

**STAFF REPORT ON COMPREHENSIVE PLAN
TEXT AMENDMENT APPLICATION FILE NO. Z1400065-COMP
SPOKANE CITY COUNCIL**

I. SUMMARY OF REQUEST AND RECOMMENDATIONS:

DESCRIPTION OF PROPOSAL: This application, initiated by Council Member Jon Snyder by direction from the Spokane City Council, requests to add a new policy to Chapter 3, Land Use, of the Comprehensive Plan. The new policy would be added to support Land Use Goal LU 1, Citywide Land Use. It authorizes the designation of appropriate areas where manufactured home parks should be preserved.

Note: Citizen comment letters are included in the file.

II. GENERAL INFORMATION:

Agent/Applicant:	Council Member Jon Snyder, on behalf of the Spokane City Council
Location of Proposal:	Locations unknown - to be determined within the city of Spokane
Zoning/Land Use Plan Designation:	Varies
SEPA Status:	A SEPA threshold Determination of Non-Significance (DNS) was issued September 4, 2015. The appeal period will close September 23, 2015 at 12:00 P.M.
Enabling Procedure:	SMC 17G. 020, Comprehensive Plan Amendment Procedure
Plan Commission Hearing Date:	September 23, 2015
Staff Contact:	Nathan Gwinn, Asst. Planner, 808 W. Spokane Blvd., Spokane, WA 99201, Phone: (509) 625-6893 ngwinn@spokanecity.org

III. FINDINGS OF FACT:

- A. Site Description: No locations are directly affected by the proposal. The city of Spokane currently contains at least 19 existing mobile or manufactured home parks. Since the amendment concerns preserving existing manufactured home parks, the locations of existing mobile and manufactured home parks provide information about potentially affected locations, but the locations that may be affected by a future designation for manufactured home parks, or for incentives to preserve them, may include fewer or additional areas than the inventory of parks shown in maps submitted with the original application.
- B. Project Description: As authorized by Spokane Municipal Code chapter 17G.020, “Comprehensive Plan Amendment Procedure,” the applicant is requesting a comprehensive plan text change to the Comprehensive Plan, Chapter 3, Land Use. The changes would add text authorizing the designation of appropriate areas for preserving mobile and manufactured home parks in Spokane, and supporting discussion (see Section I above).
- C. Existing and Proposed Text: The text would be a policy with all new language in Chapter 3 (Land Use) to support Land Use Goal 1, Citywide Land Use:

LU 1.X Mobile Home Parks

Designate appropriate areas for the preservation of mobile and manufactured home parks.

Discussion: Manufactured and/or Mobile Home Parks provide affordable housing to many City residents. In many cases, they provide the opportunity of home ownership to house-holds which cannot afford to purchase other types of housing. When existing manufactured home parks are redeveloped many homeowners are unable to move to their homes to other sites. Additionally, redeveloped mobile and manufactured home parks are generally not replaced by new parks within the City, resulting in a net loss of this type of housing.

- D. Applicable Municipal Code Regulations: SMC 17G.020, Comprehensive Plan Amendment Procedures.
- E. Procedural Requirements:
- Application was submitted on October 31, 2014;
 - Notice of Application was posted and published on March 9, 2015, which began a 60-day public comment period;
 - A SEPA Determination of Nonsignificance was issued September 4, 2015, following the end of the public comment period May 15, 2015;
 - Notice of Plan Commission Public Hearing was posted and mailed by September 9, 2015;
 - Notice of Public Hearing was published in the Spokesman Review on September 9 and 16, 2015;
 - Plan Commission Public Hearing Date is scheduled for September 23, 2015.

IV. DEPARTMENT REPORTS and PUBLIC COMMENT

Notice of this proposal was sent to City departments and outside agencies for their review. No department or agency comments were received.

Written public comment has been received regarding this proposal. As of the date of the staff report, 147 comment letters and emails have been received, with 28 in support of the

proposal, and 109 opposing it, along with several neutral or informational comments.

