



# Spokane County

WASHINGTON

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Thursday, February 15, 2024, at 9:00 A.M.

**Spokane County Planning Commission**

[www.spokanecounty.org/623/Planning-Commission](http://www.spokanecounty.org/623/Planning-Commission)

Commissioner's Hearing Room, Lower Level, Public Works Building

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**Attachments:** (Click the Following Links for Review)

Agenda

Legal Notice

Minutes of January 11, 2024 – DRAFT

FAC-01-23 Staff Report

FAC-02-23 Staff Report

FAC-01-24 Staff Report

2024 CPA Initiation Summary Report

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**Public and Zoom Webinar Information**

Public Comments may be limited to three (3) minutes per speaker. The Planning Commission reserves the right to adjust the time frame allotted to speakers. Chat functions are not recognized for commenting—please use the web link.

For additional assistance contact us at <https://www.spokanecounty.org/5175/Planning-Commission-News>, by calling 509-477-3675, or by emailing [planningcommission@spokanecounty.org](mailto:planningcommission@spokanecounty.org).

All public hearings are conducted in the Commissioner's Hearing Room, Public Works Bldg. 1026 W. Broadway, Spokane, WA. Facilities are physically accessible for individuals with disabilities.

Questions or special needs may be directed to Elya Miroshin at [emiroshin@spokanecounty.org](mailto:emiroshin@spokanecounty.org) or (509) 477-7139.

**Webinar Link:**

<https://us06web.zoom.us/j/81213204662?pwd=sVofnVf6CYEASWhmGnYg9XPbeWmLWs.1>

Telephone: 1-253-215-8782 (toll free) | Meeting ID: 812 1320 4662 | Passcode: 814919





# Spokane County

WASHINGTON

## AGENDA

### Spokane County Planning Commission

Thursday, February 15, 2024, at 9:00 A.M.

Commissioner's Hearing Room, Lower Level, Public Works Building

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Chair Stephen Pohl, Vice Chair Pete Rayner, Clyde Haase, Wayne Brokaw,  
Melissa Wittstruck, Logan Camporeale, Alan Nolan

[www.spokanecounty.org/623/Planning-Commission](http://www.spokanecounty.org/623/Planning-Commission)

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*The public may participate in person or remotely utilizing web  
and telephone conference links (\*6 to speak).*

*Individuals are limited to one, three-minute comment period during the meeting.*

*Please keep your comments specific to the current agenda item.*

*Chat is not supported.*

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Call to Order 9:00 AM

Open Forum *Public comment on any item not on the current agenda*

#### Public Hearings

FAC-01-23 Farm and Ag Conservation for parcel #: 48184.9056 & 48184.9057,  
owners: Stephanie Shelley and Erik Shelley

FAC-02-23 Farm and Ag Conservation for parcel # 47234.9017 & 47234.9018,  
owners: Mark & Vicki Pfouts

FAC-01-24 Farm and Ag Conservation for parcel # 24092.9004,  
owner: Lorretta Magnuson

Workshop **2024 Proposed Comprehensive Plan Amendments**

Minutes January 11, 2024

Next Meeting March 14, 2024 – Public Hearing to recommend initiation of 2024 CPAs

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### Spokane County Department of Building & Planning

## SPOKANE COUNTY PLANNING COMMISSION

**NOTICE IS HEREBY GIVEN** by the Spokane County Planning Commission pursuant to Chapter 36.70 and 36.70A RCW, that a public hearing with a virtual participation option will be held in the Commissioner's Hearing Room, Lower Level, Public Works Building, located at 1026 W. Broadway, Spokane, WA on Thursday, February 15th, 2024, at 9:00 a.m. The meeting will also be available via Zoom:

**WEBINAR LINK:**

<https://us06web.zoom.us/j/81213204662?pwd=sVofnVf6CYEASWhmGnYg9XPbeWmLWs.1>

**TELEPHONE:** 1-253-215-8782 (toll-free)  
Meeting ID: 812 1320 4662  
Passcode: 814919

## SPOKANE COUNTY PLANNING COMMISSION

Thursday, February 15th, 2024 -- 09:00 AM Pacific Time (US and Canada)

**PUBLIC HEARINGS:** The Spokane County Planning Commission, acting as the Spokane County Public Benefit Rating Board will hold public hearings on the following Current Use Taxation Re-Classifications applications:

Agricultural Conservation Current Use Taxation Reclassification for the following:

File #: FAC-01-23, parcel #: 48184.9056 & 48184.9057, owners: Stephanie Shelley and Erik Shelley

File #: FAC-02-23, parcel #: 47234.9017 & 47234.9018, owner: Mark & Vicki Pfouts

File #: FAC-01-24, parcel #: 24092.9004, owner: Lorretta Magnuson

Contact Robert Brock, AICP, Planner at 509-477-7223 for more information.

**WORKSHOP:** The Spokane County planning staff will be previewing the 2024 Comprehensive Plan Amendment Initiation Requests to the Planning Commission.

The Comprehensive Plan Amendment requests can be found at the following web link:

<https://www.spokanecounty.org/5553/2024-Comprehensive-Plan-Amendments>

Public Comments are welcome. Comments may be limited to three (3) minutes per speaker. The Planning Commission reserves the right to adjust the time frame allotted to speakers.

Chat functions are not recognized for commenting. Comments on these items may be made anytime at the Building & Planning web page (<https://www.spokanecounty.org/5175/Planning-Commission-News>).

For additional assistance contact us at <https://www.spokanecounty.org/5175/Planning-Commission-News>, by calling 509-477-1500, or by email: [planningcommission@spokanecounty.org](mailto:planningcommission@spokanecounty.org).

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DATED THIS JANUARY 31, 2024  
SPOKANE COUNTY DEPARTMENT OF BUILDING AND PLANNING



**SPOKANE COUNTY PLANNING COMMISSION**

**MINUTES OF THE MEETING**

**JANUARY 11, 2024**

<b>Planning Commission Members Present</b>	<b>Spokane County Department of Building and Planning Staff Present</b>
Stephen Pohl, Chair Peter Rayner, Vice Chair Clyde Haase Wayne Brokaw Alan Nolan Melissa Wittstruck (Arrived at 9:10 AM)	Elya Miroshin, Clerk Scott Chesney, AICP, Planning Director

The January 11, 2024, meeting of the Spokane County Planning Commission was called to order by Director Scott Chesney at 9:02 A.M. A quorum was present. The meeting was accessible to the public in the Commissioner’s Hearing Room, Lower Level, Public Works Building, located at 1026 West Broadway Avenue, Spokane, WA, and via Zoom with web and telephone links provided on the Building and Planning website and in a public notice published in the Spokesman-Review on December 27, 2023.

**ELECTION OF OFFICERS:** Mr. Chesney opened the nomination for the position of Chair for the 2024 Planning Commission. Mr. Rayner nominated Mr. Pohl. There were no other nominations. The motion carried 4-0. Mr. Rayner – Aye, Mr. Haase – Aye, Mr. Brokaw – Aye, and Mr. Nolan – Aye.

Chairman Pohl opened the nomination for the position of Vice Chair for the 2024 Planning Commission. Mr. Brokaw nominated Mr. Rayner. There were no other nominations. The motion carried 4-0. Chairman Pohl – Aye, Mr. Haase – Aye, Mr. Brokaw – Aye, and Mr. Nolan – Aye.

**Public comment opened for items not on the agenda: No comments.**

**PREVIEW THE 2024 PROPOSED COMPREHENSIVE PLAN AMENDMENTS:**

CPA-01-24: Concurrency and Cumulative Impact.

CPA-02-24: Parcel number 36193.9098. Request from Low Density Residential (LDR) to High Density Residential (HDR) on .82 acres.

CPA-03-24: Parcel number 36092.9056. Request from Low Density Residential (LDR) to High Density Residential (HDR) on 2.96 acres.

CPA-04-24: Parcel numbers 36101.0544 and 36101.0545. Request from Light Industrial (LI) to Medium Density Residential (MDR) on 5.22 acres.

CPA-05-24: Parcel number 33333.9017. Request from Rural Traditional (RT) to Regional Commercial (RC) on 11.5 acres.

**CONTINUED YEAR 2022 AND 2023 PROPOSED COMPREHENSIVE PLAN AMENDMENTS:**

CPA-10-22: Parcel numbers 24042.0163 through 24042.0170. Request from Light Industrial (LI) to Low Density Residential (LDR) on 6 acres.

CPA-12-23: Parcel numbers 36064.0104 and 36064.0122. Request from Low Density Residential (LDR) to Medium Density Residential (MDR) on 2.64 acres.

CPA-13-22: Parcel number 24182.0105. Request from Low Density Residential (LDR) to Medium Density Residential (MDR) on 9.78 acres.

CPA-14-22: Parcel numbers 24074.9074, 24074.9079, 24181.9041, and 24181.9059. Request from Low Density Residential (LDR) to Medium Density Residential (MDR) on 102.5 acres.

Mr. Chesney reviewed the 2024 Comprehensive Plan Amendment Cycle Timeline.

**MINUTES:** Mr. Rayner moved to adopt the December 14, 2023, minutes, seconded by Mr. Haase. No discussion. Motion carried 5-0 with an abstention from Ms. Wittstruck. Chairman Pohl – Aye, Vice Chair Peter Rayner – Aye, Mr. Haase – Aye, Mr. Brokaw - Aye, and Mr. Nolan – Aye.

**STAFF REPORT:** The January 25, 2024, meeting has been cancelled. Next scheduled meeting date is February 15, 2024.

**Chairman Pohl entertained a motion to adjourn. Moved by Mr. Rayner; seconded by Mr. Brokaw. The meeting was unanimously adjourned at 9:34 A.M.**

Stephen Pohl, Chair \_\_\_\_\_ Date \_\_\_\_\_

Scott Chesney, AICP, Planning Director \_\_\_\_\_

# File No. FAC-01-23

## SPOKANE COUNTY DEPARTMENT OF BUILDING & PLANNING ANALYSIS January 11, 2024

### "Farm & Agriculture Conservation Land" CURRENT USE ASSESSMENT Chapter 84.34 RCW

**RCW 84.34.010 Legislative declaration.** *The legislature hereby declares that it is in the best interest of the state to maintain, preserve, conserve, and otherwise continue in existence adequate open space lands for the production of food, fiber, and forest crops, and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the state and its citizens. The legislature further declares that assessment practices must be so designed as to permit the continued availability of open space lands for these purposes, and it is the intent of this chapter so to provide. The legislature further declares its intent that farm and agricultural lands shall be valued based on their value for use as authorized by section 11 of Article VII of the Constitution of the state of Washington. [1973 1st ex.s. c 212 § 1; 1970 ex.s. c 87 § 1.]*

**RCW 84.34.020 Definitions.** *As used in this chapter, unless a different meaning is required by the context:*

8) "Farm and agricultural conservation land" means either:

(a) Land that was previously classified under subsection (2) [ *Farm and Agricultural Land* ] of this section, that no longer meets the criteria of subsection (2) [ *Farm and Agricultural Land* ] of this section, and that is reclassified under subsection (1) [ *Open Space - Farm and Agricultural Conservation Land* ] of this section; or

(b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

2005 c 57 § 1; 2004 c 217 § 1; 2002 c 315 § 1; 2001 c 249 § 12; 1998 c 320 § 7; 1997 c 429 § 31; 1992 c 69 § 4; 1988 c 253 § 3; 1983 c 3 § 227; 1973 1st ex.s. c 212 § 2; 1970 ex.s. c 87 § 2.]

RCW 84.34 provides an opportunity for owners of property currently classified under the Open Space Farm and Agriculture Land, but which no longer qualify for that classification, or Traditional Farmland not currently classified under the Open Space Taxation Act, to apply for the Farm and Agriculture Conservation tax classification. This classification allows those owners of qualifying agricultural land to obtain up to a 50% tax deferral while their qualifying agricultural land is idle, provided they develop a plan to produce a qualifying agricultural product that will meet the income standards of the County's Farm and Agricultural program and show intent to return to that program. Applications will be rated according to Spokane County's adopted Public Benefit Rating Form.

Spokane County recognizes the State Legislature's intent to promote the production of food, and fiber and implements it with the adoption of a Public Benefit Rating System which allows the County to rate properties according to their potential to return to commercial agriculture production. Spokane County's Farm & Agriculture Conservation program enables the County to tax productive, but currently idle farmland at a current use value, rather than at the highest and best use, thereby promoting the State's interest.

**PROPERTY OWNER:** Robert & Stephanie Shelley Erik Shelley  
PO Box 560 28818 N. Dunn Rd.  
Chattaroy, WA 99003 Chattaroy, WA 99003

**PROJECT PLANNER:** Robert Brock, AICP

I. **ASSESSOR'S PARCEL NUMBER(S):** 48184.9056 & 48184.9057

II. **GENERAL LOCATION:**

The property is located west of and adjacent to Dunn Road, approximately 2/3 of a mile north of its intersection with Hamilton Rd. in the SE¼ of Section 18, Township 28 North, Range 44 EWM, Spokane County, Washington.

III. **ZONING:**

Rural Traditional

IV. **PROPOSAL:**

The property owners are requesting to change from the tax classification of "Farm and Agricultural Land" to a tax classification of " Farm and Agriculture Conservation" pursuant to RCW 84.34.020(8)(a). The subject properties are adjacent to one another and total **45.6** acres in size. The 48184.9057 parcel contains a single-family home and several outbuildings. The 48184.9056 parcel contains several outbuildings. Together these parcels had been part of a larger farm. Robert Shelley, now deceased, had been farming the land since 1978 and stated in his application that the soil is productive. The application indicates the land has been used in the past to produce wheat, grass, oats, alfalfa, and cattle. Mr. Shelley stated in his application that he would like to retire from active agriculture due to age but keep the land in a farm-ready condition. He has since passed away. His son, Erik Shelley, added parcel, 48184.9057 to the application, with permission from the Assessor's Office under the continuous family-operation farming provision.

V. **ANALYSIS BASED UPON SPOKANE COUNTY CRITERIA:**

A. Eligibility: The applicant's property is currently classified as current-use Farm and Agriculture.

B. Priority Consideration: The applicant has provided a Farm Plan indicating they are too old to actively farm the land and intend to keep the land in a farm-ready condition so

that the next owner can resume qualifying agricultural uses. The current use of the land is consistent with future agricultural activities.

C. Additional Consideration: The land is zoned Rural Traditional, which allows agricultural uses and is located outside the Urban Growth Boundary. The applicant has developed a noxious weed and pest control strategy.

D. Impediments to Farm and Agricultural Land: Mr. Shelley identified a small ten by ten-foot area of the land as being seasonally wet and unavailable for farm use. County GIS map layers do not identify any wetland on the property but do on the land to the south.

E. The applicant's Public Benefit Rating Form score is **165**, sufficient to obtain the maximum tax deferral allowable under the **Farm and Agriculture Conservation** program of 50%. See the attached Public Benefit Rating Form.

#### **VI. SUMMARY:**

The applicant wishes to reclassify **45.6** acres of land from the **Farm and Agricultural Land** tax classification to the **Farm and Agriculture Conservation** tax classification and has submitted a Five-Year Farm Plan detailing how they will return their land to commercial agricultural production and provided a timeline. The plan details the applicant's willingness and desire to return to farming activities that will meet the County Assessor's standards for re-entry into the **Farm and Agricultural Land** current use program.

#### **VII. TAX IMPLICATIONS:**

If at any time, the owner wishes to remove the property from the Farm and Agriculture Conservation current use tax classification, the land is subject to an additional tax equal to the difference between the amount of tax paid under the classification and the tax at true and fair value for the last seven years, plus interest at the statutory rate charged on delinquent property taxes. The land must transition into the Agricultural classification within the period indicated in the Farm Plan and the Farm and Agriculture-Conservation Agreement or the owner must also pay a penalty of an additional 20 percent of the total dollar amount of the seven-year back taxes and interest. The Assessor may grant an extension of time for good reason, at their discretion.

#### **VIII. PROPOSED CONDITIONS OF APPROVAL:**

Conditions of Approval are for reclassification of the subject property to "**Farm and Agriculture Conservation**" current use assessment, as conditioned and stipulated in an agreement between the property owner and the Board of Spokane County Commissioners as follows:

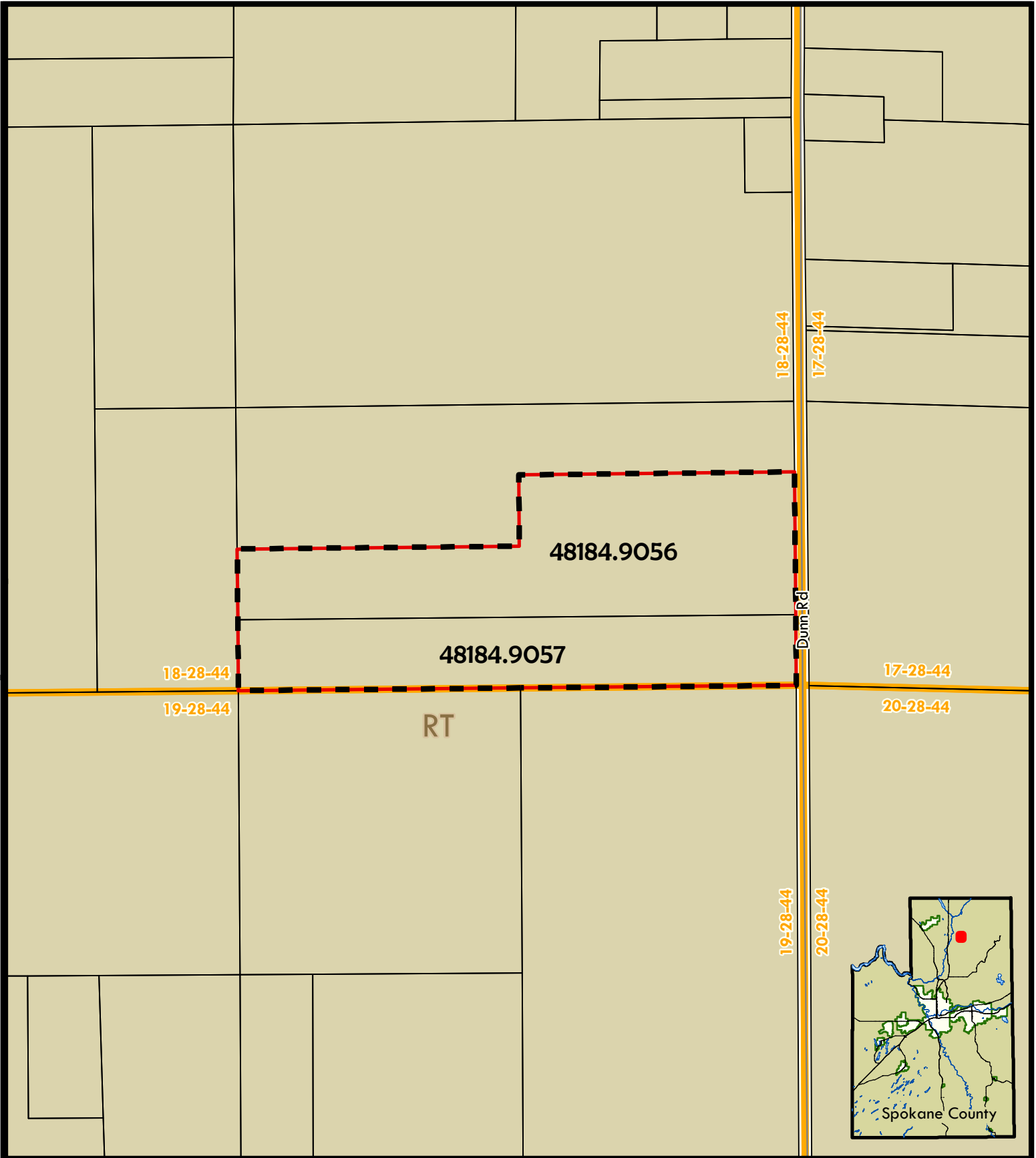
- A. The change of the tax classification to "Farm and Agriculture Conservation" pursuant to RCW 84.34.020(8)(a) is for the entire parcel of **45.6** acres. The tax parcel numbers are **48184.9056 & 48184.9056**.
- B. Any change in the use of the property other than that described in the Farm and Agricultural Conservation Agreement will be cause for reconsideration of the Current

Use Assessment. It is the owner's responsibility to notify the Spokane County Assessor of any changes in use, or addition of structures to the property.

- C. The owner of the property in question shall submit an annual report to the Spokane County Assessor each January, on or before January 31, which summarizes activities accomplished in the previous year toward fulfillment of their obligation to keep the land in a farm-ready condition.

**Attachments:**

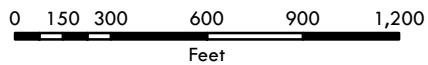
- 1. Zoning Map
- 2. Aerial Map
- 3. Application
- 4. Farm Plan
- 5. Public Benefit Rating Form



**Legend**

Residential	NC	Industrial	UR
LDR-P	CC	LI	RAC
LDR	RC	HI	Resource Lands
MDR	Mixed Use	Rural	LTA
HDR	MU	RT	STA
Commercial		R-5	FZ
LDAC		RCV	MZ

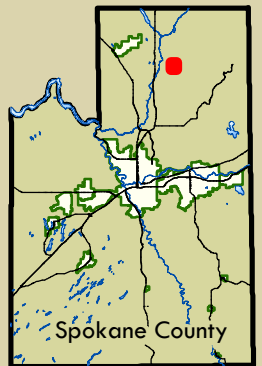
## FAC-01-23 Zoning Map



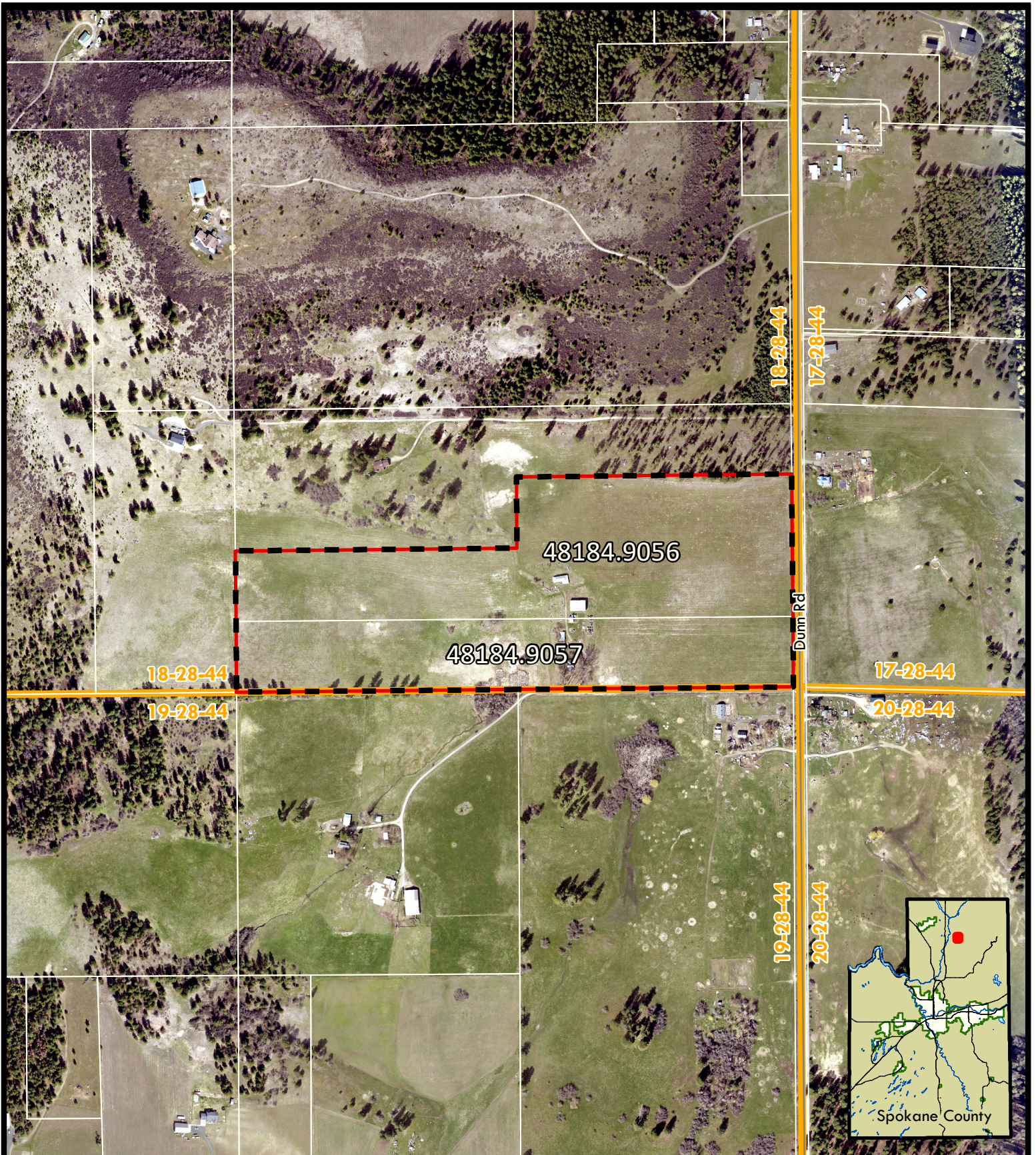
1 inch = 600 feet  
State Plane WA North

This map was published by the Spokane County Department of Building and Planning as a general planning tool. Due to the differing quality of source documents, the Department cannot accept responsibility for errors or omissions, and therefore, there are no warranties which accompany this material.





