



November 23, 2020

City Clerk File No.:
ORDs C35972 thru
C35980

COUNCIL ACTION MEMORANDUM

RE: HEARINGS ON COMPREHENSIVE PLAN AMENDMENT ORDINANCES (ORD C35972 THROUGH C35980) (Council Sponsor: Council Member Mumm)

During its regularly scheduled 6:00 p.m. Legislative Session held virtually on November 23, 2020, the Spokane City Council held hearings on Comprehensive Plan Amendment Ordinances C35972 through C35980. Following presentations by staff, commentary by applicants, public testimony, and Council discussion and commentary, the City Council took the following actions on the ordinances:

- Final Reading Ordinance C35972 (By a vote of 9 to 0, the Plan Commission recommends approval.)
Upon Unanimous Roll Call Vote, the City Council **passed Final Reading Ordinance C35972** relating to application file Z19-499COMP amending Map LU 1, Land Use Plan Map, of the City's Comprehensive Plan from "Residential 4-10" to "General Commercial" for approximately 0.85 acres located at 3001, 3011, and 3027 E Liberty Avenue (parcels 35033.1304, 35033.1305, and 35033.1306) and amending the Zoning Map from "Residential Single Family (RSF)" to "General Commercial (GC-70)".
- Final Reading Ordinance C35973 (By a vote of 9 to 0, the Plan Commission recommends denial.)
Upon 3-4 Roll Call Vote (Council President Beggs and Council Members Burke, Kinnear, and Mumm voting "no"), the City Council **rejected Final Reading Ordinance C35973** relating to application file Z19-501COMP amending Map LU 1, Land Use Plan Map, of the City's Comprehensive Plan from "Residential 4-10" to "General Commercial" for approximately 0.51 acres located at 6204 Nevada Street and 1015 E Decatur Avenue (parcels 36321.0209 and 36321.0210) and amending the Zoning Map from "Residential Single Family (RSF)" to "Community Business (CB-55)".

- Final Reading Ordinance C35974 (By a vote of 9 to 0, the Plan Commission recommends approval of parcels 35273.0305 and 35273.0306 and denial of parcels 35273.0219 and 35273.0220)

During discussion on Ordinance C35974, Council Member Mumm commented that the potential for multifamily (for parcels 35273.0219 and 35273.0220) is interesting. She questioned how long this item could be extended to keep this alive to give the neighborhood a chance to give feedback and look at the potential transition option to multifamily, and she inquired if the City Council could defer final decision until its last meeting on December 14. City Planner Kevin Freibott indicated that is one of the options. Council President Beggs stated there appears to be three potential options: one is to vote up or down as listed, which includes both parcels; another is to put it off until December 14; and the other is to amend the ordinance so that we keep one and don't keep the other and that would take a motion. Council Member Mumm presented a motion, seconded by Council Member Wilkerson, to approve the piece that the Plan Commission recommended (the Office Zone for the parking lot west of Ray). Council President Beggs noted this is one ordinance and the Council would have to change the language of the ordinance. He stated if Council wants to still think about the other parcels for residential multifamily it would want to defer the entire ordinance until December 4 and then piece it apart at that point as opposed to doing it now and deferring part of the ordinance to December 14.

Council Member Mumm presented a motion, seconded by Council Member Stratton, to defer Final Reading Ordinance C35974 to December 14, 2020, for the opportunity for feedback on the possibility of this (parcels 235273.0219 and 35273.0220) being multifamily. During consideration of the motion, Mr. Freibott asked, for staff's benefit, if Council Member Mumm could speak to what clarification and what kind of information she would like before the Council's meeting on December 14. Council Member Mumm inquired if the request for potentially multifamily came up at the Plan commission level, and Mr. Freibott responded no. Council Member Mumm suggested remanding this (ordinance) back to the Plan Commission and inquired as to when the Plan Commission will meet again. She further requested staff get feedback from the Plan Commission and from the neighborhood council. Mr. Freibott noted the Plan Commission will meet December 9. He (Mr. Freibott) restated the direction to staff would be to request the neighborhood council provide input and then remand back to Plan Commission for December 9. Council President Beggs added that he is not sure when Lincoln Heights is meeting and noted they do not meet every month; however, they could probably gather some feedback for staff.

The following action was then taken:

Motion by Council Member Mumm, seconded by Council Member Stratton, to defer Final Reading Ordinance C35974—relating to application file Z19-502COMP amending Map LU 1, Land Use Plan Map, of the City's Comprehensive Plan from "Residential 4-10" to "Office" for approximately 0.61 acres located at

3207 and 3203 E 29th Avenue and 2820 and 2826 S Ray Street (parcels 35273.0219, 35273.0220, 35273.0305, and 35273.0306) and amending the Zoning Map from "Residential Single Family (RSF)" to "Office (O-35)"—to December 14, 2020, for the opportunity for feedback on the possibility of this (parcels 35273.0219 and 35273.0220) being multifamily (and thereby remand back to the Plan Commission); **carried unanimously.**

- Final Reading Ordinance C35975 (By a vote of 8 to 1, the Plan Commission recommends approval.)

