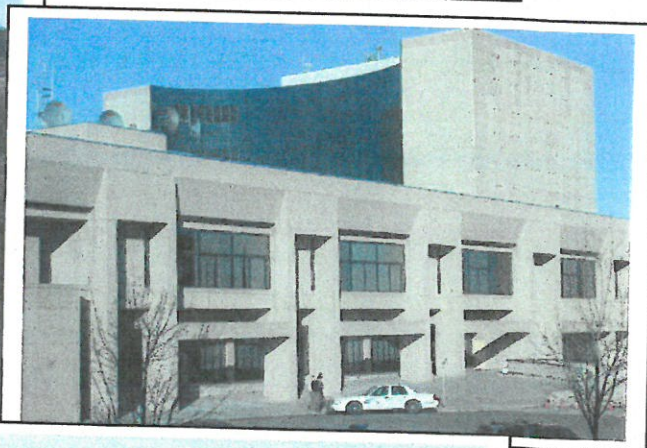
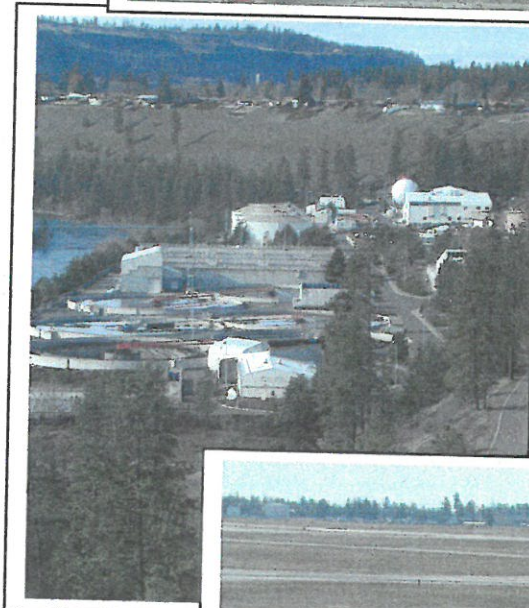


Spokane County Regional Siting Process for **Essential Public Facilities**



Spokane County Regional Siting Process for Essential Public Facilities

July 25, 2002

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Executive Summary

Spokane County and the towns and cities of Airway Heights, Cheney, Deer Park, Fairfield, Latah, Liberty Lake, Medical Lake, Millwood, Spangle, Spokane, Rockford, and Waverly are required to plan for essential public facilities (EPFs) pursuant to the Growth Management Act (GMA). RCW 36.70A. The Steering Committee of Local Elected Officials for Spokane County (Steering Committee) through the County Wide Planning Policies along with the "Growth Management Essential Public Facilities Technical Committee Report" adopted on May 3, 1996 set forth a model project review process for the siting of EPFs. All jurisdictions provided a mechanism in their Comprehensive Plans to utilize the model project review process either verbatim or as a model.

Recently the Legislature passed two laws addressing siting of EPFs. In June 2001 the state enacted 3ESSB 6151, and in March 2002 the state enacted ESSB 6594. These laws require counties and cities fully planning under GMA to include a process in their Comprehensive Plans to provide for the siting of Secure Community Transition Facilities (SCTFs).

In 2001 planning staff from all jurisdictions in Spokane County formed a task force to cooperatively develop a regional siting process for all essential public facilities, including SCTFs. The Essential Public Facilities Task Force, with assistance from the Office of Community Development (OCD), the Department of Social and Health Services (DSHS), and technical staff from the jurisdictions developed a regional siting process for essential public facilities titled *Spokane County Regional Siting Process for Essential Public Facilities*.

The regional process provides for a review process with a location analysis. Public involvement takes place throughout the process with public comment periods as well as public hearings. The review process requires the applicant for an EPF to assume responsibility for the bulk of the analysis and processing of the proposal. The analysis includes two parts. First, an analysis of functional criteria of all potential sites is conducted to select the highest-ranking ten (10) semi-finalist sites. Second, these ten semi-finalist sites are analyzed using more qualitative criteria and resulting in selection of at least three (3) preferred sites. Both analyses include public comment periods. Next, the Board of County Commissioners (BoCC) conducts a public hearing on the Preferred Site List to allow for further public comment, identify strategies to address any issues associated with particular sites, and rank the finalist sites. The BoCC ranking is advisory to but not binding on the applicant. Last, the applicant, after selecting a specific site, will work directly with a local jurisdiction and its regulatory requirements to permit construction and operation of the EPF.

The regional siting process is based on a coordinated interjurisdictional approach, which in combination with consistent development regulations among the jurisdictions will implement the requirement of equitable distribution of EPS of a statewide or regional/countywide nature.

Acknowledgments

This regional siting process for essential public facilities is the result of a collaborative countywide process including a range of participants. It is founded on the Growth Management Essential Public Facilities Technical Committee Report approved by the Steering Committee of Elected Officials on May 3, 1996. The process was crafted by a task force consisting of representatives from all planning jurisdictions in the county. From there, it was reviewed by various technical committees, and endorsed by all jurisdictions' planning commissions and elected officials.

EPF Task Force members:

Airway Heights:	Stephen Roberge
Cheney:	Glenn Scholten, Tom Richardson
Deer Park:	Roger Krieger, Kathy Marcus
Fairchild Air Force Base:	John Gibson
Fairfield:	Kathy Marcus
Latah:	Kathy Marcus
Liberty Lake:	Amanda Tainio, Doug Smith
Medical Lake:	Doug Ross, Bill Grimes
Millwood:	Heather Cannon
Rockford:	Bill Grimes
Spangle:	Kathy Marcus
City of Spokane:	Susanne Croft
Spokane County:	Esther Larsen, Bruce Hunt, Scott Kuhta, Dan Antonson, Marisa Schuchart
Waverly:	Kathy Marcus

City of Spokane, EPF Technical Advisory Committee:

Capital Programs:	Dick Raymond
Environmental Programs:	Lloyd Brewer
Fire:	Greg Hesse, Rich Leonhardt
Human Services:	June Shapiro
Public Works:	Roger Flint
Solid Waste:	Bill Vensel

Contact Information for Jurisdictions within Spokane County

- Airway Heights: Planning Department 13120 West 13th Avenue Airway Heights, WA 99001 509-244-2552
- Cheney: Planning Department 112 Anderson Road Cheney, WA 99004 509-235-7221
- Deer Park: Mayor / Community Services Director 316 E. Crawford Avenue P.O. Box F Deer Park, WA 99006-0228 509-276-8802
- Fairfield: Mayor/ Clerk-Treasurer P.O. Box 334 Fairfield, WA 99012-0334 509-283-2414
- Latah: Mayor/ Clerk-Treasurer P.O. Box 130 Latah, WA 99018-0130 509-286-3471
- Liberty Lake: Planning & Community Development Department
1421 N. Meadowwood Ln., Suite 120
Liberty Lake, WA 99019 509-755-6700
- Medical Lake: Public Works Director 124 S. Lefevre Avenue Medical Lake, WA 99022 509-565-5000
- Millwood: Planning Director 9103 E. Frederick Ave. Spokane, WA 99206 509-924-0960

- Rockford: Clerk/Treasurer P.O. Box 49 Rockford, WA 99030 509-291-4716
- Spangle: Mayor/Clerk-Treasurer P.O. Box 147 Spangle, WA 99031-0147 509-245-3260
- City of Spokane: Planning Services Department 808 W. Spokane Falls Blvd. Spokane, WA 99201-3329 509-625-6060
- Spokane County: Division of Planning, Long Range Planning
1026 W. Broadway Ave., 2nd Floor
Spokane, Washington 99260
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Spokane County Division of Planning, Long Range Planning
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Key Elements of Spokane County Regional Siting Process for Essential Public Facilities

I. Essential Public Facilities

Definition of an EPF

Essential Public Facilities (EPFs) are defined as follows:

Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020. (RCW 36.70A.200)

Clarification of Utilities

Utilities, as defined in the Countywide Planning Policies for Spokane County (CWPPs), are excluded from this EPF regional siting process. In general, a "utility" refers to a system of delivery, as opposed to a facility at which processing and/or treatment occurs. For example, delivery systems such as sewer pipes are utilities, whereas the wastewater treatment plant itself is an EPF. Siting issues concerning utilities shall be addressed within each jurisdiction's comprehensive plan.

Ownership

If the services provided meet an essential public need, the facility may be considered essential, regardless of whether it is publicly or privately owned. An EPF may include a facility providing or housing a needed public service that is:

- provided by or substantially funded by government, or
- provided by a private entity subject to public service obligations¹, or
- on an officially adopted state, regional, county or local community EPF list.

II. EPF's Level of Significance

Siting Process Determination

The regional siting process outlined herein applies to siting EPFs of statewide or regional/countywide significance. EPFs of local significance will be sited according to the process in place for each local jurisdiction. (See Appendix A for classification guidelines and examples.)

¹ The 1996 Growth Management Essential Public Facilities Technical Committee Report defines a public service obligation as "an obligation imposed by law on service providers to furnish facilities and/or supply services to all who may apply for and be reasonably entitled to service."

If a proposed facility is not listed in Appendix A, the Board of County Commissioners (BoCC) is responsible for determining whether the proposal is an essential public facility, and if so, its level of significance. To aid in this determination, the project applicant shall identify the potential area of adverse impact and public benefit. If it is determined that a proposed EPF is of statewide or regional/countywide significance, the regional process for siting EPFs shall be carried out as described herein.

III. Public Involvement

Public involvement is a key part of the siting and decision process. While answers to some of the site selection criteria will be fairly straightforward and objective, assessment of other criteria may require a subjective judgment based on public opinion and community values. To a large extent, the nature of the EPF will determine the appropriate level and type of citizen participation in the siting process. (See Appendix B for guidelines and options for a public involvement strategy.)

IV. Review Process: Roles and Responsibilities

Board of County Commissioners

The BoCC has three main roles in this regional siting process. As mentioned above, if there is a question as to whether a proposal is an EPF, it is the body that makes that determination. Also, it is responsible for resolving any conflict arising from an applicant's unwillingness to comply with a public, agency or departmental request for further study or analysis.

Finally, the BOCC is the body that conducts the public hearing on the Preferred Site List. The purpose of this hearing is to allow the public to comment on the finalist sites, identify strategies to address any issues associated with particular sites, and rank the finalist sites. The BoCC ranking is advisory to but not binding on the applicant.

Applicant

The applicant assumes responsibility for the bulk of the analysis and processing of its proposal. The applicant performs the Functional and Qualitative Analyses, and generally coordinates and conducts the various elements of the process including public involvement, review by other agencies and jurisdictions, SEPA analysis, and notification requirements.

V. Location Analysis

EPFs shall be located based on their respective siting and service delivery criteria, regardless of Urban Growth Area (UGA) boundaries.²

²See CWPP 6.2.

Equitable Distribution

In addition, site selection shall conform to the following Equitable Distribution Philosophy³:

The procedural process for siting EPFs shall be consistent within all Spokane County jurisdictions, including consistent siting criteria and development regulations, so as to ensure that:

- (1) no jurisdiction will be viewed by virtue of the siting process or review criteria more or less favorably than another with regard to locating a particular EPF;
- (2) service providers are able to locate to meet their client's needs; and
- (3) predictability of development regulations will help project developers to select and develop sites.

Criteria for Assessment

Some types of information are more easily evaluated through objective criteria, while other questions involve a more subjective assessment. Therefore, potential sites shall be identified through both objective and subjective assessments of various types of information.

First, an analysis of functional criteria is performed. These criteria may vary, depending on the operational and location requirements for the particular type of facility proposed. GIS (Geographic Information Systems) or equivalent geographic and demographic data analysis is used to identify a range of alternative semi-finalist sites (approximately ten) that meet the applicant's basic siting criteria. A site survey must then be performed for each of those sites in order to confirm the findings and assess the potential for negative impacts and possible mitigation strategies. During the second stage of analysis, the public evaluates these semifinalist sites based on more qualitative criteria. As part of the functional and qualitative analyses, the applicant routes the proposal to effected agencies and jurisdictions for a minimum 30-day comment period.

Finally, the criteria are weighted and the list of potential sites is further narrowed down to approximately three sites that reflect legal requirements and public preference. A narrative example of this analysis process is provided in Appendix C.

Functional Analysis

This step in the location analysis consists of an evaluation of a site's capability of meeting the basic siting criteria for the proposed EPF.