Map produced: January 2024  
Spokane County GIS



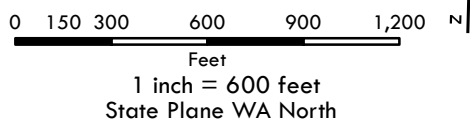




**Legend**

-  Preliminary
-  Municipal Boundaries
-  Sections
-  Lakes & Streams

**FAC-01-23**  
**Aerial Map**



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Spokane County GIS





## Spokane County Building and Planning

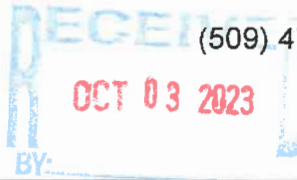
1026 W. Broadway Avenue

Spokane, WA 99260

(509) 477-3675 / (509) 477-4703 (Fax)

Email: [bp@spokanecounty.org](mailto:bp@spokanecounty.org)

[www.spokanecounty.org/bp](http://www.spokanecounty.org/bp)



### PUBLIC BENEFIT RATING FORM FOR OPEN SPACE CLASSIFICATION / FARM AND AG CONSERVATION

**IMPORTANT:** Please read all brochures described in the Public Benefit Rating Form Checklist for Open Space Classification prior to completing this form.

Name(s) of Applicant(s) Robert Shelley Date Submitted 9-29-2023

Mailing Address P.O. Box 560 Chattaroy WA 99003 Day Phone Number(s) 509-294-2651

Tax Parcel Number(s) 48184, 9056

General Location of Property \_\_\_\_\_

#### PART I - Property Overview

1. Legal Interest in Property:

Owner       Contract Purchaser       Other (Describe) \_\_\_\_\_

2. Total Acreage of Property 29.59

3. Acreage to be enrolled in the Farm and Ag Conservation Land Program all

4. What is the Property Currently Used for? grass hay

5. Is the land subject to a lease or agreement which permits any other use than its present use?  
Yes  No  (Note: If yes, please attached a copy of the lease agreement.)

6. Are you proposing to apply a conservation easement or historic easement to your property?  
 Yes (type: \_\_\_\_\_)      Does one exist now?  Yes (type: \_\_\_\_\_)  
 No       No  
Who will hold (or does hold) the easement? \_\_\_\_\_

7. Is there currently any mining claim or mining lease on the land?  Yes  No

8. Will you be profiting through an activity upon the land through the collection of fees, the sale of merchandise or raw materials, etc.?  Yes  No

9. Is the open space area dedicated under zoning or subdivision ordinance requirements or used to achieve the maximum development potential under zoning?  Yes  No ?

**PART II - Farm and Agriculture Conservation Land Eligibility**

A. Has the land been previously classified as farm and agricultural land under the Open Space Taxation Act, but no longer meets that criteria? (50 pts)

Yes.  No. Comments: it has been farmed for many years in grass, oats and alfalfa

B. Is the land traditional farmland that has never been classified under the Open Space Taxation Act? (50 pts)

Yes.  No. Comments: \_\_\_\_\_

**NOTE: If you answered "No" to both A and B above, your property is not eligible for this program.**

**PART III – Priority Consideration**

C. Will the land return to commercial farming/agricultural production? Show us how. (25 pts)

Yes.  No. Comments: it will be farm ready. I am too old to farm

D. Have you prepared a timeline to return the land to commercial farming/agriculture? Please attach. (25 pts)

Yes.  No. Comments: \_\_\_\_\_

E. Is the use of your land consistent with agricultural uses? Describe. (25 pts)

Yes.  No. Comments: it is in native grass and cut yearly

F. Is the land part of a NRCS conservation program? Please provide documentation. (25 pts)

Yes.  No. Comments: \_\_\_\_\_

**NOTE: A minimum of two (2) "Priority Considerations" marked "C", "D", "E", or "F" must be marked yes and documented in order to be eligible.**

**PART IV – Additional Consideration**

G. Is the property located outside of an urban growth area boundary? (10 pts)

Yes.  No. Comments: rural chertney

H. Does the property's acreage/square footage meet the minimum lot size for the current zoning? (10 pts)

Yes.  No. Comments: \_\_\_\_\_

I. Have you developed a noxious weed and pest management control plan? Please provide. (10 pts)  
 Yes.  No. Comments: the field is cut yearly and sprayed

when necessary

J. Are property conditions suitable for commercial agriculture in terms of soil type, slope? Describe. (10 pts)  
 Yes.  No. Comments: Mostly good loam soil with  
some rocks

K. Please provide any other comments that would show your potential for returning the land to commercial farm and agriculture and that you think would aid the Board when considering classification. (up to 20 pts)  
Comments: it is fairly level and has very good yield when  
planted with a grain crop such as oats

### PART V – Impediments to Farm and Agriculture Land

L. Describe any impediments that may prevent returning the land to farm and agriculture uses such as wetlands, rock outcroppings, steep slopes, erodible soils or other considerations. (up to 50 pt reduction)  
 Yes.  No. Comments: there is only one small area that  
gets damp in the spring about a 10x10 area  
that I avoid with the tractor

### PART VI – Tax Liability Statement and Signature

**IMPORTANT! Read all of the following information regarding tax liabilities before signing this application form.**  
You will owe to the County the following additional taxes, interest and penalties when your property is removed or withdrawn from current use classification. The following is a summary of state law. Consult RCW Chapter 84.34 for details.

#### STATEMENT OF ADDITIONAL TAX, INTEREST, AND PENALTY DUE UPON REMOVAL OF CLASSIFICATION:

1. Upon removal of classification, an additional tax shall be imposed which shall be due and payable to the county treasurer 30 days after removal or upon sale or transfer, unless the new owner has signed the Notice of Continuance. The additional tax shall be the sum of the following:
  - a. The difference between the property tax paid as "Open Space Land" and the amount of property tax otherwise due and payable for the last seven years had the land not been so classified; plus
  - b. Interest upon the amounts of the difference (a), paid at the same statutory rate charged on delinquent property taxes.
  - c. A penalty of 20% shall be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal process, or except as a result of those conditions listed in (2) below.

Spokane County Building and Planning  
Public Benefit Rating Form  
Farm and Ag Conservation Land  
Page 4 of 4

2. The additional tax, interest, and penalty specified in (1A) above shall not be imposed if removal resulted solely from:
- a. Transfer to a governmental entity in exchange for other land located within the State of Washington.
  - b. ~~A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power.~~
  - c. A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property.
  - d. Official action by an agency of the State of Washington or by the county or city where the land is located disallows the present use of such land.
  - e. Transfer of land to a church when such land would qualify for property tax exemption pursuant to RCW 84.36.020.
  - f. Acquisition of property interests by State agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 (See RCW 84.34.108(6)(f)).
  - g. Reclassification from: i) farm & agricultural to open space classification; ii) timber land to open space classification; and, iii) from farm and agriculture conservation land to farm and agriculture.
  - h. Removal of land from classification after enactment of a statutory exemption that qualifies the land for exemption and receipt of notice from the owner to remove the land from classification.
  - i. The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120.
  - j. The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.
  - k. The sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.

**Removals and withdrawals from the program are processed by the Spokane County Assessor.**

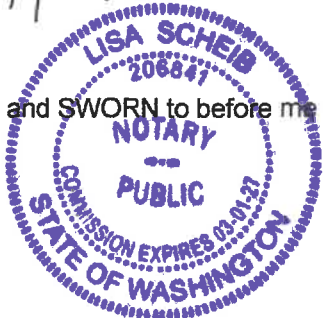
I (We) the undersigned, swear under the penalty of perjury, that I (We) am (are) the owner(s) or contract purchaser(s), of the land described above and that the above responses are made truthfully and to the best of my (our) knowledge. I (We) also understand that, should there be willful misrepresentation or willful lack of full disclosure on my (our) part, the granting authority, which may hereafter classify said land under the provisions of Chapter 84.34 RCW, may subsequently remove the classification. In addition, I (we) am (are) aware of the potential tax liability described above.

DATE: 9/29/23

OWNERS: *Robert M. Shulley*

SUBSCRIBED and SWORN to before me this

29 day of September, 20 23.



*Lisa Scheib*  
Notary Public in and for the State of Washington, residing in Spokane County

*King County*  
BoCC Res. 8 1036 111808

JAN 22 2024



**Spokane County Building and Planning**

1026 W. Broadway Avenue  
Spokane, WA 99260  
(509) 477-3675

Email: [bp@spokanecounty.org](mailto:bp@spokanecounty.org)  
[www.spokanecounty.org/bp](http://www.spokanecounty.org/bp)

**PUBLIC BENEFIT RATING FORM  
FOR OPEN SPACE CLASSIFICATION / FARM AND AG CONSERVATION**

**IMPORTANT:** Please read all brochures described in the Public Benefit Rating Form Checklist for Open Space Classification prior to completing this form.

Name(s) of Applicant(s) Erik Shelley Date Submitted 01/19/2024

Mailing Address 28818 N Dunn Rd, Chattaroy, WA 99003 Day Phone Number(s) 408-595-2942

Tax Parcel Number(s) 48184.9057

General Location of Property  
This parcel is part of a contiguous family farming operation where the land is managed as a single unit.

**PART I - Property Overview**

1. Legal Interest in Property:  
 Owner       Contract Purchaser       Other (Describe) \_\_\_\_\_
2. Total Acreage of Property 20
3. Acreage to be enrolled in the Farm and Ag Conservation Land Program 19
4. What is the Property Currently Used for? Growing Hay
5. Is the land subject to a lease or agreement which permits any other use than its present use?  
Yes  No  (Note: If yes, please attached a copy of the lease agreement.)
6. Are you proposing to apply a conservation easement or historic easement to your property?  
 Yes (type: \_\_\_\_\_)      Does one exist now?  Yes (type: \_\_\_\_\_)  
 No       No  
Who will hold (or does hold) the easement? \_\_\_\_\_
7. Is there currently any mining claim or mining lease on the land?  Yes  No
8. Will you be profiting through an activity upon the land through the collection of fees, the sale of merchandise or raw materials, etc.?  Yes  No
9. Is the open space area dedicated under zoning or subdivision ordinance requirements or used to achieve the maximum development potential under zoning?  Yes  No

Spokane County Building and Planning  
Public Benefit Rating Form  
Farm and Ag Conservation Land  
Page 4 of 4

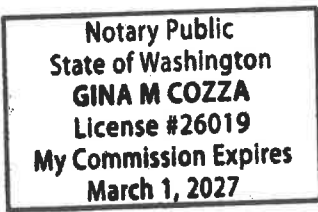
2. The additional tax, interest, and penalty specified in (1A) above shall not be imposed if removal resulted solely from:
- a. Transfer to a governmental entity in exchange for other land located within the State of Washington.
  - b. A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power.
  - c. A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property.
  - d. Official action by an agency of the State of Washington or by the county or city where the land is located disallows the present use of such land.
  - e. Transfer of land to a church when such land would qualify for property tax exemption pursuant to RCW 84.36.020.
  - f. Acquisition of property interests by State agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 (See RCW 84.34.108(6)(f)).
  - g. Reclassification from: i) farm & agricultural to open space classification; ii) timber land to open space classification; and, iii) from farm and agriculture conservation land to farm and agriculture.
  - h. Removal of land from classification after enactment of a statutory exemption that qualifies the land for exemption and receipt of notice from the owner to remove the land from classification.
  - i. The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120.
  - j. The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.
  - k. The sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.

**Removals and withdrawals from the program are processed by the Spokane County Assessor.**

I (We) the undersigned, swear under the penalty of perjury, that I (We) am (are) the owner(s) or contract purchaser(s), of the land described above and that the above responses are made truthfully and to the best of my (our) knowledge. I (We) also understand that, should there be willful misrepresentation or willful lack of full disclosure on my (our) part, the granting authority, which may hereafter classify said land under the provisions of Chapter 84.34 RCW, may subsequently remove the classification. In addition, I (we) am (are) aware of the potential tax liability described above.

DATE: 01/22/2024 OWNERS: *Eric Schuy*

SUBSCRIBED and SWORN to before me this 22 day of January, 2024  
*Gina M Cozza*  
Notary Public in and for the State of Washington, residing in Spokane County







FIVE-YEAR  
FARM AND AG CONSERVATION PLAN

FAC-0001-2023

File No \_\_\_\_\_ (Staff)

Property Owner Name

Address

City, State, Zip

Phone number

Robert M. Shelley 509-294-2651  
P.O. Box 560, Chattaroy, WA 99003

Parcel Numbers:

48184.9056

Property size:

approx. 30 acres

Prepared By:

Name Stephanie Shelley  
Address P.O. Box 560 Chattaroy  
WA 99003

Phone number

509-294-2634

Date Prepared

9-29-2023



1. Please describe in detail your plan to return the property to commercial production of food and/or fiber and thereby switch to the County's Farm and Agriculture program:

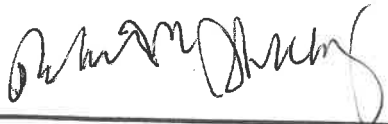
see attached.

- Projected year of first crop production and crops to be grown:  
to be determined by future owner
- Projected year you intend to start raising livestock or boarding horses:  
to be determined by future owner
- Will your crops or livestock meet the income per acre requirements of the County's Farm and Agricultural program based upon your property size? Please see the Assessors' Office for information on the income per acre standards that apply.

yes. It would be expected

2. Please describe in detail what steps you plan to take to actively control noxious weeds on your property:

Weeds are sprayed in the Spring of each year and cut in July of each year



Owner's signature

9-29-23

Date

## Attachment of 5-year Farm and AG plan

1. please describe in detail your plan to return the property to commercial production of food and/or fiber and thereby switch to the County's Farm and Agriculture program:

Parcel was originally part of 160 acres homestead at 28818 N. Dunn Road, Chattahoochee, WA 99003 owned by Edmund Jones who farmed this parcel and ran cattle for approximately 20 years until his death. The parcel produced alfalfa, oats, wheat, grass and grazing for 60+ head of cattle. In 1978, I purchased the western most 80 acres from Jones and I sub-leased these 80 acres back to him to continue the aforementioned farm use. In 2005 (approximately) when Jones died, I purchased approximately 50 additional acres from his surviving spouse, Bernadette Jones and she retained 30+ acres. I also purchased from his widow, all of the farm equipment on the property plus I purchased a new tractor and hay baler and swather to continue his farm and cattle grazing operations. I continued to grow and cut grass hay and alfalfa and run cattle on the entirety for another 15 years at which time I sold the cattle and simply planted and cut the hay to sell. My ability to continue and maintain that production has eroded over the last several years due to age and illness and although I cannot actively farm, I have continued to maintain the land by cutting and spraying weeds and applying fertilizers.

All of this land is fertile, level without many rocks and farm/crop ready. The next owner will be able to produce a healthy crop.

FAC-0001-2023

**PUBLIC BENEFIT RATING FORM**  
**Farm and Ag Conservation Land**  
**Staff Use Only**

File Number: FAC-01-23 Zoning Designation: Rural Traditional

Applicant Name: Robert Shelley Planner: Robert Brock

Date application complete & fee paid: \_\_\_\_\_

#	PTS	ELIGIBILITY	COMMENTS (1 required)	PTS POSSIBLE
A.	50	Previously classified as farm and agricultural land	Yes. IN The Ag program	50
B.		Traditional farmland		50
#	PTS	PRIORITY CONSIDERATION	COMMENTS (2 required)	PTS POSSIBLE
C.	25	Returning the land to commercial farming/agricultural production	The Applicant has Aged out of Farming but will keep the land ready to farm for the next owner.	25
D.	25	Timeline to return to commercial farming/agriculture	UPON TRANSFER TO THE NEXT OWNER	25
E.	25	Use of land consistent with agricultural uses	Yes	25
F.		Land is part of a NRCS conservation program	No	25
#	PTS	ADDITIONAL CONSIDERATION	COMMENTS	PTS POSSIBLE
G.	10	Located outside of an urban growth area boundary	Yes	10
H.	10	Meets minimum lot size per zoning	Yes. 10 Acre minimum and the site is 29.60	10
I.	10	Noxious weed and pest management control plan.	Yes. IN Farm plan	10
J.	10	Property conditions are suitable for commercial agriculture	Yes	10
#	PTS	APPLICANT COMMENTS	COMMENTS	PTS POSSIBLE
K.		Other comments that potential for returning the land to commercial farm and agriculture and that would aid the Board when considering classification.	IN AN AREA OF ACTIVE Ag USES	Up to 20

165





SPOKANE COUNTY

SPOKANE COUNTY  
BUILDING AND PLANNING

**OPEN SPACE TAX PROGRAM**

**THE PUBLIC BENEFIT RATING SYSTEM  
HOW IT WORKS**

The assessed value of properties classified as open space is determined by a formula using a point-rating system. Here's how it works: Spokane County has established a list of Priority Resources, based on the definition of open space in the State Open Space Taxation Act (RCW 84.34). Each Priority Resource on the list provides points for a property's "rating." The more points a property has accumulated, the larger reduction it gets in assessed value.

The County Assessor's Office has provided the following thresholds that are used to determine the amount that the assessed value will be reduced:

Total Points	Potential Maximum % Reduction
0 - 59	0%
60 - 89	20%
90 - 129	30%
130 - 149	40%
150 +	50%

**MINIMUM ELIGIBILITY**

**Property must have at least 2 Priority Resources or Priority Considerations and receive at least 60 points.**

# File No. FAC-02-23

## SPOKANE COUNTY DEPARTMENT OF BUILDING & PLANNING ANALYSIS January 26, 2024

### "Farm & Agriculture Conservation Land" CURRENT USE ASSESSMENT Chapter 84.34 RCW

**RCW 84.34.010 Legislative declaration.** *The legislature hereby declares that it is in the best interest of the state to maintain, preserve, conserve, and otherwise continue in existence adequate open space lands for the production of food, fiber, and forest crops, and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the state and its citizens. The legislature further declares that assessment practices must be so designed as to permit the continued availability of open space lands for these purposes, and it is the intent of this chapter so to provide. The legislature further declares its intent that farm and agricultural lands shall be valued based on their value for use as authorized by section 11 of Article VII of the Constitution of the state of Washington. [1973 1st ex.s. c 212 § 1; 1970 ex.s. c 87 § 1.]*

**RCW 84.34.020 Definitions.** *As used in this chapter, unless a different meaning is required by the context:*

"Farm and agricultural conservation land" means either:

(a) Land that was previously classified under subsection (2) [ *Farm and Agricultural Land* ] of this section, that no longer meets the criteria of subsection (2) [ *Farm and Agricultural Land* ] of this section, and that is reclassified under subsection (1) [ *Open Space - Farm and Agricultural Conservation Land* ] of this section; or

(b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

2005 c 57 § 1; 2004 c 217 § 1; 2002 c 315 § 1; 2001 c 249 § 12; 1998 c 320 § 7; 1997 c 429 § 31; 1992 c 69 § 4; 1988 c 253 § 3; 1983 c 3 § 227; 1973 1st ex.s. c 212 § 2; 1970 ex.s. c 87 § 2.]

RCW 84.34 provides an opportunity for owners of property currently classified under the Open Space Farm and Agriculture Land, but which no longer qualify for that classification, or Traditional Farmland not currently classified under the Open Space Taxation Act, to apply for the Farm and Agriculture Conservation tax classification. This classification allows those owners of qualifying agricultural land to obtain up to a 50% tax deferral while their qualifying agricultural land is idle, provided they develop a plan to produce a qualifying agricultural product that will meet the income standards of the County's Farm and Agricultural program and show intent to return to that program. Applications will be rated according to Spokane County's adopted Public Benefit Rating Form.



Spokane County recognizes the State Legislature's intent to promote the production of food, and fiber and implements it with the adoption of a Public Benefit Rating System which allows the County to rate properties according to their potential to return to commercial agriculture production. Spokane County's Farm & Agriculture Conservation program enables the County to tax productive, but currently idle farmland at a current use value, rather than at the highest and best use, thereby promoting the State's interest.

**PROPERTY OWNER:** Mark and Vicki Pfouts  
15011 E Dooper Rd.  
Mead, WA. 99021

**PROJECT PLANNER:** Robert Brock, AICP

I. **ASSESSOR'S PARCEL NUMBER(S):** 47234.9017 & 47234.9018

II. **GENERAL LOCATION:**

The property is located a quarter mile north of Cooper Road and approximately ¼ mile east of Mt, Spokane Park Drive, in the SE¼ of Section 23, Township 27 North, Range 44 EWM, Spokane County, Washington.

III. **ZONING:**

Rural Conservation

IV. **PROPOSAL:**

The property owner is requesting to change from the tax classification of "Farm and Agricultural Land" to a tax classification of " Farm and Agriculture Conservation" pursuant to RCW 84.34.020(8)(a). The subject property consists of two parcels totaling **40** acres. Parcel 47234.9017 contains a single-family dwelling and several outbuildings and parcel 47234.9018 contains several outbuildings. The applicant indicates that the land was previously used for cattle and hay production. They intend to return the land to agricultural production.

V. **ANALYSIS BASED UPON SPOKANE COUNTY CRITERIA:**

A. Eligibility: The applicant's property is currently classified as current-use Farm and Agriculture.

B. Priority Consideration: The applicant has provided a Farm Plan indicating they are hiring an agricultural consultant to determine the best use of the land. They have proposed 2028 for the first year of qualifying agricultural production. The current use of the land appears consistent with future agricultural activities.

C. Additional Consideration: The land is zoned Rural Conservation, which allows agricultural uses. The property is located outside the Urban Growth Boundary. The applicant has developed a noxious weed and pest control strategy.

D. Impediments to Farm and Agricultural Land: None were identified.

E. The applicant's Public Benefit Rating Form score is **157**, sufficient to obtain the maximum tax deferral allowable under the **Farm and Agriculture Conservation** program of 50%. See the attached Public Benefit Rating Form.

**VI. SUMMARY:**

The applicant wishes to reclassify **40** acres of land from the **Farm and Agricultural Land** tax classification to the **Farm and Agriculture Conservation** tax classification and has submitted a Five-Year Farm Plan detailing how they will return their land to commercial agricultural production and provided a timeline. The plan details the applicant's willingness and desire to return to farming activities that will meet the County Assessor's standards for re-entry into the **Farm and Agricultural Land** current use program.

**VII. TAX IMPLICATIONS:**

If at any time, the owner wishes to remove the property from the Farm and Agriculture Conservation current use tax classification, the land is subject to an additional tax equal to the difference between the amount of tax paid under the classification and the tax at true and fair value for the last seven years, plus interest at the statutory rate charged on delinquent property taxes. The land must transition into the Agricultural classification within the period indicated in the Farm Plan and the Farm and Agriculture-Conservation Agreement or the owner must also pay a penalty of an additional 20 percent of the total dollar amount of the seven-year back taxes and interest. The Assessor may grant an extension of time for good reason, at their discretion.

**VIII. PROPOSED CONDITIONS OF APPROVAL:**

Conditions of Approval are for reclassification of the subject property to "**Farm and Agriculture Conservation**" current use assessment, as conditioned and stipulated in an agreement between the property owner and the Board of Spokane County Commissioners as follows:

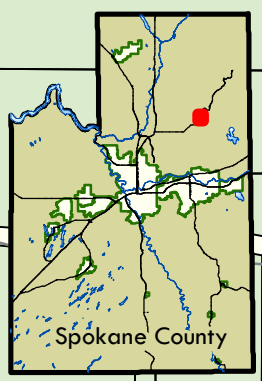
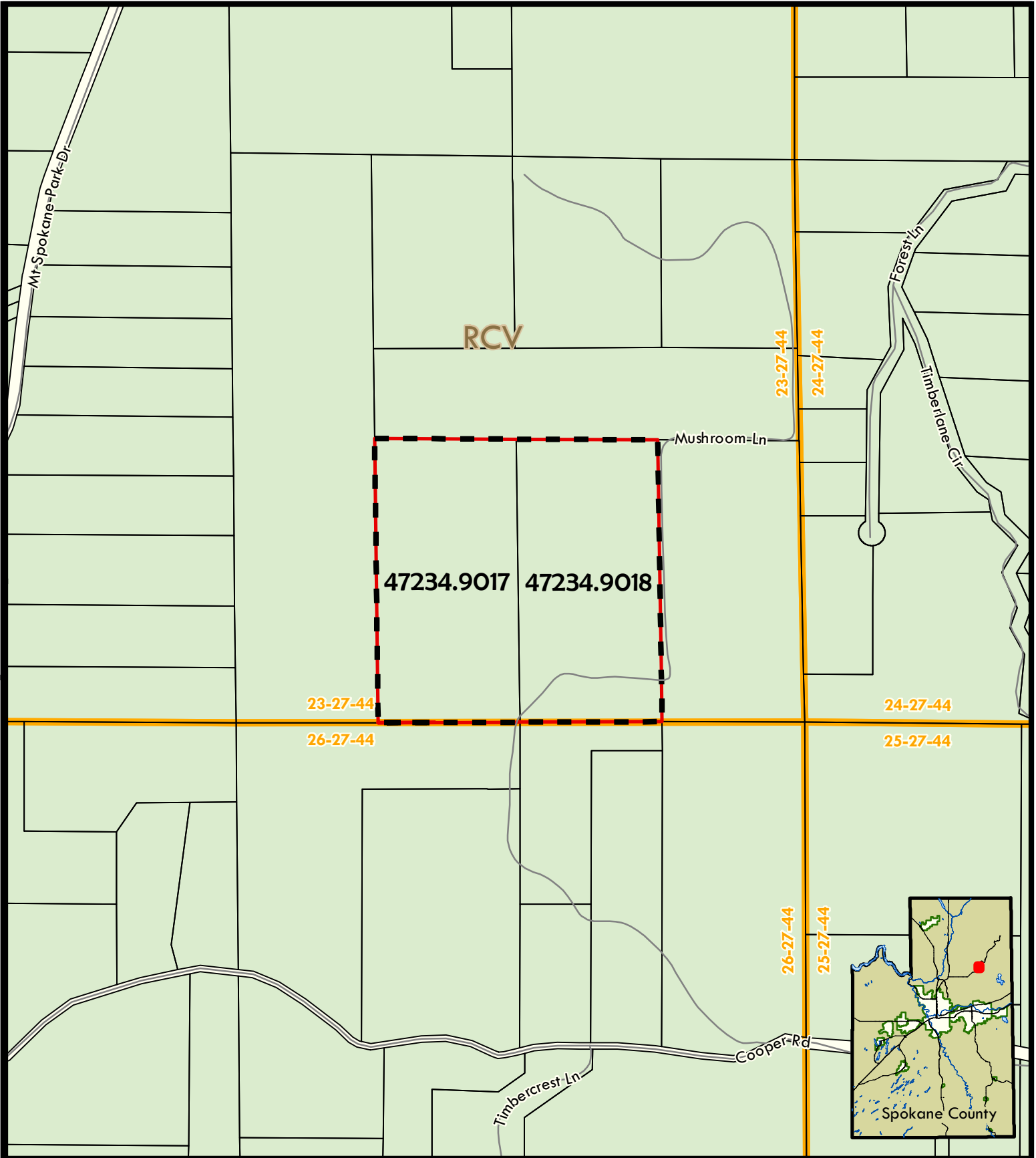
- A. The change of the tax classification to "Farm and Agriculture Conservation" pursuant to RCW 84.34.020(8)(a) is for **40** acres consisting of two tax parcel numbers **47234.9017 & 47234.9018**.
- B. Any change in the use of the property other than that described in the Farm and Agricultural Conservation Agreement will be cause for reconsideration of the Current Use Assessment. It is the owner's responsibility to notify the Spokane County Assessor of any changes in use, or addition of structures to the property.
- C. The owner of the property in question shall submit an annual report to the Spokane County Assessor each January, on or before January 31, which summarizes activities accomplished in the previous year toward fulfillment of their obligation to keep the land in a farm-ready condition.

