

## SPOKANE COUNTY HEARING EXAMINER PRO TEM

CONDITIONAL USE PERMIT FOR A  
COMMERCIAL KENNEL IN THE LARGE  
TRACT AGRICULTURAL ZONE

APPLICANT: JOHN AND SHARI BARTELS

FILE NO. CUS-03-17

FINDINGS OF FACT, CONCLUSIONS OF  
LAW, AND DECISION

### I. SUMMARY OF DECISION

**Hearing Matter:** Conditional Use Permit (CUP) for a commercial kennel in the Large Tract Agricultural (LTA) zone pursuant to Section 14.616.240(10) of the Spokane County Zoning Code (“Zoning Code”).

**Summary of Decision:** Approval of permit, subject to *revised* conditions.

### II. FINDINGS OF FACT

#### Procedural Matters:

1. On March 20, 2017, an application was submitted to the Spokane County Building and Planning Department (“Department”) in the above-referenced file for a CUP for a dog kennel in the LTA zone on an approximately 10-acre site (“site”).
2. The site is located generally north of and adjacent to Watt Road and approximately 700 feet west of its intersection with Yale Road, in the NW ¼ of Section 34, Township 23 North, Range 43 East, Willamette Meridian, Spokane County, Washington.
3. The site is currently referenced as County Assessor’s Tax Parcel No. 33342.9011 and is also an unplatted tax parcel of record created by CE-885-84.
4. The applicants and the site owners are John and Shari Bartels, who reside on the site at a mailing address of 3405 E. Watt Road, Spangle, Washington 99031.
5. On October 24, 2017, the Department issued a Determination of Nonsignificance (DNS) for the application. The DNS was not appealed.
6. On January 2, 2018, the Hearing Examiner Pro Tem conducted a site visit.
7. On January 3, 2018, the Hearing Examiner Pro Tem conducted a public hearing on the application. The notice requirements for the public hearing, set forth in Chapter 13.700 of the Spokane County Code (SCC), were met by the Department and the applicant, respectively.
8. The Hearing Examiner Pro Tem heard the application pursuant to the Spokane County Hearing Examiner Ordinance, codified in SCC Chapter 1.46; the County Hearing Examiner Rules of

Procedure, adopted by County Resolution No. 96-0294; and Chapter 14.404 (Conditional Use Permits) and Section 14.618.240(13) of the Zoning Code.

9. The following persons testified at the hearing, under an oath administered by the Hearing Examiner Pro Tem:

Robert Brock  
Building and Planning Department  
1026 W. Broadway Avenue  
Spokane WA 99260

John Bartels  
3405 E. Watt Road  
Spangle WA 99031

10. No exhibits were submitted at the hearing.
11. Pages 1 and 4 of the staff report prepared by the Department (“staff report”) erroneously lists the acronym for the Large Tract Agricultural zone as “STA” rather than “LTA.”
12. The Hearing Examiner Pro Tem takes notice of the Spokane County Comprehensive Plan (“Comprehensive Plan”), the Zoning Code, the SCC, other applicable development regulations, and previous land use decisions for the site and area.
13. The record includes the electronic recording of the public hearing, the documents in the application file at the time of the hearing, the sign-in sheet for the hearing, and the items taken notice of by the Hearing Examiner Pro Tem in this decision and at the hearing.

#### **Description of Site:**

14. The site is approximately 10 acres in size and is accessed off Watt Road. The site contains a single-family residence, several agricultural storage buildings, and an existing kennel. The site is generally flat with low-lying vegetation. Surrounding uses include single-family residences on acreage, agricultural uses, and undeveloped land. County aerial photos show the presence of a pond approximately 70 feet to the southeast of the kennel. The applicants indicated that the pond is man-made and seasonal. *Testimony of J. Bartels*. The applicants grow hay and raise cows and chickens on the property.