As part of this step, the applicant shall publish notice of the proposal as well as a Notice of Availability of Functional Analysis regarding an Essential Public Facility, according to the requirements described in Appendix B herein. In addition, the applicant will distribute the proposal and the functional analysis for a minimum 30-day comment period to all jurisdictions within Spokane County, as well as agencies, special purpose districts, and other interested parties.

³Based on the Technical Committee Report's Essential Public Facilities Equitable Distribution Philosophy, which was adopted by the Steering Committee on October 6, 1995. Also referenced in CWPP 3.15 and CWPP 6.2(d).

Data and site analysis will be conducted for factors on the applicant's list of basic siting requirements. The functional analysis will also address other relevant factors, including but not limited to those listed below. In addition, comments from members of the public and affected agencies and jurisdictions may identify other factors requiring analysis.

- (1) available minimum acreage required for the particular type of EPF;
- (2) protection of the natural environment, such as air quality, open space corridors, natural resource areas and critical areas;
- (3) protection of public health and safety, through proximity to and available capacity of various services, including the location's access to law enforcement, fire protection and other public safety or emergency response services, as well as other aspects of public safety and public health, such as spill containment, reduction of crime opportunity, proximity to particularly sensitive receptors or electromagnetic force impacts;
- (4) adequate capacity available in the transportation network, as determined from systems such as Level of Service Standards and concurrency management;
- (5) adequate access to the required transportation networks, such as highways, municipal street systems, mass transit, railroad, and air;
- (6) adequate capacity available from supporting public facilities and public services, such as social services and utilities such as sewer, water, and solid waste;
- (7) county-wide equitable distribution, based on existing sites;
- (8) consistency with existing land use and development in adjacent and surrounding areas; and
- (9) compatibility with existing comprehensive plan land use designations and development regulations for the site and surrounding areas.

Sites will be ranked based on a formula where each factor is assigned a number indicating the extent to which that particular site satisfies that siting requirement for the proposed facility. (See Appendix D for potential siting criteria for various types of facilities.) The end product of this stage of analysis is a list of approximately ten (10) alternative semi-finalist sites.

Qualitative Analysis

The ten (10) semi-finalist sites that ranked highest in the functional analysis will be selected for further evaluation using more qualitative criteria. A public process will be conducted to assess the political, economic, legal and social impacts of the EPF, as well as the extent of public need for the facility. In the end, all semi-finalist sites must be available for lease for the anticipated use period or for purchase, with the consent of the owner.

This stage of analysis will result in a general description of the relative impacts associated with the proposed EPF at each of the semi-finalist sites, including but not limited to the following factors.

- (1) present and proposed population densities of the surrounding area;
- (2) presence of archeological, cultural and historical sites;
- (3) site design;
- (4) availability of a labor pool;
- (5) availability of affordable housing;

- (6) spin-off (secondary and tertiary) impacts (e.g., traffic, economic, social);
- (7) potential for associated development being induced by the siting of the EPF; and
- (8) proposed mitigating measures to alleviate or minimize significant potential adverse environmental impacts, including those from closure of or lack of siting an EPF.

The findings at this stage will be balanced against the public need for the proposed facility, and justification, if any, for why the proposed facility needs to be in a particular proposed location. An important ingredient at this stage is the dialogue that takes place between the proponent and the public regarding mitigation strategies to address potential adverse impacts.

Each factor will be assigned a number indicating the extent of impact anticipated for the proposed EPF at each site. The end product of this stage of analysis is a list of approximately three (3) alternative finalist sites.

As part of this step in the location analysis, the applicant shall publish a Notice of Availability of Qualitative Analysis regarding an Essential Public Facility, according to the requirements described in Appendix B herein. In addition, the applicant will distribute the qualitative analysis for a minimum 30-day comment period to all jurisdictions within Spokane County, as well as agencies, special purpose districts, and other interested parties. Comments received from members of the public and affected agencies and jurisdictions may identify additional qualitative factors requiring analysis.

Scoring Matrix: Weighted Analysis

Finally, a scoring matrix is used to rank the sites in order of preference. The scores in the matrix reflect weighted values that are assigned to the various functional and qualitative criteria based on how important each criterion is to the community. The conversation that results in this determination is a key part of the public participation conducted during this siting process. (See Appendix B for a summary of public involvement strategy guidelines.)

VI. Preferred Site Review

Public Hearing

Satisfactory completion of all preceding required review procedures, including weighted analysis, results in selection of at least three (3) preferred sites. The final public hearing assesses these finalist sites for the factors listed below.

The BoCC conducts the public hearing on the Preferred Site List. The purpose of this hearing is to allow the public to comment on the finalist sites, identify strategies to address any issues associated with particular sites, and rank the finalist sites. The BoCC ranking is advisory to but not binding on the applicant.

Urban Impact

The proposed EPF shall be reviewed for impacts on regional growth planning concepts, including but not limited to the urban nature of the facility, existing urban growth near the facility site, compatibility of urban growth with the facility, compatibility of facility siting with respect to Urban Growth Area boundaries, and urban sprawl.

Site Development Criteria

Proposed EPFs shall also be reviewed for site development criteria including the time required for construction, property acquisition, control of on and off-site impacts during construction, and the possibility of expediting and streamlining necessary government approvals and permits.

Cost Sharing

Finally, the proposed EPF shall be reviewed to determine if the financial impact on the jurisdiction can be reduced or avoided. The review will identify potential economic impacts from closure or lack of siting an EPF and include mitigation strategies to minimize impacts (i.e., bond or insurance). Intergovernmental agreements will be established to mitigate any disproportionate financial burden that may fall on the jurisdiction that becomes the site of an EPF of statewide or regional/countywide significance. Especially in the case of an EPF of statewide significance, the proponent state agency may be required to mitigate costs related to siting the facility. In addition, all proponent entities are required to assume full responsibility for the costs of operating and maintaining their facility, and this burden shall not fall on the jurisdiction in which the facility is sited (unless the jurisdiction so desires).

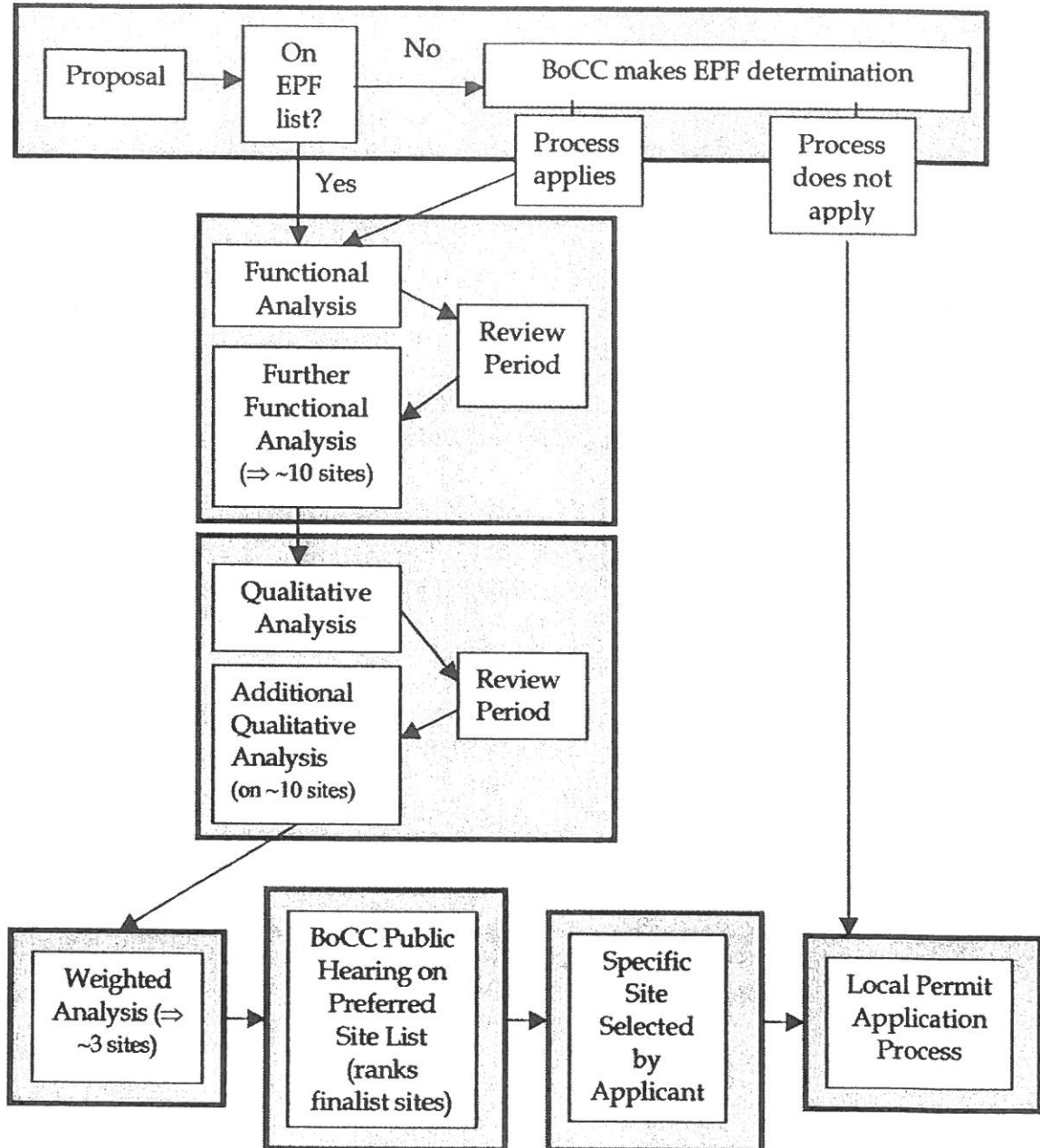
VII. Local Siting Process

Following final selection of the most appropriate site, the applicant will then work directly with that local jurisdiction and its regulatory requirements to permit the construction and operation of the EPF.

A coordinated interjurisdictional approach is essential in order to fully implement the regional siting process requirement for equitable distribution of EPFs of a statewide or regional/countywide nature. For this reason, except for unique circumstances, each jurisdiction's specific project review guidelines, siting criteria, and development regulations (land use) are expected to be consistent with all other jurisdictions in Spokane County for the siting of EPFs of a statewide or regional/countywide nature.

VIII. Process Flow Chart

The basic stages of the regional siting process are as follows:



APPENDIX "A": Level of Significance

The proposed essential public facility (EPF) will be classified as having statewide, regional/countywide or local significance according to the following.

Essential Public Facilities of a State-wide Nature

EPFs having statewide significance are major facilities that provide a needed public service affecting, or potentially affecting, residents and/or property located in two (2) or more Washington State counties and may be included on the Washington State Office of Financial Management list of EPFs. These facilities include, but are not limited to: regional transportation facilities, such as commercial and military airports, freeways, highways and beltways; state correctional facilities; secure community transition facilities; state social services; state parks; and state higher-educational facilities.

Essential Public Facilities of a Regional/County-wide Nature

EPFs having regional/countywide significance are local or interlocal facilities providing a needed public service affecting, or potentially affecting, residents and/or property located in two or more Spokane County jurisdictions. They include, but are not limited to: general aviation airports; county correctional facilities; regional transportation system; public transit maintenance and operational facilities; regional solid waste disposal/recycling/composting/handling facilities; community colleges; regional wastewater treatment facilities; arenas, stadiums and other entertainment facilities; and regional social and health services such as inpatient hospitals, mental health facilities, substance abuse treatment centers, and group homes (including adult family homes, boarding and retirement homes, and nursing homes).

Essential Public Facilities of a Local Nature

EPFs having local significance are facilities providing a needed public service affecting or potentially affecting only residents and/or property within the jurisdiction in which they are located.

Local jurisdiction's comprehensive plans shall provide for additional locally significant public facilities that are also likely to be considered as "essential". For example, the following may fall into such a list: fire stations, police stations, child care facilities, public libraries, community parks, recreation facilities, community centers, local social services, and elementary, middle and high schools, etc.

When developing locally significant EPFs, the jurisdiction shall document their reasons for adding a particular type of facility to the local list. There shall be relative consistency of these lists from one jurisdiction to the next, in order to avoid forcing the siting of a particular facility in one jurisdiction or another and to assist in meeting service providers' permitting needs.

In order to allow each Spokane County jurisdiction to determine a proposal's classification, the project applicant shall identify the potential area of adverse impact and public benefit. If it is determined that a proposed EPF is of statewide or regional/countywide significance, the process for siting EPFs shall be carried out as described herein. (See Appendix E for an Inventory of all EPFs of a statewide or regional/countywide significance that are located within Spokane County, as well as a map showing the location of each facility.)

