

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

IN THE MATTER OF THE UPDATES TO
THE CWPPS, COMPREHENSIVE PLAN,
AND ASSOCIATED DEVELOPMENT
REGULATIONS FOR THE 2022 CYCLE

**FINDINGS OF FACT
AND DECISION**

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Board of County Commissioners of Spokane County, Washington ("Board") has the care of County property and the management of County funds and business; and

WHEREAS, pursuant to the provisions of Chapter 36.70 RCW, the Board has created a Department of Building and Planning ("Department") and a Planning Commission ("Commission") (Resolution No. 76-698); and

WHEREAS, pursuant to Washington Laws, 1993, First Special Session, Chapter 6, effective June 1, 1993, Spokane County is required under RCW 36.70A.040 to conform to the requirements of the Growth Management Act Chapter 36.70A RCW ("GMA"); and

WHEREAS, Spokane County plans under Chapter 36.70A RCW, which dictates comprehensive plans, are subject to continuing review and evaluation and if needed amended and revised, generally no more frequently than once per year; and

WHEREAS, RCW 36.70A.130(2) allows counties or cities to adopt amendments or revisions whenever an emergency exists or to resolve an appeal of a comprehensive plan filed with the growth management hearings board or with the Court after appropriate public participation; and

WHEREAS, RCW 36.70A.020 identifies goals to guide the development and adoption of comprehensive plans and development regulations; and

WHEREAS Chapters 36.70 and 36.70A RCW, requires Development Regulations, including but not limited to the Spokane County Zoning Code, to be consistent with the goals and policies of the Spokane County Comprehensive Plan; and

WHEREAS, prior to the enactment of the Growth Management Act, 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, subsequent to the enactment of the Growth Management Act, pursuant to the provisions of Chapters 36.70 and 36.70A RCW, the Board adopted a new Comprehensive Plan for Spokane County on November 5, 2001 (Resolution Nos. 1-1059 and 1-1060) and has amended the same from time to time; and

WHEREAS, pursuant to Chapter 36.70A RCW, the Board adopted Countywide Planning Policies (BoCC Resolution Nos. 94-1719, amended by BoCC Resolution Nos. 96-0937, 04-1075, 08-0943, 11-1025; and

WHEREAS, pursuant to the provisions of Chapter 36.70 and 36.70A RCW, the Board on May 25, 2004, under Spokane County Resolution No. 04-0461, adopted a new Zoning Code to implement the goals and policies of the Comprehensive Plan and said regulation becoming effective June 1, 2004; and

WHEREAS, the Growth Management Act requires early and continuous public participation in the development and amendment of comprehensive land use plans and regulations; and

WHEREAS, pursuant to the requirements of RCW 36.70A.140, the Board adopted Public Participation Program Guidelines on February 24, 1998, under Resolution 98-1044 and adopted amendments to the policies under Resolution No. 98-0788, and No. 06-0869, and No 22-0486; and

WHEREAS, in the public participation guidelines Spokane County committed to make documents for proposed final action available no fewer than 21 days before a public hearing where they may be discussed or considered; and

WHEREAS, RCW 36.70A.140 recognizes that "[e]rrors in exact compliance with he established program and procedures shall not render the comprehensive land use plan or development regulations invalid if the spirit of the program and procedures is observed"; and

WHEREAS, Spokane County undertook two primary categories of Comprehensive Plan Amendments this year: (1) the amendments to the Countywide Planning Policies (CWPPs or CPPs), the Capital Facilities Plan (CFP), Chapter 7 of the Comprehensive Plan which includes the goals and policies of the Comprehensive Plan, and Spokane County Code (SCC) 13.650 which involves the concurrency with respect to capital facilities; and (2) the Comprehensive Plan Amendments to the plan map and zoning map; and

WHEREAS, the above categories are for organizational purposes only, and all amendments were considered by the Planning Commission and the Board of County Commissioners concurrently so the cumulative effect of the various proposals could be ascertained in accordance with RCW 36.70A.130(2)(b); and

WHEREAS, with respect to the first category—the CWPPs, CFP, Chapter 7, and SCC 13.650; pursuant to Chapter 36.70A.130(4)(c) Spokane County was required to review and update its Comprehensive Plan, including its Capital Facilities Plan, on or before June 30, 2017, and did such review and update on June 23, 2020, by Resolution 2020-0129; and

WHEREAS, thereafter Futurewise filed an appeal with the Growth Management Hearings Board (GMHB) challenging, among other things, the amendment to the Capital Facilities Plan in Resolution 2020-0129 (E. Wash. Growth Mgmt. Hr'gs Bd. No. 20-1-0007); and

WHEREAS, the Growth Management Hearings Board, on May 12, 2021, found that Futurewise had not met its burden of proof that the County's Capital Facilities Plan was inconsistent with the Growth Management Act; and

WHEREAS, thereafter, in late 2021, Futurewise filed a direct appeal with the Court of Appeals (Case No. 386571), alleging 11 assignments of error; and

WHEREAS, Spokane County conceded some errors and opposed others; and

WHEREAS, on September 22, 2022, the Court of Appeals, Division 3, issued its decision, accepted the concessions that were made, finding moot at least two issues, and finding in favor of the County on the majority of the remaining issues; and

WHEREAS, the Court remanded the matter to the Growth Management Hearings Board, directing that Spokane County make the following corrections to its Comprehensive Plan:

- Schools and other publicly owned facilities other than transportation facilities must be included within the capital facilities plan element under RCW 36.70A.070(3)(a) and (b).
- The capital facilities plan element must cover Spokane County's entire planning area, not just Urban Growth Areas, and cannot simply rely on prior capital facilities plans without reanalyzing present validity.

; and

WHEREAS, on October 6, 2022, Spokane County moved for reconsideration of part of the Court's holding regarding planning jurisdictions' discretion over which facilities it deems "necessary for development"; and

WHEREAS, on October 7, 2022, the Court requested Futurewise file a reply to the County's motion for reconsideration; and

WHEREAS, on November 15, 2022, the Court of Appeals issued an Order Denying Motion for Reconsideration; and

WHEREAS, a party seeking discretionary review with the Supreme Court must file a petition for review with the Court of appeals within 30 days of the order on reconsideration, RAP 13.3(a); and

WHEREAS, the Board of County Commissioners, on October 4, 2022, passed Resolution 2022-0664 authorizing the County Prosecutor's Office to seek discretionary review of the Court of Appeals' opinion with the Supreme Court of Washington on this issue; and

WHEREAS, as of the date of this Resolution, the Court of Appeals has not yet remanded the matter by law, and the matter is still pending in appeal status; and

WHEREAS, notwithstanding, based on its concessions, the County anticipated it would have to undertake some amendments to the Capital Facilities Plan Element of its comprehensive plan; and

WHEREAS, until the Court's decision came out on September 22, 2022, the County did not know which amendments would need to be undertaken with any certainty and, even thereafter, was left with uncertainty in light of the decision, as is evidenced by the County's motion for reconsideration; and

WHEREAS, the Comprehensive Plan provides that amendments to the Comprehensive Plan may be initiated by the Board, the Planning Commission, and the Planning Director based on citizen requests or when changed conditions or emergency circumstances warrant adjustments to the Comprehensive Plan; and

WHEREAS, the Planning commission is charged with holding public hearings and making recommendations concerning the initiation, adoption, rejection, or revision of comprehensive plans and official controls that implement comprehensive plans; and

WHEREAS, prior to the issuance of the Court's decision, the County held several workshops on the Capital Facilities Plan element to update the Planning Commission and the Public that the County was drafting and considering amendments to the Capital Facilities Plane element in anticipation of the Court's ruling and the County's concessions in its appellate brief; and

WHEREAS, at some of these workshops, sections of the Comprehensive Plan being considered for amendment were shared with the Planning Commission and the Public at duly noticed public workshops; and

WHEREAS, after the Court's initial September ruling was issued, an initial Draft of the Comprehensive Plan was completed and, on October 6, was posted online for the Public to view and comment upon; and

WHEREAS, pursuant to RCW 36.70A.040(3)(d) and RCW 36.70A.070 provisions in the Comprehensive Plan and its elements must be consistent with one another, and development regulations must be consistent with the Comprehensive Plan; and

WHEREAS, in light of the above, the Planning Director requested initiation of amendments to the Capital Facilities Plan Element of the Comprehensive Plan, the Goals and Policies in Chapter 7 of the Comprehensive Plan, and Spokane County Code 13.650; and

WHEREAS, On October 27, 2022, the Planning Commission held a duly noticed public hearing, at which the Planning Commission heard a presentation by staff, considered written and oral public testimony, and thereafter deliberated and voted to Recommend the Initiation of amendments to the Capital Facilities Plan, Chapter 7 of the Goals and Policies of the Comprehensive Plan, and Spokane County Code 13.650; and

WHEREAS, the Planning Commission forwarded its Findings of Fact and Recommendation to the Board for further consideration, and the Board, having received those

recommendations on Tuesday, November 1, 2022, did set a public meeting for Tuesday, November 8, 2022, to consider the same; and

WHEREAS, the Board was briefed by staff on the Planning Commission hearing and the proposed initiations on Monday, October 31, 2022, at an open public meeting; and

WHEREAS, after receiving all relevant materials and briefing, the Board, on Tuesday, November 8, 2022, at an open public meeting did consider and vote to initiate the amendments to the CFP, Chapter 7 of the Comprehensive Plan Goals and Policies and Spokane County Code 13.650 and by Resolution 2022-0740; and

WHEREAS, thereafter, the Department reviewed and considered public testimony on the CFP, Chapter 7, and Spokane County Code 13.650, both given orally at the October 27, 2022, Planning Commission public hearing on the initiations, and in writing and did make certain edits to the CFP, Chapter 7, and Spokane County Code 13.650 to incorporate certain public comments; and

WHEREAS, the Department posted Drafts of the Capital Facilities Plan, Chapter 7 and SCC 13.650 online and circulated it to interested parties; and

WHEREAS, on November 17, 2022, the Planning Commission, at a duly noticed public hearing, did hear and consider whether to recommend to the Board of County Commissioners adoption of the proposed amendments to the Capital Facilities Plan Element of the Comprehensive Plan, Chapter 7 of the Comprehensive Plan and Spokane County Code 13.650; and

WHEREAS, after receiving all public testimony both oral and written, considering the files and presentation by staff and the Staff Reports, the Planning Commission voted unanimously to recommend the adoption of the Capital Facilities Plan, Chapter 7 of the Goals and Policies of the Comprehensive Plan, and Spokane County Code 13.650 with the following amendments:

- Changing the Population Projection to reflect the population adopted by Spokane County in Resolution No. 16-0553, as recommended by Commerce, and adjusting calculations throughout the document to reflect the same.