V. CONCLUSIONS:

SMC 17G.020.030 provides a list of considerations that are to be used, as appropriate, in evaluating a proposal to amend the comprehensive plan. The following is a list of those considerations followed by staff analysis relative to each.

A. Regulatory Changes.

Amendments to the comprehensive plan must be consistent with any recent state or federal legislative actions, or changes to state or federal regulations, such as changes to the Growth Management Act, or new environmental regulations.

Relevant facts: The proposal is being considered and processed in accordance with the most current regulations of the Growth Management Act, the Washington State Environmental Policy Act (SEPA), and the Spokane Municipal Code. There are no known recent state or federal or local legislative actions with which the proposal would be in conflict. Staff concludes this criterion is met.

B. GMA.

The change must be consistent with the goals and purposes of the state Growth Management Act.

Relevant facts: The “Legislative findings” included in the Revised Code of Washington pertaining to GMA is essentially a call for coordinated and planned growth that is done cooperatively between citizens, government, and the private sector. The complete text of the “Legislative findings” follows:

[RCW 36.70A.010](#), Legislative findings.

The legislature finds that uncoordinated and unplanned growth, together with a lack of common goals expressing the public's interest in the conservation and the wise use of our lands, pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state. It is in the public interest that citizens, communities, local governments, and the private sector cooperate and coordinate with one another in comprehensive land use planning.

The Growth Management Act contains 13 goals to guide the development and adoption of the comprehensive plans and development regulations ([RCW 36.70A.020](#), “Planning Goals”). The two goals that are most related to the land use element state:

- (1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.
- (2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

Following is an additional GMA goal related to this proposal:

- (4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

The GMA also requires under [RCW 36.70A.070\(2\)\(c\)](#) that sufficient land be available for all types of housing including manufactured housing. The proposed change would be consistent with these goals and requirements.

Staff concludes that this criterion is met.

C. Financing.

In keeping with the GMA's requirement for plans to be supported by financing commitments, infrastructure implications of approved comprehensive plan amendments must be reflected in the relevant six-year capital improvement plan(s) approved in the same budget cycle.

Relevant facts: *This proposal has been reviewed by city departments responsible for providing public services and facilities. No comments have been made to indicate that this proposal creates issues with public services and facilities. Staff concludes that this criterion is met.*

D. Funding Shortfall.

If funding shortfalls suggest the need to scale back on land use objectives and/or service level standards, those decisions must be made with public input as part of this process for amending the comprehensive plan and capital facilities program.

Relevant facts: *Staff concludes that this criterion is not applicable to this proposal. There are no funding shortfall implications.*

E. Internal Consistency.

The requirement for internal consistency pertains to the comprehensive plan as it relates to all of its supporting documents, such as the development regulations, capital facilities program, shoreline master program, downtown plan, critical area regulations, and any neighborhood planning documents adopted after 2001. In addition, amendments should strive to be consistent with the parks plan, and vice versa. For example, changes to the development regulations must be reflected in consistent adjustments to the goals or policies in the comprehensive plan. As appropriate, changes to the map or text of the comprehensive plan must also result in corresponding adjustments to the zoning map and implementation regulations in the Spokane Municipal Code.

Relevant facts: *The proposal is consistent with all supporting documents of the Comprehensive Plan. The proposed change to the text does not specify that a change to regulations is required. The proposal does not result in the need for other amendments to the comprehensive plan or development regulations. Staff concludes the proposal is consistent with the especially relevant Comprehensive Plan Goals and Policies listed below. See the [full text of the Comprehensive Plan](#) for discussion following most Policies.*

Relevant Comprehensive Plan Goals and Policies

From Chapter 3, Land Use

Goal: LU 1 CITYWIDE LAND USE

Offer a harmonious blend of opportunities for living, working, recreation, education, shopping, and cultural activities by protecting natural amenities, providing coordinated, efficient, and cost effective public facilities and utility services, carefully managing both residential and non-residential development and design, and proactively reinforcing downtown Spokane's role as the urban center.

