



**Agenda Sheet for City Council:**

**Committee:** Urban Experience **Date:** 11/11/2024

**Committee Agenda type:** Consent

**Date Rec'd** 11/13/2024

**Clerk's File #** ORD C36613

**Cross Ref #**

**Project #**

**Council Meeting Date:** 11/25/2024

**Submitting Dept** PLANNING & ECONOMIC

**Bid #**

**Contact Name/Phone** KEVIN (509) 625 - 6184

**Requisition #**

**Contact E-Mail** KFREIBOTT@SPOKANECITY.ORG

**Agenda Item Type** First Reading Ordinance

**Council Sponsor(s)** ZZAPPONE JBINGLE KKLITZKE

**Agenda Item Name** 0650 - Z23-479COMP – INDIAN TRAIL – COMPREHENSIVE PLAN AMENDMENT

**Agenda Wording**

Proposal Z23-479COMP seeks to amend the Land Use Plan Map and Zoning Map for 33 acres in the Balboa/South Indian Trail Neighborhood. This proposal is being considered as part of the Annual Comprehensive Plan Amendment Work Program.

**Summary (Background)**

The proposal concerns parcels 26262.0010, 26262.0018, 26262.0054, 26262.0055, and 26265.0048 as well as portions of parcels 26262.2620 and 26262.2621 in the Balboa/South Indian Trail Neighborhood. Application Z23-479COMP seeks to amend the Comprehensive Plan Land Use Plan Map from "Residential Low" to "Residential Moderate," "General Commercial," and "Potential Open Space" and amend the Zoning Map from "R1" to "Residential Multifamily (RMF)," "Community Business, 55-foot height limit (CB-55),"

Lease? NO Grant related? NO Public Works? NO

**Fiscal Impact**

Approved in Current Year Budget? N/A

Total Cost \$

Current Year Cost \$

Subsequent Year(s) Cost \$

**Narrative**

Processing of Comprehensive Plan Amendments utilizes existing staff time and resources. No additional costs are associated with the adoption of this proposal.

**Amount**

**Budget Account**

Neutral \$ #

Select \$ FIRST READING OF THE ABOVE #

Select \$ ORDINANCE HELD ON #

Select \$ 11/25/2024 #

Select \$ AND FURTHER ACTION WAS DEFERRED #

Select \$ *Kim Hefste* #

CITY CLERK

PASSED BY  
SPOKANE CITY COUNCIL:

*12/2/2024*  
*Kim Hefste*  
CITY CLERK



# Continuation of Wording, Summary, Approvals, and Distribution

## Agenda Wording

## Summary (Background)

and "R1." This Application is being considered concurrently with five others through the annual Comprehensive Plan Amendment cycle as required by the Growth Management Act. The application has fulfilled public participation and notification requirements. The Plan Commission held a Public Hearing on October 9, 2024, to consider this Application and recommended approval of the proposal.

### **Approvals**

<b><u>Dept Head</u></b>	GARDNER, SPENCER
<b><u>Division Director</u></b>	GARDNER, SPENCER
<b><u>Accounting Manager</u></b>	ORLOB, KIMBERLY
<b><u>Legal</u></b>	KAPAUN, MEGAN
<b><u>For the Mayor</u></b>	PICCOLO, MIKE

### **Additional Approvals**


### **Distribution List**

	Kfreibott@spokanecity.org
bwhitmarsh@spokanecity.org	eking@spokanecity.org
sgardner@spokanecity.org	smacdonald@spokanecity.org

