



December 9, 2011

City Clerk File Nos.:

ORD C34805

ORD C34806

ORD C34807 ✓

ORD C34808

ORD C34809

COUNCIL ACTION MEMORANDUM

RE: COMP PLAN AMENDMENTS: FINAL READING ORDINANCES C34805 THROUGH C34809

During its 6:00 p.m. Legislative Session held Monday, November 28, 2011, the Spokane City Council considered the following Comprehensive Plan amendments (Final Reading Ordinances C34805 through C34809).

Final Reading Ordinance C34805 Relating to Application #Z1000046COMP

City Planner Tami Palmquist provided an overview of Final Reading Ordinance C34805. Ms. Palmquist noted the following correction for the record in the Plan Commission Facts and Findings: The Plan Commission vote was six to zero with two abstentions. Subsequent to public testimony, comment by Plan Commission Chair Karen Byrd, and Council comment, the following action was taken:

**Upon Unanimous Roll Call Vote (Council Member McLaughlin absent), the City Council passed Final Reading Ordinance C34805 relating to Application #Z1000046COMP amending the Land Use Plan Map of the City's Comprehensive Plan from "Residential 15-30" to "Light Industrial" for eleven parcels and for one parcel from "Office" to "Light Industrial" totaling six (6) acres; and amending the Zoning Map from "RMF" to "Light Industrial" and "O-35" to "Light Industrial" for the same parcels. (Staff approved; Plan Commission approved 6 to 0 with 2 abstentions)**

Final Reading Ordinance C34807 Relating to Application #Z1000059COMP

Subsequent to an overview by City Planner Tami Palmquist and the opportunity for public testimony, with no individuals requesting to speak, the following action was taken:

**Upon Unanimous Roll Call Vote (Council Member McLaughlin absent),** the City Council **passed Final Reading Ordinance C34807** relating to #Z1000059COMP amending the Land Use Plan Map of the City's Comprehensive Plan from "Residential 4-10" to "Office" for two (2) parcels approximately 27,325 square feet and located at 2714 and 2728 East 31st Avenue on parcels 35331.0305 and 35331.0304; and amending the Zoning Map from "Residential Single Family" (RSF) to "Office" (O-35). In addition to change the Land Use Map of adjacent parcels located at 2801 and 2814 East 31st Avenue on parcels 35331.0215 and 35331.0303 and adjacent property located at 2815 East 32nd Avenue on parcel 35331.0312 from "Residential 4-10" to "Office." Lastly a change to the underlying land use on a parcel located at 2815 East 32nd Avenue (parcel 35331.0312) from "Residential 4-10" to "Office." (Staff approved; Plan Commission approved 7 to 0)

Final Reading Ordinance C34806 Relating to Application #Z1000058COMP

Subsequent to an overview by City Planner Marla French, Council inquiry and comment, comment by Plan Commission Chair Karen Byrd and Vice Chair Bob Mansfield, and public testimony, the following action was taken:

**Upon 5-1 Roll Call Vote (Council Member Snyder voting "no" and Council Member McLaughlin absent),** the City Council **passed Final Reading Ordinance C34806** relating to #Z1000058COMP amending the Land Use Plan Map of the City's Comprehensive Plan from "Residential 4-10" to "Residential 15-30" for one parcel approximately 41,555 square feet located at 2727 East 35th Avenue on parcel 35331.1107; and amending the Zoning Map from "RSF" to "RMF." (Staff recommended different land use designation for approval; Plan Commission approved 5 to 3)

Final Reading Ordinance C34809 Relating to Application #Z1000055COMP

Subsequent to an overview by City Planner Tirrell Black, Council comment, and an opportunity for public testimony, with no individuals requesting to speak, the following action was taken:

**Upon Unanimous Roll Call Vote (Council Member McLaughlin absent),** the City Council **passed Final Reading Ordinance C34809** relating to Application #Z1000055COMP and amending the text of the City's Comprehensive Plan in a set of approximately one hundred (100) minor text amendments (typos, clarification and corrections) proposed to be made to Chapters 5, 6, 7, 8, 9 and 10 excluding the Capital Facilities