APPENDIX "B": Public Involvement Strategy Guidelines

Every process to site an EPF shall include methods to provide early notification and involvement of affected citizens and jurisdictions, thus allowing for opportunities to comment on the proposal. The nature of the EPF shall be considered when determining the appropriate level and type of citizen participation in the siting process.

Applicants for statewide and regional/countywide significant EPFs shall initiate a citizen participation program prior to final site selection. The program shall include community involvement in the screening process for the identification of alternative sites most suitable for locating a given EPF. This process shall be documented and the documentation provided to the reviewing jurisdiction.

Along with public input on site selection, citizen participation shall include involvement with issues such as but not limited to:

- Administration of state contract services
- Air pollution
- Air traffic
- Availability of utilities
- Building design
- Change in type of traffic
- Cost of closure
- Encroachment on other land uses
- Environmental impacts
- Groundwater contamination
- Hazardous materials
- Hours of operation
- Increase in traffic
- Lighting
- Litter
- Noise
- Odor
- Operational costs
- Parking
- Periodic high use
- Risk of disaster
- Safety
- Site design (within the range of feasible costs and technical requirements)
- Stimulus to changing character

• Procedural Requirements

The process for citizen involvement shall include the following elements:

- The applicant shall publish notice of the proposal in those newspapers designated by the affected jurisdictions.
- As part of both the functional and qualitative step in the location analysis, the applicant will distribute the proposal for a minimum 30-day comment period to all jurisdictions within Spokane County, as well as agencies, special purpose districts, and other interested parties.
- In addition, the application shall conduct open houses or workshops as appropriate, and at least one public hearing.
- The applicant will provide additional public participation opportunities according to the guidelines set forth in WAC 365-195-600 and the Spokane County Public Participation Program Guidelines.

APPENDIX "C": Evaluation Example

The following narrative provides an example of the two-step assessment and the scoring matrix used in the location analysis portion of the regional siting process for essential public facilities.

Potential sites shall be identified through both objective and subjective assessments of various types of information. First, an analysis of Functional Criteria will be performed. These criteria will vary slightly, depending on the operational and location requirements for the particular type of facility proposed. Once a range of alternative sites are identified which meet the applicant's basic siting criteria, these semi-finalist sites will be subjected to public evaluation based on more subjective Qualitative Criteria. Finally, a scoring matrix is used to rank the sites in order of preference based on weighted values assigned through a public process.

For example, the functional assessment step might involve analysis for such factors as public safety, availability of support services, environmental impact, distribution equity, and land use designation.

1. **Public safety** – The location's access to law enforcement, fire protection and other public safety or emergency response services. Also includes other aspects of public safety and public health, like spill containment, reduction of crime opportunity, proximity to particularly sensitive receptors or electromagnetic force impacts.
2. **Availability of support services** – The location's access to necessary support services, like airports, prisons, medical facilities, public transit, utilities, libraries or schools.
3. **Environmental impact** – The overall assessment, SEPA-style, of the project's impacts to earth, air, water, traffic, noise, light, aesthetics or other categories of environmental evaluation.
4. **Distribution equity** – The relative saturation of EPFs in proximity to the proposed location.
5. **Land Use Designation** – Each jurisdiction's comprehensive plan land use designations for the potential sites and surrounding areas.

The qualitative assessment step might involve analysis for such factors as economic impact, aesthetic impact, and the extent to which the site's impacts might be mitigated.

6. **Economic impact** – The location's susceptibility to negative economic impact (or positive economic impact) as a result of the project.
7. **Aesthetic impact** – The location's visual sensitivity to the type of project the EPF represents.
8. **Mitigatability** – The project's ability to offer compensation (financial or other incentives, provision of amenities, etc.) or design modifications to mitigate the location's specific concerns.

A scoring matrix would look something like the one shown below. Initially, the individual sites (completely hypothetical) are scored against the Criteria on a scale of 1 to 5, five being the most favorable score. These scores are then assigned a Weight on a scale of 1 to 5, five being most preferred or important. The initial score for each of the functional and qualitative criteria are then

multiplied by that weighted value to produce the Total Score for each criterion, by site. The Final Score for each site is the sum of the resulting weighted Total Scores for each criterion.

Criteria	1	2	3	4	5	6	7	8
Site 1 Score	4	4	4	3	3	2	1	5
Site 2 Score	3	5	3	5	4	2	4	3
Site 3 Score	4	3	5	4	5	1	1	1
Site 4Score	1	3	2	2	2	3	5	2
Weight	5	4	3	3	3	3	2	2

Total Score									Final Score
Site 1	20	16	12	9	9	6	2	10	84
Site 2	15	20	9	15	12	6	8	6	91
Site 3	20	12	15	12	15	3	2	2	81
Site 4	5	12	6	6	6	9	10	4	58

In this example, Site 1 barely nudges out Site 3 as the second most preferred site for this particular EPF. Site 3 scores highly with respect to public safety, environmental impact, distribution equity, and consistency with the comprehensive plan's land use designation, but it has some negative economic impact, would probably look bad and would be difficult to mitigate.

Site 4 presents an alternative which scores rather poorly on all but the aesthetic criteria. It involves a risk to public safety, a negative environmental impact, distribution inequity, weak consistency with the comprehensive plan's land use designations, some economic impact, and would be difficult to mitigate, but it will look sharp.

APPENDIX "D": Siting Criteria for EPFs

Following is the Dept. of Social and Health Services' April 2002 "Summary of Key Statutory Siting Requirements" relative to Secure Community Treatment Facilities (SCTFs). This appendix may be supplemented at a later date to include siting criteria for other types of EPFs.

Summary of Key Statutory Siting Requirements

- **Planning.** By September 1, 2002, cities and counties must establish or amend their processes for identifying and siting essential public facilities and amend development regulations as needed to provide for siting of secure community transition facilities (SCTFs).
- **Non-Compliance with Planning Requirements.** Failure to act by 9/1/2002 is NOT a condition that would disqualify county or city from receiving public works trust funds, water pollution control facility grants, etc., or be a basis for a Growth Management Hearings Board Review or private cause of action.
- **Preemption.** After October 1, 2002, the state preempts and supersedes local plans, development regulations, permitting requirements, inspection requirements, and all other laws as necessary to enable the department to site, construct, renovate, occupy, and operate SCTFs in the following counties or any of their cities that fail to complete the required planning consistent with state law by 9/1/2002: Clark, King, Kitsap, Snohomish, Spokane, and Thurston Counties.
- **Immunity from liability.** Cities and counties are immune from causes of action for civil damages related to the siting of SCTFs. Cities and counties and their law enforcement officers are also immune from causes of action for civil damages when officers responds in good faith to emergency calls involving SCTF residents.
- **Risk potential activities/facilities.** Defined as public and private schools, school bus stops, licensed day care, licensed preschools, public parks, publicly dedicated trails, sports fields, playgrounds, recreational and community centers, churches, synagogues, temples, mosques, and public libraries. Does not include bus stops established primarily for public transit.
- **Proximity to risk potential facilities.** SCTF not permitted to be located adjacent to, immediately across the street or parking lot from, or within line of sight of a risk potential activities/facilities in existence at the time a site is listed for consideration. "Within line of sight" means that it is possible to visually distinguish and recognize individuals. Give great weight to sites that are the farthest removed from risk potential locations.
- **Response Time.** Requirement to site in areas in which it is possible to "endeavor to achieve an average five-minute response time by law enforcement" has been deleted.

- **Equitable Distribution.** In considering potential sites, give great weight to “equitable distribution factors” (i.e., number of residential facilities operated by Dept of Corrections, residential facilities operated by DSHS Mental Health Division, and Level 2 and Level 3 sex offenders in each jurisdiction).

- **Public Safety and Security Criteria.**

- i Visibility between SCTF and adjacent properties is limited or barriers can be established to limit visibility;
- i Electronic monitoring devices/systems are available and are functional in the area;
- i Existing building, if used for an SCTF, is suitable or can be feasibly modified; and
- i Adequate security and back-up system resources can be installed at the site and contractor/maintenance services are available on 24/7 basis.
 - Security panel must be commercial grade with tamper-proof switches and key-lock to prevent unauthorized access.
 - All staff must be issued personal panic devices.
 - All staff must be issued and wear photo ID badges.

- **Other Siting Requirements.**

- i Site must be in area with access (reasonable commute distance) to medical, mental health and sex offender treatment providers, and community services such as employment, educational and other services.
- i Treatment providers must be available – this means the providers are qualified, willing to provide services, and within a reasonable commute.
- i Site must be in location suitable for programming, staffing and support considerations.
- i The SCTF property must be available at reasonable purchase or lease cost.

Note: Public safety and security criteria – including distance of SCTF from risk potential locations – must be given the greatest weight.

APPENDIX "E": Inventory of EPFs

Attached are an inventory of all EPFs located in Spokane County that are of a statewide or regional/countywide significance, and a map showing the locations of those EPFs.

Staff Note: The map is available by contacting the Spokane County Division of Planning.

Spokane County Regional Siting Process for Essential Public Facilities - Statewide and Regional Inventory										
Significance	Category	Name	Address	City	Zip	Phone	Jurisdiction	Source	Parcel #	
	Commercial and Military Airport Facilities	Fairchild Air Force Base	200 W Bong St	Fairchild Air Force Base	99011	247-1212	Fairchild Air Force Base	Called - May 2002		
Statewide	Commercial and Military Airport Facilities	Felts Field Airport	6105 E Rutter Av	Spokane	99212	455-6455	County	Called - May 2002		
Statewide	Commercial and Military Airport Facilities	Spokane International Airport	9000 W Airport Dr	Spokane	99224	455-6455	County	Called - May 2002		
Statewide	State Correctional Facilities	Airway Heights Corrections Center	11919 W Sprague Av	Airway Heights	99001	244-6700	Airway Heights	Called - May 2002		
Statewide	State Correctional Facilities	Pine Lodge Pre-Release	751 S Pine St	Medical Lake	99022	299-2300	Medical Lake	Called - May 2002		
Statewide	State Correctional Facilities	Turner House	925 W Broadway Av	Spokane	99201	326-6606	Spokane	Called - May 2002		
Statewide	Higher Education Facilities	Eastern Washington University	526 5th St	Cheney	99004	359-6200	Cheney	Called - May 2002		
Statewide	Higher Education Facilities	Eastern Washington University Riverpoint	668 N Riverpoint Blvd	Spokane	99202	358-2237	Spokane	Called - May 2002		
Statewide	Higher Education Facilities	Eastern Washington University Spokane Center	705 W 1st St	Spokane	99201	623-4200	Spokane	Called - May 2002		
Statewide	Higher Education Facilities	Gonzaga University	502 E Boone Av	Spokane	99258	328-4220	Spokane	Called - May 2002		
Statewide	Higher Education Facilities	Intercollegiate College of Nursing *** (WSU, Eastern, Whitworth, Gonzaga - state funded)	2917 W Fort George Wright Dr	Spokane	99224	324-7360	Spokane	Called - May 2002		
Statewide	Higher Education Facilities	Washington State University Spokane	601 W 1st Av	Spokane	99201	358-7500	Spokane	Called - May 2002		
Statewide	Higher Education Facilities	Washington State University Spokane	668 N Riverpoint Blvd	Spokane	99202	358-7500	Spokane	Called - May 2002		
Statewide	Higher Education Facilities	Washington State University Spokane	310 N Riverpoint Blvd	Spokane	99202	358-7500	Spokane	Called - May 2002		
Statewide	Higher Education Facilities	Whitworth College	300 W Hawthorne Rd	Spokane	99251	777-1000	County	Called - May 2002		
Statewide	Higher Education Facilities	Spokane Intercollegiate Research & Technology Institute (SIRTI)	665 N Riverpoint Blvd	Spokane	99202	358-2000	Spokane	Phone Book - May 02		
Statewide	Other	Spokane Crime Laboratory	1100 W Mallon St, Room 100	Spokane	99201	456-4145	Spokane	OFM 4-10-02		
Statewide	Park	Mount Spokane State Park	26107 N Mount Spokane Park Dr	Mead	99021	238-4258	State	Phone Book - June 02		

