

**CITY OF SPOKANE PLAN COMMISSION
FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS
REGARDING HEIGHT AND HEIGHT TRANSITION CODE AMENDMENTS**

A recommendation of the City of Spokane Plan Commission to the City Council to approve amendments to the Spokane Municipal Code proposed height and height transition text amendments. The proposal amends the Unified Development Code (UDC) Sections 17C.111.230 and 17C.120.220 to implement the adopted South Logan Transit-Oriented Development Plan.

FINDINGS OF FACT:

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA) as set forth in RCW 36.70A.
- B. In 2021, the Washington State Legislature appropriated \$2.5 million for cities to facilitate transit-oriented development planning in areas with light rail or fixed rail systems, bus rapid transit, high frequency bus service or park and ride lots.
- C. The City of Spokane prepared the Transit-Oriented Development (TOD) Framework Action Plan, adopted by resolution in May 2022 under RES 2022-0039, that identifies strategies best suited to Spokane for supporting TOD along new High-Performance Transit lines, including a focus on South Logan.
- D. The City provided opportunities for meaningful public involvement and review in the South Logan TOD Plan and EIS process, including a community meeting consistent with RCW 43.21C.440; has considered all comments received; and, as appropriate, has modified the proposal or mitigation measures in response to comments, resulting in the Preferred Alternative analyzed in the Final Environmental Impact Statement (FEIS).
- E. The *Final South Logan TOD Plan* and *Final Environmental Impact Statement (FEIS)* were published on November 30, 2023 for final consideration.
- F. On January 29, 2024 Spokane City Council adopted by resolution (RES 2024-0015) the Final South Logan TOD Plan and FEIS as a declaration of the subarea's desired future condition.
- G. In order to facilitate the higher intensity residential development envisioned in the Plan, the adopted Final South Logan TOD Plan called for a review of permitted heights and height transition requirements. For regulatory consistency throughout Spokane and to ensure the benefits of increased feasibility, the amendments are proposed to affect citywide development regulations.
- H. The draft amendments relied on the 20-month planning process and extensive public engagement that occurred as part of the development of the South Logan TOD Plan. Outreach and public communication specifically about South Logan TOD Implementation began in February 2024 and included the following among others:
 - 1. Logan Neighborhood Council meeting presentation on February 13, 2024;

Findings of Fact, Conclusion, and Recommendation

2. Plan Commission Workshops on March 13, April 10, April 24, May 8, May 22, and June 12, 2024;
 3. Various community tabling events on March 19, April 9, and May 18, 2024;
 4. A virtual information session on April 30, 2024;
 5. Coffee Chat pop-up events on May 4, May 23, and June 1, 2024;
 6. Regular South Logan TOD newsletter and webpage updates, as well as City of Spokane newsletter and social media posts.
- I. Public comment, as well as agency and department comments, received prior to the June 26, 2024, Plan Commission public hearing were included in the staff report.
 - J. On March 13, April 10, April 24, May 8, May 22, and June 12, 2024, the Spokane Plan Commission held workshops to discuss draft language, receive updates on public feedback as well as city department and agency comments, and review and evaluate with city staff alternatives to proposed text changes.
 - K. On April 29, 2024, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of the City's intent to adopt updated development regulations pursuant to RCW 36.70A.106.
 - L. On April 29, 2024, a Notice of Intent to Adopt and Request for SEPA agency comments was issued for the draft code pertaining to the proposed South Logan TOD Implementation text amendments. The comment period ended on May 13, 2024. No comments were received.
 - M. The SEPA Determination of Nonsignificance and Checklist were issued by Planning Services on June 12, 2024. The comment period ended on June 26, 2024. No comments were received.
 - N. Prior to the Plan Commission public hearing, a legal notice was published in the *Spokesman-Review* on June 12 and June 19, 2024; and
 - O. The proposed text amendments were drafted and reviewed pursuant to the process established under RCW 36.70A.370 to ensure that the proposed changes will not result in unconstitutional takings of private property.
 - P. Amendments to Title 17 are subject to review and recommendation by the Plan Commission.

Findings of Fact, Conclusion, and Recommendation

- Q. On June 26, 2024, the Spokane Plan Commission held a public hearing on the proposed text amendments, including the taking of verbal testimony, and closed the public record on that date.
- R. Public comment, as well as agency and department comments, received prior to the June 26, 2024 Plan Commission public hearing were included in the staff report.
- S. During deliberations held on June 26, 2024, the Plan Commission discussed the concerns expressed in public comments and testimony about public safety within the South Logan Subarea.
- T. Except as otherwise indicated in the above findings, the Spokane Plan Commission adopts the findings and analysis set forth in the staff report prepared for the proposal.
- U. The Spokane Plan Commission finds that the proposed text amendments meet the decision criteria established in SMC 17G.025.010(G).

CONCLUSIONS:

Based upon the draft text amendments, staff report and analysis (which is hereby incorporated into these findings, conclusions, and recommendations), SEPA review, agency and public comments received, and public testimony presented, the Spokane Plan Commission makes the following conclusions with respect to the text amendments to the Hamilton Form-Based Code:

1. The Plan Commission finds that the proposed amendments bear a substantial relation to the public health, safety, welfare, and protection of the environment pursuant to the requirements outlined in SMC 17G.025.010(G).
2. The proposed text amendments will implement the goals and policies of the Comprehensive Plan.
3. The proposed text amendments will implement the adopted South Logan Transit-Oriented Development Plan.
4. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment were given an opportunity to comment.
5. SEPA review was completed for the proposal, and pursuant to SEPA, any adverse environmental impacts associated with the proposed regulations will be mitigated by enforcement of the City's development regulations.
6. Plan Commission concludes that the intent of the including neighborhood councils to the list of entities that receive notice of applications was to give neighborhood councils standing and the ability to advocate for their neighborhood residents. As entities of standing, neighborhood councils should assume the responsibility of proactively communicated with their residents about pertinent all-city or neighborhood-specific development applications.