#### **Description of Proposed Project:**

15. The applicants are requesting a CUP to allow a commercial kennel with no more than 24 animals on approximately 10 acres in the LTA zone. The applicants are seeking permission to operate an existing facility. The operations plan indicates that the dogs would be indoors between the hours of 10PM and 6AM.
16. The site plan was submitted on March 15, 2017, and identifies the boundaries of the subject site and the location of the existing residence, storage buildings, kennel, and fencing. The site plan was revised on August 8, 2017, to identify the parking area and the gate’s proximity to the road. The distance of the structure housing the dogs to the nearest residences is identified as being more than 700 feet to the east and south, 1,180 feet to the residence to the west, and 1.5 miles to the north.

17. The address file for the site contains a 2010 building permit for a 24-foot × 30-foot × 11-foot prefabricated storage building (Permit # 10000122). The proposed kennel is located within this structure, which has been insulated with 2 inches of spray-in foam on the ceiling and walls.
18. An operations plan, dated March 15, 2017, was submitted with the application. The plan was revised on August 8, 2017 and again on October 3, 2017, and indicates that the kennel and run areas are screened from view of neighboring homes by the kennel building and house to the south, the house and kennel building to the west, and a seven-foot solid cedar fence to the east. The operations plan does not indicate that the north side is screened, but states the distance is too great for the kennel operations to be viewed from the nearest public road.

**Land Use Designations and Surrounding Conditions for Site and Neighboring Land:**

19. The site and surrounding land are within the Large Tract Agricultural category of the Comprehensive Plan and are in the LTA zone. The land in the area predominantly consists of single-family residences on rural acreage.
20. The site is located outside of the Urban Growth Area and is within 1000 feet of the notification boundary of a designated Natural Resource Land.
21. The site is located within a Critical Aquifer Recharge Area (CARA) identified as having low susceptibility for groundwater contamination. There are no identified habitat conservation areas, floodplains, or wetlands on or near the site.
22. Erodible soils are present on the southeast corner of the property. The erodible soils are confined to one corner of the property and are not in the part of the property being used or to be used for kennel operations. Therefore, the kennel facility should have no impact on erodible soils.

**Public Comments:**

23. No public comments were received.

**Consistency with Comprehensive Plan:**

24. The subject site is located within the Large Tract Agricultural category of the Natural Resource Lands Chapter of the Comprehensive Plan. Large Tract Agricultural areas are primarily devoted to grain, legume, and grass seed production. Non-resource-related uses are generally prohibited. Residences will usually be located with farming operations. The maximum residential density is 1 unit per 40 acres.
25. The Comprehensive Plan policies of the Large Tract Agricultural category do not directly address the establishment of a commercial kennel. However, a commercial kennel is allowed through an approved CUP and subject to specific approval criteria.
26. The following policies of the Comprehensive Plan are pertinent to the application:
  - a. Policy NR 3.4 states that uses permitted on or near resource lands must be compatible and not interfere with the economic benefit provided by that natural resource.

- b. Policy NR 3.6 states that land use activities within or adjacent to natural resource land should be sited and designed to minimize conflicts with resource-related activities.
- c. Policy NR 3.13 provides that home professions, home industries, and accessory uses should be allowed within designated resource lands provided they do not adversely affect the rural character or conflict with resource-based economic uses.
- d. Policy NR 3.14 states that development regulations for home professions, home industries, and accessory uses shall protect adjacent properties from negative impacts and shall be consistent with maintaining natural resource activities.
- e. Policies T.2.2 and T.5.5 recommend that transportation improvements to serve new development be in place at the time the impacts are established, and that the transportation system in rural areas and on resource lands be consistent with their rural/resource character and that improvements emphasize operations, safety, and maintenance.

