

1 **SPOKANE COUNTY HEARING EXAMINER**

2 APPLICATION FOR CONDITIONAL
3 USE PERMIT TO ALLOW WIRELESS
4 COMMUNICATION SUPPORT TOWER
5 IN LOW DENSITY RESIDENTIAL (LDR)
6 ZONE AND FOR VARIANCE TO ALLOW
7 TOWER HEIGHT OF 100 FEET

**FINDINGS,
CONCLUSIONS,
AND DECISION
CORRECTED DATE**

8 APPLICANT: SMSA LIMITED
9 PARTNERSHIP dba VERIZON
10 c/o DEREK BUDIG

11 FILE NO. CUN-05-20/VN-01-20

12 **I. SUMMARY OF DECISION**

13 **Hearing Matter:** Application for a Conditional Use Permit and for a Variance to
14 allow a 100 foot wireless communications support tower on property zoned as Low
15 Density Residential (LDR) pursuant to Sections 14.404, 14.606.240 and 14.822 of the
16 Spokane County Zoning Code.

17 **Summary of Decision:** Application approved, subject to *revised* conditions.

18 **II. FINDINGS AND CONCLUSIONS**

19 **A. Procedural Matters:**

20 An application for a conditional use permit to allow a 100 foot wireless
21 communications support tower on parcel number 26124.9027 in Spokane County,
22 Washington, was submitted to the Spokane County Building and Planning
23 Department (“Department”) on July 23, 2020. Staff Report; Building and Planning
24 File No. CUN-05-20/VN-01-20. The Determination of Completeness of the application
was issued on August 04, 2020. Id. On or about October 5, 2020 the applicant
requested that the processing of the conditional use permit and the variance be
suspended. The applicant requested that Spokane County resume processing the
application on May 20, 2021. On June 15, 2021 the applicant substituted Proland
LLC as it’s representative for the applications, replacing Actualize, LLC.

The applicant is SMSA Limited Partnership dba Verizon, was originally
represented by Brent Suttan of Actualize, LLC, and is now represented by Derek
Budig of Proland LLC, whose address is PO Box 8436, Spokane, Washington 99223.

A Notice of Application was mailed on August 10, 2020 by Martha Thornton of
the Department (Certificate of Mailing, dated August 10, 2020), and posted at the

1 site on August 10, 2020 by Matt Almond (Affidavit of Posting, dated August 10,
2 2020), pursuant to Spokane County Code (SCC) 13.500.

3 A Notice of Hearing was mailed on June 25, 2021 by Derek Budig (Affidavit of
4 Mailing, dated July 8, 2021), and posted on the site on June 25, 2021 by Derek Budig
5 (Affidavit of Posting, dated July 8, 2021), pursuant to SCC 13.700; and published in
6 the Spokesman-Review newspaper in Spokane, Washington on June 29, 2021.
7 Affidavit of Publication dated June 29, 2021.

8 A Determination of Non-significance (DNS) was issued on June 29, 2021, with
9 a comment period ending on July 13, 2021. Building and Planning Department File.
10 The DNS was not appealed.

11 The Hearing Examiner conducted a site visit on July 12, 2021.

12 On July 14, 2021, commencing at approximately 1:30 p.m. the Hearing
13 Examiner conducted a public hearing on the application via the Zoom internet
14 conferencing platform. The notice requirements for the public hearing, set forth in
15 SCC Chapter 13.700, were met.

16 The Hearing Examiner heard the application pursuant to the Spokane County
17 Hearing Examiner Ordinance, codified in SCC Chapter 1.46; the County Hearing
18 Examiner Rules of Procedure, adopted by County Resolution No. 96-0294; Spokane
19 County Zoning Code (SCZC) Chapter 14.404 (Conditional Use Permits) and SCZC
20 Section 14.406.

21 The following persons testified at the hearing, under an oath administered by
22 the Hearing Examiner:

| | |
|--|--|
| 23 Robert Brock | Derek Budig |
| 24 Building and Planning Department | 7322 N. Walnut Ct. |
| 1026 W. Broadway Avenue | Spokane, WA 99208 |
| Spokane WA 99260 | dbudig@prolandllc.com |
| RWBROCK@spokanecounty.org | |

25 The following exhibits were submitted during the hearing; note that some were
26 not admitted into the record:

- 27 • Planning Dept_01_ Zoning Map CUN-05-20 VN-01-20.pdf (1 page).
- 28 • Planning Dept_02_ Air Photo CUN-05-20 VN-01-20.pdf (1 page).
- 29 • Planning Dept_03_ Site Plan CUN-05-20 VN-01-20.pdf (1 page)
- 30 • PROLAND, LLC_DOC02_SPO KALISPEL - RF Letter - 01.16.20.pdf (4 pp.)

