

CC  
04.20.2011



OFFICE OF THE CITY CLERK  
808 W. SPOKANE FALLS BLVD.  
SPOKANE, WASHINGTON 99201-3342  
(509) 625-6350

April 19, 2011

City Clerk File Nos.:  
ORDS C34693 –  
C34698

COUNCIL ACTION MEMORANDUM

RE: EMERGENCY ORDINANCES C34693, C34695 and C34696 and FINAL READING ORDINANCES C34694, C34697, AND C34698

During its 6:00 p.m. Legislative Session held Monday, April 4, 2011, the Spokane City Council continued its hearing (from February 21, 2011) on Emergency Ordinances C34693, C34695 and C34696 and Final Reading Ordinances C34694, C34697 and C34698 relating to the pending West Plains Annexation and Airfield Influence Areas. City Planner Louis Meuler provided an overview of the ordinances and presented proposed amendments for Ordinances C34697 and C34696.

Subsequently, the following actions were taken:

**Motion** by Council Member McLaughlin, seconded by Council Member Rush, to approve the changes to SMC Sections 17C.210.085(B), 17C.210.085(C) and 17C.210.085(E) in Ordinance C34697 as recommended by Mr. Meuler; **carried unanimously (with Council Member Waldref voting in the affirmative via the telephone).**

*[As amended, SMC Section 17C.210.085(B) reads: A non-conforming structure in the Clear Zone or ACZ-1 shall not be expanded in height or bulk. When a non-conforming structure in the Clear Zone or ACZ-1, because of damage, destruction, deterioration or other reason, is determined to be unfit and needs to be demolished under SMC 17F.070.410, it may not be restored or reconstructed unless in full compliance with the requirements for the zone under this chapter. In cases where a structure in the Clear Zone or ACZ-1 has been damaged or partially destroyed to an extent less than sixty percent of its value, the structure may be rebuilt to the same square footage and occupancy if the owner causes restoration to begin within one year after the damage or the destruction and continues to make substantial progress as required by the building permit.*

*As amended, SMC Section 17C.210.085(C)(4) reads: When a building containing a Hazardous Use, because of damage, destruction, deterioration or other reason, is an unfit building which needs to be demolished under SMC 17F.070.410, it may not be restored or reconstructed unless in full compliance with the requirements for the zone*

*under this chapter. In cases where a building containing a Hazardous Use has been damaged or partially destroyed to an extent less than sixty percent of its value, the building may be rebuilt to the same square footage and use if the owner causes restoration to begin within one year after the damage or the destruction and continues to make substantial progress as required by the building permit.*

As amended, SMC Section 17C.210.085(E) reads: *Vacant tenant spaces in commercial buildings permitted prior to the adoption of the Airfield Overlay Zones may be leased to and/or occupied by any use permitted by both the overlay zone and underlying zoning without occupancy limitation. Any expansion of existing buildings must comply with the overlay zone and occupancy limitations.*]

**Motion** by Council Member McLaughlin, seconded by Council Member Rush, to approve the removal of the word “tenant” from (the sentence) “Vacant tenant spaces in commercial buildings permitted prior...” [under SMC Section 17C.210.085(E) in Ordinance C34697], as requested by Mr. Meuler. **Motion carried unanimously (with Council Member Waldref voting in the affirmative via the telephone).**

Mr. Meuler further explained a proposed amendment for Ordinance C34696. He recommended Alternative 2 and removing the words “benefit from and” (from third paragraph, last sentence; under Section 1, “LU 1.15 Airfield Influence Areas”) and leaving the rest of that sentence. Subsequently, the following action was taken:

**Motion** by Council Member Rush, seconded by Council Member Snyder, to amend (Alternative) 2 to the recommended language (thereby deleting the words “benefit from and” and accepting the Alternative 2 language); **carried unanimously (with Council Member Waldref voting in the affirmative via the telephone).**

The opportunity for public testimony followed and further Council and staff comment was held. Subsequently, the following actions were taken:

**Upon 6-1 Roll Call Vote (with Council Member Waldref voting “aye” via the telephone and Council Member Apple voting “no”), the Spokane City Council passed Emergency Ordinance C34693** relating to the pending West Plains Annexation; amending the Spokane Comprehensive Plan Land Use Map, Map LU 1, to include updated land use designations for the area within the pending West Plains Annexation; and declaring an emergency.

**Upon 6-1 Roll Call Vote (with Council Member Waldref voting “aye” via the telephone and Council Member Apple voting “no”), the Spokane City Council passed Final Reading Ordinance C34694** relating

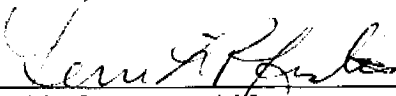
to zoning for the area within the pending West Plains Annexation; authorizing amendments to the City of Spokane Official Zoning Map pursuant to Spokane Municipal Code Section 11.19.220; and setting an effective date.

**Upon 6-1 Roll Call Vote (with Council Member Waldref voting "aye" via the telephone and Council Member Apple voting "no"), the Spokane City Council passed Emergency Ordinance C34695** relating to the Airfield Influence Areas; amending the Spokane Comprehensive Plan to include a new map in Chapter 3 entitled "Airfield Influence Areas, Map LU 2;" and declaring an emergency.

**Upon 6-1 Roll Call Vote (with Council Member Waldref voting "aye" via the telephone and Council Member Apple voting "no"), the Spokane City Council passed Emergency Ordinance C34696, as amended,** relating to Airfield Influence Areas; adopting a new policy to Spokane Comprehensive Plan Chapter 3 Land Use and amending Spokane Comprehensive Plan Policy TR8.4 Airports; and declaring an emergency.

