

CITY PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATION ON THE PEDESTRIAN MASTER PLAN

A Recommendation of the City Plan Commission to the City Council approving a proposed Comprehensive Plan Amendment to adopt a Pedestrian Master Plan.

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. 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.

C. Chapter 36.70A.130(2) of the Revised Code of Washington notes that amendments to the Comprehensive Plan may be considered more frequently than once per year under certain circumstances. RCW 36.70A.130(2)(a)(i) states, "...The initial adoption of a subarea plan. Subarea plans adopted under this subsection (2)(a)(i) must clarify, supplement, or implement jurisdiction-wide comprehensive plan policies, and may only be adopted if the cumulative impacts of the proposed plan are addressed by appropriate environmental review under chapter 43.21C.

D. Spokane Municipal Code Chapter 17G.020 "Comprehensive Plan Amendment Procedure" identifies terms and conditions for Comprehensive Plan amendments. Under most circumstances, recommendations for amendments to the Comprehensive Plan may only take place on an annual basis

E. Spokane Municipal Code Section 17G.020.040 "Amendment Exceptions," outlines conditions under which the Comprehensive Plan may be amended more often. Provided that all of the amendment criteria have been met, the following type of amendment may be considered more frequently than once a year: Section 17G.020.040.A: "Initial adoption of a specific/subarea plan that does not modify the comprehensive plan policies and designations applicable to the subarea (RCW 36.70A.130(2)(a)(i))..."

F. The Pedestrian Master Plan is both a "specific" plan and a "subarea" plan. The Pedestrian Master Plan is a specific plan that amends the Comprehensive Plan under the specific topic of planning for pedestrians as a part of the overall Comprehensive Plan Transportation Chapter. The Pedestrian Master Plan is a subarea plan of the Comprehensive Plan Transportation Chapter that addresses planning for pedestrians as a subarea of the overall topic of transportation planning. Planning for pedestrians is a basic element of the Transportation Chapter of the Comprehensive Plan.

G. The Pedestrian Master Plan does not modify existing Comprehensive Plan policies and designations applicable to the subarea (Comprehensive Plan Chapter 4, Transportation).

H. As required under RCW 36.70A.130(2)(a)(i)), the Pedestrian Master Plan clarifies, supplements, and implements jurisdiction-wide comprehensive plan policies related to Transportation. In doing so, the Pedestrian Master Plan includes the following sections:

- Goals for the pedestrian environment.
- Description of the basic elements of providing a quality pedestrian experience.
- Assessment of existing walking conditions.
- A pedestrian needs-analysis and a pedestrian crash analysis.
- Policies and Actions.

I. The Pedestrian Master Plan will guide decision-making on pedestrian facility improvements. The plan will be implemented through the adoption of the Six-Year Comprehensive Street Program and associated construction activities. Amendments to the City policies such as the Unified Development Code may also take place to implement the Pedestrian Master Plan.

J. The Pedestrian Master Plan is the initial phase of the Link Spokane - City of Spokane Integrated Transportation Plan Update. The Transportation Chapter is being updated with an eye towards modern multimodal transportation best practices, smart growth, and the City's Land Use Plan, and is intended to reconnect our transportation network to our community. The Pedestrian Master Plan will undergo a review as a part of the overall Transportation Plan Update to assure it is consistent with any amendments that are made as a part of the update.

K. 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.

- Plan Commission Transportation Subcommittee: May 5, 2015; August 4, 2015
- Pedestrian Plan Subcommittee: September 11, 2014; December 11, 2014; April 23, 2015; July 16, 2015
- PeTT (Pedestrian, Transportation and Traffic) Committee Meeting: July 28, 2015
- Plan Commission Workshop: February 11, 2015; July 22, 2015; August 26, 2015
- City Staff Technical review: July 14, 2015
- City Council study session: July 16, 2015
- Garland Avenue Street Fair, August 8, 2015

- Unity in the Community, August 15, 2015
- Link Spokane Technical Advisory Group (regional coordination), September 2, 2015
- Public Open House, September 16 and 23, 2015
- Plan Commission Public Hearing, September 23, 2015

L. Pursuant to RCW 36.70A.106, on August 20, 2015, the Washington State Department of Commerce was provided the 60 day notice of intent to adopt a comprehensive plan amendment for the Pedestrian Master Plan as required under the Growth Management Act.