**Consistency with Zoning:**

- 27. The zoning of the subject site is LTA, which is part of the Resource Lands Chapter of the zoning code. The LTA zone establishes large tract agricultural areas devoted primarily to commercial crop production including small grains, non-forage legumes, grass seed, and animal production. Non-resource based uses other than rural residences are discouraged. Residential density is 1 unit per 40 acres and residential uses should be associated with farming operations.
- 28. The applicant is seeking a CUP for a commercial kennel, as that term is defined by the Zoning Code. Section 14.300.100 of the Zoning Code defines a “kennel” as follows: “A place other than an animal shelter where 5 to 8 dogs or 5 to 10 cats (over 6 months old) are kept for personal or noncommercial purposes. If more than 8 dogs or 10 cats (over 6 months old) are kept at a private kennel, then such establishment shall be deemed a ‘commercial kennel,’ regardless of whether the owner or keeper receives compensation.”
- 29. Section 14.616.220 of the Zoning Code sets forth Table 616-1, the Resource Lands Matrix. That matrix provides that a “Kennel” is allowed in the LTA zone as a Conditional Use. Thus, a kennel is an allowed use in the LTA zone provided the applicant applies for and is granted a CUP and demonstrates compliance with the CUP criteria of the Zoning Code. Sections 14.404.100 and 14.616.240(10) of the Zoning Code identify the criteria governing the approval of a CUP for a kennel.

**Consistency of Proposed Kennel with Approval Criteria in LTA Zone:**

- 30. Section 14.404.100(1) of the Zoning Code authorizes the issuance of a CUP by the Hearing Examiner if: (a) the special standards set forth for the conditional use in the underlying zone are met; and (b) adequate conditions and restrictions on the application are adopted to ensure that the conditional use will be compatible with other permitted uses in the area, and will not be materially detrimental to the public health, safety, or general welfare.
- 31. Section 14.404.100(2) of the Zoning Code authorizes the Hearing Examiner to apply a wide variety of restrictions and conditions for a conditional use, including but not limited to control of

use; enhanced setbacks; special landscaping, screening, signing, fencing, and other general development standards; control of vehicular access points; control of noise, odor, and other environmental contaminants; control of operating hours; limitation on duration or time of certain activities; and "...other reasonable restrictions, conditions, or safeguards that will uphold the purpose and intent of the Zoning Code and the Comprehensive Plan and mitigate any adverse impact upon the adjacent properties by reason of the use, extension, construction or alteration allowed."

32. Section 14.404.000 of the Zoning Code authorizes the denial of a CUP application by the Hearing Examiner if the conditional use is not compatible with other permitted uses in the area or will be materially detrimental to the public welfare.
33. Section 14.616.240(10)(a) of the Zoning Code requires a minimum lot area of 5 acres for a kennel. The site is approximately 10 acres in size, which is substantially more area than is needed to comply with the minimum size requirement of the Zoning Code.
34. Section 14.616.240(10)(b) of the Zoning Code requires that the structures housing the animals be adequately soundproofed to meet Washington Administrative Code (WAC) 173-60 as determined by the noise levels during a period of normal operation for the number of animals to be kept. In addition, Section 14.616.240(10)(c) requires the applicant to demonstrate compliance with noise standards for a commercial noise source as identified by WAC 173-60-040.
35. The building proposed to be used as a kennel has already been constructed. The applicant obtained proper permits for that construction. The applicant has already been using that building as a kennel, and the kennel has already been in operation. The purpose of the CUP application is, at least in material part, to properly permit a use that had already commenced, albeit without advance authorization from the County.
36. Department staff maintained that the proposed kennel will not generate undue noise for two primary reasons. First, the operation plan indicates that the building has been insulated with 2 inches of spray foam on the ceiling and walls, which should mitigate sound coming from the activity. *Testimony of R. Brock*. Second, there have been no noise complaints regarding the kennel operation to date. *See id.* As stated above, the kennel operation is already underway. Thus, there is empirical evidence to support the idea that the use will not create noise impacts on the neighbors. The applicants also generally corroborated these contentions. *Testimony of J. Bartels*.
37. The Hearing Examiner Pro Tem believes that the proposed kennel complies with the noise standards set forth in WAC 174-60-040. There are several factors that support this belief. The nearest residences to the property are still a fair distance from the proposed kennel. The two closest residences are at least 700 feet away. The kennel building is insulated with foam on the walls and ceiling, which certainly helps to mitigate the sound impacts. The neighbors are screened, to various degrees, from the operation by the buildings and a fence, as well as being protected in some measure by the distance, as is further discussed below. There is some empirical evidence supporting the contention that the kennel does not create significant noise impacts. There have been no complaints arising from past operations. In addition, there were no public comments or testimony about this project at all, let alone objecting to noise impacts.
38. Section 14.616.240(10)(d) of the Zoning Code requires the structures and outside runs or areas housing the animals to be at least 300 feet from any dwelling other than the dwelling of the

owner, and to be at least 50 feet from any adjacent property. The site plan dated March 2017 includes the estimated distances to neighboring properties. The nearest residences, to the east and south, are at least 700 feet away.