**Upon 6-1 Roll Call Vote (with Council Member Waldref voting "aye" via the telephone and Council Member Apple voting "no"), the Spokane City Council passed Final Reading Ordinance C34697, as amended,** relating to airfield overlay zones; adopting a new Chapter 17C.180 [Spokane Municipal Code]; and a new Spokane Municipal Code Section 17C.210.085 to Title 17C Land Use Standards of the Spokane Municipal Code.

**Upon 6-1 Roll Call Vote (with Council Member Waldref voting "aye" via the telephone and Council Member Apple voting "no"), the Spokane City Council passed Final Reading Ordinance C34698** relating to Airfield Overlay Zoning; authorizing amendments to the City of Spokane Official Zoning Map pursuant to Spokane Municipal Code Section 11.19.220.

  
\_\_\_\_\_  
Terri L. Pfister, MMC  
Spokane City Clerk

0262/



### Agenda Sheet for City Council Meeting of\*

02/14/2011

Date Rec'd (Clerk use only) 01/26/2011

Clerk's File # ORD C34698

Status: CLERK REVIEW

Renews #

Submitting Dept\*: PLANNING SERVICES

Cross Ref #

Contact Name & Phone\*: KATHLEEN WEINAND 6146

Project #

Contact E-Mail\*: KWEINAND@SPOKANECITY.ORG

Bid #

Add'l Docs Attached?  First Reading Ordinance

Requisition #

Agenda Item Name: Begin with Dept # 0650 AIRFIELD OVERLAY ZONING MAP AMENDMENTS 6 OF 6

Agenda Wording\*: 250 character max)  Additional attached?

An ordinance relating to Airfield Overlay Zoning; authorizing amendments to the City of Spokane Official Zoning Map pursuant to SMC section 11.19.220.

Summary (Background)\*: 1 character max.)  Additional attached?

In preparation for the pending West Plains Annexation the Plan Commission has recommended adopting Airfield Overlay Zones and corresponding development regulations for areas impacted by operations at Spokane International Airport, Fairchild Air Force Base and Felts Field. The proposed Airfield Overlay Zoning was developed in consultation with Airport, Base and WSDOT Aviation staff and is based upon WSDOT Aviation and FAA land use guides and the 2007 Air Installation Compatible Use Zone (AICUZ)

Fiscal Impact Budget Account  Additional attached?

Select	\$		#	
Select	\$		#	
Select	\$		#	
Select	\$		#	

#### Approvals

#### Council Notifications (Date)

Dept Head	WRIGHT, JO ANNE
Division Director	TAYLOR, MIKE
Finance	LESESNE, MICHELE
Legal	BURNS, BARBARA
For the Mayor	FEIST, MARLENE

Study Session	
Other	

#### Additional Approvals

#### Distribution List (Emails preferred) Additional?

Purchasing	
Select Dept 1	
Select Dept 2	
Select Dept 3	

FIRST READING OF THE ABOVE ORDINANCE WAS HELD ON 2/14/11 AND FURTHER ACTION WAS DEFERRED

*Levi H. Goble*  
CITY CLERK

PASSED BY SPOKANE CITY COUNCIL

APRIL 4, 2011

*Levi H. Goble*  
City Clerk

4698

**ORDINANCE NO. C34698**

An ordinance relating to Airfield Overlay Zoning; authorizing amendments to the City of Spokane Official Zoning Map pursuant to SMC section 11.19.220.

WHEREAS, the City of Spokane is required under RCW 36.70A.040(4)(d) to implement the goals and policies of the City's Comprehensive Plan by adoption of implementing development standards; and

WHEREAS, the City of Spokane is adopting amendments to the Comprehensive Plan Land Use Plan map to include a new Comprehensive Plan Airfield Influence Area Map, supporting policy and as such has added a new chapter 17C.180 Airfield Overlay Zoning to the Spokane Municipal Code; and now is revising the City of Spokane Official Zoning Map with Comprehensive Plan Airfield Influence Area map; -- Now, Therefore,

The City of Spokane does ordain:

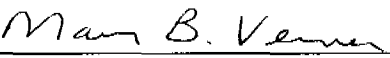
Section 1. That the Director of Planning Services is directed to change the Official Zoning Map adopted by SMC section 11.19.220, so as to designate areas in the overlay zoning categories shown on the maps attached to this ordinance and adopted as a part of the Unified Development Code chapter 17C.180 Airfield Overlay Zones.

**PASSED BY THE CITY COUNCIL ON APRIL 4, 2011.**

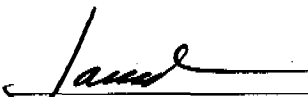
  
Council President

Attest:

  
City Clerk

  
Mayor

Approved as to form:

  
Assistant City Attorney

04/13/2011  
Date

MAY 13, 2011  
Effective Date





# City of Spokane Airfield Overlay Zones West Plains

Printed by: Planning Services  
Date: 2011

**Legend**

**Airfield Overlay Zones**

- ACZ-1
- ACZ-2
- ACZ-3
- ACZ-4
- ACZ-5
- Clear Zone
- APZ I
- APZ II
- Airfield Noise Zone

**Base Map Layers**

- Annexation Area
- Municipal Boundary
- Runways
- Planned Runway
- SIA Property
- FAFB Boundary
- Interstate Highway
- Arterials
- Streets

0 2,000 4,000 6,000 Feet

Geographic Information System

**SPokane**

THIS IS NOT A LEGAL DOCUMENT.  
The information shown on this map is compiled from various sources and is not intended to be used as a basis for any legal action. Information shown on this map should not be used to determine the location of facilities in relationship to property lines, section lines, streets, etc.

