

**SPOKANE ENVIRONMENTAL ORDINANCE
NONPROJECT DETERMINATION OF NONSIGNIFICANCE**

FILE NO(S): *Proposed amendments to the Spokane Municipal Code Chapter 17C.230-Parking and Loading establishing a No-Parking Required Overlay Zone for the Neighborhood Retail Zoned Area located at the intersection of 5th and Fiske.*

PROPONENT: *City of Spokane Planning and Development*

DESCRIPTION OF PROPOSAL: *The proposal is to add a no parking required overlay zone to the Neighborhood Retail (NR-35) zoned area located along 5th Avenue between Haven Street and approximately a half block east of Fiske Street in the East Central Neighborhood. The amendment would add a reference in Spokane Municipal Code Table 17C.230-1 to a map which will show the location of the no off-street parking required overlay zone.*

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: *This is a non-project action that would add a no off-street parking required overlay zone to the Neighborhood Retail (NR-35) zoned area located along 5th Avenue between Haven Street and approximately a half block east of Fiske Street in the East Central Neighborhood (see attached map).*

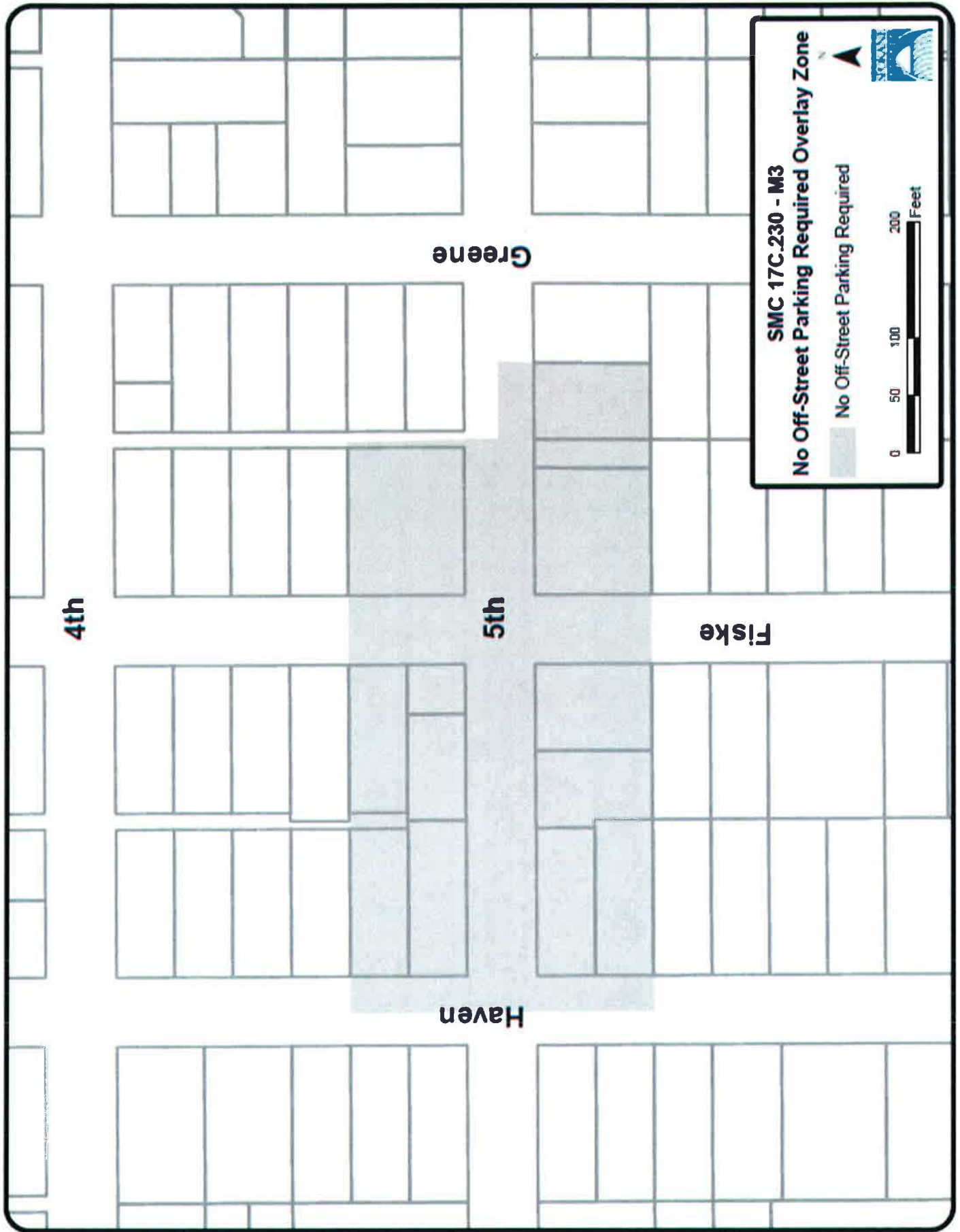
LEAD AGENCY: CITY OF SPOKANE, Planning and Development