- Add revenue sources of "conservation futures, grants, and loans" and language that clarifies that the list is not meant to be exhaustive or exclusive.

- Conduct and include the indirect concurrency analysis required by Spokane County Code 13.650.102(c) for solid waste as recommended by Futurewise.

- Add in the stormwater improvement projects for the West Plains, including financing plans.

- Address Commerce's comments regarding inconsistency in financing numbers in the CFP

-Make any other changes to directly respond to public comment so long as a public hearing is held on any changed draft and the final draft is posted online and circulated to interested parties at least 14 days prior to said public hearing.

; and

WHEREAS, thereafter the Planning Department did make those edits as recommended by the Planning Commission and in consideration of public comment and did post and circulate said revised drafts of the Capital Facilities Plan, Chapter 7 of the Comprehensive Plan, and Spokane County Code 13.650 online on November 29, 2022, at least 14 days prior to the public hearing date of December 13, 2022, as requested by Futurewise and other interested parties in their submitted public comments; and

WHEREAS, with respect to the second category, the concurrent amendments to the comprehensive land use plan map and zoning map, in accordance with Spokane County Zoning Code (SCZC) 14.402.100(3), in 2021, the Department received nine (9) Annual Comprehensive Plan Amendment and concurrent Zone Reclassification initiate requests ("CPAIR") prior to the deadline December 20, 2021; and

WHEREAS, the CPAIRs were assigned the numbers: CPAIR-0001-2021, CPAIR-0002-2021, CPAIR-0003-2021, CPAIR-0004-2021, CPAIR-0005-2021, CPAIR-0006-2021, CPAIR-0007-2021, CPAIR-0008-2021, and CPAIR-0009-2021; and

WHEREAS, the Department, as detailed in the staff reports, circulated the proposed Comprehensive Plan Amendments Initiation Requests to concurrency reviewing agencies who are the purveyor of water, sewer and transportation services on January 31, 2022. Planning staff met with the agencies to scope the proposal and provide comments prior to amendment initiation; and

WHEREAS, the Board of County Commissioners, by way of Resolution Number 2022-0112, delegated to and mandated that the Planning Commission take public comment regarding the proposed initiations to provide early and continuous public participation as contemplated by RCW 36.70A140 and issue a recommendation on whether or not to initiate the proposed amendments; and

WHEREAS, on February 8, 2022, public notice was published regarding the opportunity to comment on the proposed initiations on February 24, 2022, before the Planning Commission; and

WHEREAS, on February 24, 2022, the Planning Commission received public testimony, both oral and written, on whether or not to initiate the proposed CPAIRS and did thereafter, by motion and second, and unanimous vote, vote to initiate CPAIR-0001-2021, CPAIR-0002-2021, CPAIR-0004-2021, CPAIR-0005-2021, CPAIR-0006-2021, CPAIR-0008-2021, and CPAIR-0009-2021, and voted not to initiate CPAIR-0003-2021 and CPAIR-0007-2021; and

WHEREAS, thereafter on March 22, 2022, at an open public meeting and after deliberation and a majority vote, consistent with SCZC 14.402.100(3) the Board initiated public review and processed eight (8) Comprehensive Plan Amendments CPAIR-0001-2021, CPAIR-0002-2021, CPAIR-0004-2021, CPAIR-0005-2021, CPAIR-0006-2021, CPAIR-0007-2021, CPAIR-0008-2021, and CPAIR-0009-2021 (Resolution 2022-0177); and

WHEREAS, after initiation, the Comprehensive Plan Amendment and concurrent Zone Reclassification Initiate Requests (CPAIRs) became Proposed Comprehensive Plan Amendments (CPAs) File Names were changed as follows:

CPAIR-0001-2021 — CPA-01-22
CPAIR-0002-2021 — CPA-02-22
CPAIR-0004-2021 — CPA-04-22
CPAIR-0005-2021 — CPA-05-22
CPAIR-0006-2021 — CPA-06-22
CPAIR-0007-2021 — CPA-07-22
CPAIR-0008-2021 — CPA-08-22
CPAIR-0009-2021 — CPA-09-22

; and

WHEREAS, the Department, as detailed in the staff reports, circulated the proposals for 2022 Annual Comprehensive Plan amendments and concurrent Zone Reclassifications various agencies and departments for review and comment on May 10, 2022; and

WHEREAS, the Spokane Regional Transportation Council (SRTC) certified all 2022 Comprehensive Plan Amendments and found them consistent with SRTC's Regional Transportation Plan; and

WHEREAS, the Department posted Drafts of the Comprehensive Plan Amendments online, mailed and posted notices of the public hearing in accordance with Spokane County Code and circulated the proposed amendments by email to interested parties; and

WHEREAS, after review of the proposals for compliance with applicable regulations and consideration of agency comments, the Department, pursuant to WAC 197-11 and Section 11.20.230(3) of the Spokane County Environmental Ordinance, issued separate Mitigated Determination of Nonsignificance for CPA-01-22, CPA-02-22, CPA-04-22, CPA-05-22, CPA-06-22, CPA-07-22, CPA-08-22, and CPA-09-22; and

WHEREAS, following issuance of SEPA threshold determinations, the Department provided for the appropriate comment period, at least 15 days, and provided notice of a public hearing before the Commission for October 27, 2022, to begin review and consideration of proposed amendment file and prepared a staff report for the proposal; and

WHEREAS, the Department issued a SEPA addendum on all CPAs, extending the public comment period, and extending the commensurate appeal period to November 28, 2022; and

WHEREAS, except in the case of CPA-02-22, outlined further below, no appeal of the SEPA determinations were timely filed; and

WHEREAS, the Commission held a public hearing on October 27, 2022, to receive and consider public testimony and written comments concerning proposed 2022 Annual Comprehensive Plan amendment and concurrent zoning reclassification files; and

WHEREAS, at the October 27, 2022, Planning Commission Public Hearing, seven (7) members of the Planning Commission met in a public meeting to consider the 2022 Spokane County Annual Comprehensive Plan Amendments; present were Chairman Stephen Pohl, Vice Chair Deacon Band, and members Jim Carollo, Wayne Brokaw, Clyde Haase, Duane Hamp, and Pete Rayner; and

WHEREAS, the Commission received oral public comments and testimony, letters, pictures, videos, and a petition from interested parties and property owners near the proposed CPAs; and

WHEREAS, staff summarized the public comments and published an addendum to the staff report, responding to the concerns from the Public in accordance with RCW 36.70A140, and the public comment summary was posted to the project webpage and presented to the planning commission for their consideration; and

WHEREAS, at the October 27, 2022, Planning Commission Public Hearing, the Planning Commission voted to continue the Public Hearing to a date certain—November 17, 2022—on CPA-01-22, CPA-02-22, CPA-04-22, CPA-05-22, CPA-06-22, CPA-07-22, CPA-0822, and CPA-09-22 and keep the public comment period open; and

WHEREAS, the Planning Commission held a public hearing on November 17, 2022; six (6) Commission Members were in attendance: Chairman Stephen Pohl, Vice Chair Deacon Band (via Zoom), and members Jim Carollo, Wayne Brokaw, Clyde Haase, and Pete Rayner. Duane Hamp was absent; and

WHEREAS, on November 17, 2022, the Commission took additional testimony, after which it closed the public comment period, deliberated, and considered the proposed Comprehensive Plan Amendments under the Growth Management Act (RCW. 36.70A), State Environmental Policy Act (RCW 43.21C), Spokane County Code (including but not limited to 14.402.060), Spokane County Comprehensive Plan, and all other applicable regulations, and after considering all oral and written public comments, County files, staff reports, and other applicable information contained in the files maintained for the proposed amendment; and

WHEREAS, following discussion and deliberations, the Spokane County Planning Commission moved to recommend approval of CPA-01-22, CPA-02-22, CPA-04-22, CPA-05-22, CPA-06-22, CPA-08-22, and CPA-09-22, the motion was seconded, and the vote was unanimous to recommend; and

WHEREAS, a motion was made by Planning Commissioner Deacon Band to continue CPA-07-22 to the 2023 planning cycle to allow for further exploration of that proposed amendment, but that motion failed for lack of a second; and

WHEREAS; thereafter a motion was made and seconded to recommend against adoption of CPA-07-22, thereby rejecting the amendment; a vote was taken and passed 5-1, with Deacon Band voting nay; and

WHEREAS, Planning Department staff prepared Findings of Fact and Recommendations and transmitted the 2022 Comprehensive Plan Amendments to the Spokane County Board of County Commissioners for their consideration at an open public meeting in accordance with Spokane County Code and RCW 36.70 and 36.70A; and

WHEREAS, on November 23, staff summarized the public comments and published an addendum to the staff report after the November 17th hearing date, responding to the concerns from the Public in accordance with RCW 36.70A140; and

WHEREAS, on December 6, 2022, the Board did receive the Steering Committee of Elected Officials' Recommendation and associated files and comments on the Countywide Planning Policies and the Planning Commission's Findings, Recommendation, and associated files and comments on the Capital Facilities Plan, Chapter 7 of the Comprehensive Plan, Spokane County Code 13.650 and CPAs CPA-01-22, CPA-02-22, CPA-04-22, CPA-05-22, CPA-06-22, CPA-07-22, CPA-08-22, CPA-09-22 and did set December 13, 2022, at 2 p.m. for consideration of the same at an open public meeting for the CPAs, and a public hearing on the Countywide Planning Policies, Chapter 7, and Spokane County Code 13.650; and

WHEREAS, on December 13, 2022, the Board, at a duly noticed open public meeting on the CPAs and hearing on the Countywide Planning Policies, Chapter 7, and Spokane County Code 13.650, met to consider proposed amendments to the Comprehensive Plan for the 2022 planning cycle; in attendance were Commissioner's French and Kerns, Commissioner Kuney was absent, away on business; and

