

ORDINANCE NO _____

AN ORDINANCE ADOPTING BY REFERENCE AMENDMENTS TO THE CITY OF SPOKANE COMPREHENSIVE PLAN, INCLUDING AMENDMENTS TO CHAPTER 2, COMPREHENSIVE PLAN BACKGROUND, CHAPTER 3, LAND USE, CHAPTER 4, TRANSPORTATION, CHAPTER 5, CAPITAL FACILITIES AND UTILITIES, CHAPTER 8, URBAN DESIGN AND HISTORIC PRESERVATION, CHAPTER 9, NATURAL ENVIRONMENT, CHAPTER 10, SOCIAL HEALTH, CHAPTER 11, NEIGHBORHOODS, CHAPTER 12, PARKS, RECREATION, AND OPEN SPACE, AND CHAPTER 13, LEADERSHIP, GOVERNANCE, AND CITIZENSHIP; ALSO ADOPTING LAND USE APPLICATIONS Z2005-15-LU AND Z2005-16-LU; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in compliance with the Washington State Growth Management Act, Chapter 36.70A RCW, the City of Spokane adopted a Comprehensive Plan on May 21, 2001; and

WHEREAS, in accordance with RCW 36.70A.130, an adopted Comprehensive Plan shall be subject to continuing evaluation and review, and amendments to the Comprehensive plan shall be considered no more frequently than once every year; and

WHEREAS, the schedule established by the Growth Management Act in RCW 36.70A.130(4) mandates each city in Washington to take action to review and, if necessary, revise its Comprehensive Plan to ensure compliance with the Growth Management act; and

WHEREAS, in cooperation with Spokane County, other cities in Spokane County, and the Steering Committee of Elected Officials, the City of Spokane has prepared a land quantity analysis that addresses the 20-year population allocation to the City of Spokane for planning purposes as established in the May 23, 2006 verbal decision of the Board of County Commissioners; and

WHEREAS, the public review process for the proposed amendment included at least nine public meetings in front of the City Plan Commission from August 10, 2005 to June 28, 2006, five Open Houses held through July 2006, five more public meetings as either an Open House or public meeting before the Plan Commission between July 19, 2006 and September 27, 2006, a public hearing in front of the City Plan Commission on September 27, 2006, a public meeting with opportunity for public comment at the City Council meetings on November 13 and 20, 2006; and

WHEREAS, the public review process for the annual Comprehensive Plan Amendment process included public meetings on August 9, September 13, and a public hearing on September 27 in front of the City Plan Commission, and a public meeting with opportunity for public comment at the City Council meetings on November 13 and November 20, 2006; and

WHEREAS, a public notice was published in the Spokesman-Review on September 13, 2006 and September 20, 2006 giving notice of the Plan Commission public meeting and encouraging public participation; and

WHEREAS, a public notice was published in the Spokesman-Review on November 3, 2006 and November 10, 2006 giving notice of the City Council public hearings on the

Comprehensive Plan Update and encouraging public participation, thus fulfilling all public noticing requirements; and

WHEREAS, the City of Spokane also sought community participation in the Comprehensive Plan Update by contacting the Spokesman-Review and urging them to print several articles on the 2006 Comprehensive Plan Update; and

WHEREAS, the City of Spokane also encouraged public participation and provided information on the Comprehensive Plan Update on its website (http://www.spokaneplanning.org/2006_update.htm); and

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

WHEREAS, the City of Spokane has updated the Comprehensive Plan to insure compliance with changes to the Growth Management Act; to insure compliance with the Spokane Countywide Planning Policies, to revise policy CFU 3.6, to update information related to and the levels of service that the City of Spokane provides, to incorporate planning processes occurring outside the described neighborhood planning processes, and to incorporate the annual Comprehensive Plan amendment proposals to insure cumulative impacts of all amendments to the Comprehensive Plan; and

WHEREAS, consistent with the requirements of RCW 36.70A.130(8), the City of Spokane intends to adopt future amendments to its Critical Areas Ordinances in 2007 to include Best Available Science and better reflect local conditions and opportunities in accordance with the GMA; and

