



**Agenda Sheet for City Council Meeting of:**  
08/31/2015

<b>Date Rec'd</b>	8/19/2015
<b>Clerk's File #</b>	ORD C35299
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	PLANNING & DEVELOPMENT
<b>Contact Name/Phone</b>	JO ANNE 625-6017
<b>Contact E-Mail</b>	JWRIGHT@SPOKANECITY.ORG
<b>Agenda Item Type</b>	First Reading Ordinance
<b>Agenda Item Name</b>	0650 - ORDINANCE AMENDING TITLE 17 OF MUNICIPAL CODE

**Agenda Wording**

AN ORDINANCE relating to land use application notification and appeal procedures; amending Spokane Municipal Code Sections 17G.050.140 Effect of Notice, 17G.050.310 Right of Appeal, 17G.060.090 Determination of a Complete Application, 17G.060.120

**Summary (Background)**

City Council President Ben Stuckart, City Staff, and a citizen committee held meetings in 2015 to draft potential amendments to the Spokane Municipal Code pertaining to neighborhood notification of land use applications and permits, resulting in modifications to Title 17. The modifications are intended to improve the Spokane Neighborhood Councils' notice procedures, project awareness, and ability to comment on land use applications and permits which are processed by the City of Spokane.

<b>Fiscal Impact</b>	<b>Budget Account</b>
Neutral \$	#
Select \$	#
Select \$	#
Select \$	#

<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	MEULER, LOUIS	<b>Study Session</b>	
<b>Division Director</b>	SIMMONS, SCOTT M.	<b>Other</b>	PCED 8/17/15
<b>Finance</b>	SALSTROM, JOHN	<b>Distribution List</b>	
<b>Legal</b>	RICHMAN, JAMES	lhattenburg@spokanecity.org	
<b>For the Mayor</b>	SANDERS, THERESA	lmeuler@spokanecity.org	
<b>Additional Approvals</b>		jwright@spokanecity.org	
<b>Purchasing</b>		htrautman@spokanecity.org	
		mhughes@spokanecity.org	

FIRST READING OF THE ABOVE ORDINANCE  
WAS HELD ON  
9/14/2015  
AND FURTHER ACTION WAS DEFERRED  
[Signature]  
CITY CLERK

PASSED BY  
SPOKANE CITY COUNCIL:  
9/21/15  
[Signature]  
CITY CLERK



## Continuation of Wording, Summary, Budget, and Distribution

### **Agenda Wording**

Public Notice - Types of Notice, 17G.060.190 Notice of Decision, and Table 17G.060-3 Type of Public Notice Required / Project Permit Review Process.

### **Summary (Background)**

<b>Fiscal Impact</b>		<b>Budget Account</b>
Select	\$	#
Select	\$	#

### **Distribution List**


ORDINANCE NO. C35299

AN ORDINANCE relating to land use application notification and appeal procedures; amending Spokane Municipal Code Sections 17G.050.140 Effect of Notice, 17G.050.310 Right of Appeal, 17G.060.090 Determination of a Complete Application, 17G.060.120 Public Notice – Types of Notice, 17G.060.190 Notice of Decision, and Table 17G.060-3 Type of Public Notice Required / Project Permit Review Process.

WHEREAS, the Plan Commission recently considered a proposal to amend the City's land use application notification and appeal procedures to provide early notification to neighborhood councils regarding land use development applications in their respective neighborhoods, and to grant standing to neighborhood councils to bring administrative appeals relating to land use decisions impacting their respective neighborhoods; and

WHEREAS, following appropriate workshops and notice, the City Plan Commission held a public hearing on the proposal on July 22, 2015 and continued the hearing until August 12, 2015;

WHEREAS, at the conclusion of the hearing, the Plan Commission found that the proposed amendments meet the approval criteria for text amendments to the Unified Development Code as outlined by SMC 17C.025.010(F), and voted 8 to 0 in favor or recommending that the City Council approve the amendments;

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 Spokane City Plan Commission Findings of Fact, Conclusions, and Recommendations, Proposed Amendment to Spokane Municipal Code Title 17G relating to neighborhood notification of land use applications and permits, dated August 12, 2015;--

Now, Therefore, The City of Spokane does ordain:

Section 1. That SMC section 17G.050.140 is amended to read as follows:

Section 17G.050.140 Effect of Notice

- A. Failure of a person entitled to notice to receive notice does not affect the jurisdiction of the hearing examiner to hear the application at the time and place scheduled and to render a decision, if the notice was properly mailed and posted.
- B. A person is deemed to have received notice if that person appears at the hearing or submits a written statement regarding the hearing even if notice was not properly mailed or posted. Subject to chapter 36.70B RCW, the hearing examiner may continue the hearing date and extend the comment period to allow such persons additional time to respond.
- C. Subject to paragraph B of this section, ((If required notice is not given and actual notice not received)) if the hearing examiner determines that any notice required under chapter 17G.060 SMC has not been provided, the hearing examiner may reschedule the hearing or keep the record open on the matter to receive additional evidence.