WHEREAS, after receiving a presentation by staff at an open public meeting on the Countywide Planning Policies, the Capital Facilities Plan, Chapter 7 of the Comprehensive Plan, Chapter 13.650 of the County code, CPA-01-22, CPA-02-22, CPA-04-22, CPA-05-22, CPA-06-22, CPA-07-22, CPA-08-22, CPA-09-22, and the Board having considered the Commission's findings of fact, and recommendation concerning the proposed 2022 Annual Comprehensive Plan Amendment Cycle, the Department files, public comment, being fully apprised of the requirements under the Growth Management Act (RCW 36.70A)—including but not limited to assessing any concerns for public takings, and consistency of the amendments with the Spokane County Comprehensive Plan and Development Regulations, compliance with the State Environmental Policy Act (Chapter 43.21C RCW), the Spokane County Zoning Code, and other applicable county development regulations, the Chair of the Board accepted a motion and second on the proposals and unanimously determined it in the best interest of the public welfare to adopt the Steering Committee of Elected Officials' Recommendation with respect to the Countywide Planning

Policies and the Planning Commission's Findings of Fact and Recommendation with respect to the Capital Facilities Plan, Chapter 7 of the Comprehensive Plan, Chapter 13.650 of the Spokane County Code, and CPA-01-22, CPA-04-22, CPA-05-22, CPA-06-22, CPA-08-22, CPA-09-22, but did not adopt the Planning Commission's Recommendation with respect to CPA-02-22 and CPA-07-22, and instead a motion was made, seconded, and the Board members in attendance unanimously voted to remand those matters to the Planning Commission in accordance with Spokane County Zoning Code 14.402.100(7) for further consideration in the 2023 Comprehensive Plan Amendment Cycle.

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Spokane County that having received and considered the Steering Committee of Elected Officials' and Planning Commission's Findings of Fact and Recommendation concerning the Plan Updates along with their recommended revisions, having received SRTC's certification of the transportation-related provisions, and being fully apprised of the requirements under the Growth Management Act (Chapter 36.70A RCW), Spokane County Comprehensive Plan, State Environmental Policy Act (Chapter 43.21C RCW), Countywide Planning Policies—as currently proposed to be amended, Spokane County Zoning Code and other applicable County Development Regulations, and after considering public comments, County Files, staff reports, and other relevant information contained in the files maintained for the respective proposed amendments, including files related to complying with Orders of Remand and resolving litigation related to the four consolidated GMHB "*Miotke*" cases, and the Pending *Futurewise* CFP case, the Board hereby adopts the Steering Committee of Elected Officials' Recommendation with respect to the Countywide Planning Policies and the Planning Commission's Findings of Fact and Recommendation (both incorporated herein by reference), except as set forth otherwise below, with respect to the Countywide Planning Policies, Capital Facilities Plan, Chapter 7 of the Comprehensive Plan, Chapter 13.650 of the Spokane County Code, and CPA-01-22, CPA-04-22, CPA-05-22, CPA-06-22, CPA-08-22, CPA-09-22, but does not adopt the Planning Commissions findings and Recommendation with respect to CPA-02-22 and CPA-07-22 and instead remands the same back to the Planning Commission to be considered further in the 2023 planning cycle in accordance with Spokane County Zoning Code 14.402.100(7) and makes the following additional Findings of Fact:

FINDINGS OF FACT

1. The Board, having reviewed the recitals above, adopts the preceding recitals as Findings of Fact and incorporates the same by reference as though fully set forth herein to the extent they do not conflict with these below additional Findings of Fact.
2. The applications for the Annual Comprehensive Plan Amendments 01, 02, 04, 05, 06, 07, 08, and 09 were all received prior to the application deadline in accordance with Spokane County Zoning Code 14.402.100(3).
3. All Comprehensive Plan Amendments were properly initiated by the Board of County Commissioners after at least one public hearing in accordance with SCZC 14.402.
4. The Board received and considered the Steering Committee of Elected Officials' Recommendation on the Countywide Planning Policies and the Planning Commission's Findings of Fact and Recommendations, which includes findings and recommendations on amendments to the Capital Facilities Plan, Chapter 7 of the Comprehensive Plan, Spokane County Code 13.650, and CPA-01-22, CPA-02-22, CPA-04-22, CPA-05-22, CPA-06-22, CPA-07-22, CPA-08-22, CPA-09-22.
5. The Planning Commission, at its November 17, 2022, hearing, and the Board at its December 13, 2022, meeting considered all of the proposed amendments together and assessed their cumulative effect in accordance with RCW 36.70A.130(2)(a)(i).
6. The Commission and the Board have provided for timely notice and continuous review, evaluation, and public participation in consideration of the proposed Comprehensive Plan Amendments, Concurrent Zone Reclassifications, and Text Amendment, consistent with Chapter 36.70 RCW, Chapter 36.70A RCW, Chapter 365-195 WAC, Chapter 365-196 WAC, and the County's Zoning Code and adopted Public Participation Program Guidelines for the proposed amendments as documented in the staff reports on the Annual Comprehensive Plan Amendments, which included:
 - a. Legal notice of the public hearing, as required by Washington State law and County ordinance, was published in the official newspaper for Spokane County, the Spokesman Review.
 - b. Notice was also published on an interactive website dedicated to land use planning in Spokane County. This website included information and directions on how to provide public comment to the proposals included.
 - c. Public notice emailed to government agencies, surrounding properties of the map amendment sites, and other interested groups and organizations.
 - d. Notice of Intent to adopt was sent to the Washington State Department of Commerce as required by RCW 36.70.106.

- e. The Department sent the proposed map amendments and related State Environmental Policy Act (SEPA) documents to Spokane County jurisdiction and agencies for coordination, review, and comment.
 - f. Signs describing the proposed amendments, including maps thereof, and providing notice of hearing regarding the proposed amendments at the boundary of the properties subject to the proposed amendments, Notice of Hearings, opportunity for public comment, and maps describing the proposed amendments were sent via USPS Mail to owners of, and taxpayers, for properties within 400' feet (urban) and 1000' (rural) of the boundaries of the properties subject to the proposed amendment area.
7. The environmental reviews for proposed amendments in File Nos. CPA-01-22, CPA-02-22, CPA-04-22, CPA-05-22, CPA-06-22, CPA-07-22, CPA-08-22, CPA-09-22 are consistent with State Environmental Policy Act (SEPA) requirements pursuant to RCW 36.70A.130(1), (2), (3), WAC 197-11-340, WAC 197-11-340(2), and Section 11.10.230(3) of the Spokane County Environmental Ordinance.
 8. The Board, in addition to the above findings and in further support of its decision, specifically makes the following supplemental findings:

I. Findings Specific to Countywide Planning Policies, Capital Facilities Plan, Chapter 7, SCC 13.650

9. With respect to the proposed amendments to the Countywide Planning Policies, Capital Facilities Plan, Chapter 7 of the Comprehensive Plan, and Spokane County Code 13.650, the Board, in further support of its approval, specifically makes the following supplemental findings:
10. On June 23, 2020, by and through Resolution 20-0129, the Board of County Commissioners updated the Spokane County Comprehensive Plan, Capital Facilities Plan, and Associated Development Regulations for the Planning Period from 2017 to 2037.
11. Within the updates in 2020-0129, the County identified areas of the UGA being expanded to conform with GMHB cases. Subsequently, one area, the Geiger Spur, was removed from the UGA expansion by way of Resolution 21-0876. The remaining area under consideration and planned for by the CFP in Resolution 2020-0129 remains unchanged.
12. This portion of the present plan update is intended to serve three purposes:
 - a. To satisfy the required periodic review in RCW 36.70A130(4)(c) and implement needed revisions to the comprehensive plan and development

regulations to comply with the provisions of the GMA. Pursuant to RCW 36.70A.130(4)(c) Spokane County was required to undertake a comprehensive review and update of its Comprehensive Plan no later than June 30, 2017. That update was adopted on June 23, 2020, by Resolution 2020-0129. The present amendments build upon that original work.

- b. To implement actions deemed necessary to comply with GMHB Remand Orders and resolve the *Miotke* consolidated GMA litigation matters.
 - c. To modify the Capital Facilities Plan to respond to litigation brought by Futurewise in case numbers 20-1-0007 (GMHB), 385523 (Div. III).
13. As such, the CFP presented for adoption builds upon the CFP adopted by Resolution 2020-0129, including the analyses conducted therein—see pages 8-9 of 2020-0129 incorporated herein by reference, plans for the same area adopted and referenced in Resolution 2020-0129 as modified by 21-0876, and also as modified and updated in subsequent Resolutions adopting comprehensive plan map amendments to land uses thereafter, including those considered herein.
14. The CFP also expressly considered and planned for certain urban land uses that exist and vested outside the current Urban Growth Area, including the vested plats of Woodridge View 4th (PN-1968-05) and Falcon Ridge (PN-1967-05) in the Five Mile area.
15. The Proposed Amendments were subject to written comments in opposition to the proposals as well as public hearings allowing for early and continuous public participation.
16. The amendments are consistent with the Comprehensive Plan and applicable Goals and Policies one another, and comply with the Growth Management Act Chapter 36.70A RCW, and are in the best interest of the health, safety, and welfare of the citizens of Spokane County.