Statewide	Park	Riverside State Park	9711 W Charles Rd	Nine Mile Falls	99026	465-5064	State	Called - June 2002	
Statewide	Park	Turnbull National Wildlife Refuge	26010 S Smith Rd	Cheney	99004	235-4723	Federal	Called - June 2002	
Statewide	Regional Transportation Facilities	I-90 (Interstate)	N/A	N/A	N/A	N/A	Multiple	SRTC - Concurrency Management System Report 4-24-01	
Statewide	Regional Transportation Facilities	SR-195 (Pullman-Colfax Highway)	N/A	N/A	N/A	N/A	Multiple	SRTC - Concurrency Management System Report 4-24-01	
Statewide	Regional Transportation Facilities	SR-2 (Newport Highway)	N/A	N/A	N/A	N/A	Multiple	SRTC - Concurrency Management System Report 4-24-01	
Statewide	Regional Transportation Facilities	SR-395 (Division Street)	N/A	N/A	N/A	N/A	Multiple	SRTC - Concurrency Management System Report 4-24-01	
Statewide	Regional Transportation Facilities	Centennial Trail	N/A	N/A	N/A	N/A	Multiple	OFM 4-10-02	
Statewide	Social Service Facilities	West Lake Facility	1451 W Maple St	Medical Lake	99022	299-3121	Medical Lake	Called - May 02	
Statewide	Social Service Facilities	Lakeland Village	2320 S Salmave Rd	Medical Lake	99022	299-3131	Medical Lake	Called - May 02	
Statewide	Social Service Facilities	Eastern State Hospital	850 W Maple St	Medical Lake	99022	299-3121	Medical Lake	Called - May 02	
Regional	General Airport Facilities	Deer Park Airport	1200 N Cedar Rd	Deer Park	99006	276-8663	Deer Park	Called - May 2002	
Regional	Community Center	Mirabeau Community Complex	not built yet	Spokane	99216	N/A	County	OFM 4-10-02	
Regional	Correctional Facilities	Martin Hall - Juvenile Detention Facility	201 S Pine St	Medical Lake	99022	299-7733	Medical Lake	Called - May 2002	
Regional	Correctional Facilities	Geiger Corrections Center	3507 S Spotted Rd	Spokane	99219	477-1578	County	Called - May 2002	
Regional	Correctional Facilities	Spokane County Jail	1100 W Mallon Av	Spokane	99260	477-2278	Spokane	Called - May 2002	
Regional	Correctional Facilities	Brownstone Work Training Release	223 S Browne	Spokane	99201	363-8109	Spokane	DSHS Database 2002 - Dept of Corrections File	

Regional	Correctional Facilities	Eleanor Chase House	427 W 7th Av	Spokane	99204	456-6318	Spokane	DSHS Database 2002 - Dept of Corrections File
Regional	Correctional Facilities	Spokane County Juvenile Detention Center	1208 W Mallon Av	Spokane	99201	477-2462	Spokane	Called - May 2002
Regional	Higher Education Facilities	Spokane Community College	1810 N Greene St	Spokane	99217	533-7000	Spokane	Called - May 2002
Regional	Higher Education Facilities	Spokane Falls Community College	3410 W Fort George Wright Dr	Spokane	99224	533-3500	Spokane	Called - May 2002
Regional	Higher Education Facilities	The Institute for Extended Learning	3305 W Fort George Wright Dr	Spokane	99224	533-3770	Spokane	Called - May 2002
Regional	Other	Cheney Cowles Museum	2316 W 1st Av	Spokane	99204	456-3931	Spokane	OFM 4-10-02
Regional	Police Stations	Spokane County Sheriff's Department	1100 W Mallon Ave	Spokane	99260	477-5641	Spokane	Phone Book - May 02
Regional	Regional Transportation Facilities	Airway Heights Park & Ride	12825 W Sunset Highway	Airway Heights	99001	325-6000	Airway Heights	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	STA Boone Street Administrative, Maintenance and Storage facilities	1229 W Boone Av	Spokane	99201	325-6000	Spokane	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	STA Boone Street Administrative, Maintenance and Storage facilities	1230 W Boone Av	Spokane	99201	325-6000	Spokane	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	STA Jefferson Park & Ride and Transit/Transfer Center	Under I-90 between Jefferson and Walnut Streets	Spokane	99201	325-6000	Spokane	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	STA Spokane Arena Park & Ride and Transit/Transfer Center	In between Washington and Howard on Boone	Spokane	99201	325-6000	Spokane	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	STA Country Homes Christian Church Park & Ride	8415 N Wall St	Spokane	99208	325-6000	County	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	Evergreen Park & Ride (under construction),	13209 E Indiana Av	Spokane	99216	325-6000	County	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	Five Mile Park & Ride	Ash & 5 Mile Rd.	Spokane	99208	325-6000	Spokane	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	Hastings Park & Ride	Hastings & Mayfair	Spokane	99218	325-6000	County	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	K St. Station Park & Ride	2nd & "K" St.	Cheney	99004	325-6000	Cheney	Ryan Stewart (STA) - email 4/24/02

Regional	Regional Transportation Facilities	Liberty Lake Park & Ride	Mission & Country Vista Dr.	Liberty Lake	99019	325-6000	Liberty Lake	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	Hamblin Park Presbyterian Park & Ride	4102 S Crestline St	Spokane	99203	325-6000	Spokane	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	Manito Park & Ride and Transit/Transfer Center	830 E 29th Av	Spokane	99203	325-6000	Spokane	STA Website
Regional	Regional Transportation Facilities	St. Marks Lutheran Park & Ride	316 E 24th Av	Spokane	99203	325-6000	Spokane	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	Medical Lake Park & Ride and Transit/Transfer Center	Lake & Broad St.	Medical Lake	99022	325-6000	Medical Lake	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	Pence-Cole Valley Park & Ride and Transit/Transfer Center	414 S University Rd	Spokane	99206	325-6000	County	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	Pines Rd/190 Park & Ride	E. Montgomery, Pines & I-90	Spokane	99206	325-6000	County	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	Spokane Transit Authority Plaza (Administration)	701 W Riverside Av	Spokane	99201	325-6000	Spokane	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	STA Maintenance - Bowditch (Fleck Service Center)	123 S Bowditch Rd	Spokane	99206	325-6000	County	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	Spokane Community College Park & Ride	1810 N Greene St	Spokane	99217	325-6000	Spokane	Ryan Stewart (STA) - email 4/24/02
Regional	Regional Transportation Facilities	SR-206 (Mt. Spokane Park Drive)	N/A	N/A	N/A	N/A	Multiple	SRTC - Concurrency Management System Report 4-24-01
Regional	Regional Transportation Facilities	SR-27 (Pines Road)	N/A	N/A	N/A	N/A	Multiple	SRTC - Concurrency Management System Report 4-24-01
Regional	Regional Transportation Facilities	SR-278 (Hoxie Road)	N/A	N/A	N/A	N/A	Multiple	Spokane County Capital Facilities Plan

Regional	Regional Transportation Facilities	SR-290 (Trent Avenue)	N/A	N/A	N/A	N/A	Multiple	SRTC - Concurrency Management System Report 4-24-01
Regional	Regional Transportation Facilities	SR-291 (Francis/Nine Mile Road)	N/A	N/A	N/A	N/A	Multiple	SRTC - Concurrency Management System Report 4-24-01
Regional	Regional Transportation Facilities	SR-902 (Medical Lake Highway)	N/A	N/A	N/A	N/A	Multiple	SRTC - Concurrency Management System Report 4-24-01
Regional	Regional Transportation Facilities	SR-904 (Cheney Highway)	N/A	N/A	N/A	N/A	Multiple	SRTC - Concurrency Management System Report 4-24-01
Regional	Solid Waste, Wastewater & Water Facilities	Graham Road Disposal & Recycling Landfill	1820 S Graham Rd	Medical Lake	99022	244-0151	County	Spokane County GIS 1995
Regional	Solid Waste, Wastewater & Water Facilities	Northside Sanitary Landfill	5502 W Nine Mile Rd	Spokane	99208	625-6666	Spokane	Phone Book - May 02
Regional	Solid Waste, Wastewater & Water Facilities	Norcal Compost	22200 N Elk Chatteroy Rd	Colbert	99005	238-1738	County	Spokane County GIS 1995
Regional	Solid Waste, Wastewater & Water Facilities	Waste to Energy Facility (Garbage Incinerator)	2900 S Gelger Blvd	Spokane	99204	625-6870	County	Spokane County GIS 1995
Regional	Solid Waste, Wastewater & Water Facilities	Wastewater Treatment Plant	4401 W Aubrey L White Pkwy	Spokane	99205	625-4600	Spokane	Phone Book - May 02
Regional	Solid Waste, Wastewater & Water Facilities	Beeler Inert & Demolition Landfill	14910 W Craig Rd	Spokane	99204	244-5049	County	Spokane County GIS 1995
Regional	Solid Waste, Wastewater & Water Facilities	Chester Inert & Demolition Landfill	11614 E 44th Av	Spokane	99206	926-4023	County	Spokane County GIS 1995
Regional	Solid Waste, Wastewater & Water Facilities	North County Recycling - Transfer	22123 N Elk Chatteroy Rd	Colbert	99005	625-6880	County	Spokane County GIS 1995

Regional	Solid Waste, Wastewater & Water Facilities	Valley Recycling- Transfer	3941 N Sullivan Rd	Spokane	99216 625-6885	County	Spokane County GIS 1995
Regional	Social Service Facilities	Sacred Heart Medical Center	101 W 8th Av	Spokane	99204 474-3131	Spokane	Phone Book - May 02
Regional	Social Service Facilities	The Heart Institute of Spokane	122 W 7th Av	Spokane	99204 625-3000	Spokane	Phone Book - May 02
Regional	Social Service Facilities	Valley Hospital and Medical Center	12606 E Mission Av	Spokane	99216 924-6650	County	Phone Book - May 02
Regional	Social Service Facilities	Veterans Affairs Medical Center	4815 N Assembly St	Spokane	99205 434-7000	Spokane	Called - May 02
Regional	Social Service Facilities	Holy Family Hospital	5633 N Lidgerwood St	Spokane	99207 482-0111	Spokane	Phone Book - May 02
Regional	Social Service Facilities	Deaconess Medical Center	800 W 5th Av	Spokane	99204 458-5800	Spokane	Phone Book - May 02
Regional	Social Service Facilities	Shriners Hospital for Children	911 W 5th Av	Spokane	99210 455-7844	Spokane	Phone Book - May 02
Regional	Social Service Facilities	St. Lukes Rehabilitation Institute	711 S Cowley St	Spokane	99202 838-4771	Spokane	Phone Book - May 02

This database was compiled by the Spokane County Division of Planning as a general planning tool. Due to the differing quality of source documents, the Division cannot accept responsibility for errors or emissions, and therefore, there are no warranties which accompany this material. In the event of a conflict between this database and information shown as a result of field investigations, the latter shall prevail.

Attachment "A"
CLEAN COPY

Proposed Amendments to the Spokane County Comprehensive Plan

Goal

CF.15 Facilitate the siting of public and private essential public facilities when the unincorporated area is the appropriate location.

Policies

CF.15.1 Follow the process for siting of essential public facilities as set forth in the *Spokane County Regional Siting Process for Essential Public Facilities*. (See Appendix No. _____.)