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- There is no comment period for this DNS.
- This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for At least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 4:00 p.m. February 26, 2014 if they are intended to alter the DNS.

Responsible Official: Scott Chesney, AICP
Position/Title: Director, Planning and Development **Phone:** (509) 625-6300
Address: 808 W. Spokane Falls Blvd., Spokane, WA 99201
Date Issued: February 10, 2014 **Signature:** _____

APPEAL OF THIS DETERMINATION, after it becomes final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane, WA 99201. The appeal deadline is fourteen (14) calendar days after the signing of the DNS. This appeal must be on forms provided by the Responsible Official, make specific factual objections and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.



**Environmental Checklist
East Central No Off-Street Parking Required Overlay
Zoning Code Amendment
Chapter 17C.230 Parking and Loading**

File No. Non-project

Purpose of Checklist:

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "*does not apply*."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:
Amendments to Spokane Municipal Code Chapter 17C.230-Parking and Loading establishing a No-Parking Required Overlay Zone for the Neighborhood Retail Zoned Area located at the intersection of 5th and Fiske.
2. Name of applicant: *City of Spokane, Planning and Development*
3. Address and phone number of applicant or contact person:
Ken Pelton, City Planner, City of Spokane, 808 W. Spokane Falls Blvd, Spokane, WA 99201; 509-625-6063; kpelton@spokanecity.org
4. Date checklist prepared: *February 10, 2014*
5. Agency requesting checklist: *City of Spokane, Planning and Development*
6. Proposed timing or schedule (including phasing, if applicable):
This proposed ordinance is expected to be before the City of Spokane City Council in March 2014.
7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
The No-Parking Required Overlay Zone could be expanded to other areas in the City.

b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain.
N/A. This is a non-project action.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
No additional environmental information is anticipated.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
No governmental approvals are pending in the area. This proposal is a non-project proposal.
10. List any government approvals or permits that will be needed for your proposal, if known.
This is a non-project action which requires no additional approvals or permits. For this proposed amendment to the Spokane Municipal Code to be adopted, the City Council will vote on an ordinance making amendment to the Spokane Municipal Code.
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

In order to encourage infill development and remove common barriers to development on small infill sites the City has been reviewing the development requirements and is now proposing changes. The proposal is to add a no parking required overlay to the Neighborhood Retail (NR-35) zoned area located along 5th Avenue between Haven Street and approximately a half block east of Fiske Street in the East Central Neighborhood. The amendment would add a reference in Spokane Municipal Code Table 17C.230-1 to a map which will show the location of the no off-street parking required overlay zone.

12. Location of the proposal. Give sufficient information to a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist.

This is a non-project action that would add a no off-street parking required overlay zone to the Neighborhood Retail (NR-35) zoned area located along 5th Avenue between Haven Street and approximately a half block east of Fiske Street in the East Central Neighborhood.

13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.)

This is a non-project action that would be applicable to the Neighborhood Retail (NR-35) zoned area located along 5th Avenue between Haven Street and approximately a half block east of Fiske Street in the East Central Neighborhood in the City of Spokane. The area of the site is located in the Aquifer Sensitive Area. The City provides urban services within its jurisdiction.

14. The following questions supplement Part A.

a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)

- (1) Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities).

This is a non-project action.

- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored?

This is a non-project action.

- (3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to

groundwater. This includes measures to keep chemicals out of disposal systems.

This is a non-project action.

- (4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater?

This is a non-project action.

b. Stormwater

- (1) What are the depths on the site to groundwater and to bedrock (if known)?

This is a non-project action.

- (2) Will stormwater be discharged into the ground? If so, describe any potential impacts?

This is a non-project action.

