

**STAFF REPORT ON COMPREHENSIVE PLAN
LAND USE AMENDMENT APPLICATION
FILE NO. Z1000060-COMP**

I. SUMMARY OF REQUEST AND RECOMMENDATIONS:

DESCRIPTION OF PROPOSAL: This is an application by Heylman Martin Architects, on behalf of City of Spokane, Community Development Department, for a proposed Comprehensive Plan Land Use Plan Map Amendment. The proposed amendment is to the Land Use Plan Map of the City's Comprehensive Plan for a change from "Residential 4-10" to "Residential 15-30" for parcels, approximately 85,561 square feet in area and located at 1030 W Courtland Avenue on parcel numbers: 35063.1701, 35063.2402, 35063.2304 -.2308. If approved, the implementing zoning designation requested is Residential Multifamily (RMF).

Note: Site Maps, department and agency comments, and citizen comment letters are attached to this report.

II. GENERAL INFORMATION:

- A. Applicant/Agent: Heylman Martin Architects
100 N Stevens Street
Spokane, WA 99201
Ann Martin Phone: (509) 838-2707 or
Email: ann@heymanmartinarch.com
- B. Property Owner(s): City of Spokane, Community Dev. Dept.
808 W Spokane Falls Blvd.
Spokane, WA 99201
Allen Schmelzer Phone: (509) 625-6325 or
Email: aschmelzer@spokanecity.org
- C. Location of Proposal: 1030 W Courtland Avenue
- D. Existing Zoning: RSF and CC2-DC
- E. Land Use Plan Designation: Residential 4-10 and Center & Corridor Core
- F. SEPA Status: A SEPA threshold determination of Non-Significance was made on June 22, 2011.
The appeal period will close on July 7, 2011.
- G. Enabling Zoning: SMC 17G. 020, Comprehensive Plan Amendment Process
- H. Hearing Date: Plan Commission
July 13, 2011 at 5:00 pm in City Council Chambers
- I. Staff Contact: Marla French, 625-6638
mfrench@spokanecity.org

III. FINDINGS OF FACT:

- A. Site Description: The site is currently vacant. A grouping of mature pine trees is located to the southwest area of the site. A public sidewalk approximately 45 feet inside the property line along Monroe Street serves pedestrians, a dirt walkway and a curb are the other improvements along the Monroe R-O-W. Steep slopes that meet the critical area code for geologically hazardous areas are located along the northerly and westerly portion of the site. The northern portion of the site with frontage onto Glass Avenue appears to have a curb as the improvement; similar improvements exist along Courtland Avenue.
- B. Project Description: Authorized by Spokane Municipal Code Section 17G.020, "Comprehensive Plan Amendment Process," the applicant is requesting a Comprehensive Plan Land Use Map designation change from "Residential 4-10" and "CC Core" to "Residential 15-30" for multiple parcels totaling approximately 1.96 acres located at 1030 W Courtland Avenue.
- C. Surrounding Zoning and Comprehensive Plan Land Use Designations:
- To the north: The property located across Glass Avenue to the north is zoned RSF with a land use plan map designation of Residential 4-10.
- To the east: The parcels located across Monroe Street to the east of the subject site are zoned RMF and CC2-DC with a land use plan map designation of Residential 15-30 and Center and Corridor Core.
- To the south: The parcels located across Courtland Avenue to the south are zoned CC2-DC and RSF with a land use plan map designation of CC Core and Residential 4-10.
- To the west: The parcel adjacent to the west is zoned RSF with a land use plan map designation of Residential 4-10.
- D. Zoning and Land Use Designation History:
- The property was originally zoned Class I Residential District from 1929 to 1958. The property was zoned, in the northern half as R2 and in the southern half as R3 in 1975. The property was zoned R1 prior to 2006 and through a neighborhood planning process remained as RSF in 2007, due in large part because of ownership by the City of Spokane.
- E. Adjacent Land Use:
- To the north: The area located across Glass Avenue to the north is developed as single-family homes. Particular value has been placed on these homes due to the view over the bluff looking south toward the City.
- To the east: The area located across Monroe Street to the east of the subject site is developed as two different multi-family complex sites, a general merchandise use is located further south in the CC2-DC zone.
- To the south: The parcels to the south contain commercial and single family residence.
- To the west: The parcel to the west contains a single-family residence.