**BEFORE THE SPOKANE COUNTY
PLANNING COMMISSION**

**A RECOMMENDATION TO THE BOARD OF COUNTY
COMMISSIONERS IN THE MATTER OF AMENDING THE
SPOKANE COUNTY COMPREHENSIVE PLAN POLICY
CF.15.1 RELATING TO ESSENTIAL PUBLIC FACILITIES**

)
)
) **FINDINGS OF FACT**
) **DECISION AND**
) **RECOMMENDATION**
)

WHEREAS, pursuant to the provisions of Chapter 36.70 RCW, the Board of County Commissioners of Spokane County, Washington, hereinafter referred to as the "Board," has created a Planning Commission, hereinafter referred to as the "Commission"; and

WHEREAS, pursuant to the provisions of Chapter 36.70A RCW, the Board adopted a Comprehensive Plan and Capital Facilities Plan for Spokane County, hereinafter referred to as the "Comprehensive Plan," on November 5, 2001 (County Resolution 1-1059); and

WHEREAS, on March 12, 2002, the Washington State Legislature declared an emergency and passed Engrossed Substitute Senate Bill 6594 (ESSB 6594) implementing the recommendations of the Joint Select Committee on the Equitable Distribution of Secure Community Transition Facilities, and on March 21, 2002 the Governor signed ESSB 6594; and

WHEREAS, pursuant to the provisions of ESSB 6594 Spokane County, along with all planning jurisdictions within the state of Washington, was mandated to amend its Comprehensive Plan to include a process for identifying and siting essential public facilities, including, among other facilities, secure community transition facilities as defined in RCW 71.09.020; and

WHEREAS, pursuant to the provisions of Chapter 36.70 RCW, the Commission is authorized to recommend changes to the Comprehensive Plan to the Board for its review and consideration for adoption; and

WHEREAS, pursuant to RCW 36.70A.020, goals are set forth to guide the development and adoption of comprehensive plans and development regulations; and

WHEREAS, the Comprehensive Plan states the following:

1. Goal CF.15 Facilitate the siting of public and private essential public facilities when the unincorporated area is the appropriate location.
2. Policy CF.15.1 Consider the process for Siting Essential Public Facilities of a Countywide or Statewide nature contained in the Growth Management Essential Public Facilities Technical Committee Report; and

SPOKANE COUNTY PLANNING COMMISSION
FINDINGS, DECISION AND RECOMMENDATION

WHEREAS, the Division of Planning implemented the following Work Program relating to essential public facilities:

1. Form an Essential Public Facilities Task Force with planning staff from Spokane County and the cities and towns of Airway Heights, Cheney, Deer Park, Fairfield, Latah, Liberty Lake, Medical Lake, Millwood, Rockford, Spangle, Spokane, and Waverly for coordinating the development of a regional siting process for essential public facilities, and specifically for the secure community transition facility.
2. Draft, circulate for comment, and finalize for public hearings before Planning Commissions and/or Legislative bodies, including City and Town Councils and the Board of County Commissioners, a regional siting process for essential public facilities, and specifically for the secure community transition facility.
3. Develop an inventory of essential public facilities of statewide, regional, and local significance.
4. Map essential public facilities of statewide, regional, and local significance.
5. Coordinate and/or conduct public workshops and/or public hearings for action by the Planning Commissions and/or Legislative bodies, including City and Town Councils and the Board of County Commissioners, relating to recommendation and/or adoption of a regional siting process for essential public facilities and required amendments to Comprehensive Plans to include secure community transition facility as an essential public facility; and

WHEREAS, after providing the required public notice, the Commission held public meetings and/or workshops concerning amending the Comprehensive Plan relating to essential public facilities on April 25, 2002, May 16, 2002, and June 13, 2002; and

WHEREAS, the Spokane County Division of Planning prepared an Environmental Checklist for a nonproject action, pursuant to WAC 197-11 and Spokane Environmental Ordinance, County Code Chapter 11.10, and on June 21, 2002, a Determination of Nonsignificance was issued; and

WHEREAS, after providing fifteen (15) days' public notice, the Commission held a public hearing on July 11, 2002, to consider amending the Comprehensive Plan relating to essential public facilities, as more particularly set forth in Attachment "A", attached hereto and incorporated herein by reference; and

WHEREAS, after providing the required public notice, the Commission held a public meeting on July 25, 2002, to deliberate with respect to the proposed amendments to the Comprehensive Plan, including the proposed revision to Policy CF.15.1 and the *Spokane County Regional Siting Process for Essential Public Facilities*, as more particularly set forth in Attachment "A", attached hereto and incorporated herein by reference; and

WHEREAS, the Division of Planning recommends that the proposed amendments to the Comprehensive Plan, including the proposed revision to Policy CF.15.1 and the *Spokane County Regional*

SPOKANE COUNTY PLANNING COMMISSION
FINDINGS, DECISION AND RECOMMENDATION

Siting Process for Essential Public Facilities, as more particularly set forth in Attachment "A", attached hereto and incorporated herein by reference, be adopted; and

WHEREAS, pursuant to Chapter 36.70A RCW, the Board adopted *Countywide Planning Policies for Spokane County (CWPPs)* on December 22, 1994 and subsequently amended said policies (County Resolutions 94-1719, 96-1205, 97-0297 and 97-0937); and

WHEREAS, the Board is authorized by the *CWPPs* to execute interlocal agreements with all towns and cities within Spokane County; and

WHEREAS, the Division of Planning recommends the Board execute an interlocal agreement outlining administrative procedures for the *Spokane County Regional Siting Process for Essential Public Facilities* with all of the jurisdictions within Spokane County following adoption by said jurisdictions of the *Spokane County Regional Siting Process for Essential Public Facilities*; and

WHEREAS, the Commission, at its July 25, 2002 meeting, recommended amendments to the Comprehensive Plan regarding siting of essential public facilities, including the proposed revision to Policy CF.15.1 and the *Spokane County Regional Siting Process for Essential Public Facilities*, as more particularly set forth in Attachment "A", attached hereto and incorporated herein, and directed staff to prepare findings consistent with its motion; and

WHEREAS, after considering all testimony given at the public hearing, all written correspondence submitted for the record, and all files of record concerning the proposed amendments to the Comprehensive Plan relating to essential public facilities, and after recognizing compliance with the State Environmental Policy Act (SEPA) procedures, the Commission finds that the best interests of the general public, as well as its health, safety and welfare, will be met by the following:

1. Adoption of the proposed amendments to the Comprehensive Plan, including the proposed revision to Policy CF.15.1 and the *Spokane County Regional Siting Process for Essential Public Facilities*, as more particularly set forth in Attachment "A", attached hereto and incorporated herein by reference; and
2. Execution of an interlocal agreement outlining administrative procedures for the *Spokane County Regional Siting Process for Essential Public Facilities* with all of the jurisdictions within Spokane County following adoption by said jurisdictions of the *Spokane County Regional Siting Process for Essential Public Facilities*; and

NOW, THEREFORE, BE IT RESOLVED by the Commission that it hereby recommends to the Board the following:

1. Adoption of the proposed amendments to the Comprehensive Plan, including the proposed revision to Policy CF.15.1 and the *Spokane County Regional Siting Process for Essential Public Facilities*, as more particularly set forth in Attachment "A", attached hereto and incorporated herein by reference; and

SPOKANE COUNTY PLANNING COMMISSION
FINDINGS, DECISION AND RECOMMENDATION

2. Execution of an interlocal agreement outlining administrative procedures for the *Spokane County Regional Siting Process for Essential Public Facilities* with all of the jurisdictions within Spokane County following adoption by said jurisdictions of the *Spokane County Regional Siting Process for Essential Public Facilities*; and

BE IT FURTHER RESOLVED, that the Commission makes as part of these Findings and Decision all files in the Spokane County Public Works Department, Division of Planning, and Planning Commission, along with the transcripts of all public meetings, workshops, and hearings related to this matter and further adopts all recitals herein as findings of fact; and

BE IT FURTHER RESOLVED by the Commission that, in making the hereinabove recommendation, the Commission does hereby enter the following Findings of Fact.

FINDINGS OF FACT

I.

Pursuant to the provisions of Chapter 36.70 RCW the Commission has the legal authority to recommend changes to the Comprehensive Plan to the Board for its review and consideration for adoption.

II.

Pursuant to the provisions of ESSB 6594, including the declaration of an emergency by the Washington State Legislature, Spokane County, along with all planning jurisdictions in the state of Washington, was mandated to amend its Comprehensive Plan to include a process for identifying and siting essential public facilities, including, among other facilities, secure community transition facilities as defined in RCW 71.09.020.

III.

The Division of Planning implemented the following Work Program relating to essential public facilities:

1. Form an Essential Public Facilities Task Force with planning staff from Spokane County and the cities and towns of Airway Heights, Cheney, Deer Park, Fairfield, Latah, Liberty Lake, Medical Lake, Millwood, Rockford, Spangle, Spokane, and Waverly for coordinating the development of a regional siting process for essential public facilities, and specifically for the secure community transition facility.
2. Draft, circulate for comment, and finalize for public hearings before Planning Commissions and/or Legislative bodies, including City and Town Councils and the Board of County Commissioners, a regional siting process for essential public facilities, and specifically for the secure community transition facility.
3. Develop an inventory of essential public facilities of statewide, regional, and local significance.
4. Map essential public facilities of statewide, regional, and local significance.

SPOKANE COUNTY PLANNING COMMISSION
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5. Coordinate and/or conduct public workshops and/or public hearings for action by the Planning Commissions and/or Legislative bodies, including City and Town Councils and the Board of County Commissioners, relating to recommendation and/or adoption of a regional siting process for essential public facilities and required amendments to Comprehensive Plans to include secure community transition facility as an essential public facility.

IV.

After providing the required public notice, the Commission held public meetings and/or workshops concerning amending the Comprehensive Plan relating to essential public facilities on April 25, 2002, May 16, 2002, and June 13, 2002.

V.

The Commission concurs with the Determination of Nonsignificance issued by the Spokane County Division of Planning on June 21, 2002, with respect to the proposed amendments to the Comprehensive Plan relating to essential public facilities, as more particularly set forth in Attachment "A", attached hereto and incorporated herein by reference.

VI.

After providing fifteen (15) days' public notice, the Commission held a public hearing on July 11, 2002, to consider amending the Comprehensive Plan relating to essential public facilities, as more particularly set forth in Attachment "A", attached hereto and incorporated herein by reference, as well as other relevant information and testimony.

VII.

After providing the required public notice, the Commission held a public meeting on July 25, 2002, to deliberate with respect to the proposed amendments to the Comprehensive Plan, including the proposed revision to Policy CF.15.1 and the *Spokane County Regional Siting Process for Essential Public Facilities*, as more particularly set forth in Attachment "A", attached hereto and incorporated herein by reference.

VIII.

The Commission considered the planning goals of the Growth Management Act (RCW 36.70A.020) in making this decision, and the decision supports the goals of the Growth Management Act.

IX

The Commission considered the *Countywide Planning Policies for Spokane County (CWPPs)* in making this decision, and the decision is consistent with the *CWPPs* (County Resolutions 94-1719, 96-1205, 97-0297, and 97-0937).

SPOKANE COUNTY PLANNING COMMISSION
FINDINGS, DECISION AND RECOMMENDATION

X

It is found by the Commission that the best interests of the general public, as well as its health, safety and welfare, will be met by the following:

1. Adoption of the proposed amendments to the Comprehensive Plan, including the proposed revision to Policy CF.15.1 and the *Spokane County Regional Siting Process for Essential Public Facilities*, as more particularly set forth in Attachment "A", attached hereto and incorporated herein by reference.
2. Execution of an interlocal agreement outlining administrative procedures for the *Spokane County Regional Siting Process for Essential Public Facilities* with all of the jurisdictions within Spokane County following adoption by said jurisdictions of the *Spokane County Regional Siting Process for Essential Public Facilities*.

XI

That the execution of this document by the signatures hereon shall be the same as if said signers had placed their signatures on Attachment "A" as required by RCW 36.70.400.

SPOKANE COUNTY PLANNING COMMISSION
FINDINGS, DECISION AND RECOMMENDATION

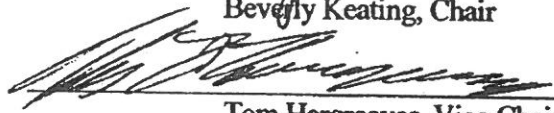
PASSED AND ADOPTED this 25th day of July 2002.