Goal: LU 7 IMPLEMENTATION

Ensure that the goals and policies of the comprehensive plan are implemented.

- Policy LU 7.1 Regulatory Structure: *Develop a land use regulatory structure that utilizes creative mechanisms to promote development that provides a public benefit.*

Goal: LU 8 URBAN GROWTH AREA

Provide an urban growth area that is large enough to accommodate the expected population growth for the next 20 years in a way that meets the requirements of the [countywide planning policies].

- Policy LU 8.1 Population Accommodation: *Accommodate the majority of the county's population and employment in urban growth areas in ways that ensure a balance between livability, preservation of environmental quality, open space retention, varied and affordable housing, high quality cost-efficient urban services, and an orderly transition from county to city jurisdiction.*

From Chapter 6, Housing

Vision

"Affordable housing of all types will be available to all community residents in an environment that is safe, clean, and healthy. Renewed emphasis will be placed on preserving existing houses and rehabilitating older neighborhoods."

Goal: H 1 AFFORDABLE HOUSING

Provide sufficient housing for the current and future population that is appropriate, safe, and affordable for all income levels.

- Policy H 1.1 Regional Coordination: *Coordinate the city's comprehensive planning with other jurisdictions in the region to address housing-related needs and issues.*
- Policy H 1.2 Regional Fair Share Housing: *Participate in a process that monitors and adjusts the distribution of low-income housing throughout the region.*
- Policy H 1.5 Housing Information: *Participate in and promote the development of educational resources and programs that assist low and moderate-income households in obtaining affordable and appropriate housing.*
- Policy H 1.7 Socioeconomic Integration: *Promote socioeconomic integration throughout the city.*
- Policy H 1.9 Low-Income Housing Development: *Support and assist the public and private sectors in developing low-income or subsidized housing for households that cannot compete in the market for housing by using federal, state, and local aid.*
- Policy H 1.10 Low-Income Housing Funding Sources: *Support the development of low-income housing development funding sources.*
- Policy H 1.15 New Manufactured Housing: *Permit manufactured homes on individual lots in all areas where residential uses are allowed.*
- Policy H 1.16 Partnerships to Increase Housing Opportunities: *Create partnerships with public and private lending institutions to find solutions that increase opportunities and reduce financial barriers for builders and consumers of affordable lower-income housing.*

Goal: H 2 HOUSING CHOICE AND DIVERSITY

Increase the number of housing alternatives within all areas of the city to help meet the changing needs and preferences of a diverse population.

- Policy H 2.1 Distribution of Housing Options: *Promote a wide range of housing types and housing diversity to meet the needs of the diverse population and ensure that this housing is available throughout the community for people of all income levels and special needs.*

- Policy H 2.7 Taxes and Tax Structure: *Support state consideration of property tax reform measures that provide increased local options that contribute to housing choice and diversity.*

Goal: H 3 HOUSING QUALITY

Improve the overall quality of the City of Spokane’s housing.

- Policy H 3.2 Property Responsibility and Maintenance: *Assist in and promote improved and increased public and private property maintenance and property responsibility throughout the city.*
- Policy H 3.3 Housing Preservation: *Encourage preservation of viable housing.*
- Policy H 3.5 Housing Goal Monitoring: *Provide a report annually to the City Plan Commission that monitors progress toward achieving the housing goals and includes recommended policy change if positive direction toward achieving the housing goals is not occurring.*

From Chapter 8, Urban Design and Historic Preservation

Goal: DP 6 NEIGHBORHOOD QUALITIES

Preserve, improve, and support the qualities of individual neighborhood areas.