**Attachments:**

- 1. Zoning Map



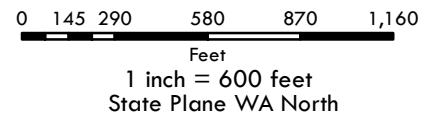
2. Aerial Map
3. Application
4. Farm Plan
5. Public Benefit Rating Form



**Legend**

Residential	NC	Industrial	UR
LDR-P	CC	LI	RAC
LDR	RC	HI	Resource Lands
MDR	Mixed Use	Rural	LTA
HDR	MU	RT	STA
Commercial		R-5	FZ
LDAC		RCV	MZ

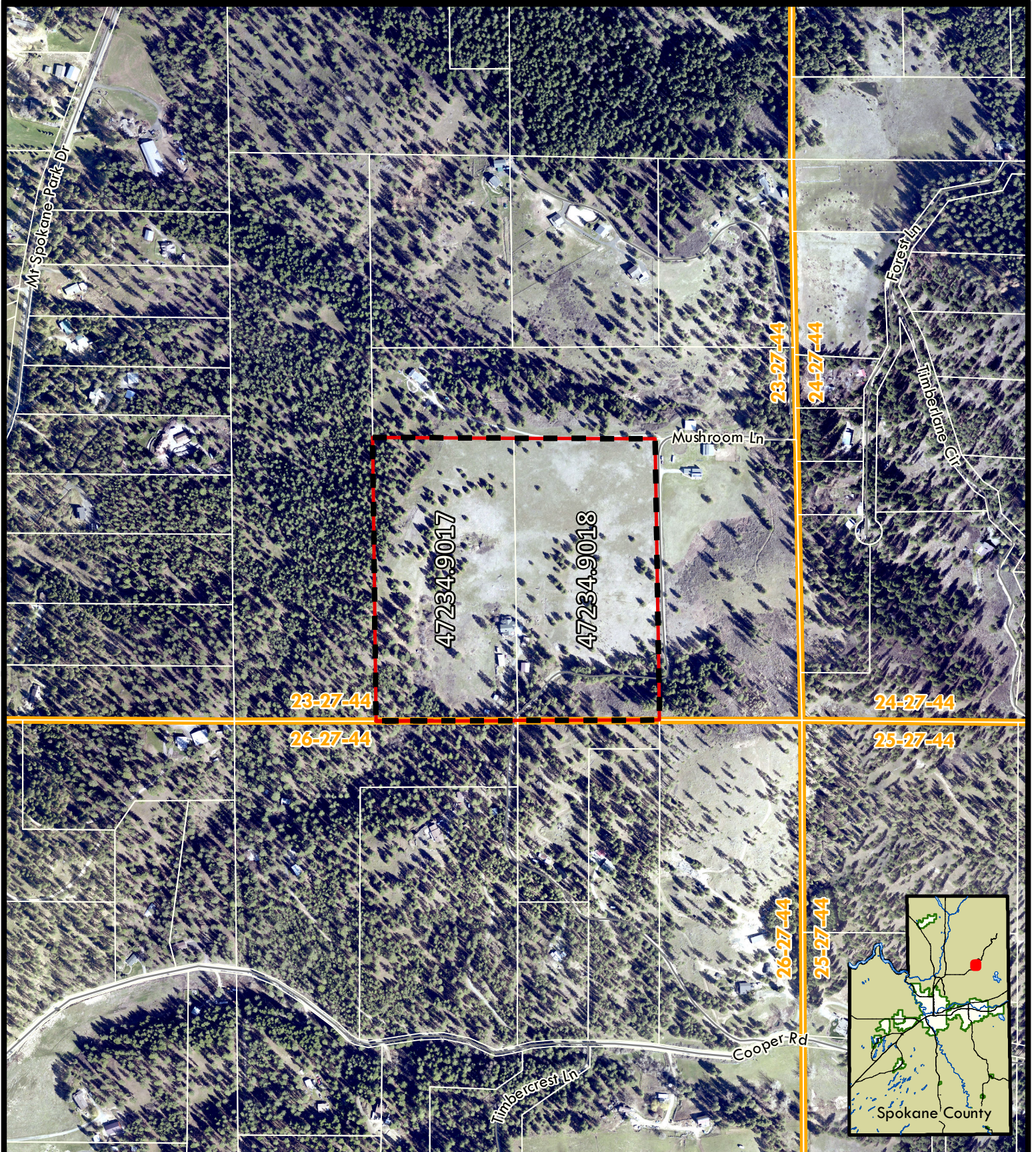
## FAC-02-23 Zoning Map





This map was published by the Spokane County Department of Building and Planning as a general planning tool. Due to the differing quality of source documents, the Department cannot accept responsibility for errors or omissions, and therefore, there are no warranties which accompany this material.

Map produced: October 2023  
Spokane County GIS

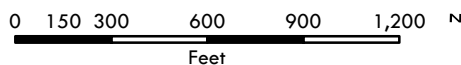




**Legend**

-  Preliminary
-  Municipal Boundaries
-  Sections
-  Lakes & Streams

**FAC-02-23**  
**Aerial Map**



1 inch = 600 feet  
State Plane WA North

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Map produced: October 2023  
Spokane County GIS





**SPOKANE COUNTY**

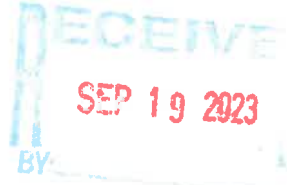
## Spokane County Building and Planning

1026 W. Broadway Avenue  
Spokane, WA 99260  
(509) 477-3675 / (509) 477-4703 (Fax)  
Email: [bp@spokanecounty.org](mailto:bp@spokanecounty.org)  
[www.spokanecounty.org/bp](http://www.spokanecounty.org/bp)

### PUBLIC BENEFIT RATING FORM FOR OPEN SPACE CLASSIFICATION / FARM AND AG CONSERVATION

**IMPORTANT:** Please read all brochures described in the Public Benefit Rating Form Checklist for Open Space Classification prior to completing this form.

Name(s) of Applicant(s) Mark & Vicki Pfouts Date Submitted 9/18/23  
Mailing Address 20631 Bothell-Jerrett Hwy Ste H Day Phone Number(s) (206) 948-1255  
Bothell, WA 98012 (425) 487-3128  
Tax Parcel Number(s) 47234.9017, 47234.9018  
General Location of Property  
15011 E Cooper Rd Mead, WA 99021



#### PART I - Property Overview

- Legal Interest in Property:  
 Owner       Contract Purchaser       Other (Describe) \_\_\_\_\_
- Total Acreage of Property 40 acres
- Acreage to be enrolled in the Farm and Ag Conservation Land Program 40
- What is the Property Currently Used for? Pasture
- Is the land subject to a lease or agreement which permits any other use than its present use?  
Yes  No  (Note: If yes, please attached a copy of the lease agreement.)
- Are you proposing to apply a conservation easement or historic easement to your property?  
 Yes (type: \_\_\_\_\_) Does one exist now?  Yes (type: \_\_\_\_\_)  
 No  No  
Who will hold (or does hold) the easement? \_\_\_\_\_
- Is there currently any mining claim or mining lease on the land?  Yes  No
- Will you be profiting through an activity upon the land through the collection of fees, the sale of merchandise or raw materials, etc.?  Yes  No
- Is the open space area dedicated under zoning or subdivision ordinance requirements or used to achieve the maximum development potential under zoning?  Yes  No

**PART II - Farm and Agriculture Conservation Land Eligibility**

A. Has the land been previously classified as farm and agricultural land under the Open Space Taxation Act, but no longer meets that criteria? (50 pts)

Yes.  No. Comments: The land has historically been used for pasture for cattle and prior to our ownership some hay was grown on it as well.

B. Is the land traditional farmland that has never been classified under the Open Space Taxation Act? (50 pts)

Yes.  No. Comments: \_\_\_\_\_

**NOTE: If you answered "No" to both A and B above, your property is not eligible for this program.**

**PART III – Priority Consideration**

C. Will the land return to commercial farming/agricultural production? Show us how. (25 pts)

Yes.  No. Comments: We are planning to work with a consultant to determine the best use for the land going forward and to begin developing it for that use.

D. Have you prepared a timeline to return the land to commercial farming/agriculture? Please attach. (25 pts)

Yes.  No. Comments: We plan to return the land to regular farming use within the next five years.

E. Is the use of your land consistent with agricultural uses? Describe. (25 pts)

Yes.  No. Comments: Up until recently there has been a lease for pasture on the land and currently there are a few cattle grazing on it.

F. Is the land part of a NRCS conservation program? Please provide documentation. (25 pts)

Yes.  No. Comments: \_\_\_\_\_

**NOTE: A minimum of two (2) "Priority Considerations" marked "C", "D", "E", or "F" must be marked yes and documented in order to be eligible.**

**PART IV – Additional Consideration**

G. Is the property located outside of an urban growth area boundary? (10 pts)

Yes.  No. Comments: \_\_\_\_\_

H. Does the property's acreage/square footage meet the minimum lot size for the current zoning? (10 pts)

Yes.  No. Comments: \_\_\_\_\_

I. Have you developed a noxious weed and pest management control plan? Please provide. (10 pts)

Yes.  No. Comments: We are in the process of doing this. We are contacting service providers to give us an assessment within the next month and develop a plan.

J. Are property conditions suitable for commercial agriculture in terms of soil type, slope? Describe. (10 pts)

Yes.  No. Comments: \_\_\_\_\_

K. Please provide any other comments that would show your potential for returning the land to commercial farm and agriculture and that you think would aid the Board when considering classification. (up to 20 pts)

Comments: This land has been used up until recently for raising cattle and for pasture and in the past for growing hay so this type of activity is possible in the future.

### PART V – Impediments to Farm and Agriculture Land

L. Describe any impediments that may prevent returning the land to farm and agriculture uses such as wetlands, rock outcroppings, steep slopes, erodible soils or other considerations. (up to 50 pt reduction)

Yes.  No. Comments: \_\_\_\_\_

### PART VI – Tax Liability Statement and Signature

**IMPORTANT! Read all of the following information regarding tax liabilities before signing this application form.**

You will owe to the County the following additional taxes, interest and penalties when your property is removed or withdrawn from current use classification. The following is a summary of state law. Consult RCW Chapter 84.34 for details.

**STATEMENT OF ADDITIONAL TAX, INTEREST, AND PENALTY DUE UPON REMOVAL OF CLASSIFICATION:**

1. Upon removal of classification, an additional tax shall be imposed which shall be due and payable to the county treasurer 30 days after removal or upon sale or transfer, unless the new owner has signed the Notice of Continuance. The additional tax shall be the sum of the following:
  - a. The difference between the property tax paid as "Open Space Land" and the amount of property tax otherwise due and payable for the last seven years had the land not been so classified; plus
  - b. Interest upon the amounts of the difference (a), paid at the same statutory rate charged on delinquent property taxes.
  - c. A penalty of 20% shall be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal process, or except as a result of those conditions listed in (2) below.

Spokane County Building and Planning  
Public Benefit Rating Form  
Farm and Ag Conservation Land  
Page 4 of 4

2. The additional tax, interest, and penalty specified in (1A) above shall not be imposed if removal resulted solely from:
- a. Transfer to a governmental entity in exchange for other land located within the State of Washington.
  - b. ~~A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power.~~
  - c. A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property.
  - d. Official action by an agency of the State of Washington or by the county or city where the land is located disallows the present use of such land.
  - e. Transfer of land to a church when such land would qualify for property tax exemption pursuant to RCW 84.36.020.
  - f. Acquisition of property interests by State agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 (See RCW 84.34.108(6)(f)).
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  - i. The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120.
  - j. The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.
  - k. The sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.

**Removals and withdrawals from the program are processed by the Spokane County Assessor.**

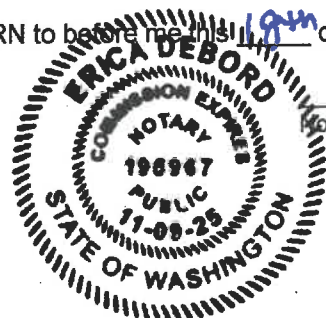
I (We) the undersigned, swear under the penalty of perjury, that I (We) am (are) the owner(s) or contract purchaser(s), of the land described above and that the above responses are made truthfully and to the best of my (our) knowledge. I (We) also understand that, should there be willful misrepresentation or willful lack of full disclosure on my (our) part, the granting authority, which may hereafter classify said land under the provisions of Chapter 84.34 RCW, may subsequently remove the classification. In addition, I (we) am (are) aware of the potential tax liability described above.

DATE: 9/18/2023

OWNERS:

[Signature]  
Richard A. Joens

SUBSCRIBED and SWORN to before me this 18<sup>th</sup> day of September, 20 23.



Erica DeBord  
Notary Public in and for the State of Washington, residing in Spokane County

# FIVE-YEAR FARM AND AG CONSERVATION PLAN

## FAC-0002-2023



File No \_\_\_\_\_ (Staff)

Property Owner Name *Mark & Vicki Pfouts*  
Address *15011 E Cooper Rd*  
City, State, Zip *Mead, WA 99021*  
Phone number *(206) 948-1255*

Parcel Numbers: *47234.9017*  
*47234.9018*

Property size: *40 acres*

Prepared By: *Mark Pfouts*  
Name  
*Maitray* Address *20631 Bothell Everett Hwy*  
Phone number *Bothell, WA 98012*  
*(206) 948-1255*  
*(425) 487-3128*

Date Prepared *9/18/23.*



1. Please describe in detail your plan to return the property to commercial production of food and/or fiber and thereby switch to the County's Farm and Agriculture program:

We plan to work with a farming consultant to advise us on the best use for our property and to develop a plan for that use. Our time line is to have the decision made on the best use before the end of 2024 and to begin building the necessary infrastructure in 2025.

- Projected year of first crop production and crops to be grown: 2028
- Projected year you intend to start raising livestock or boarding horses: 2028
- Will your crops or livestock meet the income per acre requirements of the County's Farm and Agricultural program based upon your property size? Please see the Assessors' Office for information on the income per acre standards that apply.

Yes

2. Please describe in detail what steps you plan to take to actively control noxious weeds on your property:

We have contacted a company and are arranging for them to visit our property for an assessment and to help us develop a plan.

Owner's signature



Date

9/18/23

**PUBLIC BENEFIT RATING FORM**  
**Farm and Ag Conservation Land**  
**Staff Use Only**

File Number: FAC-02-23 Zoning Designation: RCV

Applicant Name: Mark & Vicki Pfouts Planner: Robert Brock

Date application complete & fee paid: \_\_\_\_\_

#	PTS	ELIGIBILITY	COMMENTS (1 required)	PTS POSSIBLE
A.	50	Previously classified as farm and agricultural land	Yes, currently in the Ag program	50
B.		Traditional farmland		50
#	PTS	PRIORITY CONSIDERATION	COMMENTS (2 required)	PTS POSSIBLE
C.	25	Returning the land to commercial farming/agricultural production	Yes, per Farm Plan	25
D.	25	Timeline to return to commercial farming/agriculture	Provided in Farm Plan	25
E.	25	Use of land consistent with agricultural uses	Yes	25
F.	0	Land is part of a NRCS conservation program	NA	25
#	PTS	ADDITIONAL CONSIDERATION	COMMENTS	PTS POSSIBLE
G.	10	Located outside of an urban growth area boundary	yes	10
H.	10	Meets minimum lot size per zoning	Yes. Greater than 20 Acres each	10
I.	10	Noxious weed and pest management control plan.	Yes, per Farm Plan	10
J.	7	Property conditions are suitable for commercial agriculture	Yes.	10
#	PTS	APPLICANT COMMENTS	COMMENTS	PTS POSSIBLE
K.	5	Other comments that potential for returning the land to commercial farm and agriculture and that would aid the Board when considering classification.	PAST USE FOR CATTLE & hay	Up to 20

162



# File No. FAC-01-24

## SPOKANE COUNTY DEPARTMENT OF BUILDING & PLANNING ANALYSIS January 26, 2024

### "Farm & Agriculture Conservation Land" CURRENT USE ASSESSMENT Chapter 84.34 RCW

**RCW 84.34.010 Legislative declaration.** *The legislature hereby declares that it is in the best interest of the state to maintain, preserve, conserve, and otherwise continue in existence adequate open space lands for the production of food, fiber, and forest crops, and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the state and its citizens. The legislature further declares that assessment practices must be so designed as to permit the continued availability of open space lands for these purposes, and it is the intent of this chapter so to provide. The legislature further declares its intent that farm and agricultural lands shall be valued based on their value for use as authorized by section 11 of Article VII of the Constitution of the state of Washington. [1973 1st ex.s. c 212 § 1; 1970 ex.s. c 87 § 1.]*

**RCW 84.34.020 Definitions.** *As used in this chapter, unless a different meaning is required by the context:*

"Farm and agricultural conservation land" means either:

(a) Land that was previously classified under subsection (2) [ *Farm and Agricultural Land* ] of this section, that no longer meets the criteria of subsection (2) [ *Farm and Agricultural Land* ] of this section, and that is reclassified under subsection (1) [ *Open Space - Farm and Agricultural Conservation Land* ] of this section; or

(b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

2005 c 57 § 1; 2004 c 217 § 1; 2002 c 315 § 1; 2001 c 249 § 12; 1998 c 320 § 7; 1997 c 429 § 31; 1992 c 69 § 4; 1988 c 253 § 3; 1983 c 3 § 227; 1973 1st ex.s. c 212 § 2; 1970 ex.s. c 87 § 2.]

RCW 84.34 provides an opportunity for owners of property currently classified under the Open Space Farm and Agriculture Land, but which no longer qualify for that classification, or Traditional Farmland not currently classified under the Open Space Taxation Act, to apply for the Farm and Agriculture Conservation tax classification. This classification allows those owners of qualifying agricultural land to obtain up to a 50% tax deferral while their qualifying agricultural land is idle, provided they develop a plan to produce a qualifying agricultural product that will meet the income standards of the County's Farm and Agricultural program and show intent to return to that program. Applications will be rated according to Spokane County's adopted Public Benefit Rating Form.

Spokane County recognizes the State Legislature's intent to promote the production of food, and fiber and implements it with the adoption of a Public Benefit Rating System which allows the County to rate properties according to their potential to return to commercial agriculture production. Spokane County's Farm & Agriculture Conservation program enables the County to tax productive, but currently idle farmland at a current use value, rather than at the highest and best use, thereby promoting the State's interest.

**PROPERTY OWNER:** Lorretta Magnuson  
6081 Silver King Blvd. # 1202  
Cape Coral, FL 33914

**PROJECT PLANNER:** Robert Brock, AICP

I. **ASSESSOR'S PARCEL NUMBER(S):** 24092.9004

II. **GENERAL LOCATION:**

The property is located at the southeast corner of Hallet Road and Spotted Road, in the NW¼ of Section 09, Township 24 North, Range 42 EWM, Spokane County, Washington.

III. **ZONING:**  
Urban Reserve

IV. **PROPOSAL:**

The property owner is requesting to change from the tax classification of "Farm and Agricultural Land" to a tax classification of " Farm and Agriculture Conservation" pursuant to RCW 84.34.020(8)(a). The subject property is **77.29** acres in size. The application indicates the applicant can no longer actively farm the land due to age. She is 80. Ms. Magnuson has stated that the land has been used for alfalfa, hay, and livestock grazing in the past. She indicates that there was recent fence work around the perimeter of the parcel. Ms. Magnuson stated in her application that she has kept the land because she would like a grandchild or other family member to farm it in the future. Her family has owned the land since before she was born.

V. **ANALYSIS BASED UPON SPOKANE COUNTY CRITERIA:**

A. Eligibility: The applicant's property is currently classified as current-use Farm and Agriculture.

B. Priority Consideration: The applicant has provided a Farm Plan indicating they are too old to actively farm the land and intend to keep the land in a farm-ready condition so that the next owner can resume qualifying agricultural uses. The current use of the land is consistent with future agricultural activities.

C. Additional Consideration: The land is zoned Urban Reserve, which allows agricultural uses. The land is located outside the Urban Growth Boundary. The applicant has developed a noxious weed and pest control strategy.

D. Impediments to Farm and Agricultural Land: County GIS map layers identify two wetlands amounting to approximately 10% of the site.

E. The applicant's Public Benefit Rating Form score is **160**, sufficient to obtain the maximum tax deferral allowable under the **Farm and Agriculture Conservation** program of 50%. See the attached Public Benefit Rating Form.

#### **VI. SUMMARY:**

The applicant wishes to reclassify **77.29** acres of land from the **Farm and Agricultural Land** tax classification to the **Farm and Agriculture Conservation** tax classification and has submitted a Five-Year Farm Plan detailing how they will return their land to commercial agricultural production and provided a timeline. The plan details the applicant's willingness and desire to return to farming activities that will meet the County Assessor's standards for re-entry into the **Farm and Agricultural Land** current use program.

#### **VII. TAX IMPLICATIONS:**

If at any time, the owner wishes to remove the property from the Farm and Agriculture Conservation current use tax classification, the land is subject to an additional tax equal to the difference between the amount of tax paid under the classification and the tax at true and fair value for the last seven years, plus interest at the statutory rate charged on delinquent property taxes. The land must transition into the Agricultural classification within the period indicated in the Farm Plan and the Farm and Agriculture-Conservation Agreement or the owner must also pay a penalty of an additional 20 percent of the total dollar amount of the seven-year back taxes and interest. The Assessor may grant an extension of time for good reason, at their discretion.

#### **VIII. PROPOSED CONDITIONS OF APPROVAL:**

Conditions of Approval are for reclassification of the subject property to "**Farm and Agriculture Conservation**" current use assessment, as conditioned and stipulated in an agreement between the property owner and the Board of Spokane County Commissioners as follows:

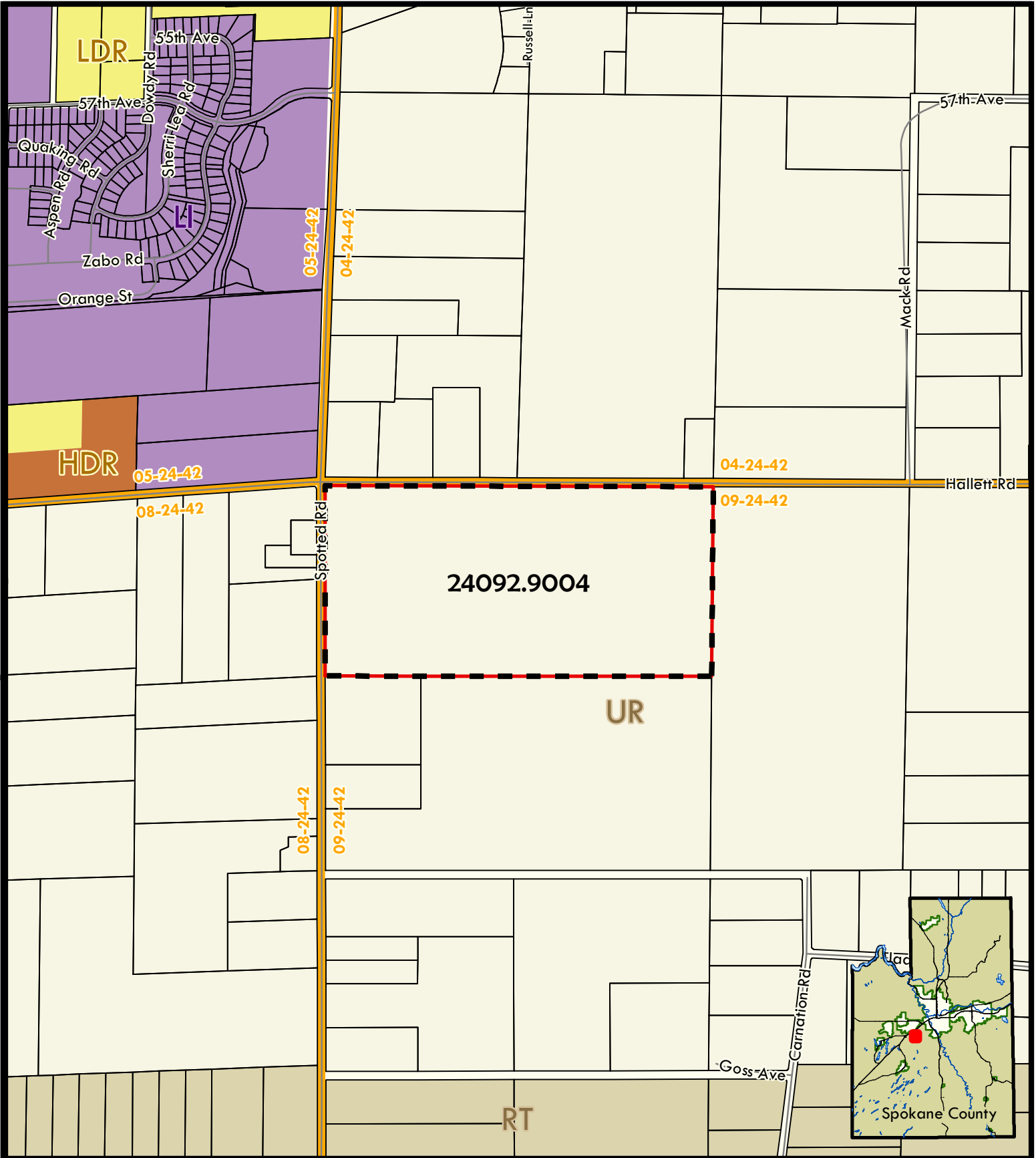
- A. The change of the tax classification to "Farm and Agriculture Conservation" pursuant to RCW 84.34.020(8)(a) is for the entire parcel of **77.29** acres. The tax parcel number is **24092.9004**.
- B. Any change in the use of the property other than that described in the Farm and Agricultural Conservation Agreement will be cause for reconsideration of the Current Use Assessment. It is the owner's responsibility to notify the Spokane County Assessor of any changes in use, or addition of structures to the property.
- C. The owner of the property in question shall submit an annual report to the Spokane County Assessor each January, on or before January 31, which summarizes



activities accomplished in the previous year toward fulfillment of their obligation to keep the land in a farm-ready condition.

