

BRIEFING PAPER
City of Spokane
Plan Commission Workshop, August 9, 2017
City Council Hearing, August 21, 2017

Subject

The proposal is to update the way that annual amendment proposals to the Comprehensive Plan and non-City requests to amend the Unified Development Code are reviewed. This proposal would add a threshold determination or a “docketing” step. SMC Chapters 17G.020 and 17G.025 govern these procedures.

Background

Amendments to the Comprehensive Plan can be Land Use Plan Map amendments or text amendments. Annual Amendment proposals or proposals to amend the Unified Development Code may be initiated by anyone. Currently, requests to amend the City’s Comprehensive Plan and Unified Development Code proceed to the Plan Commission and then to City Council for legislative consideration following initial staff and agency review.

In order to better handle the work load for staff, Plan Commission and the City Council, this proposed amendment would add a process of threshold review prior to full review. As a part of threshold review, applications that are not moved to the Comprehensive Plan Annual Amendment Work Program (“the docket”) may alternatively be placed on the ongoing work program or referred to the Comprehensive Plan Periodic Update, which occurs every eight years.

It is anticipated that this early review step will benefit applicants who, without early threshold review, may wastefully spend considerable time and resources on proposed amendments during a long legislative review. Once the docket is established, full review would begin for those projects on the docket. Outside the docket procedure, this proposal does not make substantial changes to the full review process now followed.

Key Concepts in this code update:

- An “early threshold review” procedure, which would be used to establish the Annual Comprehensive Amendment Work Program (“the docket” for short), has been added to the draft ordinance. The Plan Commission considered several alternative procedures for conducting this threshold review at their workshops. Following the Plan Commission Public Hearing on this matter, the Plan Commission and City Council, at their joint study session on July 13, 2017, agreed to language that will create a city council ad hoc committee consisting of three City Council Members and three Plan Commission Members. (This is discussed in specifics in Item #1 below).
- A new proposed code section, 17G.020.026, Threshold Review Decision Criteria, has been added. Decision Criteria for non-city unified development code proposals would be added to SMC 17G.025.010(C) as well.
- This proposal would incorporate any non-city amendments proposed to the Unified Development Code (Title 17) into the docket procedure.
- The limitation on accepting “inconsistent amendments” only every other year has been removed. Now inconsistent amendments could potentially be considered every year.

- A \$500 fee currently designated as “pre-application fee” would be re-purposed as the “docket consideration fee”. If an application moves on to full review, the amendment base fee of \$5,000 would be required with a credit for the previous \$500 paid. (SMC 8.02.692).

Plan Commission Action and Additional Changes:

At the Plan Commission Public Hearing held June 14, 2017, the Plan Commission voted (6-2) against recommending approval of the proposal to City Council. Following this hearing, the Plan Commission and City Council held a joint study session on July 13, 2017 and additional changes were discussed at that study session. The most significant change from this discussion was to establish a city council ad hoc committee to review the threshold review applications and make a recommendation to City Council for the docket (see #1 below).

Changes to the draft ordinance since the Plan Commission hearing on June 14, 2017:

1. Additional text was proposed for new section 17G.020.025(A)(1)(a)(i) to include language about establishing an ad hoc committee of three City Council members and three Plan Commission members to review and send recommendation to City Council. This change is from PC/CC Study Session on July 13, 2017.
2. Adding language was proposed for 17G.020.060(A)(2), Process for Application, Review and Decision, Threshold Review, which would add that neighborhood council engagement be encouraged early in the process, prior to application. This suggestion comes from Council Member Beggs. It reads:
In the case of a map amendment, the applicant shall make reasonable efforts to schedule a meeting with the impacted neighborhood council(s) and document any support or concerns by said neighborhood councils(s).
3. Staff revision is proposed for section 17G.020.026, Threshold Review Criteria, to delete section D. Staff feel this is already addressed in SMC 17G.020.030(K) (Demonstration of Need) and is more appropriately addressed during final review.
“D” in the draft before Plan Commission read: “The proposed amendment addresses significantly changed conditions since the last time the pertinent comprehensive plan land use map or text was amended. For purposes of this section, “significantly changed conditions” requires demonstrating evidence of change such as unanticipated consequences of an adopted policy, or changed conditions on the subject property or its surrounding area, or changes related to the pertinent plan map or text; where such change has implications of a magnitude that need to be addressed for the comprehensive plan to function as an integrated whole; and”
4. In 17G.020.026(G), addition of the word “or” to clarify that decision criteria H is not required and is thus no longer included in the proposed code update. This is in response to a comment from Plan Commissioner during the hearing on June 14, 2017.
5. Staff proposes a clerical change to the numbering in SMC 17G.020.026 from A-G for review steps, to A(1-3) for Threshold Review steps and B(1-12) for Final Review steps.

Project Timeline

January 25, 2017 – Concept workshop with Plan Commission

March 22, 2017 – Workshop with Plan Commission

April 26, 2017 – PC Workshop with draft language

May 4, 2017 - Outreach to Community Assembly

May 10, 2017 – Plan Commission Workshop, continued draft review

June 14, 2017 – Plan Commission Public Hearing

June 22, 2017 – City Council Study Session

July 13, 2017 - Plan Commission/City Council Joint Study Session

August 9, 2017 – Plan Commission Workshop - report back on Study Session recommendations

August 14, 2017 – City Council Briefing & 1st Reading Ordinance

August 21, 2017 – City Council Public Hearing, Action on Ordinance

Additional information: Completed [2015/2016 Annual Amendments](#) and the current process. [Annual amendments for 2017 are suspended](#) while the city adopts the periodic update to the Comprehensive Plan.