weather conditions.*
- 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? *We have created a special enrollment in HMIS that is truncated than the general Emergency Shelter Enrollment. This allows providers to quickly enter folks into HMIS and not worry about the more detailed questions associated with a traditional ES Enrollment. CHHS is happy to elaborate on this at the Council's leisure. To date, providers are entering data on a regular cadence into HMIS and ShelterMe.*
- How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution? *The data collected through the ShelterMe App and HMIS will be critical in how we might shift funds around to support more beds for a specific sub population. CHHS will share out the utilization rate of each of shelter as time goes on with both Council and the community.*
- 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 and SMC 18.05.020.*

Council Subcommittee Review

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

**AGREEMENT BETWEEN
 CITY OF SPOKANE ("CITY") AND CATHOLIC CHARITIES OF SPOKANE ("GRANTEE")
 IN CONJUNCTION WITH 1590 - HOUSING RELATED SERVICES FUNDS**

1. Grantee CATHOLIC CHARITIES OF SPOKANE 12 E 5TH AVE SPOKANE, WA 99202		2. Contract Amount \$ 220,000.00 Amendment Amount \$ 120,000.00		3. Tax ID 91-0569880 4. UEI# KLV5D7M8LF44	
5. Grantee's Program Representative DENA CARR, DIRECTOR 12 E 5TH AVE SPOKANE, WA 99202 (509)624-7821 DENA.CARR@CCEASTERNWA.ORG			6. City's Program Representative PARADIS POURZANJANI, PROGRAM PROFESSIONAL 808 W SPOKANE FALLS BLVD SPOKANE, WA 99201 (509)625-6510 PPOURZANJANI@SPOKANECITY.ORG		
7. Grantee's Contract Signatory SHARON STADELMAN, CHIEF CRISIS AND SHELTER OFFICER 12 E 5TH AVE SPOKANE, WA 99202 (509)358-4250 X4269 SHARON.STADELMAN@CCEASTERNWA.ORG			8. City's Contract Signatory ALEXANDER SCOTT, CITY ADMINISTRATOR 808 W SPOKANE FALLS BLVD SPOKANE, WA 99201 (509)625-6250 ASCOTT@SPOKANECITY.ORG		
9. Grantee's Financial Representative JONI CARTWRIGHT 12 E 5TH AVE SPOKANE, WA 99202 (509)459-6160 JONI.CARTWRIGHT@CCEASTERNWA.ORG			10. City of Spokane Internal Items Project Name: INCLEMENT WEATHER BEDS FMS Vendor ID: 012876 IDIS ID: N/A		
11. Grantor Award # N/A		12. Start Date 11/1/2024		13. End Date 12/31/2025	
14. Federal Funds N/A	ALN # N/A	Federal Agency N/A		Federal Program N/A	
15. Total Federal Award N/A	16. Award Date N/A	17. Research & Development NO		18. Indirect Cost Rate N/A	
19. Grantee Selection Process: (check all that apply or qualify) <input type="checkbox"/> Sole Source <input type="checkbox"/> A/E Services <input checked="" type="checkbox"/> Competitive Bidding/RFP <input type="checkbox"/> Pre-approved by Funder			20. Grantee Type: (check all that apply) <input type="checkbox"/> Private Organization/Individual <input type="checkbox"/> Public Organization/Jurisdiction <input type="checkbox"/> CONTRACTOR <input checked="" type="checkbox"/> SUBRECIPIENT <input checked="" type="checkbox"/> Non-Profit <input type="checkbox"/> For-Profit		
21. CITY and the GRANTEE, as identified above, acknowledge and accept the terms of this Agreement and attachments and have executed this Agreement on the date signed, to start as of the date and year referenced above. The rights and obligations of both parties to this Agreement are governed by this Agreement.					



CITY OF SPOKANE
CONTRACT AMENDMENT C
Title: Inclement Weather Beds

This CONTRACT AMENDMENT is between the **CITY OF SPOKANE**, a Washington State municipal corporation, as ("CITY"), and **CATHOLIC CHARITIES OF SPOKANE**, whose address is 12 E 5th AVE, SPOKANE, WA 99202, as ("GRANTEE"). Individually hereafter referenced as a "PARTY", and together as the "PARTIES".

WHEREAS, the PARTIES entered into a CONTRACT wherein the GRANTEE agreed to administer for the CITY the INCLEMENT WEATHER BED project ("PROJECT"); and

WHEREAS, the PARTIES desire to increase funding for the administration of the PROJECT.

-- Now, therefore, the PARTIES agree as follows:

1. DOCUMENTS.

The original CONTRACT dated **December 4, 2024** any previous amendments and/or extensions/renewals thereto are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

2. EFFECTIVE DATE.

This CONTRACT AMENDMENT shall become effective **December 1, 2024**.

3. AMENDMENT.

[SECTION 3 – COMPENSATION] The total amount CITY shall pay GRANTEE is increased by **ONE HUNDRED TWENTY THOUSAND AND NO/100 DOLLARS (\$120,000.00)** for everything furnished and done under this AMENDMENT which equates to a new total CONTRACT amount not to exceed **TWO HUNDRED TWENTY THOUSAND AND NO/100 DOLLARS (\$220,000.00)** for everything furnished and done under the original CONTRACT and this AMENDMENT. This is the maximum amount to be paid under this AMENDMENT and original CONTRACT and shall not be exceeded without the prior written authorization of the CITY, memorialized with the same formality as the original CONTRACT and this AMENDMENT document.

**THIS SECTION
INTENTIONALLY
LEFT BLANK**

IN WITNESS WHEREOF, in consideration of the terms, conditions, and covenants contained, or attached and incorporated and made a part, the parties have executed this CONTRACT by having legally-binding representatives affix their signature below. The undersigned certifies compliance with all CONTRACT provisions as listed above.

GRANTEE

By _____
Signature Date

Type or Print Name

Title

Attest:

CITY Clerk

CITY OF SPOKANE

By _____
Signature Date

Type or Print Name

Title

Approved as to form:

Assistant CITY Attorney

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 02/10/2025**Committee Agenda type:** Consent**Date Rec'd**

2/5/2025

Clerk's File #

OPR 2024-0982

Cross Ref #**Project #****Council Meeting Date:** 03/03/2025**Submitting Dept**

COMMUNITY, HOUSING & HUMAN

Bid #**Contact Name/Phone**

ARIELLE 509.564.5278

Requisition #**Contact E-Mail**

ARIELLEANDERSON@SPOKANECITY.ORG

Agenda Item Type

Contract Item

Council Sponsor(s)

ZZAPPONE KKLITZKE

Sponsoring at Administrators Request

NO

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

1680- ADDING INCLEMENT WEATHER FUNDS

Agenda Wording

CHHS requests City Council approval to amend the inclement weather contracts by a total amount of \$220,000.

Revive Inclement Weather Beds (Revive) Singles and Small Families (\$30,000) (OPR 2024-0982)

Summary (Background)

CHHS requests that the inclement weather contracts be amended to include additional funds per contract for the following providers: 1. The Way Out Center (The Salvation Army) Singles (\$70,000) (OPR 2024-0984) 2. House of Charity and St. Margaret's (Catholic Charities of Eastern Washington) Singles and Families (\$120,000) (OPR 2024-1022) 3. Revive Inclement Weather Beds (Revive) Singles and Small Families (\$30,000) (OPR 2024-0982) The monies used to increase the current contracts will come from 1590 Funds that had previously been allocated in Ordinance Number C36572. The total amount added to the Inclement Weather allocation from 1590 was \$800,000. The amount spent/encumbered as of February 5, 2025 (for all inclement weather beds) is \$171,661.75 and we surged 13 days in November; 19-days in December, and 28-days in January. Though we have not yet received invoices as of the date of this briefing paper (February 5, 2025) for January 2025, we anticipate an expenditure of \$162,750.00 based on 100% utilization at a 28-day surge. We are not requesting an increase for Hope House as the current amounts allotted are enough to reimburse based on their per bed night cost at 10 beds per night even if we were to surge all month in February and a portion of March. We will continue to update the community and City Council on the amounts spent and number of days surged as the year continues.

What impacts would the proposal have on historically excluded communities?

Inclement Weather Beds are dedicated to community members who are unsheltered and in need of a bed due to extreme weather conditions.

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We have created a special enrollment in HMIS that is truncated than the general Emergency Shelter Enrollment. This allows providers to quickly enter folks into HMIS and not worry about the more detailed questions associated with a traditional ES Enrollment. CHHS is happy to elaborate on this at the Council's leisure. To date, providers are entering data on a regular cadence into HMIS and ShelterMe.

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

The data collected through the ShelterMe App and HMIS will be critical in how we might shift funds around to support more beds for a specific sub population. CHHS will share out the utilization rate of each of shelter as time goes on with both Council and the community.

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 and SMC 18.05.020.

Council Subcommittee Review

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

Fiscal Impact	
Approved in Current Year Budget? YES	
Total Cost	\$ 220,000.00
Current Year Cost	\$ 220,000.00
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Expense \$ 220,000.00	# 1595-53126-51010-54201-99999
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	One-Time
Funding Source	Grant
Is this funding source sustainable for future years, months, etc?	
These are 1590 funds that will take us through until the end of 2025.	
Expense	One-Time
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	GBYRD
Division Director	GBYRD
Accounting Manager	GBYRD
Legal	GBYRD
For the Mayor	GBYRD
Distribution List	
	chhscontracts@spokanecity.org
chhsaccounting@spokanecity.org	

Committee Briefing Paper

Urban Experience Committee

Committee Date	February 10, 2025
Submitting Department	City Council
Contact Name	Arielle M. Anderson
Contact Email & Phone	arielleanderson@spokanecity.org
Council Sponsor(s)	CM Navarrete, CM Zappone
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: 5 minutes
Agenda Item Name	Adding Inclement Weather Funds
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>CHHS requests that the inclement weather contracts be amended to include additional funds per contract for the following providers:</p> <ol style="list-style-type: none"> 1. The Way Out Center (The Salvation Army) <i>Singles (\$70,000)</i> 2. House of Charity and St. Margrets (Catholic Charities of Eastern Washington) <i>Singles and Families (\$120,000)</i> 3. Revive Inclement Weather Beds (Revive) <i>Singles and Small Families (\$30,000)</i> <p>The monies used to increase the current contracts will come from 1590 Funds that had previously been allocated in Ordinance Number C36572. The total amount added to the Inclement Weather allocation from 1590 was \$800,000. The amount spent/incumbered as of February 5, 2025 (for all inclement weather beds) is \$171,661.75 and we surged 13 days in November; 19-days in December, and 28-days in January. Though we have not yet received invoices as of the date of this briefing paper (February 5, 2025) for January 2025, we anticipate an expenditure of \$162,750.00 based on 100% utilization at a 28-day surge.</p> <p>We are not requesting an increase for Hope House as the current amounts allotted are enough to reimburse based on their per bed night cost at 10 beds per night even if we were to surge all month in February and a portion of March.</p> <p>We will continue to update the community and City Council on the amounts spent and number of days surged as the year continues.</p>
Fiscal Impact Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Total Cost: Click or tap here to enter text. Current year cost: Subsequent year(s) cost:	
Narrative: <u>Total amount to be obligated is \$220,000</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? These are 1590 funds that will take us through until the end of 2025.	
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? *Incllement Weather Beds are dedicated to community members who are unsheltered and in need of a bed due to extreme weather conditions.*
- 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? *We have created a special enrollment in HMIS that is truncated than the general Emergency Shelter Enrollment. This allows providers to quickly enter folks into HMIS and not worry about the more detailed questions associated with a traditional ES Enrollment. CHHS is happy to elaborate on this at the Council's leisure. To date, providers are entering data on a regular cadence into HMIS and ShelterMe.*
- How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution? *The data collected through the ShelterMe App and HMIS will be critical in how we might shift funds around to support more beds for a specific sub population. CHHS will share out the utilization rate of each of shelter as time goes on with both Council and the community.*
- 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 and SMC 18.05.020.*

Council Subcommittee Review

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

Committee Briefing Paper

Urban Experience Committee

Committee Date	February 10, 2025
Submitting Department	City Council
Contact Name	Arielle M. Anderson
Contact Email & Phone	arielleanderson@spokanecity.org
Council Sponsor(s)	CM Navarrete, CM Zappone
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: 5 minutes
Agenda Item Name	Adding Inclement Weather Funds
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>CHHS requests that the inclement weather contracts be amended to include additional funds per contract for the following providers:</p> <ol style="list-style-type: none"> 1. The Way Out Center (The Salvation Army) <i>Singles (\$70,000)</i> 2. House of Charity and St. Margrets (Catholic Charities of Eastern Washington) <i>Singles and Families (\$120,000)</i> 3. Revive Inclement Weather Beds (Revive) <i>Singles and Small Families (\$30,000)</i> <p>The monies used to increase the current contracts will come from 1590 Funds that had previously been allocated in Ordinance Number C36572. The total amount added to the Inclement Weather allocation from 1590 was \$800,000. The amount spent/incumbered as of February 5, 2025 (for all inclement weather beds) is \$171,661.75 and we surged 13 days in November; 19-days in December, and 28-days in January. Though we have not yet received invoices as of the date of this briefing paper (February 5, 2025) for January 2025, we anticipate an expenditure of \$162,750.00 based on 100% utilization at a 28-day surge.</p> <p>We are not requesting an increase for Hope House as the current amounts allotted are enough to reimburse based on their per bed night cost at 10 beds per night even if we were to surge all month in February and a portion of March.</p> <p>We will continue to update the community and City Council on the amounts spent and number of days surged as the year continues.</p>
Fiscal Impact Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Total Cost: Click or tap here to enter text. Current year cost: Subsequent year(s) cost:	
Narrative: <u>Total amount to be obligated is \$220,000</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? These are 1590 funds that will take us through until the end of 2025.	
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? *Incllement Weather Beds are dedicated to community members who are unsheltered and in need of a bed due to extreme weather conditions.*
- 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? *We have created a special enrollment in HMIS that is truncated than the general Emergency Shelter Enrollment. This allows providers to quickly enter folks into HMIS and not worry about the more detailed questions associated with a traditional ES Enrollment. CHHS is happy to elaborate on this at the Council's leisure. To date, providers are entering data on a regular cadence into HMIS and ShelterMe.*
- How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution? *The data collected through the ShelterMe App and HMIS will be critical in how we might shift funds around to support more beds for a specific sub population. CHHS will share out the utilization rate of each of shelter as time goes on with both Council and the community.*
- 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 and SMC 18.05.020.*

Council Subcommittee Review

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

**AGREEMENT BETWEEN
 CITY OF SPOKANE ("CITY") AND REVIVE COUNSELING SPOKANE, PLLC ("GRANTEE")
 IN CONJUNCTION WITH 1590 - HOUSING RELATED SERVICES FUNDS**

1. Grantee REVIVE COUNSELING SPOKANE, PLLC 901 N MONROE ST, SUITE 200 SPOKANE, WA 99201		2. Contract Amount \$ 130,000.00		3. Tax ID 81-5106750	
		Amendment Amount \$ 30,000.00		4. UEI# HE2UCLKF5BS5	
5. Grantee's Program Representative LAYNE PAVEY, EXECUTIVE DIRECTOR 901 N MONROE ST, SUITE 200 SPOKANE, WA 99201 (509)998-8388 LAYNE@REVIVESPOKANE.COM			6. City's Program Representative PARADIS POURZANJANI, PROGRAM PROFESSIONAL 808 W SPOKANE FALLS BLVD SPOKANE, WA 99201 (509)625-6510 PPOURZANJANI@SPOKANECITY.ORG		
7. Grantee's Contract Signatory LAYNE PAVEY, EXECUTIVE DIRECTOR 901 N MONROE ST, SUITE 200 SPOKANE, WA 99201 (509)413-2950 LAYNE@REVIVESPOKANE.COM			8. City's Contract Signatory DAWN KINDER, NHHS DIRECTOR 808 W SPOKANE FALLS BLVD SPOKANE, WA 99201 (509)625-6443 DKINDER@SPOKANECITY.ORG		
9. Grantee's Financial Representative RICK PAVEY, FINANCE DIRECTOR 901 N MONROE ST, SUITE 200 SPOKANE, WA 99201 (509)998-1701 RICK@REVIVESPOKANE.COM			10. City of Spokane Internal Items Project Name: INCLEMENT WEATHER BEDS FMS Vendor ID: 050399 IDIS ID: N/A		
11. Grantor Award # N/A		12. Start Date 12/1/2024		13. End Date 12/31/2025	
14. Federal Funds N/A	ALN # N/A	Federal Agency N/A		Federal Program N/A	
15. Total Federal Award N/A	16. Award Date N/A	17. Research & Development NO		18. Indirect Cost Rate N/A	
19. Grantee Selection Process: (check all that apply or qualify) <input type="checkbox"/> Sole Source <input type="checkbox"/> A/E Services <input checked="" type="checkbox"/> Competitive Bidding/RFP <input type="checkbox"/> Pre-approved by Funder			20. Grantee Type: (check all that apply) <input checked="" type="checkbox"/> Private Organization/Individual <input type="checkbox"/> Public Organization/Jurisdiction <input type="checkbox"/> CONTRACTOR <input checked="" type="checkbox"/> SUBRECIPIENT <input type="checkbox"/> Non-Profit <input checked="" type="checkbox"/> For-Profit		
21. CITY and the GRANTEE, as identified above, acknowledge and accept the terms of this Agreement and attachments and have executed this Agreement on the date signed, to start as of the date and year referenced above. The rights and obligations of both parties to this Agreement are governed by this Agreement.					



CITY OF SPOKANE
CONTRACT AMENDMENT C
Title: Inclement Weather Beds

This CONTRACT AMENDMENT is between the **CITY OF SPOKANE**, a Washington State municipal corporation, as ("CITY"), and **REVIVE COUNSELING SPOKANE, PLLC**, whose address is as 901 N MONROE ST, SUITE 200, SPOKANE, WA 99201("GRANTEE"). Individually hereafter referenced as a "PARTY", and together as the "PARTIES".

WHEREAS, the PARTIES entered into a CONTRACT wherein the GRANTEE agreed to administer for the CITY the INCLEMENT WEATHER BED project ("PROJECT"); and

WHEREAS, the PARTIES desire to increase funding for the administration of the PROJECT.

-- Now, therefore, the PARTIES agree as follows:

- 1. DOCUMENTS.
The original CONTRACT dated **November 1, 2024** any previous amendments and/or extensions/renewals thereto are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.
- 2. EFFECTIVE DATE.
This CONTRACT AMENDMENT shall become effective **December 1, 2024.**
- 3. AMENDMENT.
[SECTION 3 – COMPENSATION] The total amount CITY shall pay GRANTEE is increased by **THIRTY THOUSAND AND NO/100 DOLLARS (\$30,000.00)** for everything furnished and done under this AMENDMENT which equates to a new total CONTRACT amount not to exceed **ONE HUNDRED THIRTY THOUSAND AND NO/100 DOLLARS (\$130,000.00)** for everything furnished and done under the original CONTRACT and this AMENDMENT. This is the maximum amount to be paid under this AMENDMENT and original CONTRACT and shall not be exceeded without the prior written authorization of the CITY, memorialized with the same formality as the original CONTRACT and this AMENDMENT document.

**THIS SECTION
INTENTIONALLY
LEFT BLANK**

IN WITNESS WHEREOF, in consideration of the terms, conditions, and covenants contained, or attached and incorporated and made a part, the parties have executed this CONTRACT by having legally-binding representatives affix their signature below. The undersigned certifies compliance with all CONTRACT provisions as listed above.

GRANTEE

By _____
Signature Date

Type or Print Name

Title

Attest:

CITY Clerk

CITY OF SPOKANE

By _____
Signature Date

Type or Print Name

Title

Approved as to form:

Assistant CITY Attorney

**Agenda Sheet for City Council:****Committee:** Public Safety **Date:** 02/03/2025**Committee Agenda type:** Consent**Council Meeting Date:** 03/03/2025

		Date Rec'd	1/29/2025
		Clerk's File #	OPR 2025-0129
		Cross Ref #	
		Project #	
Submitting Dept	FACILITIES MANAGEMENT	Bid #	PW ITB 6316-25
Contact Name/Phone	DAVE STEELE 625-6064	Requisition #	
Contact E-Mail	DSTEELE@SPOKANECITY.ORG		
Agenda Item Type	Contract Item		
Council Sponsor(s)	BWILKERSON		
Sponsoring at Administrators Request		NO	
Lease? NO	Grant Related? NO	Public Works? YES	
Agenda Item Name	5900 FAC WATER DEPARTMENT METER SHOP MAIN OFFICE RENOVATION		

Agenda Wording

The Facilities Department, in partnership with Water and Purchasing, has completed the design and bid for renovation work for the Water Department's Meter Shop and Main Office. Due to issues within ProcureWare, the City made the decision to reject all bids from the first bid and re-issued the bid package. This now limits timing for the contract process through Committee to Council.

Summary (Background)

Bids are due for this project on February 10th. Based on the the original bids which includes the 10% contingency, we are estimating the total cost to be \$5,500,000.00. Facilities, in partnership with the Water Department, is requesting council approval to begin the approval process for a contract with the apparent low bidder now, prior to the rebid opening February 10, 2025. The final contract cost and contractor information shall be provided at the first consent briefing, and all final documentation and contract costs shall be included in the agenda item prior to council's final action on this item.

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	\$ 5,500,000.00
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Expense \$ 5,500,000.00	# 4100-42490-94340-56501-11027
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source One-Time	
Funding Source Type Program Revenue	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	One-Time
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	TEAL, JEFFREY
Division Director	STRATTON, JESSICA
Accounting Manager	ALBIN-MOORE, ANGELA
Legal	HARRINGTON,
For the Mayor	PICCOLO, MIKE
Additional Approvals	
PURCHASING	NECHANICKY, JASON
Distribution List	
	tprince@spokanecity.org
dstele@spokanecity.org	kbustos@spokanecity.org
kyoung@spokanecity.org	klong@spokanecity.org
laga@spokanecity.org	facilitiesdepartment@spokanecity.org

Committee Agenda Sheet

Public Safety & Community Health Committee

Submitting Department	Facilities Department
Contact Name	Dave Steele
Contact Email & Phone	509-625-6064
Council Sponsor(s)	CP Wilkerson
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Water Department – Spokane Water Department Meter Shop Main Office Renovation – Phase 1 Rebid.
Summary (Background) *Use the Fiscal Impact box below for relevant financial information	<p>The Facilities Department, in partnership with the Water Department and the Purchasing Department, has completed the design and bid of renovation work for the Water Department’s Meter Shop / Main Office. Due to issues within Procurement, and in the interest of fairness to all bidders, the City made the decision to reject all bids from the first bid and re-issued the bid package.</p> <p>Bids are due to be received on the 10th of February, and based on the original bids the contract value including a 10% contingency is estimated to be approximately \$5,500,000.00 plus any applicable tax.</p> <p>Facilities, in partnership with the Water Department, is requesting council approval to begin the approval process for a contract with the apparent low bidder now, prior to the rebid opening on February 10th, 2025</p> <p>The final contract cost and contractor information shall be provided at the first consent briefing, and all final documentation and contract costs shall be included in the agenda item prior to council’s final action on this item.</p>
Proposed Council Action	Contract approval
Fiscal Impact	
Total Expense:	\$ 5,500,000
Approved in current year budget?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Funding Source	<input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A
Specify funding source:	Water Department 4100-42490-94340-56501-11027.
Expense Occurrence	<input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A

Operations Impacts (If N/A, please give a brief description as to why)
What impacts would the proposal have on historically excluded communities? NA – Basic Utility Need
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? NA – Basic Utility Need
How will data be collected regarding the effectiveness of this program, policy, or product to ensure it is the right solution? NA – Basic Utility Need
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 Water Department provides basic utility services for the continued development of infill residential housing.

In the Consent Agenda Item No. 3, OPR 2025-0129:

1. Insert the correct dollar amount in the agenda sheet and companion materials to reflect a contract cost of \$4,296,500.00 (plus applicable tax).
2. Add the proposed contract, attached to this amendment.
3. Add the briefing paper attached to this amendment.

PURPOSE OF AMENDMENT: The amendment inserts the actual not-to-exceed contract price of \$4,296,500.00 (plus applicable tax), adds the actual contract to the agenda item, and adds an additional briefing paper explaining the reason for the amendment and current contract proposal.

Committee Agenda Sheet

Public Safety & Community Health Committee

Submitting Department	Facilities Department
Contact Name	Dave Steele
Contact Email & Phone	509-625-6064
Council Sponsor(s)	CP Wilkerson
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Water Department – Spokane Water Department Meter Shop Main Office Renovation – Phase 1 Rebid.
Summary (Background) *Use the Fiscal Impact box below for relevant financial information	<p>The Facilities Department, in partnership with the Water Department and the Purchasing Department, has completed the design and bid of renovation work for the Water Department’s Meter Shop / Main Office. Due to issues within Procurement, and in the interest of fairness to all bidders, the City made the decision to reject all bids from the first bid and re-issued the bid package.</p> <p>New bids were received on the 10th of February with TW CLARK CONSTRUCTION, LLC, whose address is 1117 North Evergreen Road, Unit 1, Spokane Valley, Washington 99216 being the low bidder with a bid of \$4,296,500.00. This is approximately 5% below the engineers estimate.</p> <p>All documentation has been completed and the final contract has been provided to the clerk’s office.</p>
Proposed Council Action	Contract approval
Fiscal Impact	
Total Expense: \$ 4,726,150.00 (plus applicable tax)	
Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A	
Specify funding source: Water Department 4100-42490-94340-56501-11027.	
Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring <input type="checkbox"/> N/A	
Operations Impacts (If N/A, please give a brief description as to why)	
What impacts would the proposal have on historically excluded communities? NA – Basic Utility Need	
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? NA – Basic Utility Need	

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

NA – Basic Utility Need

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 Water Department provides basic utility services for the continued development of infill residential housing.



City of Spokane

PUBLIC WORKS AGREEMENT

Title: **SPOKANE WATER DEPARTMENT METER SHOP-MAIN OFFICE RENOVATION – PHASE 1**

This Agreement is made and entered into by and between the **CITY OF SPOKANE** as (“City”), a Washington municipal corporation, and **TW CLARK CONSTRUCTION, LLC**, whose address is 1117 North Evergreen Road, Unit 1, Spokane Valley, Washington 99216, as (“Contractor”) individually hereafter referenced as a “Party”, and together as the “Parties”.

The parties agree as follows:

1. **PERFORMANCE/SCOPE OF WORK.** The Contractor will do all work, furnish all labor, materials, tools, construction equipment, transportation, supplies, supervision, organization and other items of work and costs necessary for the proper execution and completion of the work described in the specifications entitled **Spokane Water Department Meter Shop-Main Office Renovation – Phase 1**, selected via PW ITB 6316-25.
2. **CONTRACT DOCUMENTS.** The Contract Documents are this Contract, the Contractor’s completed bid proposal form, the contract provisions, contract plans, standard specifications, standard plans, addenda, various certifications and affidavits, supplemental agreements, change orders and subsurface boring logs (if any), including Contractor’s Response to PW ITB (Exhibit B). These contract documents are on file at the City of Spokane Facilities Department and are incorporated into this Contract by reference as if they were set forth at length. In the event of a conflict, or to resolve an ambiguity or dispute, federal and state requirements supersede this Contract, and this Contract supersedes the other contract documents.
3. **TERM.** The term of this Contract begins on March 1, 2025, and ends on October 31, 2026, unless amended by written agreement or terminated earlier under the provisions.
4. **TERMINATION.** Either party may terminate this Contract by ten (10) days written notice to the other party. In the event of such termination, the City shall pay the Contractor for all work previously authorized and performed prior to the termination date.
5. **COMPENSATION/PAYMENT.**
 - A. **COMPENSATION.** Total compensation for Contractor’s services under this Contract shall be a maximum amount not to exceed **FOUR MILLION TWO HUNDRED NINETY-SIX THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$4,296,500)**, plus sales tax if applicable, unless modified by a written amendment to this Contract. This is the maximum amount to be paid under this Contract for the work described in Section 1 above, and shall not be exceeded without the prior written authorization of the City in the form of an executed amendment to this Contract.

B. PAYMENT. The Contractor will send its applications for payment to the City of Spokane Facilities Management Department, facilitiesdepartment@spokane-city.org Attn: Dave Steele. All invoices should include the City Clerk File No. "OPR XXXX-XXXX" and an approved L & I Intent to Pay Prevailing Wage number. The final invoice should include an approved Affidavit of Wages Paid number. Payment will not be made without this documentation included on the invoice. **Payment will be made via direct deposit/ACH** within thirty (30) days after receipt of the Company's application except as provided by state law. Five percent (5%) of the Contract price may be retained by the City, in accord with RCW 60.28 for a minimum of forty five (45) days after final acceptance, as a trust fund for the protection and payment of: the claims of any person arising under the Contract; and the State with respect to taxes imposed pursuant to Titles 50, 51 and 82 RCW which may be due from the Contractor.

6. WAGES. The Contractor and all subcontractors will submit a "Statement of Intent to Pay Prevailing Wages" certified by the industrial statistician of the Department of Labor and Industries, prior to any payments. The "Statement of Intent to Pay Prevailing Wages" shall include: (1) the Contractor's registration number; and (2) the prevailing wages under RCW 39.12.020 and the number of workers in each classification. Each voucher claim submitted by the Contractor for payment on a project estimate shall state that the prevailing wages have been paid in accordance with the "Statement(s) of Intent to Pay Prevailing Wages" on file with the City. Prior to the payment of funds held under RCW 60.28, the Contractor and subcontractors must submit an "Affidavit of Wages Paid" certified by the industrial statistician.

7. STATEMENT OF INTENT TO PAY PREVAILING WAGES TO BE POSTED. The Contractor and each subcontractor required to pay the prevailing rate of wages shall post in a location readily visible at the job site: (1) a copy of a "Statement of Intent to Pay Prevailing Wages" approved by the industrial statistician of the State Department of Labor and Industries; and (2) the address and telephone number of the industrial statistician of the Department of Labor and Industries where a complaint or inquiry concerning prevailing wages may be made.

8. BONDS. The Contractor may not commence work until it obtains all insurance, permits and bonds required by the contract documents and applicable law. This includes the execution of a performance bond and a payment bond on the forms attached, each equal to one hundred percent (100%) of the contract price, and written by a corporate surety company licensed to do business in Washington State.

9. PUBLIC WORKS REQUIREMENTS. The Contractor and each subcontractor are required to fulfill the Department of Labor and Industries Public Works and Prevailing Wage Training Requirement under RCW 39.04.350. The contractor must verify responsibility criteria for each first tier subcontractor, and a subcontractor of any tier that hires other subcontractors must verify the responsibility criteria listed in RCW 39.04.350(1) for each of its subcontractors. Verification shall include that each subcontractor, at the time of subcontract execution, meets the responsibility criteria. This verification requirement, as well as responsibility criteria, must be included in every public works contract and subcontract of every tier.

10. INSURANCE. During the period of the Agreement, the Contractor shall maintain in force at its own expense, each insurance noted below with companies or through sources approved by the State Insurance Commissioner pursuant to Title 48 RCW:

- A. **Worker's Compensation Insurance** in compliance with RCW 51, which requires subject employers to provide workers' compensation coverage for all their subject workers and Employer's Liability Insurance in the amount of \$1,000,000.
- B. **General Liability Insurance** on an occurrence basis, with a combined single limit of not less than \$1,000,000 each occurrence for bodily injury and property damage. It shall include contractual liability coverage for the indemnity provided under this Agreement. It shall provide that the City, its officers and employees are additional insureds but only with respect to the Company's services to be provided under this Agreement;
 - i. Acceptable supplementary Umbrella coverage combined with Company's General Liability insurance policy must be a minimum of \$2,000,000, in order to meet the insurance coverage limits required in this Agreement; and;
- C. **Automobile Liability Insurance** with a combined single limit, or the equivalent of not less than \$1,000,000 each accident for bodily injury and property damage, including coverage for owned, hired and non-owned vehicles; and
- D. **Property Insurance** if materials and supplies are furnished by the Contractor. The amount of the insurance coverage shall be the value of the materials and supplies of the completed value of improvement. Hazard or XCU (explosion, collapse, underground) insurance should be provided if any hazard exists.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without sixty (60) days written notice from the Contractor or its insurer(s) to the City. As evidence of the insurance coverages required by this Agreement, the Contractor shall furnish a current and acceptable Certificate of Insurance (COI). The certificate shall specify all of the parties who are additional insureds, and include applicable policy endorsements, the sixty (60) day cancellation clause, and the deduction or retention level. The Contractor shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

12. CONTRACTOR'S WARRANTY. The Contractor's warranty for all work, labor and materials shall be in accordance with the contract documents.

13. SUBCONTRACTOR RESPONSIBILITY.

A. The Contractor shall include the language of this section in each of its first tier subcontracts, and shall require each of its subcontractors to include the same language of this section in each of their subcontracts, adjusting only as necessary the terms used for the contracting parties. Upon request of the City, the Contractor shall promptly provide documentation to the City demonstrating that the subcontractor meets the subcontractor responsibility criteria below. The requirements of this section apply to all subcontractors regardless of tier.

B. At the time of subcontract execution, the Contractor shall verify that each of its first tier subcontractors meets the following bidder responsibility criteria:

- 1. Have a current certificate of registration in compliance with chapter 18.27 RCW, which must have been in effect at the time of subcontract bid submittal;
- 2. Have a current Washington Unified Business Identifier (UBI) number;

3. If applicable, have:
 - a. Have Industrial Insurance (workers' compensation) coverage for the subcontractor's employees working in Washington, as required in Title 51 RCW;
 - b. A Washington Employment Security Department number, as required in Title 50 RCW;
 - c. A Washington Department of Revenue state excise tax registration number, as required in Title 82 RCW;
 - d. An electrical contractor license, if required by Chapter 19.28 RCW;
 - e. An elevator contractor license, if required by Chapter 70.87 RCW.
4. Not be disqualified from bidding on any public works contract under RCW 39.06.010 or 39.12.065 (3).

C. On Public Works construction projects, as defined in RCW 39.04.010, with an estimated cost of six hundred thousand dollars (\$600,000) or more, at least fifteen (15) percent of the labor hours on each project shall be performed by apprentices enrolled in a State-approved apprenticeship program; and for each contract in the project fifteen (15) percent of the labor hours for each craft that has an available state-approved apprenticeship program for Spokane County and utilizes more than one hundred sixty (160) hours in each contract shall be performed by apprentices enrolled in a state-approved apprenticeship program.

1. Subcontracting Requirements. The utilization percentages for apprenticeship labor for Public Works construction contracts shall also apply to all subcontracts of one hundred thousand dollars (\$100,000) or more within those contracts, and at least fifteen percent (15%) of the labor hours for each such subcontract shall be performed by apprentices in a state-approved apprenticeship program. For each craft that has an available apprenticeship program for Spokane county and performs more than one hundred sixty (160) hours on each project, fifteen (15) percent of the labor hours shall be performed by apprentices enrolled in a State-approved apprenticeship program
2. Each subcontractor which this chapter applies is required to execute a form, provided by the city, acknowledging that the requirements of Article X 07.06 SMC are applicable to the labor hours for the project.

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

15. EXECUTIVE ORDER 11246.

- A. The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The Contractor will take affirmative action to insure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include but not be limited to the following: employment upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
- B. The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.
- C. The Contractor will send each labor union, or representative of workers with which it has a collective bargaining contract or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the Contractor's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- D. The Contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
- E. The Contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations and orders of the Secretary of Labor, or pursuant thereto, and will permit access to its books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.
- F. In the event of the Contractor's noncompliance with the nondiscrimination clauses of this Contract or with any of such rules, regulations or orders, this Contract may be canceled, terminated or suspended in whole or in part, and the Contractor may be declared ineligible for further government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- G. The Contractor will include the provisions of paragraphs A through G in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions including sanctions for noncompliance: PROVIDED, HOWEVER, that in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as the result of such direction, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

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

17. LIQUIDATED DAMAGES. Liquidated damages shall be in accordance with the contract documents.
18. ASSIGNMENTS. The Contractor may not assign, transfer or sublet any part of the work under this Contract, or assign any monies due, without the written approval of the City, except as may be required by law. In the event of assignment of accounts or monies due under this Contract, the Contractor specifically agrees to give immediate written notice to the City Administrator, no later than five (5) business days after the assignment.
19. ANTI-KICKBACK. No officer or employee of the City of Spokane, having the power or duty to perform an official act or action related to this Contract shall have or acquire any interest in the Contract, or have solicited, accepted or granted a present or future gift, favor, service or other thing of value from or to any person involved in the Contract.
20. COMPLIANCE WITH LAWS. Each party shall comply with all applicable federal, state, and local laws and regulations that are incorporated herein by reference.
21. DISPUTES. This Contract shall be performed under the laws of the State of Washington. Any litigation to enforce this Contract or any of its provisions shall be brought in Spokane County, Washington.
22. SEVERABILITY. In the event any provision of this Contract should become invalid, the rest of the Contract shall remain in full force and effect.
23. AUDIT / RECORDS. The Contractor and its subcontractors shall maintain for a minimum of three (3) years following final payment all records related to its performance of the Contract. The Contractor and its subcontractors shall provide access to authorized City representatives, at reasonable times and in a reasonable manner to inspect and copy any such record. In the event of conflict between this provision and related auditing provisions required under federal law applicable to the Contract, the federal law shall prevail.
24. BUSINESS REGISTRATION REQUIREMENT. Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid annual business registration. The Contractor shall be responsible for contacting the State of Washington Business License Services at www.dor.wa.gov or 360-705-6741 to obtain a business registration. If the Contractor does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.
25. CONSTRUAL. The Contractor acknowledges receipt of a copy of the contract documents and agrees to comply with them. The silence or omission in the contract documents concerning any detail required for the proper execution and completion of the work means that only the best general practice is to prevail and that only material and workmanship of the best quality are to be used. This Contract shall be construed neither in favor of nor against either party.
26. MODIFICATIONS. The City may modify this Contract and order changes in the work whenever necessary or advisable. The Contractor will accept modifications when ordered in writing by the Director of Engineering Services, and the Contract time and compensation will be adjusted accordingly.
27. INTEGRATION. This Contract, including any and all exhibits and schedules referred to herein or therein set forth the entire Agreement and understanding between the parties pertaining

to the subject matter and merges all prior agreements, negotiations and discussions between them on the same subject matter.

28. **FORCE MAJEURE.** Neither party shall be liable to the other for any failure or delay in performing its obligations hereunder, or for any loss or damage resulting therefrom, due to: (1) acts of God or public enemy, acts of government, riots, terrorism, fires, floods, strikes, lock outs, epidemics, act or failure to act by the other party, or unusually severe weather affecting City, Contractor or its subcontractors, or (2) causes beyond their reasonable control and which are not foreseeable (each a "Force Majeure Event"). In the event of any such Force Majeure Event, the date of delivery or performance shall be extended for a period equal to the time lost by reason of the delay.

29. **KEY PERSONS.** The Contractor shall not transfer or reassign any individual designated in this Contract as essential to the Work, nor shall those key persons, or employees of Contractor identified as to be involved in the Project Work be replaced, removed or withdrawn from the Work without the express written consent of the City, which shall not be unreasonably withheld. If any such individual leaves the Contractor's employment, the Contractor shall present to the City one or more individuals with greater or equal qualifications as a replacement, subject to the City's approval, which shall not be unreasonably withheld. The City's approval does not release the Contractor from its obligations under this Contract.