- Policy DP 6.2 Access to Housing Choices. *Encourage building and site design that that allows a variety of housing forms while being compatible with the character of the immediate surrounding area, thereby generating community support for development at planned densities.*

From Chapter 10 Social Health

Goal: SH 4 DIVERSITY

Develop and implement programs that attract and retain city residents from a diverse range of backgrounds and life circumstances so that all people feel welcome and accepted, regardless of their race, religion, color, sex, national origin, marital status, familial status, age, sexual orientation, economic status, or disability.

- Policy 4.1 Socioeconomic Mix. *Ensure that all neighborhoods contain a mixture of housing types in order to provide an environment that allows for socioeconomic diversity.*

From Chapter 11 Neighborhoods

Goal: N 2 NEIGHBORHOOD DEVELOPMENT

Reinforce the stability and diversity of the city’s neighbor hoods in or der to attract long-term residents and businesses and to insure the city’s residential quality and economic vitality.

- Policy N 2.4 Neighborhood Improvement. *Encourage rehabilitation and improvement programs to conserve and upgrade existing properties and buildings.*
- Policy N 2.6 Housing Options. *Provide housing options within neighborhoods to attract and retain neighborhood residents, consistent with the neighborhood planning process.*

Staff concludes that this criterion is met.

F. Regional Consistency.

All changes to the comprehensive plan must be consistent with the countywide planning policies (CWPP), the comprehensive plans of neighboring jurisdictions,

applicable capital facilities or special district plans, the regional transportation improvement plan, and official population growth forecasts.

Relevant facts: Countywide Planning Policy Topic 7, Policy 5 provides for development regulations to facilitate rehabilitation, restoration and relocation of existing structures of affordable housing. The proposal does not conflict with facilities identified in the Citywide Capital Improvement Program.

G. Cumulative Effect.

All amendments must be considered concurrently in order to evaluate their cumulative effect on the comprehensive plan text and map, development regulations, capital facilities program, neighborhood planning documents, adopted environmental policies and other relevant implementation measures.

1. Land Use Impacts.

In addition, applications should be reviewed for their cumulative land use impacts. Where adverse environmental impacts are identified, mitigation requirements may be imposed as a part of the approval action.

2. Grouping.

Proposals for area-wide rezones and/or site-specific land use plan map amendments may be evaluated by geographic sector and/or land use type in order to facilitate the assessment of their cumulative impacts.

Relevant facts: The text changes do not impact the land use plan map or development regulations at this time. Implementation of the changes may occur through eventual changes to the land use plan map or development regulations and, if so, will be subject to SEPA review at that time. This application is being reviewed as part of the annual cycle of comprehensive plan amendments.

Staff concludes that this criterion is met.

H. SEPA.

SEPA review must be completed on all amendment proposals.

1. Grouping.

When possible, the SEPA review process should be combined for related land use types or affected geographic sectors in order to better evaluate the proposals' cumulative impacts. This combined review process results in a single threshold determination for those related proposals.

2. DS.

If a determination of significance (DS) is made regarding any proposal, that application will be deferred for further consideration until the next applicable review cycle in order to allow adequate time for generating and processing the required environmental impact statement (EIS).

Relevant facts: The application is being reviewed in accordance with the State Environmental Policy Act (SEPA) that requires that the potential for adverse environmental impacts resulting from a proposal be evaluated during the decision-making process. On the basis of information contained with the environmental checklist, the written comments from local and State departments and agencies concerned with land development within the city, and a review of other information available to the Director of Planning and Development, a Determination of Non-Significance (DNS) was issued on September 4, 2015.

I. Adequate Public Facilities.

The amendment must not adversely affect the City's ability to provide the full range of urban public facilities and services (as described in CFU 2.1 and CFU 2.2) citywide at

the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.

Relevant facts: All affected departments and outside agencies providing services on the subject facilities have had an opportunity to comment on the proposal, and no agency or department offered comments suggesting the proposal would affect the City's ability to provide adequate facilities or services or consume public resources otherwise needed to support comprehensive plan implementation strategies. Staff concludes that this criterion is met.