## Committee Agenda Sheet

### Urban Experience Committee

<b>Committee Date</b>	November 11, 2024
<b>Submitting Department</b>	Planning & Economic Development
<b>Contact Name</b>	Kevin Freibott
<b>Contact Email &amp; Phone</b>	<a href="mailto:kfreibott@spokanecity.org">kfreibott@spokanecity.org</a> , (509) 625 - 6184
<b>Council Sponsor(s)</b>	<u>CM Zack Zappone, CM Jonathan Bingle, and CM Kitty Klitzke</u>
<b>Select Agenda Item Type</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion    Time Requested:
<b>Agenda Item Name</b>	Z23-479COMP – Indian Trail – Comprehensive Plan Amendment
<b>Proposed Council Action</b>	<input checked="" type="checkbox"/> Approval to proceed to Legislative Agenda <input type="checkbox"/> Information Only
<b>Summary (Background)</b>  *use the Fiscal Impact box below for relevant financial information	<p>The proposal concerns parcels 26262.0010, 26262.0018, 26262.0054, 26262.0055, and 26265.0048 as well as portions of parcels 26262.2620 and 26262.2621 in the Balboa/South Indian Trail Neighborhood.</p> <p>Application Z23-479COMP seeks to amend the Comprehensive Plan Land Use Plan Map from “Residential Low” to “Residential Moderate,” “General Commercial,” and “Potential Open Space” and amend the Zoning Map from “R1” to “Residential Multifamily (RMF),” “Community Business, 55-foot height limit (CB-55),” and “R1.”</p> <p>This Application is being considered concurrently with five others through the annual Comprehensive Plan Amendment cycle as required by the Growth Management Act. The application has fulfilled public participation and notification requirements. The Plan Commission held a Public Hearing on October 9, 2024, to consider this Application and recommended approval of the proposal.</p>
<p><b>Fiscal Impact</b></p> <p><b>Approved in current year budget?</b>    <input type="checkbox"/> Yes    <input type="checkbox"/> No    <input checked="" type="checkbox"/> N/A</p> <p>Total Cost: <u>Click or tap here to enter text.</u></p> <p>    Current year cost:</p> <p>    Subsequent year(s) cost:</p> <p><b>Narrative:</b> <u>Processing of Comprehensive Plan Amendments utilizes existing staff time and resources. No additional costs are associated with the adoption of this proposal.</u></p> <p><b>Funding Source</b>    <input type="checkbox"/> One-time    <input type="checkbox"/> Recurring    <input checked="" type="checkbox"/> N/A</p> <p>Specify funding source: Select Funding Source*</p> <p>Is this funding source sustainable for future years, months, etc? <u>Click or tap here to enter text.</u></p> <p><b>Expense Occurrence</b>    <input type="checkbox"/> One-time    <input type="checkbox"/> Recurring    <input checked="" type="checkbox"/> N/A</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
<b>Operations Impacts (If N/A, please give a brief description as to why)</b>	
What impacts would the proposal have on historically excluded communities?	

The is a private proposal to amend the land use and zoning map and is not directly related to historically excluded communities.

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

The proposal is a land use and zoning map change and does not guarantee future development of the subject properties. No data is directly collected or analyzed on the listed topics, however the Planning & Economic Development Department generally follows these proposals to track whether the subject properties develop in the future.

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

As stated above, the department generally tracks these proposals to see if they develop. Doing so allows for educated revisions to ensure the efficacy of the program if they are warranted.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This proposal is consistent with Comprehensive Plan Policies **LU 1.4 Higher Intensity Residential Areas, LU 1.8 General Commercial Uses, and LU 6.2 Open Space**. After reviewing the criteria set forth in SMC 17G.020.030, Plan Commission found the proposal consistent with the Comprehensive Plan and all applicable review criteria, voting to recommend City Council approval of the proposal, subject to the execution of a development agreement.

Ordinance No. C36613

AN ORDINANCE RELATING TO APPLICATION FILE Z23-479COMP AMENDING MAP LU 1, LAND USE PLAN MAP, OF THE CITY'S COMPREHENSIVE PLAN FROM "RESIDENTIAL LOW" TO "GENERAL COMMERCIAL," "RESIDENTIAL MODERATE," AND "POTENTIAL OPEN SPACE" FOR APPROXIMATELY 33 ACRES IN THE BALBOA/SOUTH INDIAN TRAIL NEIGHBORHOOD; AND AMENDING THE ZONING MAP FROM "R1" TO "COMMUNITY BUSINESS, 55-FOOT HEIGHT LIMIT (CB-55)", RESIDENTIAL MULTIFAMILY (RMF)," AND "R1."