Upon 2-5 Roll Call Vote (Council President Beggs and Council Members Kinnear, Mumm, Stratton, and Wilkerson "no"), the City Council rejected Final Reading Ordinance C35975 relating to application file Z19-503COMP amending Map LU 1, Land Use Plan Map, of the City's Comprehensive Plan from "Residential 4-10" to "Residential 15-30" for approximately 10.3 acres located at 3227 E 53rd Avenue and 5106 S Palouse Highway (parcels 34032.9044, 34032.9093, 34032.9094) and amending the Zoning Map from "Residential Single Family (RSF)" to "Residential Multi-Family (RMF)".

- Final Reading Ordinance C35976 (By a vote of 9 to 0, the Plan Commission recommends approval.)

Upon Unanimous Roll Call Vote, the City Council **passed Final Reading Ordinance C35976** relating to application file Z19-504COMP amending Map LU 1, Land Use Plan Map, of the City's Comprehensive Plan from "Residential 4-10" to "Residential 15-30" for approximately 2.2 acres located at 3004 W 8th Avenue (parcels 25234.0902 and 25234.6501) and amending the Zoning Map from "Residential Single Family (RSF)" to "Residential Multi-Family (RMF)".

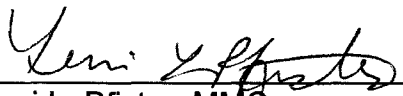
- Final Reading Ordinance C35977 (By a vote of 7 to 0 and 1 abstention, the Plan Commission recommends denial.)

Upon 3-4 Roll Call Vote (Council Members Kinnear, Mumm, Stratton, and Wilkerson "no"), the City Council rejected Final Reading Ordinance C35977 relating to application file Z19-505COMP amending Map LU 1, Land Use Plan Map, of the City's Comprehensive Plan from "Residential 4-10" to "Residential 15-30" for approximately 0.16 acres located at 1117 W 10th Avenue (parcel 35193.1405) and amending the Zoning Map from "Residential Single Family (RSF)" to "Residential Multi-Family (RMF)".

- Final Reading Ordinance C35978 (By a vote of 8 to 0, the Plan Commission recommends approval), Final Reading Ordinance C35979 (By a vote of 9 to 0, the Plan Commission recommends approval), and Final Reading Ordinance C35980 (By a vote of 9 to 0, the Plan Commission recommends approval)

Upon Unanimous Roll Call Vote, the City Council **passed** the following ordinances:

- **Final Reading Ordinance C35978** relating to proposal file Z20-019COMP amending Comprehensive Plan Map TR-5, Proposed Bike Network Map, in various locations, and amending the text of Appendix D to the Comprehensive Plan to update terminology relating to protected bike lanes and to update map references.
- **Final Reading Ordinance C35979** relating to proposal file Z20-042COMP amending Comprehensive Plan Map TR-12, Arterial Network Map, in various locations throughout the city together with corresponding changes to the official Arterial Street Map in SMC 12.08.040.
- **Final Reading Ordinance C35980** relating to proposal file Z20-045COMP amending the text of Chapter 4, Transportation, of the Comprehensive Plan to discuss safety needs for at-grade railroad crossings.



Terri L. Pfister, MMC
Spokane City Clerk

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

11/16/2020

Date Rec'd	10/26/2020
Clerk's File #	ORD C35980
Renews #	
Cross Ref #	
Project #	Z20-045COMP
Bid #	
Requisition #	

Submitting Dept	PLANNING
Contact Name/Phone	KEVIN FREIBOTT 625-6184
Contact E-Mail	KFREIBOTT@SPOKANECITY.ORG
Agenda Item Type	First Reading Ordinance
Agenda Item Name	0650 – COMPREHENSIVE PLAN AMENDMENT – RAILROAD TEXT

Agenda Wording
 Ordinances relating to proposal Z20-045COMP by the City, amending Chapter 4, Transportation, of the Comprehensive Plan to account for safety needs for at-grade railroad crossings.

Summary (Background)
 The proposal concerns text amendments to Chapter 4, Transportation, accounting for safety improvements that may be necessary for at-grade railroad crossings in the City. This is considered concurrently through the annual Comprehensive Plan Amendment cycle as required by the Growth Management Act. Public participation and notification requirements are complete. The Plan Commission held a Public Hearing on September 8 to consider this amendment and has recommended approval of the amendment.

Fiscal Impact	Grant related? NO	Budget Account
	Public Works? NO	
Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#

Approvals		Council Notifications	
Dept Head	MEULER, LOUIS	Study Session\Other	CC Study Session 10-29-20
Division Director	SIMMONS, SCOTT M.	Council Sponsor	CM Mumm
Finance	ORLOB, KIMBERLY	Distribution List	
Legal	RICHMAN, JAMES	tblack@spokanecity.org	
For the Mayor	ORMSBY, MICHAEL	jrichman@spokanecity.org	

Additional Approvals	sbishop@spokanecity.org
Purchasing	dhume@spokane-landuse.com
	lmeuler@spokanecity.org

FIRST READING OF THE ABOVE
 ORDINANCE HELD ON
 11/16/2020
 AND FURTHER ACTION WAS DEFERRED
[Signature]
 CITY CLERK

PASSED BY
 SPOKANE CITY COUNCIL:
 11/23/2020
[Signature]
 CITY CLERK



Expenditure Control Form

1. All requests being made must be accompanied by this form.
2. Route **ALL** requests to the Finance Department for signature.
3. If request is greater than \$100,000 it requires signatures by Finance and the City Administrator. Finance Dept. will route to City Administrator.