TO BE COMPLETED BY APPLICANT

B. ENVIRONMENTAL ELEMENTS

Evaluation for
Agency Use
Only

1. Earth

- a. General description of the site (circle one): *flat, rolling, hilly, steep slopes, mountains, other.*

This is a non-project action.

- b. What is the steepest slope on the site (approximate percent slope)?

This is a non-project action.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

This is a non-project action.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

This is a non-project action.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill:

This is a non-project action.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

This is a non-project action.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

This is a non-project action.

- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any:

This is a non-project action.

2. Air

- a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

This is a non-project action.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

This is a non-project action.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

This is a non-project action.

Evaluation for
Agency Use
Only

3. Water

- a. SURFACE:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

This proposal is a non-project action. This proposed non-project action does not affect the City of Spokane's Shoreline Master Program or Critical Area Ordinances.

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

This proposal is a non-project action. This proposed non-project action does not affect the City of Spokane's Shoreline Master Program or Critical Area Ordinances.

- (2) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None, this is a non-project action.

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No, this is a non-project action.

- (5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

This is a non-project action. The location of the proposed no off-street parking required overlay zone is not within a 100-year floodplain.

- (6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No, this is a non-project action.

Evaluation for
Agency Use
Only

b. GROUND:

- (1) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No, this is a non-project action.

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sanitary waste treatment facility. Describe the general size of the system, the number of houses to be served (if applicable) or the number of persons the system(s) are expected to serve.

This is a non-project action.

c. WATER RUNOFF (INCLUDING STORMWATER):

- (1) Describe the source of runoff (including stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

This is a non-project action.

- (2) Could waste materials enter ground or surface waters? If so, generally describe.

This is a non-project action.

- d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water impacts, if any.

This is a non-project action.

4. Plants

a. Check or circle type of vegetation found on the site:

_____ Deciduous tree: *alder, maple, aspen, other.*

_____ Evergreen tree: *fir, cedar, pine, other.*

_____ Shrubs

_____ Grass

_____ Pasture

_____ Crop or grain

_____ Wet soil plants, *cattail, buttercup, bullrush, skunk cabbage,*
other.

_____ Water plants: *water lilly, eelgrass, milfoil, other.*

_____ Other types of vegetation.

b. What kind and amount of vegetation will be removed or altered?

This is a non-project action.

c. List threatened or endangered species known to be on or near the site.

This is a non-project action.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

This is a non-project action.

5. Animals

a. Circle any birds and animals which have been observed on or near the site are known to be on or near the site:

birds: *hawk, heron, eagle, songbirds,*

other: mammals: *deer, bear, elk, beaver,*

other: fish: *bass, salmon, trout, herring, shellfish, other.*

b. List any threatened or endangered species known to be on or near the site.

This is a non-project action.

c. Is the site part of a migration route? If so, explain. _____

This is a non-project action.

d. Proposed measures to preserve or enhance wildlife, if any:

This is a non-project action.

Evaluation for
Agency Use
Only

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
This is a non-project action.
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
This is a non-project action.
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:
This is a non-project action.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.
This is a non-project action.
- (1) Describe special emergency services that might be required.
This is a non-project action.
- (2) Proposed measures to reduce or control environmental health hazards, if any:
This is a non-project action.
- b. NOISE:
 - (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
This is a non-project action.
 - (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
This is a non-project action.
 - (3) Proposed measure to reduce or control noise impacts, if any:
This is a non-project action.

Evaluation for
Agency Use
Only

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?
This is a non-project action.
- b. Has the site been used for agriculture? If so, describe.

The proposed applies to the Neighborhood Retail (NR-35) zoned area located along 5th Avenue between Haven Street and approximately a half block east of Fiske Street in the East Central Neighborhood in the City of Spokane. The area of the site may have been used for agriculture at some time in the past, however much of the area is already developed and there is no apparent evidence of past use for agriculture purposes.

Evaluation for
Agency Use
Only

- c. Describe any structures on the site. _____
This is a non-project action.
- d. Will any structures be demolished? If so, which? _____
This is a non-project action.
- e. What is the current zoning classification of the site? _____
This is a non-project action.
- f. What is the current comprehensive plan designation of the site?
This is a non-project action.
- g. If applicable, what is the current shoreline master program designation of the site?
This is a non-project action.
- h. Has any part of the site been classified as a critical area? If so, specify.
This is a non-project action.
- i. Approximately how many people would reside or work in the completed project?
This is a non-project action.
- j. Approximately how many people would the completed project displace?
None.
- k. Proposed measures to avoid or reduce displacement impacts, if any:
None proposed.
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
The City of Spokane Plan Commission will review the proposal for consistency with the City of Spokane Comprehensive Plan.