Section 2. That SMC section 17G.050.310 is amended to read as follows:

Section 17G.050.310 Right of Appeal

- A. The applicant ~~((ef))~~ or a person with standing as defined in chapter 17A.020 SMC may appeal to the hearing examiner a decision of the director of planning services, engineering services, the building official, the responsible official under SEPA as provided in SMC 17G.060.210 and the landmarks commission related to applications for certificate of appropriateness and determination of eligibility under SMC 17D.040.230 by filing with the permit application department a written appeal within fourteen days of the date of the written decision. For purposes of this section, the neighborhood council in which the property to which the decision being appealed is located shall have standing, subject to the neighborhood council demonstrating that it adhered to established bylaws in making the decision to bring the appeal.
- B. The applicant, a person with standing, or a City department may appeal to the city council any decision of the hearing examiner, except as provided in SMC 17G.060.210, by filing with the permit application department a written appeal within fourteen days of the date of the written decision of the hearing examiner.

Section 3. That SMC section 17G.060.090 is amended to read as follows:

Section 17G.060.090 Determination of a Complete Application

Within twenty-eight days of receiving a project permit application, the department shall determine if the application is complete (RCW 36.70B.070). Upon receipt of a project permit application the department shall:

- A. Counter Complete.  
Conduct a preliminary, immediate review to determine if the application contains the documents and information required by SMC 17G.060.070. If the ~~((administrative official))~~ department determines the application does not contain the required documents and information, the application including fees shall be returned to the applicant.
- B. Component Screening.  
If the application appears to contain required documents, the department shall accept the application and within seven days, conduct a detailed review and determine if any additional information is necessary to process the application. If the ~~((administrative official))~~ department determines the application is missing required components, or is inadequate in other ways, the application including any fees shall be returned to the applicant.
- C. Review by Interested Agencies.  
If the application, after the detailed review, is found to contain the required components and supporting documents, the application and supporting documents shall be forwarded to ~~((all))~~ (i) interested City departments, ((and)) (ii) agencies of local, state, or federal governments that may have jurisdiction over some aspect of the application, and (iii) the individual(s) designated pursuant to SMC 4.27.010(D) to receive written notice on behalf of the neighborhood council in which the project is

located and to any neighborhood council whose geographic boundaries are located within a 600-foot radius of the project, at the address for such departments, agencies, and neighborhood council designee(s) on file with the department, for review to ensure compliance with state laws, ordinances and concurrency requirements. Interested departments, agencies, and the neighborhood council shall be given fourteen days to provide comments on a permit application. All written comments will be forwarded to the applicant at the end of the fourteen day comment period. Comments submitted after the fourteen day comment period will be forwarded to the applicant, subject to RCW 36.70B.070.

1. If review agencies require additional information to continue processing the application, the applicant shall be notified in writing.
2. Required information must be provided within sixty days from the notification by the department. The applicant may submit a written request for additional time to the director; any time extensions shall be in writing. If the information is not received within the sixty days (or as otherwise agreed to), the application and a portion of the fees shall be returned to the applicant, pursuant to chapter 8.02 SMC.
3. Within fourteen days of the submission of the additional information identified by the review agency, the department shall notify the applicant whether the studies are adequate or what additional information is necessary.
4. If the neighborhood council submits written comments on an application, the department shall provide a written response to the chairperson, with copy to the applicant, no later than the date on which the application is certified complete pursuant to paragraph D herein below.

D. Application Certified Complete.

Within seven days of the expiration of the interested agency comment period, if no additional information was required, or the information required under subsection (C) of this section is acceptable, the ~~((administrative official))~~ department shall certify the application complete. Applications requiring review by the hearing examiner are forwarded to the hearing examiner upon being certified as complete.