TW CLARK CONSTRUCTION, LLC

CITY OF SPOKANE

By _____
Signature Date

By _____
Signature Date

Type or Print Name

Type or Print Name

Title

Title

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Attachments that are part of this Contract:
Exhibit A - Certification Regarding Debarment
Exhibit B – Response to PW ITB 6316-25
Payment Bond
Performance Bond
25-028

EXHIBIT A

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

1. The undersigned (i.e., signatory for the Subrecipient / Contractor / Consultant) certifies, to the best of its knowledge and belief, that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
 - b. Have not within a three-year period preceding this contract been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice;
 - c. Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and,
 - d. Have not within a three-year period preceding this contract had one or more public transactions (federal, state, or local) terminated for cause or default.

2. The undersigned agrees by signing this contract that it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.

3. The undersigned further agrees by signing this contract that it will include the following clause, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions:

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

1. The lower tier contractor certifies, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.

4. I understand that a false statement of this certification may be grounds for termination of the contract.

<hr/> Name of Subrecipient / Contractor / Consultant (Type or Print)	<hr/> Program Title (Type or Print)
<hr/> Name of Certifying Official (Type or Print)	<hr/> Signature
<hr/> Title of Certifying Official (Type or Print)	<hr/> Date (Type or Print)

EXHIBIT B

PAYMENT BOND

We, **TW CLARK CONSTRUCTION, LLC**, as principal, and _____, as surety, are held and firmly bound to the City of Spokane, Washington, in the sum of **FOUR MILLION TWO HUNDRED NINETY-SIX THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$4,296,500)** plus sales tax if applicable, for the payment of which, we bind ourselves and our legal representatives and successors, jointly and severally by this document.

The principal has entered into a contract with the City of Spokane, Washington, to do all work and furnish all materials for the **Spokane Water Department Meter Shop-Main Office Renovation – Phase 1**, selected via PW ITB 6316-25. If the principal shall:

- A. pay all laborers, mechanics, subcontractors, material suppliers and all person(s) who shall supply such person or subcontractors; and pay all taxes and contributions, increases and penalties as authorized by law; and
- B. comply with all applicable federal, state and local laws and regulations;

then this obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety for value received agrees that no change, extension of time, alteration or addition to the terms of the Contract, the specifications accompanying the Contract, or to the work to be performed under the Contract shall in any way affect its obligation on this bond, except as provided herein, and waives notice of any change, extension of time, alteration or addition to the terms of the Contract or the work performed. The Surety agrees that modifications and changes to the terms and conditions of the Contract that increase the total amount to be paid the Principal shall automatically increase the obligation of the Surety on this bond and notice to Surety is not required for such increased obligation. Any judgment obtained against the City, which relates to or is covered by the contract or this bond, shall be conclusive against the principal and the surety, as to the amount of damages, and their liability, if reasonable notice of the suit has been given.

SIGNED AND SEALED on _____.

TW CLARK CONSTRUCTION, LLC,

AS PRINCIPAL

By: _____

Title: _____

_____,
AS SURETY

By: _____

Its Attorney in Fact

A valid POWER OF ATTORNEY for the Surety's agent must accompany this bond.

STATE OF WASHINGTON)
) ss.
County of _____)

I certify that I know or have satisfactory evidence that _____
_____ signed this document; on oath stated that he/she was author-
ized to sign the document and acknowledged it as the agent or representative of the named
surety company which is authorized to do business in the State of Washington, for the uses
and purposes therein mentioned.

DATED: _____

Signature of Notary Public

My appointment expires _____

Approved as to form:

Assistant City Attorney

PERFORMANCE BOND

We, **TW CLARK CONSTRUCTION, LLC**, as principal, and _____, as Surety, are held and firmly bound to the City of Spokane, Washington, in the sum of **FOUR MILLION TWO HUNDRED NINETY-SIX THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$4,296,500)**, plus sales tax if applicable, for the payment of which, we bind ourselves and our legal representatives and successors, jointly and severally by this document.

The principal has entered into a Contract with the City of Spokane, Washington, to do all the work and furnish all materials for the **Spokane Water Department Meter Shop-Main Office Renovation – Phase 1**, selected via PW ITB 6316-25.. If the principal shall:

- A. promptly and faithfully perform the Contract, and any contractual guaranty and indemnify and hold harmless the City from all loss, damage or claim which may result from any act or omission of the principal, its agents, employees, or subcontractors; and
- B. comply with all applicable federal, state and local laws and regulations;

then this obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety for value received agrees that no change, extension of time, alteration or addition to the terms of the Contract, the specifications accompanying the Contract, or to the work to be performed under the Contract shall in any way affect its obligation on this bond, except as provided herein, and waives notice of any change, extension of time, alteration or addition to the terms of the Contract or the work performed. The Surety agrees that modifications and changes to the terms and conditions of the Contract that increase the total amount to be paid the Principal shall automatically increase the obligation of the Surety on this bond and notice to Surety is not required for such increased obligation. Any judgment obtained against the City, which relates to or is covered by the Contract or this bond, shall be conclusive against the principal and the Surety, not only as to the amount of damages, but also as to their liability, if reasonable notice of the suit has been given.

SIGNED AND SEALED on _____

**TW CLARK CONSTRUCTION, LLC,
AS PRINCIPAL**

By: _____
Title: _____

_____,
AS SURETY

By: _____
Its Attorney in Fact

A valid POWER OF ATTORNEY
for the Surety's agent must
accompany this bond.

STATE OF WASHINGTON)
) ss.
County of _____)

I certify that I know or have satisfactory evidence that _____
_____ signed this document; on oath stated that
he/she was authorized to sign the document and acknowledged it as the agent or representative of
the named Surety Company which is authorized to do business in the State of Washington, for the
uses and purposes mentioned in this document.

DATED on _____.

Signature of Notary

My appointment expires _____

Approved as to form:

Assistant City Attorney

**Agenda Sheet for City Council:****Committee:** PIES **Date:** 01/23/2025**Committee Agenda type:** Discussion**Date Rec'd**

1/15/2025

Clerk's File #

RES 2025-0005

Cross Ref #**Project #****Council Meeting Date:** 02/10/2025**Submitting Dept**

CITY COUNCIL

Bid #**Contact Name/Phone**

ABIGAIL 625-6426

Requisition #**Contact E-Mail**

AMMARTIN@SPOKANECITY.ORG

Agenda Item Type

Resolutions

Council Sponsor(s)

MCATHCART PDILLON ZZAPPONE

Sponsoring at Administrators Request

NO

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

0320 - RESOLUTION APPROVING 2026 SAFE STREETS FOR ALL PROJECTS

Agenda Wording

Resolution approving year 2026 applications and 2025 adaptive projects to be paid from the Spokane Safe Streets for All Fund, not to exceed \$2,200,000

Summary (Background)

The City Council is asked to annually authorize neighborhood traffic projects paid from the "Safe Streets For All Fund" (formerly known as the Traffic Calming Measures Fund). This resolution outlines the projects for 2026 construction, set forth in Exhibit A. The project list is created via several lenses, accounting for funding/project history, safety, new developments in neighborhoods, etc. In addition, the resolution approves of continuation and expansion of the 2024 Adaptive Design pilot into year 2025, with additional adaptive design projects outlined in Exhibit B.

What impacts would the proposal have on historically excluded communities?

The funds from this program make our community safer via the traffic safety cameras (speed and photo red) and traffic calming (Spokane Safe Streets for All) projects

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 fund and its projects correlate with and mitigate safety concerns across our community.

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

The Spokane Police Department's collision data, data collected from our traffic engineers and the Streets Department, and neighborhood feedback all inform our approach to the program and fund expenditures.

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 proposal is in line with the City Council's commitments and responsibility to neighborhoods, constituents, and our City's commitment to complete streets and safety for a multi-modal transportation network.

Council Subcommittee Review

Discussed at subcommittee meeting with Council Members Cathcart, Zappone, and Dillon, throughout 2024.

Fiscal Impact	
Approved in Current Year Budget?	YES
Total Cost	\$ 2,200,000
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Projects selected based on historical methodologies as well as projected available funds in the Safe Streets for All Fund.	
Amount	Budget Account
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source Recurring	
Funding Source Type Program Revenue	
Is this funding source sustainable for future years, months, etc?	
Yes.	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	
Division Director	
Accounting Manager	ZOLLINGER, NICHOLAS
Legal	SCHOEDEL, ELIZABETH
For the Mayor	
Distribution List	
	publicworksaccounting@spokanecity.org

RESOLUTION NO. 2025-0005

A Resolution approving year 2026 applications and 2025 adaptive projects to be paid from the Spokane Safe Streets for All Fund.

WHEREAS, the City of Spokane maintains a special revenue fund into which revenues from automated traffic safety cameras are deposited, codified under Section 07.08.148 of the Spokane Municipal Code and known as the “Safe Streets For All Fund,” and formerly known as the Traffic Calming Measures Fund; and

WHEREAS, Section 07.08.148 of the Spokane Municipal Code outlines the permissible uses of revenues in the “Safe Streets For All” Fund, including, but not limited to funding of “roadway infrastructure improvements with a demonstrable connection to safe systems improvements” as well as “implementation of adaptive design strategies” in the city’s roadways; and

WHEREAS, the City Council historically has adopted resolutions regarding the allocation of funds generated from automated traffic safety cameras, with the most recent allocation set forth in Resolution 2024-0028 for the "Cycle 12" projects; and

WHEREAS, on July 10, 2023, the City Council adopted Resolution 2023-0057, which instituted a new allocation criteria and funding process for traffic calming projects that incorporates a four-year funding cycle, commencing with year 2024 and continuing through year 2027, and further taking into account the historical investment of traffic calming funds invested in each council district, the comparative costs of individual projects, and the most favorable timing for commencement of each project; and

WHEREAS, throughout the years 2022 and 2023, City staff have conducted extensive outreach among and with the 29 neighborhoods in Spokane to finalize their list of priority traffic calming projects; and

WHEREAS, on June 24, 2024, the City Council adopted Resolution 2024-0053, titled “Janet Mann Safe Streets Now!” and requesting implementation of pilot adaptive design strategies into traffic calming projects; and

WHEREAS, consistent with Resolutions 2023-0057, 2024-0028 and 2024-0053, and the expressed and continuing preferences of neighborhoods, the City Council endorses the use of revenues in the Spokane Safe Streets for All Fund for the projects identified in Exhibits “A” and “B” to this resolution, with the actual continuation of projects in 2026 to be as set forth in the resolution,

NOW, THEREFORE, BE IT RESOLVED that, consistent with its prior resolutions, the City Council approves of the use of revenues in the Safe Streets for All Fund for the traffic calming projects for the year 2026 as identified in Exhibit "A," and

IT IS FURTHER RESOLVED, that the City Council requests and approves of continuation of the Adaptive Design pilot in 2025, including those projects identified in Exhibit "B," and

IT IS FURTHER RESOLVED, the total cost of all projects approved under this resolution and charged to the Spokane Safe Streets for All Fund for years 2025 and 2026 shall not exceed \$2,200,000, and shall be selected from among those projects identified in the attached Exhibits A and B and

IT IS FURTHER RESOLVED, that additional traffic calming projects for the year 2027 shall be by separate resolution; and

AND IT IS FURTHER RESOLVED that nothing in this resolution shall be deemed to alter the allocations and funding set forth in the "Cycle 12" projects in Resolution 2024-0028 or to otherwise affect projects already underway as of the date of this resolution.

ADOPTED by the City Council this ____ day of _____, 2024.

City Clerk

Approved as to form:

City Attorney

RESOLUTION 2025-0005

EXHIBIT A

District 1

Hillyard- Bruce (Crestline to Lee, RRFB only)
Hillyard- Market-Haven couplet (RRFB at Haven/Queen)
Logan- Marietta Ave sidewalk

District 2

East Central- Goodwill crosswalk @ 3rd/Cowley
Comstock- 37th (High to Bernard)
Lincoln Heights- 11th Altamont corner treatment
West Hills- Sandridge speed humps

District 3

Audubon/Downriver- NW Blvd (RRFB only)
Emerson-Garfield- Buckeye/Washington (NB only)
Northwest- Francis @ Fotheringham

RESOLUTION 2025-0005

Exhibit B

District 1

Bemiss- Regal @ Rich (traffic circle or bumpouts)
Riverside- LPI implementation

District 2

East Central- 9th (Altamont to Perry)
Grandview-Thorpe- 17th @ D Street
Lincoln Heights- 17th (Havana to Rockwood)
Manito/Cannon Hill- Bernard (18th to 21st)

District 3

North Indian Trail- Shawnee @ Farmdale

RESOLUTION NO. 2025-0005

A Resolution approving year 2026 applications and 2025 adaptive projects to be paid from the Spokane Safe Streets for All Fund.

WHEREAS, the City of Spokane maintains a special revenue fund into which revenues from automated traffic safety cameras are deposited, codified under Section 07.08.148 of the Spokane Municipal Code and known as the “Safe Streets For All Fund,” and formerly known as the Traffic Calming Measures Fund; and

WHEREAS, Section 07.08.148 of the Spokane Municipal Code outlines the permissible uses of revenues in the “Safe Streets For All” Fund, including, but not limited to funding of “roadway infrastructure improvements with a demonstrable connection to safe systems improvements” as well as “implementation of adaptive design strategies” in the city’s roadways; and

WHEREAS, the City Council historically has adopted resolutions regarding the allocation of funds generated from automated traffic safety cameras, with the most recent allocation set forth in Resolution 2024-0028 for the "Cycle 12" projects; and

WHEREAS, on July 10, 2023, the City Council adopted Resolution 2023-0057, which instituted a new allocation criteria and funding process for traffic calming projects that incorporates a four-year funding cycle, commencing with year 2024 and continuing through year 2027, and further taking into account the historical investment of traffic calming funds invested in each council district, the comparative costs of individual projects, and the most favorable timing for commencement of each project; and

WHEREAS, throughout the years 2022 and 2023, City staff have conducted extensive outreach among and with the 29 neighborhoods in Spokane to finalize their list of priority traffic calming projects; and

WHEREAS, on June 24, 2024, the City Council adopted Resolution 2024-0053, titled “Janet Mann Safe Streets Now!” and requesting implementation of pilot adaptive design strategies into traffic calming projects; and

WHEREAS, consistent with Resolutions 2023-0057, 2024-0028 and 2024-0053, and the expressed and continuing preferences of neighborhoods, the City Council endorses the use of revenues in the Spokane Safe Streets for All Fund for the projects identified in Exhibits “A” and “B” to this resolution, with the actual continuation of projects in 2026 to be as set forth in the resolution; and

WHEREAS, the City Council is also supportive of expenditures for innovative and new bicycle enhancements in specified roadways;

NOW, THEREFORE, BE IT RESOLVED that, consistent with its prior resolutions, the City Council approves of the use of revenues in the Safe Streets for All Fund for the traffic calming projects for the year 2026 as identified in Exhibit "A," and

IT IS FURTHER RESOLVED, that the City Council requests and approves of continuation of the Adaptive Design pilot in 2025, including those projects identified in Exhibit "B," and

IT IS FURTHER RESOLVED, that the City Council requests and approves of innovative and new bicycle enhancements in the year 2025 in the amount of \$150,000, such as frequent flex posts, narrow or wide concrete curbs, planters, and armadillo lane segregators, as illustrated in the attached Exhibit "C"; and

IT IS FURTHER RESOLVED, the total cost of all projects approved under this resolution and charged to the Spokane Safe Streets for All Fund for years 2025 and 2026 shall not exceed \$2,615,000, and shall be selected from among those projects identified in the attached Exhibits A, B, and C; and

IT IS FURTHER RESOLVED, that additional traffic calming projects for the year 2027 shall be by separate resolution; and

AND IT IS FURTHER RESOLVED that nothing in this resolution shall be deemed to alter the allocations and funding set forth in the "Cycle 12" projects in Resolution 2024-0028 or to otherwise affect projects already underway as of the date of this resolution.

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

City Clerk

Approved as to form:

City Attorney

PURPOSE OF AMENDMENT: This amendment adds a recital and resolution clause referring to a \$150,000 allocation for innovative bicycle enhancements, modifies the specific projects listed in Exhibits A and B, and adds example images of listed interventions in Exhibit C.

RESOLUTION 2025-0005

EXHIBIT A

District 1

Bemiss/Hillyard – Bruce, Crestline to Lee RRFB **and/or** Regal Elementary School
RRFB, Wellesley and Lacey
Hillyard – Market-Haven couplet (RRFB at Haven/Queen)
Logan- Marietta Ave sidewalk

District 2

East Central- Goodwill crosswalk @ 3rd/Cowley
Comstock- 37th (High to Bernard)
Lincoln Heights- 11th Altamont corner treatment
West Hills- Rosamond Ave Sidewalk

District 3

Audubon/Downriver- NW Blvd Crosswalk (RRFB only)
Emerson-Garfield- Buckeye/Washington (NB only)
North Hill – Signals at Ash/Rowan and Maple/Rowan

RESOLUTION 2025-0005

Exhibit B

District 1

Bemiss- Regal @ Rich (traffic circle or bumpouts)
Riverside- Downtown LPI implementation

District 2

East Central - 9th (Altamont to Perry)
Lincoln Heights – 17th (Havana to Rockwood)
Manito/Cannon Hill- Bernard (18th to 21st)

District 3

North Indian Trail- Shawnee /Farmdale and Barnes
Emerson-Garfield – Euclid Avenue Speed Humps

RESOLUTION 2025-0005

Exhibit C

Photos of Sample Bicycle Enhancements



Frequent Flex Posts – City of Toronto, ON
Source: Layout - Bicycle lane - bike lane - cycle track - multi-use path flexible bollard - delineator – post



Armadillo Lane Segregators
Credit: Tactical Urbanism Materials and Design Guide



Narrow or Wide Concrete Curbs
Image source: Portland's latest protected bikeway goes through an industrial zone on city's northern edge – BikePortland



Planters
Source: Bike Lanes & Crosswalk Applications | Sybertech Waste

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 02/10/2025**Committee Agenda type:** Discussion**Date Rec'd**

1/31/2025

Clerk's File #

RES 2025-0013

Cross Ref #

ORD C36642

Project #**Council Meeting Date:** 03/03/2025**Submitting Dept**

DEVELOPMENT SERVICES CENTER

Bid #**Contact Name/Phone**

ELDON BROWN 6305

Requisition #**Contact E-Mail**

EBROWN@SPOKANECITY.ORG

Agenda Item Type

Resolutions

Council Sponsor(s)

JBINGLE LNAVARRETE

Sponsoring at Administrators Request

NO

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

4700 – RESOLUTION TO SET PUBLIC HEARING - ROW VACATION (ALLEY)

Agenda Wording

Resolution setting hearing before City Council for the vacation of the west 150 feet of the alley between Mission & Sinto, from Ruby to Pearl, as requested by Chick-Fil-A.

Summary (Background)

Adjacent property owners have applied to vacate a portion of an existing alleyway in order to accommodate a Chick-Fil-A Restaurant. City staff has collected comments from franchised private utility companies and City departments. If City Council decides to vacate this alley, Engineering recommends that the alley be vacated subject to the conditions that are listed at the bottom of the Staff Report.

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
Revenue \$ 44,240.00	# 3200-49199
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source	N/A
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	One-Time
Other budget impacts (revenue generating, match requirements, etc.)	
One time revenue generation of \$44,240.00	
Approvals	
Dept Head	PALMQUIST, TAMI
Division Director	MACDONALD, STEVEN
Accounting Manager	BAIRD, CHRISTI
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	ebrown@spokanecity.org
mnilsson@spokanecity.org	tpalmquist@spokanecity.org
edjohnson@spokanecity.org	akiehn@spokanecity.org
smacdonald@spokanecity.org	

R E S O L U T I O N 2025-0013

WHEREAS, on January 5, 2024, the Spokane City Council received a petition for the vacation of a portion of the alley between Mission Avenue and Sinto Avenue, and between Ruby Street and Pearl Street, in the City of Spokane from owners having an interest in real estate abutting the above right-of-way; and

WHEREAS, it was determined that the petition was signed by the owners of more than two-thirds of the property abutting a portion of the alley between Mission Avenue and Sinto Avenue, and between Ruby Street and Pearl Street, in the City of Spokane; and

WHEREAS, the City Council desires to set a time and date through this resolution to hold a public hearing on the petition to vacate the above property in the City of Spokane;

NOW, THEREFORE,

The City Council does hereby resolve the following:

That hearing on the petition to vacate a portion of the alley between Mission Avenue and Sinto Avenue, and between Ruby Street and Pearl Street, in the City of Spokane will be held in front of the City Council at 6:00 P.M. or as soon thereafter as possible on **April 14, 2025** and the City Clerk of the City of Spokane is instructed to proceed with all proper notice according to State law.

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

City Clerk

Approved as to form:

Assistant City Attorney



CITY OF SPOKANE DEVELOPMENT SERVICES

808 West Spokane Falls Blvd, Spokane WA 99201-3343
(509) 625-6300 FAX (509) 625-6822

STREET VACATION REPORT January 17, 2025

LOCATION: The west 150 feet of the alley between Mission & Sinto, from Ruby to Pearl.

PROPONENT: Chick-Fil-A

PURPOSE: To accommodate a new restaurant built across the site.

HEARING: April 14, 2025

REPORTS:

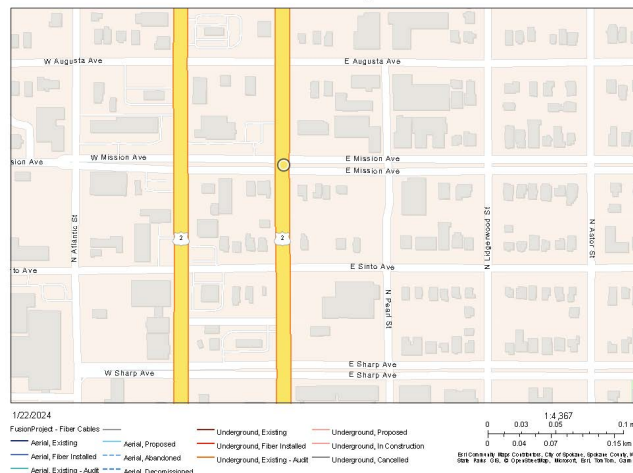
PRIVATE UTILITY COMPANIES

AVISTA UTILITIES – Avista has existing utilities through the entire alley between Ruby and Pearl. Please reserve a utility easement therein.

COMCAST - No comments

EXTENET – Per your request, attached please find a map of our assets in your designated design area. Note that we have no assets in the area.

Extenet - Mission_Sinto



FATBEAM FIBER – No comments

INLAND POWER – No comments

INTERMOUNTAIN INFRASTRUCTURE GROUP – No comments

LIGHT SPEED NETWORKS – No comments

LUMEN – Lumen has both buried and aerial facilities within the south side of the vacate zone running east west. We would need to retain some sort of easement for those facilities.

PORT OF WHITMAN – No comments

TDS TELECOM - No comments

VERIZON/MCI Metro - No comments

YELLOWSTONE PIEPLINE – Based on the location of the project, there is no impact to the YPL ROW or pipeline and we do not have any questions or comments.

WHOLESALE NETWORKS – No comments

ZAYO COMMUNICATIONS – Zayo has facilities that proceed through the area from Ruby proceeding east in the alley on the existing utility poles. We would need to maintain an easement within the requested ROW Vacation area. As we know, we could move and or place our facilities underground with incurred costs. Zayo would expect those cost to be covered for that relocation.

CITY DEPARTMENTS & E911

ADDRESSING - No comments

BICYCLE ADVISORY BOARD – No comments

DEVELOPER SERVICES – CURRENT PLANNING – No comments

DEVELOPER SERVICES - TRAFFIC – No comments

FIRE DEPARTMENT - No comments

INTEGRATED CAPITAL MANAGEMENT – ICM doesn't have any comments other than there is existing sewer in the alley. Sewer will definitely need to comment about easements or abandonment.

INTEGRATED CAPITAL MANAGEMENT 2 – No concerns

NEIGHBORHOOD SERVICES – No comments

PARKS DEPARTMENT - No comments

PLANNING & ECONOMIC DEVELOPMENT – No comments

POLICE DEPARTMENT - No comments

SOLID WASTE MANAGEMENT – Solid Waste Collection has no concerns with this vacation.

SPOKANE REGIONAL EMERGENCY COMMUNICATIONS – No comments

STREET DEPARTMENT - Does 118 E. Mission require alley access for refuse collection?

Install curb. Refer to project B2400230 as driveways should be removed along Ruby, and curb replaced as well. Replace asphalt per pavement policy.

Remove alley returns at Ruby and install curb and gutter along Ruby across the vacated alley.

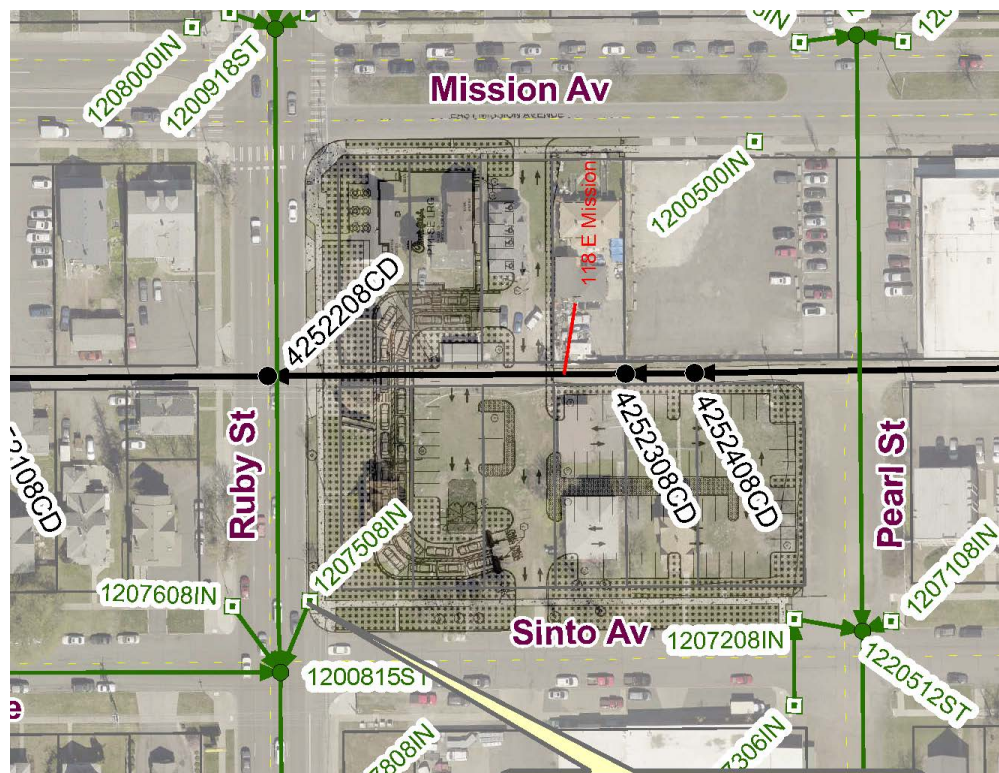
WASTEWATER MANAGEMENT - I have attached a diagram showing our assets in GIS with the site map overlaid.

Due to the material type and age of the existing 8" sewer main under this proposed alley vacation, as well as the new proposed improvements (asphalt, concrete and landscaping) that will make any needed future repair more difficult, costly and disruptive to the proposed business, this pipe should be either replaced with standard PVC or lined with structural CIPP from the manhole in Ruby (4252208CD) to the next manhole east (4252308CD). Replacement of the main should include reinstatement of the side sewer pipe for the property at 118 E Mission located approximately 40' from the upstream manhole. Provided all other structures are removed as indicated in the site plan, no other side sewer taps need to be reinstated. Wastewater Management inspectors will need to have access to the main and side sewer for inspection and approval prior to any other construction.

The city should retain a 30' no-build easement centered on the pipe.

As usual, all on-site runoff must be maintained and treated on site.

Provided these conditions are met, Wastewater Management has no objection to the vacation.



WATER DEPARTMENT - No comments

RECOMMENDATION: If the petition is approved by City Council then the following conditions should apply:

1. An easement as requested by Lumen/Century Link, Zayo, Avista, and the City of Spokane shall be retained to protect existing and future utilities.

An additional 7' of easement on either side of the vacation area (for an overall total of 30') must be dedicated to the City of Spokane for future maintenance of the sewer main.

2. The existing sewer main in this alley must be replaced with PVC or lined with structural CIPP from the manhole in Ruby to the next manhole to the east. Any stubs will need to be re-opened after the re-liner if this is the chosen option.
3. Plans for termination and closure of the existing right-of-way must be accepted by the City of Spokane Developer Services Department and must either be completed or bonded for prior to final reading of the ordinance.

This closure work must include the removal of the curb returns on the west side of the alley and full height curb and sidewalk must be placed across the entrance to the right-of-way. If access

is still desired/approved, a driveway approach must be installed in lieu of full height sidewalk.

4. A public turn-around must be established for westbound traffic from Pearl St. Traffic must have a way to turn-around within the public RW and head back east. Additional RW will need to be dedicated in order to accommodate this turn-around.
5. The proponent shall pay to the City of Spokane the assessed valuation for the vacated land as defined by the latest information from the County Assessor's Office. This is calculated to be \$44,240.00 and is to be deposited to Budget Account #3200 49199 99999 39510.
6. That the final reading of the vacation be held in abeyance until all of the above conditions are met and that the above conditions are met by December 1, 2026.

Eldon Brown, P.E.
Principal Engineer – Developer Services

A handwritten signature in black ink, appearing to read "Eldon W. Brown". The signature is written in a cursive, flowing style.



Proposed Chick-fil-A In-Line Restaurant

104 E. Mission Ave., Spokane WA.

Street Vacation Narrative

January 2024

The proposed right-of-way street vacation at 104 E. Mission Ave., Spokane, WA, is envisioned as a strategic move to enhance the accessibility and functionality of the Chick-fil-A restaurant. The vacation aims to optimize the use of the 1.52-acre site, consisting of 8 commercially zoned parcels, by allowing for a well-designed layout that accommodates a 5,028-sf building with a dual-lane drive-thru. The vacated area will be integrated into the restaurant's footprint, providing additional space for an efficient drive-thru operation capable of stacking 26 cars. This thoughtful utilization of space aligns with the community's needs and contributes to the public's benefit by minimizing traffic congestion, improving circulation, and fostering a positive economic impact. Moreover, the site proposes a new ingress and egress from the two adjacent streets (East Sinto Ave and East Mission Ave) for improved vehicle flow, further optimizing the overall traffic management and accessibility in the area. The proposed Chick-fil-A restaurant, with its 74 interior seats and 32 outdoor seats, coupled with extended hours of operation from 6:00 am to 11:30 pm Monday through Saturday, is poised to become a valuable asset to the City of Spokane, creating a welcoming space for the community to gather and enjoy quality dining experiences.

E Augusta Ave

P2400154VACA

F Augusta-Mission Aly

N Pearl St

E Mission Ave

E Mission Ave

N Lidgerwood St

E Mission-Sinto Aly

N Ruby St

E Sinto Ave

E Sharp-Sinto Aly


N Pearl St

E Sharp-Sinto Aly



Right-of-way Description:
That portion of the alley in Block 2, Sinto Addition
that lies directly adjacent to Lots 1-3 and 10-12

Legend

 Proposed Vacation

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



Street Vacation, see our responses in **RED** below:

- Is the ROW no longer required for public use or access
 - The portion of the alley bound on both sides by the proposed Chick-fil-A (Lots 1, 2, 3, 10, 11, 12) will no longer require public access as it will be a part of the proposed Chick-fil-A.
- How will the use of the ROW change after it becomes private property?
 - The ROW will be covered by landscape and paving. The paved areas would be used for the drive-thru and parking lot.
- Will the vacation result in any parcel of land being denied sole access to a public ROW?
 - The above mentioned lots will be consolidated to a single project, and proposes access to both Sinto and Mission. Lots 3, 4 and 5 will still have access to them from Mission as well as the alley remaining South of them to Pearl St.
- Are there any utilities in the ROW and if so, do you plan to relocate them? (If the utilities are not relocated, the city will retain no-build easements in the final vacation ordinance for the purveyors
 - There is an existing 8" sanitary sewer main crossing the alley. The project does not intend to relocate the line and understands it will be encompassed in a new no-build easement. The currently proposed site plan does not have any structures shown within the current alley extents.

 **Chase Heath, EIT | Design Engineer**

Office: 425-251-6222 | Ext: 7358

Barghausen Consulting Engineers, Inc.

18215 72nd Avenue South, Kent, WA 98032

www.barghausen.com



Agenda Sheet for City Council:

Committee: Urban Experience **Date:** 02/10/2025

Committee Agenda type: Discussion

Date Rec'd

2/5/2025

Clerk's File #

RES 2025-0014

Cross Ref #

ORD C36643

Project #

Council Meeting Date: 03/03/2025

Submitting Dept

DEVELOPMENT SERVICES CENTER

Bid #

Contact Name/Phone

ELDON BROWN 6305

Requisition #

Contact E-Mail

EBROWN@SPOKANECITY.ORG

Agenda Item Type

Resolutions

Council Sponsor(s)

KKLITZKE JBINGLE

Sponsoring at Administrators Request

NO

Lease? NO

Grant Related? NO

Public Works? YES

Agenda Item Name

4700 – RESOLUTION TO SET PUBLIC HEARING - ROW VACATION (GRACE AVE)

Agenda Wording

Resolution setting hearing before City Council for April 14, 2025, for the vacation of Grace Avenue west of Northwest Blvd as requested by Excelsior Wellness

Summary (Background)

Adjacent property owners have applied to vacate the Grace Ave RW in order to accommodate a 24-unit housing complex. City staff has collected comments from franchised private utility companies and City departments. If City Council decides to vacate this alley, Engineering recommends that the alley be vacated subject to the conditions that are listed at the bottom of the Staff Report.

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
Revenue \$ 125,328.89	# 4700 - 41400 - 99999 - 34583 - 99999
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source N/A	
Funding Source Type Select	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	One-Time
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	PALMQUIST, TAMI
Division Director	PALMQUIST, TAMI
Accounting Manager	ZOLLINGER, NICHOLAS
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	tpalmquist@spokanecity.org
akiehn@spokanecity.org	ebrown@spokanecity.org
mnilsson@spokanecity.org	edjohnson@spokanecity.org

R E S O L U T I O N 2025-0014

WHEREAS, on July 11, 2024, the Spokane City Council received a petition for the vacation of Grace Ave west of Northwest Boulevard, in the City of Spokane from owners having an interest in real estate abutting the above right-of-way; and

WHEREAS, it was determined that the petition was signed by the owners of more than two-thirds of the property abutting Grace Ave west of Northwest Boulevard, in the City of Spokane; and

WHEREAS, the City Council desires to set a time and date through this resolution to hold a public hearing on the petition to vacate the above property in the City of Spokane;

NOW, THEREFORE,

The City Council does hereby resolve the following:

That hearing on the petition to vacate Grace Ave west of Northwest Boulevard, in the City of Spokane will be held in front of the City Council at 6:00 P.M. or as soon thereafter as possible on **April 14, 2025**, and the City Clerk of the City of Spokane is instructed to proceed with all proper notice according to State law.

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

City Clerk

Approved as to form:

Assistant City Attorney

Bernardo Wills |

ARCHITECTURE • INTERIORS • LANDSCAPE ARCHITECTURE

July 25, 2024

Erik Johnson
City of Spokane
808 W. Spokane Falls
Spokane, WA 99201

RE: Wellness Properties Application to Vacate Grace Ave.

Erik,

Thank you for your help and guidance with the application to vacate Grace Ave. In summary of "...appropriate justification..." for the vacation, we respectfully submit the following comments and application materials:

Complete Application: Please see attached

Application Fee: To be paid online following creation of invoice.

Site Plan: Please see attached

Narrative

Wellness Properties, LLC is a subsidiary of Excelsior Wellness who's mission is to provide community health, wellness, and support services to our community's most vulnerable in need. Safe, permanent, and attainable housing is a cornerstone of health and is the mission of Wellness Properties, LLC and the purpose of this project.

Currently, the property at 2303 Northwest Blvd, (25122.2802), fronts Grace Ave and has a burned down garage and empty house on it, which was converted to an office at some point, but is in a partial state of demolition. The remaining lot, nearly ½ acre, sits vacant and is among the City's most underutilized commercially zoned land inventories. Development of the project, facilitated by the vacation of Grace Ave. ROW, will add nearly 45 mix-income housing units in response to the ever-deepening housing crisis. Without the vacation of Grace Ave., the available building area is diminished, and project density falls dramatically to about 24-units while incurring approximately the same site development and infrastructure construction costs, putting the Project's feasibility in jeopardy.

Application Question Responses

1. *Is the right-of-way no longer required for public use or access?*

Applicant Response: No. As currently configured the portion of the ROW being considered is a dead-end and only serves three parcels, all owned by the Applicant.



2. *How will the use of the right-of-way change after it becomes private Property?*

Applicant Response: The former ROW will be used for Project access from NW Blvd. in addition to parking, project site elements, in addition to portions of the building constructed over the former ROW.

3. *Will the vacation result in any parcel of land being denied sole access to a public right-of-way?*

Applicant Response: No. Though 2321 NW Blvd has frontage along Grace Ave., the property actually addresses NW Blvd with access from two driveways - it is also owned by the Applicant. 2215 NW Blvd has minor frontage on Grace Ave. with no access. Parcel ingress and egress are gained by two driveways on NW Blvd.

4. *Are there any utilities in the right-of-way and if so do you plan to relocate them? If the utilities are not relocated, the City will retain no-build easements in the final vacation ordinance for the purveyors.?*

Applicant Response: Yes. An 18-inch water main and 6-inch parallel line exist in the ROW. No plans are made to remove or relocate them. Discussions with City staff indicate that a 30-foot no-build/utility easement centered on the 18-inch line is acceptable to adequately access, service, and maintain the lines and is anticipated to be retained/conveyed to the City of Spokane as part of the ROW vacation action.

Please let me know if any additional materials or clarifications are needed.

Sincerely,



Mike Stanicar, AIA
Principal



**CITY OF SPOKANE
DEVELOPMENT SERVICES**

808 West Spokane Falls Blvd, Spokane WA 99201-3343
(509) 625-6300 FAX (509) 625-6822

**STREET VACATION REPORT
2/3/2025**

LOCATION: Grace Avenue west of Northwest Boulevard
PROPONENT: Excelsior Wellness
PURPOSE: To develop a 24 unit housing complex
HEARING: April 14, 2025
REPORTS:

PRIVATE UTILITY COMPANIES

AVISTA UTILITIES – Avista has reviewed the proposed street vacation and notes that we maintain electric service to multiple locations at the end west end of Grace Avenue, thus access to pole and services is required.

Avista requests the following language be added as a condition of approval:

1. Property owner(s) shall coordinate with Avista to secure a utility easement for access to electrical services located in vacated Grace Avenue. Easement shall be recorded and referenced on final Record of Survey.

COMCAST – According to our maps we have no plant in the vacation area.

EXTENET – No comments

FATBEAM FIBER – No comments

INLAND POWER – Inland Power has no facilities within the proposed vacation area.

INTERMOUNTAIN INFRASTRUCTURE GROUP – No comments

LIGHT SPEED NETWORKS – No comments

LUMEN – Lumen does not have any facilities in the proposed vacate area. We can vacate.

PORT OF WHITMAN – No comments

TDS TELECOM - No comments

VERIZON/MCI Metro - No comments

YELLOWSTONE PIPELINE – Based on the location of the vacation, YPL does not have any questions as there is no impact to the Pipeline.

