

	<p><b>STAFF REPORT TO THE PLANNING COMMISSION</b> <b>Public Hearing September 30, 2021</b> <b>Proposed Amendment of Application Review Procedures - Title 13</b> <b>FILE NO. ARP-01-2021</b></p> <p><b>SPOKANE COUNTY</b> <b>BUILDING AND PLANNING DEPARTMENT</b></p>
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**Proposal**

The proposal is a text amendment to Title 13 of the Spokane County Code - Application Review Procedures, specifically Section 13.300.108 related to expiration of applications.

**Background**

The proposed text amendment is the result of a Settlement Agreement, under Resolution No. 2016-0464, between Spokane County and Petitioner-Appellants of cases 05-1-0007, 08-1-0002, 13-1-0006c, and 14-1-0002. The initial update to Title 13, Section 13.300.108, pursuant to the Settlement Agreement was approved and signed by the Board of County Commissioners on January 9, 2018, under Resolution No. 18-0009. The purpose of the present amendment is to correct and add language that was inadvertently removed, and will clarify the existing code provision.

**Process**

***Public Notice***

Legal notice of the public hearing as required by Washington State Law and County ordinance, was published in the official newspaper for Spokane County, on Wednesday, September 15, 2021. Notice was also published on an interactive website dedicated to land use and regional planning in Spokane County. This website included information and direction on how to provide public comment to the proposal.

***Environmental Review***

Per WAC 197-11-800(a) and (b), the proposed text amendment is exempt from SEPA review.

**Proposed Amendment to Spokane County Code Title 13: Public Works Application Review Procedures for Project Permit, Section 13.300.108 Expiration of Application**

The proposed modification is underlined in the provision below.

13.300.108 - Expiration of application

Absent statute or ordinance provisions to the contrary, any application for which a determination of completeness has been issued and for which no substantial step has been taken to meet project approval requirements for a period of one hundred eighty days after issuance of the determination of completeness, or for a period of one hundred eighty days after the county has requested additional information studies, will expire by limitation and become null and void. The review authority may grant one extension per application of one hundred eighty days if a request is filed before the permit expires and the review authority makes written findings that substantial steps had been taken to meet project approval requirements and additional time is needed due to circumstances beyond the control of the applicant. For purposes of calculating time under this Section, time during which the application or any underlying comprehensive plan amendment or zone reclassification upon which the application was dependent was under appeal, shall be excluded. (Res. No. 2018-0009, 1-9-2018; Res. No. 14-0881, 11-12-2014; Res. 01-0700, Attachment A (part), 2001)

**Spokane County Comprehensive Plan**

In the Spokane County Comprehensive Plan, there is limited text regarding discussion about building permit timelines and extensions as they relate to Title 13 of the Spokane County Code. However, the following Comprehensive Plan goals and policies generally support the proposed amendment of Title 13 of the Spokane County Code.

**The Growth Management Act Section of the Comprehensive Plan**

The Growth Management Act 36.70A RCW Section 36.70A.030 lists thirteen broad goals for local municipalities to adhere to for the purpose of guiding the development of comprehensive plans and development regulations. Of the thirteen goals, the goal below directly corresponds to the proposed amendment:

*(7) Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.*

## **Economic Development Chapter of the Comprehensive Plan**

### **Regulation**

A regulatory environment that offers flexibility, consistency, predictability and clear direction enhances economic development opportunities.

### **Goal**

ED 5a Provide consistent, fair and timely regulations that are flexible, responsive and effective.

ED.5b Promote public/private partnerships that encourage innovation and creativity in the economic expansion of our region.

### **Policies**

ED.5.5 Each individual citizen will be afforded the highest possible quality of customer service and attention to aid in facilitation of Spokane County Economic Development.

ED.5.6 Review development regulations continuously to ensure clarity, consistency, predictability and direction. Provide opportunities for citizens to initiate amendments to inconsistent, outdated, inappropriate or unnecessary or confusing regulations. Amendments shall be consistent with the Comprehensive Plan.

ED.5.7 Ensure timely process of applications by requiring that mandatory timelines, consistent with state legislation, are adhered to for permitting processes.

Prepared by: Maria Maynard, Associate Planner

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