- F. Applicable Municipal Code Regulations: SMC 17G.020, Comprehensive Plan Amendment Process; SMC 17G.020.010(C): Amendments: Timing, Criteria
- G. Procedural Requirements:
- Pre-Application Conference was held on October 14, 2010;
 - Application was submitted on October 29, 2010;
 - Applicant was provided Notice of Application on January 7, 2011;
 - Notice of Application was posted, published and mailed on January 14, 2011, which began a 60 day public comment period;
 - A SEPA Determination of Non Significance was issued on June 22, 2011;
 - Notice of Public Hearing was posted and mailed by June 22, 2011;
 - Notice of Public Hearing was published on June 22 and June 29, 2011 in the Spokesman Review Newspaper;
 - Notice of Public Hearing was published in the City of Spokane Official Gazette on June 22 and June 29, 2011;
 - Public Hearing is scheduled with the Plan Commission on July 13, 2011 in City Council Chambers at 5:00 pm.

IV. DEPARTMENT REPORTS

Notice of this proposal was sent to City departments and outside agencies for their review. Department comments are included in the file.

V. CONCLUSIONS

Decision Criteria—SMC 17G.020.010(C)

SMC 17G.020.010C specifies the decision criteria for comprehensive plan amendments. For amendments, it states the following:

SMC 17G.020.010C. Amendments: Timing, Criteria

Starting in 2003, and thereafter no more often than once a year, the Plan Commission may recommend and the city council may adopt amendments to the land use plan map, or the text of the Comprehensive Plan or land use code, upon finding that each proposal meets all of following conditions and requirements. However, 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.

Criterion 1. 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 proposed change is consistent with these goals.

Staff concludes that this criterion is met.

Criterion 2. Consistency: Unless the proposal is consistent with and implements the current version of the comprehensive plan and its supporting documents, adoption of the proposal must also include any other changes needed to regain overall compliance with GMA's requirement for internal and regional consistency.

Relevant facts:

Policy LU 1.3, "Single Family Residential Areas," states, "*Protect the character of single-family residential neighborhoods by focusing higher intensity land uses in designated centers and corridors.*" The subject parcel is located immediately to the north of an area that is designated CC2-DC zone, adopted by City Council in 2007 after an abbreviated neighborhood planning process was conducted. This site was discussed but was never proposed to change to a different land use designation through the planning process. The site is very constrained with steep slopes on the north and west of the site and located along a principal arterial (Monroe Street) along a steep long curve in the road.

Policy LU 1.4, "Higher Density Residential Uses," directs new higher density residential uses to designated centers and corridors. The discussion section describes why higher density housing is "the critical component of a center;"

Without substantially increasing population in a center's immediate vicinity, there is insufficient market demand for goods and services at a level to sustain neighborhood-scale businesses.

The North Monroe Corridor is located to the south of the proposal at Cora and Courtland Avenue. Policy LU 3.2 "Centers and Corridors" states in the discussion section, "*As a general rule, the size of the district center, including the higher density housing surrounding the center, should be approximately 30 to 50 square blocks.*" The subject property is located immediately to the north of the corridor (designated a District Center) and would provide support to sustain the neighborhood-scale businesses that are encouraged in district centers.

LU 4.1 "Land Use and Transportation" states, "*coordinate land use and transportation planning to result in an efficient pattern of development that supports alternative transportation modes...and makes significant progress toward reducing sprawl, traffic congestion, and air pollution.*" Monroe Street is a highly used route for both regular bus routes and for a newer express bus route. Additional density to this corridor would help to increase ridership and support this alternative mode of transportation.

LU 4.2 "Land Uses that Support Travel Options" supports the provision of "*...a compatible mix of housing and commercial uses in neighborhood centers, district centers, employment centers, and corridors.*" The multi-family alternative to single family development would provide an increased potential for mixed housing types.