WHOLESAIL NETWORKS – No comments

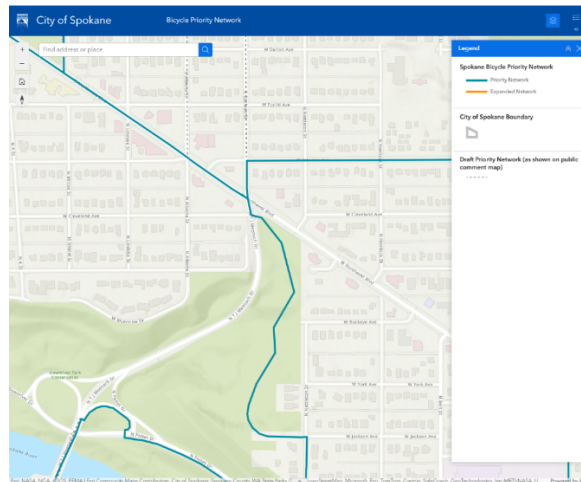
ZAYO COMMUNICATIONS – No comments

CITY DEPARTMENTS & E911

ADDRESSING - No comments

BICYCLE ADVISORY BOARD – I think we would want to maintain a pedestrian access easement and a right to improve pedestrian/bicycle infrastructure from the stormwater/park site (parcels 25122.1703 & 25122.2701) through to NW Blvd. Our Bicycle Priority Network runs perpendicular to Grace Ave here and there's a currently a "desire line" to Grace Ave from the open space. Below are two maps – the one with the red lines showing the pedestrian desire lines/paths and the other route of our bicycle priority network.





DEVELOPER SERVICES – CURRENT PLANNING – Once Grace Ave is vacated, 25122.2802 would be landlocked, but since both that parcel and 25122.1604 are owned by Excelsior – and the vacation is initiated by them - we'd be OK with the vacation if they aggregate all the land so that it has frontage on NW Blvd.

DEVELOPER SERVICES - TRAFFIC – No comments

FIRE DEPARTMENT - No comments from Fire

INTEGRATED CAPITAL MANAGEMENT – No transportation concerns.

NEIGHBORHOOD SERVICES – No comments

PARKS DEPARTMENT - No comments

PLANNING & ECONOMIC DEVELOPMENT – No comments

POLICE DEPARTMENT - No comments

SOLID WASTE MANAGEMENT – Solid Waste has no concerns

SPOKANE REGIONAL EMERGENCY COMMUNICATIONS – No comments

STREET DEPARTMENT - No comments

WASTEWATER MANAGEMENT - Wastewater maintenance has no utilities/facilities within the subject Grace Ave. right of way. If the vacation is approved, it should be conditioned that the existing street access to NW Blvd be modified and on-site runoff must be maintained and properly treated on site. Also, an extension of the current Nettleton Street utility easement that exists north and south of Grace Ave. should be provided in order to maintain the ability to provide sewer service to the properties on the north side of this Grace Ave cul-de-sac, or some equal alternative provided. See the below comment regarding easement release.

Regarding the existing utility easement releases, our comments made back in May of this year remain in effect. The two properties on the south side of Grace, 2303 W. NW Blvd (25122.2802) and 2215 W. NW Blvd (25122.2801), currently have sewer service from the public sewer main in the alley to the south. The property at 2321 W. NW Blvd (25122.1604) as well as the small one adjacent on the west (25122.1702) do not currently have public sewer service, according to our records. Therefore, as we stated in May, the Nettleton easement north and south of the Grace Ave. right-of-way, which currently provides the access to a public sewer connection for these properties, should only be released if an equal alternative route is provided for sewer service.

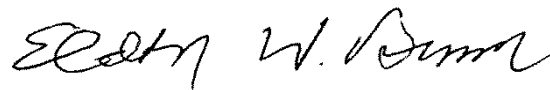
WATER DEPARTMENT - No comments

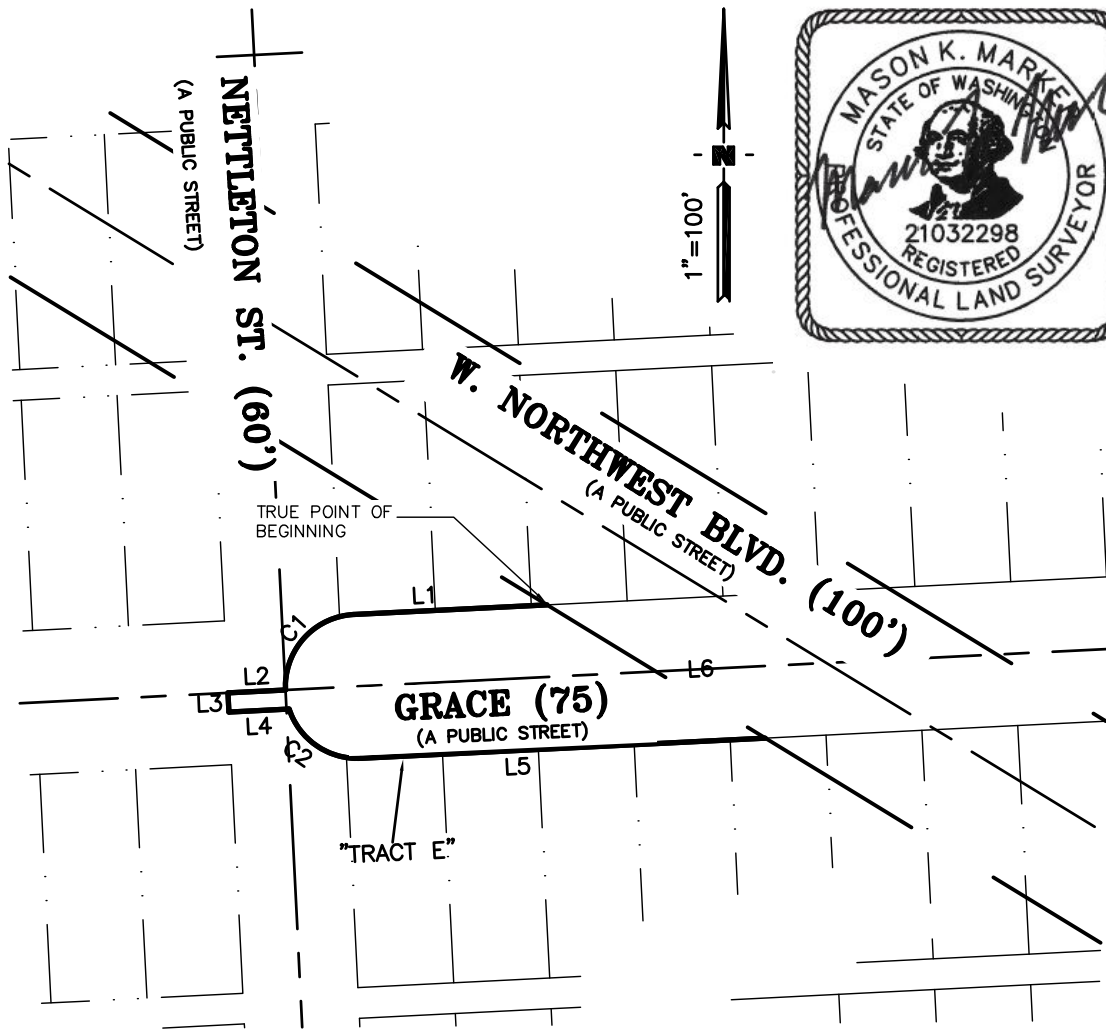
RECOMMENDATION: That the petition be granted and a vacating ordinance be prepared subject to the following conditions:

1. An easement, as requested by the City of Spokane, shall be retained to protect existing City water facilities.
2. A bike path easement will need to be established at an agreed upon location prior to the final reading of the ordinance.
3. An easement for Avista's facilities must be established or the existing facilities must be relocated.
4. All parcels must be aggregated to prevent any single property from being landlocked without frontage to a public right-of-way.
5. Plans for termination and closure of the existing right-of-way must be accepted by the City of Spokane Development Services Department and the must either be completed or bonded for.
 - a) This closure work must include the removal of the curb returns on the east side and full height curb and sidewalk must be placed across the entrance to the right-of-way. If access is still desired at this location, a driveway approach will need to be installed. Stormwater must be addressed and isolated from the City storm system. Any street name signs must be returned to the Street Department.
 - b) The existing fire hydrant on the north side of Grace cannot be located outside of public right-of-way and must be moved to the south RW of NW BLVD unless it is privatized. Any changes will need to be approved by the Fire Dept.

6. The proponent shall pay to the City of Spokane the assessed valuation for the vacated land as defined by the latest information from the County Assessor's Office. This is calculated to be \$125,328.89 and is to be deposited to Budget Account #3200 49199 99999 39510.
7. That the final reading of the vacation be held in abeyance until all of the above conditions are met and that the above conditions are met by December 1, 2026.

Eldon Brown, P.E.
Principal Engineer – Developer Services

A handwritten signature in black ink, appearing to read "Eldon W. Brown". The signature is written in a cursive, flowing style.



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	37.50'	58.90'	53.03'	N 42°08'38" E	90°00'00"
C2	37.50'	48.78'	45.41'	N 55°35'21" W	74°32'02"

LINE	BEARING	DISTANCE
L1	S 87°08'38" W	100.71'
L2	N 87°08'38" E	30.00'
L3	S 02°49'52" E	10.00'
L4	N 87°08'38" E	31.36'
L5	S 87°08'38" W	210.80'
L6	N 58°35'25" E	133.21'

VACATION AREAS:
 GRACE AVENUE, SITUATE IN THE CITY OF SPOKANE, COUNTY OF SPOKANE, STATE OF WASHINGTON.



DURYEA & ASSOCIATES

2702 N. Perry Street
 Spokane, WA 99207
 JOB NO. 24-3498

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 02/10/2025**Committee Agenda type:** Discussion**Date Rec'd**

2/4/2025

Clerk's File #

RES 2025-0015

Cross Ref #**Project #****Council Meeting Date:** 03/03/2025**Submitting Dept**

PLANNING & ECONOMIC

Bid #**Contact Name/Phone**

KEVIN X6184

Requisition #**Contact E-Mail**

KFREIBOTT@SPOKANECITY.ORG

Agenda Item Type

Resolutions

Council Sponsor(s)

JBINGLE LNAVARRETE

Sponsoring at Administrators Request

NO

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

0650 RESOLUTION ACCEPTING THE 2025 LAND CAPACITY ANALYSIS FOR

Agenda Wording

A resolution accepting the 2025 Land Capacity Analysis for the City of Spokane, outlining the residential unit and population capacity of the city through the year 2046. This is a required early step in the required periodic update to the Comprehensive Plan, due to be completed in 2026.

Summary (Background)

Each time the City prepares to update its comprehensive plan, the Growth Management Act (RCW 36.70A.115) requires that the City determine if sufficient land exists in its current boundaries to accommodate expected growth. The Land Capacity Analysis (LCA) is the process by which each jurisdiction must assess the amount of vacant, partially used, and underutilized property that exists; apply general assumptions to determine how many residential units could be developed on those properties, and then calculate the number of people that might be housed in those units. The process is large in scale and scope and is conducted according to a methodology that has been agreed to by the County and all the incorporated cities within it. The methodology for the Land Capacity Analysis is part of the Countywide Planning Policies (Board of County Commissioners Resolution 24-0117) As of the completion of this report, the City has determined that sufficient capacity exists within the incorporated boundaries of the city to accommodate the additional 23,357 people expected to be added to the city between 2023 and 2046. Additionally, the analysis has determined that sufficient capacity exists for the approximately 23,000 dwelling units necessary to (1) house those additional people, (2) make up for housing production shortfalls in recent years, and (3) begin to address the high cost of housing in the region, as described by the WA Department of Commerce Housing Allocation Planning Tool.

What impacts would the proposal have on historically excluded communities?

The impacts of housing provision and accommodation in the City will be determined as part of the larger Comprehensive Plan periodic update process. This discussion is beyond the scope of the Land Capacity Analysis.

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?

As with the previous question, this discussion is both beyond the scope of the Land Capacity Analysis and will be address as part of the larger Comprehensive Plan Update.

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

As with the previous question, this discussion is both beyond the scope of the Land Capacity Analysis and will be address as part of the larger Comprehensive Plan Update.

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 analysis and report are a required part of the Comprehensive Plan Update process, required under the GMA to be adopted by 2026.

Council Subcommittee Review

Fiscal Impact	
Approved in Current Year Budget? N/A	
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
This report has no direct financial costs or commitments.	
Amount	
Select	\$
Select	\$
Select	\$
Select	\$
Select	\$
Select	\$
Budget Account	
	#
	#
	#
	#
	#
	#
Funding Source N/A	
Funding Source Type Select	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence N/A	
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
<u>Dept Head</u>	GARDNER, SPENCER
<u>Division Director</u>	MACDONALD, STEVEN
<u>Accounting Manager</u>	BAIRD, CHRISTI
<u>Legal</u>	SCHOEDEL, ELIZABETH
<u>For the Mayor</u>	PICCOLO, MIKE
Distribution List	
	sgardner@spokanecity.org
bwhitmarsh@spokanecity.org	tblack@spokanecity.org
kfreibott@spokanecity.org	eking@spokanecity.org
smacdonald@spokanecity.org	

RESOLUTION NO. 2025-0015

A resolution acknowledging the completion of the Land Capacity Analysis for the City of Spokane, a required part of Plan Spokane, the 2026 periodic update of the City of Spokane Comprehensive Plan, analyzing the capacity of the existing city boundaries to accommodate additional people and housing units expected in the City between 2023 and 2046.

WHEREAS, the Washington State Legislature passed the Growth Management Act (“GMA”) in 1990, requiring among other things, the development of a Comprehensive Plan (RCW 36.70A); and

WHEREAS, RCW 36.70A.115 states that counties and cities that plan under GMA shall ensure that sufficient capacity of land suitable for development within the jurisdiction to accommodate their allocated housing and employment growth, as adopted in the applicable Countywide Planning Policies (CPPs) and consistent with the 20-year population forecast from the Office of Financial Management (OFM); and

WHEREAS, the CPPs include the specific methodology which each jurisdiction should follow when creating a Land Capacity Analysis (LCA) within their incorporated boundaries, as adopted by the Spokane Board of County Commissioners (BOCC) on March 5, 2024 (BOCC Resolution 24-0117); and

WHEREAS, the BOCC adopted the allocation of population growth for each jurisdiction within it, including the City of Spokane, on June 18, 2024 (BOCC Resolution 24-0348), allocating the City of Spokane population growth of 23,357 people between 2023 and 2046; and

WHEREAS, this allocation was based upon the OFM medium population forecast for the entire county, as adopted by the BOCC on March 26, 2024 (BOCC Resolution 24-0180); and

WHEREAS, the City of Spokane has completed its Land Capacity Analysis in accordance with the adopted CPPs and LCA methodology; and

WHEREAS, it is the responsibility and authority of each jurisdiction to adopt their own Land Capacity Analysis, provided it complies with the regionally adopted methodology in the CPPs;

NOW THEREFORE, BE IT RESOLVED that the Spokane City Council accepts the 2025 Land Capacity Analysis as prepared, including its conclusion that sufficient capacity exists within the current City limits to accommodate the City’s allocated population and housing growth through 2046.

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

City Clerk

Approved as to form:

Assistant City Attorney



2025 Land Capacity Analysis

for the City of Spokane, Washington

a requirement of the Growth Management Act (RCW 36.70A.115)

February, 2025



PLAN SPOKANE

Resilient | Connected | Livable | 2046

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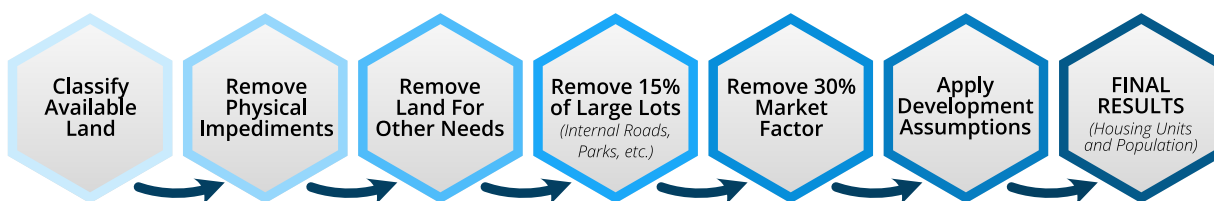
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Executive Summary

The Land Capacity Analysis (LCA) is a required part of the periodic update of the City of Spokane Comprehensive Plan. The Growth Management Act (GMA) requires the City to determine if sufficient land exists to accommodate growth early in the overall process. The City of Spokane is expected to grow by more than 23,000 people between 2023 and 2046.

To determine the capacity of the City, the LCA is guided by a regionally adopted methodology. In summary, that method follows the general steps shown in **Figure 1** below:

Figure 1: Schematic Land Capacity Analysis Process



The analysis begins by classifying land as either vacant, partially used, underutilized, or developed. Land is removed that is physically unavailable for development (such as steep slopes, wetlands, etc.), lands needed for other uses (parks, utilities, etc.) are removed, 15 percent of large lots is removed (need for roads, parks, etc.), and 30 percent of the total is removed to account for market forces limiting development. Finally, general development assumptions are applied to the remaining lands (units per acre, people per household, etc.) resulting in a number of dwelling units the City could physically expect to accommodate and the population those units could house.

Assumptions applied by the City in this analysis included:

- Density (units per acre) expected in each zoning group.
- The proportion of expected residential development outside purely residential zones (i.e. Commercial, Office).
- Previously approved and vested land use actions (Planned Unit Developments, Environmental Impact Statements, other reliable sources of data).
- Historic development data and trends.
- Persons per household by housing type.

These factors were applied to lands in the city, resulting in the following capacity results:

Figure 2: Summary Results—City Capacity for Dwellings and Population

Classification	Dwelling Unit Capacity	Population Capacity
Vacant, Outside PUD/Subarea	10,344	22,615
Partially Used, Outside PUD/Subarea	5,270	11,850
Underutilized, Outside PUD/Subarea	6,987	13,220
SUBTOTAL	22,600	47,686
VESTED/SUBAREAS	7,517	15,615
GRAND TOTAL	30,117	63,301

Source: City of Spokane, LCA Analysis, 2024.

Notes: This table is a summary of the detailed analysis within this report. Many factors not apparent in this table went into the data presented.

Ultimately, the City of Spokane has determined that sufficient zoned land exists within City Limits to accommodate expected growth within the planning horizon of 2046. For details of this analysis, including more specifics on the assumptions that were applied to the numbers in Figure 2 above, see the body of this report.

I. Introduction

This report represents the culmination of more than two years of work by City of Spokane staff as they prepared for the 2026 statutorily required Comprehensive Plan Periodic Update. The Land Capacity Analysis (LCA) is a required early step in the update process, during which the region must ask the important question, “is there sufficient capacity to accommodate growth expected in the next 20 years?”

The process by which regional jurisdictions determine their answer to this question is laid out in general in the Countywide Planning Policies (CPPs), adopted by the Spokane County Board of County Commissioners (BOCC) and agreed to by all jurisdictions planning under Revised Code of Washington (RCW) 36.70A. In the case of the Spokane County CPPs, the region undertook a major update of those policies and procedures in 2023 and 2024, culminating in the process described in this report.

The following report is limited to the City of Spokane municipal boundary and will flow through the required steps of the CPPs as they relate to the preparation of LCAs, with certain clarifying changes to organization and order to ensure that the results of this analysis are clear to the reader. The City has not deviated from the general requirements of the CPP methodology to ensure that the results of this analysis can be generally synthesized together with other jurisdictions’ results, in order that the County may understand an overall picture of the Urban Growth Area (UGA) in total.

II. Report Preparation

In general, each jurisdiction is responsible for generating its own LCA according to its own internal processes, staff, and expertise. Each jurisdiction has a unique set of land use and zoning regulations. In the case of this LCA for the City of Spokane, several staff members have been involved, including the following:

Project Manager & Chief Analyst: Kevin Freibott, Senior Planner

Planning Director: Spencer Gardner, AICP

Deputy Planning Director: Tirrell Black, AICP

Planner & Analyst: Brandon Whitmarsh, Planner II

Planner: Tyler Kimbrell, Planner II

Planner: KayCee Downey, Planner II

Economic Development: Teri Stripes, Principal Planner

The results of this report will be presented to both the Spokane Plan Commission and the Spokane City Council in early 2025. Furthermore, the results will inform the ongoing work at the City on the update of its 2026 comprehensive plan.

III. Growth Allocations

Prior to every required comprehensive plan update, the Washington Office of Financial Management (OFM) provides a forecast showing possible population growth for the entire County. In the case of Spokane County, the last round of forecasts was issued

by OFM in 2022, providing a range for countywide growth through 2050. By the requirements of GMA, jurisdictions in Spokane County are required to plan their next update to consider growth from 2026 to 2046 (20-years). As such, the OFM forecast covers more than enough time for any local analysis.

When OFM provides an updated population forecast, they typically offer three levels of growth: high, middle, and low. The middle level represents the forecast statistical mean, while the high and low ranges provide the maximum and minimum growth regional jurisdictions can use if they prefer to adjust the medium upwards or downwards according to local conditions or specific data not generally available to OFM.

In the case of Spokane County, the Steering Committee of Elected Officials (SCEO) recommended (and the BOCC adopted) the middle forecast for overall growth in the County. Accordingly, Spokane County should expect that growth in the County follows the curve shown in **Figure 3** on the following page. According to the adopted forecast, Spokane County must plan for a 2046 population of 654,665. Compared to the 2023 population for the county of 554,600, the County must plan to grow by 100,065 people between 2023 and 2046. The level of growth represents an increase of 18 percent over twenty years, or approximately 0.9 percent per year.

Following adoption of the countywide growth forecast, the SCEO recommended allocating growth among the individual jurisdictions and areas according to a 10-year historic growth trend. Reviewers should note that only four years of data was readily available for areas outside incorporated boundaries (cities and towns) due to the changing size of the UGA.

According to the growth apportionment adopted by BOCC (see **Figure 4**), the City of Spokane must plan to grow by 23,357 between 2023 and 2046, growing approximately 10 percent overall throughout the 23 years. This represents approximately 1,015 people per year, though actual growth is expected to fluctuate up and down from year to year.

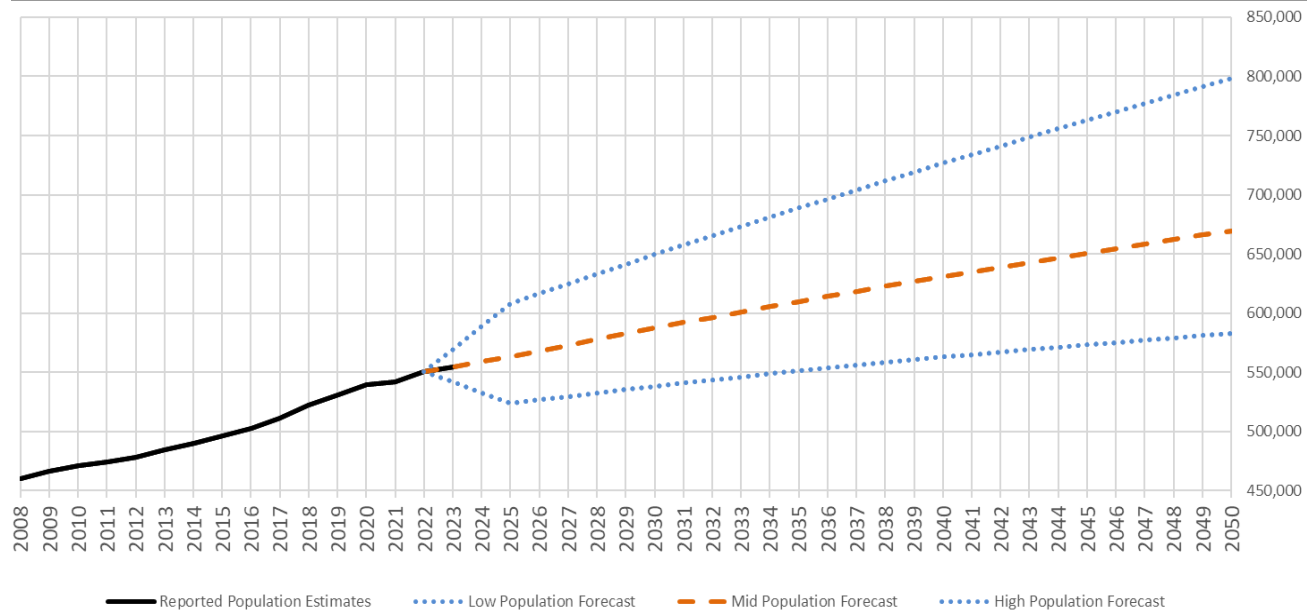
For the purposes of the LCA, the City must determine if there is sufficient land capacity remaining in the city boundaries to accommodate 23,357 more people. To do this, the City has conducted the analysis outlined in this report, consistent with the methodology provided by the CPPs.

IV. Methodology Basic Considerations

The function of the LCA is primarily residential. Commercial and Industrial zoned property is roughly categorized and quantified, but there is no agreed upon regional methodology to determine the amount of commercial and industrial land needed to accommodate growth. Accordingly, this study will not provide information as to whether the City can accommodate expected commercial/industrial growth.

To determine residential capacity, the LCA methodology provides a few basic steps, each with its own assumptions and applications, ultimately seeking to answer the main question of the overall analysis, whether the jurisdiction have sufficient land to

Figure 3: 2022 Spokane County Growth Estimates (Low, Mid, High) by WA Office of Financial Management



Source: OFM, December 2022.

Notes: Reported population estimates have been corrected by annual jurisdiction reports through 2023. Middle forecast represents the mathematically calculated growth trend based on historic data and is the most likely scenario for growth in Spokane County. High and low estimates are generated by an average over/under percentage growth rate, representing the maximum and minimum expected growth.

Figure 4: Adopted Growth Allocation–Spokane County and Incorporated Cities and Towns

Jurisdiction	2023 Population	% of Total in 2023	% of Future Growth	Additional Population by 2046	Total Population in 2046
Spokane County (Whole) ¹	554,600	100.00%	100.00%	100,065	654,665
Unincorporated Outside UGA	93,934	16.94%	4.70%	4,708	98,642
Unincorporated Inside UGA	69,456	12.52%	30.51%	30,528	99,984
Airway Heights	11,280	2.03%	6.66%	6,665	17,945
Cheney	13,160	2.37%	3.37%	3,375	16,535
Deer Park	4,925	0.89%	1.36%	1,365	6,290
Fairfield ²	600	0.11%	0.00%	0	600
Latah ²	185	0.03%	0.00%	0	185
Liberty Lake	13,150	2.37%	8.78%	8,784	21,934
Medical Lake	4,915	0.89%	0.24%	244	5,159
Millwood	1,925	0.35%	0.05%	49	1,974
Rockford	570	0.10%	0.07%	66	636
Spangle ²	280	0.05%	0.00%	0	280
Spokane (City)	232,700	41.96%	23.34%	23,357	256,057
Spokane Valley	107,400	19.37%	20.90%	20,913	128,313
Waverly	120	0.02%	0.01%	11	131

Source: SCEO, May 2024.

Notes: 1. The Spokane County whole population number for 2046 conforms to the middle forecast issued by OFM in 2022.
 2. These three assume zero population growth, though each community is expected to grow very slightly over twenty years. Trend data was not sufficient to determine to what degree this might occur, given the very small geographic area each community represents.

accommodate growth. To this end, the process includes the following general steps:

1. Classify land into three categories, each of which represents at least some amount of capacity, including:
 - a. Vacant: Land in a generally undeveloped state, inside which the jurisdiction can expect future development.
 - b. Partially Used: Land which contains some development but also sufficient vacant/undeveloped land to allow for future development.
 - c. Underutilized: Land which has been designated or zoned for more intense use, but currently contains less intense development (i.e a single-unit house on a parcel zoned for multi-unit development).
2. Subtract from those lands any of the following:
 - a. Unbuildable areas such as wetlands, steep slopes, unstable soils, critical areas, etc.
 - b. Areas needed for other uses, such as internal roadways/infrastructure, open space, power transmission, transportation uses, etc.
 - c. Any other lands that the jurisdiction has information precluding its redevelopment or use as residential capacity (i.e. areas of known subsurface pollution, publicly owned property, future needs of essential public facilities like schools or airports).
3. Subtract a percentage of the total capacity to account for market factors, essentially topics that limit development but are generally unknown or unquantifiable (willingness of individual property owners to redevelop/develop, sales of property, etc.)
4. Multiply the remaining areas by an assumed density (units/acre), resulting in the capacity in dwelling units available in the jurisdiction.
5. Multiply the number of units by an assumed number of people per unit, resulting in the theoretical population that can be accommodated by those areas.

While the LCA methodology included in the CPPs requires the use of these overall steps, some flexibility exists within the process to allow jurisdictions to use better information when available and to adjust the assumptions to conform to local policy/vision, understanding, and technical knowledge. The following list represents some of the adjustments and deviations that can be made at the local level when conducting an LCA, as allowed by the regionally adopted methodology:

- If a jurisdiction has conducted a local area study that provides much more specific information on development capacity of a given area, that information can be

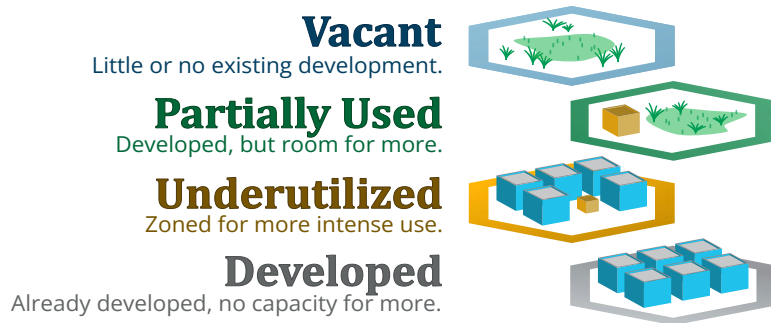
used instead.¹

- Each jurisdiction can determine the assumed density of their zones/land uses as well as the potential people per dwelling unit of various uses and residential types.
- Guidance in the LCA as to which properties may qualify as “vacant,” “partially used,” or “underutilized” are basic guidelines, which Cities can augment with their own analysis and understanding.
- The City’s current land use map and zoning map inform future development, where it will occur, and to what intensity. The LCA assumes that the local designations continue as they are. In other words, changes that may be introduced during the periodic update to the comprehensive plan but which have not yet been adopted are not included in this analysis.
- Even though most local jurisdictions have not adopted zoning regulations commensurate with the requirements of House Bill 1110 (the “Middle Housing” bill), jurisdictions may assume that local development capacity calculations include increased unit counts/density commensurate with the changes required by HB 1110, as those changes are not optional for most cities even if they have not yet adopted them.

V. LCA Step 1: Land Classification

The first step in the LCA process is to classify the City’s land into one of four possible areas: vacant, partially used, underdeveloped, and ‘developed.’ Developed areas do not

Figure 5: LCA Land Classifications



provide residential capacity within the 20-year planning horizon and thus are not discussed or categorized here. However, the other three classifications represent specific physical conditions and potential capacity in different ways. The categories are shown in summary in **Figure 5** at left, and described in detail, as follows:

Vacant Land

Vacant land is that which contains no or virtually no existing development. In general, the methodology states that vacant lands are those with an assessed improvement value of less than \$5,000. However, jurisdictions may—and in this case the City of Spokane did—

¹ For instance, the City of Spokane has recently completed an Environmental Impact Statement (EIS) for the South Logan Transit-Oriented Development Study. This EIS includes exact residential development capacity of the Preferred Alternative, which has thus been adopted by the City and incorporated into the Zoning Code, Zoning Map, and Comprehensive Plan. Accordingly, the City will be using the EIS to inform capacity in that area rather than the overall LCA methodology.

amend this based on review of the individual parcels themselves or by use of other more detailed studies.

In the case of the City of Spokane, staff used the \$5,000 value cap as a method for selecting *possible* vacant parcels. However, this list was then augmented using a number of sources, including:

- **City Permit reporting**, including demolitions and new building permits, which allowed the City to account for conditions that may have changed faster than the County Assessor could update their data.

Effect on Analysis: Increased capacity.

- **Review of both 2022 and 2024 high-resolution aerial photography**, to identify parcels where assessor data was either in error or physical conditions may preclude a parcel from development.

Effect on Analysis: Refined classification, both increasing and decreasing capacity by local conditions.

- **Public property lists and rolls**, eliminating not only property owned by the City itself and its various departments and functions, but also quasi-public lands such as those owned by Avista or other NGOs operating in the area.

Effect on Analysis: Reduced capacity.

- **Use of parcel data as well as City records** to eliminate parcels with zero improvement value but actually containing development. This occurs frequently where development spans more than one parcel, but for the purposes of not double taxing the property owner the County Assessor limits improvement value to only one of the parcels. A significant example is Riverpark Square, the mall downtown, which sits on seven parcels, only one of which shows any improvement value in County parcel data.

Effect on Analysis: Reduced capacity.

- **Planned Unit Development (PUD) data²**. The City of Spokane currently contains more than 130 PUD overlays of varying age and size. Because PUDs include a greater level of detail and typically include significant information relating to capacity and future residential development, these areas were handled separately by the City. See later in this report for an accounting of the capacity generated by PUDs in the city.

Effect on Analysis: Increased capacity as well as better specific information.

Partially Used Land

According to the adopted methodology, partially used land is that which may contain

²In almost all cases, PUD data was gleaned from both plat maps and Hearing Examiner decisions on record with the City.

some development, such as a single house, but the lot size is large enough to either be subdivided and built out at a greater number of units, or simply developed with additional residential units on the same property. A good example of a partially used lot is shown in **Figure 6** at right. This parcel is large (6.9 acres) and contains a small service use with surface parking and a driveway. This parcel is certainly not vacant and it's possible future sale and/or subdivision and development could provide a significant number of units in residential capacity. In fact, the owner of this parcel is currently working on permits to fill the remaining land with homes.

Figure 6: Example of a Partially Used Parcel



The LCA methodology suggests that jurisdictions consider partially used parcels to be those that exceed eight times the minimum lot size for that zone, such that the given parcel could be subdivided into at least eight separate developable lots. The City of Spokane utilized this factor to help select *possible* partially used lots, but augmented the search using locally available data. Most significantly, City staff was able to use existing building footprint data compared to the overall parcel area to determine lots that might not meet the “eight times the minimum lot size” condition but might be found in locations ripe for redevelopment and subdivision. This included areas where the City feels infill development pressure is high enough to impel property owners to consider multi-unit improvements on larger lots where the economy of scale was previously not sufficient to consider such a move.

In addition to the physical properties of the site, it is important to note that changes to the Spokane Municipal Code (SMC) in 2024 allow for multiple units to be built on all R1 and R2 zoned parcels, in line with the requirements of HB 1110, the Middle Housing Bill³. Because of this, the “eight times” minimum is not the only factor used by staff when identifying possible ‘partially used’ sites.

Every parcel identified as partially used in this analysis was considered on a site-by-site basis to winnow out any parcels that might be large enough but for which there are extenuating conditions or situations that preclude development. Parcels eliminated by this additional review reduced capacity somewhat overall. One of these related to the value of the overall improvements on the property, as suggested by the LCA methodology

³Washington State House Bill 1110 (2023)

itself. In the case where the home and improvements were significantly valuable to prevent likely redevelopment of the site those sites have been discounted from the total capacity.

Just because a parcel is designated partially used does not mean that the City expects it to provide future residential capacity. Adjustments have been made on a parcel-by-parcel basis to ensure that a conservative estimate of units on 'partially used' land was provided.

Underdeveloped Land

Underdeveloped land is far simpler to identify than perhaps the other two categories, in that its definition is the most concise. Underdeveloped land is that which contains an existing developed use but that use is at a lower density or intensity than what has been designated in the City's comprehensive plan or zoning. For example, a single-unit home in a multi-unit zone would be considered underdeveloped. Likewise, a single-unit home in a commercial zone is technically underdeveloped, as the SMC allows for higher intensity residential development in all commercial zones.

Underdeveloped land is common in areas where zoning has changed over the years, or the City has amended its growth strategy significantly in the past. One example exists south of E Sprague Ave, along the Sprague Center⁴. This area is zoned RMF (residential multi-family) but is occupied by predominantly single-unit homes. Accordingly, the area represents additional residential capacity and is thus classified as underdeveloped in the City's analysis.

Multiple Classifications

A vacant parcel naturally contains zero development, preventing that parcel from being classified partially used or underdeveloped. Therefore, being classified vacant is an exclusive condition. However, the same is not true for partially used and underutilized parcels. Because the partially used category concerns the amount of development on a site and underutilized only concerns the type of that development, it's possible for a parcel to be classified as both. Three such parcels in the City of Spokane meet the qualifications for both partially used and underutilized status. Each of the three are currently zoned for Industrial use precluding any residential development⁵. Thus, they do not have any impact on the City's residential capacity or the conclusions of this report.

Secondary Review and Error Checking

There are nearly 81,000 parcels in the City of Spokane, 8,900 of which have been classified as either vacant, partially-used, or underdeveloped. While in limited cases staff has reviewed individual parcels (as described above), the sheer number of parcels is simply too large to allow for a site-by-site analysis of all classified parcels.

Also of note, Staff pulled all parcel data for the City from the County Assessor's parcel

⁴ See "Centers and Corridors" as described by the City's Comprehensive Plan, the City's primary growth strategy since 2001.

⁵ Per SMC Table 17C.130.100-1

data in March 2024. Some permit data was used to update the parcels since that date, but to avoid conflicts and errors in the data from multiple extractions, staff has not made a full copy of the parcel data to work from since that date. As such, some development or other changes to a few of the classified parcels may have occurred between the time the data was pulled for analysis and the publication of this report.

Furthermore, no data set of this size is perfect. There are errors inherent in any large information system like this. Where errors were identified along the way, such as incorrect improvement values or owner status, staff has made corrections to the data manually. However, while staff has done their best to eliminate any errors as they have been identified, it's possible that a few may have been missed, solely because of the enormous scale of the analysis.

Reviewers are reminded that if an error is identified for a single parcel on a map or other part of this document, that is not indicative of an error in the overall analysis. An LCA is intended to be a city-scale exercise, not a site-by-site consideration. Nor is a site-by-site level of detail necessary to come to a conclusion as to the overall capacity a City contains.

Exception for Planned Unit Developments (PUDs)

Because a PUD includes a greater degree of certainty as to the future build-out of the area, the City has chosen not to utilize the LCA methodology when determining the capacity of these areas. If a PUD is approved and development is vested (usually by the adoption of one or more final plats) then the City will assume the remainder of the PUD will build out as proposed by the developer and approved by the Hearing Examiner (for PUDs) and City Council (for zoning overlays). Accordingly, land within vested PUDs is not generally included in the following land charts and tables. More information on the capacity represented by the City's more than 130 PUDs is included in **Section XIII** of this report.

While Preliminary Plats may provide additional information as to the expected future development capacity of a given area, the analysis presented herein does not utilize preliminary platting. Instead, the assumptions in the overall LCA are utilized in these areas.

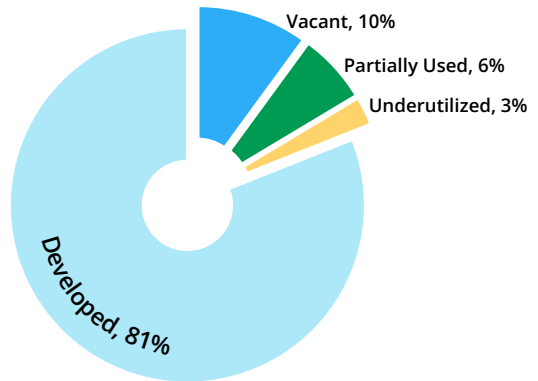
Classification Results: Vacant, Partially Used, and Underutilized

Following multiple reviews and error-checking, City staff classified over 8,900 parcels as either vacant, partially used, or underutilized. Those parcels, and their gross area, are outlined in **Figure 7** on the following page.

