

**Agenda Sheet for City Council Meeting of:**

09/12/2022

<b>Date Rec'd</b>	8/22/2022
<b>Clerk's File #</b>	ORD C36270
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	PLANNING & ECONOMIC DEVELOPMENT
<b>Contact Name/Phone</b>	KEVIN FREIBOTT 6184
<b>Contact E-Mail</b>	KFREIBOTT@SPOKANECITY.ORG
<b>Agenda Item Type</b>	First Reading Ordinance
<b>Agenda Item Name</b>	SUSPENSION OF 2022/2023 COMP PLAN AMENDMENT CYCLE

**Agenda Wording**

An ordinance suspending the acceptance of annual applications for amendments to the City's Comprehensive Plan for the 2023 cycle. This suspension is intended to accommodate City-sponsored amendments to the Comprehensive Plan, to be developed in 2023.

**Summary (Background)**

This proposal is intended to accommodate development of permanent amendments to the Comprehensive Plan and Municipal Code as follow-up items to the City's interim ordinance amending housing types allowed in the City (ORD C36232), and in response to the declared housing emergency. Any applications currently under consideration in 2022 that are unable to be completed in 2022 will be suspended and resume consideration during the 2023/2024 amendment cycle.

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

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

**Budget Account**

#	PASSED BY SPOKANE CITY COUNCIL: <u>9/19/2022</u> <i>Lem Beggs</i>
#	
#	
#	

**Approvals**

<b>Dept Head</b>	GARDNER, SPENCER
<b>Division Director</b>	MACDONALD, STEVEN
<b>Finance</b>	ORLOB, KIMBERLY
<b>Legal</b>	RICHMAN, JAMES
<b>For the Mayor</b>	ORMSBY, MICHAEL

**Council Notifications**

<b>Study Session\Other</b>	Public Finance, August 15, 2022
<b>Council Sponsor</b>	Lori Kinnear and Breean Beggs

**Additional Approvals**

<b>Purchasing</b>	

<b>Distribution List</b>	
	sgardner@spokanecity.org
	tblack@spokanecity.org
	kdowney@spokanecity.org
	smacdonald@spokanecity.org
	kfreibott@spokanecity.org
	jchurchill@spokanecity.org
	rbenzie@spokanecity.org

FIRST READING OF THE ABOVE  
 ORDINANCE HELD ON  
9/12/2022  
 AND FURTHER ACTION WAS DEFERRED  
*Lem Beggs*  
 CITY CLERK

## Committee Agenda Sheet

### Public Finance

<b>Submitting Department</b>	Planning & Economic Development
<b>Contact Name &amp; Phone</b>	Spencer Gardner, 509.625.6097
<b>Contact Email</b>	<a href="mailto:sgardner@spokanecity.org">sgardner@spokanecity.org</a>
<b>Council Sponsor(s)</b>	Council President Beggs & Councilmember Kinnear
<b>Select Agenda Item Type</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion    Time Requested: <u>10 mins</u>
<b>Agenda Item Name</b>	Proposed Ordinance to Suspend Comp Plan Amendments in 2023
<b>Summary (Background)</b>	A proposed ordinance suspending the Comprehensive Plan Amendment application cycle for the upcoming year, known as the 2022/23 Comprehensive Plan Amendment Cycle. This will allow staff and the public to focus on a review and possible amendment to the Land Use Chapter of the City's Comprehensive Plan (Chapter 3), as called for in the interim zoning ordinance adopted earlier this year (ORD C36232).
<b>Proposed Council Action &amp; Date:</b>	An Ordinance, proposed to be adopted by September 5 or 12, 2022
<b>Fiscal Impact:</b>	
Total Cost: <u>\$0</u>	
Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Specify funding source:	
Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impacts:</b>	
What impacts would the proposal have on historically excluded communities?	
<i>This proposal would result in any private requests to amend the comprehensive plan, including requests for changes to the Land Use Plan Map (LU1), to wait an additional year for consideration. While this could delay certain land use/rezone requests, the result could achieve a greater impact as changes to the Land Use Chapter of the Comprehensive Plan, as envisioned by the interim ordinance, could increase housing options to a larger portion of the City, as opposed to small, individual amendments which have historically changed only a tiny proportion of the City.</i>	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?	
<i>As required by SMC 17G.020 and RCW 36.70A, the amendments that would be considered in place of the annual comprehensive plan amendment process would include an exploration of existing data,</i>	

*public engagement and input, and would consider many of the topics identified and highlighted by the Spokane Housing Action Plan.*

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

*Following policy development, criteria for measuring its effectiveness will be considered.*

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

*This proposal to pause the private amendments to the Comprehensive Plan for 2023, allows focus to be given to the work program described in the interim housing ordinance (C36232), calling for the study of comprehensive plan and code amendments seeking to increase housing opportunities and choice*

Ordinance No. C36270

AN ORDINANCE OF THE CITY OF SPOKANE, WASHINGTON, SUSPENDING THE ACCEPTANCE OF ANNUAL APPLICATIONS FOR AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN UNTIL COMPLETION OF THE CITY'S COMPREHENSIVE PLAN UPDATE FOR SHAPING SPOKANE HOUSING, AND DEFERRING AND SUSPENDING THE PROCESSING OF APPLICATIONS WHICH CANNOT BE COMPLETED BEFORE DECEMBER 31, 2022.

