

BEFORE THE BOARD OF COUNTY
COMMISSIONERS

IN THE MATTER OF ADOPTION AND ALLOCATION)	
OF A 20-YEAR POPULATION FORECAST FOR 2017-)	FINDINGS OF FACT
2037 TO IMPLEMENT THE SETTLEMENT)	AND
AGREEMENT RELATING TO GROWTH)	DECISION
MANAGEMENT HEARINGS BOARD CASES, NO. 05-)	
1-0007, No. 08-1-0002, No. 13-1-0006c, and No.14-1-0002)	

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Board of County Commissioners of Spokane County, Washington, hereinafter referred to as the "Board", have 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, on June 1, 1993, Spokane County was mandated to update the Comprehensive Plan to conform with the requirements of the Growth Management Act and the provisions of RCW 36.70A; and

WHEREAS, pursuant to RCW 36.70A.210, the Steering Committee of Elected Officials (SCEO) was established by inter-local agreement (Resolution 94-1686, as amended) to assist in the development of Countywide Planning Policies and perform such other certain duties and provide certain recommendations as provided for in the inter-local agreement; and

WHEREAS, as required by RCW 36.70A.210, the Board adopted *Countywide Planning Policies for Spokane County (CWPPs)* on December 22, 1994 which have been amended from time to time (Resolutions 94-1719, 96-1205, 97-0297, 97-0937, 04-1075 and 08-0943); 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, in 2001 by Resolutions 01-1059 and 01-1060 the Board adopted final Urban Growth Areas and population allocations, as required by RCW 36.70A.110; and

WHEREAS, in 2004 by Resolution 05-0649 the Board adopted an updated Urban Growth Area and population allocation, as required by RCW 36.70A.110; and

WHEREAS, the adoption of Resolution 05-0649 was appealed to the Growth Management Hearings Board (GMHB) under case No. 05-1-0007 and on February 14, 2006, the GMHB issued an Order finding Spokane County's adoption of Resolution 05-0649 does not comply with Chapter 36.70A RCW and remanded the matter for compliance under RCW 36.70A.300; the Order included findings that continued validity of the Resolution would substantially interfered with the fulfillment of GMA Planning Goals 1, 2, 3, and 12 of the Act

(RCW 36.70A.020) and held as to Amendments 03-CPA-31 through 36 of the Resolution 05-0649 are invalid; and

WHEREAS, the GMHB's ruling and Order of Invalidity under case No. 05-1-0007 was affirmed on appeal to the Washington State Court of Appeals on May 20, 2014 in *Miotke v Spokane County*, 181 Wash. App. 369, *review denied*, 181 Wash. 2d 1010 (2014) and remanded to the GMHB for compliance; and

WHEREAS, in 2013 by Resolution 13-0689 the Board adopted an updated Urban Growth Area and population allocation, as required by RCW 36.70A.110; and

WHEREAS, the adoption of Resolution 13-0689 was appealed to the Growth Management Hearings Board (GMHB) under case No. 13-1-0006c and on November 26, 2013, the GMHB issued an Order finding Spokane County's adoption of Resolution. 13-0689 does not comply with Chapter 36.70A RCW and remanded the matter for compliance under RCW 36.70A.300; the Order included findings that the continued validity of the Resolution would substantially interfere with the fulfillment of GMA Planning Goals 1,2,3,11, and 12 of the Act (RCW 36.70A.020) and held Resolution 13-0689 was invalid in its entirety; and

WHEREAS, the GMHB's ruling and Order of Invalidity under case No. 13-1-0006c was affirmed on appeal to the Washington State Court of Appeals on June 15, 2015 in *Spokane County v EWGMHB, et. al.*, 188 Wn. App. 467 (2015) and remanded to the GMHB for compliance; and

WHEREAS, GMHB assigned mediators as authorized under WAC 242-06-575(5) to assist in settlement and achieve compliance in remanded GMHB case Numbers 13-1-0006c, 05-1-0007, 08-1-0002, and 14-1-002; and

WHEREAS, RCW 36.70A.130(5)(c) requires Spokane County to conduct a periodic review of its comprehensive plan, development regulations and urban growth areas to ensure the plan and regulations comply with the requirements of the Growth Management Act with said review to be completed by June 30, 2017 and cover the planning horizon from 2017 to 2037; and

WHEREAS, an initial step in the periodic review process under the Growth Management Act is adoption of population forecasts and jurisdictional allocations to allow determinations concerning the adequacy of comprehensive plans and urban growth areas, including planned capital facilities (water, waste water treatment, schools, parks, public safety, etc.) and transportation facilities; and

WHEREAS, Chapter 36.70A RCW mandates counties utilize the most recent population forecasts generated by the office of financial management in determining their population projection; and

WHEREAS, Spokane County's adopted Countywide Planning Policies provide for the SCEO to recommend adoption of certain population forecasts and allocations within the cities, towns and unincorporated areas of Spokane County based on the most recent Washington State