

**Spokane City Plan Commission
Findings of Fact, Conclusions, and Recommendations
2013 Unified Development Code Maintenance Project**

A Recommendation from the City Plan Commission to the City Council to approve proposed amendments to the Unified Development Code. The changes include amendments to the Spokane Municipal Code (SMC) Title 17 Unified Development Code, including Chapters 17A, 17C, 17E, and 17G.

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. However, pursuant to SMC 17G.020.040 Amendment Exceptions, subsection G, "Changes to development regulations that are consistent with the comprehensive plan or are necessary to implement the comprehensive plan" may be considered more frequently than once a year.
- D.** On February 21, 2005, the City Council enacted Ordinance No. C-33578 Section 2 codifying a revised annual Comprehensive Plan and Development Standard Amendment process in SMC 17G.020.
- E.** After the latest part of the Unified Development Code was adopted by the City Council in 2009, recommended code revisions have been identified by the Planning Department and others who work with these codes on a regular basis.
- F.** Staff requested comments from agencies and departments in late-2012 and 2013 and required public notice was provided in the Spokesman Review on November 27 and December 4, 2013. The document was available for public review on the Planning and Development website on December 2, 2013. To provide additional public notice, on November 26, 2013 the proposed amendments were sent by email to various individuals and companies who use the code on a regular basis including attorneys, architects, engineers, surveyors and others
- G.** The Spokane City Plan Commission held several workshop sessions to study the proposed amendments.
- H.** A public open house was held on December 11, 2013, in the Chase Gallery, to receive public feedback on the proposed Unified Development Code amendments. The City provided notice of the open house meetings by advertising in the Spokesman Review and on the Planning and Development website.
- I.** Notice of the proposed Unified Development Code amendments and announcement of the Plan Commission's December 11, 2013 public hearing was

published in the Spokesman Review on November 27, 2013 and December 4, 2013.

- J. A State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were released on November 26, 2013 for the Unified Development Code Update Project. The public comment period for the SEPA determination ended on December 11, 2013.
- K. On December 10, 2013, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Spokane Municipal Code.
- L. The City Plan Commission held a public hearing on December 11, 2013 to obtain public comments on the proposed amendments.
- M. The Plan Commission made a decision to approve the proposed amendments to the Unified Development Code per staff's memo dated November 26, 2013.

Conclusions:

- A. The Plan Commission has reviewed all public testimony received during the public hearings and has made changes to the draft documents during deliberations to address the testimony as considered appropriate.
- B. The Plan Commission has found that the proposed amendments meet the approval criteria for text amendments to the Unified Development Code:

SMC 17G.025.010 (F) Approval Criteria:

- 1. The proposed amendment is consistent with the applicable provisions of the comprehensive plan; and
 - 2. The proposed amendment bears a substantial relation to public health, safety, welfare, and protection of the environment.
- C. The proposed amendments have 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, as well as the Spokane Municipal Code Chapter 17G.025.

Recommendations:

By a unanimous vote, the Plan Commission recommends to the City Council the approval of the proposed amendments to the Unified Development Code, with changes as deliberated.



**Michael Ekins, President
Spokane Plan Commission
December 11, 2013**