1 The record includes the electronic recording of the public hearing, the
2 documents in the application file at the time of the hearing, the sign-in sheet for the
3 hearing, documents and/or exhibits presented during the hearing, and the items
4 taken notice of by the Hearing Examiner in this decision and at the hearing.

5 The Hearing Examiner takes notice of the Spokane County Comprehensive
6 Plan (“Comprehensive Plan”), the Spokane County Code, the Spokane County Zoning
7 Code, other applicable development regulations, and previous land use decisions for
8 the site and area.

9 **B. Description of Site:**

10 The subject property located northeast of Waikiki Road, approximately 600
11 feet northwest of its intersection with Reginal Street, in the SE¼ of Section 12,
12 Township 26 N, Range 42 EWM, Spokane County, Washington.

13 The subject property is one of the parcels that comprise the Kalispell Golf and
14 Country Club. The parcel on which the tower is proposed is approximately 21.2 acres
15 in size. The site is a developed golf course with evergreen trees and fairways. The site
16 of the proposed use is accessed from Waikiki Road. The topography of the parcel
17 generally slopes downward from the southern property line to the north. The site of
18 the proposed use is immediately adjacent to Waikiki Road, located on a small hill
19 that rises from Waikiki Road toward the east and then slopes down toward the golf
20 course fairway to the east. The site is moderately treed with evergreen trees on the
21 hill surrounding the site.

22 **C. Description of Proposed Project:**

23 The use for which the Conditional Use Permit is requested is a 100 foot
24 wireless communications support tower to be built on the subject property. The
25 proposed tower would be located on the subject parcel east of Waikiki Road as shown
26 on the vicinity map in the Department File. As illustrated on the Site Plan provided
27 by the applicant, the proposed use meets the minimum setback requirements in the
28 Low Density Residential (LDR) zone. The proposed use is located on a portion of the
29 subject parcel for which the applicant holds a lease allowing the proposed tower and
30 accompanying equipment and structures. Land Lease Agreement, Department File.
31 In addition to the proposed tower at the site, support equipment for the tower and
32 wireless communication services will be located at the site. The site of the proposed
33 use will be fenced and secured by the applicant as required by applicable codes and
34 regulations. Access to the site within the subject parcel is also pursuant to the above
35 described lease and easement. Id.

1 The proposed tower is designed to be 100 feet tall, subject to receiving approval
2 of the requested Variance, will be constructed using stealth technology (the tower
3 will be disguised as an evergreen tree to match the surrounding trees in the area. In
4 addition to the wireless communication facilities of the applicant, the tower is
5 designed to accommodate up to two additional wireless communications facilities
6 owned by separate parties.

7 Access to the site is proposed to be from Waikiki Road, across the parcel via a
8 gravel roadway.

9 **D. Land Use Designations and Surrounding Conditions for Site and
10 Neighboring Land:**

11 The site of the proposed project is surrounded by single family residences in
12 urban plats within the Urban Growth Area. Surrounding properties on the north,
13 south, east and west are zoned Low Density Residential.

14 **E. Agency/Public Comments:**

15 Comments were received from 4 of the 8 agencies notified. The agency
16 comments are addressed in the conditions of approval section of this decision.

17 No written public comments were received prior to the hearing and no public
18 testimony was offered during the hearing.

19 **F. Consistency with Comprehensive Plan and Zoning Regulations:
20 Comprehensive Plan:**

21 The subject site is located within the Low Density Residential category of the
22 Urban Land Use chapter of the Spokane County Comprehensive Plan which is
23 typified by residential densities of up to 8 residential units per acre. This category
24 includes land that has urban services such as municipal water and sewer and is
predominantly used for single-family and duplex residential uses.

The Goals and Policies of the Urban Land Use Chapter do not directly address
Wireless Communication Support Towers, which are an allowed use through a
Conditional Use Permit in the Low Density Residential zone subject to the standards
within Chapter 14.822, Wireless Communication Facilities, of the Spokane County
Zoning Code

The proposed wireless communication support tower is designed to meet the
current and future needs of the surrounding area as the properties are developed.
Testimony of Derek Budig. The design of the tower its self is to blend into the
surrounding trees on the property and is compliant with the specific requirements

1 regarding such towers found in the zoning code as explained in more detail below.
2 Department File, Conditional Use and Variance Application, dated July 23, 2020.

