

BEFORE THE BOARD OF COUNTY  
COMMISSIONERS

IN THE MATTER OF REVISIONS TO THE SPOKANE	)	FINDINGS OF FACT
COUNTY COMPREHENSIVE PLAN TO IMPLEMENT A	)	AND
SETTLEMENT AGREEMENT RELATING TO GROWTH	)	DECISION
MANAGEMENT HEARINGS BOARD CASE NO. 14-1-0002	)	

**WHEREAS**, pursuant to the provisions of Section 36.32.120(6) RCW, the Board of County Commissioners of Spokane County, Washington, hereinafter referred to as the "Board," has the care of County property and the management of County funds and business and in the name of the County prosecute and defend all actions for and against the county, and such other powers as are or may be conferred by law; and

**WHEREAS**, in compliance with RCW Chapter 36.70 the Board adopted a Comprehensive Plan for Spokane County on December 22, 1980 and has subsequently amended said Plan; and

**WHEREAS**, pursuant to Washington Laws, 1993 1<sup>st</sup> Special Session, Chapter 6, effective June 1, 1993, Spokane County was required under RCW 36.70A.040 to conform to the requirements of the Growth Management Act Chapter 36.70A RCW (GMA); and

**WHEREAS**, RCW 36.70A.020 identifies goals to guide the development and adoption of Comprehensive Plans and development regulations; and

**WHEREAS**, pursuant to RCW 36.70A.210, the Board adopted *Countywide Planning Policies for Spokane County (CWPPs)* on December 22, 1994 and subsequently amended said policies (BoCC Resolution Nos. 94-1719, 96-1205, 97-0937, 04-1075, 08-0943, and 11-1025); and

**WHEREAS**, pursuant to the requirements of RCW 36.70A.140, the Board adopted *Public Participation Program Guidelines* on February 24, 1998 and have amended said policies (Resolutions 98-0144 and 98-0788, respectively); and

**WHEREAS**, pursuant to the provisions of Chapters 36.70 and 36.70A RCW, the Board adopted an Urban Growth Area (UGA) and a Comprehensive Plan for Spokane County on November 5, 2001 (BoCC Resolutions Nos. 01-1059 and 01-1060); and

**WHEREAS**, pursuant to the provisions of Chapters 36.70 and 36.70A RCW, and for the implementation of the goals and policies of the Comprehensive Plan, the Board on May 25, 2004, under BoCC Resolution No. 04-0461 adopted a new Zoning Code which became effective June 1, 2004; and

**WHEREAS**, On October 17, 2006 (BoCC Resolution No. 06-0869) the Board adopted a public participation plan to facilitate public participation throughout the planning process, which plan references and relies on the adopted Public Participation Guidelines that have formed the basis for past public participation efforts (BoCC Resolution No. 98-0788); and

**WHEREAS**, pursuant to the provisions of Chapters 36.70 RCW, Spokane County has adopted a Building and Planning Department (Department) and created an advisory Planning Commission

(Commission) to assist the Department in carrying out its duties, and may make recommendations to the Board concerning the adoption of Comprehensive Plans and official controls that implement Comprehensive Plans; and

**WHEREAS**, the Comprehensive Plan provides that amendments may be initiated only by the Board, the Commission, and the Planning Director; and

**WHEREAS**, a text amendment request to amend the Spokane County Comprehensive Plan, Chapter 7, Capital Facilities and Utilities, and Chapter 9, Parks and Open space, was submitted to the Department prior to the March 31, 2013 deadline and after consultation the Board directed staff to initiate the proposal for further review; and

**WHEREAS**, the text amendment to the Spokane County Comprehensive Plan (File No. 13-CPA-03) included proposed modification to Chapters 7 and 9 to change the Level of Service (LOS) for detention facilities, law enforcement officers, community parks, and other text revisions; and

**WHEREAS**, on or before July 24, 2013, the Department sent the proposed text amendments and related State Environmental Policy Act (SEPA) documents to Spokane County jurisdictions and agencies for coordination, review and comment; and

**WHEREAS**, pursuant to RCW 36.70A.106, on or before July 24, 2013, the Department sent a Notice of Intent to adopt, to the Washington State Department of Commerce and other state agencies as listed and required; and

**WHEREAS**, pursuant to WAC 197-11-340 (2) and Section 11.10.230 (3) of the Spokane Environmental Ordinance, on or before August 28, 2013, the Department issued a DNS for a non-project action on the proposed amendment; and

**WHEREAS**, pursuant to RCW 36.70A.130 and Spokane County's Public Participation Guidelines, the 2013 Comprehensive Plan amendment process provided for continuous review, evaluation, and public participation; and

**WHEREAS**, after providing at least 15 days for public participation notice provisions, the Commission held a public hearing on September 12, 2013 to receive and consider public testimony concerning the 2013 Comprehensive Plan text amendment File No. 13-CPA-03 and then closed public testimony but allowed the record to remain open for additional written public testimony until October 15, 2016 and continued the matter; and

**WHEREAS**, on October 17, 2013 at a public hearing, the Commission deliberated on File No. 13-CPA-03 and voted 4 to 1 to recommend against the proposed changes to LOS standards for detention facilities and law enforcement officers, and 3 to 2 to recommend that neither the present nor proposed change to LOS for Community Parks were acceptable; and

**WHEREAS**, on October 31, 2013 the Commission forwarded to the Board the recommended denial of the proposed text amendments to the Comprehensive Plan as specified in File No. 13-CPA-03; and

**WHEREAS**, the Board received the Commission's recommendation to deny the proposed Comprehensive Plan text amendment in File No. 13-CPA-03 at its regular public meeting on November 5, 2013 and set November 12, 2013 to consider the same, then set November 10, 2013 for continued consideration, and then set January 7, 2014 to consider for decision; and