J. UGA.

Amendments to the urban growth area boundary may only be proposed by the city council or the mayor of Spokane and shall follow the procedures of the countywide planning policies for Spokane County.

Relevant fact: This criterion is not applicable.

K. Consistent Amendments.

1. Policy Adjustments.

Proposed policy adjustments that are intended to be consistent with the comprehensive plan should be designed to provide correction or additional guidance so the community's original visions and values can better be achieved. The need for this type of adjustment might be supported by findings from feedback instruments related to monitoring and evaluating the implementation of the comprehensive plan. Examples of such findings could include:

- a. growth and development as envisioned in the plan is occurring faster, slower or is failing to materialize;
- b. the capacity to provide adequate services is diminished or increased;
- c. land availability to meet demand is reduced;
- d. population or employment growth is significantly different than the plan's assumptions;
- e. plan objectives are not being met as specified;
- f. the effect of the plan on land values and affordable housing is contrary to plan goals;
- g. transportation and/or other capital improvements are not being made as expected;
- h. a question of consistency exists between the comprehensive plan and its elements and chapter 36.70A RCW, the countywide planning policies, or development regulations.

Relevant facts: The proposed amendment to the text of the comprehensive plan is discussed under subsection "E. Internal Consistency" above. Staff concludes that these text changes will better achieve the community's original vision and values through the identification of areas for the preservation of existing housing, that they provide additional guidance, and that they are consistent with the comprehensive plan.

2. Map Changes.

Changes to the land use plan map (and by extension, the zoning map) may only be approved if the proponent has demonstrated that all of the following are true:

- a. The designation is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.);
- b. The map amendment or site is suitable for the proposed designation;
- c. The map amendment implements applicable comprehensive plan policies better than the current map designation.

Relevant fact: This proposal is limited at this time to a text amendment to add a new policy, not a Land Use Plan Map amendment. This criterion is not applicable to this proposal.

3. Rezones, Land Use Plan Map Amendment.

Corresponding rezones will be adopted concurrently with land use plan map amendments as a legislative action of the city council. If policy language changes have map implications, changes to the land use plan map and zoning map will be made accordingly for all affected sites upon adoption of the new policy language. This is done to ensure that the comprehensive plan remains internally consistent and to preserve consistency between the comprehensive plan and supporting development regulations.

Relevant fact: This proposal is limited at this time to a text amendment to add a new policy, not a Land Use Plan Map amendment. This criterion is not applicable to this proposal.

L. Inconsistent Amendments.

1. Review Cycle.

Because of the length of time required for staff review, public comment, and plan commission's in-depth analysis of the applicant's extensive supporting data and long-term trend analysis, proposals that are not consistent with the comprehensive plan are addressed only within the context of the required comprehensive plan update cycle every seven years pursuant to RCW 36.70A.130(4)(C) and every other year starting in 2005.

2. Adequate Documentation of Need for Change.

- a. The burden of proof rests entirely with the applicant to provide convincing evidence that community values, priorities, needs and trends have changed sufficiently to justify a fundamental shift in the comprehensive plan. Results from various measurement systems should be used to demonstrate or document the need to depart from the current version of the comprehensive plan. Relevant information may include:
 - b. growth and development as envisioned in the plan is occurring faster, slower or is failing to materialize;
 - c. the capacity to provide adequate services is diminished or increased;
 - d. land availability to meet demand is reduced;
 - e. population or employment growth is significantly different than the plan's assumptions;
 - f. transportation and/or other capital improvements are not being made as expected;

- g. conditions have changed substantially in the area within which the subject property lies and/or Citywide;
- h. assumptions upon which the plan is based are found to be invalid; or
- i. sufficient change or lack of change in circumstances dictates the need for such consideration.

