



PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS ON COMPREHENSIVE PLAN AMENDMENT Z19-503COMP

A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment application seeking to amend the land use plan map designation from “Residential 4-10” to “Residential 15-30” for 10.3 acres located at 3227 E 53rd Avenue and 5106 S Palouse Highway. The implementing zoning designation requested is RMF (Residential Multi-Family).

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).
- B. Under GMA, comprehensive plans generally may be amended no more frequently than once a year, and all amendment proposals must be considered concurrently in order to evaluate for their cumulative effect.
- C. Amendment application Z19-503COMP (the “Application”) was submitted in a timely manner for review during the City’s 2019/2020 amendment cycle.
- D. The Application seeks to amend the land use plan map designation for a 10.3-acre area located at 3227 E 53rd Avenue and 5106 S Palouse Highway (the “Properties”) from “Residential 4-10” to “Residential 15-30” with a corresponding change in zoning from Residential Single Family (RSF) to Residential Multi-Family (RMF).
- E. The property on S Palouse Highway was added to the proposal by the City Council upon adoption of the 2020 Work Program (see ‘I’ below).
- F. The two parcels at 3227 E 53rd Avenue are held in common ownership by the applicant; the property on S Palouse Highway is held by a second owner, unrelated to the first.
- G. Annual amendment applications were subject to a threshold review process to determine whether the applications will be included in the City’s Annual Comprehensive Plan Amendment Work Program.
- H. On February 6, 2020, an Ad Hoc City Council Committee reviewed the applications that had been timely submitted, and forwarded its recommendation to City Council regarding the applications.
- I. On March 2, 2020, the City Council adopted Resolution RES 2020-0014 establishing the 2020 Comprehensive Plan Amendment Work Program, including the Application in the Work Program.
- J. Thereafter, on May 11, 2020, staff requested comments from agencies, departments, and neighborhood councils. No agency/department/neighborhood council comments were received.
- K. The City issued a Notice of Application on June 8, 2020 by posting it in the Spokesman Review and Official Gazette and by mail to all properties and owners within a 400-foot radius of the subject Properties and any adjacent properties with the same ownership. The Notice of Application

initiated a 60-day public comment period from June 8 to August 7, 2020, during which the City received comment letters from the neighborhood council stating concerns with traffic/parking, school capacity, and the placement of low-income units in the neighborhood.

- L. On June 4, 2020, the Community Assembly received a presentation regarding the 2020 Comprehensive Plan Amendment Work Program and the Application, and the Community Assembly was provided with information regarding the dates of Plan Commission workshops and hearings.
- M. On July 8, 2020, the Spokane City Plan Commission held a workshop to study the Application.
- N. On June 24, 2020, the Land Use Subcommittee of the Community Assembly received a presentation regarding the 2020 Comprehensive Plan Amendment Work Program, including the Application.
- O. On August 24, 2020, a State Environmental Policy Act (SEPA) Checklist and Mitigated Determination of Non-Significance (MDNS) were issued for the Application. The deadline to appeal the SEPA determination was September 14, 2020. No comments on the SEPA determination were received.
 - 1. Notice of the SEPA Determination for the Application was published in the Official Gazette on September 2 and 9, 2020.
 - 2. The sole mitigation in the MDNS was to require the dedication of the northern half of E 53rd Avenue along the southern boundary of the Properties at the time of future development; a condition accepted by the applicant.
- P. On August 25, 2020, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
- Q. On August 24, 2020, Notice of Public Hearing and SEPA Determination was posted on the Properties and mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four-hundred-foot radius of any portion of the boundary of the subject property.
- R. On August 24, 2020 staff published a report addressing SEPA and providing staff's analysis of the merits of the Application, copies of which were circulated as prescribed by SMC 17G.020.060B.8. Staff's analysis of the Application recommended approval of the Application.
- S. On August 26 and September 2, 2020, notice was published in the Spokesman Review providing notice of the SEPA Mitigated Determination of Non-Significance and notice of the September 9, 2020 Plan Commission Public Hearing.
- T. Following issuance of the public hearing notice, the City received additional comment letters in opposition to the proposal from members of the public, citing perceived ecological impacts, traffic, school capacity, impacts on public services, and increased density.

- U. On September 9, 2020, the Plan Commission held a public hearing on the Application, including the taking of verbal testimony, and closed the public record, postponing deliberations until the following hearing date.
- V. One member of the public testified during the hearing on September 9, 2020 in opposition to the proposal, citing concerns with existing traffic conditions in the area.
- W. As a result of the City's efforts, pursuant to the requirements of SMC 17G.020.070, the public has had extensive opportunities to participate throughout the process and persons desiring to comment were given an opportunity to do so.
- X. Except as otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the Application (the "Staff Report").
- Y. The Plan Commission finds that the proposal meets the intent and requirements of the Comprehensive Plan, most specifically policy Land Use LU 1.4 concerning the establishment of higher density residential land uses in the City.
- Z. The Plan Commission finds that the proposal meets the decision criteria established by SMC 17G.020.030, as described in the Staff Report.