II. Comprehensive Plan and Zoning Code map amendments

17. With respect to the proposed concurrent amendments to the Comprehensive Plan and Zoning Code maps, the Department, as detailed in the staff reports, circulated the proposed Comprehensive Plan initiation requests to concurrency reviewing agencies who were the purveyors of water, sewer, and transportation services on January 31, 2022, to scope the proposals and provide comments prior to amendment initiation; and
18. Spokane County has provided for timely public participation in consideration of the proposed amendment, consistent with RCW 36.70A.140, WAC 365-196-600, and the

adopted Public Participation Program Guidelines (BoCC Resolutions 98-0114, 98-0788, 22-0470). Public participation for the proposed amendments included:

- a. Building and Planning circulated the proposed Comprehensive Plan amendments to concurrency reviewing agencies who were the purveyors of water, sewer, and transportation services on January 31, 2022, to provide for early scoping of the proposed amendments.
- b. Building and Planning issued a "news flash" directing interested parties to its webpage, where details on each proposal were placed on February 23, 2022, to begin the public participation process for the 2022 Comprehensive Plan amendments.
- c. Building and Planning circulated all of the 2022 Comprehensive Plan amendments to agencies of jurisdiction and interested parties on May 10, 2022
- d. Public notice of hearing as required by Washington State Law and County ordinances, including a legal notice published in the Spokesman Review newspaper on October 6, 2022.
- e. Notice was posted on the county website dedicated to long-range planning and updated as new information was submitted. The webpage included information and directions on how to provide public comment.
- f. Public notice was mailed to government agencies, neighborhood organizations, business organizations, and other interested groups and organizations.
- g. Signs describing the proposed amendment, including maps thereof, and providing notice of hearings regarding the proposed amendments were posted at the boundary of properties subject to proposed amendments.
- h. Notice of Hearings, the opportunity for public comment, and maps describing the proposed amendment were sent via US Mail to owners of and taxpayers for properties within 400' (urban) of the boundaries of the properties subject to the proposed amendment area.
- i. Public notice was sent to the Washington State Department of Commerce on October 14, 2022, and other state agencies per RCW 36.70A.106.

A. Comprehensive Plan Amendment 01-22

19. The Request for Initiation of CPA-01-22 was received prior to December 20, 2021, and properly initiated after a public hearing. The request was to change the designation from Low-Density Residential (LDR) to High-Density Residential (HDR) on 4.12 Acres in the North Metro UGA.
20. The proposed amendment meets the following Criteria for Amendment under Spokane County Zoning Code 14.402.040:
 - (1) The Amendment is consistent with or implements the Comprehensive Plan and is not detrimental to the public welfare.
 - (2) a change in economic, technological, or land use conditions has occurred to warrant modification of the zoning code.
 - (6) An amendment is deemed necessary by the Commission and/or Board as being in the public interest.

21. Spokane County has provided for timely public participation in consideration of the proposed amendment, consistent with RCW 36.70A.140, WAC 365-196-600, and the adopted Public Participation Program Guidelines (BoCC Resolutions 98-0114, 98-0788, 22-0470).
22. The Board acknowledges and concurs with the MDNS SEPA Determination issued by the Department, finding the environmental review for the proposed amendments consistent with State Environmental Policy Act (SEPA) requirements, pursuant to RCW 36.70A.100, RCW 36.70A.130 (1), (2) and (3), WAC 197-11-350, and 11.10.230(3) of the Spokane County Environmental Ordinance.
23. The Spokane Regional Transportation Council (SRTC) evaluated the CPA-01-22 request and certified the proposal were consistent with SRTC's Regional Transportation Plan.
24. The Board has received and considered the Commission's Findings of Fact and Recommendations for the Comprehensive Plan Amendment and concurrent zone reclassification. Finding the projects meets the goals and objectives of the Multi-family and the High Density Residential Comprehensive Plan Category. Spokane County Building and Planning File No. CPA-01-22, specifically:
 - a. UL.2.16
 - CPA-01-2022 meets UL.2.16 because it is located near on the Hastings/Farwell Corridor in-between Highway 2 and Highway 395, specifically located on the intersection of Hastings/Farwell Road and North Pittsburg Street. The project has frontage and good access to Hastings/Farwell Road, which is classified as an Urban Principal Arterial, and North Pittsburg Street is considered an urban local access road according to the Spokane County Public Works Department. Commercial designations exist at both ends of the corridor, corresponding with the intersection of Highway 395 and Highway 2 respectively. The commercial center at the west end of the corridor on Highway 395 is built-out and contains a Fred Meyer, Albertsons, and other commercial operations. The commercial designations on the east end corresponding with Highway 2 is emerging, with Costco being the first commercial activity in the area. The project site lies a little less than a mile to the Commercial areas along Highway 395, and Costco is approximately a thousand feet to the southeast along Highway 2. Additionally, a Regional Commercial designation lies less than 700 feet to the south on North Pittsburg Street and Highway 2. Although, that parcel is still vacant. The project is “near” commercial areas. The project is also “near” open spaces. The project is “kiddy-corner” to the southwest of Northwood Middle School and Farwell Elementary school. These school sites contain ball fields, playgrounds, basketball courts, and other open-space features.

Additionally, Camelot Park is approximately a one-mile walk to the southwest, and the Children of the Sun Trail can be accessed at the Intersection of Highway 2 and the North South Corridor, which is located about a half-mile to the east of the project site. The nearest transit stop is the Hastings Park and Ride, served by Spokane Transit Authority, which lies at the intersection of Hastings and Highway 395. The Hastings/Farwell Corridor is within Division Connects Transit study area.

b. UL.2.17 Siting of Multifamily homes throughout the Urban Growth Area

- The project site is three parcels that are approximately 4.1 acres in total, and is integrated into the surrounding neighborhoods. The Camelot Neighborhood exists to the west, Northwood Meadows 1st Addition exists to the south, Stone Horse and City Gardens exist to the north. Dwellings in the surrounding neighborhood include single family dwellings, duplexes, and multi-family housing. The site will provide a further mixture of housing types. The proposal meets UL.2.17

c. UL.2.18 Multi Family Design Standards

- In Spokane County, a structure containing more than two housing units is considered a commercial structure. Commercial structures are subject to development standards such as site screening, landscaping, parking, etc. The applicants are proposing a multi-family development, which would be subject to Spokane County Development Standards. The proposal meets UL.2.18.

d. UL.2.19 Integration of Multifamily housing into existing neighborhoods

- The comprehensive plan goal is met because Spokane County Code identifies the maximum building height for low-density residential as 35 ft., Medium-density residential has a 40 ft. limit, and high-density residential has a building height limit of 50 ft. LDR building lot coverage is no more than 55% of lot area, MDR allows 65%, and HDR allows 70%. Multi-family housing is considered commercial construction, subject to commercial building codes, landscaping, parking, screening, and other development standards, and regulations which integrate projects into their neighborhoods and reduce visual impacts on surrounding properties. The proposal meets UL.2.169

25. The Department of Building Planning prepared detailed staff reports for the proposed amendment, which are included as Attachment 'A'. The Commission and the BoCC considered the analysis contained within the staff reports and incorporates that analysis as if restated here.

26. The Board finds review and processing of the 2022 Annual Comprehensive Plan amendment and zone reclassification proposals are consistent with the public

participation notice requirements and Public Participation Program Guidelines adopted by the Board (Resolution 22-0486), and the proposals are also consistent with the Zoning Code – Section 14.102.040 for a comprehensive plan and zoning amendment, pursuant to RCW 36.70A.035 (1)(a) - (e) and RCW 36.70A.140.

27. The Board notes that the October 27, 2022, and the November 17, 2022, public meetings were public hearings and recognizes comments were made by the general public in attendance.
28. At the Board's weekly meeting on December 13, 2022, Comprehensive Plan Amendment CPA-01-22 was considered. Staff Presented a summary of the proposal and testified that the project is consistent with the goals and policies of the Comprehensive Plan for High Density Residential, as well as multi-family housing. Additionally, the record is complete, and all agencies have indicated that the project would not impact the adopted levels of service.
29. The Department and the Board conferred and consulted with counsel on each and all of the proposed amendments and considered whether the adoption of any would result in an unconstitutional taking of private property in accordance with the process outlined in RCW 36.70A.370.
30. The Board considered all possible options with respect to the proposed amendment, including no change, and finds recommendation for approval of CPA-01-22, when considered under the Growth Management Act (RCW. 36.70A), State Environmental Policy Act (RCW 43.21C), Spokane County Code, Spokane County Comprehensive Plan, and all other applicable regulations, and after considering all oral and written public testimony, County files, and staff report, the Commission finds compliance with the regulations and requirements applicable, and that the best interests of the public as well as the public health, safety, and welfare, will be met by adopting the recommendation on the proposed Comprehensive Plan amendment and concurrent zone reclassifications.
31. The Board further finds the summary of proposed annual amendments, and a map illustrating the locations and land use changes requested along with the staff report for the amendment is accurately reflected in Attachment 'A'.

B. Comprehensive Plan Amendment 02-22

1. The Request for Initiation for CPA-02-22 was received prior to December 20, 2021, and properly initiated after a public hearing. The request was to change the designation from Light Industrial (LI) to Mixed Use (MU) on 108.24 Acres in the West Plains/Thorpe UGA-JPA.
2. The proposal was the subject of an extensive SEPA review in which multiple agencies of jurisdiction and service purveyors were engaged in the review and analysis of water, sewer, and transportation studies produced by qualified professional engineering firms,

which resulted in a Mitigated Determination of Nonsignificance inclusive of all requested mitigation measures.

3. Following the issuance of SEPA threshold determinations on October 6, 2022, the Department provided for the appropriate comment period, and provided appropriate notice of a public hearing before the Commission for October 27, 2022, to begin review and consideration of the proposed amendment file and prepared a staff report for the proposal.
4. The SEPA Determination for CPA-02-22 was amended with an addendum, and the appeal period was extended to November 28, 2022.
5. Surrounding property owners filed SEPA appeals before the Hearing Examiner, which as of the date of these findings, is still pending.
6. The Spokane Regional Transportation Council (SRTC) evaluated the CPA-02-22 request and certified the proposal were consistent with SRTC's Regional Transportation Plan.
7. The site was the subject of an approved Binding Site Plan for a 59-lot subdivision which was approved on December 5, 2020, which included SEPA mitigation measures to address transportation impacts.
8. On October 27, 2022, Planning Commission Public Hearing, seven (7) members of the Planning Commission met in a public meeting to consider the 2022 Spokane County Annual Comprehensive Plan Amendments; present were Chairman Stephen Pohl, Vice Chair Deacon Band, and members Jim Carollo, Wayne Brokaw, Clyde Haase, Duane Hamp, and Pete Rayner.
9. The Planning Commission took testimony from the public, agencies of jurisdiction, and interested parties.
10. The Building and Planning department responded in writing to the comments received and posted them on the Departmental web site.
11. At the October 27, 2022, public hearing, the Planning Commission chose to keep the public comment period open and continued the public hearing until November 17, 2022.
12. At the November 17, 2022, Public Hearing, six (6) Commission Members were in attendance: Chairman Stephen Pohl, Vice Chair Deacon Band (via Zoom), and members Jim Carollo, Wayne Brokaw, Clyde Haase, and Pete Rayner. Duane Hamp did not attend the meeting.
13. On November 17, 2022, the Commission, having already taken testimony on October 27, continued the hearing to hear from those individuals who had not already spoken

on the matters after assuring individuals that their previous comments were retained in the record and being considered by the Commission and thereafter heard additional testimony from individuals who had not yet had an opportunity to speak, and allowed the applicant to respond to public comment, and did thereafter close the public comment period and deliberate.

