



**CITY PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND
RECOMMENDATIONS ON THE COMPREHENSIVE PLAN LAND USE MAP
AMENDMENT FILE NO. Z1000046COMP**

A Recommendation of the City Plan Commission to the City Council approving an application by Avista for an amendment to the Comprehensive Plan Land Use Map, changing the land use for 11 parcels from “Residential 15-30” to “Light Industrial” and for one parcel from “Office” to “Light Industrial” totaling approximately 6 acres. The implementing zoning designation requested is LI (Light Industrial).

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.** Under the Growth Management Act, comprehensive plans may be amended no more frequently than once a year. All amendment proposals must be considered concurrently in order to evaluate for their cumulative effect. Also, the amendment period should be timed to coordinate with budget deliberations.
- D.** On July 29, 2002, the City Council enacted Ordinance No. C-33074 codifying a revised annual Comprehensive Plan amendment process in SMC 11.02.100. The City Council then amended Ordinance No. C-33074 on December 8, 2003; this ordinance was passed to improve and streamline the amendment process.
- E.** Land use amendment application Z1100046COMP was submitted before the October 31, 2010 deadline for Plan Commission review during the 2011 amendment cycle.
- F.** The proposed amendment is to the Land Use Map of the City's Comprehensive Plan for 11 parcels from “Residential 15-30” to “Light Industrial” and for one parcel from “Office” to “Light Industrial”, on parcel numbers 35093.1314, .0603, .0604, .0605, .0607, .0609, .0702, .0703, .0704, .0705, .0708, and .0709.
- G.** If approved, the implementing zoning designation is requested to be LI (Light Industrial).

- H. Staff requested comments from agencies and departments on November 17, 2010. No substantive or adverse comments were received from agencies or departments.
- I. Notice of Application of the Comprehensive Plan Land Use Map amendment, the SEPA Checklist, and announcement of the public comment period were published in the Spokesman-Review on Friday, January 14, 2011, and Friday, January 21, 2011, and the Official City Gazette on Wednesday, January 19, 2011, and Wednesday, January 26, 2011.
- J. A public comment period ran from January 13, 2011 to April 5, 2011. Public Comment was received and the applicant revised their application scope in response to neighborhood concerns. Public Comments were compiled into a Comment Matrix and provided to the Plan Commission on March 23, 2011.
- K. The Community Assembly was informed of the proposed Comprehensive Plan Amendments at their meetings on January 7, 2011, and February 4, 2011.
- L. The Spokane City Plan Commission held workshops to study the amendments on February 9, 2011, February 23, 2011, March 9, 2011, March 23, 2011, and April 13, 2011 April 27, 2011, May 11, 2011 and June 8, 2011.
- M. A State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were released on June 22, 2011, for the Comprehensive Land Use Plan Map and Zoning Map changes. The public appeal period for the SEPA determination ended on July 7, 2011.
- N. On July 14, 2011, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan.
- O. Notice of the SEPA Checklist and Determination of Non-Significance, the Comprehensive Plan Land Use Map amendment, and announcement of the July 13, 2011 Plan Commission Public Hearing were published in the Spokesman-Review and the Official City Gazette on Wednesday, July 22, 2011, and Wednesday, July 29, 2011.
- P. Notice was posted on the property and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four hundred foot radius of any portion of the boundary of the subject property on July 22, 2011.
- Q. The staff report found that the amendment met all the criteria and recommended approval of this application.
- R. On July 13, 2011, the Plan Commission conducted a public hearing. No persons, other than the applicant, testified or had written public comment.
- S. The Plan Commission held the written record open for additional public comment until July 27th, 2011. No additional comments were received during the extended public comment period.

- T. On August 10, 2011, the Plan Commission deliberated on the proposed amendment and considered all of the Comprehensive Plan Amendment decision criteria of Chapter 17G.020 of the Spokane Municipal Code. The Plan Commission also discussed the consistency of the proposed amendment with Comprehensive Plan policies and found that the proposed amendment was consistent with those policies.