WHEREAS, state agencies received 60 day notice of City of Spokane's proposed Comprehensive Plan amendments on September 22, 2006 and no formal comments were received; and

WHEREAS, the City Council has reviewed and considered the City Council staff report and recommendation dated November 1, 2006, public testimony made at the public hearings, and other pertinent material regarding the proposed amendments; 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, a State Environmental Policy Act (SEPA) Checklist was prepared and a Determination of Nonsignificance (DNS) was issued on September 22, 2006 for the proposed Comprehensive Plan Amendments; and

WHEREAS, this ordinance is adopted pursuant to and completes the RCW 36.70A.130(a)(4) growth management comprehensive review and evaluation update; and 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, analysis and conclusions contained in the City Council staff report dated November 1, 2006.

Section 2: Revision of Sections of Existing Comprehensive Plan Elements. The City of Spokane Comprehensive Plan is hereby amended to revise the text, policy, and other provisions of the following sections of the Plan contained in Exhibit 1, incorporated herein by this reference as if set forth in full: Chapter 2, Comprehensive Plan Background; Chapter 3, Land Use; Chapter 4, Transportation; Chapter 5, Capital Facilities and Utilities; Chapter 8, Urban Design and Historic Preservation; Chapter 9, Natural Environment; Chapter 10, Social Health; Chapter 11, Neighborhoods; Chapter 12, Parks, Recreation, and Open Space; Chapter 13, Leadership, Governance, and Citizenship.

Section 3: Amendment to adopt proposed Land Use Application Z2005-115-LU. The City Council finds that application Z2005-115-LU processed through the annual Comprehensive Plan Amendment cycle is consistent with the Growth Management Act. The proposed amendment is to the Land Use Plan Map of the City's Comprehensive Plan for a change from "Residential 4-10 and Residential 15-30" to "Office" for two parcels totaling approximately .91 acres located at 2203 E 29th Avenue and 2213 E 29th Avenue on contiguous parcel numbers 35284.0119 & 35284.0120. The Official Zoning Map would be amended to the implementing zoning designation of Office Retail.

Section 4: Amendment to adopt proposed Land Use Application Z2005-116-LU. The City Council finds that application Z2005-116-LU processed through the annual Comprehensive Plan Amendment cycle set forth herein is consistent with the Growth Management Act. The proposed amendment is to the Land Use Plan Map of the City's Comprehensive Plan for a change from "Residential 10-20" to "Residential 15-30" for four parcels totaling approximately 1.38 acres located at 7703, 7709, 7715, and 7803 North Crestline Street on contiguous parcel numbers 36282.0611, 36282.0612, 36282.0613, and 36282.0614. The Official Zoning Map would be amended with the implementing zoning designation of RMF Residential Multi-Family.

Section 5: Revision of Land Use Plan Map and the Spokane Official Zoning Map. The City of Spokane Land Use Plan Map is hereby amended to reflect changes proposed through the annual Comprehensive Plan Amendment process applications Z2005-115-LU and Z2005-116-LU, simultaneously amending the Spokane Official Zoning Map to correspond with the Land Use Map changes, thereby ensuring consistency between Comprehensive Plan and Official Zoning Maps.

Section 6: Amendments to Replace and Supersede. The City of Spokane Comprehensive Plan is amended by these changes and all such changes are intended to replace and supersede all sections of the Comprehensive Plan that are or may be inconsistent with the amendments contained herein.

Section 7: Transmittal to State. Pursuant to RCW 36.70A.106, this Ordinance shall be transmitted to the Washington Department of Community, Trade and Economic Development as required by law.

Section 8: Preparation of Final Comprehensive Plan Document. City Staff are hereby directed to complete preparation of the final Comprehensive Plan document, including correction of any typographical edits, and inclusion of appropriate graphics and illustrations.

Section 9: 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.

Section 10: Effective Date. This Ordinance shall take effect and be in force thirty (30) days after it is signed by the Mayor.

Passed by the City Council _____, 2006

Joe Shogan, Council President

Attest: _____
City Clerk

Dated: _____

Dennis P. Hession, Mayor

Approved as to form:

Assistant City Attorney