Today's Date:	Type of expenditure: Goods <input type="radio"/> Services <input type="radio"/>
Department: N/A	
Approving Supervisor: N/A	
Amount of Proposed Expenditure: N/A	
Funding Source: N/A	
Please verify correct funding sources. Please indicate breakdown if more than one funding source.	
Why is this expenditure necessary now?	
What are the impacts if expenses are deferred?	
What alternative resources have been considered?	
Description of the goods or service and any additional information?	
Person Submitting Form/Contact:	
FINANCE SIGNATURE: _____	CITY ADMINISTRATOR SIGNATURE: _____

Ordinance No. C35980

AN ORDINANCE RELATING TO PROPOSAL FILE Z20-045COMP AMENDING THE TEXT OF CHAPTER 4, TRANSPORTATION, OF THE COMPREHENSIVE PLAN TO DISCUSS SAFETY NEEDS FOR AT-GRADE RAILROAD CROSSINGS.

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, the City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act; and

WHEREAS, the Growth Management Act requires continuing review and evaluation of the Comprehensive Plan and contemplates an annual amendment process for incorporating necessary and appropriate revisions to the Comprehensive Plan; and

WHEREAS, Proposal File Z20-045COMP was submitted in a timely manner for review during the City's 2019/2020 Comprehensive Plan amendment cycle; and

WHEREAS, Proposal Z20-045COMP seeks to amend Chapter 4, Transportation, of the Comprehensive Plan to add language relating to safety for at-grade railroad crossings; and

WHEREAS, staff requested comments from agencies and departments on May 11, 2020, and a public comment period ran from June 8, 2020 to August 7, 2020; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on August 25, 2020; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on August 24, 2020 for the amendment to the Comprehensive Plan, the comment period for which ended on September 14, 2020; and

WHEREAS, a staff report for Proposal Z20-045COMP reviewed all the criteria relevant to consideration of the proposal was published on August 25, 2020 and sent to all applicants and the Plan Commission; and

WHEREAS, notice of the SEPA Checklist and Determination and announcement of the Plan Commission Hearing for the proposal was published on August 26, 2020 and September 2, 2020; and

WHEREAS, Notice of Plan Commission Public Hearing and SEPA Determination was posted online and with the Spokesman Review, pursuant to Spokane Municipal Code 17G.020.070, on August 26, 2020; and

WHEREAS, the Spokane Plan Commission held a public hearing on September 9, 2020, continued to September 23, 2020, during which they took public testimony on this proposal and deliberated this and all other Comprehensive Plan Amendment applications; and

WHEREAS, the Spokane Plan Commission found that Proposal Z20-045COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Spokane Plan Commission found that Proposal Z20-045COMP meets the decision criteria for Comprehensive Plan Amendments delineated in Spokane Municipal Code 17G.020.030; and

WHEREAS, the Spokane Plan Commission voted 9 to 0 to recommend approval of Proposal Z20-045COMP; and

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

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of the Proposal. Proposal Z20-045COMP is approved.
2. Amendment of Chapter 4, Transportation. The following text is appended to the end of Chapter 4 of the Spokane Comprehensive Plan:

Railroad Crossing Projects

There are many at-grade rail crossings within the city. Most of these already have warning devices and gates installed to provide increased protection for vehicles, cyclists, and pedestrians on the road. However, there are a few arterial crossing locations that could use further improvements, as funding becomes available. These locations are already equipped with warning lights and bells. However, due to increased traffic on the roadway or on the rail line, the locations listed in Table TR-9 would benefit from additional safety measures.

<u>TABLE TR 9 – RAILROAD CROSSING PROJECT LIST</u>	
<u>Project Name</u>	<u>Needed Improvements</u>

<u>Havana Street crossing of UP (n/o Sprague Avenue)</u>	<u>Widen crossing for sidewalk, install gates, update preemption equipment and track circuit for the adjacent traffic signal.</u>
<u>Freya Street crossing of UP (n/o Sprague Avenue)</u>	<u>Install gates, update preemption equipment and track circuit for the adjacent traffic signal.</u>
<u>Mission Street crossing of BNSF (e/o Perry Street)</u>	<u>Install gates, update preemption equipment and track circuit for the adjacent traffic signal.</u>

Notes: UP = Union Pacific Railroad. BNSF = Burlington Northern and Santa Fe Railroad.

PASSED BY THE CITY COUNCIL ON November 23, 2020, 2020.

[Signature]
Council President

Attest:

Approved as to form:

[Signature]
City Clerk

[Signature]
Assistant City Attorney

[Signature]
Mayor

12/1/2020
Date



December 31, 2020
Effective Date