Note that the areas described in **Figure 7** are indicative of the *entire* parcel area. Not included are existing rights-of-way and other features outside traditional fee-simple parcels. Also, the City has not included public lands such as parks properties, transmission line corridors, transportation parcels (i.e. railroads, airport land, etc.), but features such as steep slopes, wetlands, and unstable soils are still included in the total area listed above. They were subtracted in Step 2, outlined later in this report.

Figure 7: Summary of Classified Parcels in the City of Spokane and their Proportion to the Whole

Classification ¹	Parcels (Count)	Area ² (Size)
Vacant	3,681	3,521.4
Partially Used	736	2,230.3
Underutilized	4,503	899.5
Developed	72,042	28,429.4



Source: City of Spokane, LCA Analysis, 2024

Notes: 1. Some parcels in the vacant, partially used, or underutilized classification may represent zero residential capacity due to site conditions or other limiting factors.

2. Area denotes the net parcel area, regardless of site conditions or pre-existing development.

Because this analysis must ultimately apply an assumed residential density to these classified parcels to determine the population they might hold, staff has grouped these classified parcels into “density groups.” These are groups of various zoning districts that provide similar residential development potential. For reference, those groups are:

- Residential Low: RA, R1, and R2 zones
- Residential High: RMF and RHD zones
- Commercial/Office/CC: CC1, CC2, CC3, CC4, CB, CA1, CA2, CA3, CA4, GC, NR, O, and OR zones
- Downtown: DTC, DTG, DTU, DTS zones
- Industrial: LI & HI

According to the City of Spokane Comprehensive Plan, and the resulting standards of the zoning code (SMC Title 17C), all zones allow for residential development, except for industrial zones. Furthermore, the City’s current growth strategy identifies several Centers and Corridors where growth is focused. Accordingly, those groups are enumerated separately.

For a complete summary of the various classifications of lands (outside PUDs) and their zoning groups, see **Figure 8** on the following page.

VI. LCA Step 2: Subtract Physically Unbuildable Lands

The second step in the methodology involves removing from the classified parcels any areas that are “not developable because of physical limitations.” These include steep slopes (those over 30 percent grade), unstable soils, wetlands and surface waters, and any other areas precluded from development by local, state, or federal policies or laws. In the case of wetlands and other jurisdictional areas, not only was the surface feature removed from the parcel area but so were the required buffers from those features. The distance those buffers represent was informed directly by the SMC and other applicable regulations.

Figure 8: Classified Parcels by Density Group (Outside PUDs and South Logan)

Classification	Residential Low		Residential High		Comm/Office/CC	
	Parcels	Acres	Parcels	Acres	Parcels	Acres
Vacant	1,738	1,469.2	275	195.3	659	388.9
Partially Used	492	1,204.9	23	164.9	82	398.0
Underutilized	19	59.3	2,266	362.0	1,167	240.1

Classification	Downtown		Industrial	
	Parcels	Acres	Parcels	Acres
Vacant	94	28.7	392	732.7
Partially Used	32	49.9	89	316.0
Underutilized	192	44.0	268	86.1

Source: City of Spokane, LCA Analysis, 2024

Notes: In the case of split zoned parcels, preference was given to the amount of residential zoned land. Note that industrial areas are included here for informational purposes, but for the LCA these areas are not considered to provide residential capacity.

The areas removed from the classified parcels included the following:

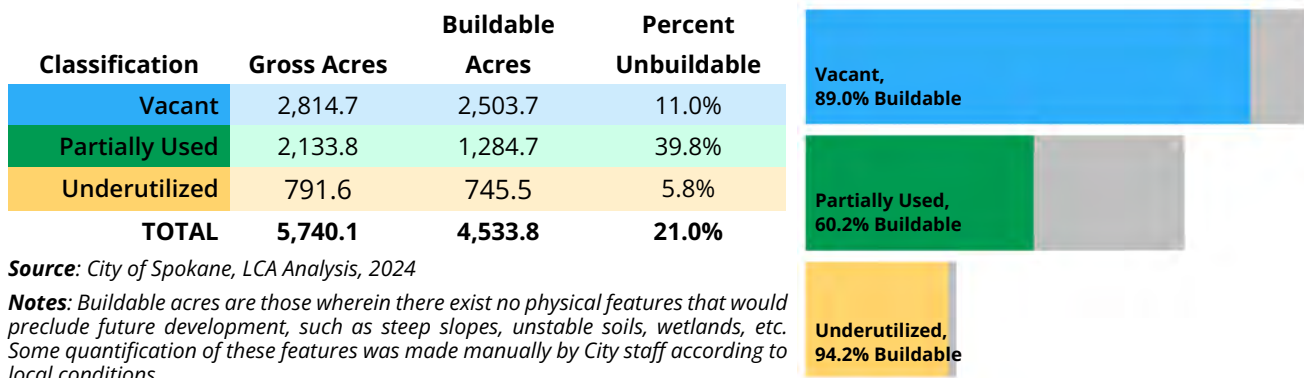
- Wetlands and their buffers, as provided by U.S. Department of the Interior, Fish and Wildlife Service, Washington.
- Steep slopes and unstable soils, as mapped by the City of Spokane GIS department. Steep slopes were generated by 2015 LIDAR data provided by the U.S. Department of the Interior. Unstable soils generated according to the Soil survey data, also provided by the U.S. Department of the Interior. Known rock outcroppings and site boulders mapped by City GIS staff.
- The Spokane River, Latah Creek, and all other jurisdictional waters up to the ordinary high water mark, as determined by orthographic photography by the City of Spokane, 2022.
- Shoreline Jurisdictional Areas mapped according to SMC 17E.060 that preclude development.
- Other small areas of known natural/cultural resources and other physical impediments to development, manually mapped by City staff during the analysis.

The area of these features within each parcel were quantified by GIS software. Additionally, City staff measured the area of each existing development on partially used parcels. For instance, if a home exists on the parcel City staff measured the footprint of the home, any hardscape or landscape, and outbuildings like garages to build into the assumptions that the existing home/structure would remain.

All of the various areas identified above were quantified for each classified parcel and then added to develop an “unbuildable acres” for each parcel. This was done mathematically and did not require any additional manipulation by City staff. By subtracting the unbuildable acres from the overall size of the parcel, a theoretical

“buildable acres” was calculated for each parcel as well. The results are shown in **Figure 9** below.

Figure 9: Buildable Acres by Classification (Outside PUDs and South Logan)



In the case of partially used and underutilized parcels, some special considerations are included in the table above and the completion of this step in the process. See the following section for details.

VII. Applied Special Considerations

During regional discussions with decision makers and stakeholders, some concerns were raised that Partially Used and Underutilized lands may experience a greater degree of moderating market forces that will reduce overall capacity. These two areas are handled specially, as described below.

Special Consideration for Partially Used Capacity

Regarding those properties classified as “partially used,” a simple accounting of buildable acres multiplied by the assumed density may overstate the capacity represented by the parcel. The simple presence of a pre-existing use on the property may have a moderating effect on future development potential for that parcel. While investigations have been made to find a factor or factors that would indicate the degree to which a partially used parcel might redevelop in the planning horizon, the City was unable to find a conclusive correlation between any of the known parcel data and the likelihood of redevelopment.

With that in mind, selection of partially used parcels in the city and calculation of the resulting buildable area of each parcel factored in the existing use to the maximum extent possible. Where a home exists on a partially used parcel, for example, staff withdrew the area of the home and a reasonable-sized yard from the overall buildable acreage. Accordingly, a 1-acre parcel with a single home and no other impediments to development was reduced in buildable area by as much as 25 percent to account for the existing home and its yard(s). This was possible given both existing parcel data and the City’s detailed surveys of building footprints. Ultimately, this is part of why the amount of unbuildable land in Figure 9 is larger for partially used parcels.

Special Consideration for Underutilized Capacity

Underutilized parcels are a special case, in that they not only contain pre-existing development as partially used parcels do, but existing development likely occupies the entire parcel. The factors involved in completely redeveloping an existing, operating parcel are many and complex. To this end, the LCA methodology⁶ suggests that jurisdictions should select for those parcels where the improvement value is four times or less the value of the land as having a higher likelihood of redevelopment. For the final capacity count outside of PUDs, City staff has limited the underutilized parcels that provided unit counts to only those whose improvement value is less than or equal to four times the land value.

VIII. LCA Step 3: Subtract Lands Needed for Other Purposes

After removing physical impediments to development, the adopted methodology allows for the removal of any lands “needed for other public purposes.” In general, this indicates lands needed for utility corridors, landfills, sewage treatment plants, recreation facilities, schools, and other public uses. These uses need not be existing ones—planned and future facilities should be accommodated as well.

To remove these lands from the capacity calculation, City staff used the City’s existing inventory of City property, which included Parks and Recreation lands. To this, staff added facilities owned by the following entities (as determined by parcel data):

- School Districts (all three whose boundaries include the city);
- Avista Corporation;
- Gonzaga University⁷;
- Burlington Northern / Santa Fe Railroad (and all derivatives);
- State of Washington;
- Spokane Airports;
- Washington Department of Transportation;
- Washington Department of Natural Resources;
- Washington Department of Fish & Wildlife;
- United States Government (and all departments);
- Other known governmental agencies and non-governmental organizations whose mission does not include the provision of housing.

Every parcel that was identified through this step was manually adjusted to subtract them from the vacant, partially used, or underutilized categories. Accordingly, they have already been discounted from the numbers presented in Figures 4, 5, and 6 above and no adjustment of those numbers is necessary.

⁶ *Adopted by the Spokane Board of County Commissioners and appended to the Countywide Planning Policies.*

⁷ This was limited to those Gonzaga properties with a Land Use Plan Map designation in the Comprehensive Plan of “institutional,” as areas outside this owned by Gonzaga has, in the past, included development of traditional multi-unit apartments.

A Note on Rights-of-Way and Common Lands Within Large Lots

Large lot development is often distinct from smaller developments because a percentage of capacity is lost to the provision of internal roadways, public spaces, sidewalks, trails, and other appurtenances to planned communities. Outside of existing PUDs, this area must be considered because land used for roads and sidewalks naturally cannot be used to construct housing units. To that end, the LCA methodology allows jurisdictions to subtract a percentage of the available land—an amount to be determined by each jurisdiction.

In the case of the City of Spokane, the same assumption used in the prior two LCA analyses (2015 and 2008) was utilized, wherein 15 percent of large lot areas was subtracted from the total. To do this, staff separated out by size those parcels where internal roadways are unlikely. So called ‘small lots’ were those of no more than two acres, commensurate with SMC development standards wherein parcels of 2 acres or less are not subject to a density limitations (see SMC 17C.111.205). For any parcels greater than 2 acres in size, staff reduced the buildable acres by 15 percent to account for internal losses due to roadways, playgrounds, trash enclosures, etc.

All of the various areas identified above were quantified for each classified parcel and then added to develop an “unbuildable acres” for each parcel. This was done mathematically and did not require any additional manipulation by City staff. By subtracting the unbuildable acres from the overall size of the parcel, a theoretical “buildable acres” was calculated for each parcel as well. The results are shown in **Figure 9** above.

In addition to the parcels removed from capacity consideration in previous steps, after Step 3 was complete about 10 percent of remaining vacant parcels were found to be unbuildable, while nearly 40 percent of partially used parcels were unbuildable. This was due in part to the assumption that the existing development on partially used parcels would remain if development of the undeveloped portion of the parcel were later developed. Lastly, only about 5 percent of underutilized parcels was found to be unbuildable.

IX. LCA Step 4: Market Factor and the Unknown

In any such exercise like the LCA, the scale of analysis is such that it is impossible to know every individual factor that comes into play when determining whether a given parcel will develop and, if so, how much residential capacity it will accommodate. To factor this into the analysis, GMA provides for the use of a market factor, a mathematical reduction in overall capacity intending to quantify all the unknown factors involved. These unknown and unquantified factors include:

- Market conditions over 20 years;
- Willingness and interest of individual property owners to sell/develop/subdivide their property;

- The speed at which development may occur even in cases where it is desired by the property owner;
- The effect of property speculation and long-term holdings;
- The availability of financing/insurance/etc.; and,
- The capacity of the local construction industry to respond to changing demand.

Where, thus far, the methodology has attempted to quantify the physical availability of certain lands for future development, market factor is included to account for the effect of development likelihood and owner/developer willingness. It is an adjustment taken from the total to account for the myriad unknown factors that play on likely development.

Despite much debate at the regional and jurisdictional level, as well as multiple studies by the Washington Department of Commerce and others seeking to determine a market factor to apply, all attempts have generally found that there is no one simple value that is most realistic or effective. To that end, Spokane County and the various jurisdictions returned to the same value within the UGA as the last LCA process, that of a 30 percent reduction overall.

Market factor is, in essence, an attempt to quantify the unknowable. To this end, it cannot be accurately applied on a site-by-site basis. As a result, the regionally adopted methodology envisions this factor being applied at the end of the process, as an off-the-top adjustment of the overall capacity. As a result, the City has reduced the overall unit capacity by 30 percent overall, regardless of location or site condition. See Section XI below for an accounting of the effects of Market Factor on City of Spokane housing capacity.

X. LCA Step 5: Determine Capacity via Assumed Densities

Once it's clear how many acres of buildable land are available, the City must apply a range of density assumptions to that land to calculate a theoretical dwelling unit capacity in the City. The development density (units per acre) is not the same across all zones and locations throughout the City. Thus, a range of density assumptions has been developed that allows the City to make a nuanced, realistic calculation of potential dwelling unit capacity represented by any given parcel in the City.

In summary, the density assumptions listed in **Figure 10** on the following page have been applied to the classified lands to determine the number of units likely to be developed in 20 years. For more details on these assumptions and how they were determined, see Appendix A at the end of this report. Some additional considerations are discussed below as well.

Low Intensity Residential

Unlike the other density groups, assumptions for density in low-intensity zones areas differ depending on location within the City. This is due to existing development features

Figure 10: Density Assumptions for LCA Calculation by Zone Type

Density Group / Class	Assumed Density	Source
Low-Intensity Residential (Zone RA, R1 & R2)	5-9 units/acre depending on location ¹	Interpolated existing density by survey section
High-Intensity Residential (Zone RMF & RHD)	29 units/acre	Analysis of multi-unit permits since 2019
Accessory Dwelling Units (ADU)	600 ADUs over 20 years, regardless of location	Permit history since 2008
Downtown (Zone DTU, DTC, DTG, DTS)	44.4 units/acre, applied to 33% of zone	Analysis of non-residential zone development since 2022
Non-Residential Zones (Zone NR, GC, CB, O, OR)	30.2 units/acre, applied to 33% of zone	Analysis of non-residential zone development since 2022

Source: *City of Spokane (2025) LCA 2025: Proposed Residential Density Assumptions. Appendix A to this report.*

Notes: 1. See Figure 9 for the specific locations where different low-intensity residential densities are to be applied.

within those areas, wherein residential density has historically differed. Generally higher density is found nearer the city’s core and density decreases as the distance to the river and downtown grows. Accordingly, the density assumptions applied in this analysis conform to those shown in Figure 11 on the following page. Note that the only applies to low-intensity residential zones *outside* of PUDs.

Effects of Recent Housing Changes (BOCA/BOH)

As outlined in the density analysis in Appendix A of this report, the City has not assumed any direct impact of the Building Opportunity and Choices for All (BOCA)⁸ and Building Opportunity for Housing (BOH)⁹ ordinances on low-intensity residential density assumptions. That isn’t to say that the BOCA/BOH ordinances have no effect, or that they have “failed” as has been asserted by some. Rather, these changes are simply too recent to have provided sufficient statistical data to project such a long time into the future (20 years). Accordingly, this analysis does not provide for a direct bonus to residential development as a result of BOCA/BOH.

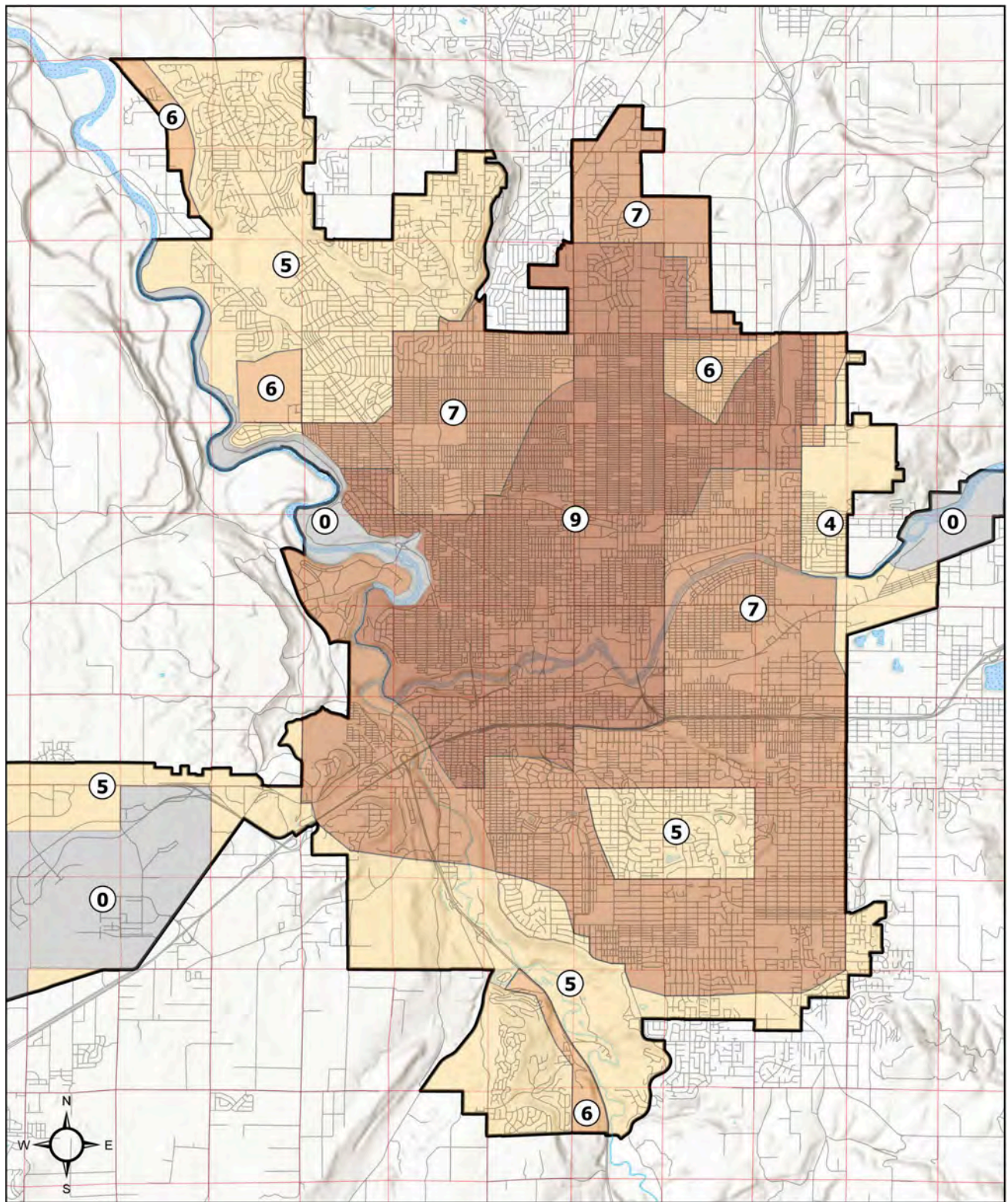
The City will continue to track these ordinances and their effects and consider what data is available at the five-year progress check required by GMA. At that time, it should be clearer what level of impact these (and other) recent ordinances have had on the development environment in Spokane.

A Note on Accessory Dwelling Units

Contrasting BOCA/BOH data, the City has significant data on recent changes to ADU standards and the resulting development demand to apply those data to expected ADU development. However, unlike more traditional housing unit development, ADU potential

⁸ Ordinance C36232, Adopted July 18, 2022
⁹ Ordinance C36459, Adopted November 20, 2023

Figure 11: Low-Intensity Residential Density Assumptions by Location (Units/Acre)



Source: City of Spokane (2025) LCA 2025: Proposed Residential Density Assumptions. Appendix A to this report.

Notes: The number indicated represents the assumed low-intensity residential density (units/acre) to be applied in that area. These assumptions are applied only to low-intensity residential parcels (zoned R1 or R2) and only outside of Planned Unit Developments.

is equally split in the city among new development on vacant parcels and that seen in previously developed areas. In other words, the potential for an ADU to be developed seems to be equal among vacant and developed parcels in the City. To this end, the assumption is that ADU development will follow along recent levels citywide—approximately 30 per year, regardless of location. Accordingly, this LCA assumes 600 ADU units throughout the planning horizon and will not attempt to locate those geographically in the City.

As with BOCA/BOH effects on housing development, staff recommends that ADU development continue to be tracked over time to discern if the amount per year is changing. With more data, the ADU assumptions in the five-year review of development required by GMA may be amended in 2031.

Process for Applying Density to Classified Land

Rather than take the total land in each density group and apply the assumption universally, the City attempted to further refine the results by addressing each parcel individually. The basic process taken with each parcel was applied mathematically and did not require direct attention for each of the classified parcels. GIS tools were used to follow an ordered process that selected for the proper parcels, applied the correct assumptions, and determined the likely unit carrying capacity of each parcel individually. The process followed conforms to flow depicted in **Figure 12** at right.

Essentially, maximum units were determined for each parcel based on its acres of buildable land (gross acreage minus all factors that affect development from steps 2 and 3 above), multiplied by the appropriate density assumption from **Figure 10**. By doing this, the City informed the units any given parcel could contain by local conditions, but also used globally applied factors to ensure that a conservative assumption of capacity is achieved. Once a potential number of units was determined for each parcel, those units were added together by zoning group and then reduced by the 30 percent market factor. Thus, individual parcel characteristics played a part in capacity up *until* the market factor, which is itself not geographically linked.

By applying the density assumptions in **Figure 10** to the land classifications, the City found a maximum theoretical residential capacity in the city (before market factor is applied) of approximately 36,500 units. Now that a theoretical maximum capacity was calculated, it only remained to remove the 30 percent market factor to find the total capacity for each density group. Once the 30 percent market factor was subtracted, the capacity shown in **Figure 13** on the following page resulted.

Figure 12: Unit Calculation Flow–Vacant Parcels Only

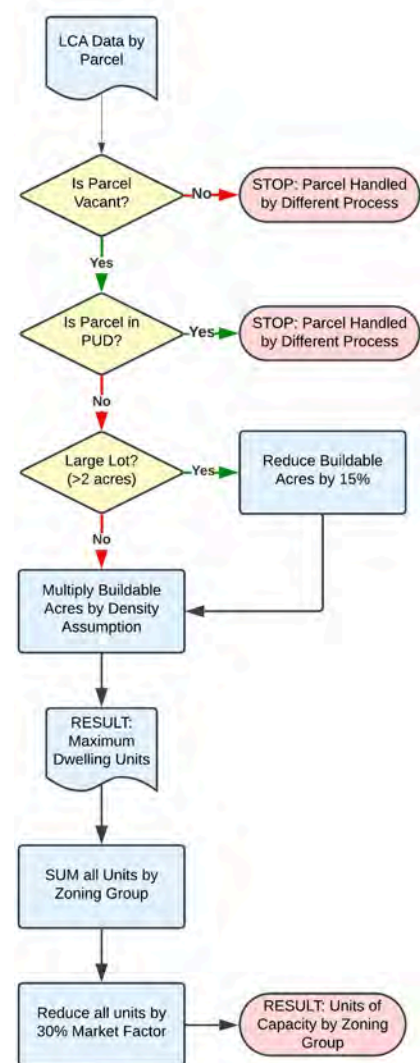


Figure 13: Unit Capacity by Classification and Density Group (Outside PUDs and South Logan)

Classification	Low-Intensity Residential			High-Intensity Residential		
	Parcels	Max Units ¹	Units of Capacity ²	Parcels	Max Units ¹	Units of Capacity ²
Vacant	1,738	7,038	4,927	275	4,629	3,240
Partially Used	492	4,364	3,055	23	2,239	1,567
Underutilized	19	210	147	2,266	7,234	5,064
	Commercial/Office/CC			Downtown		
	Parcels	Max Units ¹	Units of Capacity ²	Parcels	Max Units ¹	Units of Capacity ²
Vacant	659	2,758	1,931	94	351	246
Partially Used	82	570	399	32	355	249
Underutilized	1,167	1,890	1,323	192	647	453
	TOTAL ³					
	Parcels	Max Units ¹	Units of Capacity ²			
Vacant	2,766	14,777	10,344			
Partially Used	629	7,528	5,270			
Underutilized	3,644	9,981	6,987			

Source: City of Spokane, LCA Analysis, 2024

Notes: High Industrial properties represent zero residential capacity in the city, thus they are not included in this table.

1. Max Units represent the total buildable area multiplied by the density assumptions for that group, as described in Figure 9.
2. Units of Capacity is equal to Max Units reduced by the 30 percent Market Factor.
3. TOTAL numbers represent the sum of all density groups.

XI. Converting Units to Population

The adopted LCA Methodology is general in describing the method jurisdictions should utilize to convert units to population. There are many factors that can play into such a conversion—some of which vary greatly from jurisdiction to jurisdiction. Additionally, these factors change over time—necessitating some adjustment for the 20-year time frame of the LCA.

Perhaps the greatest single factor involved in converting housing units to population is average people per household—the average number of people living in a particular unit. Simply put, if households are larger, more people can be expected from a given number of housing units. Conversely, if household sizes are small, fewer people will be housed in the same number of housing units. To that end, staff undertook an exploration of various characteristics of household size as reported by the U.S. Census Bureau as well as the Washington Office of Financial Management (OFM).

The Washington Department Commerce ('Commerce') has contracted with BERK Consulting to prepare various tools and models for forecasting housing need in the state, commensurate with the requirements of HB 1220 (2021). The efforts of Commerce and BERK have indicated that average household size in Spokane County may fall as much as

seven percent by 2046, falling from an average of 2.46 in 2020 to only 2.29 in 2046. Conversely, a linear trend created from American Communities Survey (ACS) 5-year data estimates for the City of Spokane show a *rise* from 2.28 in 2020 to 2.31 in 2046. Finally, OFM provides a year-by-year estimate of persons per household in the City of Spokane. OFM's current data show that people per household in Spokane has grown slightly over time, from 2.28 in 1992 to 2.33 in 2024.

There are clear variations between different data sets, though they are generally close. However, each data set explored above provides for a single household size, which ignores the fact that household sizes are different for different housing types. Only OFM data sets provided sufficient detail to discern differences in various housing types. OFM data has the added benefit of conforming to data used to form the countywide and various jurisdictions' population growth targets, adopted by BOCC earlier in 2024.

Via OFM's program for estimating population for each jurisdiction annually, OFM provided the number of occupied units and population living in various housing types for the City of Spokane. Housing types matched those reported each year by the City, including 1, 2, 3&4, and 5+ unit buildings. For each, OFM provides the total population in that housing type as well as the number occupied units. OFM reported these data points for each year since 1990.

A further complication occurs because the City provides for multiple housing types in various zones, making it difficult to parse household size to each zoning group. In other words, applying a 1-unit household size to all of a zoning group might under- or overstate the actual capacity that zoning group represents. To account for this, staff has combined the household size for 1, 2, and 3/4 unit buildings into a "middle housing" household size and will use the 5+ unit household size to represent "multi-unit housing" in the City.

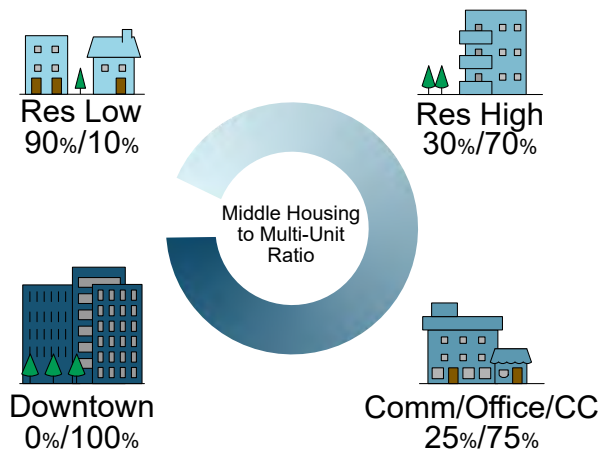
Accordingly, the household sizes shown in **Figure 14** below will be used when calculating population capacity from unit capacity, namely 2.63 people per unit for middle housing and 1.60 people per household for middle housing. This is only slightly elevated from the numbers used in the last round of the LCA in 2015, when the City assumed 2.5 people per household in single- and two-family zones and 1.6 in multi-family zones.

Figure 14: Household Size Trend Analysis for Middle Housing and Multi-Unit

Housing Type	1990	2024	2046	
Middle Housing (1-4 units)	2.50	2.59	2.63	Source: WA Office of Financial Management, POP_HU_PERM_2024 table, <u>Components of Housing Unit Change Extract</u> . Notes: 2046 assumption represents a linear trend created from 1992 to 2024 data for the City of Spokane.
Multi-Unit (5+ units)	1.46	1.59	1.60	

Further refinement of the resulting population capacity is possible when considering that not all of a particular zoning group will develop with one type or the other. Middle housing types are often constructed on smaller lots in higher intensity zones like commercial/office or centers and corridors. Middle housing, per the City's comprehensive plan, is appropriate everywhere housing is permitted and can integrate well into all types of neighborhoods. Accordingly, it is accurate to accommodate for some percentage of middle housing in each zoning group, save for perhaps downtown zones where middle housing development is much less likely. Accordingly, the analysis here assumes differing

Figure 15: Assumed Ratio of Middle Housing to Multi-Unit in Each Density Group



Notes: Indicated ratio is “middle housing” to “multi-unit”. Middle housing denotes 1 to 4 units per structure. Multi-unit denotes 5 or more units per structure.

proportions of middle housing to multi-unit development in each zoning group, as shown in Figure 15 at left. This adjustment will be made mathematically rather than geographically, by applying the two household size assumptions to the proper percentage of all vacant/partially used/underutilized land in those density groups. For instance, the analysis assumes that 90 percent of the vacant land capacity in the residential low zoning group will develop at 2.63 people per unit while 10 percent will develop at 1.60 people per unit.

In essence, for each density group the units of capacity were divided by the ratio in the figure above, multiplied by the persons per household assumption for that housing type, and then added together to find a total number of people each zoning group can accommodate. The results of this

analysis are shown in Figure 16 on the following page, providing the total population capacity for each zoning group, classified by whether that capacity comes from vacant land, partially used land, or underutilized land. As with everything in this section, the following table does not include the capacity represented by the various PUDs in the City. Those will be discussed in a following section.

Figure 16: Unit and Population Capacity by Density Group (Outside PUDs and South Logan)

Classification	Low-Intensity Residential		High-Intensity Residential	
	Units	Population	Units	Population
Vacant	4,927	12,450	3,240	6,186
Partially Used	3,055	7,719	1,567	2,992
Underutilized	147	371	5,064	9,667
	Comm/Office/CC		Downtown	
	Units	Population	Units	Population
Vacant	1,931	3,587	246	393
Partially Used	399	741	249	398
Underutilized	1,323	2,457	453	725
	TOTAL			
	Units	Population		
Vacant	10,344	22,615		
Partially Used	5,270	11,850		
Underutilized	6,987	13,220		

Source: City of Spokane, LCA Analysis, 2024

Notes: Market Factor has been applied to these quantities, as well as commonsense, real-world factors that would potentially affect development capacity, as allowed in the adopted LCA Methodology and documented in this report. Interpolation of this data into smaller geographic areas (e.g. neighborhoods) could introduce significant errors into the results.

As shown in **Figure 16** on the following page, the City currently contains sufficient capacity within lands classified as vacant for nearly 23,000 people. Lands classified as partially used contain sufficient capacity for almost 12,000 more and underutilized lands could accommodate a further 20,000. Most of the city's overall capacity exists in low-intensity and high-intensity residential zones, though capacity exists in some part in all density groups.

It is important to note that while the City has classified lands in all three categories, the available capacity in vacant lands, not counting PUDs, is nearly sufficient to meet the City's 2046 population allocation of 23,357 additional people. Considering all three categories of land, the City contains sufficient land for more than 2.3 times the city's growth allocation.

XII. Capacity in Planned Unit Developments

The calculations provided above do not include the capacity that exists within PUDs in the city. The City has approved more than 100 such PUDs within the City limits, some having been approved quite recently and others have continued to develop since the 1980s. Many of the PUDs approved by the City have completed construction and thus represent no additional residential capacity. However, 17 PUDs contain vacant lands sufficient for additional development.

Residential capacity in PUDs fall into one of two categories:

- Platted Vacant Lots: Many PUDs contain lots that have been fully platted but construction of a home or homes has not begun.
- Tracts and Large Lots: PUDs can also contain large areas that will, according to the preliminary plat or PUD approvals, be platted into individual lots at a later date. Additionally, some PUDs contain large lots that will eventually contain multi-unit developments.

The City has completed a multi-year review of every active PUD in the city in order to determine how much development each was approved for, how much has occurred since, and the remaining development that will occur as the PUD continues to develop. This information was determined by direct review of approval documents—primarily Hearing Examiner decisions—and other sources in the official record. For those PUDs that have changed over time, either through additional approvals or during the final platting process, adjustments in the expected development for each has been made.

Regarding platted vacant lots, these lots are assumed to develop as proposed when platted. Virtually all of these are single-unit lots, thus this analysis assumes a single unit will be placed upon each. In the case of multi-unit tracts, the remaining number of multi-unit dwellings approved by the Hearing Examiner/Planning Director are assumed.

Regarding large lots and tracts, City staff has undertaken a review of each PUD's available documentation to determine how many lots are expected to be platted in these

locations. For single-unit lots, only a single unit is assumed by this analysis (no ADUs, duplexes, etc.). For multi-unit lots, again deference was given to the original Plat or PUD approval. Following this document review and analysis of each individual lot by City staff, the City has determined the capacity represented by the PUDs is as shown in **Figure 17** below.

Figure 17: Planned Unit Development Capacity by Platted and Unplatted Status

Classification	Parcels		Units	Population
	(Count)	Area (Acres)		
Platted Lots	290	90.8	337	843
Unplatted Single-Unit	-	-	1,418	3,545
Unplatted Multi-Unit	-	-	2,808	4,493
TOTAL			4,563	8,880

Source: City of Spokane, LCA Analysis, 2024

Notes: Data in this table is directly sourced from City records and archives for each PUD in the city.

A significant amount of housing capacity resides within the City’s PUDs. However, these areas also tend to represent a limitation on the requirements of House Bill 1110 (2023) and other similar legislation. The state legislature has not passed any regulation that would vacate the numerous covenants and restrictions already placed on properties preventing the development of middle housing like duplexes and ADUs. Because of this, and as a conservative limitation on the capacity of PUDs, the unit counts in **Figure 17** assume that only single-unit homes will be built on single lots.

Multi-unit development is listed in the table, but only in cases where (1) the approval of the PUD specifically lists multi-unit development as a component of the PUD and (2) the remaining undeveloped tracts are sufficient for such development (size, characteristics, etc.). The first condition filters out PUDs where multi-unit development is not specifically approved and the second allows the analysis to weed out PUDs where a multi-unit component was originally approved but subsequent development of the PUD has left the site with little land for such uses. This second situation is common for some long-lasting PUDs, where market forces and the discretion of the property owner/developer has resulted in larger than expected single-unit lots or some areas given over to public use rather than home development. In any case, every attempt has been made to account for real-world limitations on future development.

XIII. Capacity in the South Logan TOD Study

The City of Spokane has been analyzing and considering Transit-Oriented Development (TOD) for several years via multiple avenues. The latest effort on this front included a detailed analysis and various code, zoning, and land use changes around the South Logan Subarea, centered along the Spokane Transit Authority’s City Line and encompassing much of the Logan neighborhood around Gonzaga University and the

Hamilton Street corridor. Throughout 2023 the City prepared a major analysis known as the South Logan TOD Study.

As part of the preparation of the South Logan TOD Study, the City prepared and adopted an Environmental Impact Statement (EIS) under the State Environmental Protection Act (SEPA). The Draft EIS considered the impacts of multiple growth alternatives, which included varying recommendations and actions the City might undertake to support TOD within the study area. The Final EIS was based on the Preferred Alternative, a combination of recommendations and actions from the various draft alternatives, around which the South Logan TOD Study was framed. The analysis within the Final EIS determined the expected number of dwelling units and population that would be accommodated by growth within the study area, provided the recommendations of the South Logan TOD Study were adopted by the City.

On January 29, 2024, a City Council Resolution was passed which adopted the South Logan TOD Study and Final EIS¹⁰. Following this adoption, City Council adopted multiple actions called for in the study, including citywide and area-specific amendments to the SMC, a Planned Action Ordinance of the South Logan Subarea, and a range of zoning and land use changes throughout the study area. The City subsequently adopted the Planned Action Ordinance¹¹ in August 2024. The land use and zoning changes were adopted by ordinance¹² in December 2024.

Because the Final EIS provided a much higher level of specificity and accuracy as to the growth capacity of the study area, greater than the generalized methodology in the LCA could, and because the recommendations of the South Logan TOD Study have now been adopted by the City, the conclusions of the EIS will be relied on when describing the growth capacity in this area.

The South Logan TOD Study Area is shown on the following page in **Figure 18**. All parcels within this area have been pulled from the discussion of capacity in the previous sections of this report, thus they are not included in the tables above and are enumerated separately here. When considering the ultimate development capacity of the South Logan TOD Study Area, the EIS identified the dwelling unit and population capacity shown in **Figure 19**, also on the following page.