3 **Zoning Analysis:**

4 **Conditional Use Permit Application**

5 A Wireless Communication Support Tower is permitted within the Low
6 Density Residential zone subject to the approval of a Conditional Use Permit based
7 upon demonstrated compliance with the Conditional Use Permit criteria of the
8 Spokane County Zoning Code. Sections 14.404, 14.606.240(15), and 14.822 of the
9 Spokane County Zoning Code.

10 Section 14.404.100(1) of the SCZC reads as follows:

11 1. The Hearing Examiner may approve an application for a conditional use permit
12 if all the following criteria are met.

13 a. The special standards set forth for the conditional use in the underlying
14 zone of the Zoning Code are met.

15 b. Adequate conditions and restrictions on the conditional use are adopted to
16 ensure that the conditional use will be compatible with other permitted uses in
17 the area, and will not be materially detrimental to the public health, safety or
18 general welfare.

19 As described below, the proposed wireless communication support tower meets
20 the special standards set forth for the conditional use permit in the underlying zone
21 as identified in the Spokane County Zoning Code. Further, as conditioned
22 hereinbelow, the proposed wireless communication support tower will be compatible
23 with other permitted uses in the area and will not be materially detrimental to the
24 public health, safety of general welfare.

SCZC Section 14.606.240(27) reads as follows:

a. The use shall comply with the requirements of chapter 14.822, Wireless
Communication Facilities.

b. The use shall be subject to restrictions and conditions as may be imposed by
the Hearing Examiner under chapter 14.404

As more fully described hereinbelow, the proposed tower is designed and shall
comply with the requirements of SCZC Section 14.822 and is subject to conditions and
restrictions as imposed herein by the Hearing Examiner.

SCZC Section 14.822.240(1) reads as follows:

1 1. Support Towers – Rural-5, Low Density Residential, Low Density Residential
2 Plus, Medium Density Residential, High Density Residential, Neighborhood
Commercial, Rural Activity Center, Urban Reserve.

3 a. Prior to the issuance of a building permit, the applicant shall have
4 demonstrated compliance with the conditions and standards set forth herein.

5 As conditioned hereby the applicant is or will be compliant with the conditions
and standards set forth in the code.

6 b. The wireless communication company shall secure the necessary property or
7 easement to assure for the proper construction, continued maintenance, and
general safety of the properties adjoining the wireless communication facility.

8 Proof of authorization for the applicant to pursue the Conditional Use Permit
9 and other necessary permits etc. for installation of the wireless communication
10 support tower on the subject property is found in the Land Lease Agreement, dated
April 14, 2020, accompanying the “Conditional Use Permit and Variance
Application. Department File.

11 c. The facility shall meet the minimum landscaping requirements for the
12 underlying zone.

13 See conditions of approval hereinafter.

14 d. The facility shall be enclosed by a site obscuring secured fence not less than
15 6 feet in height with a locking gate; however, no barbed wire or razor wire
shall be permitted.

16 Fencing around the site of the proposed tower is illustrated on the site plan in
the Department File. Note that chain link fencing with slat inserts is NOT
17 considered site obscuring under the definition thereof. Also, see conditions of
approval hereinafter.

18 e. Support tower foundations, equipment shelters, cabinets or other on-the
19 ground ancillary equipment shall be buried below ground or screened with a
site obscuring secured fence not less than 6 feet high.

20 See conditions of approval hereinafter.

21 f. The height of the support tower above grade does not exceed the maximum
22 height of a support tower for the underlying Zone as outlined in Table 822-2.
Maximum Height in Feet for Wireless Communication Antenna Array and
23 Wireless Communication Support Tower. The height of the support tower
24 means the vertical distance measured from the base of the antenna support
structure at grade to the highest point of the structure, even if the highest

1 point is an antenna. Measurement of tower height shall include antenna, base
2 pad, and other appurtenances and shall be measured from the finished grade
of the parcel.

3 The proposed height of the tower is 100 feet and is subject to approval of the
4 requested Variance. See Conditional Use Permit and Variance Application.
Department File. Also, see conditions of approval hereinafter.

5 g. All support structure(s) for wireless communication antennas shall have
6 their means of access located a minimum of 8 feet above the ground.