39. Section 14.616.240(10)(e) of the Zoning Code requires that outside runs and areas to be completely screened from view by sight-obscuring fencing or landscaping or both as determined by the Hearing Examiner to serve as a visual and noise abatement buffer. The site plan and operations plan demonstrate that the kennel activities are properly screened from public view.
40. There is a 7-foot cedar plank fence with no spacing along the entire length of the kennel yard. This fence completely blocks the view of the kennel activities from the east. The house and the kennel building screen views from the west. Similarly, the kennel building blocks the view of the kennel activities from Watt Road and the area to the south. The house screens the view, at least partially, from the north. In addition, the nearest vantage to view the site to the north is a public road. That road is likely too far away to permit a person to view the kennel operations.
41. Section 14.616.240(10)(f) of the Zoning Code requires that all animals must be housed within a structure and prohibits outside boarding of animals between the hours of 10:00 PM and 6:00 AM. The operation plan confirms that the dogs will be housed inside the kennel building between 10:00 PM and 6:00 AM.
42. Section 14.616.240(10)(g) of the Zoning Code indicates that approval of a CUP permit for a kennel in the LTA zone may be granted for a period not to exceed 2 years, with an inspection conducted at the end of such period by the Department to determine whether the kennel complies with conditions of approval and the advisability of renewing such permit. These requirements are incorporated into the conditions of approval. And the project must comply with the code standards, regardless of whether they are specifically called out in a decision.
43. Section 14.616.240(10)(h) of the Zoning Code states that the applicant shall submit adequate information to aid the Hearing Examiner in determining that the above standards are satisfied prior to the public hearing. The applicant and the Department together have submitted sufficient information to assist the Hearing Examiner Pro Tem in evaluating the proposal's consistency with the decision criteria and other development standards.
44. Section 14.616.240(10)(i) of the Zoning Code requires compliance with such conditions or safeguards as deemed necessary by the Hearing Examiner for the protection and assurance of the health, safety, and welfare of the nearby residences. In addition, Section 14.616.240(10)(j) of the Zoning Code provides that the conditional use is subject to the restrictions and conditions that may be imposed by the Hearing Examiner pursuant to Chapter 14.404.
45. A comprehensive range of project conditions have been incorporated into this decision approving the proposed use, including the conditions necessary to address the conditional use standards in Chapter 14.404. For example, a combination of screening, operating limitations, and distance mitigates against many potential impacts, such as noise and aesthetic impacts. The total number of animals is limited to 24 and the animals will be housed indoors between 10:00 PM and 6:00 AM. The kennel building is an enclosed structure with insulation to reduce noise. In any event, there are several limitations and conditions which address matters such as operating hours, control of noise, and limitations on the use, as relevant given the nature of this proposal. The

Hearing Examiner Pro Tem concludes that those conditions are sufficient to protect and promote the public health, safety, and welfare.

Based on the above findings of fact, the Hearing Examiner Pro Tem enters the following:

### III. CONCLUSIONS OF LAW

1. Any finding of fact above that is a conclusion of law is deemed a conclusion of law.
2. Minor revisions should be made to the conditions of approval to ensure proper formatting, clarity, and consistency with the findings of fact above.
3. The application, as conditioned, conforms to the Comprehensive Plan.
4. The application, as conditioned, is consistent with the purpose and intent of the LTA zone, the standards for a CUP for a kennel in the LTA zone, the general development standards of the LTA zone and the applicable provisions of the Zoning Code, the Spokane County Critical Areas Ordinance (CAO), and other applicable development regulations.
5. The application, as conditioned, will protect and assure the health, safety, and welfare of nearby residents.
6. The application, as conditioned, is reasonably compatible with other uses permitted in the LTA zone, or in the location of the proposed use.
7. The application, as conditioned, satisfies the requirements for issuance of a CUP under Chapter 14.404 of the Zoning Code.
8. As proposed, the application for a CUP for a commercial kennel is generally consistent with the standards found in Section 14.606.240(10) of the Zoning Code.
9. The application, as conditioned, complies with the County Environmental Ordinance and the State Environmental Policy Act.
10. The application, as conditioned, reasonably mitigates any adverse impacts on adjacent properties resulting from the conditional use.
11. The approval of the CUP, as conditioned, is appropriate under SCC 1.46.110 (Hearing Examiner Ordinance).