XIV. Additional Capacity Potential: Downtown Surface Parking

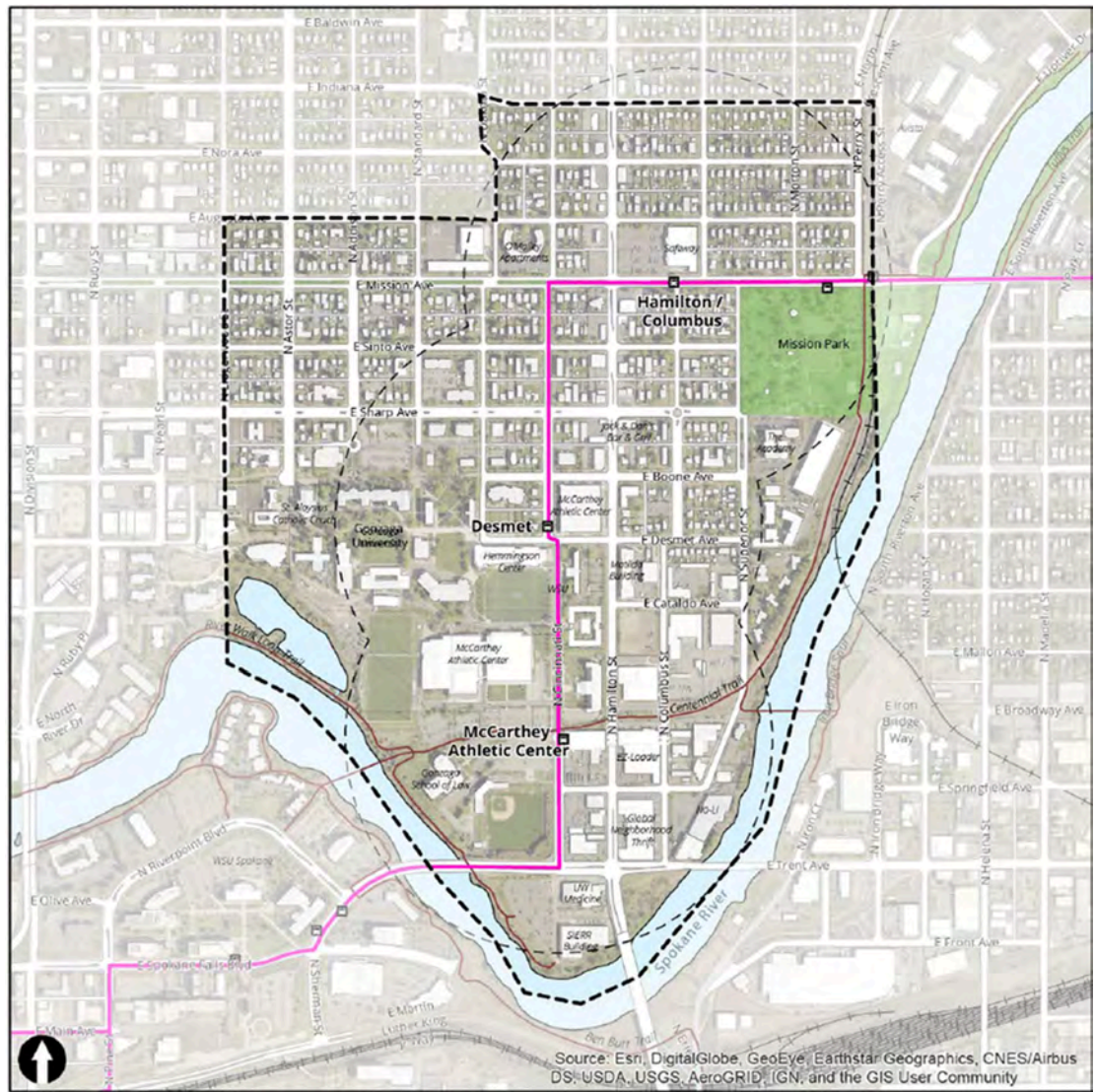
Downtown Spokane serves not only as the center of the City but also of the region. The City's development strategy for many years has been to support and enhance the Downtown development environment. For nearly as long as Spokane has been a city, the downtown has been where development, density, and mixed uses have been focused. Accordingly, the City's current development strategy identifies the downtown as the

¹⁰ *TOD Study and EIS adopted by City Council Resolution RES 2024-0015 on January 29, 2024.*

¹¹ *Planned Action Ordinance adopted by City Ordinance C36554 on August 12, 2024.*

¹² *Land Use and Zoning changes adopted December 2, 2024 by City Ordinance C36614*

Figure 18: South Logan TOD Study Area and Major Features



South Logan Context Map

Updated February 2023

- Study Area
- City Line Route and Stop
- Parks
- Trails
- 1/4 mile from CityLine
- Railroad

Source: City of Spokane (2023, November). South Logan TOD Final Environmental Impact Statement. Figure 1, p. 13.

Figure 19: South Logan TOD Final EIS Capacity

Classification	New Unit Capacity	New Population Capacity
Adopted Code/Map Amendments	2,954	6,735

Source: City of Spokane, South Logan TOD Final Environmental Impact Analysis. Retrieved online from <https://my.spokanecity.org/projects/south-logan-transit-oriented-development-project/>

Regional Center where development standards allow for the highest structures and the greatest range of potential uses anywhere in the City. Over time, many of the historic downtown structures have been demolished, only to be replaced by surface parking lots. As the City's development strategy calls for the highest densities and most intense residential, commercial, and office uses to be in the City's Regional Center, the presence of numerous surface parking lots points to a potentially untapped opportunity.

The City has adopted three Downtown Plans since the original adoption of the current Comprehensive Plan in 2001. All three Downtown Plans, themselves a part of the overall Comprehensive Plan, have identified surface-level parking lots as a major issue downtown. The City went so far in 2009 as to adopt a new Downtown section in the SMC which, in part, prohibited the placement of any new surface lots in the downtown core¹³. Most recently, the City adopted the "Pavement to People: A Downtown Housing Incentive" Ordinance that seeks to incentivize redevelopment of surface lots downtown into housing¹⁴. This program waives sales and use tax on new construction on any surface parking lots downtown.

In summary, it is a well-established idea that surface lots in the City's downtown represent significant potential development capacity. As described above, and expanded upon in Appendix A to this report, the City expects up to one-third of development downtown to be residential in nature. Accordingly, if surface lots downtown were to redevelop to some degree, a similar proportion of residential capacity could result. However, surface lots with significant improvements upon them (lighting, paving, curbs, kiosks, etc.) may not have been classified as either vacant, partially-used, or underutilized per the adopted LCA methodology.

In an effort to determine how much capacity may be untapped downtown, City staff undertook a detailed analysis of downtown properties and some areas adjacent to the downtown where it is commonly understood that downtown-like growth might be appropriate (e.g. the north bank and the lower south hill or 'medical district'). Staff took advantage of recently taken aerial photography to determine where surface lots can be found downtown and then augmented that information via recent permit data for demolitions and construction.

Each surface parking lot was identified in the study area following which staff used geo-analysis tools to determine the acres of parking lot on each parcel. In many cases, the entire parcel was taken up by surface parking, but staff also identified and quantified surface lots that took up only a portion of the parcel. The result was a table of surprising scale, encompassing 1,223 parcels downtown that contained at least some surface parking. As there currently exist 2,730 parcels in the study area, more than 44 percent of downtown parcels contain surface parking. Of those, 459 parcels were entirely taken up with surface parking lots, providing no other use or capacity to the city. Accordingly, surface parking lots in downtown Spokane may be taking a significant amount of

¹³ *Adoption of SMC 17C.124 Downtown Zones by Spokane Ordinance C34522, adopted December 14, 2009.*

¹⁴ *Adoption of SMC 08.07D by Spokane Ordinance C36357, adopted February 27, 2023.*

residential capacity away from the City.

An important factor, however, is that some of these parcels have already been classified in the LCA process, described earlier in this report, and shouldn't be double counted here. Of the 1,223 parcels identified by this analysis, 434 were already classified as either vacant, partially used, or underutilized in the LCA analysis. Thus, these 434 parcels have already been accounted some amount of residential development capacity and should not be counted here. That leaves 789 parcels, wholly or in part, that could provide additional residential capacity downtown if redeveloped.

For those additional 789 parcels, potential residential capacity can be found in varying amounts, provided those surface lots were to redevelop. **Figure 20** below summarizes the characteristics of those 789 parcels, including their area and whether they contain only surface parking or some other use. To this area, the same assumptions used for downtown parcels within the LCA were applied to determine a theoretical capacity in both units and population for those parcels. These assumptions included the following: (1) only one-third of new downtown projects would be residential in nature, (2) downtown residential development would average 44.4 units per acre, (3) 30 percent of the potential would not be realized because of market factors, and (4) all downtown development would be multi-unit in nature with a population capacity of 1.60 people per unit. As shown in **Figure 20**, there could be an additional 4,488 units of capacity lost in the downtown area to surface parking lots.

Figure 20: Surface Parking Lots in Downtown and Vicinity (Parcels Not Already in LCA Analysis)

Type	Parcels (Count)	Area of Parking (Acres)	Potential Unit Capacity ¹	Potential Population Capacity ²
Entire Parcel is Surface Parking	140	37.5	388	622
Part of Parcel is Surface Parking	649	233.3	2,417	3,866
TOTAL	789	270.8	2,805	4,488

Source: City of Spokane, LCA Analysis, 2024.

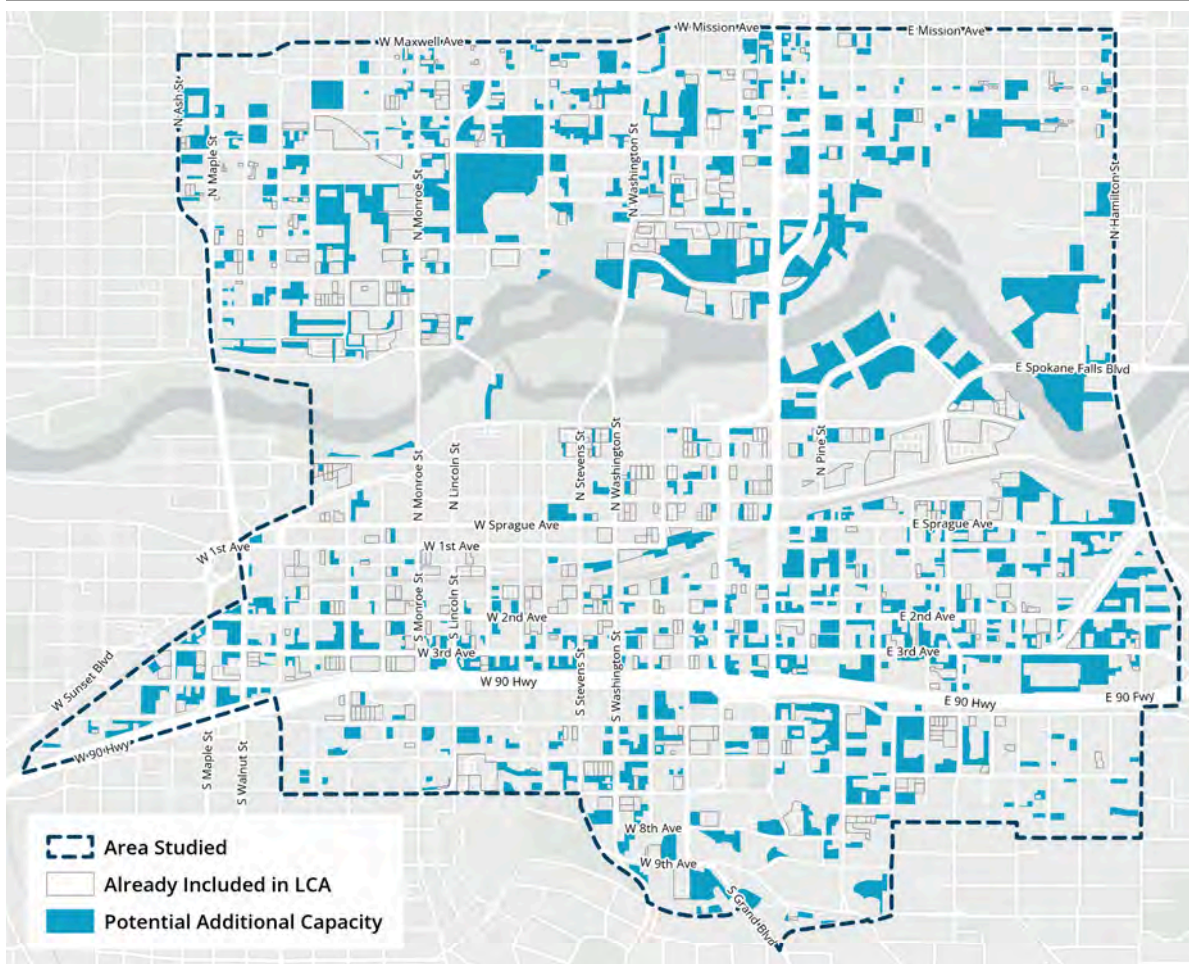
Notes: 1. Unit capacity is calculated according to LCA assumptions (1/3 is residential, 44.4 units per acres, 30% removed for market factor).

2. Population capacity is calculated according to LCA assumptions (all development is multi-unit, 1.60 people per unit).

For reference, **Figure 21** on the following page is provided, showing the location of all surface lots identified as part of this study. Those parcels that have already been considered in the normal LCA process are shown in outline. Parcels that were not captured by the LCA analysis are shown filled in, providing a good approximation of downtown surfaces lots that might provide additional capacity above and beyond what is identified in the LCA.

It is not expected that all surface parking could ever be eliminated from downtown Spokane. The reality is that some surface parking is inevitable when parcels are developed and redeveloped. However, it is also important to identify the possible capacity that could be tapped by the City if regulations or incentives were applied to make continued use of surface lots for parking less attractive to property owners and developers.

Figure 21: Surface Parking Lots in the Downtown Area



Source: City of Spokane, LCA Analysis, 2024. Surface lots were identified via a survey of Aerial Photography taken in Spring 2024.

Of course, the need for parking in downtown Spokane is not going away in the foreseeable future. However, parking needs *can* be addressed through structures and other solutions that take up less land and that leave space for other uses like residential units. Additionally, while the analysis here shows almost 4,500 units of possible capacity downtown, redevelopment of parcels where only some of the parcel contains surface parking is considered much less likely. The capacity existing downtown in surface lots is probably closer to the parcels that are entirely occupied with parking, pointing to a capacity closer to 388 units or 622 persons. Still, this number is not insignificant and should inform policy decisions moving forward.

XV. Dissemination and Use of the LCA

All told, the analysis above has taken multiple years and the efforts of numerous City staff, as well as frequent and repeated coordination between all the other regional jurisdictions and agencies. The entire analysis has been conducted as carefully and thoroughly as possible given the time and resources allotted, and the result can be relied upon as the best available estimate of capacity in the City of Spokane. This analysis, along

with many other efforts and studies, will inform the City during the 2026 major update to the City of Spokane Comprehensive Plan.

With the completion of this report, the City of Spokane has met the requirements of RCW 36.70a et seq. as it pertains to determining the City contains sufficient land capacity to accommodate expected growth within the planning horizon. Regional agencies and other jurisdictions may provide comments on this report. However, in accordance with RCW 36.70A.115, this Land Capacity Analysis is a City responsibility.

XVI. Summary Results

The City of Spokane must determine if the City, in its current boundaries and utilizing the current policy and zoning requirements, can accommodate expected growth between now and 2046. As currently allocated, the City should expect to accommodate at least 23,357 more residents between 2023 and 2046.

The end results of the analysis in this report are shown in **Figure 22** below. This table brings together all of the various figures and analyses presented in this report. No modification has been made to the numbers previously presented.

Figure 22: Summary Results - City of Spokane Capacity for Additional Population and Dwelling Units

Classification	Dwelling Unit Capacity	Population Capacity
Vacant, Outside PUD/Subarea	10,344	22,615
Partially Used, Outside PUD/Subarea	5,270	11,850
Underutilized, Outside PUD/Subarea	6,987	13,220
SUBTOTAL - OUTSIDE PUD/SUBAREA	22,600	47,686
Platted, PUD	337	843
Unplatted, PUD	4,226	8,038
South Logan TOD Subarea	2,954	6,735
SUBTOTAL - PUD & SUBAREA	7,517	15,615
GRAND TOTAL	30,117	63,301

Source: City of Spokane, LCA Analysis, 2024.

Notes: This table is a summary of the detailed analysis within this report. Many factors not apparent in this table went into the data presented. The potential capacity represented by surface parking lots in the downtown area are not included in this table, thus the overall capacity of the City may be larger than what is presented here.

The size of the city (more than 69.5 square miles) requires the use of generalized assumptions. A parcel-by-parcel review is not possible, nor can a single graphic depict accurately every portion of the city that provides additional residential capacity. However, the following pages contain maps showing the entirety of the City, as well as the status of various vacant, partially used, and underutilized parcels. Additionally, current PUDs and the South Logan TOD Subarea are depicted. Use or consideration of these maps is for reference only, as they do not tell the whole story of capacity in the city. For example,

some parcels identified as vacant, partially used, or underutilized may still represent zero capacity. Furthermore, the scale of these maps is such that many parcels are too small to appear, where others may exist alongside other parcels where the differentiation between them isn't evident.

With these limitations in mind, the end of this report includes four maps showing the classification of all parcels in the City. Note that some classified parcels contain zero capacity, but are still shown on the map (e.g. underutilized parcels where the improvement value is greater than four times the land value represent zero capacity, but are still shown on the map as underutilized).

XVII. Non-Residential Capacity

The primary function of the LCA is to determine residential capacity (both housing units and population), but this is only part of the story when it comes to development capacity in a city. Non-residential capacity should be considered as well. Unlike population and housing, there are no Spokane County forecasts for commercial or industrial demand between now and 2046. Because of this, it's impossible to determine *how much* capacity is required to accommodate growth. Regardless, this section will attempt to quantify the amount of land available for non-residential development, in hopes that ongoing efforts for updating the City's Comprehensive Plan will help determine the demand for such lands.

Various zones in the city can be handled differently in this analysis, according to the requirements of the SMC (zoning code) and the assumptions in the LCA. Details follow:

Residential Zones

When determining commercial and industrial capacity, all lands zoned exclusively for residential uses can be discounted. While some non-residential uses are allowed in these areas, such as churches or community services, they don't typically occur in sufficient quantities to require direct analysis. Thus, the non-residential lands discussed here will exclude all areas zoned RA, R1, R2, RMF, or RHD.

Commercial, Office, Centers & Corridors, and Downtown Zones

For the purposes of this analysis, some of the assumptions used for residential development in the LCA can be used to determine capacity for non-residential uses in the same zones. In general, the LCA assumes that 1/3 of all future development in commercial, office, centers and corridors, and downtown zones will be residential in nature. Thus, non-residential capacity can assume that 2/3 of future development will be non-residential in nature. To that end, all classified parcels in these non-residential zones will assume that 2/3 of the land is available for non-residential development.

Industrial Zones

The SMC provides for some residential development within Light Industrial zones, provided it is within one quarter mile of the river. However, for the purposes of the LCA

the LCA assumes that 100 percent of development in Industrial Zones is non-residential in nature. Naturally, as Heavy Industrial zones do not allow for residential development, they are assumed to provide entirely non-residential capacity.

A Note on Airport Areas

The City of Spokane contains two major airports, managed cooperatively by the Spokane Airport Board whose members include City of Spokane and Spokane County representatives. These facilities are classified as Essential Public Facilities under state law and are thus worthy of protection from encroaching uses that might limit their operation. To this end, the SMC limits residential development within certain impact areas around both airports. Naturally, these areas were included in the LCA but classified properties within these areas were assumed to provide zero capacity for residential development. This same limitation is not true for non-residential development, in that many types of non-residential development can be placed within these airport protection areas without detrimental effects on airport operations. In fact, many different non-residential uses can enhance the operation of airports and help to strengthen their place in the local development environment.

While residential development is not expected in airport overlays in the LCA, these areas *are* included in the non-residential capacity discussion here. Accordingly, classified properties shown next to airports (see maps at the end of this report) might not contribute to residential capacity but these parcels do contribute to non-residential capacity.

Summary of Non-Residential Development Capacity

The summary table (**Figure 23**) on the following page provides an accounting of all vacant, partially-used, and underutilized parcels within the City, according to the assumptions above. This table does not include any development potential (such as square footage of buildings), nor is an overall capacity for non-residential development available for the entire city at this time. Accordingly, only the number of parcels and the acres of each area are included in the table. Additional analysis will be required in other reports and analyses to determine how much land is enough to accommodate future non-residential growth.

XVIII. Final Conclusions

The ultimate results of this analysis are that the City of Spokane currently contains sufficient lands to accommodate residential growth between now and 2046. The City can expect 23,357 additional residents by 2046. Given all the various factors and assumptions in the LCA, the City has current capacity to accommodate 69,484 people, far above expected growth. As for dwelling units, while the region continues to determine the required housing allocation for each jurisdiction, City of Spokane

included, the City has sufficient capacity for 33,388 dwellings. This exceeds the current maximum number of units the City expects to be allocated (approximately 22,359 units)¹⁵. Accordingly, the City has met the capacity requirements of RCW 36.70a et seq.

Figure 23: Non-Residential Capacity by Density Group (Outside PUDs)

Commercial/Office/CC				
Classification	Parcels (Count)	Total Area (Acres)	Buildable Area (Acres)	Capacity Area¹ (Acres)
Vacant	665	391.74	378.5	176.6
Partially Used	84	399.3	136.4	63.7
Underutilized	1,212	247.1	237.4	110.8
SubTOTAL	1,961	1,038.1	752.2	351
Downtown				
Vacant	94	28.7	23.1	10.8
Partially Used	32	49.9	40.2	18.8
Underutilized	192	44.0	42.7	19.9
SubTOTAL	318	122.6	106.0	49.5
Industrial				
Vacant	392	732.7	716.9	476.6
Partially Used	89	316.0	178.4	119.1
Underutilized	268	86.1	84.7	55.5
SubTOTAL	749	1,134.8	980.0	651.2
TOTAL				
Vacant	1,151	1,153.0	1,118.4	664.0
Partially Used	205	765.3	355.0	201.5
Underutilized	1,672	377.2	364.8	186.2
TOTAL	3,028	2,295.5	1,838.2	1,051.7

Source: City of Spokane, LCA Analysis, 2024

Notes: Market Factor has been applied to these quantities, as well as commonsense, real-world factors that would potentially affect development capacity, as allowed in the adopted LCA Methodology and documented in this report. This result is theoretical and at a macro-scale. Interpolation of this data into smaller geographic areas (e.g. neighborhoods) could introduce significant errors into the results.
 1. Capacity Area represents 70 percent of the total buildable area.

¹⁵ The regional process for determining each city’s allocation for housing under the requirements of House Bill 1220 and RCW 36.70a.070 is not yet complete. Thus, the analysis in this report does not explore those requirements further. The maximum amount mentioned herein represents the highest total allocation currently under discussion at the regional level.

Figure 24: LCA Classification Maps - Northwest Quadrant

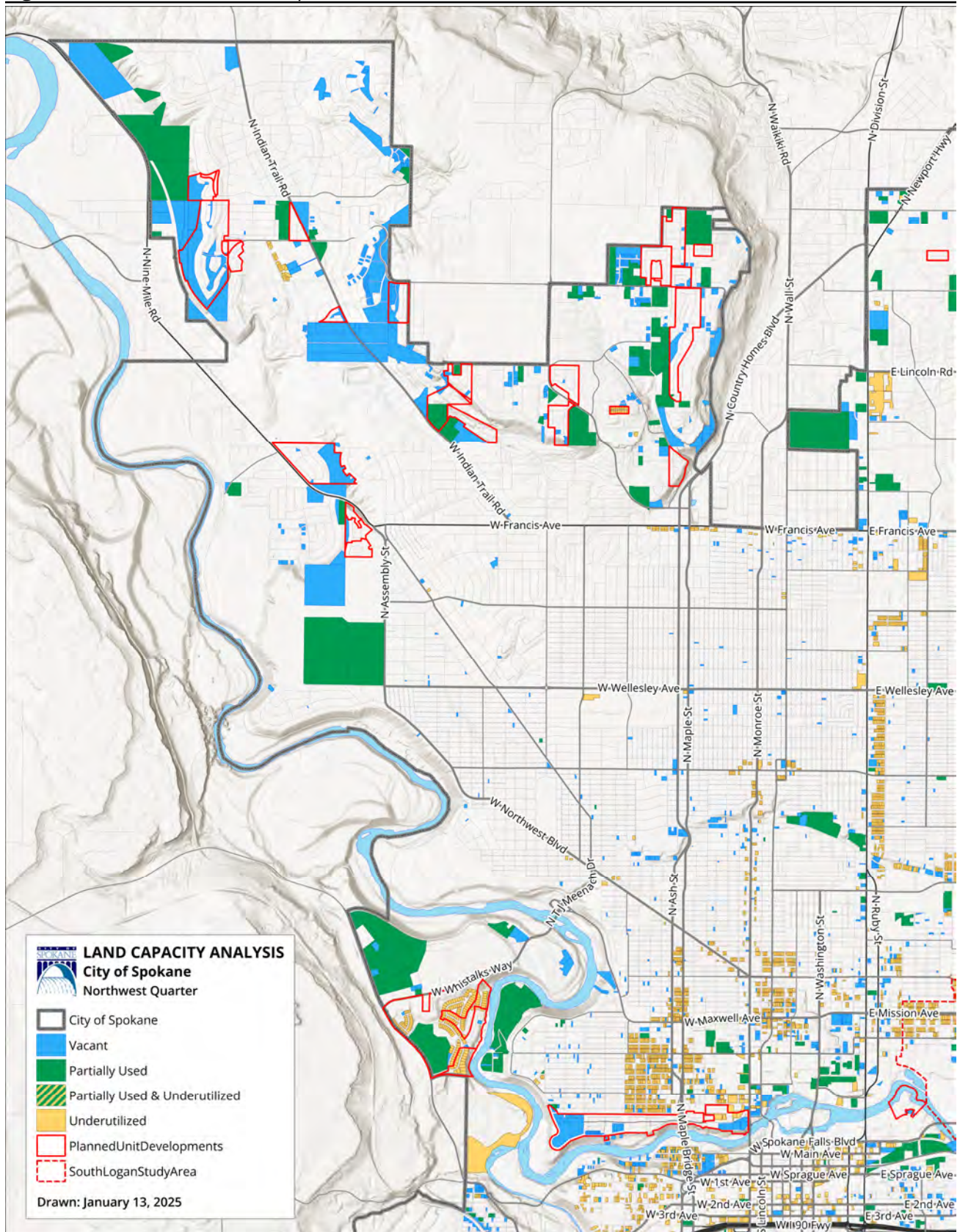


Figure 25: LCA Classification Maps - Northeast Quarter

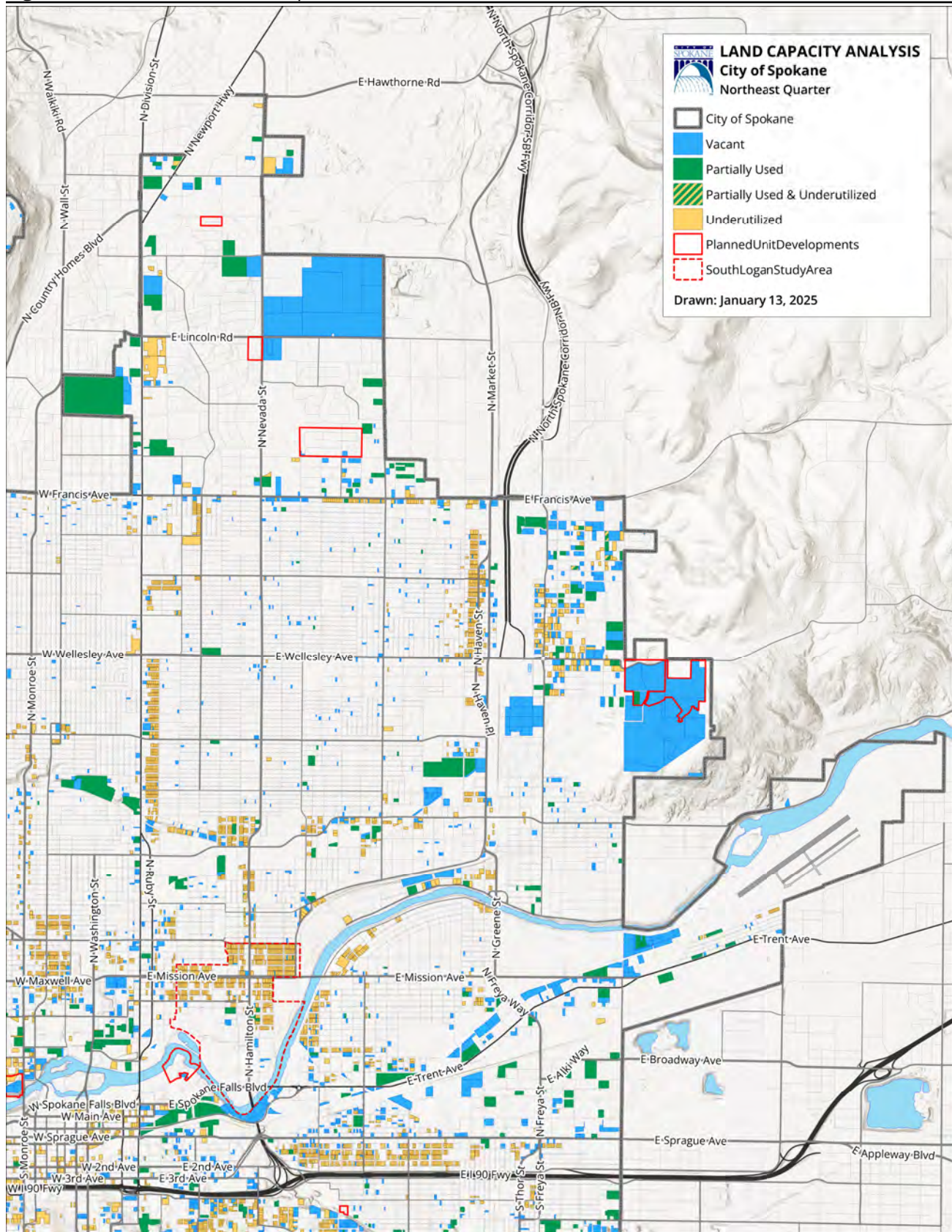


Figure 26: LCA Classification Maps - Southwest Quadrant

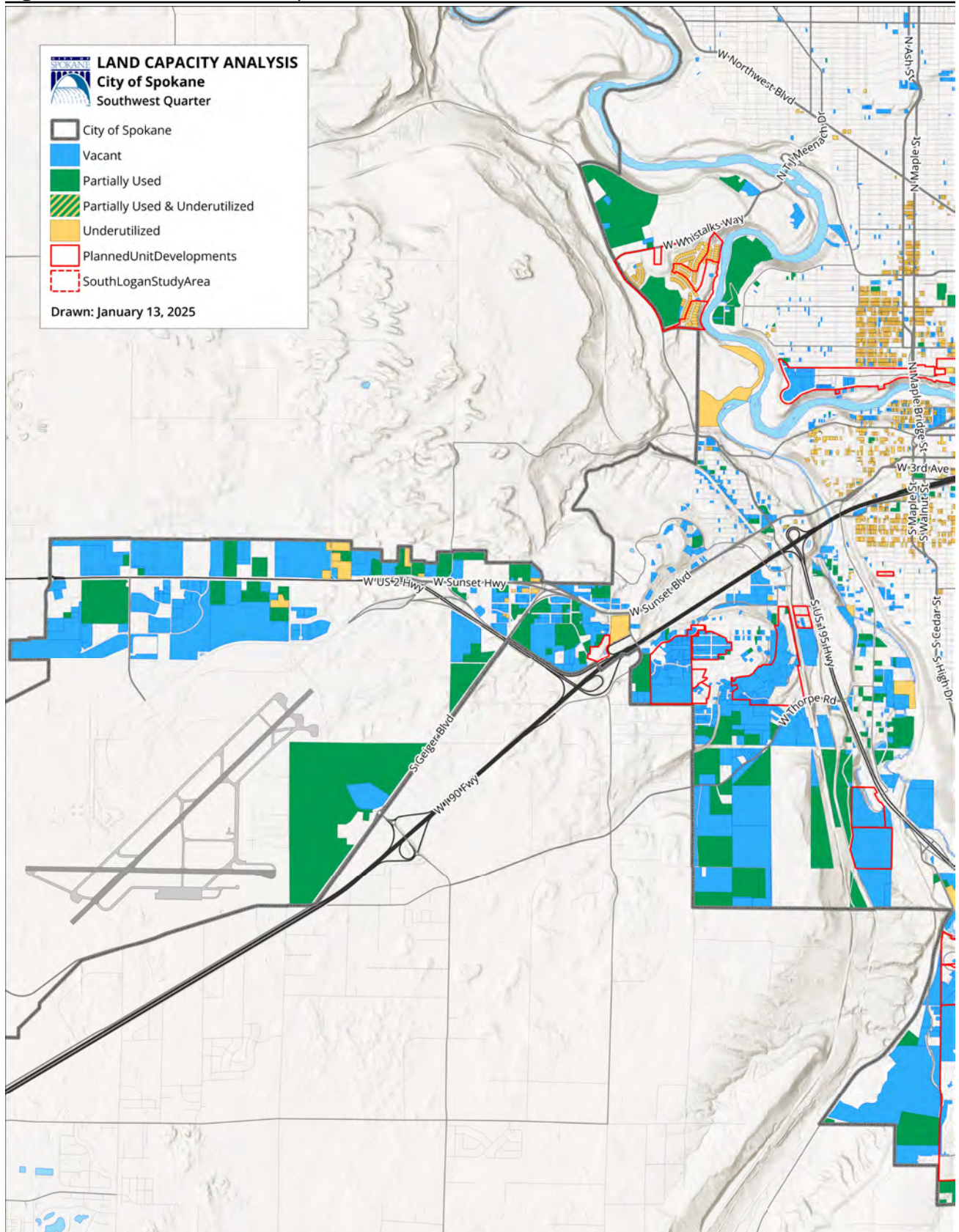
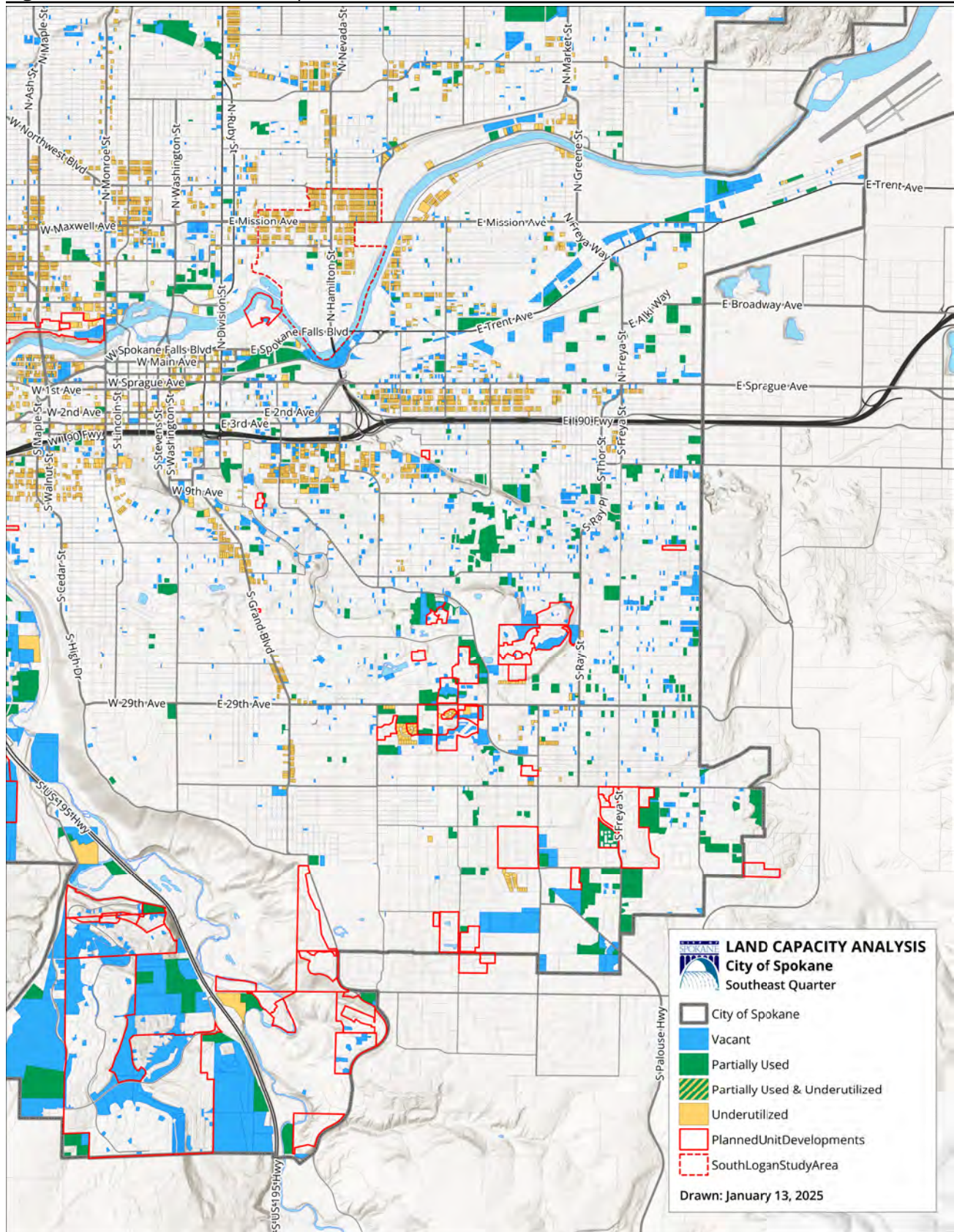


Figure 27: LCA Classification Maps - Southeast Quarter





Appendix A: Residential Density Assumptions



Briefing Paper

LCA 2025: Proposed Residential Density Assumptions

Department of Planning & Economic Development

Overview

The Land Capacity Analysis (LCA) seeks to answer a relatively easy question, “Does the city contain sufficient land capacity to accommodate expected growth in the city within 20 years?” To answer the question, the LCA will apply a series of common-sense and (when possible) data-informed assumptions to determine how many additional people the city can accommodate in that time, essentially by determining how many dwelling units could be developed given the existing inventory of vacant, partially used, and underutilized land in the city. The population allocation for the City of Spokane is 23,357 additional residents by 2046.

This paper summarizes the residential development environment in the City of Spokane and proposes some assumptions that might be applied to vacant, partially used, and underutilized lands in the city.

Residential Lands in Spokane

Lands identified by the LCA include three categories, distinct from unbuildable areas like steep slopes and water as well as public lands and areas earmarked for other purposes. These categories are:

Vacant—generally undeveloped land with limited improvements on site.

Partially Used—Large occupied/developed lots with sufficient undeveloped portions to be further subdivided, if the owner desires it.

Underutilized—Developed properties where the existing use is less intense/dense than for what the property is zoned, such as a single-unit house zoned for multi-unit residential development.

Low Intensity Residential Density

The primary focus of the LCA is residential, thus the assumptions used to determine development capacity are more detailed when it comes to Residential than may be assumed for commercial or industrial development. According to the City’s current zoning schema, residential capacity analysis should consider at least two levels—lower intensity residential (one-unit structures and middle housing) and higher intensity residential (5+ units per structure).

When it comes to low intensity residential uses, it is helpful to first understand that most of the existing development in the city is comprised of single-unit residential structures. The largest land

use in the city by land area is single-unit residential homes, occupying more than 11,600 acres of the city (60,356 parcels). The following table (**Table 1**) provides some general information on the net density citywide for these single-unit parcels. See **Figure 1** at the end of this briefing paper for a general depiction of where those single-unit residential uses are located.

Table 1: Net Density Summary: Existing Single-Unit Residential

Total Acres	Parcels	MAXIMUM Density ¹ (du/ac)	AVERAGE Density ¹ (du/ac)	MEDIAN Density ¹ (du/ac)	MINIMUM Density ¹ (du/ac)
11,648	60,356	35.6	6.1	6.2	0.1

Source: City of Spokane, Planning & Economic Development, Geographic Information Systems, 2024.

Note:¹ All densities are “net,” calculated according only to the individual parcel area. Rights-of-way, street frontage, and other “non parcel” areas are not included in the calculation.

As shown in **Table 1**, single-unit residential density varies widely throughout the city. Highest density parcels are generally the oldest, being located nearest the river, while the lowest density parcels are found in relatively “rural” areas in Grandview Thorpe and Latah, where the character remains largely what it was then those areas were annexed decades ago.

While the Comprehensive Plan does not mandate a density range for areas of “Residential Low” land uses, a range of assumed densities is described for planning purposes. Those densities range from 4 to 10 dwellings per acre¹. Past residential development, with an average existing development density of 6.1 (see **Table 1**), appears to conform on average with the expectations of the Comprehensive Plan.

Because single-unit residential density varies so widely in the City however, utilizing the average density is an insufficient indicator of future capacity throughout *all* parts of the City. To explore possible adjustments to residential density to account for the location in the City, and in consideration of the fact that new development in one area tends to conform to the existing pattern of past development, staff summarized net single-unit residential density in each surveyed Section of the city, and found the average single-unit net density in each Section.

