

ORDINANCE No. C _____

AN ORDINANCE AMENDING SPOKANE MUNICIPAL CODE 17C.124.035 “CHARACTERISTICS OF DOWNTOWN COMPLETE STREET DESIGNATIONS” TO ALLOW FOR THE VACATION OF ALL OR PARTS OF RIGHT-OF-WAYS DESIGNATED AS A COMPLETE STREET TO ACCOMMODATE A PUBLIC USE; AND DECLARING AN EMERGENCY.

WHEREAS, in compliance with the Washington State Growth Management Act, Chapter 36.70A RCW, the City of Spokane adopted a Comprehensive Plan in May 2001 and Comprehensive Plan Update in June 2017; and

WHEREAS, the City of Spokane adopted the updated Downtown Plan “Fast Forward Spokane: Downtown Plan Update” in December 2009 as part of the City’s Comprehensive Plan; and

WHEREAS, the City Council enacted Ordinance No. C-34522 on January 16, 2010 adopting Chapter 17C.124 Downtown Zones as part of the Spokane Municipal Code, codifying the Downtown Plan Update, including Map 5.1 “Streetscape Improvements”; and

WHEREAS, Spokane Municipal Code Section 17C.124.035 “Characteristics of Downtown Complete Street Designations” references Map 5.1 of the Downtown Plan that depicts complete streets designations and states, “Right-of-ways found on the complete streets map shall not be vacated as the space is needed to incorporate the elements described in the complete street designation”; and

WHEREAS, Spokane Municipal Code Section 17G.025.010 “Text Amendments to the Unified Development Code” identifies terms and conditions for amendments to the Spokane Municipal Code; and

WHEREAS, the Plan Commission held a public hearing on this amendment on October 9th, 2019 and recommended to approve the amendment to SMC 17C.124.010; and

WHEREAS, as a result of the City’s efforts, the public has had the opportunity to participate throughout the code amendment process and all persons desiring to comment on the proposal were given a full and complete opportunity to be heard; and

WHEREAS, on October 7th, the City notified the Department of Commerce of its intent to adopt this Ordinance and requested expedited review of the same; and

WHEREAS, the City Council finds that the amendments set forth herein are consistent with the Growth Management Act, and will protect and promote the health, safety and welfare of the general public; and

WHEREAS, the amendment was found to be a procedural amendment and exempt from the State Environmental Policy Act (SEPA); and

WHEREAS, the City Council finds that it is necessary for this Ordinance to take effect immediately upon passage in order to accommodate a pending street vacation request that is necessary to facilitate construction of the planned Sportsplex;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SPOKANE, WASHINGTON DOES ORDAIN AS FOLLOWS:

Section 1: Findings, Analysis and Conclusions. After reviewing the record and considering the arguments and evidence in the record and at the public meetings, the City Council hereby adopts the findings and conclusions adopted by the Plan Commission on October 9th, 2019.

Section 2: Amendment of Spokane Municipal Code Section 17C.124.035. In accordance with Spokane Municipal Code Section 01.01.040 Amendment of Code, Spokane Municipal Code Section 17C.124.035 is hereby amended to read as follows:

“The downtown zones are complemented by the complete streets designations map (described in detail in the downtown plan) that further guides public and private development within the downtown. The different complete streets designations set different street standards and desired amenities based upon the intended use and desired qualities of the street. The complete streets designations are depicted on Map 5.1 “Streetscape Improvements” in the downtown plan and zoning layer. Right-of-ways found on the complete streets map shall not be vacated as the space is needed to incorporate the elements described in the complete street designation; provided, upon a finding that a vacation is needed in order to accommodate a public use, the City Council may approve a request to vacate such right-of-ways or portions thereof. Curb to property line and the sidewalk width shall not be reduced in order to allow for future complete street elements. The complete streets designation types are summarized below:

- A. Type I – Community Activity Street.
Type I streets are slow, two-way streets with wide, well-maintained sidewalks and pedestrian amenities to encourage strolling, walking, and shopping.
- B. Type II – Community Connector.
Type II streets move traffic and pedestrians into and around downtown. These streets provide some of the major pedestrian connection to surrounding neighborhoods and districts.
- C. Type III – City-Regional Connector.
Type III streets move auto traffic through downtown and provide connections to the rest of the City and region. These attractive, landscaped arterials are to be improved with street trees, sufficient sidewalks for pedestrian circulation and pedestrian buffer areas, and safe pedestrian crossings.

- D. Type IV – Neighborhood Streets.
Type IV streets carry little through traffic and tend to have less commercial activity than the other types of complete streets. These tend to have generous sidewalks, landscaping, and street trees. All downtown streets will meet Type IV criteria to a minimum.
- E. Alleys.
Alleys provide the best opportunity to prioritize the pedestrian above the motor vehicle. Alleys are critical service areas where deliveries and refuse collection shall be focused. Alley encroachments shall be removable and allow for nightly access.”

Section 3: Declaration of Emergency and Effective Date. This ordinance, passed by a majority plus one of the whole membership of the City Council as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, and for the immediate support of City government and its existing public institutions, shall be effective immediately upon its passage.

Section 4: Transmittal to State. Pursuant to RCW 36.70A.106, this Ordinance shall be transmitted to the Washington Department of Commerce as required by law.

Section 5: Severability/Validity. The provisions of this ordinance are declared separate and severable. If any section, paragraph, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The City Council hereby declares that they would have passed this ordinance and each section, paragraph, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, paragraphs, clauses or phrases were unconstitutional or invalid.

Passed by City Council _____

Council President

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

Mayor

Date

Effective Date

DRAFT