### IV. DECISION

Based on the Findings of Fact and Conclusions of Law above, the application for a CUP, on a 10-acre site in the LTA zone, is hereby approved, subject to compliance with the conditions of the various agencies specified below.

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

## Conditions of Approval:

Ten agencies were notified of the application on several occasions (see page 3 of the staff report). Of those agencies, four responded but only the Department, Public Works, and the Spokane Regional Health District provided conditions of approval as outlined below.

### Spokane County Building and Planning Department:

1. All conditions imposed by the Hearing Examiner shall be binding on the “Applicant,” which term shall include the owner and developer of the site and their heirs, assigns, and successors.
2. The proposal shall comply with the LTA zone; in particular, Sections 14.616.240(10) and 14.404.100, and all other applicable provisions of the Zoning Code, as amended.
3. The applicant shall develop subject property in strict conformance with the site plan submitted on August 8, 2017, *and the operations plan submitted on October 3, 2017*. All aspects of the concept and proposal shall be binding on the development, including the proposed use.
4. Minor alterations or additions to the approved site development plan may be authorized by the Director/designee of the Department, pursuant to Section 14.504.400 of the Zoning Code, and are subject to compliance with regulation standards and conditions of approval. Any other modifications must be presented to the Hearing Examiner for review and approval.
5. The applicant shall comply with the requirements of the Spokane Regional Animal Protection Service for a commercial kennel.
6. The CUP is granted for a period of two years from the date of this decision. At least 30 days prior to such expiration date, the Department shall conduct a site inspection and administrative review of the CUP to determine whether the kennel complies with the conditions of approval established herein, review any zoning complaint associated with the kennel, and determine whether the permit should be renewed. If the kennel complies with the conditions of approval, the CUP may be renewed for a period not to exceed two years, subject to submittal of the appropriate processing fee. The renewal decision should be made prior to expiration of the CUP.
7. The CUP may be suspended or revoked if, after a public hearing that is preceded by notice as specified in Section 14.404.120 of the Zoning Code as amended, the Hearing Examiner finds that the applicant failed to comply with conditions or restrictions included in the permit.
8. The Department shall prepare and record with the Spokane County Auditor a Title Notice noting that the property in question is subject to a variety of special conditions imposed because of approval of a land use action. This Title Notice shall serve as public notice of the conditions of approval affecting the property in question. The Title Notice should be recorded within the same time frame as allowed for an appeal and shall only be released, in full or in part, by the Department. The Title Notice shall generally provide as follows:

“The property currently referenced as Spokane County Assessor’s Parcel No. 33342.901 *and unplatted tax parcel of record created by CE-885-84*, and described as [insert legal description] is the subject of a land use action by a Spokane County Hearing Examiner on [insert date of decision], approving a conditional use permit for a kennel under the Spokane County Zoning



Code as amended, and imposing various special development conditions. File No. CUS-03-17 is available for inspection and copying in the Spokane County Building and Planning Department.”

9. The applicant shall not move any kennel related operations, outdoor runs, or animal play areas any closer to the pond than are currently identified on the site plan of record.
10. If the lean-to is to be enclosed and/or used in association with the kennel, a building permit and change of use permit must be sought from the Department.