**Attachments:**

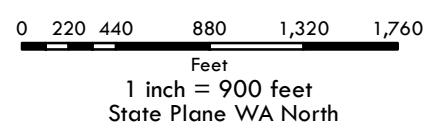
1. Zoning Map
2. Aerial Map
3. Application
4. Farm Plan
5. Public Benefit Rating Form



**Legend**

Residential	NC	Industrial	UR
LDR-P	CC	LI	RAC
LDR	RC	HI	Resource Lands
MDR	Mixed Use	Rural	LTA
HDR	MU	RT	STA
Commercial		R-5	FZ
LDAC		RCV	MZ

## FAC-0001-2024 Zoning Map







This map was published by the Spokane County Department of Building and Planning as a general planning tool. Due to the differing quality of source documents, the Department cannot accept responsibility for errors or omissions, and therefore, there are no warranties which accompany this material.

Map produced: January 2024  
Spokane County GIS





24092.9004

- Legend**
-  Preliminary
  -  Municipal Boundaries
  -  Sections
  -  Lakes & Streams

**FAC-0001-2024**  
**Aerial Map**

0 225 450 900 1,350 1,800 Feet  
 1 inch = 900 feet  
 State Plane WA North

This map was published by the Spokane County Department of Building and Planning as a general planning tool. Due to the differing quality of source documents, the Department cannot accept responsibility for errors or omissions, and therefore, there are no warranties which accompany this material.

Map produced: January 2024  
 Spokane County GIS





**Spokane County Building and Planning**

1026 W. Broadway Avenue  
Spokane, WA 99260  
3675 / (509) 477-4703 (Fax)  
mail: [bp@spokanecounty.org](mailto:bp@spokanecounty.org)  
[www.spokanecounty.org/bp](http://www.spokanecounty.org/bp)

**FAC-01-24**

**PUBLIC BENEFIT RATING FORM  
FOR OPEN SPACE CLASSIFICATION / FARM AND AG CONSERVATION**

**IMPORTANT:** Please read all brochures described in the Public Benefit Rating Form Checklist for Open Space Classification prior to completing this form.

Name(s) of Applicant(s) Loretta Carol Magnuson Date Submitted 12/21/23  
Mailing Address 6081 Silver King Blvd Day Phone Number(s) 952-212-5550  
Tax Parcel Number(s) #1202 24092.9004 Tax code: 1880  
General Location of Property 09 24 42 N/2 of NW 1/4 EXC CO Rds.

**PART I - Property Overview**

DEC 28 2023

- Legal Interest in Property:
  - Owner
  - Contract Purchaser
  - Other (Describe) \_\_\_\_\_
- Total Acreage of Property 79 acres
- Acreage to be enrolled in the Farm and Ag Conservation Land Program 29
- What is the Property Currently Used for? Graying
- Is the land subject to a lease or agreement which permits any other use than its present use?  
Yes  No  (Note: If yes, please attached a copy of the lease agreement.)
- Are you proposing to apply a conservation easement or historic easement to your property?  
 Yes (type: Conservation) Does one exist now?  Yes (type: \_\_\_\_\_)  
 No ND  No  
Who will hold (or does hold) the easement? Loretta C. Magnuson
- Is there currently any mining claim or mining lease on the land?  Yes  No
- Will you be profiting through an activity upon the land through the collection of fees, the sale of merchandise or raw materials, etc.?  Yes  No
- Is the open space area dedicated under zoning or subdivision ordinance requirements or used to achieve the maximum development potential under zoning?  Yes  No  
I think NO

### PART II - Farm and Agriculture Conservation Land Eligibility

A. Has the land been previously classified as farm and agricultural land under the Open Space Taxation Act, but no longer meets that criteria? (50 pts)

Yes.  No. Comments: I retired at 80 yrs of age and can no longer farm the land. I have aged out of farming.

B. Is the land traditional farmland that has never been classified under the Open Space Taxation Act? (50 pts)

No. Comments: I will keep the land in a farm ready condition so that the next owner has the opportunity to farm it. I will continue to remove weed control every year.

NOTE: If you answered "No" to both A and B above, your property is not eligible for this program.

### PART III - Priority Consideration

C. Will the land return to commercial farming/agricultural production? Show us how. (25 pts)

Yes.  No. Comments: I will keep it in farm ready condition for the next owner. I referenced the farm about four or five years ago.

D. Have you prepared a timeline to return the land to commercial farming/agriculture? Please attach. (25 pts)

Yes.  No. Comments: When I die as I have aged out of farming, it will be determined by next owner.

E. Is the use of your land consistent with agricultural uses? Describe. (25 pts)

Yes.  No. Comments: We had alfalfa for hay and grazing for the animal 1/2 year ago. We irrigated the alfalfa but no more.

F. Is the land part of a NRCS conservation program? Please provide documentation. (25 pts)

Yes.  No. Comments: NA

NOTE: A minimum of two (2) "Priority Considerations" marked "C", "D", "E", or "F" must be marked yes and documented in order to be eligible.

### PART IV - Additional Consideration

G. Is the property located outside of an urban growth area boundary? (10 pts)

Yes.  No. Comments: I think it was zoned residential a long time ago.

H. Does the property's acreage/square footage meet the minimum lot size for the current zoning? (10 pts)

Yes.  No. Comments: 29 acres

I. Have you developed a noxious weed and pest management control plan? Please provide. (10 pts)

Yes.  No. Comments: *My niece (Nola Graham) has been spraying the weeds every year. (509) 994-24307 she works the land and spray only the noxious weeds.*

J. Are property conditions suitable for commercial agriculture in terms of soil type, slope? Describe. (10 pts)

Yes.  No. Comments: *You could grow almost anything that needs a defalfa. You would have to irrigate probably.*

K. Please provide any other comments that would show your potential for returning the land to commercial farm and agriculture and that you think would aid the Board when considering classification. (up to 20 pts)

Comments: *I recently put in new fences to contain my farm animals and plan to put a well for water if needed. 79 acres! will accommodate a variety of checks in what one want to do*

### PART V – Impediments to Farm and Agriculture Land

L. Describe any impediments that may prevent returning the land to farm and agriculture uses such as wetlands, rock outcroppings, steep slopes, erodible soils or other considerations. (up to 50 pt reduction)

Yes.  No. Comments: *There are rock outcroppings toward the end of the 79 acres but it has no effect.*

### PART VI – Tax Liability Statement and Signature

**IMPORTANT! Read all of the following information regarding tax liabilities before signing this application form.**

You will owe to the County the following additional taxes, interest and penalties when your property is removed or withdrawn from current use classification. The following is a summary of state law. Consult RCW Chapter 84.34 for details.

#### STATEMENT OF ADDITIONAL TAX, INTEREST, AND PENALTY DUE UPON REMOVAL OF CLASSIFICATION:

1. Upon removal of classification, an additional tax shall be imposed which shall be due and payable to the county treasurer 30 days after removal or upon sale or transfer, unless the new owner has signed the Notice of Continuance. The additional tax shall be the sum of the following:
  - a. The difference between the property tax paid as "Open Space Land" and the amount of property tax otherwise due and payable for the last seven years had the land not been so classified; plus
  - b. Interest upon the amounts of the difference (a), paid at the same statutory rate charged on delinquent property taxes.
  - c. A penalty of 20% shall be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal process, or except as a result of those conditions listed in (2) below.



2. The additional tax, interest, and penalty specified in (1A) above shall not be imposed if removal resulted solely from:
- a. Transfer to a governmental entity in exchange for other land located within the State of Washington.
  - b. ~~A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power.~~
  - c. A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property.
  - d. Official action by an agency of the State of Washington or by the county or city where the land is located disallows the present use of such land.
  - e. Transfer of land to a church when such land would qualify for property tax exemption pursuant to RCW 84.36.020.
  - f. Acquisition of property interests by State agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 (See RCW 84.34.108(6)(f)).
  - g. Reclassification from: i) farm & agricultural to open space classification; ii) timber land to open space classification; and, iii) from farm and agriculture conservation land to farm and agriculture.
  - h. Removal of land from classification after enactment of a statutory exemption that qualifies the land for exemption and receipt of notice from the owner to remove the land from classification.
  - i. The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120.
  - j. The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.
  - k. The sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.

**Removals and withdrawals from the program are processed by the Spokane County Assessor.**

I (We) the undersigned, swear under the penalty of perjury, that I (We) am (are) the owner(s) or contract purchaser(s), of the land described above and that the above responses are made truthfully and to the best of my (our) knowledge. I (We) also understand that, should there be willful misrepresentation or willful lack of full disclosure on my (our) part, the granting authority, which may hereafter classify said land under the provisions of Chapter 84.34 RCW, may subsequently remove the classification. In addition, I (we) am (are) aware of the potential tax liability described above.

DATE: 12/26/23

OWNERS: Loretta C. Magnuson

SUBSCRIBED and SWORN to before me this 26<sup>th</sup> day of December, 20 23.



Michelle Mikal Panaretos  
Notary Public in and for the State of Washington, residing in Spokane County  
Michelle Mikal Panaretos FLORIDA LEE  
BoCC Res. 8 1036 111808

**PUBLIC BENEFIT RATING FORM**  
**Farm and Ag Conservation Land**  
**Staff Use Only**

#	PTS	LAND IMPEDIMENTS	COMMENTS	PTS POSSIBLE
L.		Prevent the land from returning to farm and agricultural uses such as wetlands, rock outcroppings, steep slopes, erodible soils or other considerations		Up to 50 pt reduction

\_\_\_\_\_ TOTAL POINTS ACCUMULATED

NOTES:

*Thank you for your consideration.*

*I would like to keep my land for my grandchildren and other family members who may want to farm it in the future.*

*This land has been in my family since I was born, so I have many strong memories and attachments to the farm.*

*My neighbors are asking me NOT to sell it to a developer. I have no interest or plans to do so at this time. I just want the land to remain as it is at this time.*

*There has always been a noxious weed controller come every year to keep the weeds out. I will continue with this as long as I own the land.*

*I am an "aged out farmer" on a fixed income and hope to be able to continue paying my taxes and not be forced to sell because I can't pay my taxes.*

*Thank you for your considerations*

*Sincerely,*  
*Corretta C. Magnuson*

Planning Commission Hearing: \_\_\_\_\_ BoCC Consideration: \_\_\_\_\_

Agreement Signed: \_\_\_\_\_ Forwarded to Assessor: \_\_\_\_\_

Dec 21, 2023

FAC-01-24

Dear Robert Brock,

Thank you for your help in filling  
this enclosed form. I have the checks  
enclosed.

If you need more information,  
please call me: 952-212-5550

I was not sure in answering all  
the questions correctly with limited  
understanding of the question. So if  
you need me to change or answer  
any questions, please call or write me.

Thank you.

Sincerely,

Loretta Magnuson

RECEIVED  
DEC 28 2023  
Spokane County  
Dept. Of Building & Planning

**PUBLIC BENEFIT RATING FORM**  
**Farm and Ag Conservation Land**  
**Staff Use Only**

File Number: FAC-01-24 Zoning Designation: Urban Reserve

Applicant Name: LORRETTA MAGNUS Planner: ROBERT BROCK

Date application complete & fee paid: \_\_\_\_\_

#	PTS	ELIGIBILITY	COMMENTS (1 required)	PTS POSSIBLE
A.	50	Previously classified as farm and agricultural land	The parcel is in the Ag program	50 ✓
B.		Traditional farmland		50 ✓
#	PTS	PRIORITY CONSIDERATION	COMMENTS (2 required)	PTS POSSIBLE
C.	25	Returning the land to commercial farming/agricultural production	The Applicant is 80 years old and is too old to actively farm. The land will be available to farm for the next owner	25 ✓
D.	25	Timeline to return to commercial farming/agriculture	Upon transfer of ownership	25 ✓
E.	25	Use of land consistent with agricultural uses	Yes	25 ✓
F.	0	Land is part of a NRCS conservation program	NA	25 ✓
#	PTS	ADDITIONAL CONSIDERATION	COMMENTS	PTS POSSIBLE
G.	10	Located outside of an urban growth area boundary	Yes.	10
H.	10	Meets minimum lot size per zoning	Yes. Its nearly 80 acres and the minimum lot size in UR is 20 acres	10 ✓
I.	10	Noxious weed and pest management control plan.	Yes	10 ✓
J.	10	Property conditions are suitable for commercial agriculture	Yes	10 ✓
#	PTS	APPLICANT COMMENTS	COMMENTS	PTS POSSIBLE
K.	5	Other comments that potential for returning the land to commercial farm and agriculture and that would aid the Board when considering classification.	Use in the past for alfalfa, hay & grazing.	Up to 20

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**PUBLIC BENEFIT RATING FORM**  
**Farm and Ag Conservation Land**  
**Staff Use Only**

#	PTS	LAND IMPEDIMENTS	COMMENTS	PTS POSSIBLE
L.	-10	Prevent the land from returning to farm and agricultural uses such as wetlands, rock outcroppings, steep slopes, erodible soils or other considerations	There are several wetlands on the site comprising approximately 10% of the land area	Up to 50 pt reduction

160 TOTAL POINTS ACCUMULATED

NOTES:

160 points is enough for this parcel to receive the maximum possible tax deferral of 50%.

Planning Commission Hearing: \_\_\_\_\_ BoCC Consideration: \_\_\_\_\_

Agreement Signed: \_\_\_\_\_ Forwarded to Assessor: \_\_\_\_\_

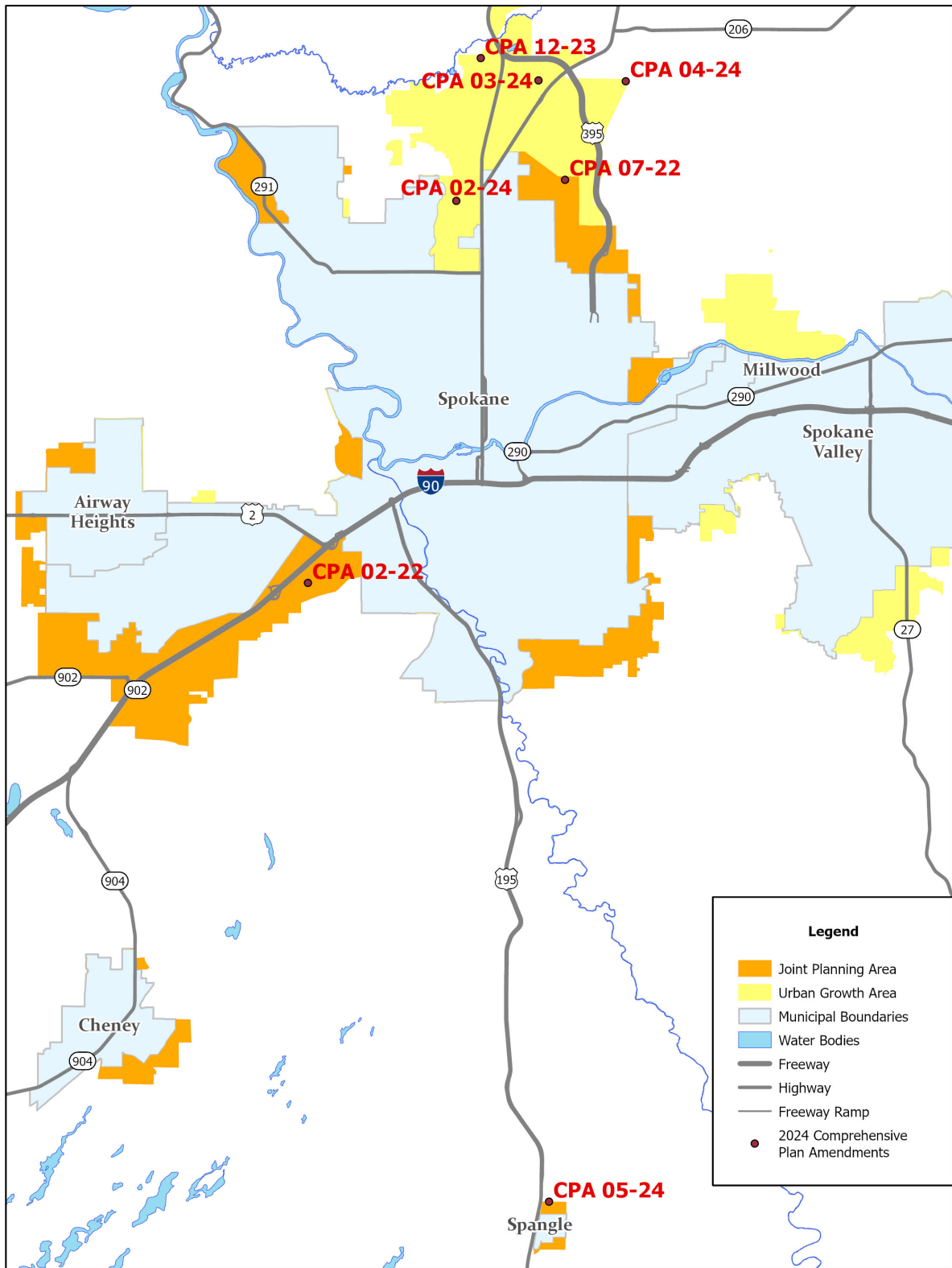


Spokane County Building & Planning  
2024 Comprehensive Plan Amendments

*Pre-Initiation Summary Report*



# Proposed Comprehensive Amendment Locations



## 2024 Comprehensive Plan Amendment Cycle Pre-initiation Summary Report

The annual Comprehensive Plan Amendment (CPA) cycle allows property owners to request changes to the Comprehensive Plan and zoning map designations designated for a specific parcel or group of parcels.

Professional staff review evaluates population increases, services, capital facilities, land use, public comments, and other factors.

The Spokane County Comprehensive Plan, Zoning Code, and Revised Code of Washington provide the framework for considering Comprehensive Plan Amendments, including relevant definitions, goals, and policies for evaluating the proposed amendments.

Washington State Growth Management Act limits a county's consideration of comprehensive plan amendment requests to not more than once per year.

A pre-application conference between the applicant and the planning department begins the amendment process. Thereafter, applicants are required to submit a request for initiation to the Board of County Commissioners no later than December 20<sup>th</sup>, 2023.

Spokane County Building & Planning received four new 2024 Comprehensive Plan Amendment Cycle initiation requests. Requests from previous cycles continued by the Board include CPA-02-22 and CPA-07-22.

This pre-initiation summary report summarizes the proposed CPAs for initiation into the 2024 CPA cycle.

## Cumulative Impact & Concurrency Analysis

A cumulative impact and concurrency analysis applies to those proposals located within the Spokane County Urban Growth Area. This analysis builds onto the Comprehensive Plan and Capital Facilities Plan by providing a cumulative impact the proposed CPA amendments could have on capital facilities.

Impact assumptions are formulated using the adopted service levels in the Capital Facilities Plan and the CPA Population Impact & Service Assumption table. The Cumulative Impact Analysis will occur after the initiation phase of the comprehensive plan amendments.

Concurrency is a function of the Growth Management Act that assesses whether a proposed amendment is supported by various elements necessary for growth, such as roads, schools, and urban services.

## Zoning Code Criteria for Amendment (14.402.040)

The County may amend the Zoning Code when one of the following is found to apply:

1. The amendment is consistent with or implements the Comprehensive Plan and is not detrimental to the public welfare.
2. A change in economic, technological, or land use conditions has occurred to warrant modification of the Zoning Code.
3. An amendment is necessary to correct an error in the Zoning Code.
4. An amendment is necessary to clarify the meaning or intent of the Zoning Code.
5. An amendment is necessary to provide for a use(s) that was not previously addressed by the Zoning Code.
6. An amendment is deemed necessary by the Commission and/or Board as being in the public interest.

Any proposed amendment must be found to satisfy at least one of the aforementioned criteria as the initial evaluation for further consideration.

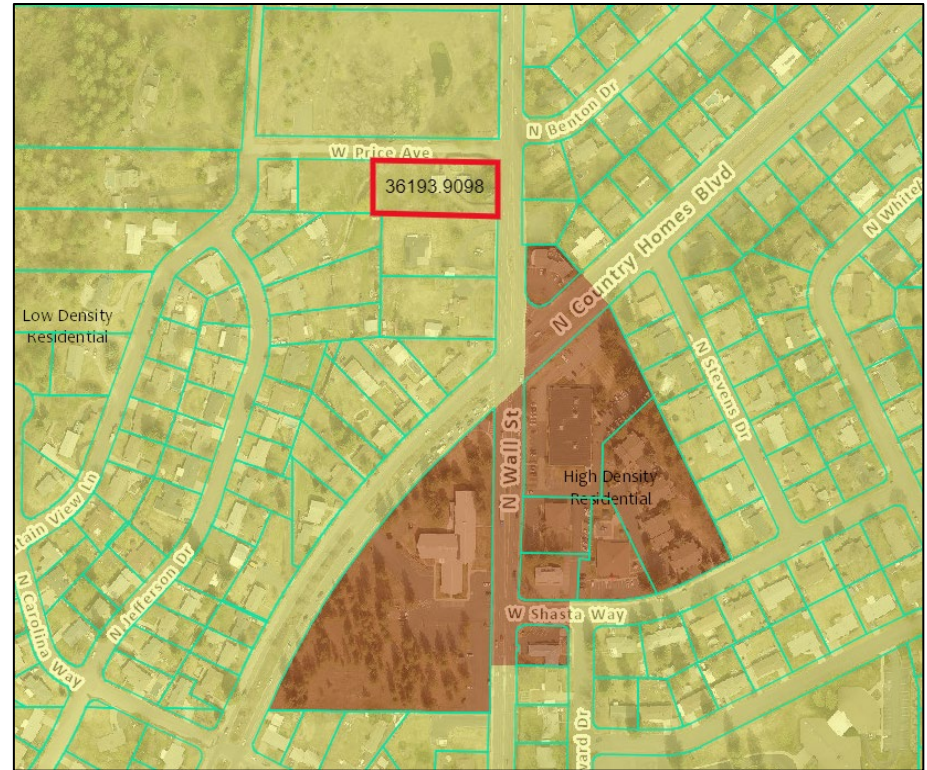
# Comprehensive Plan Amendment 02-2024

## Proposal

Proposed CPA-02-24 requests the designation of High-Density Residential (HDR) from the current Low-Density Residential (LDR) designation, including a concurrent zone reclassification on 0.82 acres of land.

## Site Description

CPA-02-24 is located in the County Homes area along North Wall Street and West Price Avenue. Whitworth University is located approximately one mile north of the subject property. South of the subject property is HDR-designated parcels, including CPA-05-22, which was changed from LDR to HDR during the 2023 CPA cycle. Current service providers include Spokane County Environmental Services and Whitworth Water District.



<b>Parcel Number</b>	36193.9098
<b>Zone Change</b>	LDR > HDR
<b>Site Size</b>	0.82 Acres
<b>Urban Growth Area</b>	North Metro
<b>Applicant</b>	Clint Kalich
<b>Property Owner</b>	Clint Kalich
<b>Water</b>	Whitworth
<b>Sewer</b>	Spokane County
<b>Schools</b>	Mead
<b>Fire</b>	District 9

**Zoning Code Criteria for Amendment (14.402.040)**

The County may amend the Zoning Code when one of the following is found to apply:

1. The amendment is consistent with or implements the Comprehensive Plan and is not detrimental to the public welfare.
2. A change in economic, technological, or land use conditions has occurred to warrant modification of the Zoning Code.
3. An amendment is necessary to correct an error in the Zoning Code.
4. An amendment is necessary to clarify the meaning or intent of the Zoning Code.
5. An amendment is necessary to provide for a use(s) that was not previously addressed by the Zoning Code.
6. An amendment is deemed necessary by the Commission and/or Board as being in the public interest.

**Staff Comment**

*Staff concludes that this CPA is consistent with the comprehensive plan's goals (as will be explained in more detail later in this report) and is not detrimental to the public welfare.*

*Staff also concludes that the code amendment is consistent with criteria 2, given the increase in average home sale prices from \$192,200 in 2015 to \$440,000 in 2022 and the increase in average rents from \$748 in 2015 to \$1,314 in 2022.*

*Staff concludes that this economic context, which suggests a dearth in available housing units, warrants reevaluating the parcel's current low-density residential designation.*

**Critical Areas Review**

Critical Aquifer Recharge Area	<i>Moderate</i>
Fish and Wildlife Habitat	<i>None identified at this stage</i>
Floodplain	<i>Adjacent portions on the western edge are designated AE and X, respectively.</i>
Wetlands	<i>None identified at this stage</i>
Stream	<i>None identified at this stage</i>
Geohazards	<i>None identified at this stage</i>
Cultural Resources	<i>None identified at this stage</i>
Stormwater Risk	<i>Low risk on the majority of the parcel; there is a high-risk portion on the western edge</i>



**Population and Land Capacity**

The proposed amendment will increase the population capacity within the Urban Growth Area (UGA). As shown in the table below, the existing Low Density Residential (LDR) designation has an assumed buildout of 4.43 dwelling units per acre while the High Density Residential (HDR) category has an assumed buildout of 24.25 dwelling units per acre (as noted in the 2023 Spokane County CPA Population Impacts and Service Assumptions). The County assumes that, on average, a single-family residence will include 2.5 people and that multi-residential units will contain 1.5 people.