E. Vesting.

Applications shall be considered vested at the time the application is certified complete, the vesting date shall be the date of application submission. If the application is not complete when filed or information is not timely provided as set forth in subsection (B) or (C) of this section, the application shall not be considered complete for purposes of vesting or other statutory compliance dates.

Section 4. That SMC section 17G.060.120 is amended to read as follows:

Section 17G.060.120 Public Notice – Types of Notice

- A. Individual notice is given in writing by regular U.S. mail or by personal service.
  1. Notice is given to:
    - a. All 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 property, including any property that is

contiguous and under the same or common ownership and control (RCW 36.70B.040(2)). The department may expand the mailing to include areas adjacent to the access easements and areas on the opposite side of rights-of-way, rivers and other physical features;

- b. Any person who has made a written request to receive such notice, including any registered neighborhood organization as defined in chapter 17A.020 SMC representing the surrounding area;
- c. Any agency with jurisdiction identified by the director.
- d. The individual(s) designated pursuant to SMC 4.27.010(D) to receive written notice on behalf of the neighborhood council in which the project is located, at the address for such neighborhood council designee(s) that is on file with the City's department of neighborhood services and code enforcement.

2. Individual and newspaper notices must contain the following information:

- a. Type I, II, and III project permit applications:
  - i. Location of the property sufficient to clearly locate the site.
  - ii. Description of the proposed action and required permits.
  - iii. Name, address, and office telephone number of the City official from whom additional information may be obtained.
  - iv. Applicant name and telephone number.
  - v. Statement that any person may submit written comments and appear at the public hearing, if applicable.
  - vi. A statement that comments will be received on environmental issues, any environmental documents related to the proposed action, the SEPA status, and the appeal deadline for SEPA.
  - vii. A statement that written comments and oral testimony at a hearing will be made a part of the record, if applicable.
  - viii. A statement, in bold type, that only the applicant, persons submitting written comments, and persons testifying at a hearing may appeal the decision.
  - ix. Date and time by which any written comments must be received on the notice of application; and
  - x. Date of the application and date of the notice of complete application.
- b. In addition, for Type III project permit application:
  - i. Notice of community meeting: Date, time, and place of the meeting.
  - ii. Notice of public hearing: Date, time, and place of a public hearing.

B. Sign.

Posted notice is given by installation of a sign on the site of the proposal adjacent to the most heavily traveled public street and located so as to be readable by the public. The director may require more than one sign if the site fronts on more than one arterial or contains more than three hundred feet of frontage on any street.

- 1. The posted notice sign must meet the following specifications:
  - a. It measures a minimum of four feet by four feet, but sign size may be increased in order to contain all of the required information.
  - b. It is constructed of material of sufficient weight and strength to withstand normal weather conditions.
  - c. It is white with red lettering.
- 2. Posted notices must contain the following information:

- a. The first line of text on the sign in four-inch letters reads: "NOTICE OF COMMUNITY MEETING" or the applicable notice type.
- b. The second line of text on the sign in three-inch letters reads: "PROPOSED CONDITIONAL USE PERMIT, File #Z----- -CUP" or some other appropriate description of the proposed action.
- c. The third line of text on the sign in three-inch letters reads: "COMMUNITY MEETING ON/PUBLIC HEARING ON/COMMENTS DUE BY (date, time, and location)."
- d. The subsequent line(s) of text, in three-inch letters, read as follows depending on the proposal:

<b>TABLE 17G.060-2 CONTENT OF PUBLIC NOTICE</b> (Click here to view PDF)			
Content of Public Notice	Type I Application	Type II Application	Type III Application
Proposed Use	X	X	X
Proposed Zone			X [2]
Proposed Standard			X [3]
Project Name		X	X
Acreage		X [1]	X [1]
# of Lots		X [1]	X [1]
Notes: [1] Preliminary Plat, BSP, PUD, Short Plat [2] Rezone [3] For applications which modify a development standard			

- e. The applicant (or agent) name and phone number, the SEPA status, and the deadline for appeal of the SEPA determination.
- f. The last line of text on the sign in three-inch letters reads: "FOR INFORMATION: (City contact telephone number and web page address where additional project information may be found)."
- g. The following figures illustrate posted notice signs:

<b>Example "A"</b>
NOTICE OF PUBLIC HEARING PROPOSED ZONE CHANGE, FILE #Z2003-01-ZC PUBLIC HEARING ON : 1/1/2004 AT 9:00 A.M. LOCATED: COUNCIL BRIEFING RM., CITY HALL Proposed Zone: C1 Proposed Use: Warehouse Applicant/Agent: John Doe, Phone (509) 999-0001 SEPA: DNS, appeal deadline 12/24/03

FOR INFORMATION: (509) 625-6300  
<https://my.spokanecity.org/projects/example/>

**Example "B"**

NOTICE OF SEPA/APPLICATION  
 BUILDING PERMIT, FILE #B0300001  
 PUBLIC COMMENT DUE : 1/1/2004 AT 9:00 A.M.  
 LOCATED: COUNCIL BRIEFING RM., CITY HALL  
 Proposed Use: Commercial  
 Applicant/Agent: John Doe, Phone (509) 999-0001  
 SEPA: DNS, appeal deadline 12/24/03  
 FOR INFORMATION: (509) 625-6300  
<https://my.spokanecity.org/projects/example/>

C. Posting.

Posting of the notice as a letter, identical in form and content to individual written notice, shall be posted at "official public notice posting locations," including:

1. The main City public library and the branch library within or nearest to the area subject to the pending action;
2. The space in City Hall officially designated for posting notices; and
3. Any other public building or space that the city council formally designates as an official public notice posting location, including electronic locations.

D. Newspaper notice is published in a legal newspaper of general circulation. The contents of the newspaper notice are as prescribed in subsection (A)(2) of this section.

Newspaper notices are published on the same day of two consecutive weeks, the first no later than the number of days specified for the particular application type specified in this chapter.

E. Other Notification.

The hearing examiner, with respect to permit applications for non-site specific issues, such as essential public facilities, may require or provide for such alternative or additional notice as deemed necessary and appropriate to serve the public interest. A notification plan may be required of the applicant by the hearing examiner indicating the form and time of notice appropriate to the scope and complexity of the proposed project.

Section 5. That SMC Table 17G.060-3 is amended to read as follows:

<b>TABLE 17G.060-3</b> <b>TYPE OF PUBLIC NOTICE REQUIRED / PROJECT PERMIT REVIEW PROCESS</b> (Click here to view PDF)						
Project	Notice of	Notice of	Notice of	Review	City	Expiration of



Permit Type	Community Meeting	Application	Public Hearing	Official	Council Review	Permit [1]
<b>Building and Code Enforcement – Type I Application</b>						
Building Permit	No	((Legal/ Individual)) No	No	Building Official	No	180 days
Grading Permit	No	((Legal/ Individual)) No	No	Building Official	No	180 days
Demolition Permit	No	((Legal/ Individual)) No [5]	No [2]	Building Official	No	180 days
<u>Building Permit with SEPA</u>	<u>No</u>	<u>Posted / Legal</u>	<u>No</u>	<u>Building Official</u>	<u>No</u>	<u>180 days</u>
<u>Grading Permit with SEPA</u>	<u>No</u>	<u>Posted / Legal</u>	<u>No</u>	<u>Building Official</u>	<u>No</u>	<u>180 days</u>
<u>Demolition Permit with SEPA</u>	<u>No</u>	<u>Posted / Legal [5]</u>	<u>No</u>	<u>Building Official</u>	<u>No</u>	<u>180 days</u>
<b>Planning Services – Type I Application</b>						
Floodplain with SEPA	Posted / Individual	Posted / Individual	No	Planning Director	No	180 days
<b>Planning Services – Type II Application</b>						
Binding Site Plan	No	Posted / Individual	No	Planning Director	No	5 years
Certificate of Compliance	No	Posted / Individual	No	Planning Director	No	None

Conditional Use Permit	No [3]	Posted / Individual	No	Planning Director	No	3 years
Plans-in-lieu	No	Posted / Individual	No	Planning Director	No	3 years
Shoreline SDP	No	Posted / Individual	No	Planning Director	No	Must Comply with WAC 173-27-90
Short Plat	No	Posted / Individual	No	Planning Director	No	5 years
<b>Planning Services – Type III Application (Hearing Required)</b>						
Certificate of Compliance	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	None
Conditional Use Permit	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	3 years
Floodplain Variance	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	3 years
Long Plat	Posted / Individual	Posted / Individual	Newspaper / Posted / Individual	Hearing Examiner	No	5 years
Plans-in-lieu	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	3 years
PUD	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	5 years [4]
Rezone	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	3 years
Shoreline CUP	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	Must Comply with WAC 173-27-90
Shoreline Variance	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	Must Comply with WAC 173-27-90

Skywalk	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	2 years
Variance	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	3 years

Notes:

[1] Approval expires after the specified time if no permit to develop the project is issued by the City of Spokane or building permit expires without completion of the improvements.