SPOKANE COUNTY PLANNING COMMISSION

Vote
of Record


Beverly Keating, Chair

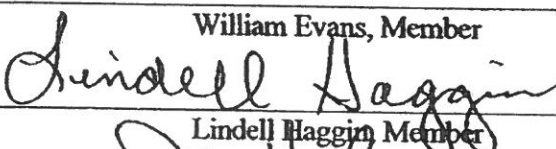
Aye


Tom Hargreaves, Vice Chair

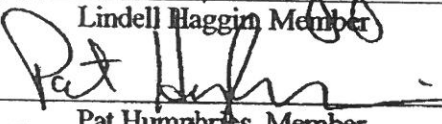
Aye

William Evans, Member

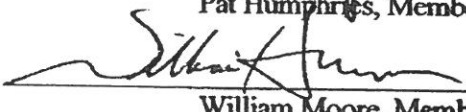
Nay


Lindell Haggin, Member


Aye


Pat Humphries, Member

Aye


William Moore, Member

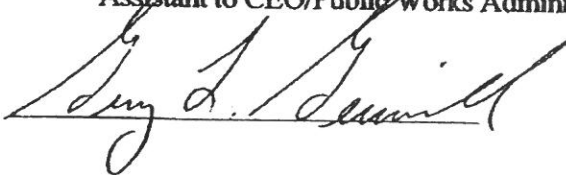
Aye


Lewis Rimpler, Member

Aye

ATTEST: Gerry Gemmill
Assistant to CEO/Public Works Administrator

By:



BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY

IN THE MATTER OF AMENDING THE)
SPOKANE COUNTY COMPREHENSIVE)
PLAN POLICY CF.15.1 RELATING TO) DECISION
ESSENTIAL PUBLIC FACILITIES)

WHEREAS, pursuant to the provisions of RCW Chapter 36.70, the Board of County Commissioners of Spokane County, Washington, hereinafter referred to as the "Board," has created a Planning Commission, hereinafter referred to as the "Commission"; and

WHEREAS, pursuant to the provisions of Chapter 36.70A RCW, the Board adopted a Comprehensive Plan and Capital Facilities Plan for Spokane County, hereinafter referred to as the "Comprehensive Plan," on November 5, 2001 (County Resolution 1-1059); and

WHEREAS, on March 12, 2002, the Washington State Legislature declared an emergency and passed Engrossed Substitute Senate Bill 6594 (ESSB 6594) implementing the recommendations of the Joint Select Committee on the Equitable Distribution of Secure Community Transition Facilities, and on March 21, 2002 the Governor signed ESSB 6594; and

WHEREAS, pursuant to the provisions of ESSB 6594 Spokane County, along with all planning jurisdictions within the state of Washington, was mandated to amend its Comprehensive Plan to include a process for identifying and siting essential public facilities, including, among other facilities, secure community transition facilities as defined in RCW 71.09.020; and

WHEREAS, pursuant to the provisions of Chapter 36.70 RCW, the Commission is authorized to recommend changes to the Comprehensive Plan to the Board for its review and consideration for adoption; and

WHEREAS, the Commission recommended amendments to the Comprehensive Plan regarding siting of essential public facilities, including the proposed revision to Policy CF.15.1 and the *Spokane County Regional Siting Process for Essential Public Facilities*, as more particularly set forth in Commission's Attachment "A", attached hereto and incorporated herein; and

WHEREAS, the Board acknowledges the Determination of Nonsignificance (DNS) issued by the Spokane County Division of Planning on June 21, 2002, with respect to the Comprehensive Plan Amendment; and

NO. 2 0812

WHEREAS, the Board, after considering the Commission's Recommendation and reviewing the Commission's Findings of Fact, concurs with the Findings of Fact, Decision, and Recommendation of the Commission dated July 25, 2002, attached hereto and incorporated herein by reference, and determines the best interest of the general public, as well as its health, safety and welfare, will be met by the Board amending the Spokane County Comprehensive Plan as recommended by the Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board, after considering all of the above, that the Comprehensive Plan Amendment as set forth in the Commission's Attachment "A", attached hereto and incorporated herein by reference, be adopted.

BE IT FURTHER RESOLVED that the Board does hereby direct Division of Planning Staff to prepare, in cooperation with all jurisdictions in Spokane County, an interlocal agreement outlining administrative procedures for the *Spokane County Regional Siting Process for Essential Public Facilities*.

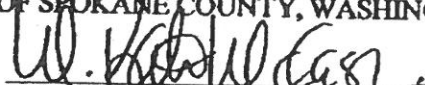
BE IT FURTHER RESOLVED that the Board does hereby adopt as Findings of Fact all recitals herein as well as the Commissions' Findings of Fact as set forth in the Commission's Findings, Decision, and Recommendation dated July 25, 2002, attached hereto and incorporated herein by reference.

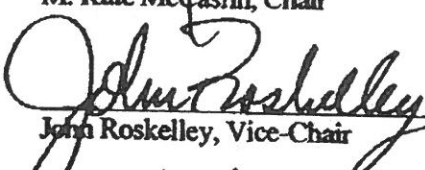
APPROVED this 13th day of August, 2002.

ATTEST:
Vicky M. Dalton
Clerk of the Board



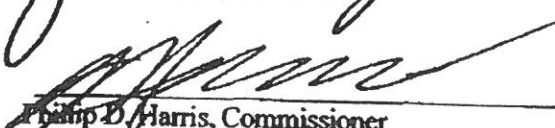
BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON


M. Kate McCaslin, Chair


John Roskelley, Vice-Chair

By: 

Daniela Erickson, Deputy


Philip D. Harris, Commissioner

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

IN THE MATTER OF ADOPTING AN INTERLOCAL)
AGREEMENT REGARDING SITING OF ESSENTIAL)
PUBLIC FACILITIES WITHIN SPOKANE COUNTY)
AND TO AMEND THE SPOKANE COUNTY DIVISION) NOTICE OF PUBLIC HEARING
OF PLANNING'S ZONING AND LAND USE FEE)
SCHEDULE TO ADOPT A UNIFIED SPOKANE)
COUNTY REGIONAL SITING PROCESS)
ADMINISTRATION FEE)

NOTICE IS HEREBY GIVEN by the Board of County Commissioners of Spokane County, Washington, pursuant to the provisions of RCW 36.32.120(7) and 36.70A.200 that a public hearing will be held on

TUESDAY, JANUARY 21, 2003 AT 5:00 P.M.
Or as soon as possible thereafter in the
COMMISSIONERS' HEARING ROOM
SPOKANE COUNTY PUBLIC WORKS BUILDING
1026 WEST BROADWAY AVENUE
SPOKANE, WA 99260

The purpose of the public hearing will be for the Board of County Commissioners to receive public testimony and take appropriate action on (1) adopting the *Interlocal Agreement regarding Siting of Essential Public Facilities within Spokane County* and (2) amending the Spokane County Division of Planning Zoning and Land Use Fee Schedule to adopt a unified Spokane County Regional Siting Process Administrative Fee.

The proposed Interlocal Agreement sets forth the administrative procedures for the *Spokane County Regional Siting Process for Essential Public Facilities*, which was adopted on August 13, 2002 under County Resolution No. 2-0812. The Interlocal Agreement sets forth the administrative procedures to be used by all jurisdictions within Spokane County when applicants seek to site essential public facilities of a statewide or regional/countywide nature within any Spokane County jurisdiction. The administrative procedures were prepared in cooperation with all jurisdictions in Spokane County and are set forth in Attachment "A" to the Interlocal Agreement.

The Division of Planning Fee Schedule would be amended to allow for a unified Spokane County Regional Siting Process Administration Fee. The following fee is being considered: a set fee of twelve hundred dollars (\$1200) for each applicant. The set fee is based on: 1) the average hourly cost of providing services relating to the administration of the application for siting of an essential public facility of a statewide or regional/countywide nature in any jurisdiction of Spokane County; and 2) the cost of materials and supplies related to the application process. The fee will be administratively

adjusted annually based on the Consumer Price Index West B/C for population sizes of 1,500,000 and under.

The full text of the Interlocal Agreement is available for public review at Spokane County Division of Planning, Long Range Section, 1026 W. Broadway Avenue, 2nd Floor, Spokane, Washington, and will be mailed to any requester. Requests should be directed to Spokane County Division of Planning, Long Range Section, 1026 W. Broadway Avenue, 2nd Floor, Spokane, WA 99260 or (509) 477-2294.

Any person may appear at the time, place, and date set forth hereinabove and present testimony verbally or in writing in support of or opposition to the Interlocal Agreement. The adoption of administrative procedures and adoption of fee schedules are procedural and therefore categorically exempt under WAC 197-11-800(20) from threshold determination and EIS requirements.

The Board reserves the right to impose time limits on speakers, as deemed necessary. Additionally, the Board reserves the right to adopt modifications to the advertised change after receipt of public testimony so long as the changes are not substantial. Substantial changes may require subsequent public hearing(s). For additional information regarding this public hearing, please call Esther Larsen at (509) 477-7201 at the Spokane County Division of Planning.

The Board's meetings and hearings are conducted in facilities that are accessible to disabled individuals. For more particular information with respect to the accessibility of the Public Works Building, Commissioners' Hearing Room, please contact Daniela Erickson, Clerk of the Board, at (509) 477-2265.

APPROVED THIS 7TH DAY OF JANUARY 2003.



ATTEST:
Vicky M. Dalton
Clerk of the Board

BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

John Roskelley
John Roskelley, Chair

By: *Daniela Erickson*
Daniela Erickson, Deputy

Phillip D. Harris
Phillip D. Harris, Vice-Chair

M. Kate McCaslin
M. Kate McCaslin, Commissioner

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON**

IN THE MATTER OF ADOPTING AN INTERLOCAL) AGREEMENT REGARDING SITING OF ESSENTIAL) PUBLIC FACILITIES WITHIN SPOKANE COUNTY) AND TO AMEND THE SPOKANE COUNTY DIVISION) OF PLANNING'S ZONING AND LAND USE FEE) SCHEDULE TO ADOPT A UNIFIED SPOKANE) COUNTY REGIONAL SITING PROCESS) ADMINISTRATION FEE)	FINDINGS OF FACT AND RESOLUTION
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WHEREAS, pursuant to RCW 36.32.120(6), the Board of County Commissioners of Spokane County, Washington, hereinafter referred to as the "Board," has the care of County property and the management of County funds and business; and

WHEREAS, pursuant to the provisions of RCW 36.70A, on November 5, 2001 the Board adopted a Comprehensive Plan and Capital Facilities Plan for Spokane County, hereinafter referred to as the "Comprehensive Plan" (County Resolution No. 1-1059); and

WHEREAS, on March 12, 2002 the Washington State Legislature declared an emergency and passed Engrossed Substitute Senate Bill 6594 (ESSB 6594) implementing the recommendations of the Joint Select Committee on the Equitable Distribution of Secure Community Transition Facilities, and on March 21, 2002 the Governor signed ESSB 6594; and

WHEREAS, pursuant to the provisions of ESSB 6594 Spokane County, along with all planning jurisdictions within the state of Washington, was mandated to amend its Comprehensive Plan to include a process for identifying and siting essential public facilities, hereinafter referred to as EPFs, including, among other facilities, secure community transition facilities as defined in RCW 71.09.020; and

WHEREAS, on August 13, 2002 pursuant to the provisions of RCW 36.70A(200)(1) and (2) the Board adopted an amendment to the Comprehensive Plan regarding siting of EPFs, including a revision to Comprehensive Plan Policy CF.15.1 relating to EPFs and the *Spokane County Regional Siting Process for Essential Public Facilities* (Spokane County Resolution No. 2-0812); and

WHEREAS, the Board's Decision set forth in Spokane County Resolution No. 2-0812 included a directive to the Division of Planning Staff to prepare, in cooperation with all jurisdictions in Spokane County, an interlocal agreement outlining administrative procedures for the *Spokane County Regional Siting Process for Essential Public Facilities*; and

WHEREAS, pursuant to the above-referenced directive and the provisions of RCW 39.34 (Interlocal Cooperation Act), Spokane County, in cooperation with the City of Airway Heights, the City of Cheney, the Town of Deer Park, the Town of Fairfield, the Town of Latah, the City of Liberty Lake, the City of Medical Lake, the Town of Millwood, the Town of Rockford, the Town of Spangle, the City of Spokane, and the Town of Waverly, through staff assigned to the EPF Task Force, jointly prepared the *Interlocal Agreement regarding Siting of Essential Public Facilities within Spokane County* and its Attachment "A", hereinafter collectively referred to as the "*Interlocal Agreement for Siting EPFs*" and which is attached hereto, incorporated herein by reference, and outlines particularly the administrative procedures for the *Spokane County Regional Siting Process for Essential Public Facilities*, and

WHEREAS, it has been acknowledged by all parties to the *Interlocal Agreement for Siting EPFs* that state and federal laws regarding siting requirements for certain types of essential public facilities will take precedence over the *Spokane County Regional Siting Process for Essential Public Facilities*; and

WHEREAS, it is the intent of all parties to the *Interlocal Agreement for Siting EPFs* that a) housing for persons with handicaps as defined under the Federal Fair Housing Act and b) housing for children in the custody of the state, which housing includes "community facilities" as defined in RCW 72.05.020 and facilities licensed under chapter 74.15 RCW are exempt from the *Spokane County Regional Siting Process for Essential Public Facilities*; and

WHEREAS, it is the intent of all parties to the *Interlocal Agreement for Siting EPFs* that housing for juveniles held in county detention facilities or state juvenile institutions as defined in RCW 13.40.020 is subject to the *Spokane County Regional Siting Process for Essential Public Facilities*; and

WHEREAS, the City of Airway Heights, the City of Cheney, the Town of Deer Park, the Town of Fairfield, the City of Liberty Lake, the Town of Millwood, and the Town of Spangle have adopted the *Interlocal Agreement for Siting EPFs*; and

WHEREAS, the Town of Latah, the City of Medical Lake, the Town of Rockford, the City of Spokane, and the Town of Waverly are in the process of adopting the *Interlocal Agreement for Siting EPFs*; and

WHEREAS, the *Interlocal Agreement for Siting EPFs* provides for the Board by Resolution to establish an application fee for applicants proposing to site an EPF of statewide or regional/countywide nature within any jurisdiction in Spokane County; and

