

**Spokane City Plan Commission**  
**Findings of Fact, Conclusions, and Recommendations**  
**Proposed Amendments to SMC Title 17C Land Use Standards**  
**Mobile Food Vending**

**A recommendation from the City Plan Commission to the City Council to approve an ordinance relating to mobile food vending within the commercial, industrial, downtown and center and corridor zones, allowing mobile food vending as a limited use in these zones by amending Title 17C of the Spokane Municipal Code, Chapters 17C.120, 122, 124, 130, and 319 and adding a new *Chapter 17C.380, Mobile Food Vending.***

**Findings of Fact:**

**A.** 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).

**B.** The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act.

**C.** Under the Growth Management Act, comprehensive plans may be amended no more frequently than once a year. However, pursuant to SMC 17G.020.040 Amendment Exceptions, subsection G, “Changes to development regulations that are consistent with the comprehensive plan or are necessary to implement the comprehensive plan” may be considered more frequently than once a year.

**D.** Spokane Municipal Code, Title 17G, Administration and Procedures, Chapter 17G.025 Unified Development Code Amendment Procedures were used to prepare this proposed amendment to the Unified Development Code.

**E.** City of Spokane Comprehensive Plan, Land Use Chapter, Goal LU 4 – TRANSPORTATION states: *Promote a network of safe and cost effective transportation alternatives, including transit, carpooling, bicycling, pedestrian-oriented environments, and more efficient use of the automobile, to recognize the relationship between land use and transportation.* LU 4.2 Land Uses That Support Travel Options states: *Provide a compatible mix of housing and commercial uses in neighborhood centers, district centers, employment centers, and corridors.*

**F.** The proposed amendments will encourage mobile food vending in neighborhood centers, district centers, employment centers, corridors and other existing commercial and industrial areas contributing to the provision of affordable and healthy food alternatives in these areas and reducing the reliance on automobiles, especially when these areas are underserved by existing food service establishments.

**G.** City of Spokane Comprehensive Plan, Economic Development Chapter, Goal ED7, Regulatory Environment and Tax Structure states: *Create a regulatory environment and tax structure that encourage investment, nurture economic activity, and promote a good business climate.* Policy ED 7.6, Development Standards and Permitting Process states: *Periodically evaluate and improve the City of Spokane’s development standards and permitting process to ensure that they are equitable, cost-effective, timely, and meet community needs and goals.*

**H.** The current development standards and permitting process do not adequately address the growing mobile food vending industry and the proposed amendments help create a more consistent, predictable and stream-lined system for the local mobile food vendor industry.

**I.** The Spokane City Plan Commission held a workshop to study the proposed amendments on May 8, 2013.

**J.** A Public Open House was held on April 23, 2013, in Room 1A of the Downtown Spokane Public Library, to receive public feedback on the proposed mobile food vending regulations. The City provided notice of the open house meeting by advertising on Planning Services website and via email notice to the local mobile food vending community, neighborhood business associations, and industry groups. Approximately 33 individuals attended the open house.

**K.** Notice of the proposed amendments and announcement of the Plan Commission's May 22, 2013 hearing was published in the Spokesman Review on May 8, 2013 and May 15, 2013. Notice of the proposed amendments and announcement of the Plan Commission's July 10, 2013 hearing was published in the Spokesman Review on June 26, 2013 and July 3, 2013

**L.** A State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were released on May 7, 2013 for the Mobile Food Vendor Project amendments to SMC Title 17C. The public comment period for the SEPA determination ended on May 21, 2013.

**M.** On May 7, 2013, 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. An acknowledgement letter from the Department of Commerce was received by the City on May 9, 2013.

**N.** The City Plan Commission held a Public Hearing on May 22, 2013 to obtain public comments and continued the hearing to July 10, 2013 to allow for additional testimony on the proposed amendments. At the July 10, 2013 hearing four public testimonies favored the proposed amendment were heard by the Plan Commission with; deliberations following .

#### **Conclusions:**

**A.** The Plan Commission has reviewed all public testimony received during the public hearings and has made changes to the draft documents during deliberations to address the testimony as considered appropriate. The Plan Commission took action, by amendment, to include the recommendation to allow mobile food vending as a permitted use in the Office and Office Retail zones, subject to limitations.

**B.** The Plan Commission has found that the proposed amendments meet the approval criteria for text amendments to the Unified Development Code:

#### SMC 17G.025.010 (F) Approval Criteria:

1. The proposed amendment is consistent with the applicable provisions of the comprehensive plan; and
2. The proposed amendment bears a substantial relation to public health, safety, welfare, and protection of the environment.

**C.** The proposed amendments, as amended, have been reviewed by the City Plan Commission and found to be in conformance with the goals and policies of the City's 2001 Comprehensive Plan, as well as the Spokane Municipal Code Chapter 17G.025.

#### **Recommendations:**

By a vote of 7 to 1, the Plan Commission recommends to the City Council the approval of the **Proposed Amendments to SMC Title 17C Land Use Standards Mobile Food Vending**, with changes as deliberated.



**Mike Ekins, President  
Spokane Plan Commission**

**July 10, 2013**