LU 5.5 “Compatible Development” that states, “*infill and redevelopment projects are well designed and compatible with surrounding uses and building types.*” The RMF zone has specific design requirements for all multi-family projects. A multi-family designation would encourage the development of these vacant lots.

Given these considerations, staff finds that the proposal is consistent with and implements the current version of the Comprehensive Plan.

Criterion 3. Cumulative Effect: All amendments must be considered concurrently in order to evaluate their cumulative effects.

Relevant facts:

This proposal is a land use designation change for a site of approximately 1.96 acres, consisting of multiple parcels. No other land use designations in the city would be changed or potentially changed by this proposal at this time. Thus, there would be no cumulative land use impacts related to this proposal.

Staff concludes that this criterion is met.

Criterion 4. SEPA: SEPA review must be completed on all amendment proposals.

Relevant facts:

The application has been 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 Services, a Determination of Non-Significance (DNS) was issued on June 22, 2011.

Staff concludes that this criterion is met.

Criterion 5. Adequate Public Facilities: The amendment must not adversely affect the City's ability to provide the full range of urban public facilities and services.

Relevant facts:

If the subject lot was designated R 15-30 the combined maximum number units that could be sited on the lots would increase from approximately 20 to 60 units. Staff feels that even if the maximum number of residential units were sited on the property it would not have a substantial impact on the City's ability to provide services. All applicable departments and outside agencies providing services to the subject properties have had an opportunity to comment on the proposal and have not indicated that serving a higher density at this location would adversely affect their ability to provide services. Mitigation to address impacts of any development project on the site will be addressed at the time of issuance of building permits.

Staff concludes that this criterion is met.

Criterion 6. Public Benefit: The proposed changes will result in a net benefit to the general public.

Relevant facts:

This amendment would result in an increase in availability of property zoned for multi-family development in close proximity of a designated focused growth corridor. This would increase

the availability of housing within the City where urban services are already available. Infill development within urban areas helps to prevent the sprawl of development into undeveloped outlying areas without urban services. As discussed previously sitting higher-density development at this location would have fewer impacts than locating it in an established single-family neighborhood and the high-density would support the development of the Monroe Corridor.

Staff concludes that this criterion is met.

Criterion 7. No Adverse Effect: The proposed changes will not have a significant adverse effect on the public.

Relevant facts:

As stated previously under Criterion 4, this application was reviewed in accordance with the State Environmental Policy Act (SEPA) and a Determination of Non-Significance (DNS) was issued on June 22, 2011.

All new development is required to meet development standards in the Spokane Municipal Code. Mitigation to address impacts of any development project on the site will be addressed at the time of issuance of building permits.

Staff concludes that this criterion is met.

Review Criteria

SMC 17G.020.010 D. Amendments: Review Guidelines

The following is a list of considerations that shall be used, as appropriate, by the applicant in developing an amendment proposal, by planning staff in analyzing a proposal, and by the plan commission and city council in determining whether a criterion for approval has been met.

1. 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, or new environmental regulations.

Relevant facts: To the best of their knowledge, staff concludes that this amendment proposal is consistent with the above mentioned review guidelines.

2. 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: Since this amendment includes multiple parcels that are less than 2 acres in size, which would be improved to City standards by the applicant or developer, it is unlikely to impact or to be addressed by the Six Year Capital Improvement Plan(s).

Staff concludes that this criterion is met.

3. 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 has concluded that this proposal will have not funding shortfall implications.

4. **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: If approved, this amendment would result in an automatic zone change from RSF to RMF to be consistent with the Comprehensive Plan Land Use Map change. Staff doesn't anticipate that there will be other consistency issues with any other adopted city policy or regulation if this proposal is approved.

5. **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: To the best of their knowledge, staff concludes that this amendment proposal is consistent with the above mentioned review guidelines.