Spokane County Public Works:

Prior to release of a building permit or use of property as proposed:

1. A parking plan and traffic circulation plan shall be submitted and accepted by the Spokane County Engineer (“County Engineer”). The design, location, and arrangement of parking stalls shall be in accordance with standard engineering practices.
2. Roadway standards, typical roadway sections, and drainage plan requirements are found in Spokane Board of County Commissioners Resolution 10-0262, as amended, and are applicable to this proposal.
3. No construction work is to be performed within the existing or proposed public right-of-way until a permit has been issued by the County Engineer. All work is subject to inspection and approval by the County Engineer.
4. Applicant shall sign “Spokane County Notice to the Public Number 6,” which specifies the following:

“The owner(s) or successor(s) in interest agree that in consideration of Mutual Benefits now or to be hereafter derived, do for themselves, their heirs, grantees, assigns, and successor(s) in interest, do hereby request and authorize Spokane County to include the above described property in a Road Improvement District (RID) and to support the formation of a RID for improvement of the road(s) described below by requesting and authorizing Spokane County to place their name(s) on a petition for the formation of a RID pursuant to Revised Code of Washington (RCW) Section 36.88.050, or by requesting and authorizing Spokane County to cast their ballot in favor of a RID being formed under the resolution method pursuant to RCW Section 36.88.030, and/or by not filing a protest against the formation of a RID being formed under the alternative resolution method provided for in RCW Section 36.88.065 and Chapter 35.43 RCW.

If a RID is proposed for improvement of the road(s) described below, said owner(s) and successor(s) further agree: (1) that the improvements or construction contemplated within the proposed RID are feasible, and (2) that the benefits to be derived from the formation of the RID by the property included therein, together with the amount of any County participation, exceeds the cost and expense of formation of the RID, and (3) that the property within the proposed RID is sufficiently developed; provided themselves, their heirs, grantees, assigns, and successor(s) shall retain the right, as authorized under RCW Section 36.88.090, to object to any assessment(s) on the property as a result of the improvements called for in conjunction with the formation of a RID by either the petition or resolution method under RCW Chapter 36.88 and to appeal to the Superior Court the decision of the Board of County Commissioners confirming the final

assessment roll; provided further, it is recognized that actual assessments may vary from assessment estimates as long as they do not exceed a figure equal to the increased true and fair value improvement(s) add(s) to the property.

It is further acknowledged and agreed that at such time as a RID is created or any County Road Improvement project is authorized by Spokane County, the improvements required shall be at the sole expense of the owner(s) of the property within the RID or served by the improvements without any monetary participation by Spokane County.

The RID waiver contained in this agreement shall expire after ten years from the date of execution below. This provision is applicable to WATT Road.

5. Approach permits are required for any access to the Spokane County road system.
6. The County Engineer has reviewed this project for transportation concurrency and has determined that it is exempt under SCC Section 13.650.104(2)(c).

Spokane Regional Health District:

1. The Spokane Regional Health District (“District”) Solid Waste Handling Standards address the disposal of wastes from animals in Section 1.06.300(2)(h-j) – On-Site Storage, Collection, and Transportation Standards for Solid Waste.
  - h. Disposal of wastes from household pets may be by burial, to the sanitary sewer system if acceptable to the sewer operating entity, into a tied bag for collection as garbage, or by other methods as approved by the District.
  - i. On-site storage and disposal of solid wastes from animal kennels, shelters, or stables shall conform to the standards of this Section and Sections 1.06.300 and 1.06.420, as applicable.
  - j. Animal wastes shall not be collected, deposited, or allowed to remain in any place to the prejudice of other persons as described in RCW 7.48.140(1).

In regards to the wash-down wastewater from cleaning the pen areas, there are no District permits required for its disposal. Please refer to the Washington State Department of Ecology for this generated wastewater disposal. The kennel should be operated and maintained in a manner so as not to create a nuisance.

DATED this 18<sup>th</sup> day of January, 2018

SPOKANE COUNTY HEARING EXAMINER  
PRO TEM



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Brian T. McGinn, WSBA #24110

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

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

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

On January 19, 2018, a copy of this decision will be mailed by certified mail and by first class mail to the Applicant, and by first class mail to other parties of record. The date of issuance of the Hearing Examiner's decision is January 22, 2018.

THE LAST DAY FOR APPEAL OF THIS DECISION TO SUPERIOR COURT BY LAND USE PETITION IS FEBRUARY 12, 2018.

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.

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