WHEREAS, as part of the preparation of the *Interlocal Agreement for Siting EPFs* the EPF Task Force, recommended a unified Spokane County Regional Siting Process Administrative Fee of twelve hundred dollars (\$1200) per applicant; and

WHEREAS, on April 23, 1985 the Board adopted a Division of Building and Planning Fee Schedule for Land Use Actions, Application, and/or Permits (County Resolution No. 85-0332) and on February 13, 1996 the Board amended said Fee Schedule (County Resolution No. 96-0174); and

WHEREAS, on November 19, 2002 the Board amended the above referenced Fee Schedule (County Resolution No. 2-1098); and

WHEREAS, included in the above referenced Fee Schedule is a provision for fees to be administratively adjusted annually based on the Consumer Price Index West B/C for population sizes of 1,500,000 and under; and

WHEREAS, pursuant to WAC 197-11-800(20), the adoption of administrative procedures and a fee schedule relating solely to governmental procedures and containing no substantive standards respecting use or modification of the environment is procedural and therefore categorically exempt from threshold determination and EIS requirements of the State Environmental Policy Act (SEPA); and

WHEREAS, after providing ten (10) days public notice, on January 21, 2003 the Board held a public hearing to receive public testimony both for and against the *Interlocal Agreement for Siting EPFs*, including a unified Spokane County Regional Siting Process Administrative Fee; and

WHEREAS, the Board, being desirous of giving the matter further consideration did determine to continue the public hearing to February 4, 2003, for decision only; and

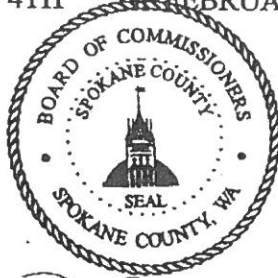
WHEREAS, the Board, after considering the recommendation of the EPF Task Force regarding a unified Spokane County Regional Siting Process Administrative Fee, the *Interlocal Agreement for Siting EPFs*, and the records of the Division of Planning relating to EPFs, concurs with the recommendation of the EPF Task Force regarding a unified Spokane County Regional Siting Process Administrative Fee and *Interlocal Agreement for Siting EPFs* and determines the best interest of the general public, as well as its health, safety and welfare, will be met by the Board adopting the *Interlocal Agreement regarding Siting of Essential Public Facilities within Spokane County* and its Attachment "A", including the unified Spokane County Regional Siting Process Administrative Fee.

NOW, THEREFORE, BE IT RESOLVED by the Board, after considering all of the above, that the *Interlocal Agreement regarding Siting of Essential Public Facilities within Spokane County* and its Attachment "A", including the unified Spokane County Regional Siting Process Administrative Fee, attached hereto and incorporated herein by reference, be adopted; and

BE IT FURTHER RESOLVED that the Board does hereby adopt as Findings of Fact all recitals herein as well as the Board's Decision dated August 13, 2002 as set forth in County Resolution No. 2-0812.

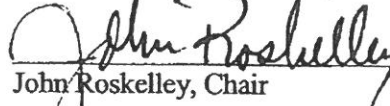
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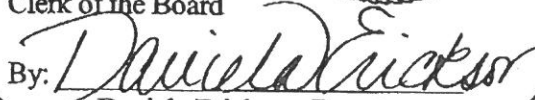
APPROVED THIS 4TH ^{DAY} OF FEBRUARY 2003.




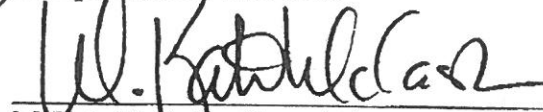
BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

ATTEST:
Vicky M. Dalton
Clerk of the Board


John Roskelley, Chair

By: 
Daniela Erickson, Deputy


Phillip D. Harris, Vice-Chair


M. Kate McCaslin, Commissioner

INTERLOCAL AGREEMENT

regarding

Siting of Essential Public Facilities within Spokane County

WHEREAS, the Growth Management Act (GMA), RCW 36.70A.200, requires that no local comprehensive plan or development regulation may preclude the siting of essential public facilities; and

WHEREAS, the GMA was amended in 2001 to expand the definition of essential public facilities to include secure community transition facilities for civilly committed sexual offenders; and

WHEREAS, the GMA was also amended in 2002 to include a September 1, 2002 deadline for all cities and counties planning under RCW 36.70A.040 to establish a process, or amend their existing process, for identifying and siting essential public facilities and adopt or amend development regulations as necessary to provide for the siting of secure community transition facilities; and

WHEREAS, the Countywide Planning Policies for Spokane County require the Steering Committee of Elected Officials to identify or establish siting and service delivery criteria for locating essential public facilities (CWPP 6.2) and implement a process for the equitable distribution of essential public facilities (CWPP 6.3); and

WHEREAS, on October 6, 1995, the Steering Committee of Elected Officials adopted the Essential Public Facilities Technical Committee's recommended equitable distribution philosophy, a more detailed Countywide Planning Policy definition of an essential public facility and a definition of public service obligation; and

WHEREAS, on May 3, 1996, the Steering Committee of Elected Officials approved the Essential Public Facilities Technical Committee's recommendation for the Model Project Review Process for the Siting of Essential Public Facilities, Interjurisdictional Consistency Review Process, and Inventory; and

WHEREAS, in 2001-2002, the Essential Public Facilities Task Force, with assistance from the Office of Community Development (OCD), the Department of Social and Health Services (DSHS), and technical staff from the jurisdictions, developed a regional siting process for essential public facilities titled *Spokane County Regional Siting Process for Essential Public Facilities*; and

WHEREAS, the *Spokane County Regional Siting Process for Essential Public Facilities* is based on the recommendations in the Growth Management Essential Public Facilities Technical Committee Report approved by the GMA Steering Committee of Elected Officials on May 3, 1996; and

WHEREAS, the *Spokane County Regional Siting Process for Essential Public Facilities* is the product of a concerted effort on the part of the Spokane County Essential Public Facilities Task Force and all jurisdictions within the county to respond to recent amendments to the GMA; and

WHEREAS, the Essential Public Facilities Task Force and all jurisdictions within Spokane County have continually sought consultation from affected agencies and provided them with opportunities for input throughout the course of creating the *Spokane County Regional Siting Process for Essential Public Facilities*; and

WHEREAS, the *Spokane County Regional Siting Process for Essential Public Facilities* will adequately provide for an objective location analysis, equitable distribution of essential public facilities throughout the county, and opportunities for input from affected agencies, jurisdictions and the general public; and

WHEREAS, all parties hereto acknowledge that state and federal laws regarding siting requirements for certain types of essential public facilities will take precedence over the *Spokane County Regional Siting Process for Essential Public Facilities*; and

WHEREAS, all parties hereto acknowledge that state and federal laws providing protections for housing for children in custody of the state or for persons with handicaps as defined under the Federal Fair Housing Act will take precedence over the *Spokane County Regional Siting Process for Essential Public Facilities*;

THEREFORE, Spokane County and the other signatory jurisdictions hereto hereby agree to the following regarding siting essential public facilities of a statewide or regional/ countywide significance:

- (1) Unless it is otherwise preempted by state or federal laws, the *Spokane County Regional Siting Process for Essential Public Facilities* ("Regional Siting Process") will apply to any and all future efforts to site an essential public facility of statewide or regional/countywide significance within Spokane County.
- (2) All jurisdictions will fully participate and cooperate in the implementation of the Regional Siting Process.
- (3) The Regional Siting Process shall be implemented according to the administrative procedures outlined in Attachment "A" hereto, which is incorporated herein by this reference.
- (4) Both the Regional Siting Process and this Interlocal Agreement are hereby endorsed in their current form with the understanding that they may also be amended from time to time, as need be. Amendment procedures shall include opportunities for public input, as required.

Adoption and attest pages follow, in alphabetical order, for all jurisdictions involved.

3 0136

DATED: 2/4/2003

Board Of County Commissioners
Of Spokane County, Washington



John Roskelley
John Roskelley, Chair

Phillip D. Harris
Phillip D. Harris, Vice-Chair

M. Kate McCain
M. Kate McCain, Commissioner

ATTEST:
Vicky M. Dalton
Clerk of the Board

Daniela Erickson
By: Daniela Erickson, Deputy

Interlocal Agreement regarding Siting of Essential Public Facilities within Spokane County

ATTACHMENT "A": Administrative Procedures

The following is an outline of administrative procedures that apply to the Spokane County Regional Siting Process for Essential Public Facilities, hereinafter referred to as "Regional Siting Process." State and federal law containing procedural, hearing, notification, or other administrative requirements for siting a particular type of essential public facility, will take precedence over the following requirements. In addition, the following requirements shall not apply to the extent they would duplicate similar requirements in state law.

I. GENERAL INFORMATION

A. Lead Time:

There is nothing in the Regional Siting Process that would inherently require the process to take more than 180 days. However, because essential public facilities (EPFs) include those facilities that are typically difficult to site, a legitimate public participation process must make allowances for the extended comment periods, additional workshops, and continued hearings necessary to fully address the public's concerns. The process for siting controversial facilities should allow enough lead time to accommodate any unforeseen delays.

B. Public Involvement:

It is the applicant's responsibility to conduct an appropriate public participation program for the Regional Siting Process. Public involvement is a key part of the siting and decision process. While answers to some of the site selection criteria will be fairly straightforward and objective, assessment of other criteria may require a subjective judgment based on public opinion and community values. Some facilities are more controversial than others. To a large extent, the nature of the proposed facility will determine the appropriate level and type of citizen participation in the siting process.

Public comment may be submitted in response to any one of the published notices regarding an EPF proposal. Review periods of thirty (30) days allow for comments on the respective Functional and Qualitative Analysis. The Weighted Analysis requires a major and multi-faceted public participation component. The Board of County Commissioners of Spokane, Washington (hereinafter referred to as "Board") hearing(s) on the Preferred Site List provides the final opportunity for public input

during the Regional Siting Process. Appendix "B" to the Regional Siting Process (see jurisdictions' adopted amendments) provides further guidelines and options for a public involvement strategy.

C. Notification:

It is the applicant's responsibility to ensure that all notices are published in a timely manner and to provide written verification, in the form of an affidavit, that the notification has been properly given. Publication is triggered by the completion of each stage of the Location Analysis. Notices shall be published in the legal newspaper of general circulation as noted in each subsection of this document. While the time frames may vary from one proposal to another, each newspaper notice must be published at least fourteen (14) days in advance of any hearing or public meeting. Following publication of each notice, the applicant must provide the Spokane County Division of Planning with a completed affidavit of publication. The applicant shall publish the following Notices using forms for public notice included in the application packet:

1. Notice of Application regarding EPF Proposal;
2. Notice of Availability of Functional Analysis regarding EPF Proposal;
3. Notice of Availability of Qualitative Analysis regarding EPF Proposal;
4. Notice of Availability of Weighted Analysis regarding EPF Proposal;
5. Notice of Hearing on EPF Proposal; and
6. Notice of Final Site Selection regarding EPF Proposal.

II. PROCEDURAL REQUIREMENTS

A. Determination of Appropriate Siting Process:

The Regional Siting Process outlined herein applies only to siting EPFs of statewide or regional / countywide significance. EPFs of local significance will be sited according to the process in place for each local jurisdiction. Although group homes are listed as EPFs, siting of housing for children in custody of the state (not including juveniles held in county criminal detention facilities or state juvenile institutions as defined in RCW 13.40.020), or for persons with handicaps as defined under the Federal Fair Housing Act, is exempt from the Regional Siting Process.

If a proposed facility is not included on an officially adopted state, regional, county or local community essential public facilities list, a proponent or local jurisdiction should request in writing that the Board determine whether or not it is an essential public facility that is subject to the Regional Siting Process.

The Request for Determination of Appropriate Siting Process shall provide the following information:

1. The nature or function of the proposed facility;
2. Whether the facility is publicly or privately owned;
3. Whether the facility is provided by or substantially funded by the government;
4. Probable impacts of the proposed facility;
5. The potential geographic area of adverse impact and public benefit;
6. The extent of public need for the services involved;
7. Whether the facility is necessary in order to meet a public service obligation;
and
8. Whether the facility is listed on an officially adopted state, regional, county or
local community essential public facilities list.

The Board will issue its written Determination of Appropriate Siting Process within a reasonable amount of time, but no longer than thirty (30) days after receiving a written Request for Determination of Appropriate Siting Process. Both the Request and the Determination shall become part of Spokane County Planning's record on this EPF proposal. The Board's decision may be appealed to Spokane County Superior Court or the Eastern Washington Growth Management Hearings Board; whichever is applicable, within the appropriate appeal time period as set forth in the applicable statute.

