



**Agenda Sheet for City Council Meeting of:**  
03/17/2014

<b>Date Rec'd</b>	3/5/2014
<b>Clerk's File #</b>	ORD C35085
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	PLANNING & DEVELOPMENT
<b>Contact Name/Phone</b>	KEN PELTON 625-6063
<b>Contact E-Mail</b>	KPELTON@SPOKANECITY.ORG
<b>Agenda Item Type</b>	First Reading Ordinance
<b>Agenda Item Name</b>	0650-ORDINANCE-5TH AVENUE AND FISKE STREET

**Agenda Wording**  
An Ordinance relating to parking requirements establishing a No-Parking Required Overlay Zone for the Neighborhood Retail Zoned Area located at the intersection of 5th Avenue and Fiske Street; and amending SMC section 17C.230.120, Table 17C.230-1.

**Summary (Background)**  
Community CAFÉ (Community Action and Family Engagement) is a group of residents that were convened by the Health District to address health and safety issues in the East Central Neighborhood in 2011. This group recognized that the underutilized business district was contributing to the perception of safety in the neighborhood. The off-street parking requirements of the zoning code were seen as a regulatory barrier to new investment in this business district.

<b>Fiscal Impact</b>	<b>Budget Account</b>
Neutral \$	#
Select \$	#
Select \$	#
Select \$	#

<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	CHESNEY, SCOTT	<b>Study Session</b>	
<b>Division Director</b>	CHESNEY, SCOTT	<b>Other</b>	PCED 9/16/13
<b>Finance</b>	LESESNE, MICHELE	<b>Distribution List</b>	
<b>Legal</b>	BURNS, BARBARA		lhattenburg@spokanecity.org
<b>For the Mayor</b>	SANDERS, THERESA		kpelton@spokanecity.org
<b>Additional Approvals</b>			jrichman@spokanecity.org
<b>Purchasing</b>			bburns@spokanecity.org
			cbrazington@spokanecity.org

FIRST READING OF THE ABOVE ORDINANCE WAS HELD

ON 3/17/2014  
AND FURTHER ACTION WAS DEFERRED

*[Signature]*  
CITY CLERK

PASSED BY  
SPOKANE CITY COUNCIL

3/24/14  
*[Signature]*  
SPOKANE CITY CLERK

ORDINANCE NO. C-35085

AN ORDINANCE relating to parking requirements establishing a No-Parking Required Overlay Zone for the Neighborhood Retail Zoned Area located at the intersection of 5th Avenue and Fiske Street; and amending SMC section 17C.230.120, Table 17C.230-1

The City of Spokane does ordain:

Section 1. That SMC section 17C.230.120 is amended as follows:

**17C.230.120 Maximum Allowed Parking Spaces**

- A. Purpose.  
Limiting the number of spaces allowed promotes efficient use of land, enhances urban form, encourages use of alternative modes of transportation, provides for better pedestrian movement, and protects air and water quality. The maximum ratios in this section vary with the use the parking it is accessory to. These maximums will accommodate most auto trips to a site based on typical peak parking demand for each use.
- B. Maximum Number of Parking Spaces Allowed.  
Standards in a plan district or overlay zone may supersede the standards in this subsection.
  - 1. Surface Parking.  
The maximum number of parking spaces allowed is stated in Table 17C.230-1 and Table 17C.230-2, except as specified in subsection (B)(2) of this section.
  - 2. Structure Parking.  
Parking provided within a building or parking structure is not counted when calculating the maximum parking allowed.

**TABLE 17C.230-1  
PARKING SPACES BY ZONE [1]**  
(Refer to Table 17C.230-2 for Parking Spaces Standards by Use)

ZONE	SPECIFIC USES	REQUIREMENT
RA, RSF, RTF, RMF, RHD O, OR, NR, NMU, CB, GC, Industrial	All Land Uses	Minimum and maximum standards are shown in Table 17C.230-2.
CC1, CC2, CC3 [2]	Nonresidential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.
	Residential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area or a minimum of 1 stall per dwelling unit, whichever is less. Maximum ratio is the same as for nonresidential uses.
CC4 [2]	Nonresidential	Minimum ratio is 2 stalls per 1,000 gross square feet of floor area. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.
	Residential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area or a minimum of 1 stall per dwelling unit, whichever is less. Maximum ratio is the same as for nonresidential uses.
Downtown [2]	All Land Uses	See the Downtown Parking Requirement Map 17C.230-M1 to determine if parking is required. Minimum ratio for areas shown on the map that require parking is 1 stall per 1,000 gross square feet of floor area or a minimum of 1 stall per dwelling unit, whichever is less. Maximum ratio is 3 stalls per 1,000 gross square feet of floor area.
Overlay	All Land Uses	No off-street parking is required. See the No Off-Street Parking Required Overlay Zone Map 17C.230-M2 <u>and No Off-Street Parking Required Overlay Zone Map 17C.230-M3.</u>

[1] Standards in a plan district or overlay zone may supersede the standards of this table.

