

Ordinance No. _____

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. Chapter 17G.020 of the Spokane Municipal Code is suspended for the 2022/2023 cycle of annual comprehensive plan amendment and accompanying rezone requests. 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 _____, 2022.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor _____

Date

Effective Date

DRAFT