



Agenda Sheet for City Council Meeting of:
08/24/2020

Date Rec'd	8/12/2020
Clerk's File #	ORD C35928
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	PLANNING
Contact Name/Phone	TIRRELL BLACK 625-6185
Contact E-Mail	TBLACK@SPOKANECITY.ORG
Agenda Item Type	Emergency Ordinance
Agenda Item Name	0650 - NORTH FOOTHILLS CC-3 OVERLAY ZONE EXPANSION

Agenda Wording
 Proposal to consider expanding the CC-3 Overlay Zone in the North Foothills Center vicinity, comprising 11 and one partial parcels totaling 10.85 acres.

Summary (Background)
 This proposal is being applied to properties currently zoned LI (Light Industrial) and is intended to allow development within zoned areas to take advantage of the opportunities allowed in the Type 1 and 2 centers and corridors, including residential and other permitted uses, along with increased design and landscaping standards (SMC 17C.122.020).

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

Approvals		Council Notifications	
Dept Head	MEULER, LOUIS	Study Session\Other	UE 8-17-20
Division Director	CORTRIGHT, CARLY	Council Sponsor	CP Beggs
Finance	WALLACE, TONYA	Distribution List	
Legal	RICHMAN, JAMES	tblack@spokanecity.org	
For the Mayor	ORMSBY, MICHAEL	lmeuler@spokanecity.org	
Additional Approvals		kmowery@spokanecity.org	
Purchasing		sbishop@spokanecity.org	
		jrichman@spokanecity.org	
PASSED BY SPOKANE CITY COUNCIL:			

8/24/2020

 CITY CLERK

EMERGENCY ORDINANCE NO. C35928

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF SPOKANE'S COMPREHENSIVE PLAN TO EXTEND THE CC-3 ZONING OVERLAY IN THE VICINITY OF THE NORTH FOOTHILLS AREA; AND DECLARING AN EMERGENCY.

WHEREAS, on May 11, 2020, Spokane's City Council adopted Resolution 2020-0029 directing the City Planning Services staff to conduct an abbreviated subarea planning process in an area adjacent to the North Foothills Center, as shown on the city's Comprehensive Plan Land Use Plan Map (LU1), for the purposes of undertaking addition of CC-3 (Centers and Corridors Type 3) Zoning Overlay; the recitals in this resolution are incorporated herein; and

WHEREAS, City Council may authorize a process to consider amendments to the zoning map per SMC 17A.040.040; and

WHEREAS, Spokane's Municipal Code lays out a process for subarea planning which closely meetings a zoning overlay adoption in SMC 17G.020 and allows council to initiate such subarea planning actions with the adoption of a public participation plan per SMC 17G.020.025(B)(3); Resolution 2020-0029 adopted a public participation plan; and

WHEREAS, City of Spokane Planning Staff have been approached by two agencies who own property in the North Foothills area and have aggregated property in this area and have engaged in recent real estate transactions with the city to support their activities; and

WHEREAS, one such agency is Catholic Charities of Eastern Washington who with city and state support is endeavoring to build Gonzaga Haven, a housing community to serve families; and

WHEREAS, the other such agency is Spokane Public Schools District 81, in response to the McCleary Ruling, has been directed to expand its physical capacity for the education of children and has identified the need to provide more locations for middle school instruction and has identified a site in the North Foothills area for a Northside Middle School; and

WHEREAS, both of these proposals are adjacent to an area zoned CC1-EC (Centers and Corridors, Type1, Employment Center) and desire the expansion of the CC3 Overlay onto areas zoned LI (Light Industrial) which allows for more flexible development options; and

WHEREAS, CC3 Overlay is described in SMC 17C.122.020, Types of Centers/Corridors; CC3-Overlay Zone is applied as an additional zoning overlay and does not necessitate changing the base zoning or the Comprehensive Plan Land Use Plan Map designation for the area; and

WHEREAS, the City's Comprehensive Plan, Chapter 3, Land Use, *Goal 3.4, Planning for Centers and Corridors* describes a subarea planning process as the process designated to amend zoning surrounding an area designated on the Land Use Plan Map as a center; and

WHEREAS, the Washington State Legislature has recognized that a housing shortage is currently in existence and has provided funding and direction for cities to undertake activities to increase residential capacity in E2SHB 1923 (2019) and SB 2343 (2020); and

WHEREAS, in light of the yet unknown but predicted strains on the economy by the COVID-19 response, the provision for housing services and the provision of education services will continue to be utmost importance to the community; and

WHEREAS, a public notice was published in the Spokesman-Review July 29, 2020 and August 5, 2020, giving notice of the City Council public hearing on the Proposed Amendment and encouraging public participation, thus fulfilling all public noticing requirements; and

WHEREAS, the City provided the Washington State Department of Commerce and appropriate state agencies with the 60-day notice of the Proposed Amendment on June 9, 2020 and no formal comments were received; and

WHEREAS, a SEPA Determination of Non Significance was issued on July 13, 2020; and

WHEREAS, on July 13, 2020, the City provided Notice of Application, Notice of Public Hearing and Notice of SEPA Determination was circulated via email and was also mailed to owners, taxpayers, and residents within 400 feet of the proposal; and

WHEREAS, on July 22, 2020, a Plan Commission workshop was held; and

WHEREAS, on July 29, 2020, a virtual public open house was held; and

WHEREAS, prior to the Plan Commission hearing, staff prepared a report providing staff's analysis of the merits of the proposal to extend the CC-3 Overlay Zone in the area of the North Foothills Center, and recommending approval of the application, and copies of the staff report were circulated as prescribed by SMC 17G.020.060B.8; and