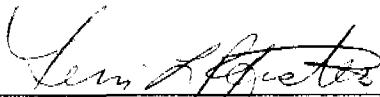
Program located in Chapter 5. None of these proposed changes are categorized as substantial changes to the goals and policies of the Comprehensive Plan. (Staff approved; Plan Commission approved 7 to 0)

Final Reading Ordinance C34808 Relating to Application #Z1000060COMP

The City Council considered Final Reading Ordinance C34808 relating to Application #Z1000060COMP amending the Land Use Map of the City's Comprehensive Plan from "Residential 4-10" to "Residential 15-30" for parcels approximately 85,561 square feet located at 1030 West Courtland Avenue on parcels 35063.1701, 35063.2402, 35063.2304-.2308; and amending the Zoning Map from "RSF" to "RMF." Subsequent to an overview by Marla French, Council inquiry and comment, comment by Plan Commission President Karen Byrd and the applicant Allen Schmelzer, and public testimony, the following action was taken:

**Motion** by Council Member Snyder, seconded by Council Member Apple, to close the hearing and defer Council's decision (on Final Reading Ordinance C34808) for one week (to December 5, 2011); **carried unanimously (Council Member McLaughlin absent).**

During Council Member Snyder's comments, he noted he would like hear more information about a developer's agreement for the property in question.



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Terri L. Pfister, MMC  
Spokane City Clerk

108  
12-12-11



**Agenda Sheet for City Council Meeting of:**  
11/21/2011

|                       |            |
|-----------------------|------------|
| <b>Date Rec'd</b>     | 11/7/2011  |
| <b>Clerk's File #</b> | ORD C34807 |
| <b>Renews #</b>       |            |
| <b>Cross Ref #</b>    |            |
| <b>Project #</b>      |            |
| <b>Bid #</b>          |            |
| <b>Requisition #</b>  |            |

|                           |   |
|---------------------------|---|
| <b>Submitting Dept</b>    | PLANNING SERVICES                         |
| <b>Contact Name/Phone</b> | TAMI 625-6157<br>PALMQUIST                |
| <b>Contact E-Mail</b>     | TPALMQUIST@SPOKANECITY.ORG                |
| <b>Agenda Item Type</b>   | First Reading Ordinance                   |
| <b>Agenda Item Name</b>   | PLANNING Z1000059COMP COMP PLAN AMENDMENT |

**Agenda Wording**  
AN ORDINANCE RELATING TO APPLICATION #Z1000059COMP AND AMENDING THE LAND USE PLAN MAP OF THE CITY'S COMPREHENSIVE PLAN FROM "RESIDENTIAL 4-10" TO "OFFICE" FOR TWO PARCELS APPROXIMATELY 27,325 SQUARE FEET AND LOCATED AT 2714 & 2728 EAST 31ST AVENUE ON

**Summary (Background)**  
Five applications are being considered concurrently through the annual Comprehensive Plan Amendment cycle as required by the Growth Management Act. All three of the applicant's proposals are consistent with Comprehensive Plan policy, and the applicants have fulfilled the public participation and notification requirements. Plan Commission has held their Public Hearings on the amendments and recommended approval of four out of five of the amendments.

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

| <b>Approvals</b>            |                  | <b>Council Notifications</b> |                      |
|-----------------------------|------------------|------------------------------|----------------------|
| <b>Dept Head</b>            | CHESNEY, SCOTT   | <b>Study Session</b>         | Oct 6 & Oct 13, 2011 |
| <b>Division Director</b>    | TAYLOR, MIKE     | <b>Other</b>                 | PCED Oct 3, 2011     |
| <b>Finance</b>              | LESESNE, MICHELE | <b>Distribution List</b>     |                      |
| <b>Legal</b>                | BURNS, BARBARA   | tpalmquist@spokanecity.org   |                      |
| <b>For the Mayor</b>        | WEBSTER, DOROTHY | schesney@spokanecity.org     |                      |
| <b>Additional Approvals</b> |                  | dcompton@spokanecity.org     |                      |
| <b>Purchasing</b>           |                  | kpelton@spokanecity.org      |                      |
|                             |                  | dhume@spokane-landuse.com    |                      |
|                             |                  |                              |                      |
|                             |                  |                              |                      |