Evaluation for
Agency Use
Only

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing.

None, this is a non-project action.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing.

None, this is a non-project action.

- c. Proposed measures to reduce or control housing impacts, if any:

None, this is a non-project action.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

This is a non-project action. This proposal makes no adjustment to existing height limitations as specified by the base zone.

- b. What views in the immediate vicinity would be altered or obstructed?

This is a non-project action.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

None.

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

This is a non-project action.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

This is a non-project action.

- c. What existing off-site sources of light or glare may affect your proposal?

This is a non-project action.

- d. Proposed measures to reduce or control light and glare impacts, if any:

This is a non-project action.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

This is a non-project action.

- b. Would the proposed project displace any existing recreational uses? If so, describe.
This is a non-project action.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
This is a non-project action.

13. Historic and cultural preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.
This is a non-project action that should encourage the reuse of historic structures by reducing the requirement for off-street parking.
- b. Generally describe any landmarks or evidence of historic archaeological, scientific or cultural importance known to be on or next to the site.
This is a non-project action.
- c. Proposed measures to reduce or control impacts, if any:

This proposal is not expected to impact historic or cultural resources. The code changes may encourage the re-use of existing structures including historic structures.

Evaluation for
Agency Use
Only

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.
This is a non-project action.
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
This is a non-project action.
- c. How many parking spaces would the completed project have? How many would the project eliminate?
This is a non-project action. The proposed code changes would eliminate the requirement to provide off-street parking related to land use activities in the overlay zone area.
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets not including

driveways? If so, generally describe (indicate whether public or private).

No, this is a non-project action.

- e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe.

This is a non-project action.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak would occur.

This is a non-project action.

- g. Proposed measures to reduce or control transportation impacts, if any:

Proposed changes may encourage methods of transportation other than personal vehicles.

Evaluation for
Agency Use
Only

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

The proposal may slightly increase the demand for public transportation and parking enforcement.

- e. Proposed measures to reduce or control direct impacts on public services, if any:

None.

16. Utilities

- a. Circle utilities currently available at the site: *electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.*

This is a non-project action.

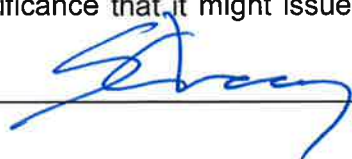
- b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.

This is a non-project action.

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 2/10/14 Signature: _____



Please Print or Type:

Proponent: Scott R. Chesney, AICP, Director, City of Spokane Planning and Development

Person completing form (if different from proponent): Ken Pelton, Principal Planner

Address: 808 W Spokane Falls Blvd, Spokane WA, 99201

Phone: 509 625-6300

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS
(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage or release of toxic or hazardous substances; or production of noise?

This proposal is unlikely to cause increase in any of these areas. The proposal may reduce the stormwater discharge to water by decreasing the amount of area paved for off street parking.

Proposed measures to avoid or reduce such increases are:
None.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

This non-project action would be unlikely to affect plants, animals, fish or marine life.

Proposed measures to protect or conserve plants, animals, fish or marine life are:

This proposal is in compliance with City of Spokane regulations to protect plants, animals, and fish.

3. How would the proposal be likely to deplete energy or natural resources?

This proposal is unlikely to deplete energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

No measures are proposed because no impacts are identified.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands?

The proposal would not likely impact these areas.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None are proposed as no impacts have been identified.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

This proposal does not affect the provisions of the Shoreline Master Program or Critical Areas code and would not encourage land uses that are incompatible with existing plans.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None. No impacts have been identified.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

This proposal may slightly increase the demand for public transportation and parking enforcement.

Proposed measures to reduce or respond to such demand(s) are:

No measures are proposed.

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

There are no known conflicts with local, state or federal laws or requirements for the protection of the environment.

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any

willful misrepresentation or willful lack of full disclosure on my part, the *agency* may withdraw any Determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: 2/10/14 Signature: _____



Please Print or Type:

Proponent: Scott R. Chesney, AICP, Director, City of Spokane Planning and Development

Person completing form
(if different from proponent): Ken Pelton, Principal Planner

Address: 808 W Spokane Falls Blvd, Spokane WA, 99201

Phone: 509 625-6300

--