14. The Board notes that the October 27, 2022, and the November 17, 2022, public meetings were public hearings and recognizes comments were made by the public in attendance.
15. The Board has received and considered the Commission's Findings of Fact and Recommendation in favor of adopting the Comprehensive Plan Amendment and concurrent zone reclassification for CPA-02-22.
16. At the Board's weekly meeting on December 13, 2022, Comprehensive Plan Amendment CPA-02-22 was considered; staff Presented a summary of the proposal.
17. The Board finds that the community feedback from adjacent businesses reflected apprehension about the change. The Board recognizes and shares the business's concerns and also recognizes the premium geographic location of the subject site and that it represents a variety of opportunities to enhance the local economy and the well-being of County citizens, meeting the objective of Goal UL.1a.
18. The Board considered all possible options with respect to the proposed amendment, including no change, the Board also weighed the public benefits of the change against the possible drawbacks, including those impacts to existing surrounding property owners and industrial users and the compatibility between the proposed use and existing uses, thereafter a motion was made to **REMAND** CPA-02-22 to the Planning Commission for further consideration in next year's 2023 Comprehensive Plan cycle, the motion was seconded and passed by the majority of the Board in attendance.

C. Comprehensive Plan Amendment 04-22

19. The Request for Initiation for CPA-04-22 was received prior to December 20, 2021, and properly initiated after a public hearing. The request was to change the designation from Low-Density Residential (LDR) to High-Density Residential (HDR) on 6.41 Acres in the North Metro UGA.
20. The proposed amendment meets the following Criteria for Amendment under Spokane County Zoning Code 14.402.040:
 - (1) The Amendment is consistent with or implements the comprehensive plan and is not detrimental to the public welfare.
 - (2) a change in economic, technological, or land use conditions has occurred to warrant modification of the zoning code.

(6) An amendment is deemed necessary by the Commission and/or Board as being in the public interest.

21. Spokane County has provided for timely public participation in consideration of the proposed amendment, consistent with RCW 36.70A.140, WAC 365-196-600, and the adopted Public Participation Program Guidelines (BoCC Resolutions 98-0114, 98-0788, 22-0470).
22. The Board acknowledges and concurs with the MDNS SEPA Determination issued by the Department, finding the environmental review for the proposed amendments consistent with State Environmental Policy Act (SEPA) requirements, pursuant to RCW 36.70A.100, RCW 36.70A.130 (1), (2) and (3), WAC 197-11-350, and 11.10.230(3) of the Spokane County Environmental Ordinance.
23. The Spokane Regional Transportation Council (SRTC) evaluated the CPA-04-22 request and certified the proposal were consistent with SRTC's Regional Transportation Plan.
24. The Board has received and considered the Commission's Findings of Fact and Recommendations for the Comprehensive Plan Amendment and concurrent zone reclassification. Finding the projects meets the goals and objectives of the Multi-family and the High Density Residential Comprehensive Plan Category. Spokane County Building and Planning File No. CPA-04-22, specifically:
25. UL.2.16 Encourage the location of medium and high density
 - CPA-04-2022 meets UL.2.16 because it is located on the Hastings/Farwell Corridor in-between Highway 2 and Highway 395, specifically located on the intersection of Hastings/Farwell Road and North Pittsburg Street. The project has frontage and good access to Hastings/Farwell Road, which is classified as an Urban Principal Arterial according to the Spokane County Public Works Department. Commercial designations exist at both ends of the corridor, corresponding with the intersection of Highway 395 and Highway 2 respectively. The commercial center at the west end of the corridor on Highway 395 is built-out and contains a Fred Meyer, Albertsons, and other commercial operations. The commercial designations on the east end corresponding with Highway 2 is emerging, with Costco being the first commercial activity in the area. The project is "near" commercial, the project site lies a little less than a mile to the Commercial areas along Highway 395, and Costco is approximately a thousand feet to the southeast along Highway 2. Additionally, a Regional Commercial designation lies less than 1,500 feet to the south on North Pittsburg Street and Highway 2. Although, that parcel is still vacant. The project is "near" open spaces: it is approximately 400 feet to the west of the Northwood Middle School and Farwell Elementary School campus. These school sites contain ball fields,

playgrounds, basketball courts, and other open space features. Additionally, Camelot Park is approximately a one-mile walk to the southwest, and the Children of the Sun Trail can be accessed at the Intersection of Highway 2 and the North South Corridor, which is located about a half-mile to the east of the project site. The nearest transit stop is the Hastings Park and Ride, served by Spokane Transit Authority, which lies at the intersection of Hastings and Highway 395. The Hastings/Farwell Corridor is within Division Connects Transit study area.

e. UL.2.17 Siting of Multifamily homes throughout the Urban Growth Area

- The project site is three parcels that are approximately 6.4 acres in total, and is integrated into the surrounding neighborhoods. The Northwood Meadows 1st Addition exists to the West, Stone Horse and City Gardens exist to the north and west and Camelot exists to the south of the project site across Hastings/Farwell Road. Dwellings in the surrounding neighborhood include single family dwellings, duplexes, and multi-family housing. The site will provide an opportunity for a further mixture of housing types. The proposal meets UL.2.17.

f. UL.2.18 Multi Family Design Standards

- A structure containing more than 3 or more housing units is considered a commercial structure. Commercial structures are subject to development standards such as site screening, landscaping, parking, etc.. The applicants are proposing a multi-family development, which would be subject to Spokane County Development Standards. The requirements found in the development standards would mitigate some of the potential impacts a multi-family housing project may have on adjacent properties. The proposal meets UL.2.18.

g. UL.2.19 Integration of Multifamily housing into existing neighborhoods

- The comprehensive plan goal is met because Spokane County Code identifies the maximum building height for low-density residential as 35 ft., Medium-density residential has a 40 ft. limit, and high-density residential has a building height limit of 50 ft. LDR building lot coverage is no more than 55% of lot area, MDR allows 65%, and HDR allows 70%. Multi-family housing is considered commercial construction, subject to commercial building codes, landscaping, parking, screening, and other development standards, and regulations which integrate projects into their neighborhoods and reduce visual impacts on surrounding properties. The proposal meets UL.2.19.

26. The Department of Building Planning prepared detailed staff reports for the proposed amendment, which are included as Attachment 'A'. The Commission and the BoCC considered the analysis contained within the staff reports and incorporates that analysis as if restated here.

27. The Board finds review and processing of the 2022 Annual Comprehensive Plan amendment and zone reclassification proposals are consistent with the public participation notice requirements and Public Participation Program Guidelines adopted by the Board (Resolution 22-0486), and the proposals are also consistent with the Zoning Code – Section 14.102.040 for a comprehensive plan and zoning amendment, pursuant to RCW 36.70A.035 (1)(a) - (e) and RCW 36.70A.140.
28. The Board notes that the October 27, 2022, and the November 17, 2022, public meetings were public hearings and recognizes comments were made by the general public in attendance.
29. At the Board's weekly meeting on December 13, 2022, Comprehensive Plan Amendment CPA-04-22 was considered. Staff Presented a summary of the proposal and testified that the project is consistent with the goals and policies of the Comprehensive Plan for High Density Residential, as well as multi-family housing. Additionally, the record is complete, and all agencies have indicated that the project would not impact the adopted levels of service.
30. The Department and the Board conferred and consulted with counsel on each and all of the proposed amendments and considered whether the adoption of any would result in an unconstitutional taking of private property in accordance with the process outlined in RCW 36.70A.370.
31. The Board considered all possible options with respect to the proposed amendment, including no change, and finds recommendation for approval of CPA-04-22, when considered under the Growth Management Act (RCW. 36.70A), State Environmental Policy Act (RCW 43.21C), Spokane County Code, Spokane County Comprehensive Plan, and all other applicable regulations, and after considering all oral and written public testimony, County files, and staff report, the Commission finds compliance with the regulations and requirements applicable, and that the best interests of the public as well as the public health, safety, and welfare, will be met by adopting the recommendation on the proposed Comprehensive Plan amendment and concurrent zone reclassifications.
32. The Board further finds the summary of proposed annual amendments, and a map illustrating the locations and land use changes requested along with the staff report for the amendment is accurately reflected in Attachment 'A'.

D. Comprehensive Plan Amendment 05-22

33. The Request for Initiation for CPA-05-22 was received prior to December 20, 2021, and properly initiated after a public hearing. The request was to change the designation from Low-Density Residential (LDR) to High-Density Residential (HDR) on 1.46 Acres in the North Metro UGA.