FIRST READING OF THE ABOVE ORDINANCE  
WAS HELD ON  
11/21/11  
AND FURTHER ACTION WAS DEFERRED  
[Signature]  
CITY CLERK

**PASSED BY SPOKANE CITY COUNCIL**  
November 28, 2011  
[Signature]  
City Clerk

**Continuation of Wording, Summary, and Distribution**

**Agenda Item Name:** PLANNING Z1000059COMP COMP PLAN AMENDMENT

**Agenda Wording** (630 character max)

AN ORDINANCE RELATING TO APPLICATION #Z1000059COMP AND AMENDING THE LAND USE PLAN MAP OF THE CITY'S COMPREHENSIVE PLAN FROM "RESIDENTIAL 4-10" TO "OFFICE" FOR TWO PARCELS APPROXIMATELY 27,325 SQUARE FEET AND LOCATED AT 2714 & 2728 EAST 31ST AVENUE ON PARCELS 35331.0305 AND 35331.0304; AND AMENDING THE ZONING MAP FROM "RESIDENTIAL SINGLE FAMILY (RSF)" TO "OFFICE (O-35)". IN ADDITION, TO CHANGE THE LAND USE PLAN MAP OF ADJACENT PARCELS LOCATED AT 2801 AND 2814 E 31ST ON PARCELS 35331.0215 AND 35331.0303 AND ADJACENT PROPERTY LOCATED 2815 E 32ND ON PARCEL 35331.0312 FROM "RESIDENTIAL 4-10" TO "OFFICE".

**Summary (Background)** (870 character max)

[Empty text area for Summary (Background)]

**Fiscal Impact**

**Budget Account**

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Select \$ \_\_\_\_\_

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**Distribution List**

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Save Cancel

## ORDINANCE NO C34807

An ordinance relating to application #Z1000059COMP and amending the Land Use plan Map of the City's Comprehensive Plan from "RESIDENTIAL 4-10" to "OFFICE" for two (2) parcels approximately 27,325 square feet and located at 2714 and 2728 East 31st Avenue on parcels 35331.0305 and 35331.0304; and amending the Zoning Map from "RESIDENTIAL SINGLE FAMILY" (RSF) to "OFFICE" (O-35). In addition to change the Land Use Map of adjacent parcels located at 2801 and 2814 East 31<sup>ST</sup> Avenue on parcels 35331.0215 and 35331.0303 and adjacent property located 2815 East 32<sup>nd</sup> Avenue on parcel 35331.0312 from "RESIDENTIAL 4-10" to "OFFICE". Lastly a change to the underlying land use on a parcel located at 2815 East 32<sup>nd</sup> Avenue (parcel # 35331.0312) from "RESIDENTIAL 4-10" to "OFFICE".

WHEREAS, The Washington State Legislature passed the Growth Management Act (GMA) in 1990, requiring among other things, the development of a Comprehensive Plan (chapter 36.70A RCW); 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, under the Growth Management Act, the City Council may generally consider proposed amendments or revisions of the City's comprehensive plan no more frequently than once every year. All amendment proposals must be considered concurrently in order to evaluate for their cumulative effect; and

WHEREAS, land use amendment application Z1000059COMP was submitted by the October 31, 2010 deadline for Plan Commission review during the 2010 amendment cycle; and

WHEREAS, application Z1000059COMP seeks an amendment is to the Land Use Plan Map of the City's Comprehensive Plan for a change from "Residential 4-10" to "Office" for two adjoining parcels, approximately 27,325 square feet in area and located at 2714 and 2728 East 31<sup>st</sup> Avenue (Parcel #'s 35331.0305 and 35331.0304). If approved, the implementing zoning designation requested is "Office-35" (O-35). In addition Planning Department staff recommended to the Plan Commission that it expand the boundary of this application to include two (2) vacant parcels located at 2801 East 31<sup>st</sup> Avenue and 2814 East 31<sup>st</sup> Avenue (parcel #'s 35331.0215 and 35331.0303) from the land use designation of "R 4-10" to "Office" at the same time to match the zoning of "O-35" after a rezone of these properties in 2001. Lastly a change to the underlying land use on a parcel located at 2815 East 32<sup>nd</sup> Avenue (parcel # 35331.0312) suggested by a Plan Commission member during a public hearing held on July 13, 2011. This was discussed due to it being similar to the other two listed above that are zoned "Office-35" but have underlying land uses of "Residential 4-10". The land owner of this property was contacted and has given permission to change the land use from "Residential 4-10" to "Office"; and