WHEREAS, the Washington State Legislature passed the Growth Management Act ("GMA") in 1990, requiring among other things, the development of a Comprehensive Plan (RCW 36.70A); and

WHEREAS, the City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act; and

WHEREAS, the Growth Management Act requires continuing review and evaluation of the Comprehensive Plan and contemplates an annual amendment process for incorporating necessary and appropriate revisions to the Comprehensive Plan; and

WHEREAS, land use amendment application Z23-479COMP was submitted in a timely manner for review during the City's 2023/2024 Comprehensive Plan amendment cycle; and

WHEREAS, Application Z23-479COMP sought to amend the Land Use Plan Map of the City's Comprehensive Plan for 32.05 acres from "Residential Low" to "Residential Moderate," "General Commercial," and "Conservation Open Space" for parcels 26262.0010, 26262.0018, 26262.0054, 26262.0055, and 26265.0048; and

WHEREAS, the corresponding zoning designation requested was "Residential Multifamily (RMF)" for the portions designated "Residential Moderate," "Community Business, 55-foot height limit (CB-55)" for the portions designated "General Commercial," and "R1" for the portions designated "Conservation Open Space" or "Residential Low"; and

WHEREAS, City Council adopted RES 2024-0029 on March 25, 2024, including Application Z23-479COMP in the 2024 Comprehensive Plan Amendment Work Program, and expanding the proposal to include consideration of portions of parcels 26261.3401, 26262.2620, and 26262.2621, totaling three additional acres; and

WHEREAS, staff requested comments from agencies and departments on May 7, 2024, and a public comment period ran from June 10, 2024 to August 9, 2024; and

WHEREAS, the Spokane Plan Commission held a workshop to study the application on July 24, 2024; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on September 17, 2024; and

WHEREAS, a State Environmental Policy Act (“SEPA”) Mitigated Determination of Non-Significance was issued on September 16, 2024, for the amendment to the Comprehensive Plan, the comment period for which ended on October 8, 2024; and

WHEREAS, a staff report for Application Z23-479COMP reviewing all the criteria relevant to consideration of the application was published on September 20, 2024, and sent to all applicants, commenters, and the Plan Commission; and

WHEREAS, notice of the SEPA Checklist and Determination and announcement of the Plan Commission Hearing for the application was published in the Spokesman-Review on September 25, 2024, and October 2, 2024; and

WHEREAS, Notice of Plan Commission Public Hearing and SEPA Determination was posted on the property and mailed to all property owners, occupants, and taxpayers of record, as shown in the most recent Spokane County Assessor’s record for all properties within 400 linear feet of any portion of the boundary of the subject properties, pursuant to Spokane Municipal Code 17G.020.070, on September 25, 2024; and

WHEREAS, the Spokane Plan Commission held a public hearing on October 9, 2024, including staff presentation, taking of public testimony, closing of the verbal and written public record, and deliberations; and

WHEREAS, the Spokane Plan Commission found that Application Z23-479COMP is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Spokane Plan Commission found that Application Z23-479COMP meets the final review criteria for Comprehensive Plan Amendments delineated in Spokane Municipal Code 17G.020.030; and

WHEREAS, the Spokane Plan Commission voted 8 to 0, with one abstention, to recommend approval of Application Z23-479COMP, conditioned upon their recommendation to remove parcel 26261.3401 from the proposal, apply the “Potential Open Space” designation instead of the “Conservation Open Space” designation, and execute a development agreement; and

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its adoption of this ordinance and further adopts the findings,

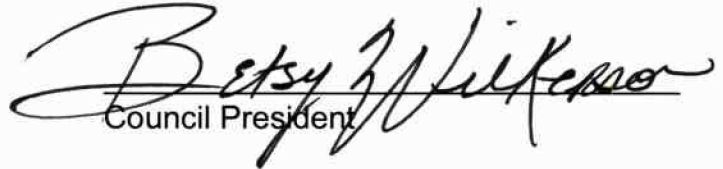
conclusions, and recommendations from the Planning Services Staff Report and the City of Spokane Plan Commission for the same purposes; --