Site Size (0.82 Acres)	LDR (Current)	HDR (Proposed)	Potential Increase
Residential Units	4	20	16
Population	10	30	20

**Comprehensive Goals and Policies  
Chapter 2 – Urban Land Use**

**High Density Residential**

The High Density Residential (HDR) zone is primarily for multi-family development at densities of greater than 15 dwelling units per acre. High-density residential zones are usually located near transit services, shopping, and major transportation routes. Cluster development, zero lot-line housing and other incentives are permitted to promote infill and preservation of open space. Offices are permitted in the HDR zone in order to provide some of the service needs generated by high-intensity land uses (14.606.100)

**Multifamily Residential**

**UL.2.18**

Establish development requirements that encourage quality design within multifamily development areas.

**Staff Comment**

*The proposed site change would be subject to design standard regulations in Spokane County’s zoning code 14.900 Urban Design: Urban Design Standard and Guidelines. Development standards would follow.*

**UL2.19**

Develop standards that prescribe maximum building heights and other building design features to give a residential scale and identity to multifamily developments.

**Staff Comment**

*Any proposed project would be subject to Spokane County Building and Planning’s development regulations and design standards. The site would follow development standards found in 14.606.300 Development Standards and Spokane County’s zoning code 14.900 Urban Design Standard and Guidelines. If the site’s zoning were amended, projects would be subject to section 14.606.300 of the Spokane County Code.*

**Housing Variety**

**UL.8**

Create urban areas with a variety of housing types and prices, including manufactured home parks, multifamily development, townhouses, and single-family development.

**Staff Comment**

*An HDR designation allows for a greater quantity and range of housing options than is allowed by LDR, meaning that this CPA would likely facilitate a more diverse housing stock in its environs.*

**Residential Density**

**UL. 9.2**

Spokane County shall seek to achieve an average residential density in the new development of at least 5 dwelling units per net acre in the Urban Growth Area through a mix of densities and housing types.

**Staff Comment**

*Staff concludes that the new HDR designation would lead to a density increase of 16 units on the parcel compared to the current LDR.*

*A table showing this calculation may be seen in this report under the population and land capacity section.*

**Nearness Analysis**

*As seen in the following map, the proposed amendment site has two parks, one grocery store, and one public school within a one-mile radius. Additionally, the site is within a one-mile radius of three commercial zoning districts and four bus stops. There are no mixed-use zoning districts within a one-mile radius.*

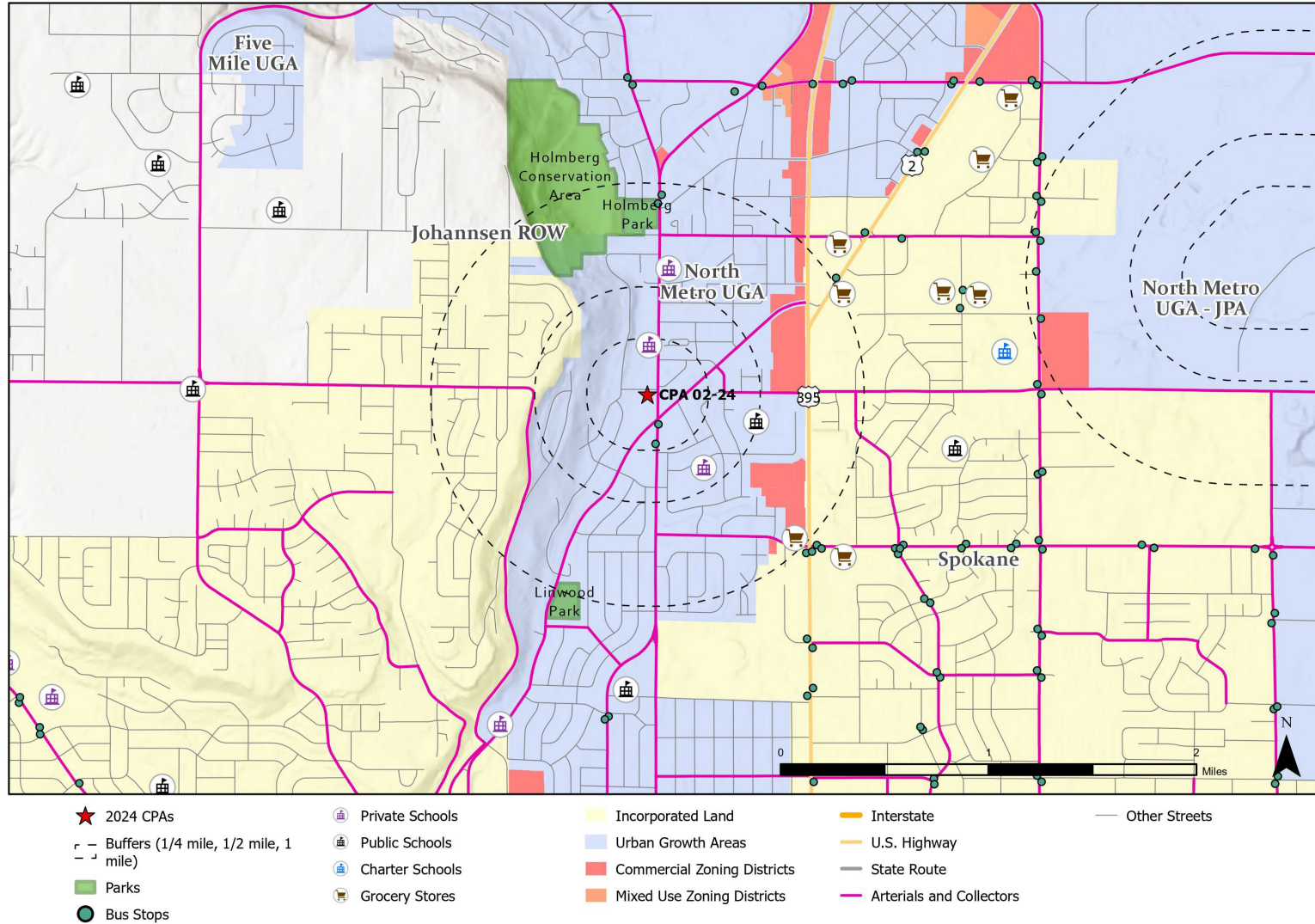
**Agency Requests/Recommendations Summary**

**Department of Historic Archeology and Historic Preservation**

*The Department of archeology and historic preservation has identified that there is a “high probability of encountering cultural resources within the proposed project area” This has resulted in the Department of Archeology and Historic Preservation requesting:*

*A professional archeology survey of the project area be conducted, and a report be produced prior to ground disturbing activities. This report should meet the DAHP’s Standards for Cultural Resources Reporting. See Appendix for further information. Recommendation that any historic buildings or structures (45 years in age or located within the project area are evaluated for eligibility for listing in the National Register of Historic Places on Historic Property Inventory (HPI Forms). (See Appendix A)*

### CPA 02-2024 Surrounding Area







**Zoning Code Criteria [SCC 14.402]**

The County may amend the Zoning Code when one of the following is found to apply:

1. The amendment is consistent with or implements the Comprehensive Plan and is not detrimental to the public welfare.
2. A change in economic, technological, or land use conditions has occurred to warrant modification of the Zoning Code.
3. An amendment is necessary to correct an error in the Zoning Code.
4. An amendment is necessary to clarify the meaning or intent of the Zoning Code.
5. An amendment is necessary to provide for a use(s) that was not previously addressed by the Zoning Code.
6. An amendment is deemed necessary by the Commission and/or Board as being in the public interest.

**Staff Comment**

*Staff concludes that this CPA is consistent with the comprehensive plan's goals (as will be explained in more detail later in this report) and is not detrimental to the public welfare.*

*Staff also concludes that the code amendment is consistent with criteria 2, given the increase in average home sale prices from \$192,200 in 2015 to \$440,000 in 2022 and the increase in average rents from \$748 in 2015 to \$1,314 in 2022. Staff concludes that this economic context, which suggests a dearth*

*in available housing units, warrants a reevaluation of the parcels' current low-density residential designations.*

*Assembly of a larger site allows greater flexibility in implanting HDR projects and avoids leaving three single-family homes between HRD projects.*

**Critical Areas Review**

Critical Aquifer Recharge Area	<i>Moderate</i>
Fish and Wildlife Habitat	<i>None identified at this stage</i>
Floodplain	<i>West portion of 36193.9098 is designated AE and X</i>
Wetlands	<i>None identified at this stage</i>
Stream	<i>None identified at this stage</i>
Geohazards	<i>None identified at this stage</i>
Cultural Resources	<i>None identified at this stage</i>
Stormwater Risk	<i>All parcels are low risk, except a high-risk portion on a western sliver of 36193.9098</i>



**Population and Land Capacity**

The proposed amendment will increase the population capacity within the Urban Growth Area (UGA). As shown in the table below, the existing Low Density Residential (LDR) designation has an assumed buildout of 4.43 dwelling units per acre while the High Density Residential (HDR) category has an assumed buildout of 24.25 dwelling units per acre (as noted in the 2023 Spokane County CPA Population Impacts and Service Assumptions). The County assumes that, on average, a single-family residence will include 2.5 people and that multi-residential units will contain 1.5 people.

Site Size (2.13 Acres)	LDR (Current)	HDR (Proposed)	Potential Increase
Residential Units	9	52	43
Population	23	78	55

**Comprehensive Goals and Policies  
Chapter 2 – Urban Land Use**

**High Density Residential**

The High Density Residential (HDR) zone is primarily for multi-family development at densities of greater than 15 dwelling units per acre. High-density residential zones are usually located near transit services, shopping, and major transportation routes. Cluster development, zero lot-line housing and other incentives are permitted to promote infill and preservation of open space. Offices are permitted in the HDR zone in order to provide some of the service needs generated by high-intensity land uses (14.606.100)

**UL.2.18**

Establish development requirements that encourage quality design within multifamily development areas.

**Staff Comment**

*If amended, the proposed site change would be subject to design standard regulations found in Spokane County’s zoning code 14.900 Urban Design: Urban Design Standard and Guidelines. Development standards would follow.*

**UL2.19**

Develop standards that prescribe maximum building heights and other building design features to give a residential scale and identity to multifamily developments.

**Staff Comment**

*Any proposed project would be subject to Spokane County Building and Planning’s development regulations and design standards. The site would follow development standards found in 14.606.300 Development Standards and Spokane County’s zoning code 14.900 Urban Design Standard and Guidelines. If the site’s zoning was amended, projects would be subject to section 14.606.300 of the Spokane County Code.*

**Housing Variety**

**UL.8**

Create urban areas with a variety of housing types and prices, including manufactured home parks, multifamily development, townhouses, and single-family development.

**Staff Comment**

*An HDR designation allows for a much greater quantity and range of housing options than is allowed by LDR, meaning that this CPA would likely facilitate a more diverse housing stock.*

**Residential Density**

**UL. 9.2**

Spokane County shall seek to achieve an average residential density in new development of at least 5 dwelling units per net acre in the Urban Growth Area through a mix of densities and housing types.

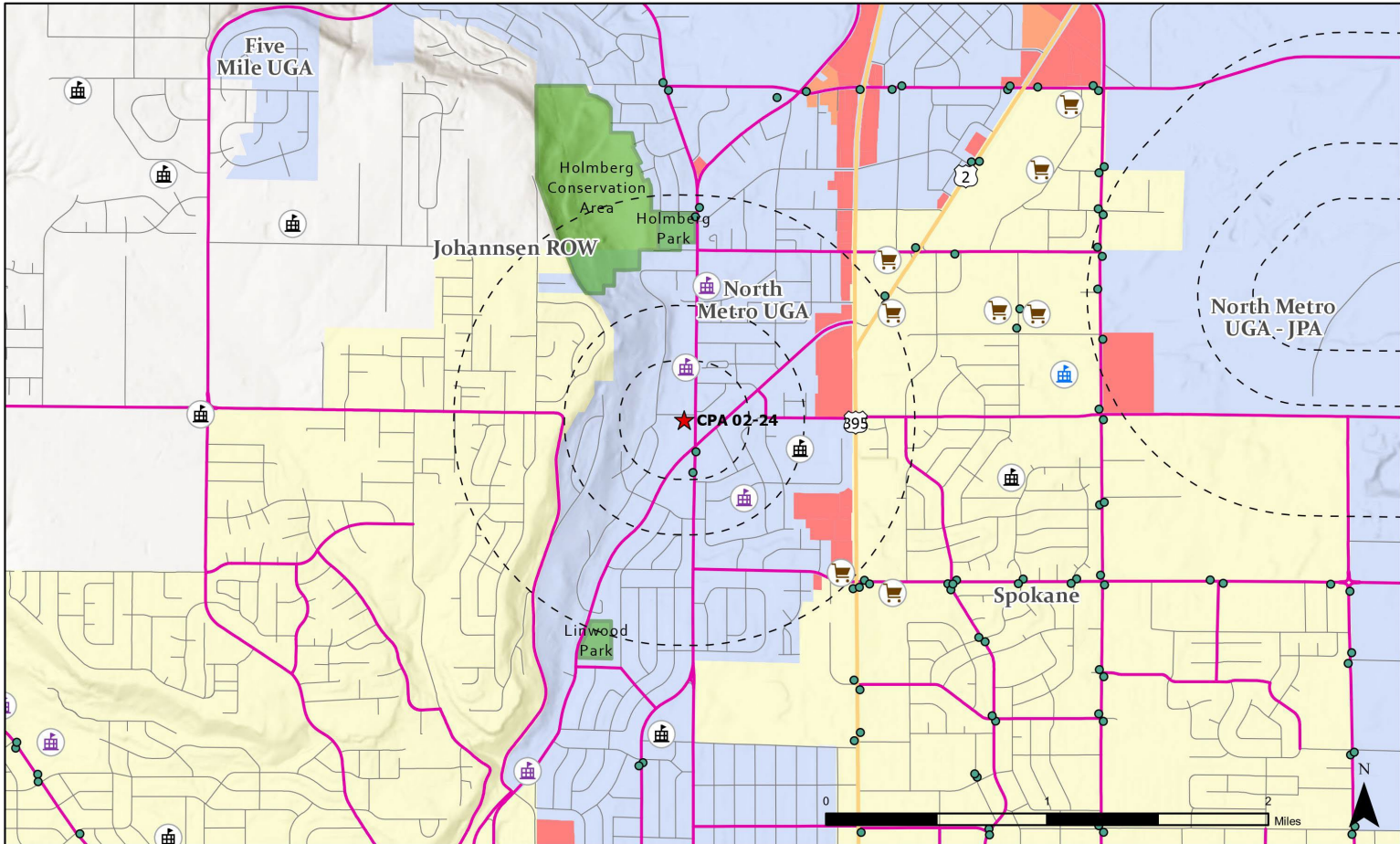
**Staff Comment**

*Staff concludes that the new HDR designation would, if developed, lead to a density increase of 43 units on the parcels (compared to the current LDR). A table showing this calculation may be seen earlier in the report under the population and land capacity section.*

**Nearness Analysis**

*As seen in the following map, the proposed amendment site has two (2) parks, one (1) grocery store, and 1 public school within a 1-mile radius. Additionally, the site is within a one (1) mile radius of 3 commercial zoning districts and 4 bus stops. There are no mixed-use zoning districts within a one mile radius.*

CPA 02-2024 Surrounding Area



- |  |                   |                               |                            |                 |
|--|-------------------|-------------------------------|----------------------------|-----------------|
| ★ 2024 CPAs                            | 🏠 Private Schools | 🟡 Incorporated Land           | 🟠 Interstate               | — Other Streets |
| ⋯ Buffers (1/4 mile, 1/2 mile, 1 mile) | 🏫 Public Schools  | 🟦 Urban Growth Areas          | 🟡 U.S. Highway             |                 |
| 🟢 Parks                                | 🏫 Charter Schools | 🔴 Commercial Zoning Districts | ⚫ State Route              |                 |
| ● Bus Stops                            | 🛒 Grocery Stores  | 🟠 Mixed Use Zoning Districts  | 🟡 Arterials and Collectors |                 |

# Comprehensive Plan Amendment 03-2024

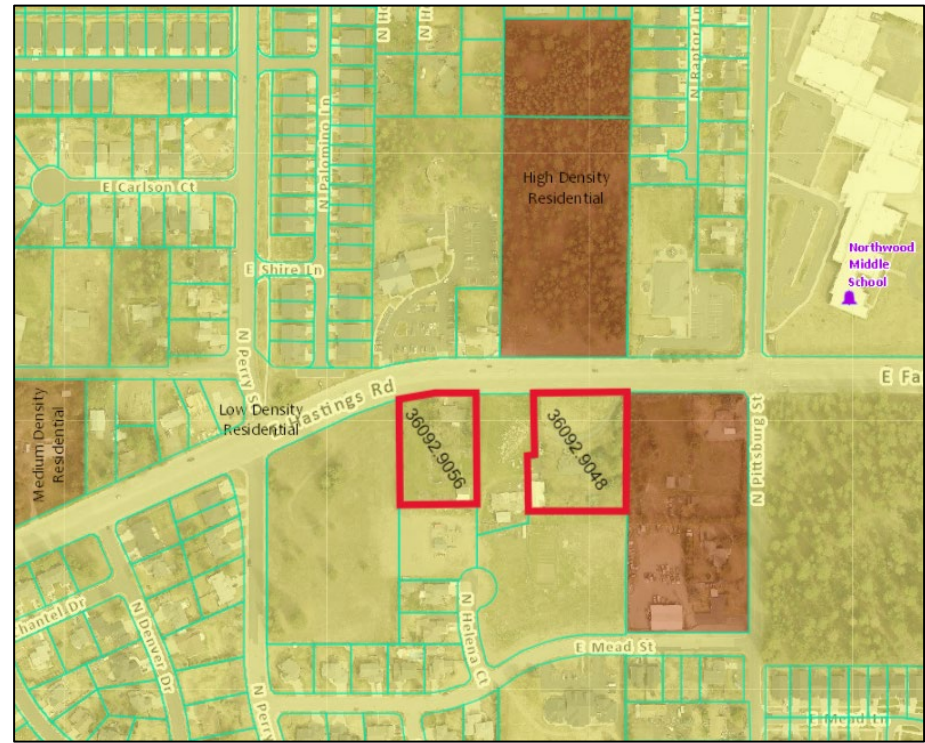
## Proposal

Proposed CPA-03-24 requests the designation of High-Density Residential from the current designation of Low-Density Residential, including a concurrent zone reclassification on two parcels totaling 2.97 acres of land.

## Site Description

CPA-03-2024 is located along East Hasting Road and East Farwell Road in the Fairwood area. Access to the subject property is from East Hasting and East Farwell Roads, both public urban principal arterials. The current surrounding comprehensive planning and zoning designations include two lots directly across East Farwell Road designated HDR totaling 6.41 acres and to the east adjoining the subject property, a 4.18-acre parcel zoned HDR. Surrounding uses across East Farwell Road of the subject property include a church, preschool, Northwood Middle School, and the Farwell Elementary School.

The current zoning of the parcel between the subject parcels and the parcel directly south of parcel 36092.9056 is HDR.



<b>Parcel Number</b>	36092.9056 & 36092.9048
<b>Zone Change</b>	LDR > HDR
<b>Site Size</b>	2.92 Acres
<b>Urban Growth</b>	North Metro
<b>Applicant</b>	Storhaug, Inc
<b>Property Owner</b>	Senior Homes Foundation of Eastern Washington
<b>Water</b>	Spokane County Water District 3
<b>Sewer</b>	Spokane County
<b>Schools</b>	Mead
<b>Fire</b>	District 9



**Zoning Code Criteria for Amendment (14.402.040)**

The County may amend the Zoning Code when one of the following is found to apply:

1. The amendment is consistent with or implements the Comprehensive Plan and is not detrimental to public welfare.
2. A change in economic, technological, or land use conditions has occurred to warrant modification of the zoning code.
3. An amendment is necessary to correct an error in the zoning code.
4. An amendment is necessary to clarify the meaning or intent of the zoning code.
5. An amendment is necessary to provide for a use(s) that was not previously addressed by the Zoning Code.
6. An amendment is deemed necessary by the Commission and/or Board as being in the public interest.

**Staff Comment**

*Staff concludes that the code amendment is consistent with 14.402.040(1), as this report sets forth further. Staff also concludes that the code amendment is consistent with 14.402.040(2) as the strong housing demand needed to meet Spokane County’s estimated population increase of 115,326 over the next 20 years as well as an increase in average housing prices from \$192,200 in 2015 to \$440,000 in 2022 and an increase in average rental costs from \$748 in 2015 to \$1,314 in 2022 warrants a reevaluation in economic and land*

*use conditions since this proposal was assigned for Low-Density Residential development.*

**Critical Areas Review**

Critical Aquifer Recharge Area	<i>High</i>
Fish and Wildlife Habitat	<i>None identified at this stage</i>
Floodplain	<i>None identified at this stage</i>
Wetlands	<i>None identified at this stage</i>
Streams	<i>None identified at this stage</i>
Geohazards	<i>None identified at this stage</i>
Cultural Resources	<i>None identified at this stage</i>
Stormwater Risk	<i>Low risk drainage areas</i>

**Staff Comment**

*Wellhead protection zone is located on the parcel south of the proposed area (parcel 36092.9507).*

**Population Impacts**

The proposed amendment will increase the population capacity within the Urban Growth Area (UGA). Low Density Residential uses have an assumed density of 4.43 dwelling units per acre while High Density Residential uses have an assumed density of 24.25 dwelling units per acre. To convert residential units to a population number, we assume that, on



average, a single-family residence will include 2.5 people and that multi-residential units will contain 1.5 people. The table below illustrates the impact of the proposed amendment on population capacity.

Site Size (2.97 Acres)	Low Density Residential (LDR)	High Density Residential (HDR)	Potential increase
Residential Units	13	72	59
Population	32.5	108	75.5

**Comprehensive Goals and Policies**  
**Chapter 2 – Urban Land Use**

**High Density Residential (HDR)**

The High Density Residential (HDR) zone is primarily for multi-family development at densities of greater than 15 dwelling units per acre. High-density residential zones are usually located near transit services, shopping, and major transportation routes. Cluster development, zero lot-line housing and other incentives are permitted to promote infill and preservation of open space. Offices are permitted in the HDR zone in order to provide some of the service needs generated by high-intensity land uses (14.606.100).

**UL.1a**

Provide a healthful, safe, and sustainable urban environment that offers a variety of opportunities for affordable housing and employment.

**Staff Comment**

*Staff concludes that the plan amendment fulfills this policy because the designation change from LDR to MDR would allow for an increase in potential dwelling units needed to address housing need and affordability.*

**Urban Character and Design**

**UL.2**

Maintain and enhance the quality of life in Spokane County through urban design standards.

**Staff Comment**

*The proposed site change would be subject to urban design standards and guidelines in section 14.900 of the Spokane County Zoning Code.*

**Residential Design**

**UL.2.13**

Provide a compatible mix of housing and commercial uses in all commercial districts, neighborhood centers, community centers and urban activity centers.

**Staff Comment**

*Subject parcels are near neighborhood commercial, regional commercial, mixed-use development, and an urban activity center.*

**Multifamily Residential**

**UL.2.16**

Encourage the location of medium and high-density residential categories near commercial areas and public open spaces and on sites with good access to major arterials. A

determination that a particular property has access to major arterials may be based on a condition of approval or development agreement requiring construction of new roads and/or access to particular major arterials.

**UL.2.17**

Site multifamily homes throughout the Urban Growth Area as follows:

- a) Integrated into or next to neighborhood, community, or urban activity centers.
- b) Integrated into small, scattered parcels throughout existing residential areas. New multi-family homes should be built to the scale and design of the community or neighborhood, while contributing to an area-wide density that supports transit and allows for a range of housing choices.

**Staff Comment**

*The subject parcels have direct access and frontage to East Farwell Road and East Hastings Road, both designated as Urban Principal Arterials per the Spokane County Arterial Road Plan. The subject parcels are near An Urban Activity Center and Regional Commercial area. Neighborhood Commercial land, Mixed-Use Development (Mead Master Planned Development), and Regional Commercial Development are located approximately 0.5 miles east of the subject parcels. Two (2) parks, Freddie’s Natural Area and Camelot Park are within 1 mile of the subject parcels. Additionally, the subject parcels are located within the Mead school district, with three (3) public schools within 0.25 mile of the proposal, and Mead High School located approximately 1.3 miles from the proposal.*

**Residential Land Uses**

**UL.7**

Guide efficient development patterns by locating residential development in areas where facilities and services can be provided in a cost-effective and timely fashion.

**UL.7.1**

Identify and designate land areas for residential use, including categories for low-, medium- and high-density areas.

**UL.7.2**

Coordinate housing and economic development strategies to ensure that sufficient land is provided for affordable housing in locations readily accessible to employment centers.

**UL.7.3**

New urban development must be located within the Urban Growth Area (UGA) boundary.

**UL.7.10**

The phasing of land development shall be consistent with established levels of service for the provision of public facilities and services within UGAs.

**Staff Comment**

*Subject parcels are located within the North Metro UGA area. Urban services are currently available on the site. Urban uses and densities surround the property; thus, it would be considered an infill project and increase the density within an existing urban area.*

**Housing Variety**

**UL.8**

Create urban areas with a variety of housing types and prices, including manufactured home parks, multifamily development, townhouses, and single-family development.

**Staff Comment**

*The subject parcels are located within the UGA. Spokane County serves sewer to this subject property. The proposed designation to HDR would allow for multifamily development, which would add to the variety of housing types in the area.*

**Residential Density**

**UL.9b**

Create efficient use of land and resources by reducing the conversion of land to sprawling, low-density development.