Because some Sections do not contain *any* existing single-unit residential while other Sections include only a tiny portion of the city, the resulting average density can be missing or unduly skewed in some Section. Interpolation is necessary to mitigate this. To interpolate these Section-by-Section densities to cover the entire City, an areal interpolation was created using ArcGIS Pro software. An areal interpolation takes limited geographic data and applies mathematical methods to interpolate values for areas with no data (Sections with no single-unit residential development) and to even out the effect of Sections with limited City land within them. The result of this interpolation is shown in **Figure 2** at the end of this document.

As **Figure 2** indicates, the highest single-unit densities are found in the city’s core, namely in the Emerson/Garfield, West Central, Peaceful Valley, and Browne’s Addition neighborhoods. Secondary nodes of higher average density (10 units/acre) can be found in the Shiloh Hills and Hillyard neighborhoods. The lowest densities are found in the West Hills, Grandview Thorpe, and Latah/Hangman neighborhoods as well as in parts of North Indian Trail and Five Mile. A notable

¹ Comprehensive Plan, Chapter 3, Land Use, p. 3-45

exception is the portion of Latah/Hangman containing the Eagle Ridge and Qualchan developments, where single-unit residential density rises to 7 units/acre. Considering the wide range of densities existing throughout different parts of the city, it seems reasonable to apply a factor to any assumptions for future development that will account for this. In general, the City should assume that low intensity housing near the core will be at a slightly higher density than it will be at the edges.

The interpolation shown in **Figure 2** was generated mathematically, thus that map is ignorant of on-the-ground conditions such as topography, water, and known situations where standards are actively changing (e.g. the South Logan TOD Study Area). Accordingly, **Figure 2** was adjusted by staff to create a proposed “Assumed Residential Density” that would apply to low-intensity residential areas in the LCA, resulting in the proposed assumed densities shown in **Figure 3**. Any vacant low-intensity residential lands—those not inside a valid Planned Unit Development (PUD)—would be assumed to develop at a range of densities depending on location, from as low as four units per acre to as high as eight.

In the case of PUDs, the amount of land remaining to be platted coupled with the original number of units approved for the PUD will be used instead. In other words, the analysis will assume the PUD builds out as it was approved.

Effect of BOCA/BOH on Residential Density

The City has recently adopted significant changes to its density and residential standards through two projects, the Building Opportunity and Choices for All (BOCA) interim ordinance and the permanent Building Opportunity for Housing (BOH) ordinance. While these have changed the way the City’s Comprehensive Plan and Municipal Code handle low intensity residential development in the city, it would be inaccurate to say that the density of development has risen precipitously in the short time since those ordinances were passed. Only two and a half years have passed since these ordinances were adopted. In that time, fewer than 40 projects have been permitted that were directly related to, or enabled by, BOCA and BOH. For example, in 2022 only 3.4 percent of all middle housing permits (4-unit developments and below) were flagged as being related to the BOCA/BOH changes. In 2023, 7.4 percent of middle housing permits were flagged as such.

That isn’t to say that BOCA and BOH had no effect, nor is it evidence that those ordinances have “failed,” as is sometimes asserted by others. Rather, there are mitigating factors that result in modest changes in these first few years, such as:

- Time is required for developers, owners, financial institutions, and others to become comfortable with the changes.
- Projects permitted today have often been planned and designed years before, leading to a multi-year lag projects as change to meet new expectations.
- A majority of the city is already developed, limiting the immediate effects of BOCA/BOH to mostly small infill projects.

It will be some time before enough infill occurs in the City to generate sufficient data on the effectiveness of BOCA/BOH. Accordingly, staff feels it is premature to rely on the effects of BOCA/BOH when determining residential capacity in the City of Spokane, *for now*. Staff recommends that the LCA not rely on any “bonus” capacity that would result from BOCA/BOH at this time. However, when the City revisits residential capacity in five years, as required by the

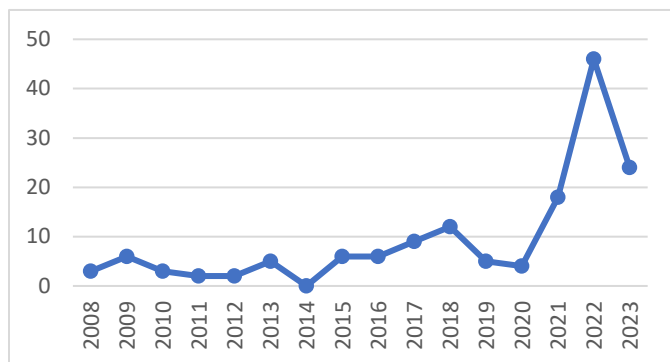
Growth Management Act, staff *strongly* recommends that the City analyze and consider how BOCA/BOH has affected the density and capacity for residential projects in the city and adjust their calculations accordingly at that time.

Effect of ADU Code Changes

Accessory Dwelling Units (ADUs) cannot be ignored when considering future residential densities versus those seen historically in the City of Spokane. Numerous recent legislative changes at the State level, as well as multiple efforts by the City of Spokane, have changed the ADU development environment significantly, making ADUs much easier to permit and much more likely to be built.

As seen on the chart at right, the number of ADUs permitted each year has risen steeply in recent years. While 2024 is not yet over, the City has already permitted more than the average number of ADUs. Additionally, recent elimination of parking minimums in the city and other corrections and adjustments to the Residential section of the Spokane Municipal Code (SMC 17C.111) are expected to make ADU development more common.

Chart 1: ADUs Permitted by Year



For the purposes of the Land Capacity Analysis, however, there are a few moderating factors to keep in mind. Firstly, while ADU permits have risen significantly, the overall number of permits issued each year has also risen. Accordingly, while ADUs made up approximately 0.8 percent of City permits in 2014, the percentage rose only slightly to 2.0 percent in 2022 and 2023. Development of ADUs as a percent of overall residential permits has risen, but not enormously. Additionally, when considering residential capacity, the City must accept that much of the remaining low-intensity residential capacity is tied up in PUDs with covenants and other restrictions that prevent the development of ADUs. Until the State acts to make such restrictions illegal, much of the city's remaining vacant land cannot accommodate ADUs, no matter whether they are allowed by the SMC or not.

Further complicating matters, ADUs are not restricted to new development on vacant parcels. Many ADU units are constructed on parcels with existing homes or other residential development. As such, the LCA cannot assume that development on vacant parcels represents an accurate estimate of future ADU permits and capacity. With this in mind, rather than attempt to assign a percentage of vacant parcels expected to develop with ADUs, the City should instead consider the current trend of ADU permits and conservatively assume that this trend continues. Assuming that the City can expect approximately 30 ADU permits per year, over the 20 year horizon the City should expect 600 ADUs within that time period.

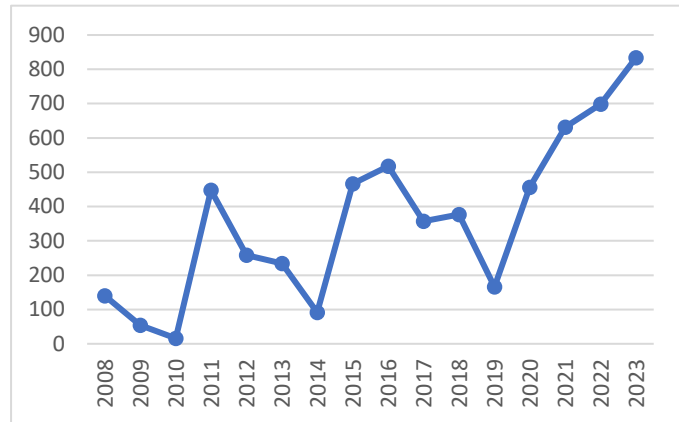
As with the effect of BOCA/BOH discussed earlier, staff *strongly* recommends that the City continue to track and analyze ADU permits. This analysis should be conducted with an eye towards refining the City's assumptions at the five-year growth check required by GMA.

Higher Intensity Residential Development in Residential Zones

In prior rounds of the LCA, the City utilized historic multi-unit permitting to inform what densities the City might see in the next 20 years in higher intensity residential areas. Staff recommends the same approach this time, especially as the number of multi-unit structures permitted in the City continues to rise.

Strictly in terms of units permitted, the chart at right shows the number of units in 5+ Unit structures permitted each year since 2008. While high intensity residential development is naturally cyclical, having years of high activity followed by one or more years of lower numbers, the multi-year average number of units is rising. In 2017 the five-year average for high-intensity permitting was 183 total units. In 2023 the five-year average had risen to more than 550 total units.

Chart 2: Units in 5+ Unit Structures Permitted by Year



To apply permitting data to the LCA, however, the amount of land occupied by those developments must be considered as well. To determine this, staff ran a report of all residential permits issued and/or completed prior to April 1, 2024 and geolocated them using ArcGIS Pro. Then the area of the parcel(s) occupied by the development was measured and a net density calculated for each one. Some hand adjustment to the density calculated for each project was required to account for pre-existing development as well as known areas that were undevelopable to begin with, such as steep slopes and wetlands on individual sites.

Multi-unit (5+ unit) development in the past five years totaled 3,102 new units, 1,605 of which have been completed as of September 10, 2024. **Table 2** below provides summary data only for units completed in the past five years.

Table 2: Net Density Summary: Five Year Completions, Multi-Unit Residential (5+ Units per Project)

Total Acres	Parcels	MAXIMUM Density ¹ (du/ac)	AVERAGE Density ¹ (du/ac)	MEDIAN Density ¹ (du/ac)	MINIMUM Density ¹ (du/ac)
105	82	209.1	43.7	29.0	10.7

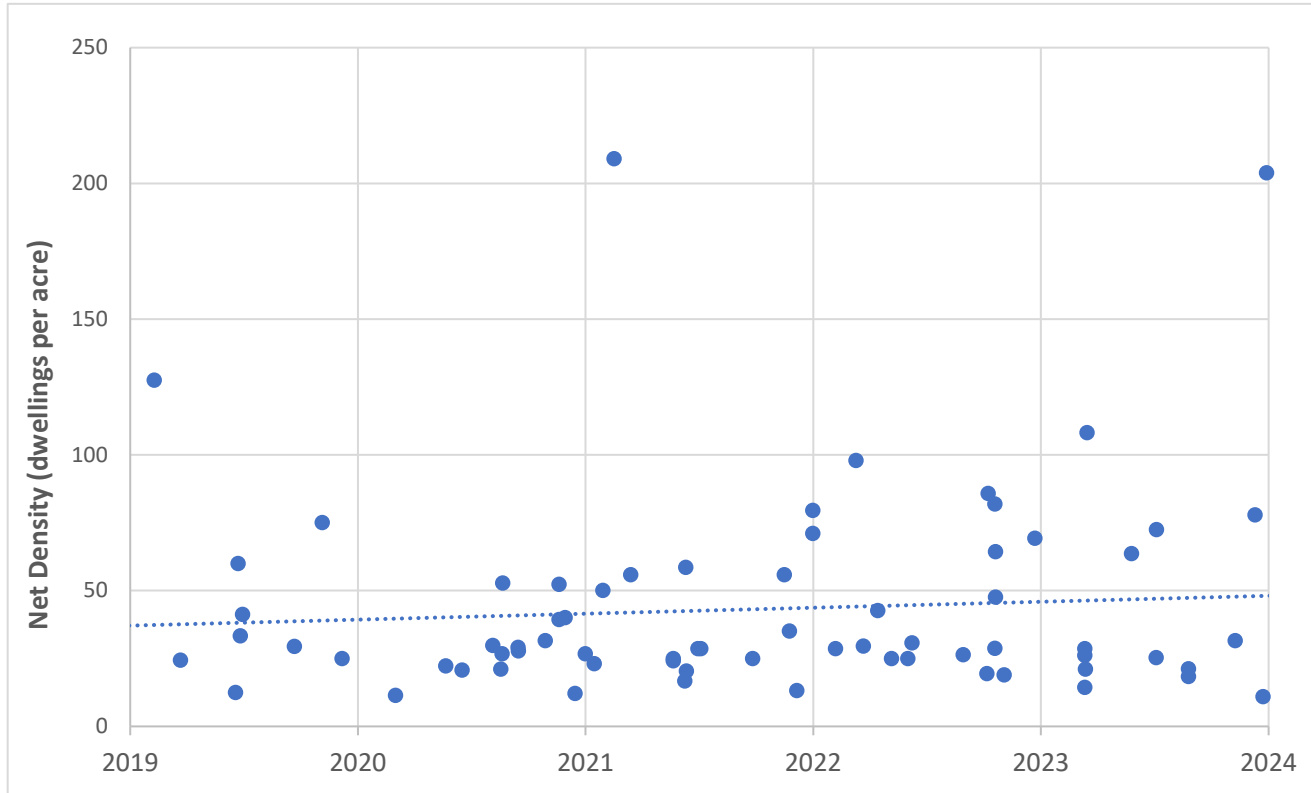
Source: City of Spokane, Planning & Economic Development, Permitting Data.

Note:¹ All densities are “net,” calculated according to only the parcel area. Rights-of-way, street frontage, and other “non parcel” areas are not included in the calculation. Additionally, some parcel areas have been adjusted manually to account for known unbuildable areas and other factors such as multiple phased development on a single parcel.

While the *number* of units overall has increased in the past five years, the LCA should consider whether the density is growing or shrinking over time as well. To this end, the following chart (**Chart 3**) provides a scatter graph of the density of each of the projects in **Table 2** (charted over time) and a linear trend line. The density shown in **Chart 3** represents net density by not accounting for streets, utility corridors, and frontages in the Right-Of-Way.

The slope of the resulting trend for density over time indicates that density per project may rise, but only slightly through the planning horizon of twenty years. To provide a conservative analysis in the LCA, however, staff recommends using a flat average density with no increase over time.

Chart 3: Density of Multi-Unit (5+ Unit) Residential Development 2019-2024



Source: City of Spokane, Planning & Economic Development, Permitting Data.

Note: Each dot represents a single project from Table 2 above. The dashed line represents a linear trend line.

Because multi-unit development during the previous five years in higher intensity zones in the city has been well distributed geographically, staff does not recommend any change to that average density based on location (unlike low-intensity residential density discussed earlier in this report). However, the question remains as to which density value to assume for multi-unit development.

The median density value for multi-unit development (29 du/ac) is significantly lower than the average (43.7 du/ac). In essence, this is due to a few very dense projects pushing the average higher. The very nature of a median means that an equal proportion of units have been developed above that point than below, providing an effective middle ground between very very dense projects and those that provide for lower overall densities. Accordingly, and to ensure a conservative estimate, we recommend the use of the median density for all higher intensity residential zones (RMF and RHD).

Residential Development in Non-Residential Zones

In addition to higher intensity residential areas of the City (discussed above), residential capacity exists in many other non-residential zones in Spokane. All zones in the City of Spokane allow residential development, save for Heavy Industrial and Light Industrial (outside ¼ mile of the river). Accordingly, not only must the LCA consider the overall multi-unit density in Residential High

Density and Residential Multi-Family zones, but also possible residential development in all commercial, office, and downtown designations.

To that end, staff pulled a list of all building permits for properties within commercial, office, centers & corridors, and downtown zones from September 2021 through September 2024. A longer series of data would be ideal. However, this data is not readily available from the City’s permitting database at this time. It is recommended that future analyses, such as the required 5-year check of growth in the City in 2031, consider updated data and possible adjustment of this assumption.

Permits for non-residential zones between September 2021 and September 2024 were then sorted into the following categories:

Minor: Small renovations, equipment installs, repairs, etc. that do not affect residential capacity.

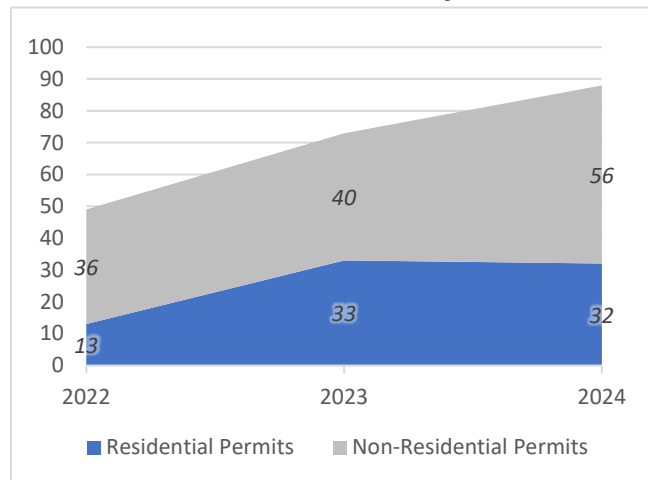
Tenant Improvements: Small interior changes and rebuilds that do not affect residential capacity.

Non-Residential: New buildings and significant changes to existing buildings for projects that do not currently contain a residential component.

Residential: New buildings and significant changes to existing building that increase the amount of residential development in the city.

Any “minor” permits or “tenant improvements” were ignored because they could not affect residential capacity in the city. For the remaining permits, 79 were classified as “residential” and a further 134 classified as “non-residential.” Next, those two classifications of permits were summarized by year, shown in **Chart 4** below.

Chart 4: “Non-Residential” and “Residential” Permits in Non-Residential Zones by Year



Source: City of Spokane, Planning & Economic Development, Permitting Data, September 2022 to September 2024.

As shown, the ratio of residential to non-residential permits in non-residential zones varies widely from year to year—from 26.5% to 45.2%. To provide a conservative but realistic assumption for residential development in non-residential zones, staff recommends assuming that one third, or 33.3 percent, of all future development in non-residential zones (excluding industrial zones) will be residential in nature.

For the LCA summary of available capacity, every acre of vacant non-residential land (excluding Heavy Industrial and portions of Light Industrial that lie more than ¼ mile from the river) should be assumed to provide 1/3 residential capacity and 2/3 non-residential capacity. Stated another way, if 100 acres of

non-residential zones are vacant, 33 acres would represent available multi-unit residential capacity and 67 acres would represent non-residential capacity.

While approximately one third of all non-residential zones are expected to represent residential capacity in the city, that is only half the picture. Expected density of development in those areas is important as well. To that end, staff geolocated each of the residential permits since September 2021 to determine where they were located and, ultimately, the new density of each development. Significant hand adjustment was necessary to avoid repletion and double counting due to the functional needs of the City’s permit database.

For example, in the case of large apartment complexes with multiple buildings each separate building is required to obtain a building permit while simultaneously each building occupies only a portion of the overall land. Thus, staff identified those special cases by hand and aggregated development to be sure that units and land were not double counted. Other permits were adjusted due to pre-existing development on the site, such as in the case of a building where half the interior had been completed in prior years, but the remaining half has just recently been completed.

Once the data was corrected and geolocation was checked for accuracy, staff compiled all residential development in non-residential zone and conducted one additional summarization, grouping all “downtown” development. Considering the resulting data, the conclusions presented in **Table 3** below were evident.

Table 3: Density Summary: Residential Uses in Non-Residential Zones and Downtown

Area	TOTAL Units	TOTAL Acres	PERCENT of Selected Projects	Gross ¹ Density (du/ac)	AVERAGE Net Density ¹ (du/ac)	MEDIAN Net Density ¹ (du/ac)
Downtown	248	4.36	17%	56.85	54.64	44.35
Outside Downtown	1,982	91.20	83%	21.73	34.96	30.16

Source: City of Spokane, Planning & Economic Development, Permitting Data.

Note: Some manual adjustment and aggregation of data was conducted to avoid double counting and other effects of multiple permits/development on a single parcel or for developments with pre-existing structures/improvements that remain.

¹. Gross density was calculated by adding up all the acres of permits in the area and dividing by the total units.

². Amounts indicated as “net” were calculated only according to the individual parcel area. Rights-of-way, street frontage, and other “non parcel” areas are not included in the calculation. Additionally, some parcel areas have been adjusted manually to account for known unbuildable areas and other factors such as multiple phased development on a single parcel.

While the majority of projects have occurred outside the downtown area, **Table 3** makes it clear that density downtown is much higher than in other non-residential zones throughout the City. This conforms with the expectations of the Comprehensive Plan, which calls for Downtown to serve as the regional center with higher intensity development than all other areas.

As with higher-intensity residential development assumptions discussed previously, staff recommends that the City assume the median net density when calculating the capacity of projects in non-residential zones, differentiated between downtown (44.4 units/acre) and outside the downtown (30.2 units/acre).

A Note on Downtown Residential Capacity

A study is currently underway by the Downtown Spokane Partnership (DSP) to determine the residential capacity of the downtown core, considering multiple factors that affect density and overall unit capacity. Unfortunately, that report will not be complete in time for the first-round

LCA analysis. As such, staff recommends that the required analysis of the City’s progress towards growth allocations in five years include a consideration of the results of this (and any other acceptable reports of that nature) at that time.

Concluding Summary

According to the above analysis, staff feels the following assumptions should be applied to the LCA for the City of Spokane:

Table 4: Proposed Summary Assumptions for the Land Capacity Analysis

Assumption	Value	Source
Low-Intensity Residential (R1 and R2 zones)	5-9 units/acre, depending on location	Interpolated existing density by geographic section.
BOCA/BOH	No adjustment at this time.	n/a
Accessory Dwelling Units	600 ADUs over the planning timeline.	Permit history since 2008.
Higher-Intensity Residential (RMF & RHD zones)	29.0 units/acre regardless of location.	Analysis of multi-unit permits since 2019.
Non-Residential Zones, Downtown	44.4 units/acre, limited to 33.3% of all available downtown lands.	Analysis of non-residential zone development since 2022.
Non-Residential Zones, Outside Downtown	30.2 units/acre, limited to 33.3% of all available non-residential lands.	Analysis of non-residential zone development since 2022.

Future Considerations

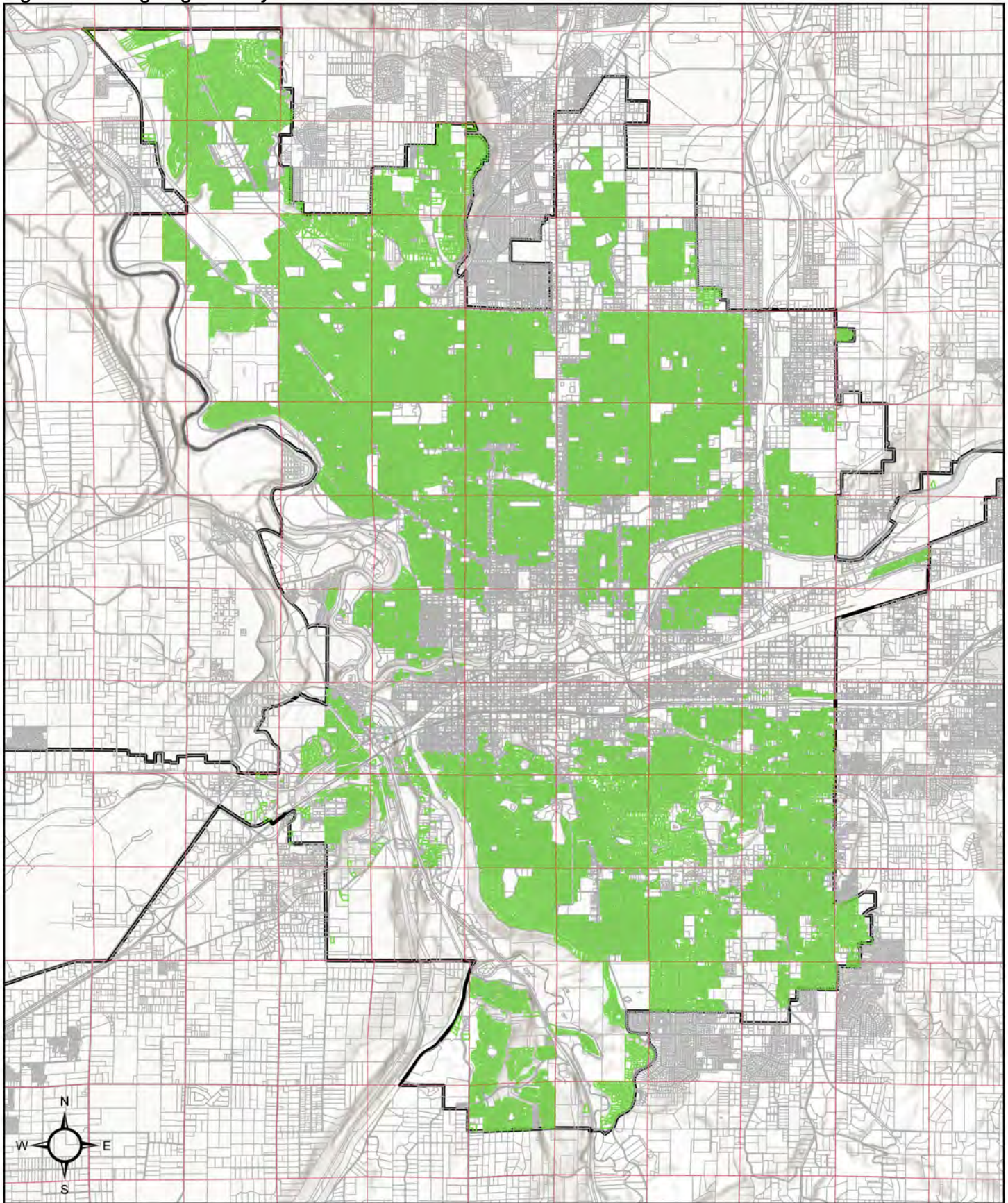
As discussed above, staff recommends the following considerations be included in future analyses (such as during required analyses in 2031 per GMA):

- Updated consideration of BOCA/BOH effects on density and capacity.
- Updated statistics and impacts of accessory dwelling units.
- Analyze residential development in non-residential zones over a longer timeline (i.e. 5 years rather than 2.5).

Report Preparation

This report was prepared by Kevin Freibott, Senior Planner, Planning & Economic Development department as a necessary step towards the completion of the City of Spokane 2025 Land Capacity Analysis.

Figure 1: Existing Single-Family Residential Parcels



Existing Single-Family Residential Parcels
Existing Development Only

Planning & Economic Development Department
Draw Date: 7/2/2024



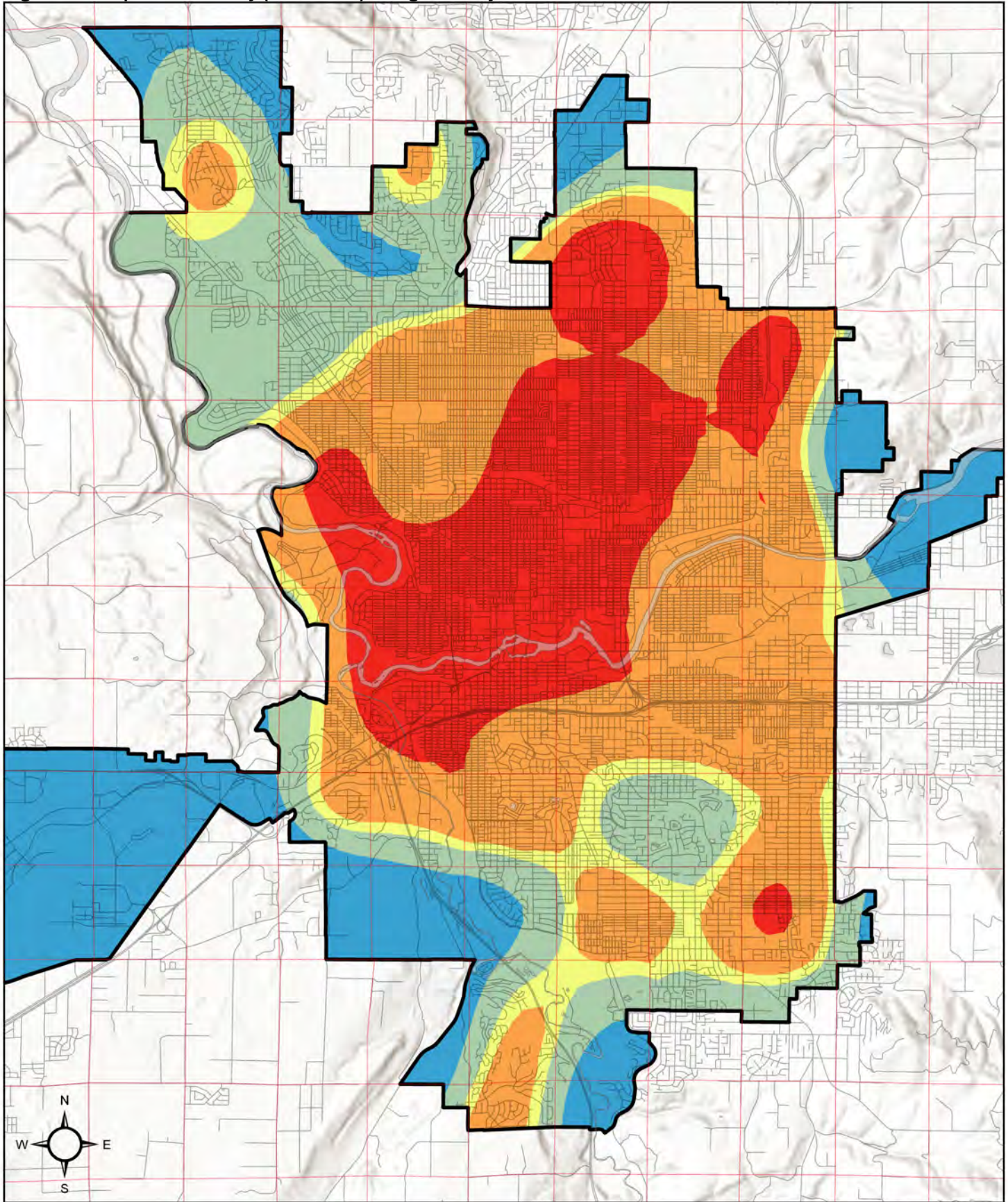
-  Existing Single-Family Residential
-  Parcel

Figure 2: Interpolated Density (Units/Acre) - Single-Family Residential Parcels

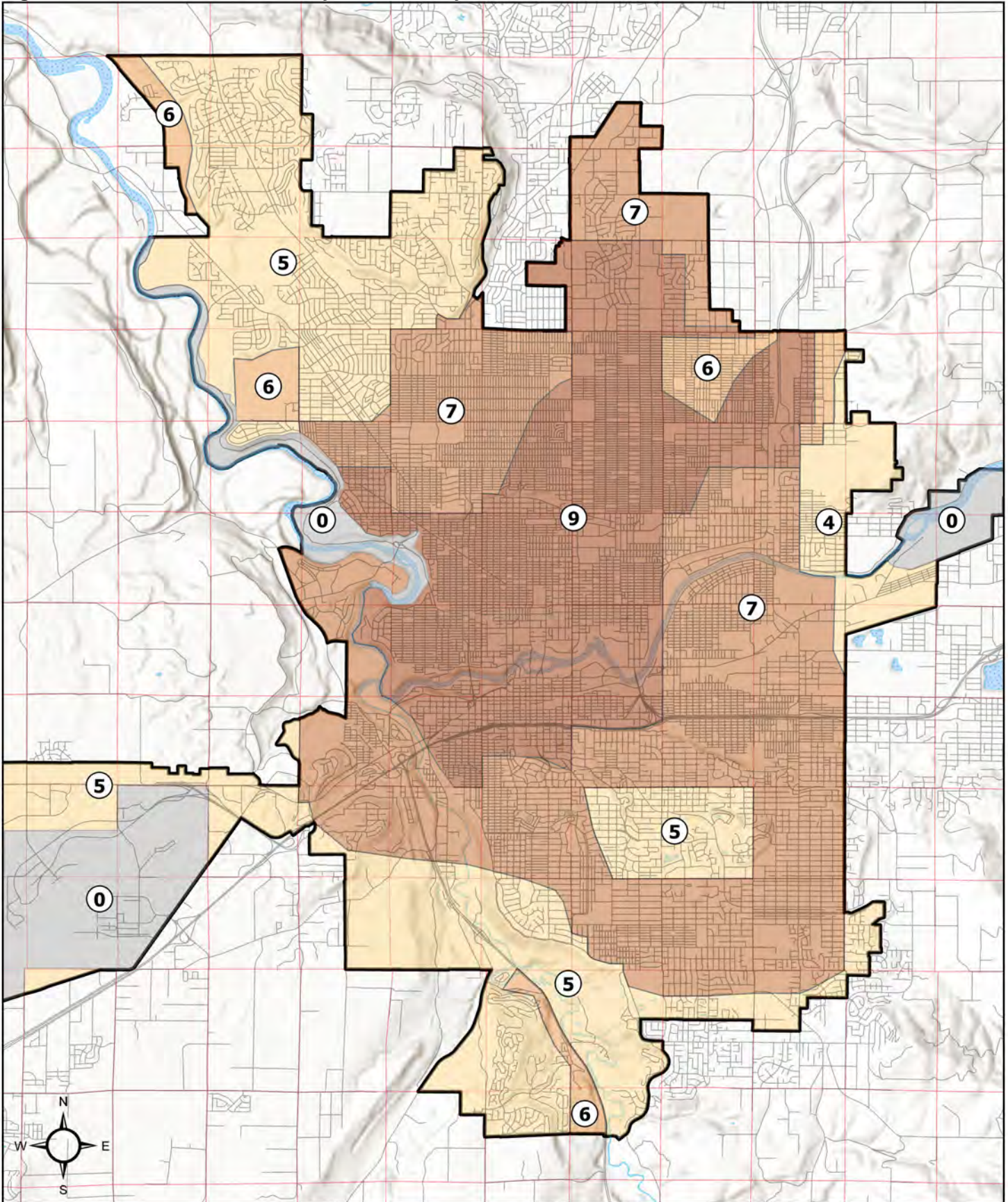


Interpolated Density (Units/Acre)
Single Family Residences Only

Planning & Economic Development Department
Draw Date: 7/2/2024

	4		6		10
	5		7		NoData

Figure 3: Assumed Residential Density - Low-Intensity Zoned Areas



Assumed Residential Density (Units/Acre)
To be Applied to Low-Intensity Residential ONLY

Planning & Economic Development Department
Draw Date: 11/12/2024

The values above were determined via an Areal Interpolation of existing low-intensity residential development, corrected by physical limitations and other known factors applied by Planning staff. These values would be applied to the Land Capacity Analysis assumptions only for low-intensity zones and only in locations where a Planned Unit Development DOES NOT exist.



City of Spokane

Department of Planning & Economic Development

808 W. Spokane Falls Blvd

Spokane, WA 99201

(509) 625-6500

compplan@spokanecity.org



Agenda Sheet for City Council:

Committee: Urban Experience **Date:** 02/10/2025

Committee Agenda type: Discussion

Date Rec'd

2/5/2025

Clerk's File #

RES 2025-0016

Cross Ref #

Project #

Council Meeting Date: 03/03/2025

Submitting Dept

PLANNING & ECONOMIC

Bid #

Contact Name/Phone

KEVIN X6184

Requisition #

Contact E-Mail

KFREIBOTT@SPOKANECITY.ORG

Agenda Item Type

Resolutions

Council Sponsor(s)

JBINGLE LNAVARRETE

Sponsoring at Administrators Request

NO

Lease? NO

Grant Related? NO

Public Works? NO

Agenda Item Name

0650 RESOLUTION AUTHORIZING WEST QUADRANT TIF FUNDS FOR 27 BY

Agenda Wording

A resolution acknowledging the recommendation of the Neighborhood Project Advisory Committee for the West Quadrant Tax Increment Financing district and accepting the use of \$138,876 in TIF funding for public improvements to be installed as part of the "27 by 2027 Urban Mobility Network" project.

Summary (Background)

The "27 by 2027" Urban Mobility Network, adopted by City Council under Council Resolution (RES 2024-0103), focuses on quick-build installations to create a fully connected, safe 27-mile citywide circuit for walking, biking and rolling, to be completed by the end of 2027. The West Central Infrastructure Project assessed community needs, input and project opportunities to create safer streets and enhance connectivity within the West Quadrant Tax Increment Finance District, in alignment with the established goals of the TIF District. With several high-priority project locations along 27 by 2027 network already identified and discussed in the West Central Infrastructure Project, staff presented the NPAC with the possibility of advancing TIF funds for quick build installations at these locations in 2025, with design proceeds for the final construction of the full versions later. An initial cost estimate for carrying out selected quick-build improvements in 2025 is provided below. This cost estimate applies to the work for the following "paint and post" quick-build versions of crossing improvements at Elm St. at Broadway Avenue, Elm St. at Boone Avenue, and Chestnut St. at Boone Avenue, as well as associated signage and markings for the portions of the Elm Street and Chestnut Street greenways within the WQTIF District. Initial Cost Estimate: SPCC Plan: \$2,000 Reference Survey Monument: \$1,000 Mobilization: \$20,000 Temporary Traffic Control: \$22,000 Signage and Channelizers: \$35,296 Pavement Markings: \$16,600 Construction Contingency: \$9,690 Survey: \$3,198 Design and Bid Docs: \$7,461 Admin, Legal, Permits: \$1,599 Construction Management: \$15,988 Inflation: \$3,000 ----- Total: \$138,876 This estimate is based on assuming quick-build versions of the attached design concepts for the three locations on Elm and Chestnut, as well as associated wayfinding signage and markings for portions of the Elm Street and Chestnut Street greenways located within the WQTIF District. Design work will continue separately to create construction documents for the full projects identified in the West Central Infrastructure

Project, which consist of permanent installations, with full reconstruction of curb, gutter and sidewalk construction as well as flashing beacons as appropriate. The Neighborhood Project Advisory Committee (NPAC) met to discuss this proposal at both their December 4, 2024, and January 15, 2025, meetings and ultimately voted unanimously to recommend City Council approve the use of these funds for the identified projects. If this Resolution is adopted by City Council the funds would transfer from the West Quadrant TIF account to the appropriate accounts in Integrated Capital Management when needed, anticipated to occur this year.

What impacts would the proposal have on historically excluded communities?

As the West Central neighborhood houses city residents who belong to a number of historically excluded communities, neighborhood improvements in these locations would improve their quality of life, health, safety, and welfare.

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?

These projects would be part of the overall Capital Management action of the City, ensuring that data is collected as per usual for public works projects.

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

Staff in the Planning & Economic Development Department are responsible for tracking of the effectiveness of West Quadrant TIF actions (Kevin Freibott, Senior Planner) and pedestrian/bicycle infrastructure projects as well (Colin Quinn-Hurst, Senior Planner). These projects, when completed, will be included in those efforts.

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 projects align with the stated purpose of the West Quadrant TIF (Ord C34032 & Ord C35879) as well as the Resolution adopting the “27 by 2027 Urban Mobility Network” (RES 2024-0103).

Council Subcommittee Review

Fiscal Impact

Approved in Current Year Budget? YES

Total Cost \$ 138,876

Current Year Cost \$ 138,876

Subsequent Year(s) Cost \$ 0

Narrative

TIF funds will be transferred to the Paths and Trails-Wheelshare account, where it will be paid directly for the installation of planned infrastructure.

Amount

Budget Account

Expense \$ 138,876 # 3501- 36230- 95300- 56501-99999

Select \$ #

Select \$ #

Select \$ #

Select \$ #

Select \$ #

Funding Source One-Time	
Funding Source Type Program Revenue	
Is this funding source sustainable for future years, months, etc? This program (the West Quadrant TIF) continues to receive tax increment revenue each year through 2032.	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	GARDNER, SPENCER
Division Director	GARDNER, SPENCER
Accounting Manager	ZOLLINGER, NICHOLAS
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	sgardner@spokanecity.org
smacdonald@spokanecity.org	kfreibott@spokanecity.org
cquinnhurst@spokanecity.org	tstripes@spokanecity.org
nzollinger@spokanecity.org	eking@spokanecity.org

RESOLUTION NO. 2025-0016

A resolution acknowledging the recommendation of the Neighborhood Project Advisory Committee for the West Quadrant Tax Increment Financing district and accepting the use of \$138,876 in TIF funding for public improvements to be installed as part of the “27 by 2027 Urban Mobility Network” project.