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of the Application. Application Z23-479COMP is approved.
2. Amendment of the Land Use Map. Comprehensive Plan Map LU 1, Land Use Plan Map, is amended from “Residential Low” to “Residential Moderate,” “General Commercial,” and “Potential Open Space” for approximately 33 acres, as shown in Exhibit B, subject to the owner(s) of the property entering into a binding development agreement with the City within one year of the effective date of this ordinance and prior to the approval of any development permits on the site.
3. Amendment of the Zoning Map. The City of Spokane Zoning Map is amended from “R1” to “Residential Multifamily (RMF),” and “Community Business, 55-foot height limit (CB-55),” as shown in Exhibit C, subject to the owner(s) of the property entering into a binding development agreement within one year of the effective date of this ordinance.
4. Approval Conditions for Development Agreement. The approval granted by this ordinance is conditioned upon the applicants entering into a binding development agreement that has been mutually executed between the City and the applicants and which is consistent with the requirements of Chapter 36.70B RCW and Spokane Municipal Code chapter 17A.060, sufficient to bind the applicants and applicants’ successor(s) and assigns with respect to development of the property identified in Exhibits B and C and addressing the following:
  - a. Site plan.
  - b. Multimodal circulation plan.
  - c. Development details for the City of Spokane Integrated Capital Management Department.
  - d. Limitations on uses allowed in the commercial portions of the Application.
  - e. Emergency egress.
5. Expiration Date. The approvals granted by this ordinance shall expire and the Land Use Designation and Zoning Category shall revert to the original designations as stated in Sections 2 and 3 herein above if, within one (1) year from the effective date of this ordinance, the conditions set forth in Section 4 of this ordinance have not been satisfied.

6. This ordinance shall become effective thirty (30) days after its enactment; provided no development permits may be issued for the property until all conditions of approval have been satisfied including the mutual execution of a development agreement between the city and the applicants addressing the terms set forth in section 4 herein above and the approval of the same by the City Council by Ordinance or Resolution.

PASSED BY THE CITY COUNCIL ON December 2, 2024.

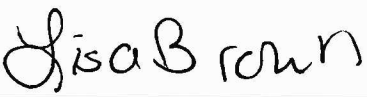
  
Council President

Attest:

Approved as to form:

  
City Clerk

  
Assistant City Attorney

  
Mayor

12/13/2024  
Date



1/12/2025  
Effective Date





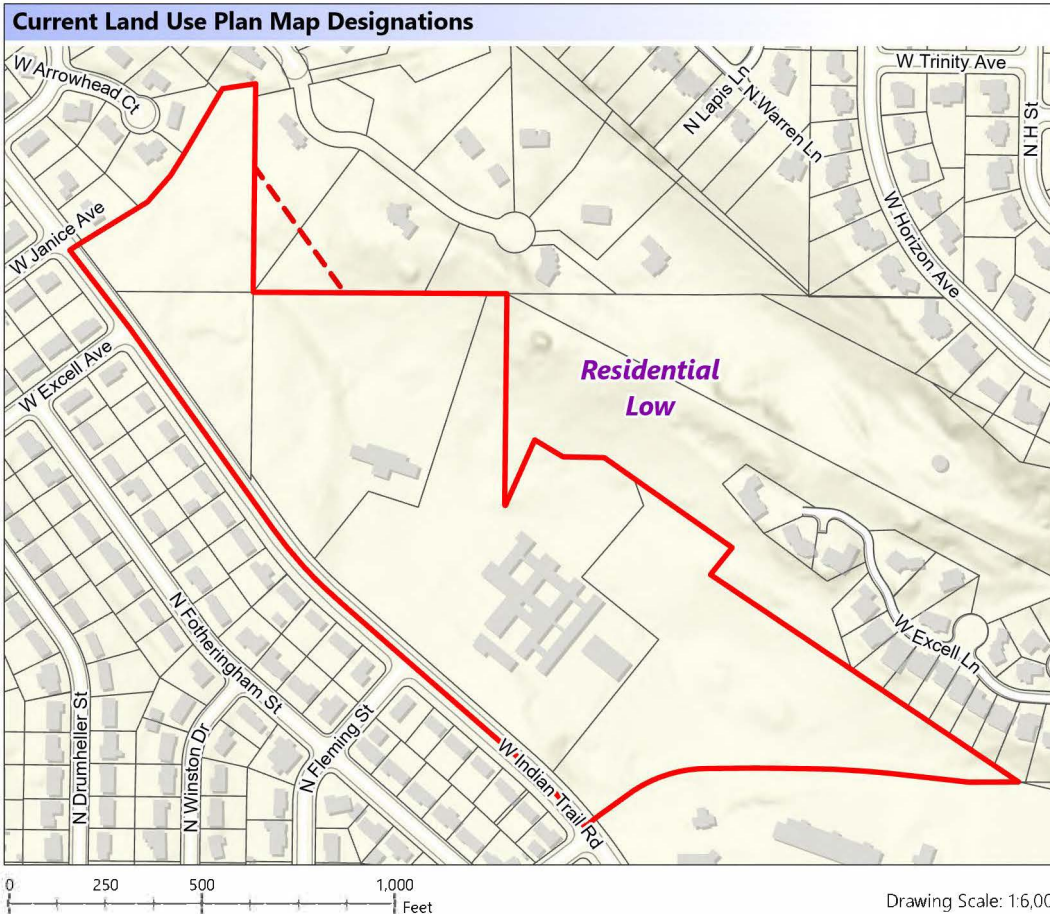
# Exhibit B: Land Use Plan Map Changes

Department of Planning & Economic Development

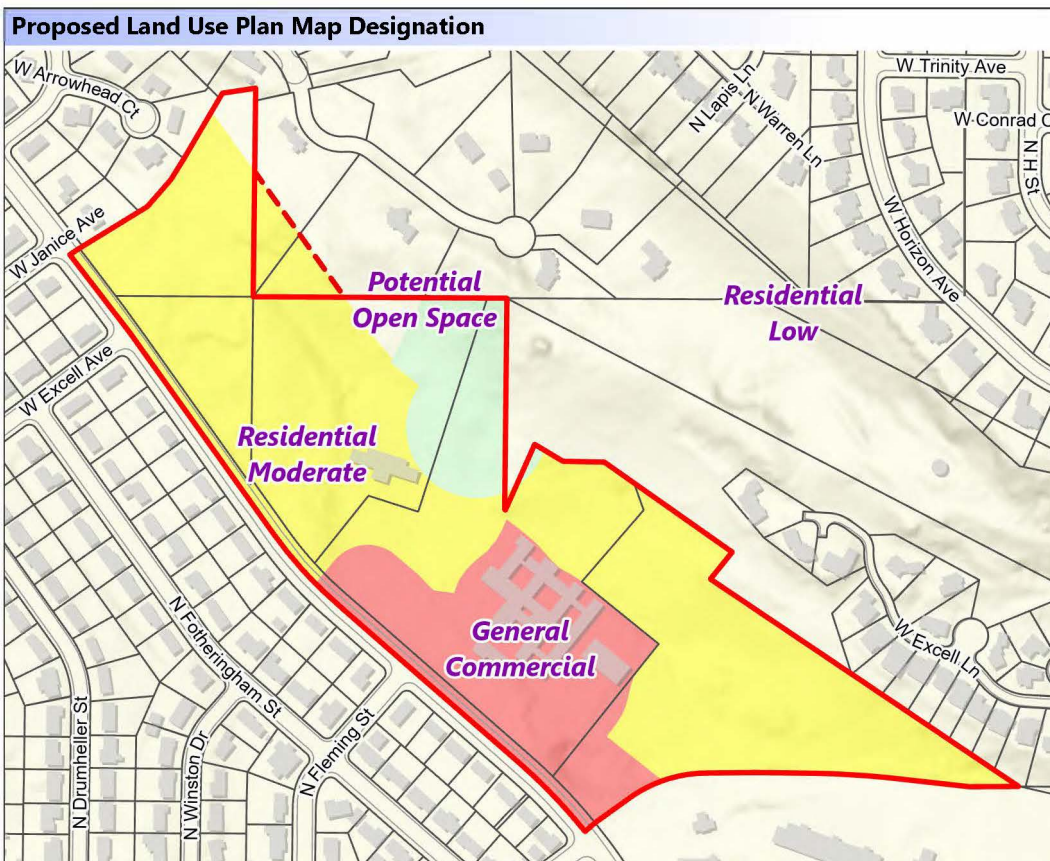


Draw Date: 10/17/2024

THIS IS NOT A LEGAL DOCUMENT  
The information shown on this map is compiled from various sources and is subject to constant revision. Information shown on this map should not be used to determine the location of facilities in relationship to property lines, section lines, streets, etc.