[2] Public Hearing is required if the structure is on the National Historic Register.

[3] Conditional Use Permits required under SMC 17C.110.110, Limited Use Standards for Religious Institutions and Schools, will complete posted/individual notification requirements for a Community Meeting.

[4] If a PUD is approved together with a preliminary plat, the expiration date for the PUD shall be the same as the expiration date of the preliminary plat.

[5] Applications for demolition permits for the demolition of an entire building or structure shall, in addition to any applicable requirements under chapter 43.21C RCW, be subject to a ten day review and comment period. This review and comment period shall run concurrently with any other applicable notice and comment period. Following receipt of such applications, copies shall be forwarded to the individual(s) designated pursuant to SMC 4.27.010(D) to receive written notice on behalf of the neighborhood council in which the building or structure is located, at the address for such neighborhood council designee(s) that is on file with the department. Any comments submitted to the department by the neighborhood council during this review and comment period shall be provided to the applicant prior to issuing the demolition permit.

Section 6. That SMC section 17G.060.190 is amended to read as follows:

Section 17G.060.190 Notice of Decision

- A. Decisions on Type I, II, and III project permit applications are made by the hearing examiner or director within ten days of the date the record is closed. The time for decision may be extended if the applicant agrees in writing. Subject to chapter 36.70B RCW, the time for decision may also be extended to allow time for additional public comment if the hearing examiner or director determines that notice was not properly mailed or posted; provided, a person is deemed to have received notice if that person appears at the hearing or submits timely written comments, even if notice was not properly mailed or posted. In making the decision, the hearing examiner or director may approve, approve with conditions, or deny the permit application. The decision is made in writing.
- B. Within seven days of making the decision, the hearing examiner or director causes notice of decision to be provided as follows:
  1. Written notice of decision is provided by the decision-maker concurrent to the decision.
  2. Notice of a decision denying a permit application is given to the applicant. A full copy of the decision and any conditions of approval accompanies the notice of the decision to the applicant.

3. Notice of all other decisions is given to the applicant, all parties of record, and all persons who have requested to be given notice.
4. Notice of decision for Type I permit applications shall be the permit. For Type II and III permit applications the decision includes the following information:
  - a. Location of the property.
  - b. Description of the proposed action.
  - c. Name, address, and office telephone number of the City official from whom additional information may be obtained.
  - d. Applicant name and number.
  - e. The decision made, including the environmental threshold determination.
  - f. A list of persons who testified in person or in writing, or a summary of such a list.
  - g. A list of exhibits or a summary of such a list.
  - h. A statement of the decision criteria governing the application.
  - i. A statement of the comprehensive plan policies governing the application.
  - j. Findings of fact and conclusions relating the proposal to the decision criteria governing the application and which form the basis for the decision.
  - k. A statement that a full copy of the decision may be obtained from the designated official for the cost of reproduction.
  - l. The last date the decision may be appealed.
  - m. The place the appeal must be filed.
  - n. A statement of the fee to be charged for an appeal and the approximate cost to prepare any required transcripts.
  - o. A statement that the decision will be final unless appealed; and
  - p. The signature of the person making the decision.
- C. If the decision on a Type II or III project permit includes conditions of approval, a covenant must be recorded in the Spokane County auditor's office identifying the restrictions to use and development of the property exist. The covenant must be filed within the approval time limits of the permit or the approval becomes void. For rezones, the hearing examiner does not forward the rezone to the city council until the covenant has been filed.
- D. The decision for a shoreline substantial development permit, shoreline conditional use permit, or shoreline variance must contain a statement that construction pursuant to the permit shall not begin and is not authorized until twenty-one days from the "date of filing" by department of ecology as defined in RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within twenty-one days from the date of such filing have been terminated; except as provided in RCW 90.58.149(5)(a) and (b).
- E. Notice of decision for a shoreline substantial development permit, shoreline conditional use permit, or shoreline variance shall be submitted to the department of ecology along with a permit data sheet (Appendix A, WAC Chapter 173-27). For a shoreline conditional use permit or a shoreline variance, there is a thirty-day review by department of ecology. After this period, the department of ecology shall render and transmit to the City of Spokane and the applicant a final decision approving, approving with conditions, or disapproving the permit. The planning director shall provide notification within seven days of the department of ecology's final decision to those interested persons having requested notification.