6. **Consistent Amendments:**

a. **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:

- i. Growth and development as envisioned in the plan is occurring faster, slower or is failing to materialize;
- ii. The capacity to provide adequate services is diminished or increased;
- iii. Land availability to meet demand is reduced;
- iv. Population or employment growth is significantly different than the plan's assumptions;
- v. Plan objectives are not being met as specified;
- vi. The effect of the plan on land values and affordable housing is contrary to plan goals;
- vii. Transportation and/or other capital improvements are not being made as expected;
- viii. 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: This proposal is a request for a Comprehensive Plan Land Use Plan Map amendment, not a policy adjustment. Staff concludes that this criterion is not applicable to this proposal.

b. 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:

i. 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.);

Relevant facts: The applicable Comprehensive Plan Policies for the location of new higher-density development have been addressed previously in criterion 2. Staff concludes that this proposed amendment is consistent with the appropriate location criteria identified in the Comprehensive Plan.

ii. The map amendment or site is suitable for the proposed designation;

The subject site has multi-family to the east, commercial/mixed use potential to the south. The single family to the west and north are separated by significant steep slopes from the project site. The proposed zoning will allow for development of an increased mix of housing types in an area adjacent to a corridor.

The subject site has access to urban services and has frontage onto Courtland Avenue, Glass Avenue, and Monroe Street. Courtland Avenue has been paved and improved with a curb and sidewalk in some places, Glass and Monroe are improved with a curb. The site contains significant slopes. Full frontage improvements would be required along Courtland Avenue and along Monroe, possibly with bollards, to protect pedestrians and property from potential accidents due to frozen driving conditions or other events. Improvements along Glass Avenue, due to slope, would be discussed as part of the building permit process.

iii. The map amendment implements applicable comprehensive plan policies better than the current map designation.

As stated above, the proposed designation is consistent with the Comprehensive Plan policies of protecting single-family neighborhoods, directing new higher-density residential uses toward centers and corridors.

With the exception of the previous neighborhood planning decision to retain the project site as single-family, staff concludes that this amendment would implement the Comprehensive Plan with a more appropriate designation than its current land use plan map designation

7. Inconsistent Amendments.

a. 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.

Relevant facts: Staff concludes that this criterion is not applicable to this proposal.

b. Adequate Documentation of Need for Change.

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:

- i. growth and development as envisioned in the plan is occurring faster, slower or is failing to materialize;
- ii. the capacity to provide adequate services is diminished or increased;
- iii. land availability to meet demand is reduced;
- iv. population or employment growth is significantly different than the plan's assumptions;
- v. transportation and/or other capital improvements are not being made as expected;
- vi. conditions have changed substantially in the area within which the subject property lies and/or Citywide;
- vii. assumptions upon which the plan is based are found to be invalid; or
- viii. sufficient change or lack of change in circumstances dictates the need for such consideration.

Relevant facts: Staff concludes that this criterion is not applicable to this proposal.

c. 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: Staff concludes that this criterion is not applicable to this proposal.

8. 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.

a. 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.

Relevant facts: A DNS was issued on June 22, 2011.

b. 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: All amendment applications from 2010 are being moved forward to City Council at the same time.

9. SEPA.

SEPA review must be completed on all amendment proposals.

a. 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.

Relevant facts: There was no other applications in this immediate vicinity that would have changed the threshold determination of this proposal.

b. 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: Staff concludes that this criterion is not applicable to this proposal.

10. 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: As discussed previously the net maximum increase in residential density that could be developed on multiple lots as a result of this change in designation would be approximately 40 units. It is unlikely that this number of units would impact the City's ability to provide the planned level of service.

11. UGA.

Privately initiated Comprehensive Plan amendment applications proposing changes to the urban growth area (UGA) will only be accepted during those years when the board of county commissioners (BoCC) reviews all UGAs countywide. Urban growth boundaries will be revised at least once every five years, per CWPP 1.19. Since the BoCC is the sole agency authorized to change the UGA, the city council's role is merely to review those suggested changes and make recommendations to the BoCC. A review of densities and population growth trends must indicate that such a change is needed, and the review shall conform to the requirements and guidelines contained in chapter 36.70A RCW and the relevant countywide planning policies.

Relevant facts: Staff concludes that this criterion is not applicable to this proposal.

VI. RECOMMENDATIONS

STAFF CONCLUSION: Staff recommends that this Comprehensive Plan Land Use Map Amendment request to change the land use designation of the parcels located 1030 W Courtland Avenue from Residential 4-10 to Residential 15-30 be approved.