**Staff Comment**

*Staff concludes the proposed zoning designation for LDR to HDR supports the reduction of land to sprawling, low-density development by allowing for a higher-density residential use. Additionally, the strong need for housing and increased housing costs warrant an evaluation of the subject parcels to ensure their efficiency.*

**Nearness Analysis**

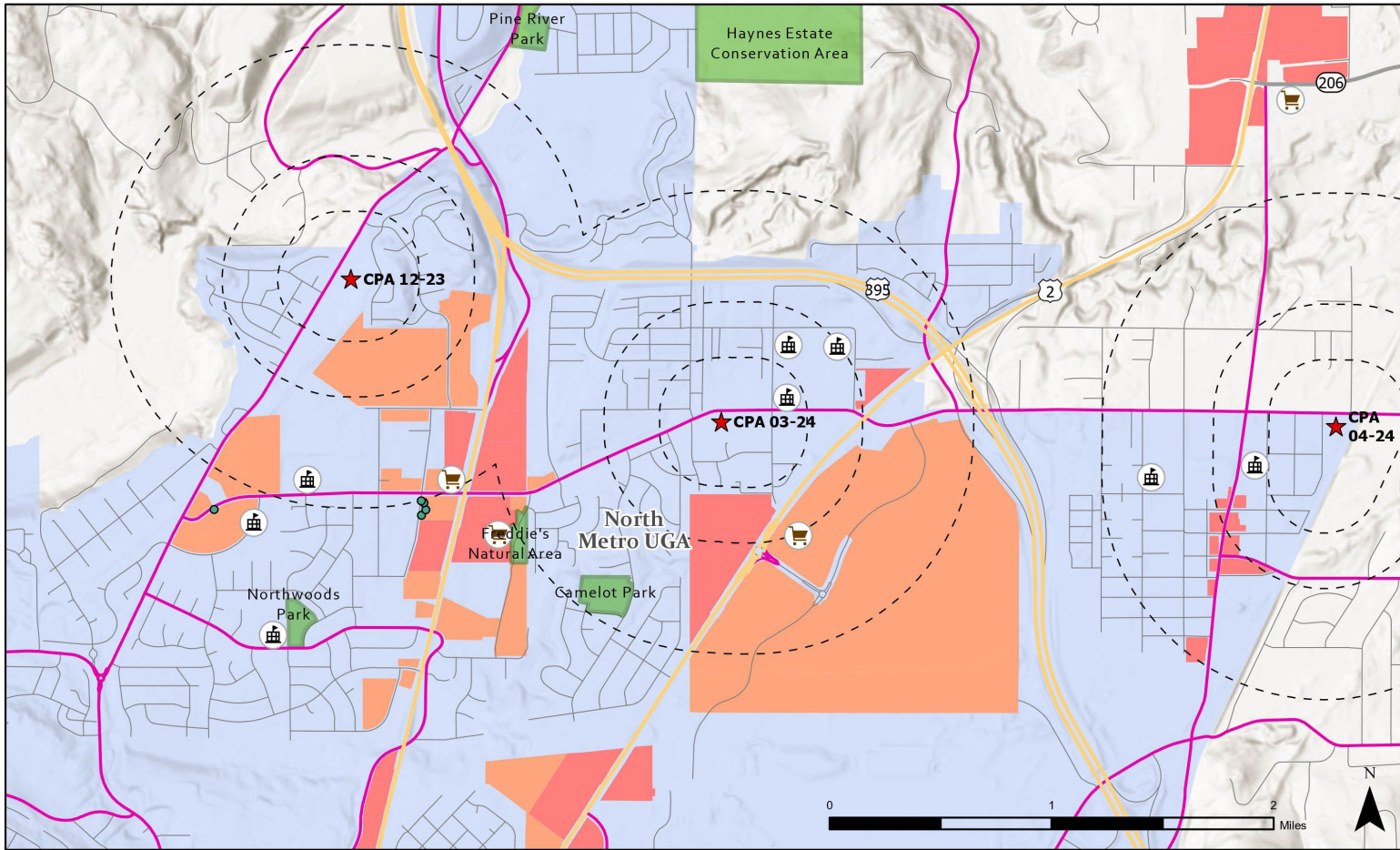
*As seen in the following map, the proposed parcels site have two parks, one grocery store, and three public schools within a one-mile radius. Additionally, the site location is within a one-mile radius of mixed-use and commercial zoning districts. There are no bus stops within a one-mile radius of the proposed parcel site.*

**Preview Agency Comments**

**Spokane County Public Works - Engineering**

Request a Trip Generation and Distribution Letter for the potential increased trips produced by the proposal. (See Appendix B)

### CPA 03-2024 Surrounding Area



- |  |                 |                             |                          |               |
|--|-----------------|-----------------------------|--------------------------|---------------|
| ★ 2024 CPAs                              | Private Schools | Incorporated Land           | Interstate               | Other Streets |
| --- Buffers (1/4 mile, 1/2 mile, 1 mile) | Public Schools  | Urban Growth Areas          | U.S. Highway             |               |
| Green Box Parks                          | Charter Schools | Commercial Zoning Districts | State Route              |               |
| Green Circle Bus Stops                   | Grocery Stores  | Mixed Use Zoning Districts  | Arterials and Collectors |               |



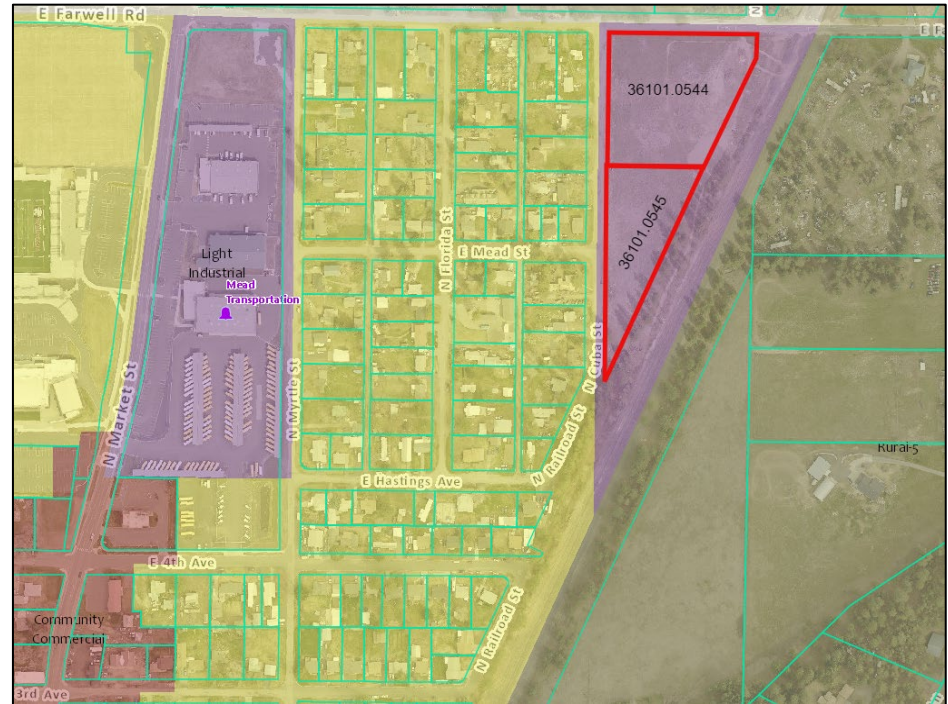
# Comprehensive Plan Amendment 04-2024

## Proposal

Proposed CPA-04-24 requests the designation of Medium-Density Residential from the current designation of Light Industrial, including a concurrent zone reclassification on two parcels totaling 5.22 acres of land.

## Site Description

CPA-04-2024 is in the Mead area along East Farwell Road, and North Cuba Street. The surrounding comprehensive plan zoning designations from the subject property include Urban Reserve to the north, Rural Traditional to the northwest, Rural-5 to the east, and Low-Density Residential to the west. Additionally, to the west are Light Industrial and Community Commercial properties. Adjoining the eastern property line of the subject property is an active BNSF train track. Sewer service is not currently served at the subject parcels and will need to be installed prior to development.



<b>Parcel Number</b>	36101.0544 & 36101.0545
<b>Zone Change</b>	LI > MDR
<b>Site Size</b>	5.22 Acres
<b>Urban Growth</b>	North Metro
<b>Applicant</b>	Whipple Consulting Engineers, Inc
<b>Property Owner</b>	Slide Rock, LLC
<b>Water</b>	Spokane County District 3
<b>Sewer</b>	Spokane County
<b>Schools</b>	Mead
<b>Fire</b>	District 9

**Zoning Code Criteria [SCC 14.402]**

The County may amend the Zoning Code when one of the following is found to apply:

1. The amendment is consistent with or implements the Comprehensive Plan and is not detrimental to the public welfare.
2. A change in economic, technological, or land use conditions has occurred to warrant modification of the Zoning Code.
3. An amendment is necessary to correct an error in the Zoning Code.
4. An amendment is necessary to clarify the meaning or intent of the Zoning Code.
5. An amendment is necessary to provide for a use(s) that was not previously addressed by the Zoning Code.
6. An amendment is deemed necessary by the Commission and/or Board as being in the public interest.

**Staff Comment**

*Staff concludes that CPA-04-2024 meets the requirements of 14.402.040) (2 based upon the increase of housing prices, increase in development, and an increase in population change. Staff concludes that these changes satisfy the requirements of an amendment to the comprehensive plan based on SCZC*

*14.402.040(2). For reference, housing prices in Spokane County have increased from an average of 192,000 in 2015 to 440,000 in 2022<sup>1</sup>. There was an increase in rent in Spokane County. Average rent was \$748 in 2015<sup>2</sup> compared to \$1,314 in 2022.<sup>3</sup> The proposed site is currently zoned as light industrial, which, according to section 14.614.220 of Spokane County’s zoning code, does not allow for residential development. If the parcels were to be redesignated to medium-density residential, this would provide a range of densities from more than 6 units per acre and up to 15 units per acre and would allow for a wide range of housing types, which would create an increase of housing capacity in the North Metro UGA.*

*Staff also concludes that the proposed amendment meets the requirements of 14.402.040(1). The amendment would be consistent with the goals and policies of the Comprehensive plan. The proposal would also not be determined as a detriment to public warfare.*

**Critical Areas Review**

Critical Aquifer Recharge Area	<i>High/Moderate</i>
Fish and Wildlife Habitat	<i>None identified at this stage</i>
Floodplain	<i>None identified at this stage</i>

<sup>1</sup>Washington Center for Real Estate Research/University of Washington. Median Home Prices State of Washington and Counties Annual, 2015-2022.

<sup>2</sup> Runstad Center for Real Estate Studies/ University of Washington. Washington Apartment Market. Spring 2015

<sup>3</sup> WASHINGTON CENTER FOR REAL ESTATE RESEARCH RUNSTAD DEPARTMENT OF REAL ESTATE COLLEGE OF BUILT ENVIORNMENTS. WASHINGTON STATE APARTMENT MARKET REPORT. 1<sup>st</sup> Quarter 2023



*Spokane County Planning*

Wetlands	<i>None identified at this stage</i>
Stream	<i>None Identified at this stage</i>
Geohazards	<i>None Identified at this stage</i>
Cultural Resources	<i>High Probability</i>
Stormwater Risk	<i>Low</i>

Critical aquifer recharge areas are areas that provide a critical recharging effect on aquifers used for potable water. Spokane County has provisions within the Critical Areas Ordinance and other County Ordinances to protect aquifers from the potential impacts of new development including stormwater treatment and restrictions on storage and use of potential contaminants.

**Population and Land Capacity**

The proposed amendment will increase the population capacity within the Urban Growth Area (UGA). The existing light industrial category has an assumed buildout of 0 dwelling units per acre while the Medium Density Residential category has an assumed buildout of 16.02 dwelling units per acre. To convert residential units to population we assume that, on average, a single-family residence will include 2.5 people and that multi-residential units will contain 1.5 people. The table below illustrates the impact of the proposed amendment on population capacity. The proposed site contains 5.22 acres of land.

Site Size (5.22 Acres)	Light Industrial	MDR	Potential Increase
Residential Units	0	83	83
Population	0	124.5	124.5

**Comprehensive Goals and Policies  
Chapter 2 – Urban Land Use**

**Medium Density Residential**

The Medium Density Residential (MDR) zone is primarily for a combination of single-family through multi-family uses at a density range of greater than 6 to and including 15 dwelling units per acre. Cluster development, zero lot-line housing and other incentives are permitted to promote infill and preservation of open space. Business and professional offices are permitted in this zone (14.606.100).

**UL.1a**

Provide a healthful, safe a safe, sustainable urban environment that offers a variety of opportunities for affordable housing and employment.

**Staff Comment**

*CPA-04-2024 fulfills UL.1a because a comprehensive plan designation change from light industrial to medium-density residential would allow a net increase in multi-family residential dwelling units, which could provide affordable housing options for residents.*

**Urban Character and Design**

**UL.2**

Maintain and enhance the quality of life in Spokane County through urban design standards.

**Staff Comment**

*The proposed site would be subject to design standard regulations found in Spokane County’s zoning code 14.900 Urban Design: Urban Design Standard and Guidelines. Development standards would follow the requirements of 14.606.300 Development Standards.*

**Residential Design**

**UL.2.13**

Provide for a compatible mix of housing and commercial uses in all commercial districts, neighborhood centers, community centers and urban activity centers.

**Staff Comment**

*The subject property is near community commercial and regional commercial zoning. If the subject property was to be rezoned to be rezoned to medium density residential from light industrial, it would provide for a wide range of housing options near commercial zoning.*

**Multi-Family Residential**

**UL 2.16**

Encourage the location of medium and high-density residential categories near commercial areas and open spaces and on sites with good access to major arterials. A determination that a particular property has access to major arterials may be based on a condition of approval or development agreement requiring construction of new roads and/or access to major arterials.

**Staff Comment**

*The proposed site is located on East Farewell Road, which is designated as an urban minor arterial, and North Cuba Street, which is a local access road. The site is also in near proximity to regional commercial zoning and community commercial to the southeast of the property located along North Market Street. The property is also near proximity to Creekside Elementary School. For open space, the property is near the Mead Sports Complex and Union Stadium. The property is also located within a Public Transit Benefit Area. The parcels do not have any transit stops in close proximity to the proposed site. The closest park to the proposed site is Camelot Park, which is approximately 2.24 miles from the site.*

**UL.2.17**

Site Multifamily homes throughout the Urban Growth Area as follows:

- a) Integrated into or next to neighborhood, community, or urban activity centers.
- b) Integrated into small, scattered parcels throughout existing residential areas. New multi-family homes should

be built to the scale and design of the community or neighborhood while contributing to an area-wide density that supports transit and allows for a range of housing choices.

**Staff Comment**

*The proposed site is in the North Metro UGA and is adjacent to East Farwell Road to the North, which is categorized as an urban minor arterial and North Cuba Street to the west, which is a local access road. The project is located near Low Density Residential Development which has been built as single-family homes. The site is adjacent to the railroads to the east. The school is in near proximity to the Creekside elementary school.*

**UL 2.19**

Develop standards that prescribe maximum building heights and other building design features to give a residential scale and identity to multifamily developments.

**Staff Comment**

*Any proposed project would be subject to Spokane County Building and Plannings development regulations and design standards. The site would follow development standards found in 14.606.300 Development Standards. The proposed site would also be subject to follow 14.900 Urban Design Standard and Guidelines. If the site’s zoning was amended projects would be subject to section 14.606.300 of the Spokane County Code.*

**Residential Land Use**

**UL.7.1**

Identify and designate land areas for residential uses, including categories for low, medium, and high-density areas.

**Staff Comment**

*This site is located on East Farwell Road, which is classified as an Urban Minor Arterial, and North Cuba Street, which is a local access road. The site is in near proximity to low-density residential zoning and regional commercial zoning to the west of the proposed site. The project is near a community commercial to the southwest along Market Street at approximately .34+/- miles from the proposed project.*

**UL.7.2**

Coordinate housing and economic development strategies to ensure that sufficient land is provided for affordable housing in locations readily accessible to employment centers.

**Staff Comment**

*If rezoned to Medium Density Residential the proposed site would have the zoning designation to provide for a wide range of housing types which would be near proximity to Regional and Community Commercial zoning designations.*

**UL.7.5**

Provide bonus densities, zero lot-line housing, auxiliary structures, accessory dwellings, or similar methods to promote infill development, where appropriate.

*Staff Comment: The subject property is located within the north metro Urban Growth Areas. The subject property is adjacent to low-density residential development to the west of the property,*

across from North Cuba Street and additional low-density residential development south of East Hastings Avenue. If redesignated from Medium Density Residential from Light Industrial, the proposed zoning designation may qualify as infill development.

### **Housing Variety**

#### **UL.8**

Create urban areas with a variety of housing types and prices, including manufactured home parks, multifamily development, townhouses, single-family development.

#### ***Staff Comment***

*The MDR comprehensive plan and zoning designation allows for density from 6-15 units per acre. Parcels to the east of the project are designated as low-density residential.*

### **Residential Density**

#### **UL.9.1**

Establish low-, medium-, and high-density residential categories to achieve population and economic growth objectives. Low-density residential areas shall range from 1 to and including 8 dwelling units per acre. Bonus density in the low-density residential category may allow an increase to 10 dwelling units per acre for qualifying infill projects. Medium-density residential shall range from greater than 6 to and including 15 dwelling units per acre, and high-density residential shall be greater than 15.0 residential units per acre. Mixed residential densities may be established through community-based neighborhood planning, subarea planning, or approval of traditional neighborhood developments

#### ***Staff Comment***

*CPA-04-2024 would fulfill Comprehensive Plan Policy UL 9.1 because the amendment would be established as a medium-density residential designation. This designation would allow for a range from greater than 6 to and including 15 dwelling units per acre.*

#### **UL. 9.2**

Spokane County shall seek to achieve an average residential density in new the development of at least 5 dwelling units per net acre in the Urban Growth Area through a mix of densities and housing types.

#### ***Staff Comment***

*CPA-04-2024 would fulfill UL 9.2 because the amendment would create a medium-density residential designation that would allow for a density increase of a potential 15 dwelling units from the current designation of Light Industrial. The proposed designation would provide for a wide range of housing types and densities. Including single-family dwellings and multi-family housing.*

### **Nearness Analysis**

*The CPA-2024 Surrounding Area map notes that the proposed site is near commercial zoning. It is also between the quarter-mile and half-mile radius boundaries of a public school and within a half-mile and one-mile radius boundaries of another public school. The project is also near low-density residential and open spaces.*

**Agency Requests/Recommendations Summary**

**Department of Historic Archeology and Historic Preservation**

*The Department of archeology and historic preservation has identified that there is a “high probability of encountering cultural resources within the proposed project area” This has resulted in the Department of Archeology and Historic Preservation requesting:*

- *“[A] professional archeological survey of the project area be conducted, and a report be produced prior to ground disturbing activities. This report should meet the DAHP’s Standards for Cultural Resources Reporting” We also recommend that any historic buildings or structures (45 years in age or located within the project area are evaluated for eligibility for listing in the National Register of Historic Places on Historic Property Inventory (HPI Forms). (See Appendix C)*

**Spokane County Public Works**

*Spokane County Public Works has stated that, “Spokane County has reviewed the trip distribution letter and does not anticipate major impacts to area intersections. The traffic information has been accepted; no further information required. (See Appendix D)*

**Spokane County Public Works**

*For CPA-04-2024, Spokane County Public Works has commented, “The project lies outside of the County six year sewer plan and inside of the Urban Growth Area. As per the development regulations/zoning code of the governing authority*

*as amended, projects that fall within this area are required to connect to a sanitary sewer system” (See Appendix E).*

**Washington State Department of Health**

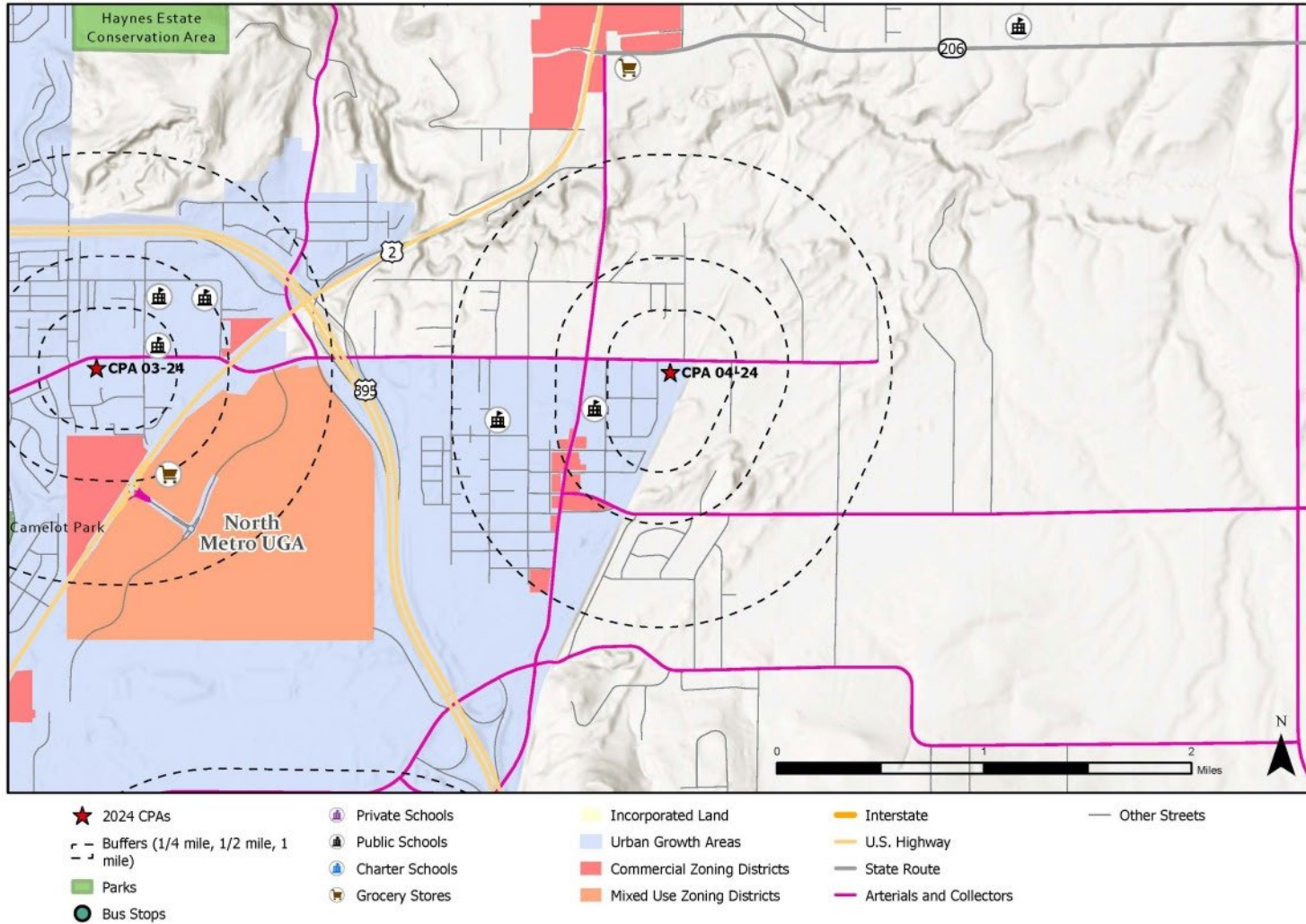
*For CPA-04-2024, The Washington State Department of Health has provided comments regarding potential septic hookup for the following project. (See Appendix F).*

**Spokane Regional Health District**

*For CPA-04-2024, The Spokane Regional Health District has provided comments on potential septic hookup for the project (See Appendix G).*



CPA 04-2024 Surrounding Area



# Comprehensive Plan Amendment 05-2024

## Proposal

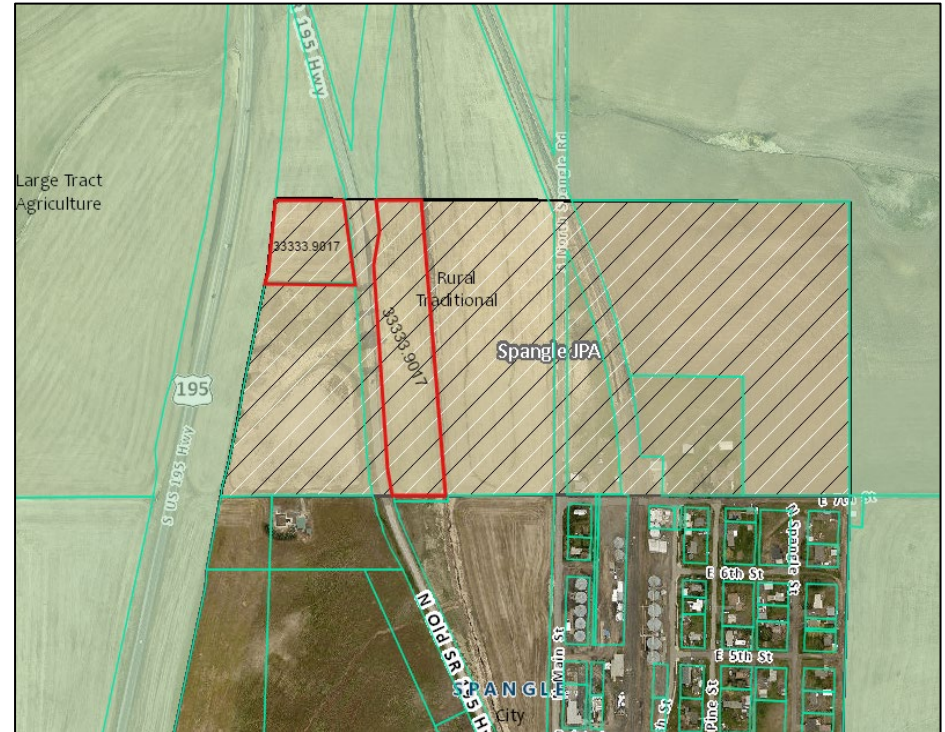
Proposed CPA-05-24 requests the designation of Regional Commercial from existing Rural Traditional designation, including a concurrent zone reclassification. The proposal is for a section of parcel 33333.9017, totaling 11.5 acres of land, not the entire parcel.