34. The proposed amendment meets the following Criteria for Amendment under Spokane County Zoning Code 14.402.040:
- (1) The Amendment is consistent with or implements the comprehensive plan and is not detrimental to the public welfare.
 - (2) a change in economic, technological, or land use conditions has occurred to warrant modification of the zoning code.
 - (6) An amendment is deemed necessary by the Commission and/or Board as being in the public interest.
35. Spokane County has provided for timely public participation in consideration of the proposed amendment, consistent with RCW 36.70A.140, WAC 365-196-600, and the adopted Public Participation Program Guidelines (BoCC Resolutions 98-0114, 98-0788, 22-0470).
36. The Board acknowledges and concurs with the MDNS SEPA Determination issued by the Department, finding the environmental review for the proposed amendments consistent with State Environmental Policy Act (SEPA) requirements, pursuant to RCW 36.70A.100, RCW 36.70A.130 (1), (2) and (3), WAC 197-11-350, and 11.10.230(3) of the Spokane County Environmental Ordinance.
37. The Spokane Regional Transportation Council (SRTC) evaluated the CPA-05-22 request and certified the proposal were consistent with SRTC's Regional Transportation Plan.
38. The Board has received and considered the Commission's Findings of Fact and Recommendations for the Comprehensive Plan Amendment and concurrent zone reclassification. Finding the projects meets the goals and objectives of the Multi-family and the Medium Density Residential Comprehensive Plan Category. Spokane County Building and Planning File No. CPA-05-22, specifically:
39. UL.2.16 Encourage the location of medium and high density
- CPA-05-2022 meets UL.2.16 because it is located on the Hastings/Farwell Corridor in-between Highway 2 and Highway 395, specifically located on the intersection of Hastings/Farwell Road and North Pittsburg Street. The project has frontage and good access to Hastings/Farwell Road, which is classified as an Urban Principal Arterial according to the Spokane County Public Works Department. Commercial designations exist at both ends of the corridor, corresponding with the intersection of Highway 395 and Highway 2 respectively. The commercial center at the west end of the corridor on Highway 395 is built-out and contains a Fred Meyer, Albertsons, and other commercial operations. The commercial designations on the east end corresponding with Highway 2 is emerging, with Costco being the first commercial activity in the area. The project is "near" commercial, the project site is a

half-mile to the Commercial areas -along Highway 395, and Costco is approximately a half-mile to the southeast along Highway 2. Additionally, a Regional Commercial designation lies about 1,500 feet to the south on North Pittsburg Street and Highway 2. Although, that parcel is still vacant. The project is “near” open spaces: it is approximately 2,000 feet to the west of the Northwood Middle School and Farwell Elementary School campus. These school sites contain ball fields, playgrounds, basketball courts, and other open space features. Additionally, Camelot Park is approximately a half-mile walk to the southwest, and the Children of the Sun Trail can be accessed at the Intersection of Highway 2 and the North South Corridor, which is located about a half-mile to the east of the project site. The nearest transit stop is the Hastings Park and Ride, served by Spokane Transit Authority, which lies at the intersection of Hastings and Highway 395. The Hastings/Farwell Corridor is within Division Connects Transit study area.

h. UL.2.17 Siting of Multifamily homes throughout the Urban Growth Area

- The project site is three parcels that are approximately 6.4 acres in total, and is integrated into the surrounding neighborhoods. The Northwood Meadows 1st Addition exists to the West, Stone Horse and City Gardens exist to the north and west and Camelot exists to the south of the project site across Hastings/Farwell Road. Dwellings in the surrounding neighborhood include single family dwellings, duplexes, and multi-family housing. The site will provide an opportunity for a further mixture of housing types. The proposal meets UL.2.17.

i. UL.2.18 Multi Family Design Standards

- A structure containing more than 3 or more housing units is considered a commercial structure. Commercial structures are subject to development standards such as site screening, landscaping, parking, etc.. The applicants are proposing a multi-family development, which would be subject to Spokane County Development Standards. The requirements found in the development standards would mitigate some of the potential impacts a multi-family housing project may have on adjacent properties. The proposal meets UL.2.18.

j. UL.2.19 Integration of Multifamily housing into existing neighborhoods

- The comprehensive plan goal is met because Spokane County Code identifies the maximum building height for low-density residential as 35 ft., Medium-density residential has a 40 ft. limit, and high-density residential has a building height limit of 50 ft. LDR building lot coverage is no more than 55% of lot area, MDR allows 65%, and HDR allows 70%. Multi-family housing is considered commercial construction, subject to commercial building codes, landscaping, parking, screening, and other development standards, and regulations which integrate projects into their

neighborhoods and reduce visual impacts on surrounding properties. The proposal meets UL.2.19.

40. The Department of Building Planning prepared detailed staff reports for the proposed amendment, which are included as Attachment 'A'. The Commission and the BoCC considered the analysis contained within the staff reports and incorporates that analysis as if restated here.
41. The Board finds review and processing of the 2022 Annual Comprehensive Plan amendment and zone reclassification proposals are consistent with the public participation notice requirements and Public Participation Program Guidelines adopted by the Board (Resolution 22-0486), and the proposals are also consistent with the Zoning Code – Section 14.102.040 for a comprehensive plan and zoning amendment, pursuant to RCW 36.70A.035 (1)(a) - (e) and RCW 36.70A.140.
42. The Board notes that the October 27, 2022, and the November 17, 2022, public meetings were public hearings and recognizes comments were made by the general public in attendance.
43. At the Board's weekly meeting on December 13, 2022, Comprehensive Plan Amendment CPA-05-22 was considered. Staff Presented a summary of the proposal and testified that the project is consistent with the goals and policies of the Comprehensive Plan for High Density Residential, as well as multi-family housing. Additionally, the record is complete, and all agencies have indicated that the project would not impact the adopted levels of service.
44. The Department and the Board conferred and consulted with counsel on each and all of the proposed amendments and considered whether the adoption of any would result in an unconstitutional taking of private property in accordance with the process outlined in RCW 36.70A.370.
45. The Board considered all possible options with respect to the proposed amendment, including no change, and finds recommendation for approval of CPA-05-22, when considered under the Growth Management Act (RCW. 36.70A), State Environmental Policy Act (RCW 43.21C), Spokane County Code, Spokane County Comprehensive Plan, and all other applicable regulations, and after considering all oral and written public testimony, County files, and staff report, the Commission finds compliance with the regulations and requirements applicable, and that the best interests of the public as well as the public health, safety, and welfare, will be met by adopting the recommendation on the proposed Comprehensive Plan amendment and concurrent zone reclassifications.
46. The Board further finds the summary of proposed annual amendments, and a map illustrating the locations and land use changes requested along with the staff report for the amendment is accurately reflected in Attachment 'A'.

E. Comprehensive Plan Amendment 06-22

47. The Request for Initiation for CPA-06-22 was received prior to December 20, 2021, and properly initiated after a public hearing. The request was to change the designation from Light Industrial (LI) to Medium Density Residential (MDR) on 2.3 Acres in the West Plains/Thorpe UGA-JPA.
48. The proposed amendment meets the following Criteria for Amendment under Spokane County Zoning Code 14.402.040:
 - (1) The Amendment is consistent with or implements the comprehensive plan and is not detrimental to the public welfare.
 - (2) a change in economic, technological, or land use conditions has occurred to warrant modification of the zoning code.
 - (6) An amendment is deemed necessary by the Commission and/or Board as being in the public interest.
49. Spokane County has provided for timely public participation in consideration of the proposed amendment, consistent with RCW 36.70A.140, WAC 365-196-600, and the adopted Public Participation Program Guidelines (BoCC Resolutions 98-0114, 98-0788, 22-0470).
50. The proposal was the subject SEPA review which resulted in a Mitigated Determination of Nonsignificance inclusive of all requested mitigation measures.
51. Following the issuance of SEPA threshold determinations on October 6, 2022, the Department provided for the appropriate comment period and provided appropriate notice of a public hearing before the Commission for October 27, 2022, to begin review and consideration of the proposed amendment file and prepared a staff report for the proposal.
52. The SEPA Determination for CPA-06-22 was amended with an addendum, and the appeal period was extended to November 28, 2022.
53. No appeal of the SEPA determination was timely or otherwise filed.
54. The Board acknowledges and concurs with the MDNS SEPA Determination issued by the Department, finding the environmental review for the proposed amendments consistent with State Environmental Policy Act (SEPA) requirements, pursuant to RCW 36.70A.100, RCW 36.70A.130 (1), (2) and (3), WAC 197-11-350, and 11.10.230(3) of the Spokane County Environmental Ordinance.
55. The Spokane Regional Transportation Council (SRTC) evaluated the CPA-06-22 request and certified the proposal were consistent with SRTC's Regional Transportation Plan.

56. The Board has received and considered the Commission's Findings of Fact and Recommendations for the Comprehensive Plan Amendment and concurrent zone reclassification. Finding the projects meets the goals and objectives of the Multi-family, and the Medium Density Residential Comprehensive Plan Category, specifically:
57. The Board has received and considered the Commission's Findings of Fact and Recommendations for the Comprehensive Plan Amendment and concurrent zone reclassification. Finding the projects meets the goals and objectives of the Multi-family and the Medium Density Residential Comprehensive Plan Category. Spokane County Building and Planning File No. CPA-06-22, specifically:
58. UL.2.16 Encourage the location of medium and high density
- CPA-06-22 meets UL.2.16 because it is located on West Hallett Road, which is considered an Urban Major Collector Road. The proposal is located “near” a neighborhood commercial designation, approximately 700 to the west. Additionally, the project site is about three-quarter- of-a-mile to the east of the commercial area associated with the West Geiger I-90 interchange. The proposal is also “near” open spaces; it is located directly across the street from Snowden Elementary. The elementary campus contains sport courts, ball fields, playground equipment, and other playground/park amenities. The West Plains Transit Center is approximately a mile and a half to the west of the project site.
- k. UL.2.17 Siting of Multifamily homes throughout the Urban Growth Area
- The total project site is 2.32 acres. The proposal is to re-designate the site to Medium Density Residential. The site lies adjacent to residential to the north, and directly across Hallett Road to the south. Comprehensive Plan designations to the west are Light Industrial, and Residential Single Family to the South. Existing housing options in proximity to the proposal are generally single-family residences. There are multi family designations to the north on Holly Road and to the east on Hallett Road. However, those are yet to be built out with multifamily housing. The proposal would provide further housing options to the surrounding neighborhood. The proposal meets UL.2.17.
- l. UL.2.18 Multi Family Design Standards
- A structure containing more than 3 or more housing units is considered a commercial structure. Commercial structures are subject to development standards such as site screening, landscaping, parking, etc.. The applicants are proposing a multi-family designation, which would be subject to Spokane County Development Standards. The requirements found in the development standards would mitigate some of the potential impacts a multi-family housing project may have on adjacent properties. The proposal meets UL.2.18.

- m. UL.2.19 Integration of Multifamily housing into existing neighborhoods
 - The comprehensive plan goal is met because Spokane County Code identifies the maximum building height for low-density residential as 35 ft., Medium-density residential has a 40 ft. limit, and high-density residential has a building height limit of 50 ft. LDR building lot coverage is no more than 55% of lot area, MDR allows 65%, and HDR allows 70%. Multi-family housing is considered commercial construction, subject to commercial building codes, landscaping, parking, screening, and other development standards, and regulations which integrate projects into their neighborhoods and reduce visual impacts on surrounding properties. The proposal meets UL.2.19.