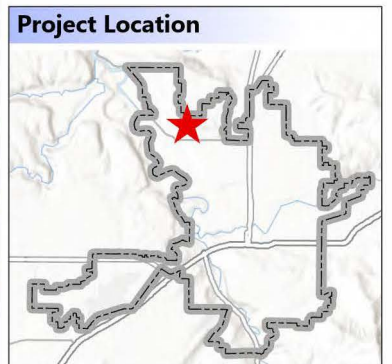


- Project Area
  - Expanded Area
  - Building
  - Parcel
  - Curb Line
- Land Use Plan Map Designation**
- General Commercial
  - Potential Open Space
  - Residential Low
  - Residential Moderate



- Agent:** Land Use Solutions & Entitlement
- Parcels:** 26262.0010  
26262.0018  
26262.0054  
26262.0055  
26262.2620  
26262.2621  
26265.0048
- Size:** 33 acres  
(Size is Approximate)

*This exhibit has been updated according to the recommendation of the Spokane Plan Commission during their hearing on October 9, 2024.*





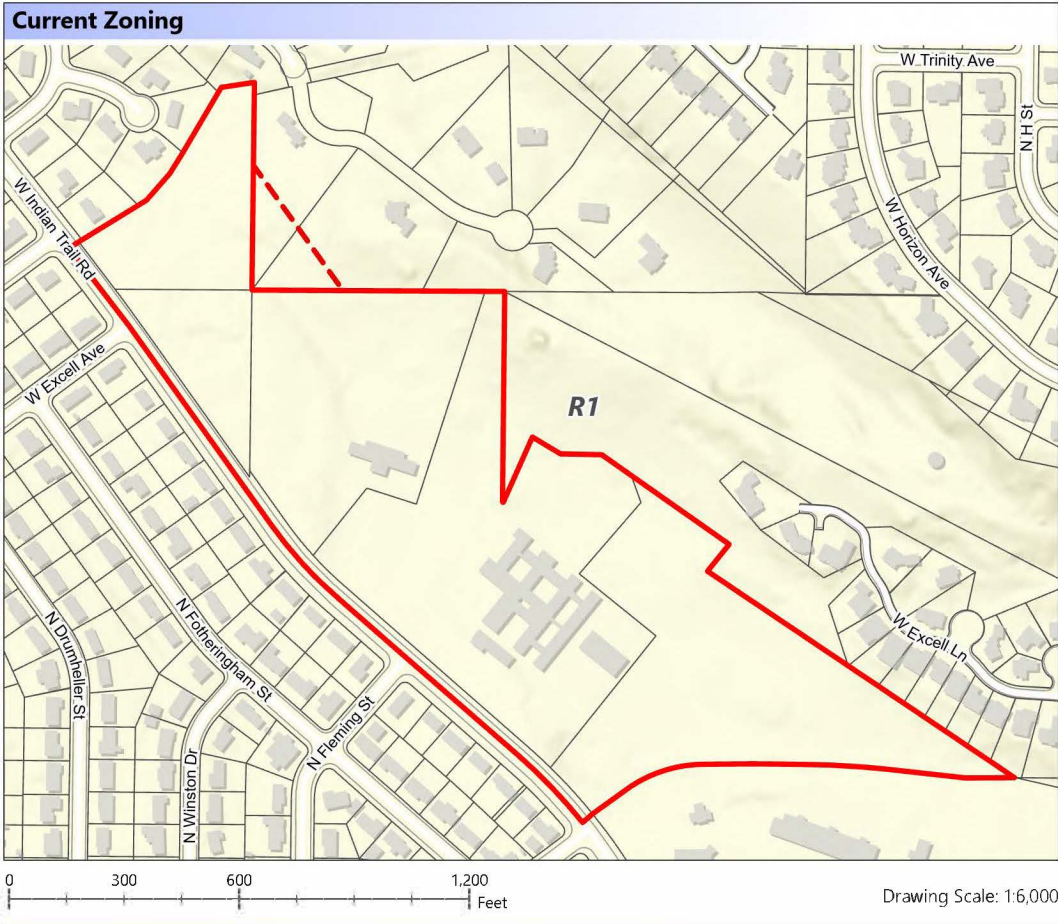