7 See conditions of approval hereinafter.

8 h. The support tower shall meet the minimum primary structure setback
requirements for the underlying zone.

9 Per the plans submitted with the application for the Conditional Use Permit,
10 the proposed setback of the tower and the accompanying equipment is equal to or
greater than the minimum required setback of 25 feet.

11 i. Support towers shall not be permitted inside a public park, public monument
12 or private inholding located within a public park or public monument.

The proposed tower is not located within a public park or monument.

13 j. The applicant shall have provided a certified statement from a licensed radio
14 frequency (RF) engineer demonstrating need within network buildout and a
15 report of radio frequency (RF) emissions existing at occupancy, maximum
16 future projected emission measurements, and cumulative emissions from
multiple antenna arrays located on the same structure or wireless
communication support tower are all within the standards required by FCC.

17 A statement from the applicant referring to the requirement of paragraph j. is
18 found in the Department File, Non-Ionizing Electromagnetic Exposure Analysis &
19 Engineering Certification for Verizon, date June 25, 2020, prepared by Morrison
Hershfield/Jason Ceglia, PE.

20 k. The applicant shall have met and provided documentation that all
21 applicable requirements of FCC, FAA, and any required avigation easements
have been satisfied.

22 See the Non-Ionizing Electromagnetic Exposure Analysis & Engineering
23 Certification for Verizon, date June 25, 2020, prepared by Morrison Hershfield/Jason
Ceglia, PE. Department File.

24

1 l. The applicant shall have performed and provided documentation of a visual
2 simulation of the site plan.

3 A photographic illustration of the site prior to and as envisioned after the
4 installation of the proposed tower and support equipment is provided in the
5 Department File.

6 m. The applicant has met and provided documentation of all requirements of
7 SEPA.

8 The applicant submitted a SEPA Checklist and the Department issued a DNS
9 for this application.

10 n. No new support tower shall be permitted within 1 mile, for support towers
11 inside the Urban Growth Area, or 2 miles, for support towers outside the
12 Urban Growth Area, of an existing support tower unless the applicant shall
13 have demonstrated a good faith effort to co-locate on an existing support tower
14 or other structure. Evidence submitted to demonstrate that no existing
15 support tower or other structure can accommodate the applicant's proposed
16 antenna array may consist of the following:

17 i. No existing support towers or other structures are located within the
18 geographic areas required to meet the applicant's engineering
19 requirements.

20 ii. Existing support towers or other structures are not of sufficient height to
21 meet applicant's engineering requirements

22 iii. Existing support towers or other structures do not have sufficient
23 structural strength to support applicant's proposed antenna array and
24 related equipment.

iv. The applicant's proposed antenna would cause electromagnetic
interference with the antenna on the existing support towers or other
structures, or the antenna on the existing support towers or other
structures would cause interference with the applicant's proposed antenna.

The applicant has addressed paragraph n. above via a letter dated January 16,
2021, signed by Mark Tuttle of Verizon Wireless and illustrations indicating the
location of the nearest other wireless communication tower. The height of the tower
is designed so as to allow up to two other wireless communication providers to co-
locate on the proposed tower. Testimony of Derek Budig.

o. The antenna array and supporting electrical and mechanical equipment
shall be installed using stealth technology.

1 The site plan for the proposed tower illustrates the stealth design of the
2 proposed tower. See also the conditions of approval hereinafter.

3 p. No advertising or display shall be located on any support tower or antenna
4 array; however, the owner of the support tower and/or antenna array shall
5 place an identification plate indicating the name of the wireless service
6 provider and a telephone number for emergency contact on the site.

7 The applicant proposes no advertising at the site of the proposed tower.

8 q. No artificial lights other than those required by FAA or other applicable
9 authority shall be permitted, and that any security lights shall be down
10 shielded, and installed to be consistent with chapter 14.826 of this Code.

11 The applicant is not proposing any lighting at the site of the proposed tower.

12 r. The facility may be located on the same lot as one or more other structures
13 and uses. Any land division shall conform to chapter 58.17 RCW.

14 The site of the proposed tower is a developed golf course, though no other
15 structures exist or are proposed near the proposed tower.

16 s. The owner of the facility for wireless communication shall notify the
17 Division when the tower is no longer operating as part of a wireless
18 communication system authorized and licensed by the FCC. Within 6 months
19 of the date the facility ceases to operate as part of an authorized system, either
20 the facility must be removed from the site, or a building permit must be
21 obtained to allow another permitted use of the facility.

