



**PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND
RECOMMENDATIONS ON COMPREHENSIVE PLAN AMENDMENT
FILE Z23-476COMP (8TH AVENUE)**

A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment application, subject to modification of the proposal relating to the boundary of the Right of Way (ROW) expansion, seeking to amend the land use plan map designation from “Office”, “Residential Low”, “Neighborhood Retail”, and “Conservation Open Space” to “General Commercial” for seven parcels and a portion of Public Right-of-Way (ROW) totaling 4.3 acres located at 2610, 2613, 2614, 2618, 2624, and 2628 W. 8th Ave, Parcel 25243.1309, and ROW to the east. The zoning designation requested is “Community Business, 55-foot height limit (CB-55).”

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 Z23-476COMP (the “Application”) was submitted in a timely manner for review during the City’s 2023/2024 amendment cycle.
- D. The Application sought to amend the land use plan map designation for three parcels totaling .6 acres located at 2610 and 2613 W 8th Ave and Parcel 25243.1309 from “Office,” “Residential Low,” and “Neighborhood Retail” to “General Commercial” with a corresponding change in zoning from “R1,” “Office, 35-foot height limit (O-35)”, and “Neighborhood Retail, 35-foot height limit (NR-35)” to “Community Business, 55-foot height limit (CB-55).”
- E. The subject properties contain five single-unit homes, the offices of Northwest renewables, a flat undeveloped lot, and vacant Right-of-Way (“ROW”) which slopes steeply down to Latah Creek and is partially under a rail viaduct.
- F. 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.
- G. On January 22, 2024, the City Council adopted Resolution RES 2024-0002 establishing the City Council members of the Ad Hoc City Council Threshold Committee.
- H. On February 9, 2024, an Ad Hoc City Council Threshold Committee reviewed the applications that had been submitted and forwarded its recommendation to City Council regarding the applications.

- I. On March 25, 2024, the City Council adopted Resolution RES 2024-0029 establishing the 2024 Comprehensive Plan Amendment Work Program, including the Application. At this time, the City Council included four additional properties, located at 2614, 2618, 2624, and 2628 W. 8th Ave, as well as 3.29 acres of ROW east of the Application for consideration as an expansion to the proposal, with a proposed land use of “General Commercial” and zoning of “Community Business, 55-foot height limit (CB-55).”
- J. Geographic expansion of applications for Comprehensive Plan Amendments by City Council is allowed within the Spokane Municipal Code (“SMC”) under Title 17G.020.025.A.1.a.
- K. On March 28, 2024, staff presented the 2023/2024 Comprehensive Plan Amendment Work Program to the Community Assembly Land Use Subcommittee on, including details regarding the Application, and provided information on the required process, upcoming Plan Commission Workshops, and how to submit comments.
- L. On May 7, 2024, staff requested comments from agencies, departments, and neighborhood councils. The comment period ended May 21, 2024. By the end of the comment period, one comment was received from the Spokane Tribe of Indians.
- M. On June 10, 2024, a Notice of Application was mailed to all properties, owners, and taxpayers within a 400-foot radius of the subject parcels and any adjacent properties with the same ownership. Signs were also placed on the subject parcels and ROW in plain view of the public. Notice was also published in the Spokesman Review on both June 10, 2024, and June 17, 2024.
- N. The Notice of Application initiated a 60-day public comment period from June 10, 2024, to August 9, 2024, during which no comments were received.
- O. No additional public comments on the Application were received by October 8, 2024, at 5pm.
- P. On June 26, 2024, the Spokane Plan Commission held a public workshop to study the Application.
- Q. On September 16, 2024, a State Environmental Policy Act (“SEPA”) Checklist and Determination of Non-Significance were issued for the Application. The deadline to appeal the SEPA determination was October 8, 2024. No comments on the SEPA determination were received.
- R. On September 17, 2024, 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.
- S. On September 20, 2024, 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 private application and city sponsored expansion to the west and made no recommendation on the inclusion of the ROW expansion.
- T. A Notice of SEPA Determination of Non-Significance and Plan Commission Hearing was published on September 25, 2024, in the Official Gazette and on September 25, 2024, and October 2, 2024, in the Spokesman Review.

- U. On September 25, 2024, a 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 Properties.
- V. On October 9, 2024, the Plan Commission held a public hearing on the Application, including the taking of verbal testimony, closing the verbal and written record, conducting deliberation on the application, and voting to recommend the City Council Approve this application.
 - 1. The applicant presented images of the existing conditions in the area and provided additional context to the proposal.
 - 2. No members of the public testified on this Application during the Plan Commission Hearing.
- W. During deliberation, the Plan Commission voted 9 to 0 to condition their recommendation on amending the boundary of the ROW to be consistent with the maps shown at the hearing, reducing the area of ROW from 3.42 acres to 2.84 acres.
 - 1. The reduced area conforms to a request by the applicant.
 - 2. Plan Commission felt that the ROW involved, while currently designated for “Conservation Open Space,” had less conservation value than the slope down to Latah Creek, which would remain designated “Conservation Open Space” by reducing the size of the ROW area.
- X. 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.
- Y. Except as may be otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the Application (the “Staff Report”).
- Z. The Plan Commission finds that the proposal meets the intent and requirements of the Comprehensive Plan, most specifically the Policies LU 1.8, General Commercial Uses, LU 4.6 Transit Supported Development, and LU 6.2 Open Space.
- AA. 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. Z23-476COMP, 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 2023/2024 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 2024 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 in conformance 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 Z23-476COMP, a request by Clifton Trimble of Storhaug Engineering on behalf of Harlan and Douglas Heise, and expanded by the City of Spokane, to change the land use plan designation of 4.3 acres of land from "Office", "Residential Low", "Neighborhood Retail", and "Conservation Open Space" to "General Commercial" with a corresponding change of the implementing zoning from "R1", "Office, 35-foot height limit (O-35)", and "Neighborhood Retail, 35-foot height limit (NR-35)" to "Community Business, 55-foot height limit (CB-55)". Based upon the above listed findings and conclusions, by a vote of **9 to 0**, 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, subject to the modification of the ROW boundary consistent with the attached amended 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.

Greg Francis
Greg Francis (Oct 22, 2024 15:10 PDT)

Greg Francis, President
Spokane Plan Commission
Date: Oct 22, 2024

PC Findings and Conclusions - Z23-476COMP

Final Audit Report

2024-10-22

Created:	2024-10-22
By:	Angela McCall (amccall@spokanecity.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAXjHtwZFbB-is_jxX-xKCecrxX9OZ3xt

"PC Findings and Conclusions - Z23-476COMP" History

 Document created by Angela McCall (amccall@spokanecity.org)


2024-10-22 - 5:22:52 PM GMT

 Document emailed to gfrancis@spokanecity.org for signature

2024-10-22 - 5:23:18 PM GMT

 Email viewed by gfrancis@spokanecity.org

2024-10-22 - 10:08:45 PM GMT

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

2024-10-22 - 10:10:02 PM GMT

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

Signature Date: 2024-10-22 - 10:10:04 PM GMT - Time Source: server

 Agreement completed.

2024-10-22 - 10:10:04 PM GMT