## Site Description

CPA-05-2024 is located in the Spangle area along Old State Route 195 and the current US-195 Highway. The current surrounding comprehensive plan zoning designation is Large Tract Agriculture. The subject proposal is located in the Spangle joint planning agreement. The Spangle wastewater treatment plant is south of the western subject area. A designated Department of Natural Resource stream is on the easterly boundary portion of the proposal.

Transportation facilities fragment the parcel. Only portions of the parcel are proposed for this amendment.

The site is unserved by urban services.



<b>Parcel Number</b>	33333.9017
<b>Zone Change</b>	RT > RC
<b>Site Size</b>	11.5 Acres
<b>Urban Growth</b>	Spangle JPA
<b>Applicant</b>	Land Use Solutions & Entitlement
<b>Property Owner</b>	Pathways Enterprise
<b>Water</b>	Spangle
<b>Sewer</b>	Spangle
<b>Schools</b>	Liberty
<b>Fire</b>	District 3

**Zoning Code Criteria [SCZC 14.402.040]**

The County may amend the Zoning Code when one of the following is found to apply:

1. The amendment is consistent with or implements the Comprehensive Plan and is not detrimental to the public welfare.
2. A change in economic, technological, or land use conditions has occurred to warrant modification of the Zoning Code.
3. An amendment is necessary to correct an error in the Zoning Code.
4. An amendment is necessary to clarify the meaning or intent of the Zoning Code.
5. An amendment is necessary to provide for a use(s) that was not previously addressed by the Zoning Code.
6. An amendment is deemed necessary by the Commission and/or Board as being in the public interest.

**Staff Comment**

*Staff concludes that converting land in a UGA to urban use is consistent with criteria 1, and proposing a commercial use that creates jobs is consistent with public welfare.*

**Critical Areas Review**

Critical Aquifer Recharge Area	<i>Low Susceptibility</i>
Fish and Wildlife Habitat	<i>Spangle Creek, on the eastern edge of the project area, is a fish habitat</i>
Floodplain	<i>Area along Spangle Creek is in a 100-year floodplain, but the rest of the parcel is not in a floodplain</i>
Wetlands	<i>None identified at this stage</i>
Stream	<i>Spangle Creek</i>
Geohazards	<i>None identified at this stage</i>
Cultural Resources	<i>None identified at this stage</i>
Stormwater Risk	<i>None identified at this stage</i>

**Staff Comment**

*Aside from the creek running along the eastern part of the project area, the CPA parcel does not contain any identified elements that would be cause for concern if it were rezoned as regional commercial land and redeveloped accordingly. Site development must follow all relevant shoreline ordinances along the creek and Critical Areas.*

**Population and Land Capacity**

Site size: 11.5 acres	Rural Traditional	Regional Commercial	Total Increase
Residential Units	1	278	277
Population	2.5	417	414.5

**Staff Comment**

*According to SCC 14.618.300, the maximum rural traditional residential density is 1 unit per 10 acres. According to the 2024 density assumptions for future development, single-family units are assumed to have 2.5 residents on average. According to SCC 14.612.230, regional commercial zones can support multi-family dwellings that abide by the same residential density standards as high-density residential zones. Finally, according to the 2024 density assumptions for future development, based on past permitting data for Spokane County, it is assumed that HDR multi-family projects will have a maximum density of 24.25 units per acre. With all of this considered, the maximum number of dwelling units could grow from 1 unit to 278 units total, and the maximum population could grow from 2.5 to 417. While the applicant has indicated only commercial, non-residential uses for the property, this possible residential increase on the property should be noted.*

**Comprehensive Goals and Policies**

**Chapter 2 – Urban Land Use**

**Regional Commercial**

Zone that designates intensive commercial uses including regional shopping centers and major commercial areas, intended to draw customers from the County at large and from other outlying areas. Residences in conjunction with business and/or multifamily developments may be allowed with standards that ensure compatibility. Small-scale industrial areas may be allowed in this zone, provided neighborhood concerns are addressed through a public hearing process (SCZC 14.612.100).

**UL.13**

Provide adequate commercial land within urban growth areas to conveniently serve the local and regional trade areas.

**Staff Comment**

*Staff concludes that this CPA will add regional commercial services that will serve both local and regional customers.*

**UL 13.1**

Designate a variety of strategically located commercial areas that will be accessible from roadways of major arterial classification or higher, served with utilities and free of major environmental constraints.

**Staff Comment**

*This CPA is located right next to U.S. Highway 195 and can be accessed by S. Old U.S. Highway 195 right off of the highway. As was noted in the critical areas review above, nothing about this land indicates that development would have any major*



*adverse environmental impacts. The Spangle Public Works department stated that the project area does not have water or sewer lines currently running to it. Any development will have to install water service and sewer connected to Spangle's waste treatment facilities.*

**UL 13.6 (a-g)**

Zoning and other land use regulations shall provide the following improvements for commercial development:

- a. Paved streets
- b. Sidewalks and bicycle lanes in commercial and retail areas
- c. Parking, bike racks and transit facilities for employees and customers (some facilities may be communal)
- d. Landscaping along streets, sidewalks, and parking areas to provide an attractive appearance
- e. Adequate stormwater control, including curbs, gutters, and stormwater management facilities
- f. Public sewer and water supply
- g. Controlled traffic access to arterials and intersections

**Nearness Analysis**

*As can be seen in the following map, nearly the entire city of Spangle is within a one-mile radius of CPA 05-2024. Because it would be changed to a regional commercial zone if approved, many Spangle residents would be within walking distance of whatever the development has to offer. If any housing is erected on the site, residents and visitors would have access to two restaurants and two gas stations within a mile radius. Within a quarter mile of the property to the west is U.S.*

*Highway 195, running north to Spokane. Currently, no parks, schools, or transit stops within a mile radius of CPA 05-24.*

**Agency Comments**

**Spangle Public Works**

“...the town has no water or sewer lines to the property. The closest water and sewer lines to that property would be at 675 N old SR. 1 95, South of the property on Old Highway 195 where the main water and sewer lines end just about at the city limits. Also, that sewer line is pressurized going to the wastewater treatment plant, so that may change design planning and needs for connecting to the system.” (See Appendix H)

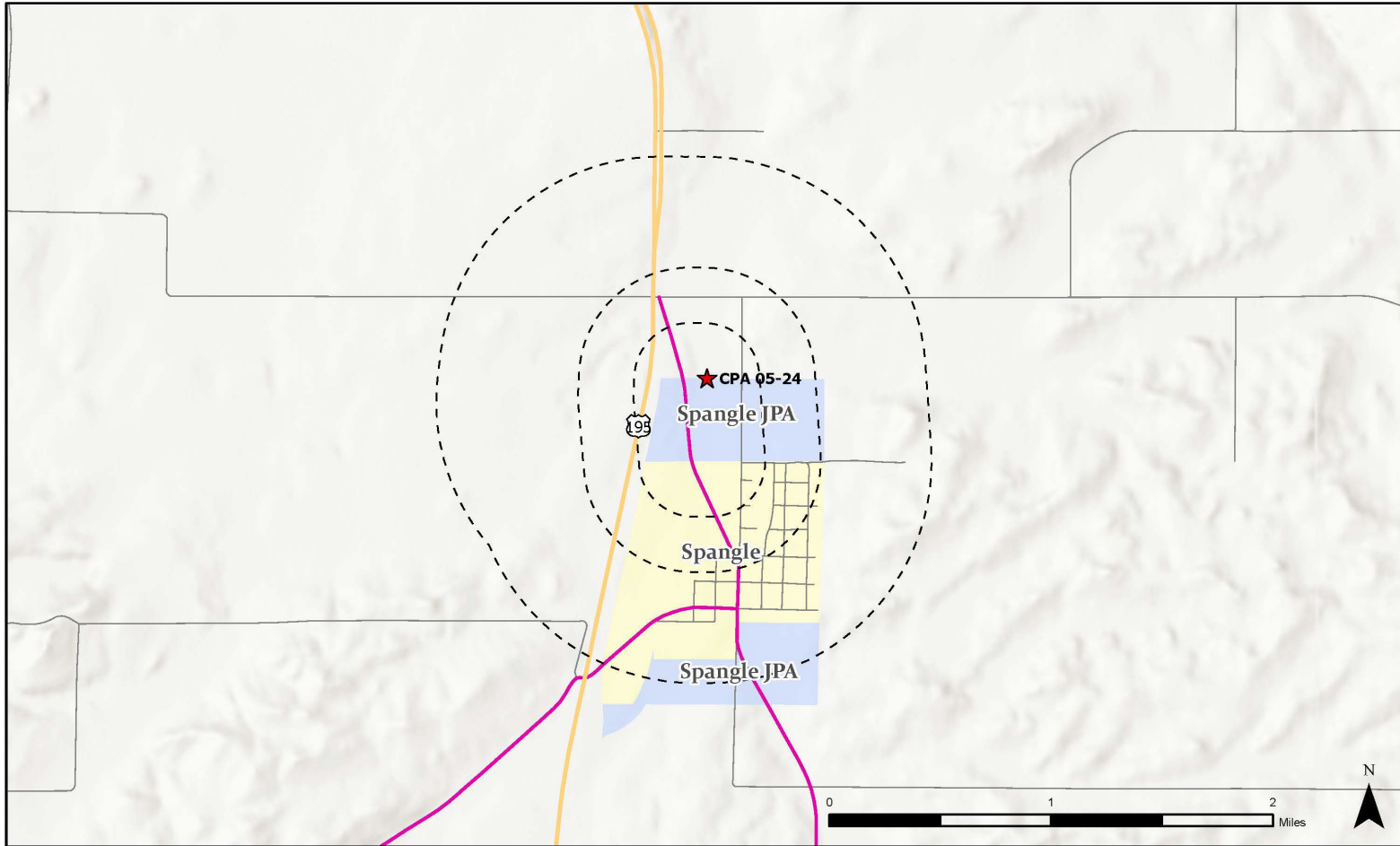
**Spokane County Public Works**

“Spokane County is requesting a Trip Generation and Distribution Letter for the potential increased trips produced by this proposal.

“The trip distribution letter shall include the property's existing use, the proposed use, and the highest and best use allowed under the proposed zone.”  
(See Appendix I)



### CPA 05-2024 Surrounding Area



- |  |                   |                               |                            |                 |
|--|-------------------|-------------------------------|----------------------------|-----------------|
| ★ 2024 CPAs                            | 🏫 Private Schools | 🟡 Incorporated Land           | 🟠 Interstate               | — Other Streets |
| ⊖ Buffers (1/4 mile, 1/2 mile, 1 mile) | 🏫 Public Schools  | 🟦 Urban Growth Areas          | 🟡 U.S. Highway             |                 |
| 🟢 Parks                                | 🏫 Charter Schools | 🔴 Commercial Zoning Districts | 🟤 State Route              |                 |
| 🟢 Bus Stops                            | 🛒 Grocery Stores  | 🟠 Mixed Use Zoning Districts  | 🟡 Arterials and Collectors |                 |

# Comprehensive Plan Amendment 02-22

## History

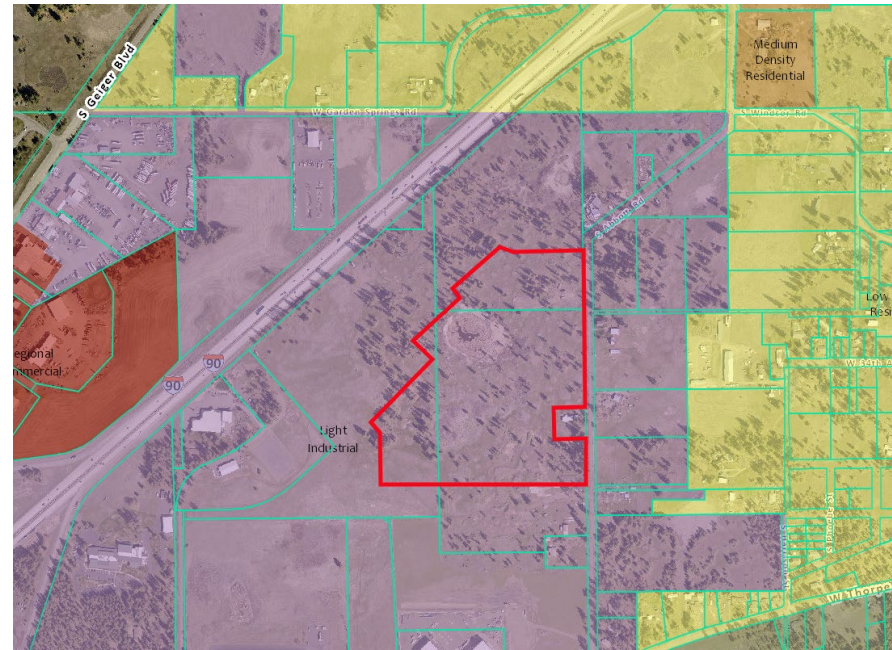
CPA-02-22 was initiated by the board during the 2022 CPA cycle and was continued for reconsideration in a future CPA cycle.

## Proposal

Proposed CPA-02-22 requests the designation of Mixed Use from the existing Light Industrial designation, including a concurrent zone reclassification on a portion of 3 parcels totaling approximately 38 acres of land.

## Site Description

CPA-02-22 is located in the West Plains area. The site is approximately 500 feet south of Interstate 90 and a ½ mile northeast of the Grove Road/I-90 interchange. The east side has a frontage on Abbott Road. The site is substantially flat, with some rolling terrain, low-lying vegetation, and a scattering of pine trees. There are several documented wetlands present on the site. Surrounding zoning designations include Low-Density Residential to the east, Rural-5 to the southeast, and Regional Commercial to the west.



<b>Parcel Number</b>	Portions of 25342.9084, 25342.9097, 25345.9109
<b>Zone Change</b>	LI > MU
<b>Site Size</b>	Approximately 38 Acres
<b>Urban Growth Area</b>	West Plains-Thorpe/UGA-JPA
<b>Applicant</b>	Land Use Solutions & Entitlement
<b>Property Owner</b>	Mons Terram, LLC
<b>Water</b>	City of Spokane
<b>Sewer</b>	City of Spokane
<b>Schools</b>	Cheney
<b>Fire</b>	District 10

**Zoning Code Criteria [SCC 14.402]**

The County may amend the Zoning Code when one of the following is found to apply:

1. The amendment is consistent with or implements the Comprehensive Plan and is not detrimental to the public welfare.
2. A change in economic, technological, or land use conditions has occurred to warrant modification of the Zoning Code.
3. An amendment is necessary to correct an error in the Zoning Code.
4. An amendment is necessary to clarify the meaning or intent of the Zoning Code.
5. An amendment is necessary to provide for a use(s) that was not previously addressed by the Zoning Code.
6. An amendment is deemed necessary by the Commission and/or Board as being in the public interest.

**Staff Comment**

*The proposal must meet one of the above standards to obtain approval. Staff concludes that CPA 02-2022 meets the requirements of criteria 1 and 2.*

*Staff concludes that this CPA is consistent with the goals of the comprehensive plan (as will be explained in more detail later in this report) and is not detrimental to the public welfare.*

*Staff also concludes that the code amendment is consistent with criteria 2, given the increase in average home sale prices from \$192,200 in 2015 to \$440,000 in 2022, as well as the increase in average rents from \$748 in 2015 to \$1,314 in 2022.*

*Staff concludes that this economic context, which suggests a dearth of available housing units (along with the fact that the parcels have not developed with the current LI designations), warrants a reevaluation of the parcels' current light industrial (LI) designations.*

**Critical Areas Review**

Critical Aquifer Recharge Area	<i>Moderate</i>
Fish and Wildlife Habitat	<i>Open space corridor, priority species site buffer</i>
Floodplain	<i>None identified at this stage</i>
Wetlands	<i>Yes</i>
Stream	<i>None identified at this stage</i>
Geohazards	<i>None identified at this stage</i>
Cultural Resources	<i>None identified at this stage</i>
Stormwater Risk	<i>High risk drainage area</i>

**Population and Land Capacity**

The proposed amendment will increase the population capacity within the urban growth area (UGA). As shown in the table below, the existing light industrial designation has an assumed buildout of 0 dwelling units per acre while the proposed mixed use (MU) category has an assumed buildout of 14.32 dwelling units per acre on 50% of the site (as noted in the 2023 Spokane County CPA Population Impacts and Service Assumptions). The County assumes that, on average, a single-family residence will include 2.5 people and that multi-family units will contain 1.5 people.

Site Size (38 Acres)	LI (Current)	MU (Proposed)	Potential Increase
Residential Units	0	272	272
Population	0	408	408

**Mixed Use Designation**

The intent of the Mixed-use zone classification is to implement the Mixed-use Area, Community Center, and Urban Activity Center categories of the Comprehensive Plan. These mixed-use categories encourage development that fosters pedestrian activity, supports transit, and provides for a mix of diverse land uses. The Mixed-use zone supports many activities of daily life that can occur within easy walking distance, giving independence to those who do not drive. Mixed-use areas support higher intensity development, but compatibility of uses is ensured through special design standards. Mixed-use

areas often provide a central focus point with transportation linkages to the broader community (14.608.100)

**Comprehensive Goals and Policies**

**Chapter 2 – Urban Land Use**

**UL.1a**

Provide a healthful, safe, and sustainable urban environment that offers a variety of opportunities for affordable housing and employment.

**Staff Comment**

A purposely built, master-planned development within a Mixed-Use zone has a high likelihood of producing a sustainable urban environment in the form of an identifiable neighborhood. The variety of housing types allowed in the Mixed-Use zone and the emphasis on pedestrian orientation and design could encourage both affordable housing and employment opportunities.

**Urban Character and Design**

**UL.2**

Maintain and enhance the quality of life in Spokane County through urban design standards.

**Staff Comment**

*The Mixed-Use zone has enhanced design and development criteria found in SCC 14.608.300. The size of this site and its undeveloped state are an opportunity for a purposely built, master-planned development.*

**Mixed Use Areas**

**UL.12**

Encourage the development of mixed-use areas that foster community identity and are designed to support pedestrian, bicycle, and transit transportation.

**UL.12.1**

The specific size and boundaries of mixed-use areas shall be established through comprehensive plan adoption, comprehensive plan amendments, and/or future subarea planning efforts, based on regional and local needs and constraints.

**Staff Comment**

*Based upon this site’s location, close to the Interstate 90 interchange (Grove Road), and its proximity to the downtown core of Spokane, the travel options for new residents and employees should be enhanced. STA buses pass by this site, on I-90, more than 160 times per day. The agency has been in discussions with County Planning about service to the site and indicated in a letter dated 9-16-22 that their Horizon 2045 plan has consideration for service along Thorpe Road.*

*The site is also near a developing trail network. A pathway was recently completed on the north side of Sunset Blvd. which leads to downtown. A new separate pathway was recently installed along the north side of Geiger Blvd from Grove Road past the Amazon facility and connecting to the West Plains Transit Center. The Grove Road interchange was recently updated to include roundabouts, and portions of a separated pathway were installed on the east side of the road, on both the north and south sides of the overpass. The MDNS for this proposal contains a WSDOT condition to provide appropriate*

*pedestrian accommodations over the Grove Road I-90 Interchange bridge.*

*The Mixed-Use zone has the characteristics that make it possible to create places people want to be and neighborhoods (community) they want to live in and protect. A master-planned development within the Mixed-Use zone, on a site such as this, has a high likelihood of containing a thoughtful mix of uses.*

**UL.12.2**

Identify and designate mixed-use areas that support mixed-use, high-density development. Establish mixed-use areas as a land use category in the Comprehensive Plan.

**UL.12.3**

The characteristics of a mixed-use area include:

- a) Housing and employment densities to support frequent transit service.
- b) Public transit connections to other Centers and Corridors.
- c) Safe, attractive bus stops and pedestrian and bicycle ways.
- d) Buildings which front wide sidewalks with attractive landscaping, benches and frequent transit stops.
- e) Multi-story buildings oriented to the street rather than parking lots; and
- f) Parking spaces located behind, or to the side of buildings or under/over structures.



**Staff Comment**

*The site size, 38 acres, should be sufficient to support transit service when developed. Spokane Transit Authority has indicated that nearby Thorpe Road is considered for a future bus route in their Horizon 2045 Plan. The site is located near the Grove Road interchange of I-90 which has more than 160 STA buses pass by it daily. The MDNS has a condition from STA that addresses safe and convenient pedestrian crossings and provisions for ADA-compatible bus stops. The Mixed-Use zone has enhanced development standards found in SCC 14.608 which address UL. 12.3 characteristics d, e, and f.*

**UL.12.4**

The mix of land use in a mixed-use area includes:

- a) A variety of housing styles—apartments, condominiums, row houses, two-family and single-family houses on small lots;
- b) There could be a full range of retail goods and services—grocery stores serving several neighborhoods, theaters and restaurants, dry cleaners, hardware stores and specialty shops;
- c) A mix of residence types in close proximity to commercial uses and business and government offices;
- d) An emphasis on community-serving rather than regional-serving commercial uses.
- e) Commercial uses that require large land areas but have low employment density and are auto-dependent (lumber yards, nurseries, warehouses, auto dealerships, etc.) are prohibited; and

- f) Residential density within a mixed-use area shall range from 6 units per acre to 30 units per acre.

**Staff Comment**

*The Mixed-Use zone found in SCC 14.608 allows a variety of housing densities and a range of retail goods and services to be sited in close proximity to one another.*

**Housing Variety**

**UL.8**

Create urban areas with a variety of housing types and prices, including manufactured home parks, multifamily development, townhouses, and single-family development.

**Staff Comment**

*Mixed-use areas are envisioned by the Comprehensive Plan to provide multi-family townhomes, rowhouses, and condominiums, which add to the variety of housing stock and can create housing opportunities at lower price points than traditional detached single-family dwellings.*

**Urban Character and Design**

The design of our urban environment has a significant effect on community identity. Well-designed communities contribute to a healthful, safe, and sustainable environment that offers a variety of opportunities for affordable housing and employment. The Urban Character and Design section provides the goals and policies to preserve and enhance neighborhood character. Some of the concepts considered here include:

- Community appearance, including signs and placement of utilities.
- Neighborhood considerations in the review of development projects.
- Integration of neighborhoods, including bicycle and pedestrian orientation.
- The effect of traffic patterns and parking on neighborhood character.
- Encouragement of exemplary development through planned unit developments; and
- Considerations for public art.

**Staff Comment**

*The Mixed Use) zone, chapter (14.608, is contains enhanced development standards designed with the intent of encouraging development that supports pedestrian activity, and transit opportunities, and provides a mix of diverse uses in close proximity to each other. The Mixed-Use zone provides Spokane County’s most flexible regulatory building blocks for new urban neighborhood creation.*

*The proposed Mixed-use area is roughly the same size as the downtown area bounded by Monroe Street to Howard Street, from Riverfront Park to Sprague Ave.*

**Buffering**

**UL.2.26**

Require effective landscape buffers and/or transitional uses (e.g., pedestrian plazas or low-intensity offices) between incompatible industrial, commercial, and residential uses to

mitigate noise, glare and other impacts associated with the uses.

**Staff Comment**

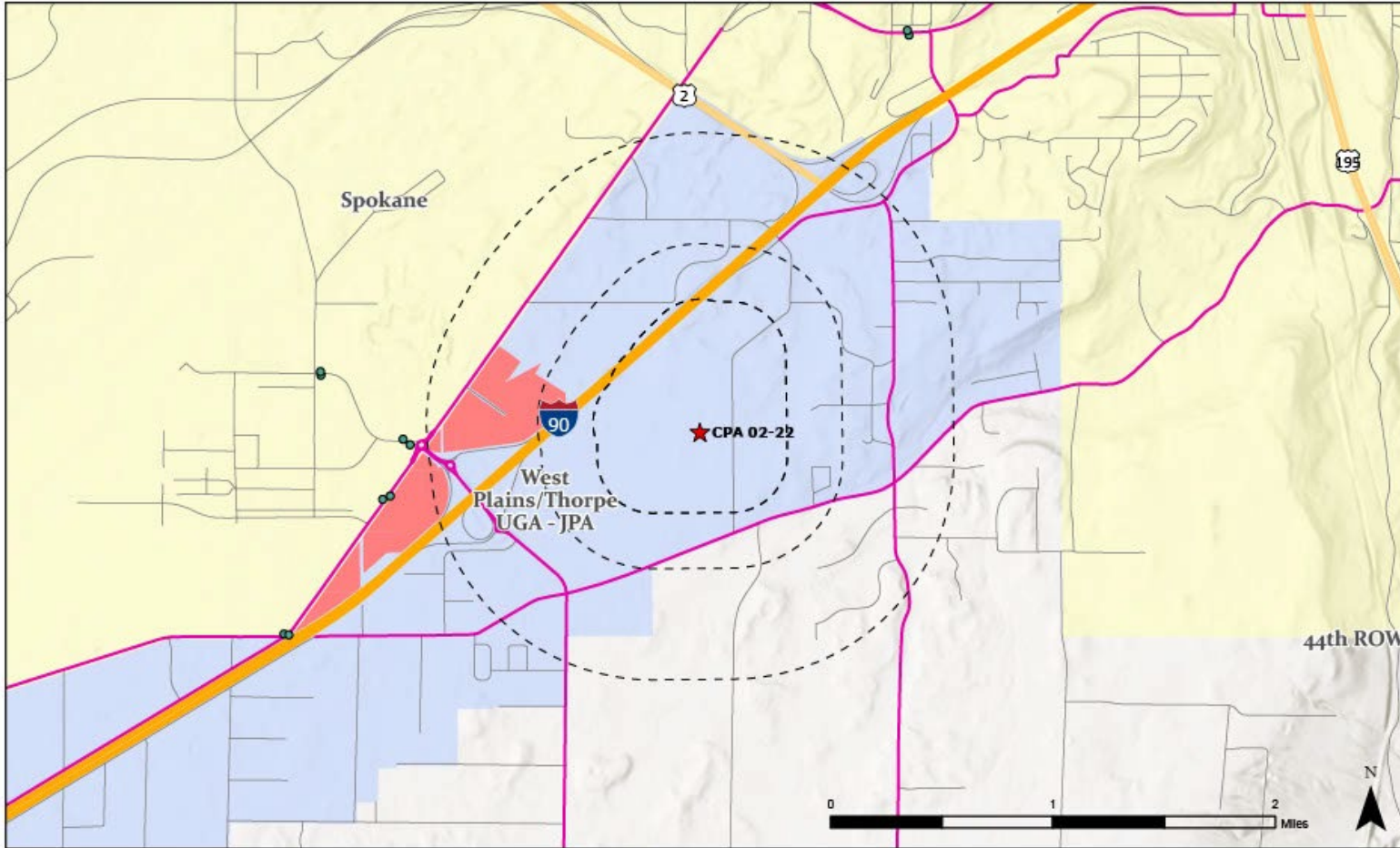
*A Mixed-Use site adjacent to a Light Industrial site would be subject to the development code standards for site buffering with landscaping. Spokane County Code, 14.806.060, Table 806-1 would require a 10-foot Type 1 landscaping buffer between any multi-family use and a Light Industrial zone. Type 1 landscaping is the densest category in the code and is required to be sight-obscuring.*

*The applicant has modified their original proposal, creating substantial buffers of Light Industrial land between their Mixed-Use proposal and the neighboring uses on Light Industrial land.*

**Nearness Analysis**

*As can be seen in the map below, the proposed amendment site is within a 1-mile radius of commercial zoning districts. There are no parks, grocery stores, public schools, bus stops or mixed use zones within a 1-mile radius.*

### CPA 02-2022 Surrounding Area



- |  |                 |                             |                          |               |
|--|-----------------|-----------------------------|--------------------------|---------------|
| ★ 2024 CPAs                              | Private Schools | Incorporated Land           | Interstate               | Other Streets |
| --- Buffers (1/4 mile, 1/2 mile, 1 mile) | Public Schools  | Urban Growth Areas          | U.S. Highway             |               |
| Green Box Parks                          | Charter Schools | Commercial Zoning Districts | State Route              |               |
| Green Circle Bus Stops                   | Grocery Stores  | Mixed Use Zoning Districts  | Arterials and Collectors |               |

# Comprehensive Plan Amendment 07-22

## History

CPA-07-22 was initiated by the board during the 2022 CPA cycle and was continued for reconsideration in a future CPA cycle.