Relevant facts: This year (2015), the Plan Commission may consider proposals that are inconsistent with the comprehensive plan. Usually inconsistent amendments require amendments to the text of the comprehensive plan to achieve consistency with policies of the comprehensive plan. Consistency is discussed under subsections “E. Internal Consistency” and “K. Consistent Amendments” above. In this case, staff concludes that the changes to text amount to a new consistent policy, and do not cause a need to change any existing policy.

3. Overall Consistency.

If significantly inconsistent with the current version of the comprehensive plan, an amendment proposal must also include wording that would realign the relevant parts of the comprehensive plan and its other supporting documents with the full range of changes implied by the proposal.

Relevant facts: The proposed application has been determined to be consistent with the comprehensive plan. The criteria listed above are intended to be used to evaluate applications that are inconsistent with the comprehensive plan.

VI. CONCLUSION:

Under [SMC 17G.020.060\(M\)](#), the Plan Commission recommendation is made based “on the review guidelines and required decision criteria, public input, conclusions from any required studies, the staff report, and the SEPA determination.” The code provides that the Plan Commission may recommend (1) approval, (1)(a) approval with modification, or (2) denial based on such factors as insufficient information and that the proposal may be addressed by other means.

Plan Commission members raised several questions during consideration of the amendment proposal. The Plan Commission formed a three-member subcommittee to address the questions. The subcommittee participated in additional workshops with several manufactured home park stakeholders to determine problem areas, gather information, and try to generate consensus by discussing potential alternatives. Staff members worked within the application timeframe to assemble some information, provided in a supplemental background report (dated August 19, 2015).

Plan Commission Does Not Have Enough Information and Recommends Denial.

Following the stakeholder workshops, the subcommittee issued a report (dated August 18, 2015) that anticipated the Plan Commission, following its public hearing, may not be able to reach a recommendation of approval. Instead, it may find that there is still insufficient information to be able to make a decision based on the merits of the proposal and that before adopting the proposed policy, further study should be conducted on manufactured home park demographics and regulations, as well as broader issues related to local affordable housing and Comprehensive Plan goals. These factors are detailed at [SMC 17G.020.060\(M\)\(2\)](#) for recommendations of denial. At this time, many questions remain unanswered; the subcommittee’s recommended housing review study would provide answers and Plan Commission recommendations for action going forward.

Plan Commission Recommendation of Approval with Modifications. It is also reasonable to consider a final decision to adopt the proposed policy and that this adoption may not necessarily require a change to the land use plan map. In this case, options for preserving manufactured home parks might still be studied, developed and pursued, such as identification and implementation of existing housing incentive programs, without resulting in changes to any regulations. The Plan Commission may find that existing regulations already designate appropriate locations for preserving manufactured home parks by their allowed use in certain zones. The purpose of limiting the proposal to a text amendment, rather than pursuing a land-use plan map amendment as was originally conceived, was to step back, stimulate community discussion, identify issues, and pursue a strategy. Significant discussion is expected to continue to occur no matter what final decision is made on the application.

If the Plan Commission recognizes the merits of the proposal and decides on approval based on community support and/or that the proposed amendment is consistent with the comprehensive plan and the Spokane Municipal Code criteria for amendments, then staff suggests considering an amendment to the policy discussion that refers to and builds upon the work of the Plan Commission subcommittee and public participation on this proposal. Recommendations for modified approvals are provided at [SMC 17G.020.060\(M\)\(1\)\(a\)](#). The policy discussion text should state:

- A. That any proposed regulations, programs or legislation will be studied by the Plan Commission and considered along with other measures that are likely to further the goals and objectives of the Comprehensive Plan before their adoption, and
- B. That additional work is needed before specific areas are identified.

Summary of Described Options. As described above, the Plan Commission may find there is not enough information, and will recommend denial if that is the case. Alternatively, another option discussed would be to recommend approval, and if the Plan Commission decides on this option, then staff suggests an approval recommendation upon modification of the proposal with the added text as described.