22 See the conditions of approval hereinafter.

23 As noted above and as conditioned hereinafter, the application for Conditional
24 Use Permit to allow a wireless communication support tower meets the requirements
for such a permit as stated in the Spokane County Zoning Code and the Spokane
County Code.

25 Variance Application

26 SCZC Section 14.406 recognizes that strict application of the provisions of the
27 SCZC may cause practical difficulties regarding the use of a property. The Hearing
28 Examiner may approve an application for a variance if all the following criteria are
29 met (SCZC Section 14.406.100(1)):

30 (a) Because of special circumstances applicable to the subject property, including
31 size, shape, topography, location or surroundings, the strict application of the
32

1 SCZC deprives the property of rights and privileges enjoyed by other
2 properties in the vicinity and under the same zone classification.

3 The site of the proposed tower is on a golf course and is surrounded by
4 evergreen trees and other trees that would interfere with the proper operation of the
5 communication equipment if the tower is limited to the maximum of 60 foot.
6 Additionally, up to two other wireless communication providers will be allowed to co-
7 locate on the proposed tower at the 100 foot height of the tower.

8 (b) The granting of the variance will not be materially detrimental to the public
9 welfare or injurious to the property or improvements in the vicinity and zone
10 in which the property is situated.

11 Due to the surrounding trees and the fact that the proposed tower is relatively
12 isolated from residential or dense urban development, the proposed tower will not be
13 materially detrimental to the public welfare or injurious to the property of
14 improvements in the vicinity.

15 (c) The granting of the variance will not constitute a grant of special privilege
16 inconsistent with the limitations upon other properties in the vicinity and zone
17 in which the property is situated.

18 Granting the requested variance will not constitute a grant of special privilege
19 inconsistent with the limitations upon other properties in the vicinity.

20 (d) The granting of the variance is consistent with the Comprehensive Plan.

21 The proposed wireless communication tower is consistent with the
22 Comprehensive Plan.

23 SCZC Section 14.406.100(2) requires that the approval of a variance should
24 not:

(a) Be based upon the precedent established by illegal or nonconforming
circumstances.

(b) Establish a precedent that will adversely affect the zoning concept for the land
in the area or the County as a whole.

(c) Be based upon a lack of reasonable economic return or a claim that the
existing structure is too small.

(d) Result in a de facto zone reclassification.

(e) Permit the establishment of a use otherwise prohibited in the zone in which
the property is located.

1 The proposed variance is not based upon precedent established by illegal or
2 non-conforming circumstances, does not establish a precedent that will adversely
3 affect the zoning concept, is not based upon a lack of reasonable economic return or a
4 claim that the existing structure is too small, will not result in a de facto rezone of
5 the property, and is an allowed use in the zone.

6 SCZC Section 14.406.100(3) states that the Hearing Examiner may attach
7 conditions to the variance necessary to carry out the intent and purpose of the SCZC
8 and Comprehensive Plan, and to ensure that the variance will be compatible with
9 other permitted uses in the area, and will not be materially detrimental to the public
10 health, safety, or welfare.

11 As conditioned hereinafter, the application for a Variance to allow the
12 proposed wireless communication support tower to extend to a maximum height of
13 100 feet meets the requirements for such a variance as stated in the Spokane County
14 Zoning Code and the Spokane County Code.

15 Any finding of fact above that is a conclusion of law is deemed a conclusion of
16 law. Any conclusion of law above that is a finding of fact is deemed a finding of fact.

17 III. DECISION

18 Based on the Findings and Conclusions above, the application for a
19 Conditional Use Permit and Variance to allow a 100 foot wireless communications
20 support tower on parcel number 26124.9027 in Spokane County, Washington in the
21 LDR zone, is hereby approved, subject to compliance with the conditions hereinafter.

22 Any conditions of approval of public agencies that have been added or
23 significantly altered by the Examiner are *italicized*. This approval does not waive the
24 applicant's obligation to comply with all other requirements of other public agencies
with jurisdiction over land development.

Minor revisions should be made to the conditions of approval to ensure proper
formatting, clarity, and consistency with the findings of fact above.

A. Conditions of Approval:

Building and Planning Department:

1. All conditions imposed by the Hearing Examiner shall be binding on the
"Applicant", which term shall include the owner or owners of the property, *their*
agents, heirs, assigns and successors.