M. A State Environmental Policy Act (SEPA) Checklist was prepared and a Determination of Nonsignificance (DNS) was issued on September 4, 2015 for the proposed Pedestrian Master Plan. The appeal period for the SEPA determination ended on September 18, 2015; and

N. The Plan Commission held a public hearing on September 23, 2015 to obtain public comments on the proposed Pedestrian Master Plan and voted ___ to ___ to approve the Findings of Fact, Conclusions and Recommendations to the City Council to approve the proposed Pedestrian Master Plan, which is attached to this ordinance.

O. The Plan Commission finds that the Pedestrian Master Plan is consistent with the Growth Management Act and the Spokane Municipal Code, and will protect and promote the health, safety and welfare of the general public.

CONCLUSIONS:

A. The Plan Commission adopted the above findings of fact.

B. The Pedestrian Master Plan 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, as well as the Spokane Municipal Code Chapter 17G.020. See the attached Appendix: SMC 17G.020.030 Review Criteria.

RECOMMENDATIONS:

By a vote of ___ to ___, the Plan Commission recommends to the City Council the approval of a proposed Comprehensive Plan Amendment to adopt the Pedestrian Master Plan.

**Dennis Dellwo, President
Spokane Plan Commission
September 23, 2015**

Appendix: SMC 17G.020.030 Review Criteria

A. Regulatory Changes.

Amendments to the comprehensive plan must be consistent with any recent state or federal legislative actions, or changes to state or federal regulations, such as changes to the Growth Management Act, or new environmental regulations.

Relevant facts: The proposal is consistent with the Growth Management Act, and the Washington State Environmental Policy Act (SEPA).

B. GMA.

The change must be consistent with the goals and purposes of the state Growth Management Act.

Relevant facts: The “Legislative findings” included in the Revised Code of Washington pertaining to GMA is essentially a call for coordinated and planned growth that is done cooperatively between citizens, government, and the private sector. The complete text of the “Legislative findings” follows:

RCW 36.70A.010, Legislative findings.

The legislature finds that uncoordinated and unplanned growth, together with a lack of common goals expressing the public's interest in the conservation and the wise use of our lands, pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state. It is in the public interest that citizens, communities, local governments, and the private sector cooperate and coordinate with one another in comprehensive land use planning.

The Growth Management Act contains 13 goals to guide the development and adoption of the comprehensive plans and development regulations (RCW 36.70A.020, “Planning Goals”). The proposed change as recommended by staff would be consistent with these goals.

Staff concludes that this criterion is met.

C. Financing.

In keeping with the GMA’s requirement for plans to be supported by financing commitments, infrastructure implications of approved comprehensive plan amendments must be reflected in the relevant six-year capital improvement plan(s) approved in the same budget cycle.

Relevant facts: No financial commitments are proposed. The plan will serve as a guide to funding decisions as a part of the six-year capital improvement plan for streets. Staff concludes that this criterion is met.

D. Funding Shortfall.

If funding shortfalls suggest the need to scale back on land use objectives and/or service level standards, those decisions must be made with public input as part of this process for amending the comprehensive plan and capital facilities program.

Relevant facts: Staff has concluded that this criterion is not applicable to this proposal. There are no funding shortfall implications.

E. Internal Consistency.

The requirement for internal consistency pertains to the comprehensive plan as it relates to all of its supporting documents, such as the development regulations, capital facilities program, shoreline master program, downtown plan, critical area regulations, and any neighborhood planning documents adopted after 2001. In addition, amendments should strive to be consistent with the parks plan, and vice versa. For example, changes to the development regulations must be reflected in consistent adjustments to the goals or policies in the comprehensive plan. As appropriate, changes to the map or text of the comprehensive plan must also result in corresponding adjustments to the zoning map and implementation regulations in the Spokane Municipal Code.