7. The Plan Commission finds that the proposed amendments are consistent with the applicable provisions of the Comprehensive Plan, particularly the following adopted goals and policies:
 - a. Chapter 3: Land Use – Goal 1 – Citywide Land Use, Policy LU 1.4 Higher Intensity Residential Areas
 - b. Chapter 3: Land Use – Goal 3 – Efficient Land Use, Policy LU 3.1 Coordinated and Efficient Land Use
 - c. Chapter 3: Land Use – Goal 3 – Efficient Land Use, Policy LU 3.2 Centers and Corridors
 - d. Chapter 3: Land Use – Goal 3 – Efficient Land Use, Policy 3.5 Mix of Uses in Centers
 - e. Chapter 3: Land Use – Goal 4 – Transportation, Policy LU 4.1 Land Use and Transportation
 - f. Chapter 3: Land Use – Goal 4 – Transportation, Policy LU 4.6 Transit-Supported Development
 - g. Chapter 3: Land Use – Goal 5 – Development Character, Policy LU 5.1 Built and Natural Environment
 - h. Chapter 3: Land Use – Goal 5 – Development Character, Policy LU 5.5 Complementary Development
 - i. Chapter 6: Housing – Goal H1 – Housing Choice and Diversity, Policy H 1.4 Use of Existing Infrastructure
 - j. Chapter 6: Housing – Goal H1 – Housing Choice and Diversity, Policy H 1.7 Socioeconomic Integration
 - k. Chapter 6: Housing – Goal H1 – Housing Choice and Diversity, Policy H 1.11 Access to Transportation
 - l. Chapter 8: Urban Design and Historic Presentation – Goal DP 1 – Price and Identity, Policy DP 1.2 New Development in Established Neighborhoods
 - m. Chapter 8: Urban Design and Historic Preservation – Goal DP 2 – Urban Design, Policy DP 2.2 Design Guidelines and Regulations
 - n. Chapter 8: Urban Design and Historic Preservation – Goal DP 2 – Urban Design, Policy DP 2.6 Building and Site Design
 - o. Chapter 8: Urban Design and Historic Preservation – Goal DP 2 – Urban Design, Policy DP 2.7 Historic District and Sub-Area Design Guidelines
 - p. Chapter 8: Urban Design and Historic Preservation – Goal DP 2 – Urban Design, Policy DP 2.12 Infill Development
 - q. Chapter 8: Urban Design and Historic Preservation – Goal DP 2 – Urban Design, Policy 2.13 Parking Facilities Design

- r. Chapter 11: Neighborhoods – Goal N 4 – Traffic Circulation, Policy N 4.7 Pedestrian Design
8. The Plan Commission recognizes the concerns expressed by community members about public safety within the South Logan Subarea. While the Plan Commission urges continued community collaboration with public safety and code enforcement officials, the body recognizes the positive impact that transit-oriented and pedestrian-oriented development can have on public safety within the built environment. Increased density and mix of uses made possible with amendments to the Center and Corridor zones, higher intensity residential zones, and height allowances, as well as street activation as called for in the Hamilton Form-Based Code, encourage more eyes on the street and have been found to have a positive effect on safety and walkability.

RECOMMENDATION:

In the matter of the ordinance pertaining to the Hamilton Form-Based Code, amending the Unified Development Code of the City of Spokane:

1. By a vote of seven to zero, the City of Spokane Plan Commission recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Sections 17C.111.230 and 17C.120.220.
2. The City of Spokane Plan Commission authorizes the Plan Commission President to prepare and sign on the Commission's behalf a written decision setting forth the Plan Commission's findings, conclusions, and recommendations on the proposed amendments.

Greg Francis

[Greg Francis \(Jun 27, 2024 17:44 PDT\)](#)

Greg Francis, President

Spokane Plan Commission

Jun 27, 2024

Click or tap to enter a date.

PC Findings and Conclusions_ Height and Height Transition

Final Audit Report

2024-06-28

Created:	2024-06-27
By:	AMANDA KIEHN (AKIEHN@SPOKANECITY.ORG)
Status:	Signed
Transaction ID:	CBJCHBCAABAADdKvG6ENsZmVnLETjYe-u1avsEUhEYsw

"PC Findings and Conclusions_ Height and Height Transition" History

 Document created by AMANDA KIEHN (AKIEHN@SPOKANECITY.ORG)


2024-06-27 - 10:05:03 PM GMT

 Document emailed to gfrancis@spokanecity.org for signature

2024-06-27 - 10:05:32 PM GMT

 Email viewed by gfrancis@spokanecity.org

2024-06-28 - 0:43:47 AM GMT

 Signer gfrancis@spokanecity.org entered name at signing as Greg Francis

2024-06-28 - 0:44:02 AM GMT

 Document e-signed by Greg Francis (gfrancis@spokanecity.org)

Signature Date: 2024-06-28 - 0:44:04 AM GMT - Time Source: server

 Agreement completed.

2024-06-28 - 0:44:04 AM GMT