# Exhibit C: Zoning Changes

Department of Planning & Economic Development

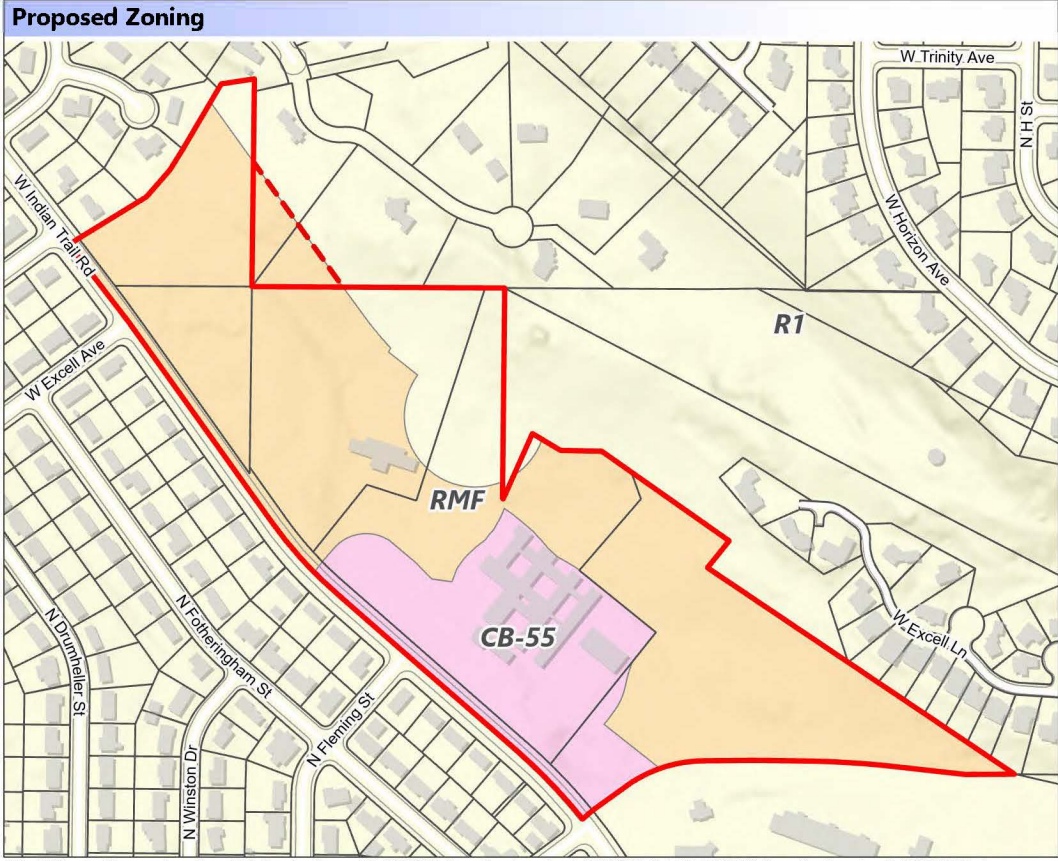


Draw Date: 10/17/2024

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- Project Area
  - Buildings
  - Parcel
  - Curb Line
- Zoning**
- Community Business
  - Residential Multifamily
  - Residential 1



**Agent:** Land Use Solutions & Entitlement

**Parcels:** 26262.0010  
26262.0018  
26262.0054  
26262.0055  
26262.2620  
26262.2621  
26265.0048

**Size:** 33 acres  
(Size is Approximate)

*This exhibit has been updated according to the recommendation of the Spokane Plan Commission during their hearing on October 9, 2024.*