[2] See exceptions in SMC 17C.230.130, CC and Downtown Zone Parking Exceptions.

PASSED BY THE CITY COUNCIL on 03.24.2014, 2014.

Ben Stode  
Council President

Attest:

Leri Affrater  
City Clerk

David H. Condon  
Mayor

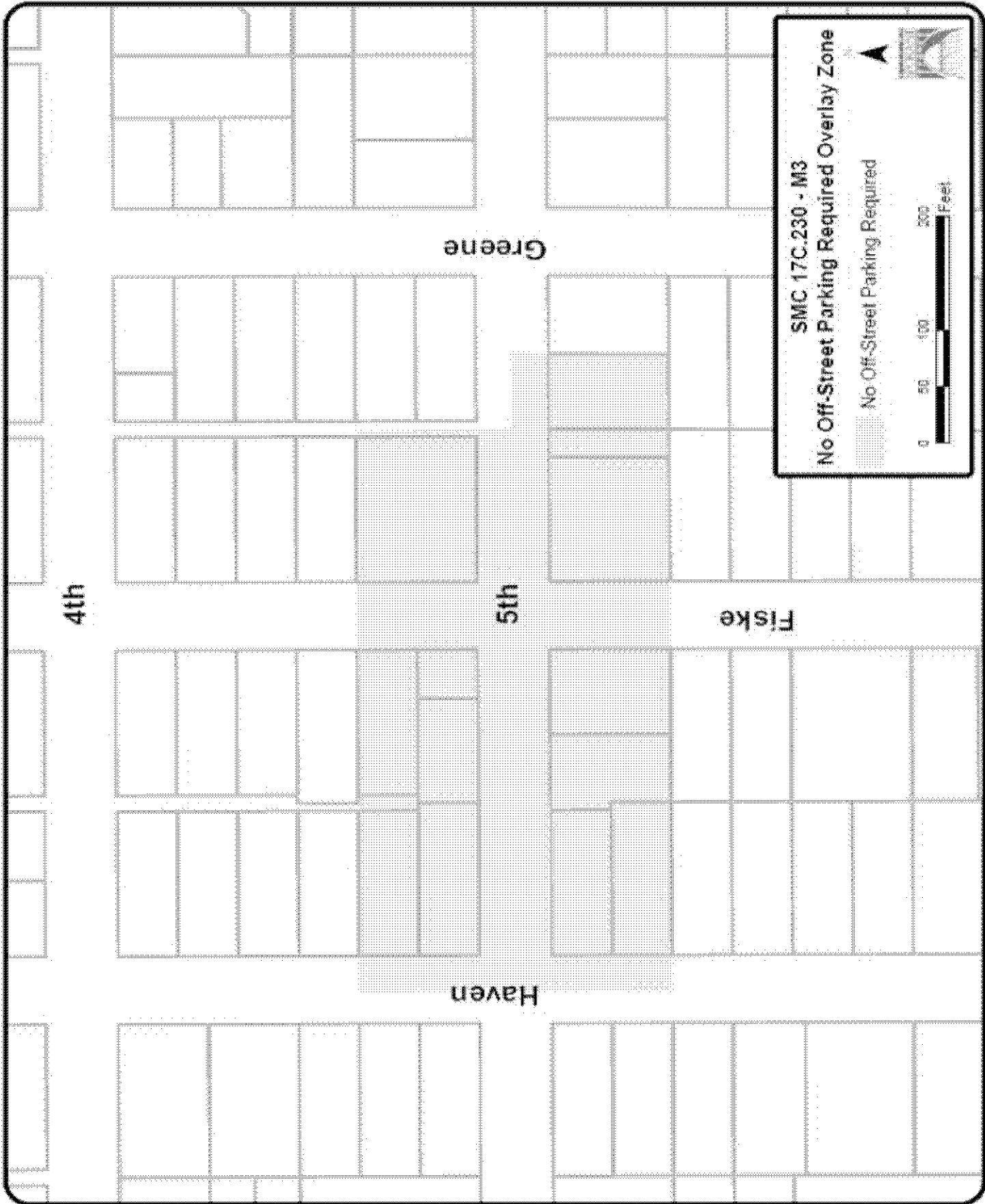
Approved as to form:

J. McWhorter  
Assistant City Attorney

04.09.2014  
Date

Effective Date: 05.09.2014





**SMC 17C.230 - M3**

**No Off-Street Parking Required Overlay Zone**

No Off-Street Parking Required

0 50 100 200 300 Feet

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**Draft Spokane City Plan Commission  
Findings of Fact, Conclusions, and Recommendations  
Proposed Amendments to the Spokane Municipal Code  
Chapter 17C.230-Parking and Loading**

A recommendation from the City Plan Commission to the City Council to approve an amendment 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 5<sup>th</sup> and Fiske.

**Findings of Fact:**

- A. 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).
- B. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act.
- C. The Spokane Municipal Code, Title 17G, Administration and Procedures, Chapter 17G.025 Unified Development Code Amendment Procedures were used to prepare this proposed amendment to the Unified Development Code.
- D. City of Spokane Comprehensive Plan, Land Use Chapter, Policy LU2.2, Performance Standards states: *Employ performance and design standards with sufficient flexibility and appropriate incentives to ensure that development is compatible with surrounding land uses.*
- E. City of Spokane Comprehensive Plan, Economic Development, Chapter Policy ED 7.6, Development Standards and Permitting Process states: *Periodically evaluate and improve the City of Spokane's development standards and permitting process to ensure that they are equitable, cost-effective, timely, and meet community needs and goals.*
- F. City of Spokane Comprehensive Plan, Transportation, Chapter Policy TR 2.4, Parking Requirements states: *Develop and maintain parking requirements for vehicles that adequately meet the demand for parking yet discourages dependence on driving.*
- G. The Spokane City Plan Commission held workshops to study the proposed amendments on October 17, 2013 and January 22, 2014.
- H. City of Spokane Planning and Development staff attended the January 21, 2014, East Central Neighborhood meeting held at the East Central Community Center to present the proposal to adopt the no off-street parking required overlay zoning for the commercial properties at 5<sup>th</sup> Ave and Fiske St. Staff informed those attending that the proposed overlay zone would exempt development within the zone from the requirement to provide off-street parking typically required. In advance of this meeting, a postcard notice regarding the proposal was sent to property owners within 400 feet of the properties involved in the overlay zone.
- I. Notice of the proposed amendments to Chapter 17C.230 and announcement of the Plan Commission's February 26, 2014 hearing was published in the Spokesman Review on February 12, 2014 and February 19, 2014.
- J. Fourteen days prior the Plan Commission public hearing a postcard notice regarding the proposal was sent to property owners within 400 feet of the properties involved in the overlay zone.

K. A State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were issued on February 10, 2014. The public comment period for the SEPA determination ended on February 26, 2014.

L. On February 10, 2014 the Washington State Department of Commerce and appropriate state agencies were given the required notice before adoption of proposed changes to the Unified Development Code.

M. The City Plan Commission held a Public Hearing on February 26, 2014 to obtain public comments on the proposed amendments; deliberations followed.

**Conclusions:**

A. The Plan Commission has reviewed all public testimony received during the public hearing and has made changes to the draft documents during deliberations to address the testimony as considered appropriate.

B. The Plan Commission has found that the proposed amendments meet the approval criteria for text amendments to the Unified Development Code:

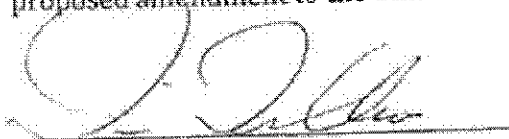
SMC 17G.025.010 (F) Approval Criteria:

1. The proposed amendment is consistent with the applicable provisions of the comprehensive plan; and
2. The proposed amendment bears a substantial relation to public health, safety, welfare, and protection of the environment.

C. The proposed amendments have been reviewed by the City Plan Commission and found to be in conformance with the goals and policies of the City's 2001 Comprehensive Plan, as well as the Spokane Municipal Code Chapter 17G.025.

**Recommendations:**

By a vote of 6 to 0 the Plan Commission recommends to the City Council the approval of the proposed amendment to the Unified Development Code, with changes as deliberated.



**Dennis Dellwo, President  
Spokane Plan Commission**

2/26/14  
Date