PASSED by the City Council on September 21, 2015

Ben Frick  
Council President

Attest:

Leni Hryck  
City Clerk

Approved as to form:

[Signature]  
Assistant City Attorney

\_\_\_\_\_  
Mayor

Mayoral Decision to Return Unsigned

\_\_\_\_\_  
Date

November 4, 2015  
Effective Date



**Spokane City Plan Commission  
Findings of Fact, Conclusions, and Recommendations  
Proposed Amendments to  
Spokane Municipal Code Title 17G relating to neighborhood notification of  
land use applications and permits.**

**A recommendation from the City Plan Commission to the City Council to approve proposed amendments to the Unified Development Code. The proposal amends sections 17G.060.090 Determination of a Complete Application, 17G.060.120 Public Notice - Types of Notice, 17G.060.190, Table 17G.060-3 Type of Public Notice Required, 17G.060.190 Notice of Decision, 17G.050.310 Right of Appeal, 17G.500.315 Standing, and 17G.050.140 Effect of Notice.**

**Findings of Fact:**

- A.** City Council President Ben Stuckart, City staff (Planning and Development Services, Legal, and Community and Neighborhood Services), and a citizen stakeholder group began meeting in early 2015 to draft potential amendments to the Spokane Municipal Code pertaining to neighborhood notification of land use applications and permits, resulting in proposed modifications to Title 17G.
- B.** A Plan Commission Workshop to review and discuss the proposed modifications was held on June 10, 2015.
- C.** Staff presented the proposal to the Land Use Sub-Committee of the Community Assembly on June 18, 2015, and to the Community Assembly on July 10, 2015. The Community Assembly forwarded comments and recommendations to the Plan Commission for consideration.
- D.** On June 19, 2015, staff requested that the Washington State Department of Commerce grant a 14-day expedited review period for this proposal to its Growth Management Services Division. The expedited review was approved on July 13, 2015.
- E.** The proposal is a procedural action which is exempt from the State Environmental Policy Act (SEPA) review, pursuant to WAC 197-11-800.
- F.** Notices of the Plan Commission Public Hearing were published in the Spokesman Review on July 8, 2015 and July 15, 2015.
- G.** Notice of the Public Hearing was posted in City Hall and the Downtown Public Library on June 23, 2015.
- H.** Notice of the Public Hearing was sent to applicable agencies, City of Spokane departments and staff, stakeholders, and the Neighborhood Council Chairs on June 25, 2015 and on July 6, 2015.
- I.** The City Plan Commission held a public hearing on July 22, 2015 to obtain public comments on the proposed amendments. In order to more thoroughly review public comments received on the proposal, the Plan Commission voted to

continue the hearing until its August 12, 2015 meeting, and left the record open for additional written testimony, if any.

- J. During its deliberations, the Plan Commission reviewed the proposed amendments and finds them to be in conformance with the following goals and policies of the City's Comprehensive Plan:

**LGC 3 PLANNING THROUGH NEIGHBORHOOD COUNCILS**

Goal: Utilize the neighborhood councils and the Community Assembly as a way for the public to participate in planning activities and bring proposals through the City Plan Commission to the City Council.

Policies

**LGC 3.1 Forum for Citizens**

Use neighborhood councils as one of many forums for citizens to bring issues and/or problems to the City of Spokane for debate and to express their preferences for resolution.

**LU 7.2 Continuing Review Process**

Develop a broad, community-based process that periodically reevaluates and directs city policies and regulations consistent with the Visions and Values.

**N 7.2 City Hall Outreach**

Encourage City Hall outreach efforts in neighborhoods.

**Conclusions:**

- A. The Plan Commission reviewed all public testimony received during the public hearings.
- B. The Plan Commission finds 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 amendments are consistent with the applicable provisions of the comprehensive plan; and
2. The proposed amendments bear a substantial relation to public health, safety, welfare, and protection of the environment.

**Recommendations:**

By a vote of 8 to 0 the Plan Commission recommends to the City Council the approval of the proposed amendments to the Unified Development Code, Title 17G.



**Dennis Dellwo, President  
Spokane Plan Commission  
August 12, 2015**