- 59. The Board further finds the applicant has produced a Trip Generation Letter for this proposal that was studied by County Public Works, the City of Spokane, the Washington State Department of Transportation, and the Spokane Regional Transportation Council.
- 60. The Department of Building Planning prepared detailed staff reports for the proposed amendment, which are included as Attachment 'A'. The Commission and the BoCC considered the analysis contained within the staff reports and incorporates that analysis as if restated here.
- 61. The Board finds review and processing of the 2022 Annual Comprehensive Plan amendment and zone reclassification proposals are consistent with the public participation notice requirements and Public Participation Program Guidelines adopted by the Board (Resolution 22-0486), and the proposals are also consistent with the Zoning Code – Section 14.102.040 for a comprehensive plan and zoning amendment, pursuant to RCW 36.70A.035 (1)(a) - (e) and RCW 36.70A.140.
- 62. The Board notes that the October 27, 2022, and the November 17, 2022, public meetings were public hearings and recognizes comments were made by the general public in attendance.
- 63. At the Board's weekly meeting on December 13, 2022, Comprehensive Plan Amendment CPA-06-22 was considered. Staff Presented a summary of the proposal and testified that the project is consistent with the goals and policies of the Comprehensive Plan for Medium Density Residential, as well as multi-family housing. Additionally, the record is complete, and all agencies have indicated that the project would not impact the adopted levels of service.
- 64. The Department and the Board conferred and consulted with counsel on each and all of the proposed amendments and considered whether the adoption of any would result in an unconstitutional taking of private property in accordance with the process outlined in RCW 36.70A.370.

65. The Board considered all possible options with respect to the proposed amendment, including no change, and finds recommendation for approval of CPA-06-22, when considered under the Growth Management Act (RCW. 36.70A), State Environmental Policy Act (RCW 43.21C), Spokane County Code, Spokane County Comprehensive Plan, and all other applicable regulations, and after considering all oral and written public testimony, County files, and staff report, the Commission finds compliance with the regulations and requirements applicable, and that the best interests of the public as well as the public health, safety, and welfare, will be met by adopting the recommendation on the proposed Comprehensive Plan amendment and concurrent zone reclassifications.

The Board further finds the summary of proposed annual amendments, and a map illustrating the locations and land use changes requested along with the staff report for the amendment is accurately reflected in Attachment 'A'.

F. Comprehensive Plan Amendment 07-22

66. The Request for Initiation for CPA-07-22 was received prior to December 20, 2021, and properly initiated after a public hearing. The change proposes an amendment from High Industrial (HI) to Regional Commercial (RC) on 45.49 acres in the North Metro

67. The proposal was the subject SEPA review which resulted in a Mitigated Determination of Nonsignificance inclusive of all requested mitigation measures.

68. Following the issuance of SEPA threshold determinations on October 6, 2022, the Department provided for the appropriate comment period and provided appropriate notice of a public hearing before the Commission for October 27, 2022, to begin review and consideration of the proposed amendment file and prepared a staff report for the proposal.

69. The SEPA Determination for CPA-07-22 was amended with an addendum, and the appeal period was extended to November 28, 2022.

70. No appeal of the SEPA determination was timely or otherwise filed.

71. The Spokane Regional Transportation Council (SRTC) evaluated the CPA-07-22 request and certified the proposal were consistent with SRTC's Regional Transportation Plan.

72. On October 27, 2022, Planning Commission Public Hearing, seven (7) members of the Planning Commission met in a public meeting to consider the 2022 Spokane County Annual Comprehensive Plan Amendments; present were Chairman Stephen Pohl, Vice Chair Deacon Band, and members Jim Carollo, Wayne Brokaw, Clyde Haase, Duane Hamp, and Pete Rayner.

73. The Planning Commission took testimony from the public, agencies of jurisdiction, and interested parties.
74. The Building and Planning department responded in writing to the comments received and posted them on the Departmental website.
75. At the October 27, 2022, public hearing, the Planning Commission chose to keep the public comment period open and continue the public hearing until November 17, 2022.
76. At the November 17, 2022, Public Hearing, six (6) Commission Members were in attendance: Chairman Stephen Pohl, Vice Chair Deacon Band (via Zoom), and members Jim Carollo, Wayne Brokaw, Clyde Haase, and Pete Rayner. Duane Hamp did not attend the meeting.
77. On November 17, 2022, the Commission, having already taken testimony on October 27, continued the hearing to hear from those individuals who had not already spoken on the matters after assuring individuals that their previous comments were retained in the record and being considered by the Commission and thereafter heard additional testimony from individuals who had not yet had an opportunity to speak, and allowed the applicant to respond to public comment, and did thereafter close the public comment period and deliberate.
78. The Board notes that the October 27, 2022, and the November 17, 2022, public meetings were public hearings and recognizes comments were made by the public in attendance.
79. The Board has received and considered the Commission's Findings of Fact and Recommendation, recommending, by a majority vote, **against** the adoption of the Comprehensive Plan Amendment and concurrent zone reclassification for CPA-07-22.
80. At the Board's weekly meeting on December 13, 2022, Comprehensive Plan Amendment CPA-07-22 was considered; staff Presented a summary of the proposal, including the following concerns:
 - Should High Industrial Land be protected for future industrial use or converted to a use in current demand?
 - The Planning Commission expressed concerns that Heavy Industrial Land would be lost to future use, not able to be re-established.
 - Site is not adequately served by parks based on CFP level-of-service
 - East-West transportation service and plans are lacking.
81. The Board finds that the community feedback from adjacent businesses reflected apprehension about the change. Specifically, there were concerns that the use would be primarily or heavily residential in nature and that use is not compatible with the adjacent property owners' use of Heavy Industrial. The applicant conceded in the

public hearing they were not certain of their future uses and the level of residential intensity.

82. The Board considered all possible options with respect to the proposed amendment, including no change, the Board also weighed the public benefits of the change against the possible drawbacks, including those impacts to existing surrounding property owners and heavy industrial users and the compatibility between the proposed use and existing uses, thereafter a motion was made to **REMAND** CPA-07-22 to the Planning Commission for further consideration in next year's 2023 Comprehensive Plan cycle, the motion was seconded and passed by the majority of the Board in attendance.

G. Comprehensive Plan Amendment 08-22

83. The Request for Initiation for CPA-08-22 was received prior to December 20, 2021, and properly initiated after a public hearing. The request was to change the designation from Light Industrial (LI) to Medium Density Residential (MDR) on 3.13 Acres in the Hillyard UGA-JPA.

84. The Board has received and considered the Commission's Findings of Fact and Recommendations for the Comprehensive Plan Amendment and concurrent zone reclassification. Finding the projects meets the goals and objectives of the Multi-family and the Medium Density Residential Comprehensive Plan Category. Spokane County Building and Planning File No. CPA-08-22, specifically:

85. UL.2.16 Encourage the location of medium and high density

- CPA-08-22 meets UL.2.16 because it is located on the intersection of North Havana Street and East Wellesley Avenue. East Wellesley Avenue is City of Spokane right-of-way, and is categorized as an Urban Minor Arterial road. The proposal is “near” commercial, which lies approximately three-quarters-of-a-mile to the east of the site. The commercial zoning given by the City of Spokane along the North Market Street Corridor is designated as Centers and Corridors (CC1, CC2, CC4). The Centers and Corridors zones allow for a mixture of uses, from residential to commercial. The site is “near” open spaces; Esmerelda Golf Course lies less than a half-mile from the project site, and Minnehaha Park is directly adjacent to the south of the golf course. The site is also in reasonable proximity to Beacon Hill and Boulder Beach. Future portions of the Children of the sun trail are proposed along the North-South Corridor (Future Highway 395), and transit routes exist along the North Market Street Corridor and Wellesley Avenue (Routes 33 & 35). To the south, Route 39 serves Minnehaha Park and the nearby neighborhoods.

- n. UL.2.17 Siting of Multifamily homes throughout the Urban Growth Area

- The total project site is 3.13 acres. The proposal is to re-designate the site to Medium Density Residential. The site lies adjacent to residential uses within the city of Spokane exist to the southeast, and an approved residential development exists directly to the south. City of Spokane Comprehensive Plan designations to the west are Light Industrial to the east and Residential Single Family to the South. Existing housing options in proximity to the proposal are generally single-family residences with small scale multifamily housing and duplexes mixed into the existing neighborhood. The proposal would provide further housing options to the surrounding neighborhood. The proposal meets UL.2.17.
 - o. UL.2.18 Multi Family Design Standards
 - A structure containing more than 3 or more housing units is considered a commercial structure. Commercial structures are subject to development standards such as site screening, landscaping, parking, etc.. The applicants are proposing a multi-family designation, which would be subject to Spokane County Development Standards. The requirements found in the development standards would mitigate some of the potential impacts a multi-family housing project may have on adjacent properties. The proposal meets UL.2.18.
 - p. UL.2.19 Integration of Multifamily housing into existing neighborhoods
 - The comprehensive plan goal is met because Spokane County Code identifies the maximum building height for low-density residential as 35 ft., Medium-density residential has a 40 ft. limit, and high-density residential has a building height limit of 50 ft. LDR building lot coverage is no more than 55% of lot area, MDR allows 65%, and HDR allows 70%. Multi-family housing is considered commercial construction, subject to commercial building codes, landscaping, parking, screening, and other development standards, and regulations which integrate projects into their neighborhoods and reduce visual impacts on surrounding properties. The proposal meets UL.2.19.
- 86. Spokane County has provided for timely public participation in consideration of the proposed amendment, consistent with RCW 36.70A.140, WAC 365-196-600, and the adopted Public Participation Program Guidelines (BoCC Resolutions 98-0114, 98-0788, 22-0470).
- 87. The proposal was the subject SEPA review which resulted in a Mitigated Determination of Nonsignificance inclusive of all requested mitigation measures.
- 88. Following the issuance of SEPA threshold determinations on October 6, 2022, the Department provided for the appropriate comment period and provided appropriate notice of a public hearing before the Commission for October 27, 2022, to begin review