- 1 2. The proposal shall comply with the Low Density Residential, Sections
2 14.606.240(15) and 14.822.240(1), and all other applicable chapters of the
3 Spokane County Zoning Code, as amended.
- 4 3. The applicant shall develop the subject property in conformance with the site plan
5 date stamped September 3rd, 2020. All aspects of the concept and proposal shall
6 be binding on the development, including proposed use. Variations, to be
7 approved by the Director of Building and Planning/designee, shall only be allowed
8 to meet regulation standards and conditions of approval. Any other modifications
9 must be presented to the Hearing Examiner for review and approval.
- 10 4. *The applicant shall acquire all required building and development permits from*
11 *the Spokane County Department of Building and Planning for the construction of*
12 *the wireless communication support tower and other improvements to the property.*
- 13 5. The Building and Planning Department shall prepare and record with the
14 Spokane County Auditor a Title Notice noting that the property in question is
15 subject to a variety of special conditions imposed as a result of the approval of a
16 land use action. This Title Notice shall serve as public notice of the conditions of
17 approval affecting the property in question. The Title Notice should be recorded
18 within the same time frame as allowed for an appeal and shall only be released, in
19 full or in part, by the Building and Planning Department. The Title Notice shall
20 generally provide as follows:
21 **The parcel of property legally described as [insert legal description] is**
22 **the subject of a land use action by a Spokane County Hearing**
23 **Examiner on July 19, 2021, imposing a variety of special development**
24 **conditions. File No. CUN-05-20 and VN-01-20 are available for**
inspection and copying in the Spokane County Department of
Building and Planning.
6. *The tower and related equipment shall be enclosed within a sight obscuring fence*
as approved by the Department. SCZC 14.822.240(1)(d) & (e).
7. *The total height of the tower shall not exceed 100 feet.*
8. The owner of the facility for wireless communication shall notify the Building and
Planning Department when the tower is no longer operating as part of a wireless
communication system authorized and licensed by the FCC. Within 6 months of
the date the facility ceases to operate as part of an authorized system, either the
facility must be removed from the site, or a building permit must be obtained to
allow another permitted use of the facility.

- 1 9. Development of this facility shall comply with the Critical Aquifer Recharge Area
2 (CARA) regulations of the Spokane County Critical Areas Ordinance, as amended.
- 3 10. At the time of the Building Permit, the applicant shall demonstrate compliance
4 with Section 14.822.240 (1)(g) All support structure(s) for wireless communication
5 antennas shall have their means of access located at a minimum of 8 feet above
6 the ground.
- 7 11. Should an address be assigned to the structure, it is to be posted on the gate.

8 DATED this 19th day of July, 2021

9 SPOKANE COUNTY HEARING
10 EXAMINER

11 *David W. Hubert - by Kevin Ruiz*
12 David W. Hubert, WSBA #16488

13 **NOTICE OF FINAL DECISION AND NOTICE OF RIGHT TO APPEAL**

14 Pursuant to Chapter 1.46 (Hearing Examiner) of the Spokane County Code,
15 the decision of the Hearing Examiner on an application for a CUP is final and
16 conclusive unless within twenty-one (21) calendar days from the issuance of the
17 Examiner's decision, a party with standing files a land use petition in Superior Court
18 pursuant to Chapter 36.70C of the Revised Code of Washington (RCW).

19 Pursuant to RCW Chapter 36.70C, the date of issuance of the Hearing
20 Examiner's decision is three (3) days after it is mailed, counting to the next business
21 day when the last day for mailing falls on a weekend or holiday.

22 On July 20, 2021, a copy of this decision will be mailed by certified mail and by
23 first class mail to the Applicant, and by first class mail to other parties of record. The
24 date of issuance of the Hearing Examiner's decision is July 23, 2021.

THE LAST DAY FOR APPEAL OF THIS DECISION TO SUPERIOR COURT
BY LAND USE PETITION IS AUGUST 13, 2021.

The complete record in this matter, including this decision, is on file during
the appeal period with the Office of the Hearing Examiner, Third Floor, Public Works
Building, 1026 W. Broadway Avenue, Spokane, Washington, 99260-0245, (509) 477-
7490. The file may be inspected Monday through Friday of each week, except
holidays, between the hours of 8:00 a.m. and 4:30 p.m. Copies of the documents in the
record will be made available at the cost set by Spokane County.

1 Pursuant to RCW 36.70B.130, affected property owners may request a change
2 in valuation for property tax purposes notwithstanding any program of revaluation.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25