CONCLUSIONS:

- A. The Plan Commission adopted the following staff recommended findings for the decision criteria and review guidelines for Comprehensive Plan amendments, as listed in SMC 17G.020.010(C):

Decision Criteria

1. GMA: This application is consistent with the goals and purposes of the Washington state Growth Management Act.
2. Consistency: The Plan Commission concludes that this application is consistent with and implements the Comprehensive Plan and its supporting documents, specifically LU 1:10 "Industry", ED 2.1 "Land Supply", and ED 3.1 "Economic Growth".
3. Cumulative Effect: Comprehensive Plan Amendment applications are being considered concurrently in order to evaluate their cumulative effects. The Plan Commission concludes that this criterion is met.
4. SEPA: An Environmental Checklist for a non-project action was prepared for this proposal pursuant to WAC 197-11 and the Spokane Environmental Ordinance, and on June 22, 2011, a Determination of Non-significance (DNS) was issued on this application. Notice of the SEPA Determination and announcement of the July 13, 2011 Plan Commission Public Hearing were published in the Spokesman Review on June 22 and June 29, 2011. The Plan Commission concludes that this criterion is met.
5. Adequate Public Facilities: This proposed map amendment will have no impact on the City's ability to provide public facilities and services. The Plan Commission concludes that this criterion is met.
6. Public Benefit: The proposed land use plan map amendment will result in a minor benefit to the public. The Plan Commission concludes that this criterion is met.
7. No Adverse Effect: These proposed changes will not have a significant adverse effect on the public. The Plan Commission concludes that this criterion is met.

Review Guidelines

1. Regulatory Changes: This proposed amendment is consistent with any recent state or federal legislative actions, or changes to state or federal regulations.

2. Financing: This amendment will not impact or show up in the Six Year Capital Improvement Plan(s).
3. Funding Shortfall: This amendment will not impact funding in a way that would necessitate a scale back on land use objectives and/or service level standards.
4. Internal Consistency: The proposal is consistent with the Comprehensive Plan as it relates to all of its supporting documents, such as the development regulations, Capital Facilities Program, and Shoreline Master Plan.
5. Regional Consistency: This proposed amendment is consistent with Countywide Planning Policies, the comprehensive plans of neighboring jurisdictions, the regional Transportation Improvement Plan, and official population growth forecasts.
6. Consistent Amendments: Map Changes: Changes to the land use plan map (and by extension, the zoning map) may only be approved if the proponent has demonstrated that all of the following are true:
 - i. The designation is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.);
 - ii. The map amendment or site is suitable for the proposed designation;
 - iii. The map amendment implements applicable comprehensive plan policies better than the current map designation.

Staff concludes that the proposed land use, with proper improvements at time of development, will implement the comprehensive plan policies.

- B. The proposed amendment has 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, specifically:
 1. LU 1.10 "Industry";
 2. ED 2.1 "Land Supply"; and
 3. ED 3.1 "Economic Growth".
- C. The proposed amendment has been reviewed by the City Plan Commission and found to be in conformance with the Spokane Municipal Code Chapter 17G.020.

RECOMMENDATIONS:

- A. By a vote of 6 to 2, with one abstention, the Plan Commission recommends to the City Council the approval of an amendment to the Comprehensive Plan Land Use Map, changing the land use for 11 parcels from "Residential 15-30" to "Light Industrial" and for one parcel from "Office" to "Light Industrial"

totaling approximately 6 acres, with the implementing zoning designation requested is LI (Light Industrial).

- B.** The Plan Commission further recommends that the City Council take simultaneous legislative action on all of the amendment applications proposed so the cumulative effect of the various proposals can be ascertained and so that the Comprehensive Plan is not amended more than one time in 2011.
- C.** By a vote of 7 to 0, the Plan Commission recommends the approval of four out of five of the amendment applications to the Comprehensive Plan by the City Council.



Karen Byrd, President

Spokane Plan Commission

September 14, 2011