WHEREAS, pursuant to Chapter 36.70A RCW ("GMA"), the City's Comprehensive Plan and development regulations are subject to continuing review and evaluation by the City; and

WHEREAS, GMA also requires the City to establish procedures and a schedule whereby updates, proposed amendments, or revisions of the Comprehensive Plan are considered by the City no more frequently than once every year; and

WHEREAS, the annual process is guided by a number of principles including (i) keeping the plan responsive to the community, (ii) honoring the community's long-term investment in the Comprehensive Plan through neighborhood planning processes, (iii) encouraging development that enables the entire community to prosper and reinforces a senses of place and feeling of community, in an ecologically, economically and socially sustainable manner, and (iv) requiring that proposed amendments result in a net benefit to the general public; and

WHEREAS, GMA generally requires all comprehensive plan amendment proposals to be considered by the governing body concurrently so the cumulative effect of the various proposals can be ascertained, but also provides that, after appropriate public participation a county or city may adopt amendments or revisions to its comprehensive plan that conform with GMA whenever an emergency exists or to resolve an appeal of a comprehensive plan filed with the growth management hearings board or with the court; and

WHEREAS, the Spokane City Council adopted interim ordinance C36232, creating chapter 17C.400 of the Spokane Municipal Code (SMC), establishing interim housing regulations to accommodate the emergency need for new and expanded housing options in the City, pursuant to RCW 36.70A.600(1); and

WHEREAS, Ordinance C36232, Section 4, states that a work plan for studies related to ordinance C36232 "shall include continued public participation and noticing pursuant to chapter 17G.025 SMC, modifications to the Comprehensive Plan, and evaluation of the effects of this ordinance with respect to neighborhood impacts, displacement of at-risk communities, and success in generating new housing units"; and

WHEREAS, the City presently has significant resources devoted to the work program established by ordinance C36232, including the preparation and public engagement required for a comprehensive plan amendment envisioned by that ordinance; and

WHEREAS, amendments to the Comprehensive Plan under consideration would likely include changes to the Land Use Plan Map and policies in Chapter 3, Land Use; and

WHEREAS, the vast majority of applications for private amendments to the Comprehensive Plan in the past have likewise proposed changes to the policies and maps in Chapter 3; and

WHEREAS, the City Council considered this Ordinance suspending acceptance of applications and processing of annual site-specific comprehensive plan amendment applications at a duly noted public hearing on September 19, 2022, and received public testimony from interested parties, considered all the written and oral arguments and testimony; and

WHEREAS, the City Council finds that suspending the acceptance and processing of annual comprehensive plan amendment requests is necessary for the immediate preservation of the public peace, health, or safety and for the immediate support of City government and its existing public institutions; and

WHEREAS, pursuant to WAC 197-11-800(19), the adoption of this ordinance is exempt from the requirements of a threshold determination under the State Environmental Policy Act; and

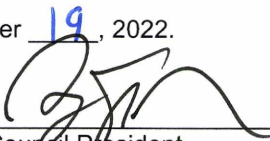
WHEREAS, the City Council adopts the foregoing as its findings of fact, justifying its adoption of this ordinance; now, therefore

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

Section 1. Suspend. Chapters 17G.020 and 17G.025.010.C of the Spokane Municipal Code are suspended for the 2022/2023 cycle of annual requests to amend the comprehensive plan (and accompanying rezone requests) or the unified development code. This suspension does not preclude out-of-cycle amendments, if an emergency exists, new territory is annexed into the City, or to resolve a truly obvious mapping error or an appeal of a comprehensive plan filed with the growth management hearings board or with the court. The annual review process will resume with the 2023/24 annual comprehensive plan amendments and accompanying rezone requests as outlined in Chapter 17G.020 SMC.

Section 2. Pending Applications. If any pending 2021/22 annual amendment proposals (i.e., applications submitted under Chapter 17G.020 SMC on or before October 31, 2021) cannot, for any reason, be processed before December 31, 2022 in the current cycle of consideration, or are otherwise postponed/deferred to the next applicable amendment cycle, such proposals/applications will be deferred until the 2023/24 annual amendment cycle.

ADOPTED BY THE CITY COUNCIL ON September 19, 2022.

  
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Council President

Attest:

*Ceri Goff*  
City Clerk  
*Markus Howard*  
Mayor

Approved as to form:

*[Signature]*  
Assistant City Attorney

9-27-22  
Date

10-27-22  
Effective Date