Relevant facts: The proposal is consistent with all supporting documents of the Comprehensive Plan and is coordinated with the general update of the Comprehensive Plan as part of the LINK Spokane Transportation Update. The proposal does not result in the need for other amendments to the comprehensive plan or development regulations. Staff concludes the proposal is consistent with comprehensive plan goals and policies.

Staff concludes that this criterion is met.

F. Regional Consistency.

All changes to the comprehensive plan must be consistent with the countywide planning policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the regional transportation improvement plan, and official population growth forecasts.

Relevant facts: The proposal supports the existing Transportation Chapter of the Comprehensive Plan and has been coordinated with SRTC and adjoining jurisdictions and agencies.

G. Cumulative Effect.

All amendments must be considered concurrently in order to evaluate their cumulative effect on the comprehensive plan text and map, development regulations, capital facilities program, neighborhood planning documents, adopted environmental policies and other relevant implementation measures.

1. Land Use Impacts.

In addition, applications should be reviewed for their cumulative land use impacts. Where adverse environmental impacts are identified, mitigation requirements may be imposed as a part of the approval action.

2. Grouping.

Proposals for area-wide rezones and/or site-specific land use plan map amendments may be evaluated by geographic sector and/or land use type in order to facilitate the assessment of their cumulative impacts.

Relevant facts: The Pedestrian Master Plan does not impact the land use plan map or development regulations. Implementation of the Pedestrian Master Plan will occur through eventual changes to the capital facilities program and may be subject to SEPA review at that time. The changes are coordinated with a related project, the LINK Spokane Comprehensive Plan Transportation Chapter Update.

Staff concludes that this criterion is met.

H. SEPA.

SEPA review must be completed on all amendment proposals.

1. Grouping.

When possible, the SEPA review process should be combined for related land use types or affected geographic sectors in order to better evaluate the proposals' cumulative impacts. This combined review process results in a single threshold determination for those related proposals.

2. DS.

If a determination of significance (DS) is made regarding any proposal, that application will be deferred for further consideration until the next applicable review cycle in order to allow adequate time for generating and processing the required environmental impact statement (EIS).

Relevant facts: The Pedestrian Master Plan is being reviewed in accordance with the State Environmental Policy Act (SEPA) that requires that the potential for adverse environmental impacts resulting from a proposal be evaluated during the decision-making process. On the basis of information contained with the environmental checklist, the written comments from local and State departments and agencies concerned with land development within the city, and a review of other information available to the Director of Planning and Development, a threshold determination is expected to be issued following the end of the public comment period on September 18, 2015.

I. Adequate Public Facilities.

The amendment must not adversely affect the City's ability to provide the full range of urban public facilities and services (as described in CFU 2.1 and CFU 2.2) citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.

Relevant facts: The proposal does not propose new public facilities and services. It does identify priority areas for pedestrian improvements that will be implemented through the 6 Year Capital Improvement programs. Staff concludes that this criterion is met.

J. UGA.

Amendments to the urban growth area boundary may only be proposed by the city council or the mayor of Spokane and shall follow the procedures of the countywide planning policies for Spokane County.

Relevant fact: This criterion is not applicable.

K. Consistent Amendments.

1. Policy Adjustments.

Proposed policy adjustments that are intended to be consistent with the comprehensive plan should be designed to provide correction or additional guidance so the community's original visions and values can

better be achieved. The need for this type of adjustment might be supported by findings from feedback instruments related to monitoring and evaluating the implementation of the comprehensive plan. Examples of such findings could include:

- a. growth and development as envisioned in the plan is occurring faster, slower or is failing to materialize;
- b. the capacity to provide adequate services is diminished or increased;
- c. land availability to meet demand is reduced;
- d. population or employment growth is significantly different than the plan's assumptions;
- e. plan objectives are not being met as specified;
- f. the effect of the plan on land values and affordable housing is contrary to plan goals;
- g. transportation and/or other capital improvements are not being made as expected;
- h. a question of consistency exists between the comprehensive plan and its elements and chapter 36.70A RCW, the countywide planning policies, or development regulations.