WHEREAS, on August 12, 2020, a Plan Commission Hearing was held virtually; and

WHEREAS, the City Council has reviewed and considered the Plan Commission's Finding and Conclusions and recommendation dated August 12, 2020, public testimony made at the public hearings, and other pertinent material regarding the Proposed Amendment; and

WHEREAS, following appropriate public participation during which all persons desiring to comment on the Proposed Amendment were given a full and complete opportunity to be heard, the City of Spokane Plan Commission conducted a public hearing regarding the Proposed Amendment and voted 9 to 0 to recommend approval of the Proposed Amendment;

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

Section 1: Findings, Analysis and Conclusions. The City Council hereby adopts the findings and conclusions contained in the City's Plan Commission recommendation dated August 12, 2020.

Section 2: Amendment of Zoning Map. Zoning Map in the City's Unified Development Code is hereby amended to extend the CC-3 Overlay Zone in an area adjacent to the North Foothills Employment Center as shown on Proposed Overlay Map Exhibit A.

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. The City Council previously adopted Resolution 2018-0061 which reflected the Council's determination that an emergency of community-wide significance exists because of a community need to ensure adequate, appropriate, and available public facilities.

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

Passed by City Council August 24, 2020



Council President

Attest:

Levi H. Hays
City Clerk

Approved as to form:

Michael J. Pardo
Assistant City Attorney

Malcolm M. McLean
Mayor

August 24, 2020
Effective Date



8/27/2020
Date

Exhibit A

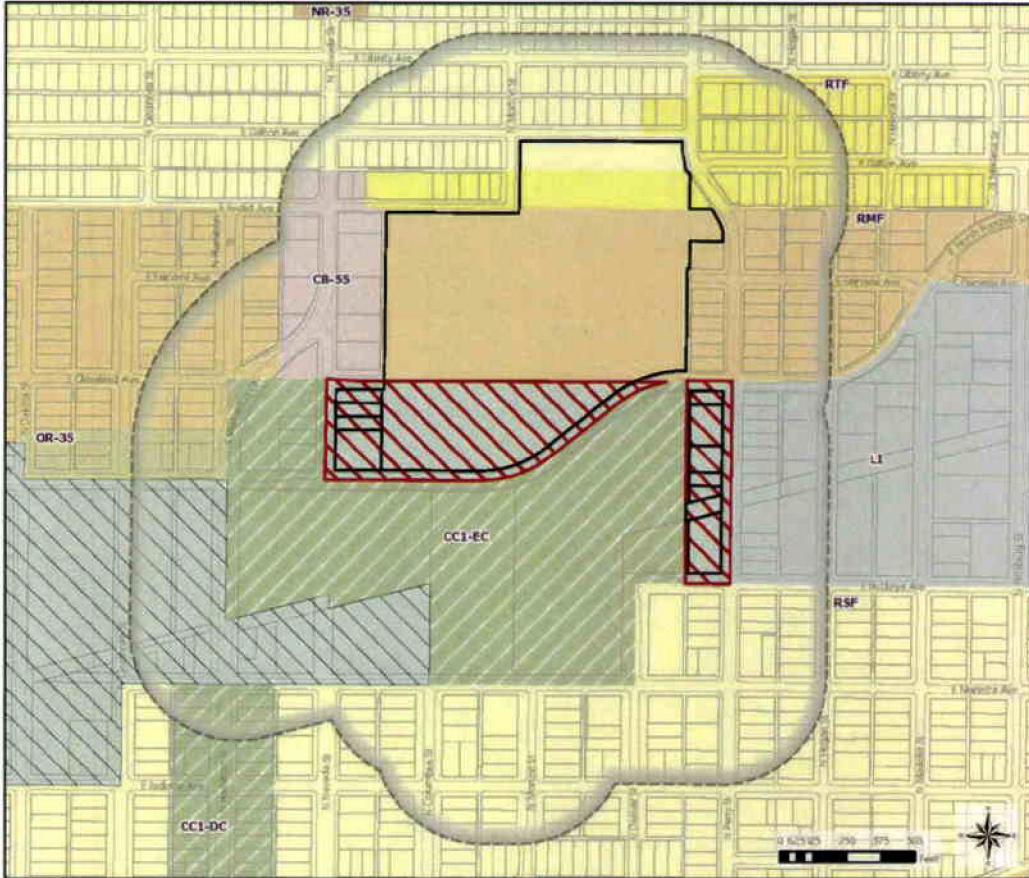


Proposed Overlay Area
Abbreviated Subarea Planning--CC3 Overlay--North Foothills Employment Center

Drawing Date: 5/27/2020

Drawing Scale: 1:5,531

THIS IS NOT A LEGAL DOCUMENT! The information shown on this map is compiled from various sources and is subject to constant change. Information shown on this map should not be used to determine the location of facilities in relation to property lines, street layout, etc. For questions on the information provided herein, contact the City of Spokane, Department of Neighborhood and Planning.



LEGEND

- Proposed CC3 Overlay
 - Affected Parcels
 - 400-Foot Notification
 - Other Parcels
- CURRENT ZONING**
- Center and Corridor Type 1
 - Community Business
 - Light Industrial
 - Neighborhood Retail
 - Office Retail
 - Residential Multifamily
 - Residential Single-Family
 - Residential Two-Family
 - CC3 Overlay

PROJECT LOCATION



Drawn by: Alan Fredrick
 Department of Neighborhood and Planning Services