CONCLUSIONS:

Based upon the application materials, staff analysis (which is hereby incorporated into these findings, conclusions, and recommendation), SEPA review, agency and public comments received, and public testimony presented regarding application File No. Z19-503COMP, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

1. The Application was submitted in a timely manner and added to the 2020 Annual Comprehensive Plan Amendment Work Program, and the final review Application was submitted as provided in SMC 17G.020.050(D).
2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
3. The Application is consistent with the goals and purposes of GMA.
4. Any potential infrastructure implications associated with the Application will either be mitigated through projects reflected in the City's relevant six-year capital improvement plans or through enforcement of the City's development regulations at time of development.
5. As outlined in above in the Findings of Fact, the Application is internally consistent as it pertains to the Comprehensive Plan, as described in SMC 17G.020.030.E.
6. The Application is consistent with the Countywide Planning Policies for Spokane County, the comprehensive plans of neighboring jurisdictions, applicable capital facilities plans, the regional transportation plan, and official population growth forecasts.

7. The Application has been considered simultaneously with the other proposals included in the 2020 Annual Comprehensive Plan Amendment Work Program in order to evaluate the cumulative effect of all the proposals.
8. SEPA review was completed for the Application.
9. The Application will not adversely affect the City's ability to provide the full range of urban public facilities and services citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.
10. The Application proposes a land use designation that is consistent with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.).
11. The proposed map amendment and site is suitable for the proposed designation.
12. The map amendment would implement applicable comprehensive plan policies better than the current map designation.

RECOMMENDATIONS:

In the matter of Z19-503COMP, a request by Dwight Hume of Land Use Solutions and Entitlement on behalf of the 3227 E 53rd Ave, LLC to change the land use plan designation on 10.3 acres of land from "Residential 4-10" to "Residential 15-30" with a corresponding change of the implementing zoning to RMF (Residential Multi-Family), as based upon the above listed findings and conclusions, by a vote of 8 to 1, the Spokane Plan Commission recommends City Council **APPROVE** the requested amendment to the Land Use Plan Map of the City's Comprehensive Plan with corresponding amendment to the City's Zoning Map, and authorizes the President to prepare and sign on the Commission's behalf a written decision setting forth the Commission's findings, conclusions, and recommendation on the Application.

Todd Beyreuther, President

Spokane Plan Commission

October __, 2020

**DISSENTING OPINION RE:
Comprehensive Plan Amendment Z19-503COMP
(3227 E 53rd and 5106 S. Palouse Highway)**

STATEMENT OF DISSENTING OPINION:

This project conflicts with good city planning goals adopted by the GMA (RCW 36.70A.020). Which in part directs communities to promote concentrated urban growth, reduce sprawl, and produce affordable housing. Building high density housing in this most southerly area of Spokane City (Southgate Neighborhood; also for the North Indian Trail Neighborhood and the Shiloh Hills Neighborhood to our north City boundary) creates population sprawl. That is population density that looks more like a “barbell” of Net Residential Density¹ going from the northern City boundary to the southern City boundary.

REASONS FOR DISSENSION:

A. Why is this sprawl not desired? The 1990 GMA was passed to prevent this type of urban population sprawl and cities were to develop comprehensive plans to address the issue of sprawl.

Some negative outcomes of population sprawl:

- Increased traffic on Spokane north/south arterials
- Higher road maintenance because residents travel more (unnecessary) miles within the City
- More greenhouse gas emissions
- More pollution
- Longer and more frustrating commutes for citizens
- More cars on the road, necessitating poor land use in neighborhoods, work sites, and commerce establishments with parking spaces (pavement surface) increasing urban heat and water runoff.
- Higher total transportation cost for residents at City extremes, reducing true affordability
- Encourages motor vehicle use
- Reduces walkable and bikeable City routes
- Increased road rage
- Extended costs (mileage) of moving food, goods, trash, etc.

B. Traditionally these negative outcomes reduce commerce in city centers and eventually may destroy a once vibrant ‘downtown.’

C. Unfortunately approving this proposal is in conflict with RCW 36.70A.020 (2) and (10) The Comprehensive Plan needs to encourage infill and higher Net Residential Density (NRD) in Spokane within a one to two mile radius of City Hall. Another project was

rejected (W 10th Avenue) because our Comprehensive Plan does not allow a R15-30 in a R4-10 zone. This Comprehensive Plan restriction promotes sprawl rather than infilling. (Why is there no intermediate R10-15 residential zone?)

CONCLUSIONS:

A. City Council needs to address how The City of Spokane can encourage higher NRD in our City core and a lower NRD near our City boundaries in The Comprehensive Plan while keeping housing costs affordable. (*cf.* where SMC 17C.110.030 residential land uses can be aptly mixed)

Clifford Winger
Spokane City Plan Commissioner
25 September, 2020

1 Net Residential Density is calculated by taking the minimum number of planned housing units and dividing by the net acreage. Net acreage does not include land covered by wetlands, water bodies, public parks and trails, public open space, arterial road rights-of-way, and other undevelopable acres identified in or protected by local ordinances such as steep slopes.