- and consideration of the proposed amendment file and prepared a staff report for the proposal.
89. The SEPA Determination for CPA-08-22 was amended with an addendum, and the appeal period was extended to November 28, 2022.
 90. No appeal of the SEPA determination was timely or otherwise filed.
 91. The Board acknowledges and concurs with the MDNS SEPA Determination issued by the Department, finding the environmental review for the proposed amendments consistent with State Environmental Policy Act (SEPA) requirements, pursuant to RCW 36.70A.100, RCW 36.70A.130 (1), (2) and (3), WAC 197-11-350, and 11.10.230(3) of the Spokane County Environmental Ordinance.
 92. The Spokane Regional Transportation Council (SRTC) evaluated the CPA-08-22 request and certified the proposal were consistent with SRTC's Regional Transportation Plan.
 93. The Board has received and considered the Commission's Findings of Fact and Recommendations for the Comprehensive Plan Amendment and concurrent zone reclassification. Finding the projects meets the goals and objectives of the Residential, and the Low Density Residential Comprehensive Plan Category, specifically:
 94. The Department of Building Planning prepared detailed staff reports for the proposed amendment, which are included as Attachment 'A'. The Commission and the BoCC considered the analysis contained within the staff reports and incorporates that analysis as if restated here.
 95. The Board finds review and processing of the 2022 Annual Comprehensive Plan amendment and zone reclassification proposals are consistent with the public participation notice requirements and Public Participation Program Guidelines adopted by the Board (Resolution 22-0486), and the proposals are also consistent with the Zoning Code – Section 14.102.040 for a comprehensive plan and zoning amendment, pursuant to RCW 36.70A.035 (1)(a) - (e) and RCW 36.70A.140.
 96. The Board notes that the October 27, 2022, and the November 17, 2022, public meetings were public hearings and recognizes comments were made by the general public in attendance.
 97. At the Board's weekly meeting on December 13, 2022, Comprehensive Plan Amendment CPA-08-22 was considered. Staff Presented a summary of the proposal and testified that the project is consistent with the goals and policies of the Comprehensive Plan for Medium Density Residential, as well as multi-family housing. Additionally, the record is complete, and all agencies have indicated that the project would not impact the adopted levels of service.

98. The Department and the Board conferred and consulted with counsel on each and all of the proposed amendments and considered whether the adoption of any would result in an unconstitutional taking of private property in accordance with the process outlined in RCW 36.70A.370.
99. The Board considered all possible options with respect to the proposed amendment, including no change, and finds recommendation for approval of CPA-08-22, when considered under the Growth Management Act (RCW. 36.70A), State Environmental Policy Act (RCW 43.21C), Spokane County Code, Spokane County Comprehensive Plan, and all other applicable regulations, and after considering all oral and written public testimony, County files, and staff report, the Commission finds compliance with the regulations and requirements applicable, and that the best interests of the public as well as the public health, safety, and welfare, will be met by adopting the recommendation on the proposed Comprehensive Plan amendment and concurrent zone reclassifications.
100. The Board further finds the summary of proposed annual amendments, and a map illustrating the locations and land use changes requested along with the staff report for the amendment is accurately reflected in Attachment 'A'.

H. Comprehensive Plan Amendment 09-22

101. The Request for Initiation for CPA-09-22 was received prior to December 20, 2021, and properly initiated after a public hearing. The request was to change the designation from Light Industrial (LI) to Low-Density Residential (LDR) on 10.92 Acres in the West Plains/Thorpe UGA-JPA.
102. The proposed amendment meets the following Criteria for Amendment under Spokane County Zoning Code 14.402.040:
 - (1) The Amendment is consistent with or implements the comprehensive plan and is not detrimental to the public welfare.
 - (2) a change in economic, technological, or land use conditions has occurred to warrant modification of the zoning code.
 - (6) An amendment is deemed necessary by the Commission and/or Board as being in the public interest.
103. Spokane County has provided for timely public participation in consideration of the proposed amendment, consistent with RCW 36.70A.140, WAC 365-196-600, and the adopted Public Participation Program Guidelines (BoCC Resolutions 98-0114, 98-0788, 22-0470).
104. The proposal was the subject SEPA review which resulted in a Mitigated Determination of Nonsignificance inclusive of all requested mitigation measures.

105. Following the issuance of SEPA threshold determinations on October 6, 2022, the Department provided for the appropriate comment period and provided appropriate notice of a public hearing before the Commission for October 27, 2022, to begin review and consideration of the proposed amendment file and prepared a staff report for the proposal.
106. The SEPA Determination for CPA-09-22 was amended with an addendum, and the appeal period was extended to November 28, 2022.
107. No appeal of the SEPA determination was timely or otherwise filed.
108. The Board acknowledges and concurs with the MDNS SEPA Determination issued by the Department, finding the environmental review for the proposed amendments consistent with State Environmental Policy Act (SEPA) requirements, pursuant to RCW 36.70A.100, RCW 36.70A.130 (1), (2) and (3), WAC 197-11-350, and 11.10.230(3) of the Spokane County Environmental Ordinance.
109. The Spokane Regional Transportation Council (SRTC) evaluated the CPA-09-22 request and certified the proposal were consistent with SRTC's Regional Transportation Plan.
110. The Board has received and considered the Commission's Findings of Fact and Recommendations for the Comprehensive Plan Amendment and concurrent zone reclassification. Finding the projects meets the goals and objectives of Residential Land Uses specifically:
 - UL.7.1 Identify appropriate densities
 - The project site is located directly adjacent to the Aspen Park Subdivision. Aspen Park is a multi-phase residential single-family development that was developed under similar densities as the Low Density Residential designation is proposed. UL.7.1 is met because the proposal would be at the same scale as adjacent neighborhoods.
 - UL.7.2 Sufficient land for affordable housing and proximity to employment centers
 - The proposal is for Low Density Residential, which would eventually provide more housing options on the West Plains. The West Plains contains many employment opportunities, both on the north and south side of Interstate 90, mainly oriented around the Interstate Off Ramps, along Geiger Boulevard, and in proximity to the airport. UL.7.2 is met because the proposal will provide further housing options within the West Plains area.
 - UL.7.3 Urban Development must be within Urban Growth Area
 - The proposal is located within the West Plains/Thorpe UGA/JPA.
 - UL.7.10 Phasing of land development consistent with adopted levels of service

- Due to the project location being within a Joint Planning Area with the city of Spokane, service provision coordination was conducted to evaluate Levels of Service for the project. No LOS deficiencies were identified. The proposal meets UL.7.10.
 - UL.7.11 Installation of require provisions prior to the project finalization
 - When a development is proposed at the project site, the construction of streets, stormwater, water supply, and sewer will be required to be constructed prior to the recording of a final plat or permit issuance. The proposal meets UL.7.11
 - UL.7.12 New Development within UGA shall be served by urban services
 - Prior to permit issuance or final plat approval, the project will be required to construct and connect to urban services. The proposal meets UL.7.12
 - UL.8 Create urban areas with a variety of housing types and prices
 - Low, Medium, and High Density Residential zoning densities exist within a one-mile radius of the project site, providing a range of housing options to residents of the West Plains. UL.8 is met, as the proposal will continue to provide further housing inventory within the West Plains.
111. The Department of Building Planning prepared detailed staff reports for the proposed amendment, which are included as Attachment 'A'. The Commission and the BoCC considered the analysis contained within the staff reports and incorporates that analysis as if restated here.
112. The Board finds review and processing of the 2022 Annual Comprehensive Plan amendment and zone reclassification proposals are consistent with the public participation notice requirements and Public Participation Program Guidelines adopted by the Board (Resolution 22-0486), and the proposals are also consistent with the Zoning Code – Section 14.102.040 for a comprehensive plan and zoning amendment, pursuant to RCW 36.70A.035 (1)(a) - (e) and RCW 36.70A.140.
113. The Board notes that the October 27, 2022, and the November 17, 2022, public meetings were public hearings and recognizes comments were made by the general public in attendance.
114. At the Board's weekly meeting on December 13, 2022, Comprehensive Plan Amendment CPA-09-22 was considered. Staff Presented a summary of the proposal and testified that the project is consistent with the goals and policies of the Comprehensive Plan for Medium Density Residential, as well as multi-family housing. Additionally, the record is complete, and all agencies have indicated that the project would not impact the adopted levels of service.

115. The Department and the Board conferred and consulted with counsel on each and all of the proposed amendments and considered whether the adoption of any would result in an unconstitutional taking of private property in accordance with the process outlined in RCW 36.70A.370.
116. The Board considered all possible options with respect to the proposed amendment, including no change, and finds recommendation for approval of CPA-09-22, when considered under the Growth Management Act (RCW. 36.70A), State Environmental Policy Act (RCW 43.21C), Spokane County Code, Spokane County Comprehensive Plan, and all other applicable regulations, and after considering all oral and written public testimony, County files, and staff report, the Commission finds compliance with the regulations and requirements applicable, and that the best interests of the public as well as the public health, safety, and welfare, will be met by adopting the recommendation on the proposed Comprehensive Plan amendment and concurrent zone reclassifications.
117. The Board further finds the summary of proposed annual amendments, and a map illustrating the locations and land use changes requested along with the staff report for the amendment is accurately reflected in Attachment 'A'.

CONCLUSIONS

1. The Board fully considered the above identified Comprehensive Plan Amendments, the goals and substantive and procedural requirements of all statutes, codes, regulations, and all applicable Comprehensive Plan Goals and Policies, the State Environmental Policy Act (RCW 43.21C), the Spokane County Comprehensive Plan, Capital Facilities Plan, Countywide Planning Policies, and Spokane County code, and finds merits of granting the amendments as conditioned outweigh any perceived inconsistencies noted in comments and testimony and are in the best interest of county residents.
2. The Board, having carefully considered the Commission's Findings of Fact and Recommendations, finds the Commission's consideration, deliberations, and actions appropriate to allow full public participation and thorough vetting of the proposed amendments and adopts the Board's factual findings and recommendations, except those in CPA-02-22 and CPA-07-22, by reference so far as they are consistent with the Boards findings and the decisions herein.

[SIGNATURE PAGES FOLLOW]

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Spokane County,

PASSED AND ADOPTED this 13th day of December 2022.



BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

ABSENT

MARY L. KUNEY, Chair

AL FRENCH, Vice-Chair

ATTEST:

Ginna Vasquez, Clerk of the Board
JOSH KERNS, Commissioner

**Due to the volume of the Staff Report
Please contact the Clerk of the Board at 509-
477-2265 for a copy.**