B. Application:

If the Regional Siting Process applies, the next step is for the proponent to contact the Spokane County Division of Planning for an application packet. The application packet includes a General Application, a copy of the Regional Siting Process, a procedural checklist, appropriate forms to use for public notice, and affidavits of publication. An application fee, as established by resolution of the Board, (to cover processing and staff review) shall be submitted along with a completed application. It is the applicant's responsibility to determine the time needed to conduct required studies, provide additional information, and make revisions. The next step is for the applicant to publish the Notice of Application regarding EPF Proposal.

If the applicant substantially modifies the proposal after the Notice of Application has been published, the proposal shall be treated as a new application and required to start again from the first step in the Regional Siting Process (Determination of Appropriate Siting Process). However, this requirement does not apply to changes made to the

proposal as a direct result of comments on the proposal received during the Regional Siting Process.

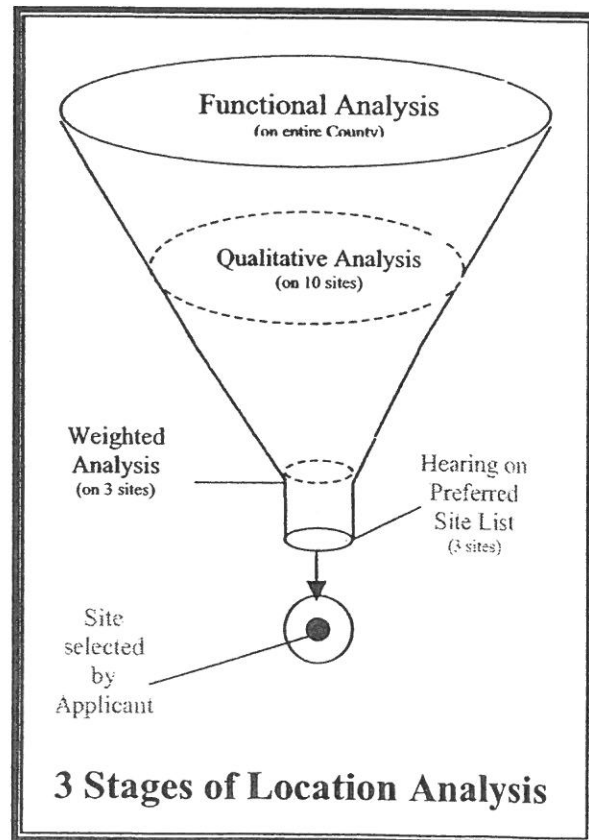
C. Notice of Application regarding EPF Proposal:

Opportunity for public comments begins with publication of the Notice of Application regarding EPF Proposal. This notice contains the name of the proponent, type of facility, who to contact with questions and how to get copies of the proposal. It also restates the information found in the Request for Determination, and advises the public of upcoming opportunities to comment; namely during the Functional, Qualitative, and Weighted Analysis stages, as well as the Board's final public hearing(s). This notice must be published in *The Spokesman Review*.

D. Location Analysis:

1. Functional Analysis:

- a) The applicant is responsible for performing a Functional Analysis as the first step in determining potential locations within Spokane County for the proposed facility. As part of the Functional Analysis, the applicant shall consider the siting requirements, legal requirements, and service delivery criteria for the proposed facility. The Regional Siting Process contains a list of additional objective criteria that the applicant may feel is relevant. Comments addressed to the applicant from members of the public and affected agencies and jurisdictions may identify other factors that need to be addressed in the Functional Analysis.
- b) The applicant shall detail the assumptions and reasons for identifying objective criteria to be applied to the proposed facility and the methodology for evaluating and scoring the proposed facility with respect to those criteria,



and shall include this information as part of the initial submittal. The applicant may employ resources needed to assist in site analysis, such as Geographic Information Systems (GIS) information or equivalent geographic and demographic data. However, a site assessment must be performed in order to confirm the accuracy of such data, assess the potential for negative impacts and identify possible mitigation strategies.

- c) The purpose of the Functional Analysis is to assist the applicant in identifying ten (10) potential sites for the proposed EPF. Further analysis shall focus on these selected sites rather than the county as a whole.
- d) Once the applicant feels the Functional Analysis is complete, it shall publish a Notice of Availability of Functional Analysis regarding EPF Proposal. This notice shall recite the main findings of the Functional Analysis, summarizing the evaluation criteria and identifying the selected semi-finalist sites and how they ranked. It will also provide notice of the beginning and ending dates for a comment period of thirty (30) days, indicating that copies of the Functional Analysis are available to the public and have been distributed to all jurisdictions within Spokane County, as well as all relevant agencies, affected special purpose districts, and other interested parties. This notice must be published in *The Spokesman Review*.
- e) Requests for further study, arbitration:
 - i. Within fourteen (14) days of receipt, the applicant will respond in writing to any requests for further study or analysis of additional factors. In this written response, the applicant will indicate whether or not it intends to honor the request for additional study, the reasoning behind its intention, and the avenues available to the entity requesting further study if it is not satisfied with the applicant's response. The applicant will provide the Board and the Spokane County Division of Planning with copies of both the initial request and its response.
 - ii. If the entity making request for further study is not satisfied with the applicant's response, it must notify the applicant, the Spokane County Division of Planning, and the Board, in writing, that it requests the Board to make a determination on the need for further study. Requests for Board determination must be made within ten (10) days of the date the applicant's response was received by the entity requesting further study.
 - iii. The Board will arbitrate in the event an applicant is unwilling to comply with a public, agency or departmental request for further study or analysis of additional factors. The Board will consult with

the applicant and the entity requesting further study, and make a determination on the need for further study within ten (10) days of the applicant, or entity, making formal written request for such determination. Said determination shall be binding on the applicant, but may be appealed to the Spokane County Superior Court or the Eastern Washington Growth Management Hearings Board, whichever is applicable, within the appropriate appeal time period as set forth in the applicable statute.

- iv. If the Board determines that further study is required, the applicant may not proceed to the Qualitative Analysis stage until that requirement has been met.

2. Qualitative Analysis:

- a) Once the Functional Analysis stage has been satisfactorily completed, the applicant is responsible for conducting a Qualitative Analysis regarding suitability of the semi-finalist sites. This stage of analysis will address the political, economic, legal and social impacts of the facility, balanced against the extent of public need for the facility and any reasons why the proposed facility needs to be in a particular location. The analysis will assess the relative impacts associated with the proposed facility at each of the semi-finalist sites, with consideration given to the Qualitative Analysis factors listed in the Regional Siting Process and other relevant concepts raised in comments addressed to the applicant from members of the public and affected agencies and jurisdictions.
- b) Public participation is a key tool for identifying factors that are important to consider at this stage. Opportunities for input should also provide an avenue for dialogue between the applicant and the public, agencies and affected jurisdictions regarding mitigation strategies to address potential adverse impacts.
- c) The Qualitative Analysis will narrow down the semi-finalist list to three (3) finalist sites that pose the least potential for negative impacts or unmet needs. All finalist sites must be available for lease for the anticipated use period or for purchase, with the consent of the owner.
- d) Once the applicant considers the Qualitative Analysis complete, it shall publish a Notice of Availability of Qualitative Analysis regarding EPF Proposal. This notice shall recite the main findings of the Qualitative Analysis, summarizing the evaluation criteria and identifying the selected finalist sites. It will also provide the beginning and ending dates for a comment period of thirty (30) days, indicating that copies of the Qualitative Analysis are available to the public and have been distributed to all

jurisdictions within Spokane County, as well as relevant agencies, affected special purpose districts, and other interested parties. This notice must be published in *The Spokesman Review* and the legal newspaper of each jurisdiction where a semi-finalist site is located.

- e) Requests for further study, arbitration: See procedures outlined under Functional Analysis, (II)(D)(1)(e) above.

3. Weighted Analysis:

- a) This stage uses a scoring matrix to rank the three (3) finalist sites in order of preference. First, the applicant develops a scoring matrix that outlines criteria used to evaluate the three (3) finalist sites. The outcome of the public participation program then adds scores to the matrix. The scores in the matrix reflect weighted values that are assigned to the various functional and qualitative criteria based on how important each criterion is to the community. Consensus on weighted values is desirable; however, the final score may also represent an average of the weighted values assigned by various segments of the community. A description of this scoring system is provided in Appendix C to the Regional Siting Process.
- b) The applicant is responsible for conducting the public participation program necessary to accomplish the Weighted Analysis. A variety of participation techniques may be appropriate at this stage including public workshops, interviews, surveys, and other input instruments including direct written communication from members of the public, related agencies or affected jurisdictions.
- c) Once the Weighted Analysis is completed, the applicant shall publish a Notice of Availability of Weighted Analysis regarding the EPF Proposal. This notice shall identify the factors or criteria considered in evaluating the finalist sites, the weighted values assigned by the public to those factors, and the final score for each site. The Notice of Availability of Weighted Analysis shall have a minimum comment period of fourteen (14) days. This notice must be published in *The Spokesman Review* and the legal newspaper of each jurisdiction where a finalist site is located.

E. Preferred Site Review:

- 1. Satisfactory completion of the Weighted Analysis results in a Preferred Site List that provides an initial ranking of the three (3) finalist sites. Final ranking of these sites is accomplished through additional consideration by the Board of such factors as the likely urban impacts of the proposed facility, site development criteria, and the possibility of cost sharing agreements that would mitigate any disproportionate financial burden that may fall on the affected jurisdiction(s), as

set forth in Step Nos. 5 through 7 of *The 1996 Growth Management Essential Public Facilities Technical Committee Report*. These additional factors are described more fully in the Regional Siting Process itself.

2. The Spokane County Division of Planning will prepare a written staff report prior to the notice of the Board's public hearing. Among other things, this report will summarize findings from the Location Analysis, recite the site rankings from each of the three (3) stages of the Location Analysis, and summarize comments received from the public, agencies and affected jurisdictions through the end of the comment period on the Weighted Analysis. Copies of the report shall be mailed to the applicant, the jurisdictions where the three (3) finalist sites are located, and made available to any interested person for the cost of reproduction.
3. The Board will conduct at least one (1) public hearing on the Preferred Site List, soliciting testimony on the factors mentioned in paragraph II.E.1 above. The hearing may be continued, as needed, in order to hear all relevant testimony. Notice of Public Hearing must be published at least fourteen (14) days in advance of the hearing date in *The Spokesman Review* and the legal newspaper of each jurisdiction where a finalist site is located.
4. Based on the record and testimony received at the hearing, the Board's recommendation will outline strategies identified to address any issues associated with particular sites, and rank the finalist sites in order of preference. The Board's recommendation will be issued within fourteen (14) days of the final hearing.
5. The Board's ranking is advisory and not binding on the applicant.
6. Any applicable interlocal agreements (for services such as fire protection, sewer service, etc.) shall be in place prior to final site selection. Once the final site is selected, the applicant shall publish a Notice of Final Site Selection regarding EPF Proposal in *The Spokesman Review* and in the legal newspaper where the final site is located. This notice shall indicate the specific location of the site, the host jurisdiction whose local siting process will apply to actually siting the facility, and where this site ranked in the Board's recommendation on the Regional Siting Process. Host jurisdictions must cooperate with the applicant in processing the application if the site finally selected is one of the three (3) finalist sites.

F. Process Summary:

Analysis Stage	Basis	Product	Applicant's Responsibility
Functional	Countywide	10 sites	Defines applicable criteria and methodology. Provides assessment and scoring. Publishes results.
Qualitative	10 sites	3 sites	Public participation. Provides assessment and scoring. Details methodology. Publishes results.
Weighted	3 sites	3 sites ranked	Public participation. Provides evaluation and weighting. Publishes results.
BOCC hearing	3 sites ranked	Board recommendation	Publishes hearing notice. Publishes final site selection notice.

G. Local Siting Process:

1. Following final site selection, the applicant will work directly with the local jurisdiction and its regulatory requirements to permit the construction and operation of the facility under the plans and regulations that were in effect at the time of initial application under the Regional Siting Process.
2. Following selection of a final site through the Regional Siting Process, the applicant is not required to perform further alternative site analysis at the local level.
3. To facilitate siting, the local jurisdiction's conditional use or special use criteria should rely as much as possible on the findings from the Regional Siting Process Location Analysis. To ensure that a jurisdiction's unique concerns are addressed during the Regional Siting Process Location Analysis, a jurisdiction should raise those issues during the Functional and Qualitative Analysis comment periods, the Weighted Analysis, or at the Board's hearing.