WHEREAS, staff requested comments from agencies and departments on November 17, 2010, and a public comment period ran from February 11, 2011 to March 18, 2011; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required sixty (60)-day notice before adoption of proposed changes to the Comprehensive Plan on July 14, 2011; and

WHEREAS, the Spokane City Plan Commission held workshops to study the Amendment Applications on April 13, 2011, April 27, 2011 and May 11, 2011; and

WHEREAS, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were released on June 22, 2011 for the Comprehensive Land Use Plan Map and Zoning Map changes ("DNS"). The public comment period for the SEPA determination ended on July 7, 2011; and

WHEREAS, notice of the SEPA Checklist and Determination, the Land Use Plan Map changes, and the Zoning Map changes, and announcement of the July 13, 2011 Plan Commission Public Hearing were published in the Spokesman-Review on Wednesday, June 22 and Wednesday, June 29, 2011; and

WHEREAS, notice was posted on the property 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 (400) foot radius of any portion of the boundary of the subject property on June 22, 2011; and

WHEREAS, staff report found that application Z1000059COMP met all the criteria and recommended approval of the application; and

WHEREAS, the Spokane Plan Commission conducted a public hearing and deliberated on July 13, 2011 for the proposed amendment applications; and

WHEREAS, an analysis of the decision criteria, review guidelines, and map change standards for amendments, as listed in SMC 17G.020.010(C), was completed by the Plan Commission; and

WHEREAS, the Spokane Plan Commission found that Application Z1000059COMP is consistent with and implements the current version of the comprehensive plan by protecting residential neighborhoods, directing new, or in this case existing, office uses towards centers and corridors and within areas where the existing use of land is "Office" and higher density residential, thus promoting compatible development; and

WHEREAS, the Plan Commission voted seven (7) to zero (0) to recommend approval of application Z1000059COMP; 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 Application. Application Z1000059COMP is approved.
2. Amendment of Land Use Map. The Spokane Comprehensive Plan Land Use Map is amended from "Residential 4-10" to "Office" for two adjoining parcels, approximately 27,325 square feet in area and located at 2714 and 2728 East 31<sup>st</sup> Avenue (parcel #'s 35331.0305 and 35331.0304). If approved, the implementing zoning designation requested is "Office-35" (O-35). In addition Planning Staff recommended to the Plan Commission that it expand the boundary of this application to include two (2) vacant parcels located at 2801 East 31<sup>st</sup> Avenue and 2814 East 31<sup>st</sup> Avenue (parcel #'s 35331.0215 and 35331.0303) to the land use designation of "R 4-10" to "Office" at the same time to match the zoning of "O-35" after a rezone of these properties in 2001. Lastly a change to the underlying land use on a parcel located at 2815 East 32<sup>nd</sup> Avenue (parcel # 35331.0312) suggested by a Plan Commission member during a public hearing held on July 13, 2011. This was discussed due to it being similar to the other two listed above that are zoned "Office-35" but have underlying land uses of "Residential 4-10". The land owner of this property was contacted and has given permission to change the land use from "Residential 4-10" to "Office".
3. Amendment of Zoning Map. The City of Spokane Zoning Map is amended from "RSF" to "Office" for parcel #'s 35331.0305 and 35331.0304.

PASSED BY THE CITY COUNCIL ON November 28, 2011.

Alexander J. Shogan  
Alexander J. Shogan, Council President

Attest:

Approved as to form:

Terri J. Hefetz  
City Clerk

B. B. Bunn  
Assistant City Attorney

Mary B. Verner  
Mary B. Verner, Mayor

December 8, 2011  
Date

January 7, 2012  
Effective Date