WHEREAS, the City of Spokane formed a West Quadrant Tax Increment Financing (“WQTIF”) area, to help provide funding for public improvement projects in and around the Kendall Yards planned unit development (“PUD”) area, and designated project types within the area, along with estimated costs for those projects within the life of the WQTIF; and

WHEREAS, City of Spokane Resolution 2007-0101 formed the Neighborhood Project Advisory Committee (“NPAC”) to make recommendations for the use of funds received in the WQTIF area, composed of residents of the West Central, Riverside, and Emerson-Garfield neighborhoods; and

WHEREAS, the NPAC meets regularly to review fund balances, proposed projects, potential allocations and to prioritize projects; and

WHEREAS, the City Council adopted resolution RES 2023-0029 on February 2, 2023, authorizing the use of \$300,000 in West Quadrant TIF funding for the “West Central Infrastructure Project”—preliminary planning and design of certain public improvements in the West Central neighborhood—the work having since been substantially completed; and

WHEREAS, the City Council adopted resolution RES 2024-0103 on November 4, 2024, formally endorsing the “27 by 2027 Urban Mobility Network,” some of which coincides with the improvements identified in the West Central Infrastructure Study; and

WHEREAS, the NPAC met on December 1, 2024 to hear a request from City staff regarding the 27 by 2027 Urban Mobility Network and projects from the nearly completed West Central Infrastructure Project that align with the network; and

WHEREAS, the NAPC continued to deliberate on the proposal at their January 15, 2025 meeting, during which City staff provided specific project details and draft costs; and

WHEREAS, the NPAC has determined that the proposed improvements are within the WQTIF boundary, represent the types of projects for which allocation of the WQTIF funds is authorized by ordinance C34032, as amended by ordinance C35879, and that the requested allocation is an authorized use of the WQTIF funds; and

WHEREAS, at their January 15, 2025 meeting the NPAC voted unanimously to recommend the City Council approve the use of funds for the proposed project in the amount of \$138,876.

NOW THEREFORE, BE IT RESOLVED that the Spokane City Council adopts the recommendations of the NPAC, allocates \$138,876 in West Quadrant TIF funds for repayment of costs for public improvements related to construction of public improvements related to the 27 by 2027 Urban Mobility Network, and requests staff transfer the appropriate funds to the proper capital account when possible.

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

City Clerk

Approved as to form:

Assistant City Attorney

**Agenda Sheet for City Council:****Committee:** Finance & Administration **Date:** 01/27/2025**Committee Agenda type:** Discussion**Date Rec'd**

1/22/2025

Clerk's File #

ORD C36641

Cross Ref #**Project #****Council Meeting Date:** 02/24/2025**Submitting Dept**

MAYOR

Bid #**Contact Name/Phone**

MATT BOSTON 6820 / 6779

Requisition #**Contact E-Mail**

MBOSTON@SPOKANECITY.ORG;

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

PDILLON BWILKERSON

Sponsoring at Administrators Request

NO

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

MID-BIENNIAL REVIEW PROCESS

Agenda Wording

An ordinance relating to the mid-biennial review process; amending Sections 07.01.020, 07.14.010, and 07.14.030 of the Spokane Municipal Code; repealing Section 07.14.040 of the Spokane Municipal Code.

Summary (Background)

Pursuant to RCW 35.34.130, the City Council hereby provides for a mid-biennium review and modification of the biennial budget.

What impacts would the proposal have on historically excluded communities?

N/A

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?

N/A

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 proposal aligns with RCW 35.34.130 which requires cities and towns to conduct a mid-biennial review and modification of the biennial budget.

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	N/A
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	SCOTT, ALEXANDER
Division Director	
Accounting Manager	BAIRD, CHRISTI
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	mboston@spokanecity.org
amcdaniel@spokanecity.org	

ORDINANCE NO. C36641

An ordinance relating to the mid-biennial review process; amending Sections 07.01.020, 07.14.010, and 07.14.030 of the Spokane Municipal Code; repealing Section 07.14.040 of the Spokane Municipal Code.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That Section 07.01.020 of Chapter 07.01 of the Spokane Municipal Code is amended to read follows:

Section 07.01.020 Mid-Biennial Review and Modification

- A. Pursuant to RCW 35.34.130, the City Council hereby provides for a mid-biennium review and modification of the biennial budget. Such review and modification shall occur no sooner than (8) months after the start of the first year of the fiscal biennium and no later than ~~((the first regularly scheduled City Council meeting in November))~~ December 15 of the first year of each biennial budget. The Mayor shall prepare proposed budget modifications to be effective the following January 1st and shall provide for publication of notice of hearing consistent with the publication of notices for adoption of ordinances.
- B. At the hearing considering the mid-biennial budget review and modifications, the City Council may, by ordinance, approve such modifications to the budget as it deems necessary or proper and consistent with RCW 35.34.130. A complete copy of the budget modifications as adopted shall be transmitted to the Division of Municipal Corporations in the office of the State Auditor and to the Association of Washington Cities as required by RCW 35.34.130.

Section 2. That Section 07.14.010 of Chapter 07.14 of the Spokane Municipal Code is amended to read follows:

Section 07.14.010 Deadline to Submit Estimates of Sources of Revenue

- A. In accord with the requirements of ~~((RCW 35.33.135))~~ RCW 35.34.230, ~~((on the))~~ not later than the first Monday of October of ((each year)) the second year of the biennium ~~or such earlier time as may be mutually convenient~~), the mayor shall provide the city council with current information on estimates of revenues from all sources as adopted in the budget for the current ~~((year))~~ biennium, together with

estimates submitted by the clerk/city budget director under ~~((RCW 35.33.054))~~
RCW 35.34.070.

- B. The city council and the mayor or his or her designated representative shall consider the City's total anticipated financial requirements for the ensuing fiscal ~~((year))~~ biennium, and the city council shall determine and fix by ordinance the amount to be raised the first year of the biennium by ad valorem taxes.
- C. The city council shall review such information as is provided by the mayor or his or her designated representative and shall adopt an ordinance establishing the amount to be raised by ad valorem taxes during the second year of the biennium.
- D. Upon adoption of the ordinance fixing the amount of ad valorem taxes to be levied, the clerk/budget director shall certify the same to the board of county commissioners as required by RCW 84.52.020.

Section 3. That Section 07.14.030 of Chapter 07.14 of the Spokane Municipal Code is amended to read follows:

Section 07.14.030 Budget Monitoring and Review

- A. The Finance, Treasury and Administration Division shall provide regular, monthly, financial reports including budget-to-actual data for the General Fund and any other key fund(s), as necessary. The reports will be provided to the City Council as soon as reasonably available upon the closing of the period.
 - 1. As part of the regular monthly reports, a summary of the General Fund budgeted revenue and expenditures shall be provided with estimates of beginning and ending fund balance and reserves with presumptions and trends, and, when available, council budget staff outlooks defined in the estimates.
 - 2. In the month following the end of a quarter's Finance and Administration Committee Meeting, the Management and Budget Department will provide a summary of potential financial or operational issues that may impact the City's overall financial position, either positively or negatively, based on analysis of actuals relative to the approved budget.
 - 3. In the month following the end of the quarter, the Management and Budget Department will provide proposed ~~((budget amendments))~~ special budget ordinances as deemed appropriate based on operational activities, grant or contract awards, financial projections, or other relative information. City Council will determine which proposed ~~((budget amendments))~~ special budget ordinances will proceed for the approval process. ~~((via a special budget~~

~~ordinance. The special budget ordinance will be scheduled for approval accordingly.))~~

B. The Finance, Treasury and Administration Division shall provide a pre-audit year-end financial report for the General Fund, and any other key fund deemed appropriate. The report will include relative fund/reserve balances for the General Fund. The report will be provided to the City Council as soon as reasonable and reliable financial information is available following the close of the fiscal year, but no later than the end of ~~((May))~~ June.

C. Based on analysis of financial activity from the previous fiscal year, as reported in the pre-audit year-end financial report, the Finance, Treasury and Administration Division shall provide:

1. An update to the General Fund Five-Year Forecast based on all known or expected revenues and expenditures. The General Fund Five-Year Forecast will include the current ~~((year's))~~ biennium's budget ~~((, current year projections,))~~ and updated projections ~~((including projections))~~ for the subsequent four years and, when available, council budget staff projections for the same periods. The report will be provided to the City Council by the ~~((May))~~ July Finance and Administration Committee meeting.

~~2. Focused discussion on current year General Fund "summary type code" accounts (both within the General Fund and supported by the General Fund) that have a materiality level of a budgeted 5% of overall expenditures and/or is projected to be +/- of \$250,000 of its annual budget allocation.~~

2. During even years, ((By)) at the ((May)) November Finance and Administration Committee meeting, the Administration will provide a recommendation to the City Council which, via Special Budget Ordinance, ((rectifies the)) resolves any material budget ((inaccuracies)) variances ((identified within SMC 07.14.030 (C)(2) to fall below thresholds identified)).
During odd years, material budget variances will be resolved via the mid-biennium modification period identified within SMC 07.01.020.

D. The Finance, Treasury and Administration Division, and other senior administration personnel and cabinet members, shall, upon concurrence of the mayor, make themselves available for budget deliberations with the City Council on a ~~((monthly))~~ bimonthly basis, or more frequently as mutually agreed with the mayor. The city council shall ~~((set aside its regular))~~ establish bimonthly study sessions on the second Thursday of each month, if coinciding with a holiday, the third Thursday shall be set aside for budget presentations and discussions with program managers, cabinet-level department heads, and senior level administrators. The Administration should make other staff members available as necessary or beneficial to the content of the planned discussion. The ~~((monthly))~~ bimonthly study sessions shall be held in a location that allows for real-time public viewing of the

study session via a live telecast or streaming in the same manner as regular briefing and legislative session of the city council.

Section 4. That Section 07.14.040 of Chapter 07.14 of the Spokane Municipal Code is repealed.

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:** 02/10/2025**Committee Agenda type:** Discussion**Date Rec'd**

2/5/2025

Clerk's File #

ORD C36644

Cross Ref #**Project #****Council Meeting Date:** 03/03/2025**Submitting Dept**

DEVELOPMENT SERVICES CENTER

Bid #**Contact Name/Phone**

ELDON BROWN 6305

Requisition #**Contact E-Mail**

EBROWN@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

LNAVARRETE JBINGLE

Sponsoring at Administrators Request

NO

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

4700 – AMENDING ORDINANCE C-14947 TO RELEASE EASEMENTS

Agenda Wording

Amending Ordinance C-14947 to release easements.

Summary (Background)

In 1957, City Council passed Ordinance C-14947 vacating a portion of Nettleton Street south of Northwest Boulevard, and retained easements within the vacation ordinance for electric and phone service. Since that time, the adjacent property owners have asked to vacate these easements to accommodate a future housing project. The existing easement holders have been contacted and are in support of the release.

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?	
Total Cost	\$
Current Year Cost	\$
Subsequent Year(s) Cost	\$
<u>Narrative</u>	
Amount	Budget Account
Neutral \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source N/A	
Funding Source Type Select	
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	PALMQUIST, TAMI
Division Director	MACDONALD, STEVEN
Accounting Manager	ZOLLINGER, NICHOLAS
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	ebrown@spokanecity.org
mnilsson@spokanecity.org	tpalmquist@spokanecity.org
edjohnson@spokanecity.org	akiehn@spokanecity.org

City of Spokane
Development Services Center
808 West Spokane Falls Blvd.
Spokane, WA 99201-3343
(509) 625-6300

ORDINANCE NO. C36644

An ordinance amending Ordinance C-14947 that vacated a portion of Nettleton Street in the City of Spokane

The City of Spokane does ordain:

Section 1. That Nettleton Street, in the City of Spokane, from the southerly line of Northwest Boulevard to the north line of the alley between Grace Avenue and Buckeye Avenue, excepting therefrom intersecting Grace Avenue, be, and the same is hereby, vacated; **provided that the city retains an easement or the right to exercise and grant easements in respect to the vacated land for electrical transmission lines and facilities and a telephone plant.**

Passed the City Council _____

Council President

Attest: _____
City Clerk

Approved as to Form:

Assistant City Attorney

Mayor

Date: _____

Effective Date: _____



LEGAL DESCRIPTION:
 SITUATE IN THE CITY OF SPOKANE, COUNTY OF SPOKANE, STATE OF WASHINGTON.
 PARCEL A:
 LOTS 9 AND 10, BLOCK 16, ALTA VISTA ADDITION, ACCORDING TO PLAT RECORDED IN VOLUME "A" OF PLATS, PAGE 171.
 ALSO THE EAST HALF OF THAT PORTION OF VACATED NETTLETON STREET, LYING WESTERLY OF AND ADJACENT TO SAID LAND;
 EXCEPT NORTHWEST BOULEVARD.
 PARCEL B:
 THE WEST HALF OF VACATED NETTLETON STREET LYING EAST OF AND ADJACENT TO LOT 12, BLOCK 17, ALTA VISTA ADDITION, ACCORDING TO PLAT RECORDED IN VOLUME "A" OF PLATS, PAGE 171.
 EXCEPT NORTHWEST BOULEVARD.
 PARCEL C:
 THAT PORTION OF GRACE AVENUE VACATED BY ORDINANCE NO. C22933, RECORDED UNDER AUDITOR'S NO. 7507250017, THAT WOULD ATTACH BY OPERATION OF LAW.
 THE PROPERTY DESCRIBED ABOVE AND SHOWN HEREON IS THE SAME PROPERTY DESCRIBED IN AFN# 7289556.
 SITUATE IN THE CITY OF SPOKANE, COUNTY OF SPOKANE, STATE OF WASHINGTON.
 LOTS 6, 7, AND 8, BLOCK 27, ALTA VISTA ADDITION TO THE TOWN OF WEBSTER, AS PER PLAT RECORDED IN VOLUME "A" OF PLATS, PAGE 171;
 TOGETHER WITH THE EAST 30 FEET OF VACATED NETTLETON STREET OF AND ADJOINING SAID LOT 8.
 RESERVING UNTO GRANTOR THE ENTIRETY OF THAT CERTAIN MEMORANDUM OF LEASE WITH MALCOM W. HAIN AND BARBARA J. HAIN, HUSBAND AND WIFE, AS LESSOR AND VERIZON WIRELESS (VW) LLC D/B/A/ VERIZON WIRELESS AS LESSEE DATED OCTOBER 21, 2013 AND RECORDED ON FEBRUARY 7, 2014 UNDER AUDITOR'S FILE NO. 628178.
 SUBJECT TO THE ENTIRETY OF THAT CERTAIN MEMORANDUM OF LEASE WITH VERIZON WIRELESS (VW) LLC, A DELAWARE LIMITED LIABILITY COMPANY AS LESSEE, DATED JUNE 22, 2015 AND RECORDED ON SEPTEMBER 18, 2015 UNDER AUDITOR'S FILE NO. 6436989.
 SUBJECT TO UNRECORDED LEASEHOLDS, IF ANY, RIGHTS OF VENDORS AND SECURITY AGREEMENT ON PERSONAL PROPERTY AND RIGHTS OF TENANTS, AND SECURED PARTIES TO REMOVE TRADE FIXTURES AT THE EXPIRATION OF TERM.
 SUBJECT TO ANY AND ALL OFFERS OF DEDICATION, CONDITIONS, RESTRICTIONS, EASEMENTS, BOUNDARY DISCREPANCIES OR ENCROACHMENTS, NOTES AND/OR PROVISIONS SHOWN OR DISCLOSED BY SHORT PLAT OR PLAT OF ALTA VISTA ADDITION TO THE TOWN OF WEBSTER RECORDED IN VOLUME "A" OF PLATS, PAGE(S) 171.
 SUBJECT TO TERMS AND CONDITIONS CONTAINED IN THAT CERTAIN EASEMENT APPROVED ON JUNE 3, 1957 UNDER ORDINANCE NO. C14947 IN FAVOR OF THE CITY OF SPOKANE FOR ELECTRICAL TRANSMISSION LINES AND FACILITIES AND TELEPHONE PLAT AFFECTING A PORTION OF THE SUBJECT PROPERTY.
 SUBJECT TO TERMS AND CONDITIONS CONTAINED IN THAT CERTAIN EASEMENT RECORDED UNDER AUDITOR'S FILE NO. 4353588 GRANTED TO AVISTA CORPORATION FOR OVERHEAD ELECTRIC LINES AFFECTING THE SOUTH 15 FEET OF THE EAST 10 FEET OF THE SUBJECT PROPERTY.
 SUBJECT TO CONDITIONS, NOTES, EASEMENTS, PROVISIONS AND/OR ENCROACHMENTS CONTAINED AND/OR DELINEATED ON THE FACE OF THE SURVEY NO. 594949, RECORDED IN VOLUME 141 OF SURVEYS, AT PAGE(S) 100.
 THE PROPERTY DESCRIBED ABOVE AND SHOWN HEREON IS THE SAME PROPERTY DESCRIBED IN AFN# 7309156.

LEGEND:

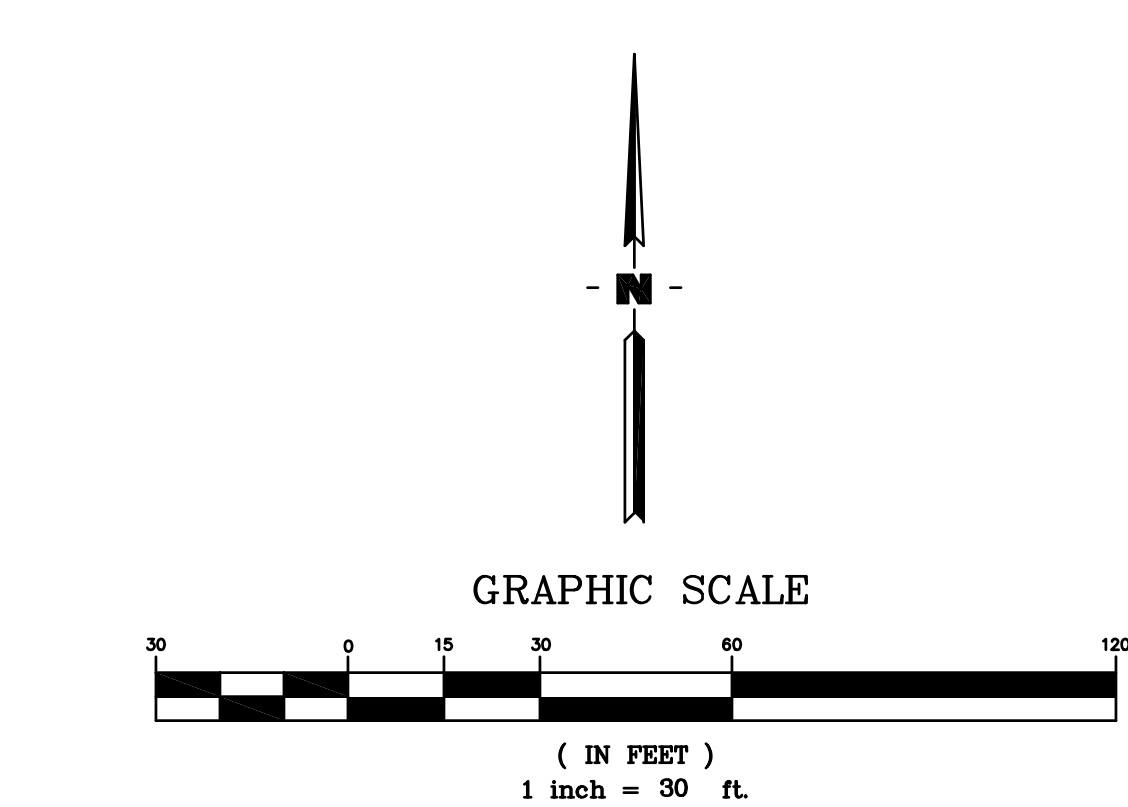
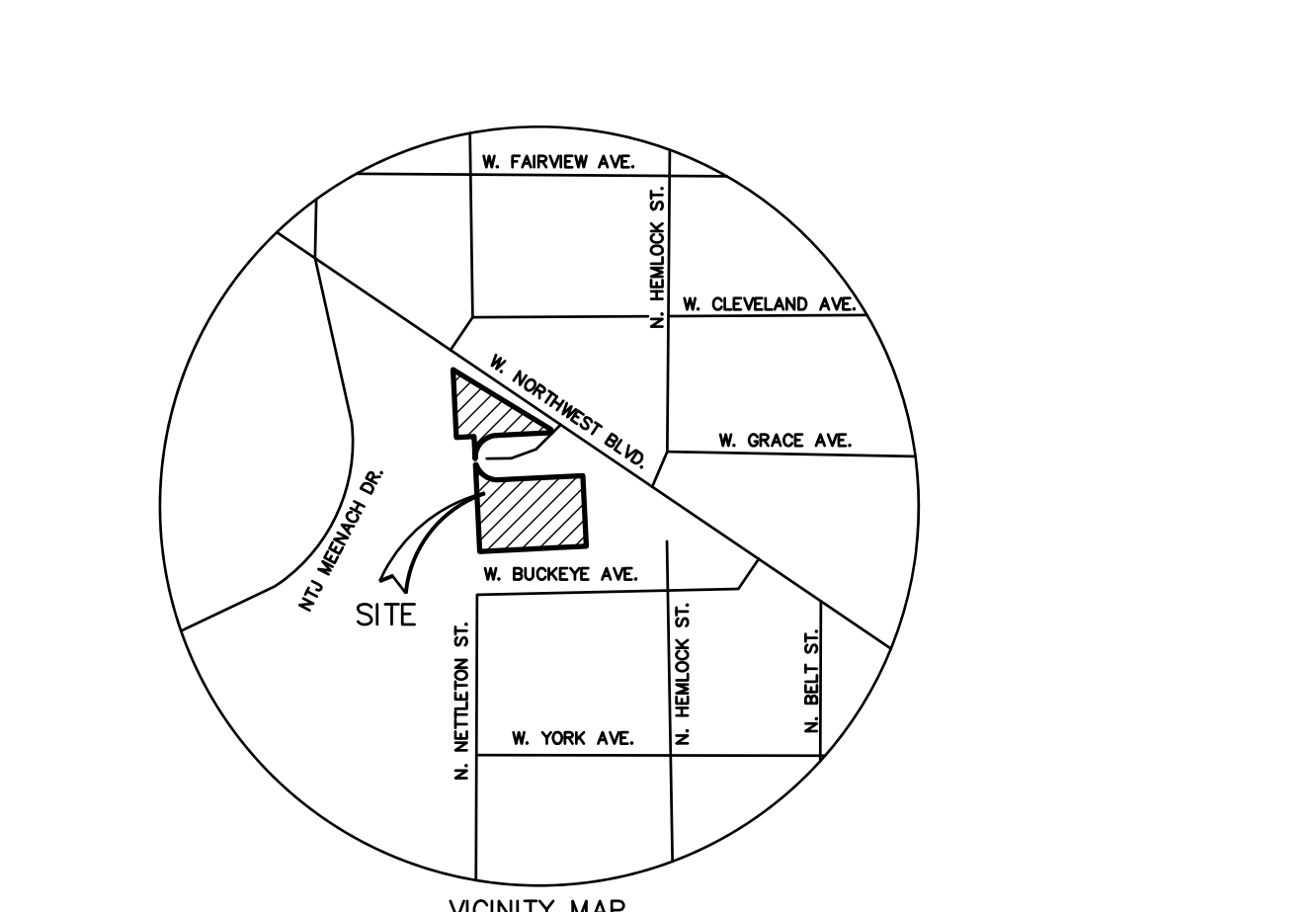
---	PROPERTY LINE
---	TIE LINE
---	MONUMENT LINE
---	LOT LINES
---	RIGHT-OF-WAY
---	CENTERLINE
(BEARING) (DISTANCE)	RECORD BEARING AND/OR DISTANCE
●	FOUND AS NOTED
x	SCRIBED "X"

LINE TABLE:

LINE	BEARING	DISTANCE
L1	S 38°54'04" E	40.89'
L2	S 48°10'07" W	51.34'
L3	S 67°38'26" W	24.21'
L4	N 47°56'10" W	28.30'
L5	N 20°50'54" E	25.49'
L6	S 14°33'27" E	51.02'
L7	S 59°13'29" E	24.00'
L8	N 14°57'25" W	33.00'
L9	N 42°10'01" W	31.78'
L10	N 43°48'52" E	61.23'
L11	N 34°26'25" W	38.12'

- BASIS OF BEARINGS:**
 NORTH AMERICAN DATUM OF 1983 (NAD 83)/(2011), WASHINGTON ZONE NORTH AS OBSERVED FROM THE WASHINGTON STATE REFERENCE NETWORK (WSRN).
- HORIZONTAL DISTANCES:**
 THE DISTANCES SHOWN HEREON ARE GROUND DISTANCES BASED ON THE US SURVEY FOOT DEFINITION OF 1 FOOT = 12/39.37 METERS WITH A COMBINED SCALE FACTOR OF 0.999 998 444 844 844.
- NOTES AND COMMENTS:**
- THIS SURVEY WAS PREPARED FOR THE PURPOSES OF CIVIL ENGINEERING DESIGN.
 - THE CONTOURS SHOWN HEREON WERE DERIVED FROM DIRECT FIELD OBSERVATIONS.
 - THE CONTOUR INTERVAL FOR THIS SURVEY IS 1 FOOT.
 - THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE NSPS STANDARDS FOR TOPOGRAPHIC SURVEYS (APPROVED MARCH 12, 2002).
 - THE BOUNDARY INFORMATION SHOWN ON THIS SURVEY IS BASED UPON A FIELD SURVEY.
 - UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON PLANS AND RECORDS PROVIDED BY THE CITY OF SPOKANE TOGETHER WITH THE OBSERVED SURFACE FEATURES.
 - GROSS LAND AREA 42,695 SQUARE FEET OR 0.980 ACRES, MORE OR LESS.
 PARCEL A: 6782 SQUARE FEET OR 0.156 ACRES, MORE OR LESS.
 PARCEL B & C: 3693 SQUARE FEET OR 0.085 ACRES, MORE OR LESS.
 AFN# 7309156: 32,220 SQUARE FEET OR 0.740 ACRES, MORE OR LESS.
 - EASEMENTS: THE SURVEYOR WAS NOT PROVIDED WITH A CURRENT TITLE REPORT AND THEREFORE THIS MAP DOES NOT INCLUDE POSSIBLE EASEMENT INFORMATION THAT MAY ENCUMBER OR BENEFIT THE SUBJECT PROPERTY.
 - DURYEA & ASSOCIATES ONLY ACKNOWLEDGES SIGNED AND STAMPED MAPS AND DRAWINGS. NO RESPONSIBILITY OR LIABILITY IS EXPRESSED OR IMPLIED FOR ELECTRONIC DATA AND/OR REPRODUCED MAPS AND DRAWINGS.
- VERTICAL DATUM:**
- VERTICAL DATUM: NAVD 88
 - REFERENCE BENCHMARK: NORTH 1/4 CORNER S.12 T.25N. R.42E, TOP OF PIPE IN SECTION CORNER MONUMENT KNOWN AS SPOKANE CITY BENCHMARK "31N 22W EUCLID & BELT" ELEVATION = 1907.83 US FEET
- ON-SITE TEMPORARY BENCHMARKS:**
- SCRIBED "X" IN "BURY" HEAD BOLT OF FIRE HYDRANT LOCATED IN NORTHERLY GRACE AVENUE RIGHT OF WAY ELEVATION = 1875.96 US FEET
 - 1/2" REBAR WITH RED PLASTIC CAP LABELED "CONTROL" SET IN LANDSCAPING LOCATED IN SOUTHERLY GRACE AVENUE RIGHT OF WAY. ELEVATION = 1876.90 US FEET

SURVEYOR'S CERTIFICATE:
 THIS SURVEY WAS PREPARED BY ME, OR UNDER MY DIRECTION IN APRIL 2024 AT THE REQUEST OF EXCELSIOR WELLNESS.



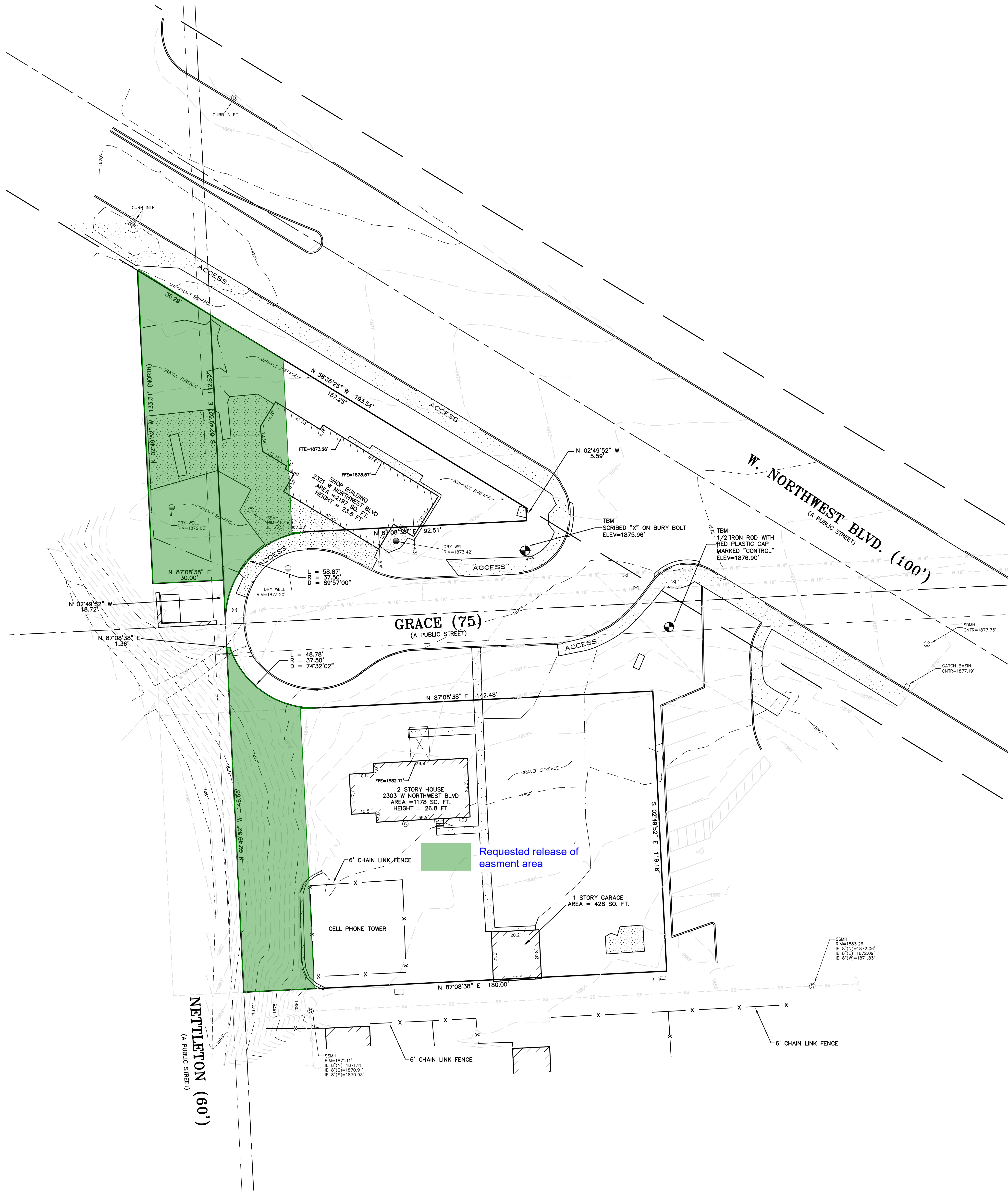
BOUNDARY & TOPOGRAPHIC SURVEY

EXCELSIOR WELLNESS
 2303 & 2321 W NORTHWEST BLVD
 SPOKANE, WA

DURYEA & ASSOCIATES
 Surveying and Mapping
 2702 N. Perry Street Spokane, WA 99207 (509) 465-8007
 www.duryea-associates.com

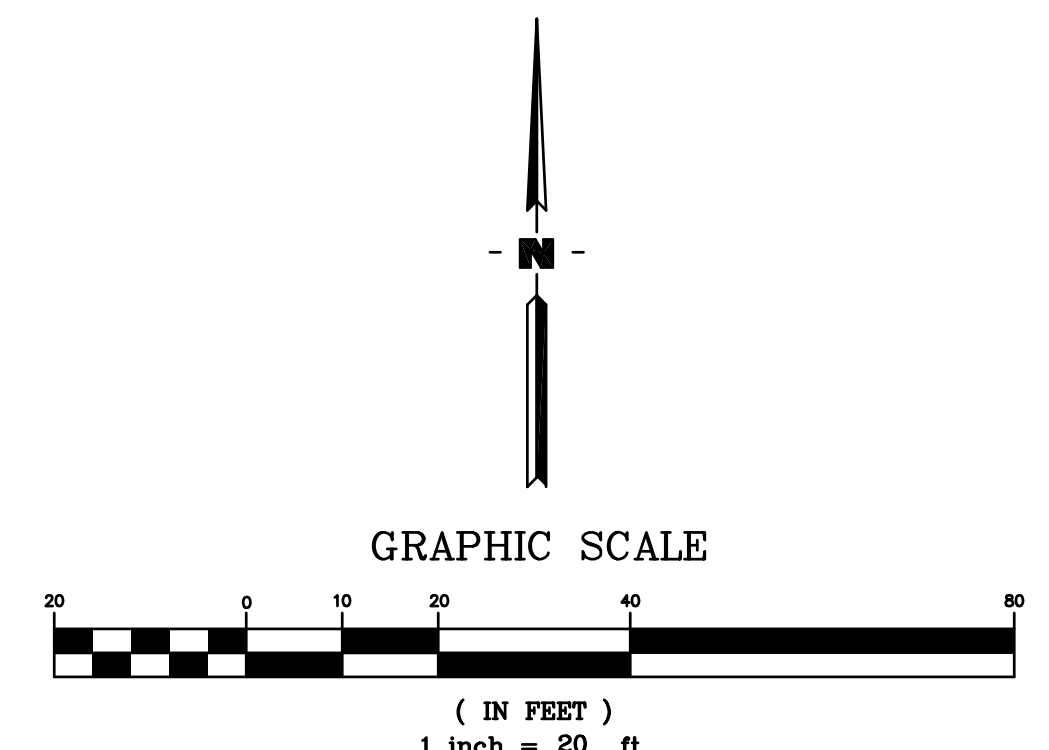
PROJECT SURVEYOR: MKM SHEET: **1** OF **2**
 DRAWN BY: ENE
 LAST DATE OF REVISION: JOB NO.: 24-3498

SHEET INDEX
 SHEET 1: NOTES & BOUNDARY
 SHEET 2: SITE TOPOGRAPHY



LEGEND:

	PROPERTY LINE
	EASEMENT LINE
	BUILDING SETBACK LINE
	CENTERLINE
	BUILDING LINE
	EDGE OF PAVEMENT
	FENCE AS NOTED
	FENCE AS NOTED
	CONCRETE WALL
	CONCRETE SURFACE
	FIRE HYDRANT
	FIRE CONNECTION
	POST INDICATOR VALVE
	BACKFLOW PREVENTER
	WATER METER
	WATER VAULT
	WATER MANHOLE
	WATER VALVE
	GAS VALVE
	GAS METER
	SANITARY SEWER MANHOLE
	SANITARY SEWER CLEAN OUT
	STORM SEWER MANHOLE
	CATCH BASIN
	DRYWELL
	CULVERT
	POWER POLE
	POWER POLE WITH GUY WIRE
	TELEPHONE MANHOLE
	TELECOMMUNICATION RISER
	TELECOMMUNICATION VAULT
	LIGHT STANDARD
	ELECTRIC JUNCTION BOX
	ELECTRIC METER
	ELECTRIC MANHOLE
	ELECTRIC VAULT OR BOX
	POWER TRANSFORMER
	TRAFFIC SIGNAL POLE
	CROSSWALK POLE
	FLAG POLE
	SIGN
	DECIDUOUS/CONIFER TREE WITH DIAMETER
	RECORD BEARING AND/OR DISTANCE
	UNDERGROUND SANITARY LINE
	UNDERGROUND STORM LINE
	UNDERGROUND WATER LINE
	UNDERGROUND GAS LINE
	UNDERGROUND ELECTRIC LINE
	UNDERGROUND TELECOMMUNICATION LINE
	OVERHEAD POWER/TELECOMMUNICATION LINE
	LANDSCAPED AREA
	TRASH ENCLOSURE
	FOUND AS NOTED
	SET
	TEMPORARY BENCHMARK (TBM)



PRELIMINARY

BOUNDARY & TOPOGRAPHIC SURVEY

EXCELSIOR WELLNESS
 2303 & 2321 W NORTHWEST BLVD
 SPOKANE, WA

DURYEA & ASSOCIATES
 Surveying and Mapping
 2702 N. Perry Street Spokane, WA 99207 (509) 465-8007
 www.duryea-associates.com

PROJECT SURVEYOR: MKM SHEET: **2** OF **2**
 DRAWN BY: ENE
 LAST DATE OF REVISION: JOB NO.: 24-3498

SHEET INDEX
 SHEET 1: NOTES & BOUNDARY
 SHEET 2: SITE TOPOGRAPHY

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 02/10/2025**Committee Agenda type:** Discussion**Date Rec'd**

2/5/2025

Clerk's File #

ORD C36645

Cross Ref #**Project #****Council Meeting Date:** 03/03/2025**Submitting Dept**

DEVELOPMENT SERVICES CENTER

Bid #**Contact Name/Phone**

ELDON BROWN 6305

Requisition #**Contact E-Mail**

EBROWN@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

LNAVARRETE KKLITZKE

Sponsoring at Administrators Request

NO

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

4700 – AMENDING ORDINANCE C-22933 TO RELEASE EASEMENTS

Agenda Wording

Amending Ordinance C-22933 to release easements.

Summary (Background)

In 1975, City Council passed Ordinance C-22933 vacating portions of Grace Ave south of Northwest Boulevard, and retained utility easements within the vacation ordinance. Since that time, the adjacent property owners have asked to vacate these easements to accommodate a future housing project. The existing easement holders have been contacted and are in support of the release.

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
Neutral \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Select \$	#
Funding Source N/A	
Funding Source Type	Select
Is this funding source sustainable for future years, months, etc?	
Expense Occurrence	N/A
Other budget impacts (revenue generating, match requirements, etc.)	
Approvals	
Dept Head	PALMQUIST, TAMI
Division Director	MACDONALD, STEVEN
Accounting Manager	ZOLLINGER, NICHOLAS
Legal	SCHOEDEL, ELIZABETH
For the Mayor	PICCOLO, MIKE
Distribution List	
	ebrown@spokanecity.org
mnilsson@spokanecity.org	tpalmquist@spokanecity.org
edjohnson@spokanecity.org	akiehn@spokanecity.org

City of Spokane
Development Services Center
808 West Spokane Falls Blvd.
Spokane, WA 99201-3343
(509) 625-6300

ORDINANCE NO. C36645

An ordinance amending Ordinance C-22933 that vacated that portion of Grace Avenue except the north 10 feet of the south half thereof, from the extended west line of vacated Nettleton Street to the arc of a circle having a radius of 37 ½ feet, the center point of which is the center point of the existing cul-de-sac, and located on the center line of Grace Avenue.