Relevant facts: Staff concludes that the Pedestrian Master Plan will better achieve the community's original vision and values by better aligning funding of transportation improvements with identified pedestrian demand and deficiency measures. The plan also provides additional guidance so the community's original visions and values can better be achieved.

2. 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:

- a. 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.);
- b. The map amendment or site is suitable for the proposed designation;
- c. The map amendment implements applicable comprehensive plan policies better than the current map designation.

Relevant fact: This criterion is not applicable.

3. Rezones, Land Use Plan Map Amendment.

Corresponding rezones will be adopted concurrently with land use plan map amendments as a legislative action of the city council. If policy language changes have map implications, changes to the land use plan map and zoning map will be made accordingly for all affected sites upon adoption of the new policy language. This is done to ensure that the comprehensive plan remains internally consistent and to preserve

consistency between the comprehensive plan and supporting development regulations.

Relevant fact: This criterion is not applicable.

L. Inconsistent Amendments.

1. Review Cycle.

Because of the length of time required for staff review, public comment, and plan commission's in-depth analysis of the applicant's extensive supporting data and long-term trend analysis, proposals that are not consistent with the comprehensive plan are addressed only within the context of the required comprehensive plan update cycle every seven years pursuant to RCW 36.70A.130(4)(C) and every other year starting in 2005.

2. Adequate Documentation of Need for Change.

a. The burden of proof rests entirely with the applicant to provide convincing evidence that community values, priorities, needs and trends have changed sufficiently to justify a fundamental shift in the comprehensive plan. Results from various measurement systems should be used to demonstrate or document the need to depart from the current version of the comprehensive plan. Relevant information may include:

b. growth and development as envisioned in the plan is occurring faster, slower or is failing to materialize;

c. the capacity to provide adequate services is diminished or increased;

d. land availability to meet demand is reduced;

e. population or employment growth is significantly different than the plan's assumptions;

f. transportation and/or other capital improvements are not being made as expected;

g. conditions have changed substantially in the area within which the subject property lies and/or Citywide;

h. assumptions upon which the plan is based are found to be invalid; or

i. sufficient change or lack of change in circumstances dictates the need for such consideration.

Relevant facts: This criterion is not applicable.

3. Overall Consistency.

If significantly inconsistent with the current version of the comprehensive plan, an amendment proposal must also include wording that would realign the relevant parts of the comprehensive plan and its other supporting documents with the full range of changes implied by the proposal.

Relevant facts: The proposed Pedestrian Master Plan has been determined to be consistent with the Comprehensive Plan. The criteria listed above are intended to be used to evaluate applications that are inconsistent with the Comprehensive Plan.

M. SMC 17G.020.040 Amendment Exceptions Criteria

The following types of amendments may be considered more than once a year, provided that all of the amendment criteria have been met, and appropriate steps have been taken to ensure public participation.

- A. Initial adoption of a specific/subarea plan that does not modify the comprehensive plan policies and designations applicable to the subarea (RCW 36.70A.130(2)(a)(i)). However, as anticipated by the comprehensive plan, redesignations are exempt that comply with and implement the comprehensive plan policies regarding designations created as a part of initial neighborhood and centers planning efforts through the neighborhood planning program. Also, future annexations will require an amendment to the land use plan map.

Relevant facts: The Pedestrian Master Plan is both a “specific” plan and a “subarea” plan. The Pedestrian Master Plan is a specific plan that amends the Comprehensive Plan under the specific topic of planning for pedestrians as a part of the overall Comprehensive Plan Transportation Chapter. The Pedestrian Master Plan is a subarea plan of the Comprehensive Plan Transportation Chapter that addresses planning for pedestrians as a subarea of the overall topic of transportation planning. Planning for pedestrians is a basic element of the Transportation Chapter of the Comprehensive Plan. Staff concludes that these criteria have been met.