WHEREAS, a petition for the vacation of Grace Avenue between the east line and the west line of Nettleton Street, excepting the portion thereof lying within the cul-de-sac presently constructed in Grace Avenue, having been filed with the City Clerk by owners of 75% of the property abutting that sought to be vacated, and a hearing having been held thereon before the City Council of the City of Spokane in accordance with RCW 35.79; and

WHEREAS, the City Council of the City of Spokane having found that the public use, benefit and welfare will be served by the vacation of a lesser portion of the area included in the petition for vacation; Now, THEREFORE,

The City of Spokane does ordain:

Section 1. That portions of Grace Avenue, except the north 10 feet of the south half thereof, from the extended west line of vacated Nettleton Street to the arc of a circle having a radius of 37 ½ feet and center point of which is the center point of the existing cul-de-sac, and located on the center line of Grace Avenue, in the City and County of Spokane, State of Washington, be and the same hereby is, vacated, subject to the following conditions:

- 1) That easements for existing utilities through the vacated right of way be preserved **except for in the areas described below**; and

BEGINNING at a PK Nail marking the intersection of the North Hemlock Street monument line and the West Cleveland Avenue monument line; thence South 87°08'38" West 459.97 feet to a PK Nail marking the intersection of the North Nettleton Street monument line and the West Cleveland Avenue monument line; thence South 054°2'21" West 168.41 feet to a point at the intersection of the Southwesterly right of way of West Northwest Boulevard and the Westerly right of way of vacated North Nettleton Street (City of Spokane Ordinance No. C14947); thence South 02°49'52" East 114.56 feet along the Westerly right of way

of vacated North Nettleton Street; to the TRUE POINT OF BEGINNING of this description; thence South 0249'52" East 18.72 feet along the Westerly right of way of vacated North Nettleton Street; thence North 8708'38" East 30.00 feet to a point on the centerline of vacated North Nettleton Street; thence South 0249'52" East 18.75 feet along the centerline of vacated North Nettleton Street to a point on the centerline of vacated West Grace Avenue (City of Spokane Ordinance C-22933); thence Northeasterly along a non-tangent curve to the right with a radius of 37.50 feet, through a central angle of 7826'17", an arc length of 51.34 feet (long chord bears North 36°24'46" East 47.42 feet); thence North 0249'52" West 0.75 feet to a point on the Northerly right of way line of West Grace Avenue; thence South 8708'38" West 60.00 feet along the Northerly right of way of West Grace Avenue to the TRUE POINT OF BEGINNING, and containing 0.020 acres, more or less.

Together with:

BEGINNING at a PK Nail marking the intersection of the North Hemlock Street monument line and the West Cleveland Avenue monument line; thence South 8708'38" West 459.97 feet to a PK Nail marking the intersection of the North Nettleton Street monument line and the West Cleveland Avenue monument line; thence South 0542'21" West 168.41 feet to a point at the intersection of the Southwesterly right of way of West Northwest Boulevard and the Westerly right of way of vacated North Nettleton Street (City of Spokane Ordinance No. C14947); thence South 0249'52" East 133.31 feet along the Westerly right of way of vacated North Nettleton Street; thence South 4903'47" East 41.54 feet to a point on the centerline of vacated North Nettleton Street, said point also being the TRUE POINT OF BEGINNING of this description; thence South 0249'52" East 27.50 feet along the centerline of vacated North Nettleton Street; thence North 8708'38" East 30.00 feet along the Southerly right of way of vacated West Grace Avenue (City of Spokane Ordinance C-22933); thence North 0249'52" West 0.76 feet; thence along the arc of a non-tangent curve to the right, with a radius of 37.50 feet, through a central angle of 6258'19", an arc length of 41.22 feet (long chord bears North 49°48'30" West 39.17 feet); thence South 8708'38" West 1.36 feet to the TRUE POINT OF BEGINNING, and containing 0.007 acres, more or less.

- 2) That no buildings or structures shall be constructed on such easements; and
- 3) That any improvement and use of the land shall be subject to prior approval of the Spokane Park Board and the utility owners affected thereby; and
- 4) That any such improvements may be removed without compensation by the said Park Board or utility owners if necessary.

Section 2. This ordinance shall take effect and be in force thirty days from and after its passage.

Passed the City Council _____

Council President

Attest: _____
City Clerk

Approved as to Form:

Assistant City Attorney

Mayor

Date: _____

Effective Date: _____



LEGAL DESCRIPTION:

SITUATE IN THE CITY OF SPOKANE, COUNTY OF SPOKANE, STATE OF WASHINGTON.

PARCEL A:
 LOTS 9 AND 10, BLOCK 16, ALTA VISTA ADDITION, ACCORDING TO PLAT RECORDED IN VOLUME "A" OF PLATS, PAGE 171.

ALSO THE EAST HALF OF THAT PORTION OF VACATED NETTLETON STREET, LYING WESTERLY OF AND ADJACENT TO SAID LAND;

EXCEPT NORTHWEST BOULEVARD.

PARCEL B:
 THE WEST HALF OF VACATED NETTLETON STREET LYING EAST OF AND ADJACENT TO LOT 12, BLOCK 17, ALTA VISTA ADDITION, ACCORDING TO PLAT RECORDED IN VOLUME "A" OF PLATS, PAGE 171.

EXCEPT NORTHWEST BOULEVARD.

PARCEL C:
 THAT PORTION OF GRACE AVENUE VACATED BY ORDINANCE NO. C22933, RECORDED UNDER AUDITOR'S NO. 7507250017, THAT WOULD ATTACH BY OPERATION OF LAW.

THE PROPERTY DESCRIBED ABOVE AND SHOWN HEREON IS THE SAME PROPERTY DESCRIBED IN AFN# 7289556.

SITUATE IN THE CITY OF SPOKANE, COUNTY OF SPOKANE, STATE OF WASHINGTON.

LOTS 6, 7, AND 8, BLOCK 27, ALTA VISTA ADDITION TO THE TOWN OF WEBSTER, AS PER PLAT RECORDED IN VOLUME "A" OF PLATS, PAGE 171;

TOGETHER WITH THE EAST 30 FEET OF VACATED NETTLETON STREET OF AND ADJOINING SAID LOT 8.

RESERVING UNTO GRANTOR THE ENTIRETY OF THAT CERTAIN MEMORANDUM OF LEASE WITH MALCOM W. HAIN AND BARBRA J. HAIN, HUSBAND AND WIFE, AS LESSOR AND VERIZON WIRELESS (VW) LLC D/B/A/ VERIZON WIRELESS AS LESSEE DATED OCTOBER 21, 2013 AND RECORDED ON FEBRUARY 7, 2014 UNDER AUDITOR'S FILE NO. 628178.

SUBJECT TO THE ENTIRETY OF THAT CERTAIN MEMORANDUM OF LEASE WITH VERIZON WIRELESS (VW) LLC, A DELAWARE LIMITED LIABILITY COMPANY AS LESSEE, DATED JUNE 22, 2015 AND RECORDED ON SEPTEMBER 18, 2015 UNDER AUDITOR'S FILE NO. 6436989.

SUBJECT TO UNRECORDED LEASEHOLDS, IF ANY, RIGHTS OF VENDORS AND SECURITY AGREEMENT ON PERSONAL PROPERTY AND RIGHTS OF TENANTS, AND SECURED PARTIES TO REMOVE TRADE FIXTURES AT THE EXPIRATION OF TERM.

SUBJECT TO ANY AND ALL OFFERS OF DEDICATION, CONDITIONS, RESTRICTIONS, EASEMENTS, BOUNDARY DISCREPANCIES OR ENCROACHMENTS, NOTES AND/OR PROVISIONS SHOWN OR DISCLOSED BY SHORT PLAT OR PLAT OF ALTA VISTA ADDITION TO THE TOWN OF WEBSTER RECORDED IN VOLUME "A" OF PLATS, PAGE(S) 171.

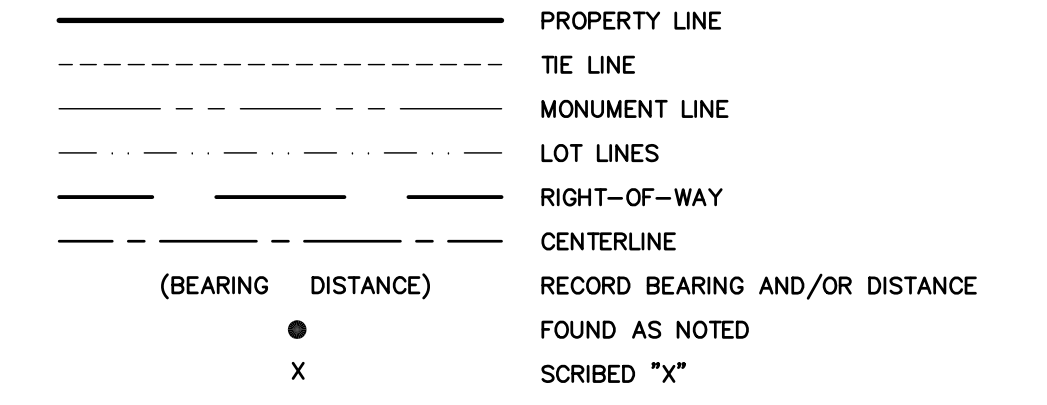
SUBJECT TO TERMS AND CONDITIONS CONTAINED IN THAT CERTAIN EASEMENT APPROVED ON JUNE 3, 1957 UNDER ORDINANCE NO. C14947 IN FAVOR OF THE CITY OF SPOKANE FOR ELECTRICAL TRANSMISSION LINES AND FACILITIES AND TELEPHONE PLAT AFFECTING A PORTION OF THE SUBJECT PROPERTY.

SUBJECT TO TERMS AND CONDITIONS CONTAINED IN THAT CERTAIN EASEMENT RECORDED UNDER AUDITOR'S FILE NO. 4353588 GRANTED TO AVISTA CORPORATION FOR OVERHEAD ELECTRIC LINES AFFECTING THE SOUTH 15 FEET OF THE EAST 10 FEET OF THE SUBJECT PROPERTY.

SUBJECT TO CONDITIONS, NOTES, EASEMENTS, PROVISIONS AND/OR ENCROACHMENTS CONTAINED AND/OR DELINEATED ON THE FACE OF THE SURVEY NO. 594949, RECORDED IN VOLUME 141 OF SURVEYS, AT PAGE(S) 100.

THE PROPERTY DESCRIBED ABOVE AND SHOWN HEREON IS THE SAME PROPERTY DESCRIBED IN AFN# 7309156.

LEGEND:



LINE TABLE:

LINE	BEARING	DISTANCE
L1	S 38°54'04" E	40.88'
L2	S 48°10'07" W	51.34'
L3	S 67°38'26" W	24.21'
L4	N 47°56'10" W	28.30'
L5	N 20°50'54" E	25.49'
L6	S 14°33'27" E	51.02'
L7	S 59°13'29" E	24.00'
L8	N 14°57'25" W	33.00'
L9	N 42°10'01" W	31.78'
L10	N 43°48'52" E	61.23'
L11	N 34°26'25" W	38.12'

BASIS OF BEARINGS:

NORTH AMERICAN DATUM OF 1983 (NAD 83)/(2011), WASHINGTON ZONE NORTH AS OBSERVED FROM THE WASHINGTON STATE REFERENCE NETWORK (WSRN).

HORIZONTAL DISTANCES:

THE DISTANCES SHOWN HEREON ARE GROUND DISTANCES BASED ON THE US SURVEY FOOT DEFINITION OF 1 FOOT = 12/39.37 METERS WITH A COMBINED SCALE FACTOR OF 0.999 998 444 844 844.

NOTES AND COMMENTS:

- THIS SURVEY WAS PREPARED FOR THE PURPOSES OF CIVIL ENGINEERING DESIGN.
- THE CONTOURS SHOWN HEREON WERE DERIVED FROM DIRECT FIELD OBSERVATIONS.
- THE CONTOUR INTERVAL FOR THIS SURVEY IS 1 FOOT.
- THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE NSPS STANDARDS FOR TOPOGRAPHIC SURVEYS (APPROVED MARCH 12, 2002).
- THE BOUNDARY INFORMATION SHOWN ON THIS SURVEY IS BASED UPON A FIELD SURVEY.
- UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON PLANS AND RECORDS PROVIDED BY THE CITY OF SPOKANE TOGETHER WITH THE OBSERVED SURFACE FEATURES.
- GROSS LAND AREA 42,695 SQUARE FEET OR 0.980 ACRES, MORE OR LESS.

PARCEL A: 6782 SQUARE FEET OR 0.156 ACRES, MORE OR LESS.
 PARCEL B & C: 3693 SQUARE FEET OR 0.085 ACRES, MORE OR LESS.
 AFN# 7309156: 32,220 SQUARE FEET OR 0.740 ACRES, MORE OR LESS.

- EASEMENTS: THE SURVEYOR WAS NOT PROVIDED WITH A CURRENT TITLE REPORT AND THEREFORE THIS MAP DOES NOT INCLUDE POSSIBLE EASEMENT INFORMATION THAT MAY ENCUMBER OR BENEFIT THE SUBJECT PROPERTY.
- DURIEA & ASSOCIATES ONLY ACKNOWLEDGES SIGNED AND STAMPED MAPS AND DRAWINGS. NO RESPONSIBILITY OR LIABILITY IS EXPRESSED OR IMPLIED FOR ELECTRONIC DATA AND/OR REPRODUCED MAPS AND DRAWINGS.

VERTICAL DATUM:

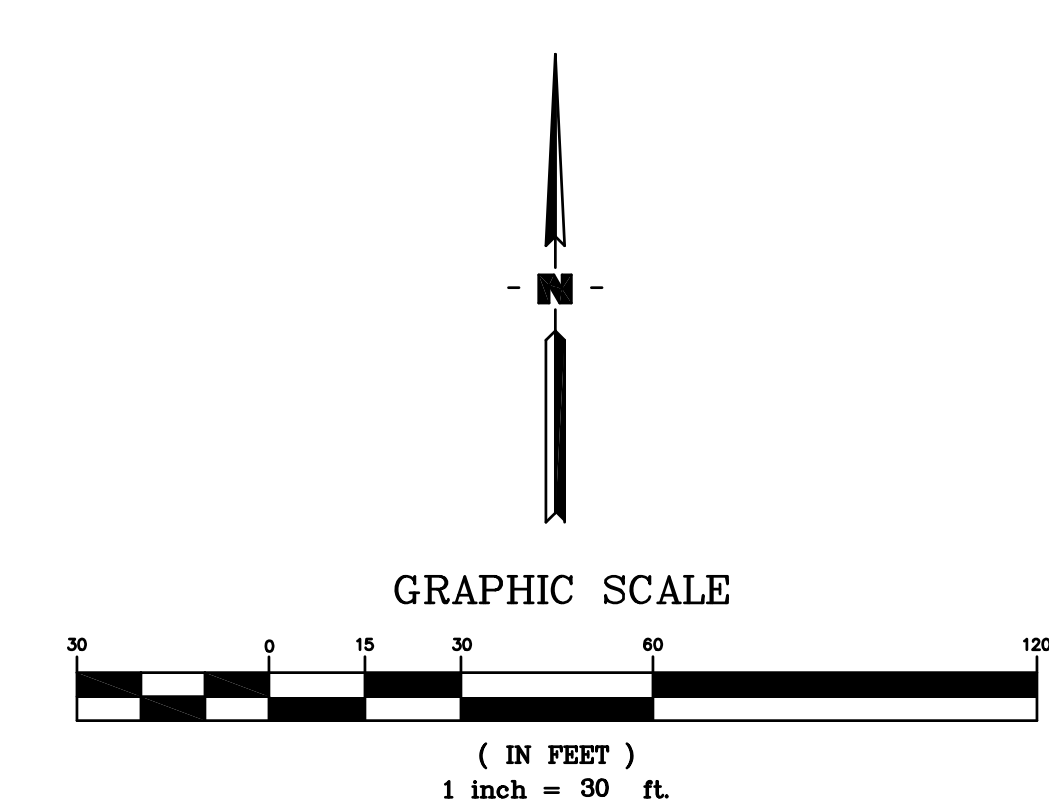
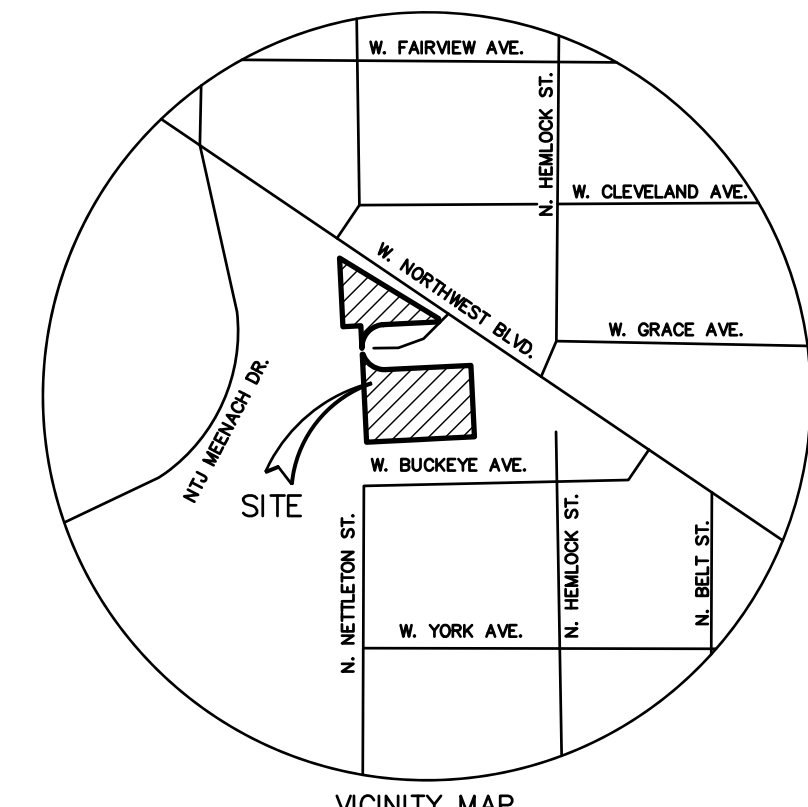
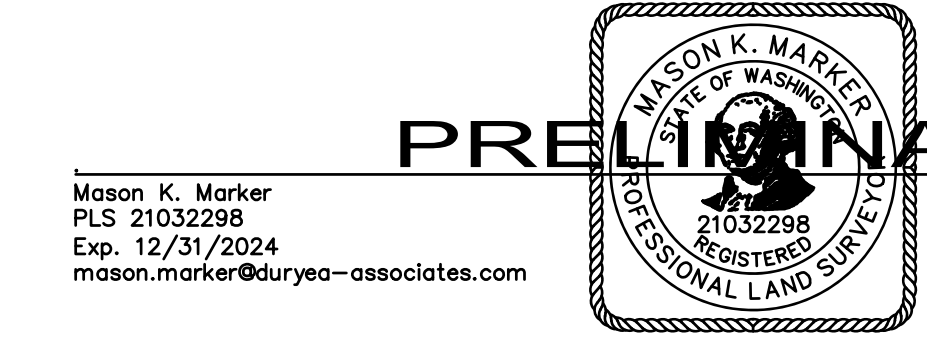
- VERTICAL DATUM: NAVD 88
- REFERENCE BENCHMARK: NORTH 1/4 CORNER S.12 T.25N. R.42E, TOP OF PIPE IN SECTION CORNER MONUMENT KNOWN AS SPOKANE CITY BENCHMARK "31N 22W EUCLID & BELT" ELEVATION = 1907.83 US FEET

ON-SITE TEMPORARY BENCHMARKS:

- SCRIBED "X" IN "BURY" HEAD BOLT OF FIRE HYDRANT LOCATED IN NORTHERLY GRACE AVENUE RIGHT OF WAY ELEVATION = 1875.96 US FEET.
- 1/2" REBAR WITH RED PLASTIC CAP LABELED "CONTROL" SET IN LANDSCAPING LOCATED IN SOUTHERLY GRACE AVENUE RIGHT OF WAY. ELEVATION = 1876.90 US FEET.

SURVEYOR'S CERTIFICATE:

THIS SURVEY WAS PREPARED BY ME, OR UNDER MY DIRECTION IN APRIL 2024 AT THE REQUEST OF EXCELSIOR WELLNESS.



BOUNDARY & TOPOGRAPHIC SURVEY

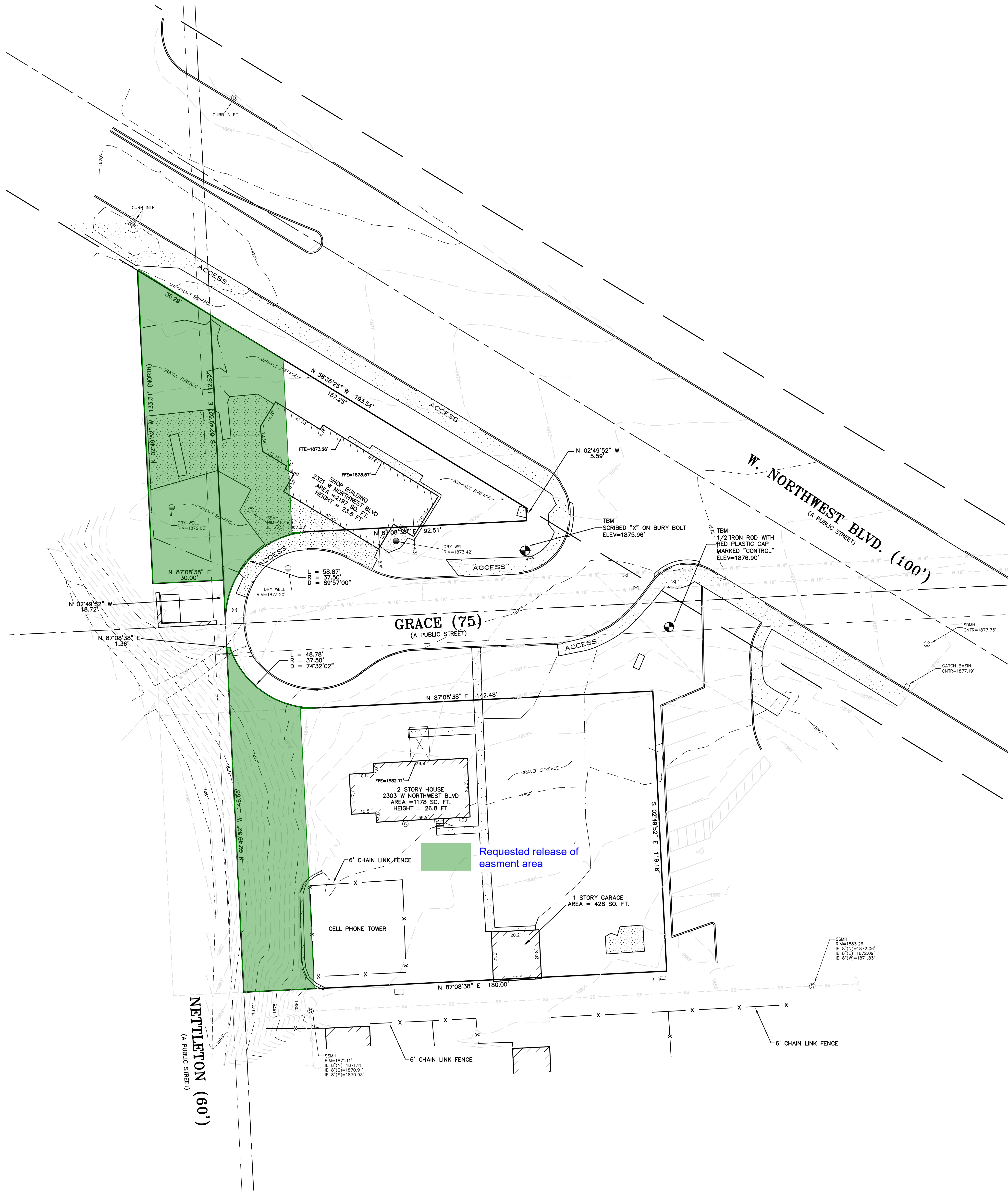
EXCELSIOR WELLNESS
 2303 & 2321 W NORTHWEST BLVD
 SPOKANE, WA

DURIEA & ASSOCIATES
 Surveying and Mapping
 2702 N. Perry Street Spokane, WA 99207 (509) 465-8007
 www.duryea-associates.com

PROJECT SURVEYOR: MKM
 DRAWN BY: ENE
 LAST DATE OF REVISION:

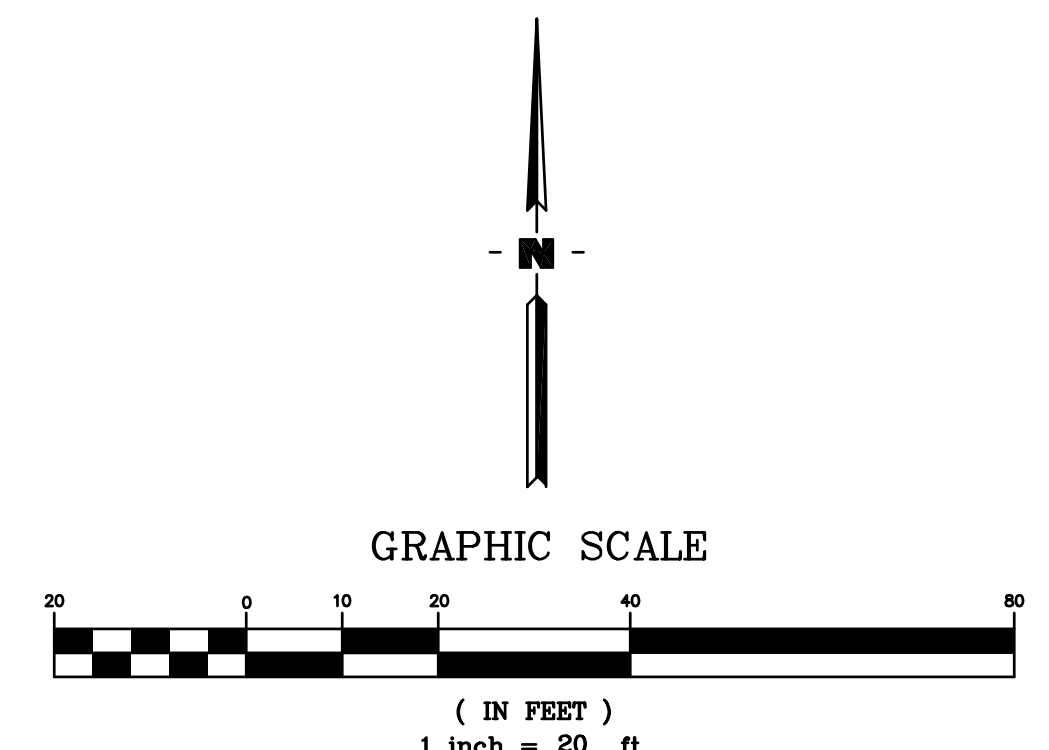
SHEET: **1** OF **2**
 JOB NO.: 24-3498

SHEET INDEX
 SHEET 1: NOTES & BOUNDARY
 SHEET 2: SITE TOPOGRAPHY



LEGEND:

	PROPERTY LINE
	EASEMENT LINE
	BUILDING SETBACK LINE
	CENTERLINE
	BUILDING LINE
	6" CONCRETE CURB
	EDGE OF PAVEMENT
	FENCE AS NOTED
	FENCE AS NOTED
	CONCRETE WALL
	CONCRETE SURFACE
	FIRE HYDRANT
	FIRE CONNECTION
	POST INDICATOR VALVE
	BACKFLOW PREVENTER
	WATER METER
	WATER VAULT
	WATER MANHOLE
	WATER VALVE
	GAS VALVE
	GAS METER
	SANITARY SEWER MANHOLE
	SANITARY SEWER CLEAN OUT
	STORM SEWER MANHOLE
	CATCH BASIN
	DRYWELL
	CULVERT
	POWER POLE
	POWER POLE WITH GUY WIRE
	TELEPHONE MANHOLE
	TELECOMMUNICATION RISER
	TELECOMMUNICATION VAULT
	LIGHT STANDARD
	ELECTRIC JUNCTION BOX
	ELECTRIC METER
	ELECTRIC MANHOLE
	ELECTRIC VAULT OR BOX
	POWER TRANSFORMER
	TRAFFIC SIGNAL POLE
	CROSSWALK POLE
	FLAG POLE
	SIGN
	DECIDUOUS/CONIFER TREE WITH DIAMETER
	RECORD BEARING AND/OR DISTANCE
	UNDERGROUND SANITARY LINE
	UNDERGROUND STORM LINE
	UNDERGROUND WATER LINE
	UNDERGROUND GAS LINE
	UNDERGROUND ELECTRIC LINE
	UNDERGROUND TELECOMMUNICATION LINE
	OVERHEAD POWER/TELECOMMUNICATION LINE
	LANDSCAPED AREA
	TRASH ENCLOSURE
	FOUND AS NOTED
	SET
	TEMPORARY BENCHMARK (TBM)



PRELIMINARY

BOUNDARY & TOPOGRAPHIC SURVEY

EXCELSIOR WELLNESS
 2303 & 2321 W NORTHWEST BLVD
 SPOKANE, WA

DURYEY & ASSOCIATES
 Surveying and Mapping
 2702 N. Perry Street Spokane, WA 99207 (509) 465-8007
 www.duryea-associates.com

PROJECT SURVEYOR: MKM SHEET: **2** OF **2**
 DRAWN BY: ENE
 LAST DATE OF REVISION: JOB NO.: 24-3498

SHEET INDEX
 SHEET 1: NOTES & BOUNDARY
 SHEET 2: SITE TOPOGRAPHY

**Agenda Sheet for City Council:****Committee:** Urban Experience **Date:** 02/10/2025**Committee Agenda type:** Discussion**Date Rec'd**

2/5/2025

Clerk's File #

ORD C36646

Cross Ref #**Project #****Council Meeting Date:** 03/03/2025**Submitting Dept**

PLANNING & ECONOMIC

Bid #**Contact Name/Phone**

SPENCER 509-625-6097

Requisition #**Contact E-Mail**

SGARDNER@SPOKANECITY.ORG

Agenda Item Type

First Reading Ordinance

Council Sponsor(s)

JBINGLE ZZAPPONE KKLITZKE

Sponsoring at Administrators Request

NO

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

0650 INTERIM ZONING ORDINANCE FOR HEIGHT LIMITS

Agenda Wording

Interim zoning ordinance for height limits.

Summary (Background)

Establishing Chapter 17C.425 SMC, an interim zoning ordinance to eliminate height limits in downtown Spokane, with a goal of revitalizing the downtown area through new development. Also an adjustment to height limits in zones that have not been updated since height limits were raised in residential areas.

What impacts would the proposal have on historically excluded communities?

This proposal is intended to spur construction of housing and other development in the downtown area, which can create jobs and housing opportunities at various income levels. It also aims to revitalize downtown, a place where people of all backgrounds come to work, shop, take care of needs, and play.

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?

New building permits are tracked in the City permitting system.

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

New building permits are tracked in the City permitting system.

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?

Many City plans and policies stress the importance of a strong and vibrant downtown.

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>	GARDNER, SPENCER
<u>Division Director</u>	GARDNER, SPENCER
<u>Accounting Manager</u>	ZOLLINGER, NICHOLAS
<u>Legal</u>	SCHOEDEL, ELIZABETH
<u>For the Mayor</u>	PICCOLO, MIKE
Distribution List	
	sgardner@spokanecity.org
smacdonald@spokanecity.org	eking@spokanecity.org
amcdaniel@spokanecity.org	

ORDINANCE NO. C36646

AN INTERIM ZONING ORDINANCE concerning permitting and encouraging construction projects in downtown Spokane; contributing to the revitalization of downtown Spokane; fixing inconsistencies in height limits between zones; adopting a new Chapter 17C.425 SMC, Interim Height Limits; setting a public hearing; and establishing a work program.

WHEREAS, as authorized by RCW 36.70A.600(2), Council Resolution RES 2021-0062 adopted the City of Spokane Housing Action Plan as a guide for future housing planning, policy development, and regulatory and programmatic implementation measures that increase housing options that are affordable and accessible for people and families of all incomes in the City; including the Implementation Plan, included as Appendix A within the Housing Action Plan, which outlines several strategies and policies to remedy the current housing crisis; and

WHEREAS, the 2020 Housing Needs Assessment completed for the Housing Action Plan indicates several facts about the housing supply and need, particularly the need to accommodate an estimated 6,000 additional housing units by 2037; and

WHEREAS, in adopting RES 2021-0062 the City Council outlined several code amendments and permit processes that the City should enact in support of the strategies and actions recommended in the Housing Action Plan and to encourage construction of more housing within Spokane; and

WHEREAS, RES 2021-0062 specifies new housing growth in Downtown and Centers and Corridors as the top priority for accommodating new housing within the City; and

WHEREAS, Strategy A4 from the City of Spokane Housing Action Plan recommends that the City “utilize more of the zoned capacity in existing high-density residential areas, such as the greater Downtown and other areas where higher densities are already allowed” to accommodate more housing and achieve the maximum density allowed; and

WHEREAS, on July 26, 2021, the Mayor of the City of Spokane proclaimed a housing emergency and directed the City to pursue actions to expand housing types, reduce overall development costs to increase development of affordable housing, and streamline municipal procedures to support the development cycle; and

WHEREAS, by virtue of the public process conducted during creation of the City of Spokane Housing Action Plan, in addition to subsequent engagement efforts, interested agencies and the public have had extensive opportunities to provide comment on housing needs and potential regulatory responses to the housing crisis; and

ORD C36646 (SPONSOR SUBSTITUTION)(02-12-25)v2

WHEREAS, the City of Spokane Downtown Plan, adopted by ORD C36080 on July 26, 2021, directs the City to “reexamine the building height standards, incentives and floor to area ratio” in Downtown; and

WHEREAS, the City of Spokane will continue to study development potential and growth opportunities in Downtown Spokane, including the subjects of this ordinance, as part of the Periodic Update to the Comprehensive Plan, which is underway currently and will continue during the next year; and

WHEREAS, the ongoing Periodic Update to the Comprehensive Plan will include an Environmental Impact Statement that will evaluate growth scenarios that include promoting growth and development in Downtown; and

WHEREAS, on February 3, 2025, the Washington State Department of Commerce and appropriate state agencies were given the required 30-day, expedited notice before adoption of proposed changes to the Unified Development Code pursuant to RCW 36.70A.106; and

WHEREAS, on February 7, 2025, notice of the proposed amendment was distributed to the City’s agency/interested party list; and

WHEREAS, a State Environmental Protection Act (SEPA) Determination of Nonsignificance and Checklist were issued by Planning Services on February 21, 2025 and the comment period ended on March 7, 2025; and

WHEREAS, prior to the City Council public hearing, a legal notice of public hearing was published in the Spokesman-Review; and

WHEREAS, pursuant to RCW 35.63.200 and 36.70A.390, the City Council held a public hearing on this interim zoning ordinance on March 24, 2025; and

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its adoption of this ordinance;

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. Interim Zoning Ordinance Adopted. An interim zoning ordinance is adopted as specified in Section 6 of this ordinance.

Section 2. Purpose. The purpose of this interim zoning ordinance is to promote revitalization of and construction of new housing in downtown Spokane, and to fix inconsistencies in height limits between zones.

Section 3. Duration of Interim Zoning Ordinance. This interim zoning ordinance shall be in effect until September 24, 2025. It is anticipated that while this interim zoning ordinance is in effect the city will evaluate whether to make these measures permanent

pursuant to the public notice and participation process set forth in chapter 17G.025 of the Spokane Municipal Code and the Periodic Update of the City of Spokane Comprehensive Plan mandated under the State of Washington's Growth Management Act.

Section 4. Work Plan. Pursuant to RCW 36.70A.390, a work plan for studies related to this ordinance shall include continued public participation and noticing pursuant to chapter 17G.025 SMC, modifications to the Comprehensive Plan, and evaluation of the effects of this ordinance with respect to new proposed development downtown.

Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. That there is adopted a new Chapter 17C.425 of the Spokane Municipal Code, titled Interim Height Limits, to read as follows:

Section 17C.425.010 Height Limit Exemption Area

Section 17C.425.020 City-Wide Height Limits

Chapter 17C.400

Interim Height Limits

Section 17C.425.010 Height Limit Exemption Area

A. Height Limit Exemption Area.

There is established a Height Limit Exemption Area with boundaries provided in Map 17C.425.010-1.

B. Applicability.

This section supersedes any conflicting provisions of SMC Title 17 and applies to properties wholly within the Height Limit Exemption Area.

C. Maximum Height Limit.

Notwithstanding other provisions of SMC Title 17, and except as provided within this section, there shall be no maximum height limit on properties for which this section is applicable.

D. Floor Area Ratio.

Notwithstanding other provisions of SMC Title 17, and except as provided within this section, there shall be no maximum floor area ratio on properties for which this section is applicable.

E. Tall Building Standards

1. The maximum floor area standards in SMC 17C.250.020(C) shall not apply within the Height Limit Exemption Area.
2. The maximum tower dimension standards in SMC 17C.250.020(D) shall not apply within the Height Limit Exemption Area.

F. Downtown West End Special Height District.

The height limits in the Downtown West End Special Height District in SMC 17C.124.220(D) shall remain as provided, except that the portions of Figure 17C.124.220-1 identified as numbers 4 and 6 shall not have a maximum building height.

G. Specific Height Designation Areas.

The requirements and limitations for Specific Height Designation Areas in SMC 17C.124.220(E) shall no longer apply within the Height Limit Exemption Area. There is no maximum height limit within such areas, regardless of the number listed adjacent to the zoning map symbol.

H. Standards Above the Seventh Above Ground Story

The Structure Standards Above the Seventh Above Ground Story in SMC 17C.124.220(F) shall no longer apply within the Height Limit Exemption Area.

I. Bonus heights (G)

Any requirements within SMC 17C.124.220(G) shall no longer apply within the Height Limit Exemption Area.

J. Special Height Overlay Districts Still Apply.

Nothing in this section shall modify height limits within the Special Height Overlay Districts in SMC 17C.170.

K. Jefferson Street & Spokane County Courthouse View Corridor Still Applies.

Nothing in this section shall modify the height limits imposed by SMC 17C.124.585 Jefferson Street & Spokane County Courthouse View Corridor.

L. Shoreline Regulations Still Apply.

Nothing in this section shall modify height limits within the Shoreline Regulations in SMC 17E.060.

Section 17C.425.020 City-Wide Height Limits

A. Applicability.

Except as exempted herein, the standards of this section apply to and shall supersede any conflicting standards within SMC Title 17.

B. Maximum Height Limit.

In the following zones, the maximum height limit shall be forty feet (40') unless otherwise designated on the Official Zoning Map by a dash and a height listed after the zone map symbol:

1. Office (O);
2. Office Retail (OR); and
3. Neighborhood Retail (NR).

C. Specific Height Designations.

In all cases where a specific height limit has been designated on the Official Zoning Map by a dash and a height listed after the zone map symbol (e.g., RHD-35 or OR-35), a designation of thirty-five feet (35') shall have a maximum height limit of forty feet (40').

D. Transitions.

Required height transitions within SMC Title 17 are not modified by this section, except that the required transition gradient shall account for heights established by this section.

E. Special Height Overlay Districts Still Apply.

Nothing in this section shall modify height limits within the Special Height Overlay Districts in SMC 17C.170.

- F. Jefferson Street & Spokane County Courthouse View Corridor Still Applies.

Nothing in this section shall modify the height limits imposed by SMC 17C.124.585 Jefferson Street & Spokane County Courthouse View Corridor.

- G. Shoreline Regulations Still Apply.

Nothing in this section shall modify height limits within the Shoreline Regulations in SMC 17E.060.

ADOPTED BY THE CITY COUNCIL ON _____

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

PURPOSE OF SUBSTITUTION: Revised dates in the ordinance recitals to reflect the expected adoption timeline, and removed height limitations on downtown properties with existing buildings with floor area ratio of 1 or more.