## Proposal

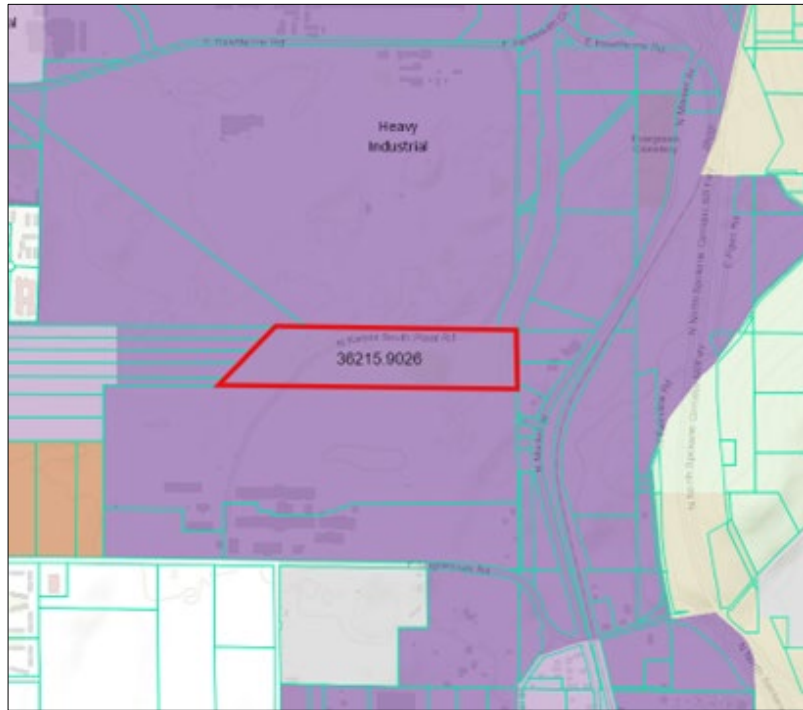
Proposed CPA-07-22 requests the designation of Regional Commercial (RC) from the existing Heavy Industrial (HI), including a concurrent zone reclassification on one parcel totaling 45.49 acres.

## Site Description

CPA-07-22 is located north of East Magnesium Road and west of North Market Street. The current surrounding adjacent comprehensive plan zoning designations are all Heavy Industrial.

Surrounding businesses include, to the north, a US Department of Energy complex with warehouses, storage buildings, an office, and an electrical substation. To the south is an industrial site recently purchased by Finau Design, which has steel fabrication activities on site and expansion plans that include rail-served shipping and receiving.

Further from the proposed site periphery, uses include High Density Residential and Regional Commercial to the southwest and Ligh Industrial to the West. To the east, there are two businesses with frontage on Market Street. The northern 6-acre site is Norcan Parts and Equipment



<b>Parcel Number</b>	36215.9026
<b>Zone Change</b>	HI > RC
<b>Site Size</b>	45.49 Acres
<b>Urban Growth Area</b>	North Metro /UGA-JPA
<b>Applicant</b>	Undetermined
<b>Property Owner</b>	Douglas 40 Acre Investment, LLC
<b>Water</b>	Kaiser South
<b>Sewer</b>	Spokane County
<b>Schools</b>	Mead
<b>Fire</b>	District 9

Company, and it contains several industrial-style warehouses and an outdoor parts yard. West of the subject property are five narrow parcels owned by the sponsor, which are vacant and have frontage on Nevada Street.

**Zoning Code Criteria for Amendment (14.402.040)**

1. The County may amend the Zoning Code when one of the following is found to apply:
2. The amendment is consistent with or implements the Comprehensive Plan and is not detrimental to public welfare.
3. A change in economic, technological, or land use conditions has occurred to warrant modification of the zoning code.
4. An amendment is necessary to correct an error in the zoning code.
5. An amendment is necessary to clarify the meaning or intent of the zoning code.
6. An amendment is necessary to provide for a use(s) that was not previously addressed by the Zoning Code.
7. An amendment is deemed necessary by the Commission and/or Board as being in the public interest.

**Staff Comment**

*Staff is concerned that rezoning of Heavy Industrial lands is not in the public interest as this zoning classification is likely untenable to be placed anywhere in the metro area. The supply of HI land is therefore limited and finite. New steel fabrication activity to the south suggests that heavy industrial lands are warranted for jobs and economic development. Staff concludes*

*that the code amendment may be consistent with 14.402.040(2) as the strong housing demand remains needed to meet Spokane County’s estimated population increase of 115,326 over the next 20 years. Data do not yet support a conclusion that warrants a reevaluation in economic and land use conditions since this proposal was assigned for Heavy Industrial development.*

**Critical Areas Review**

Critical Aquifer Recharge Area	<i>Moderate</i>
Fish and Wildlife Habitat	<i>None identified at this stage</i>
Floodplain	<i>None identified at this stage</i>
Wetlands	<i>None identified at this stage</i>
Streams	<i>None identified at this stage</i>
Geohazards	<i>None identified at this stage</i>
Cultural Resources	<i>None identified at this stage</i>
Stormwater Risk	<i>Low Risk Drainage Area</i>

**Population Impacts**

The proposed amendment will increase the population capacity within the Urban Growth Area. The existing Heavy category has an assumed buildout of zero dwelling units per acre. The Department of Building and Planning has assumed



this site’s future residential population capacity. The assumption is 175 single-family units and 130 multi-family units. To convert residential units to the population we assume that, on average, a single-family residence will include 2.5 persons and that a multi-residential unit will contain 1.5 persons. The table below illustrates the impact of the proposed amendment on population capacity.

Site Size (45.49 Acres)	Heavy Industrial (HI)	Regional Commercial (RC)	Potential increase
Residential Units	0	175 SFU 130 MFU	305
Population	0	633	633

**Staff Comment**

*The parcel is located within the Urban Growth Area, and urban-level services are available to serve this site. None is currently adjacent to the site and will require longer connections.*

**Regional Commercial (RC)**

The Regional Commercial (RC) zone designates intensive commercial uses including regional shopping centers and major commercial areas, intended to draw customers from the County at large and from other outlying areas. Residences in conjunction with business and/or multifamily developments may be allowed with standards that ensure compatibility. Small-scale industrial areas may be allowed in this zone,

provided neighborhood concerns are addressed through a public hearing process.

**Comprehensive Goals and Policies**

**Chapter 2 – Urban Land Use**

**UL.1a**

Provide a healthful, safe, and sustainable urban environment that offers a variety of opportunities for affordable housing and employment.

**Staff comment**

*Regional Commercial has development standards that require sidewalks, allowing both residential and commercial uses in close proximity.*

**Buffering**

**UL.2.26**

Require effective landscape buffers and/or transitional uses (e.g., pedestrian plazas or low intensity offices) between incompatible industrial, commercial, and residential uses to mitigate noise, glare and other impacts associated with the uses.

**Staff Comment**

*A Commercial site adjacent to a Heavy Industrial site would be subject to the development code standards for site buffering with landscaping. Spokane County Code, 14.806.060, Table 806-1 would require a 10-foot Type 1 landscaping buffer between any multi-family use and a Heavy Industrial zone. Type 1 landscaping is the densest category in the code and is required to be sight-obscuring.*

**Housing Variety**

**UL.8**

Create urban areas with a variety of housing types and prices, including manufactured home parks, multifamily development, townhouses, and single-family development.

**Staff Comment**

*The Regional Commercial zone allows for the full spectrum of residential uses from single-family to multi-family. This would provide additional land which could add to the variety and the supply of housing stock.*

**Industrial Land Use**

**UL.14a**

Provide for the development of well-planned industrial areas that create higher-income jobs, provide economic growth, and improve the overall tax base of Spokane County.

**Staff comment**

*The Comprehensive Plan states the County should maintain an adequate supply of industrial land. During the 2022 amendment cycle, the applicant indicated that this land had no development interest for over 20 years despite efforts to attract users and buyers. Building permit data indicates that the last building permit issued for land designated Heavy Industrial occurred in 2005, and the last grading permit was issued in 2016.*

*Finau Design purchased the former Hanson property in 2023 and operates a steel fabrication facility. They have stated plans for expansion on the property including reestablishing rail-served shipping and receiving.*

**UL.14b**

Ensure the long-term holding of appropriate land in parcel sizes adequate to allow for future development as industrial uses.

**Staff comment**

*Per the 2022 amendment cycle, County Geographical Information Services estimated that there are 1,707 acres within the County’s land use jurisdiction zoned Heavy Industrial. 1,521 of the 1,707 acres are contiguous to this site.*

**UL.14.1**

Identify and designate industrial land areas for heavy industry and light Industry.

**Staff Comment**

*Both Light Industrial and Heavy industrial land categories have been designated. Over 1,707 acres of Heavy Industrial land are within the County’s land use jurisdiction.*

**Heavy Industry**

**UL.15**

A variety of strategically located heavy industrial areas should be designated and protected from conflicting land uses.

**UL.15.1**

Identify and designate land areas for heavy industry.

**UL.15.2**

Areas designated for heavy industry may include a variety of industrial, mining and transportation uses.

**UL.15.3**

Commercial, residential, and recreational uses shall not be

allowed in areas designated for heavy industry, except for small-scale ancillary commercial and recreational uses which serve the industrial area.

**UL.15.4**

Conversion of designated industrial lands to other uses shall be strictly limited to ensure adequate land supply and prevent inflation of land prices.

**UL.15.5**

Interim uses of heavy industrial property such as agriculture, animal raising and training, recreation including off road vehicle parks and miniature golf/driving ranges should be allowed to occupy undeveloped property pending more intensive utilization.

**UL.15.6**

Carefully consider the designation of comprehensive plan categories adjacent to heavy industrial areas to ensure compatibility between uses and limit land use conflicts.

**Staff comment**

*Goal UL.15 and policy UL.15.1 have been addressed by the County as both Light Industrial and Heavy Industrial land categories have been designated in locations where they existed in the past. There are over 1,706 acres of Heavy Industrial land within the County's land use jurisdiction, 1,521 acres are contiguous to this site. Policy UL.15.3 is addressed by the zoning code section 14.614, which, through exclusionary techniques, limits commercial, residential, and recreational uses within Heavy Industrial designations. Policy UL.15.4 has been satisfied as the conversion rate of Heavy Industrial designation has been rare since the Comprehensive Plan was*

*adopted in 2004, despite the low number of new uses initiated on these HI lands since its adoption.*

*Policy UL.15.6 is addressed by the Comprehensive Plan Amendment process which has public, agency, and neighboring property owner notification requirements together with public hearings before the County Planning Commission to carefully consider a conversion request. SCC 14.806 contains landscaping and screening standards that would be applicable to commercial and multi-family uses adjacent to Heavy Industrial zones that would require 10-feet of type 1 visual screen landscaping which includes a sight-obscuring fence.*

**Regional Commercial**

**UL.13**

Provide adequate commercial land within urban growth areas to conveniently serve the local and regional trade areas.

**UL.13.1**

Designate a variety of strategically located commercial areas that will be accessible from roadways of major arterial classification or higher, served with utilities and free of major environmental constraints.

**Staff comment**

*The site is not currently connected to the public roadway network. At the time of the 2022 comprehensive plan cycle, the applicant is proposed an east-west road that would attach to Nevada (a five-lane signalized roadway with sidewalks on both sides) on the west and Market (an Urban Principal Arterial) on the east that would be constructed at the time of site development. The site is in a Critical Aquifer Recharge Area with moderate susceptibility.*

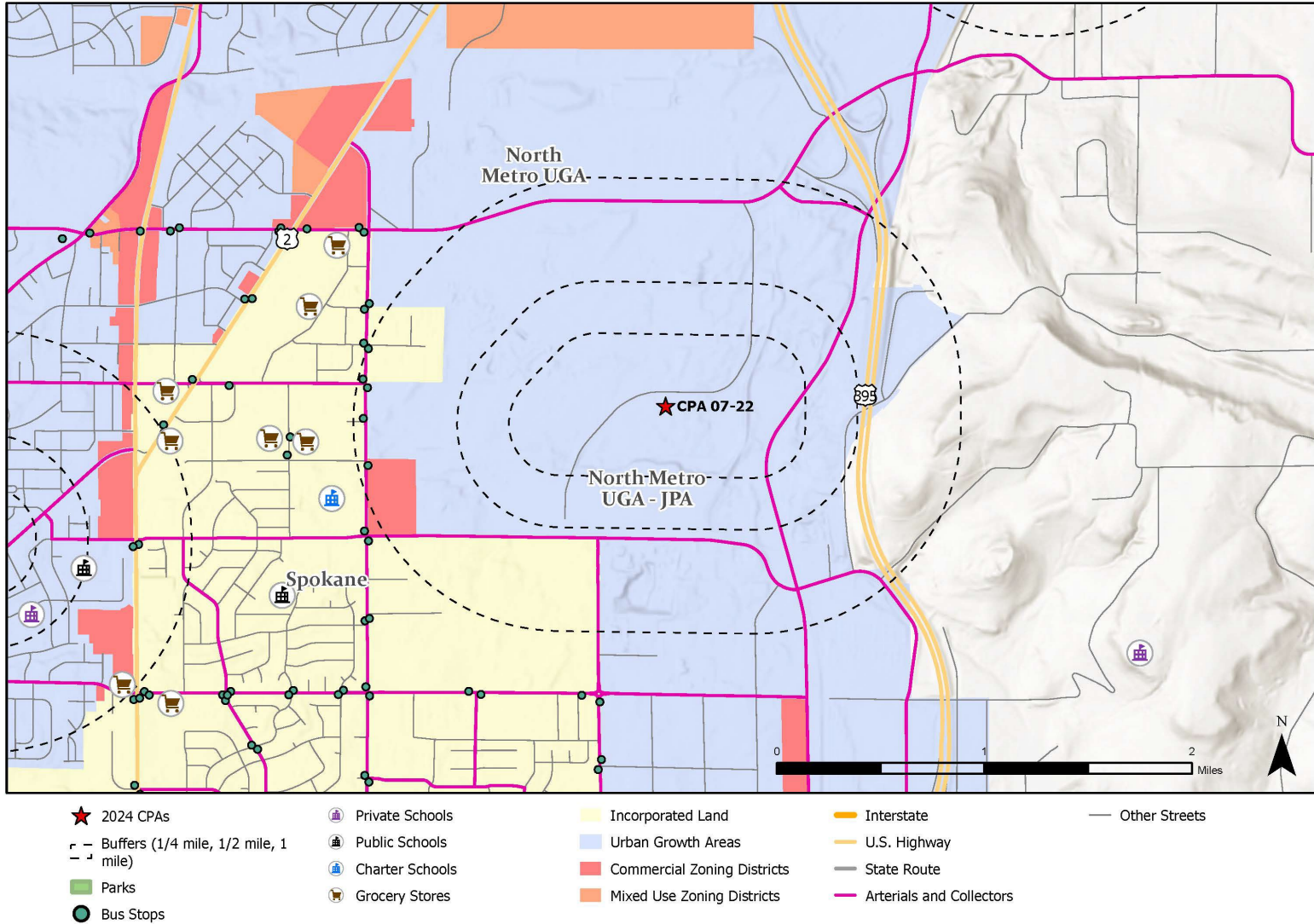
**Nearness Analysis**

*As can be seen in the following map, the proposed parcel site has five (5) bus stops within a one (1) mile radius of the site area, all along Nevada. A commercial zoning district is within one (1) mile of the site area.*

*No schools, parks, or grocery stores are within one (1) mile of the site area.*

*There is no public road access to the site.*

CPA 07-2022 Surrounding Area





# Comprehensive Plan Amendment 12-23

## History

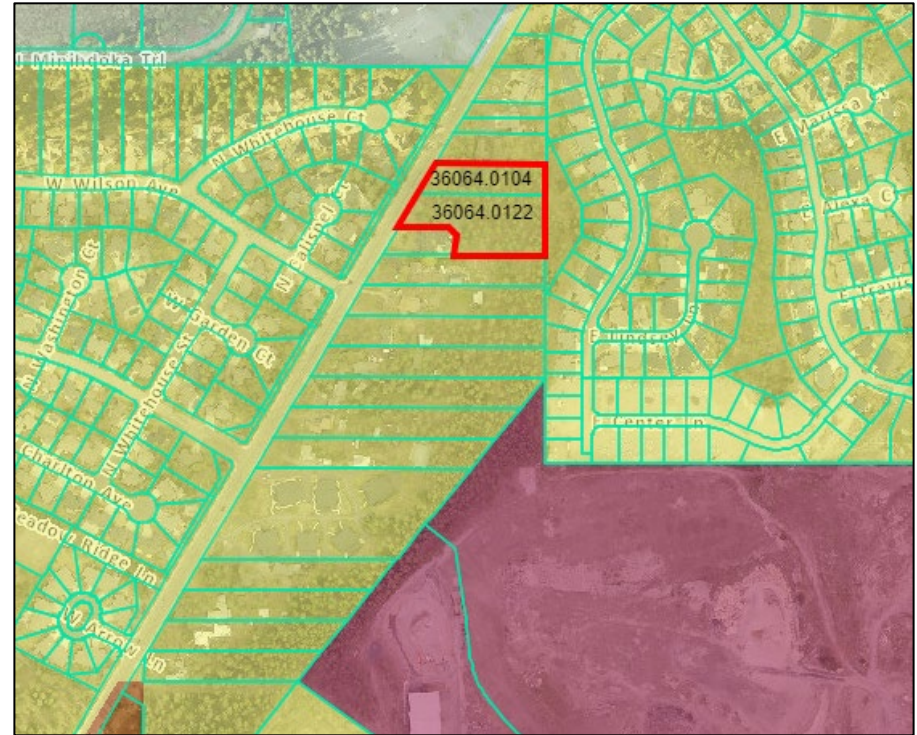
Proposed CPA-12-23 was continued by the Board of County Commissioners in 2023 to allow for additional public comment.

## Proposal

It requests the designation of Medium Density Residential from the existing Low-Density Residential designation, including a concurrent zone reclassification on two parcels totaling 2.64 acres of land.

## Site Description

CPA-12-23 is between North Mill Road and North Mayfair Lane in the Fairwood area. The current surrounding comprehensive plan zoning designations include Rural Conservation to the north, Urban Activity Center to the south and High-Density Residential to the southwest, approximately 0.33 miles away. Access to the subject property is located along North Mill Road, designated as an Urban Principal Arterial. Sewer access is currently located on the subject property.



<b>Parcel Number</b>	36064.0104 & 36064.0122
<b>Zone Change</b>	LDR > MDR
<b>Site Size</b>	2.64 Acres
<b>Urban Growth Area</b>	North Metro UGA
<b>Applicant</b>	Whipple Consulting Engineers,
<b>Property Owner</b>	Gallatin 20, LLC
<b>Water</b>	Whitworth
<b>Sewer</b>	Spokane County
<b>Schools</b>	Mead
<b>Fire</b>	District 9

**Zoning Code Criteria [SCZC 14.402.040]**

The County may amend the Zoning Code when one of the following is found to apply.

1. The amendment is consistent with or implements the Comprehensive Plan and is not detrimental to the public welfare.
2. A change in economic, technological, or land use conditions has occurred to warrant modification of the Zoning Code.
3. An amendment is necessary to correct an error in the Zoning Code.
4. An amendment is necessary to clarify the meaning or intent of the Zoning Code.
5. An amendment is necessary to provide for a use(s) not previously addressed by the Zoning Code.
6. An amendment is deemed necessary by the Commission and/or Board as being in the public interest.

**Staff Comment**

*The proposal must meet one of the above standards to obtain approval. Staff concludes that the demand for housing, increase in housing prices, and general population growth within the county show a change in economic and land use conditions since the proposal was assigned the Low-Density Residential designation. Increasing the residential density of these parcels will also likely not be a detriment to public welfare, and the proposed zoning is consistent with the comprehensive plan (UL.9a).*

**Critical Areas Review**

Critical Aquifer Recharge Area	<i>Moderate</i>
Fish and Wildlife Habitat	<i>None identified at this stage</i>
Floodplain	<i>None identified at this stage</i>
Wetlands	<i>None identified at this stage</i>
Stream	<i>None identified at this stage</i>
Geohazards	<i>None identified at this stage</i>
Cultural Resources	<i>None identified at this stage</i>
Stormwater Risk	<i>Low-Risk Drainage Area</i>

**Staff Comment**

*Given the lack of critical areas associated with these parcels, they will likely pose no problems for any development that would occur on them.*

**Population and Land Capacity**

Site Size (2.64 acres)	Low-Density Residential (Max allowed)	Medium Density Residential (Max allowed)	Total Increase
Residential Units	11	42	31
Population	27	63	36

## **Comprehensive Plan Designations**

### **Medium Density Residential (MDR)**

MDR is primarily for a combination of single-family through multi-family uses at a density range of greater than 6 to and including 15 dwelling units per acre. Cluster development, zero lot-line housing, and other incentives are permitted to promote infill and preservation of open space. Business and professional offices are permitted in this zone (SCZC 14.606.100).

### **Comprehensive Plan Goals and Policies (Ch. 2, Urban Land Use)**

#### **UL.1a**

Provide a healthful, safe, and sustainable urban environment that offers a variety of opportunities for affordable housing and employment.

#### **UL.1b**

Create a future rich in culture and ethnic diversity that embraces family and community values and recognizes housing and employment.

### **Urban Character and Design**

#### **UL.2**

Maintain and enhance the quality of life in Spokane County through urban design standards.

The design of our urban environment has a significant effect on community identity. Well-designed communities contribute to a healthful, safe, and sustainable environment that offers a variety of opportunities for affordable housing and employment. The Urban Character and Design section

provides the goals and policies to preserve and enhance neighborhood character. Some of the concepts considered here include:

- Community appearance, including signs and placement of utilities.
- Neighborhood considerations in the review of development projects.
- Integration of neighborhoods, including bicycle and pedestrian orientation.
- The effect of traffic patterns and parking on neighborhood character.
- Encouragement of exemplary development through planned unit developments; and
- Considerations for public art.

#### ***Staff Comment***

*Multi-family development is subject to the landscaping and design standards in Spokane County Zoning Code chapter: 14.800 Development Standards. Aesthetic related development standards are required to be installed prior to building permit issuance.*

#### **UL.2.16**

Encourage the location of medium and high-density residential categories near commercial areas and public open spaces and on sites with good access to major arterials. A determination that a particular property has access to major arterials may be based on a condition of approval or development agreement requiring construction of new roads and/or access to particular major arterials.

**Staff Comment**

*Mill Road is within a right-of-way that is owned and maintained by Spokane County. Mill Road is classified by Spokane County Public Works as an Urban Minor Arterial. The site is near land use designations Mixed Use, and Urban Activity Centers (about 500 feet to the south of the project site). However, the zones that allow for commercial uses that are near the project site do not contain commercial businesses at this time. Multifamily condominium units exist near the project site on Mill Road, about 850 feet to the south. North Mill Road does have a protected shoulder and pedestrian facilities such as sidewalks. STA does not provide transit service to the site and has not identified a future route to serve this site.*

**UL.2.17**

Site multi-family units throughout the Urban Growth Area as follows:

- a) Integrate into or next to neighborhood, community, or urban activity centers.
- b) Integrated into or next to neighborhood, community, or urban activity centers.

**Residential Land Uses**

**UL.7**

Guide efficient development patterns by locating residential development in areas where facilities and services can be provided in a cost-effective and timely fashion.

**UL.7.1**

Identify and designate land areas for residential uses, including categories for low, medium, and high-density areas.

**UL.7.5**

Provide bonus densities, zero lot-line housing, auxiliary structures, accessory dwellings, or similar methods to promote infill development, where appropriate.

**Housing Variety**

**UL.8**

Create urban areas with a variety of housing types and prices, including manufactured home parks, multifamily development, townhouses, and single-family development.

**Staff Comment**

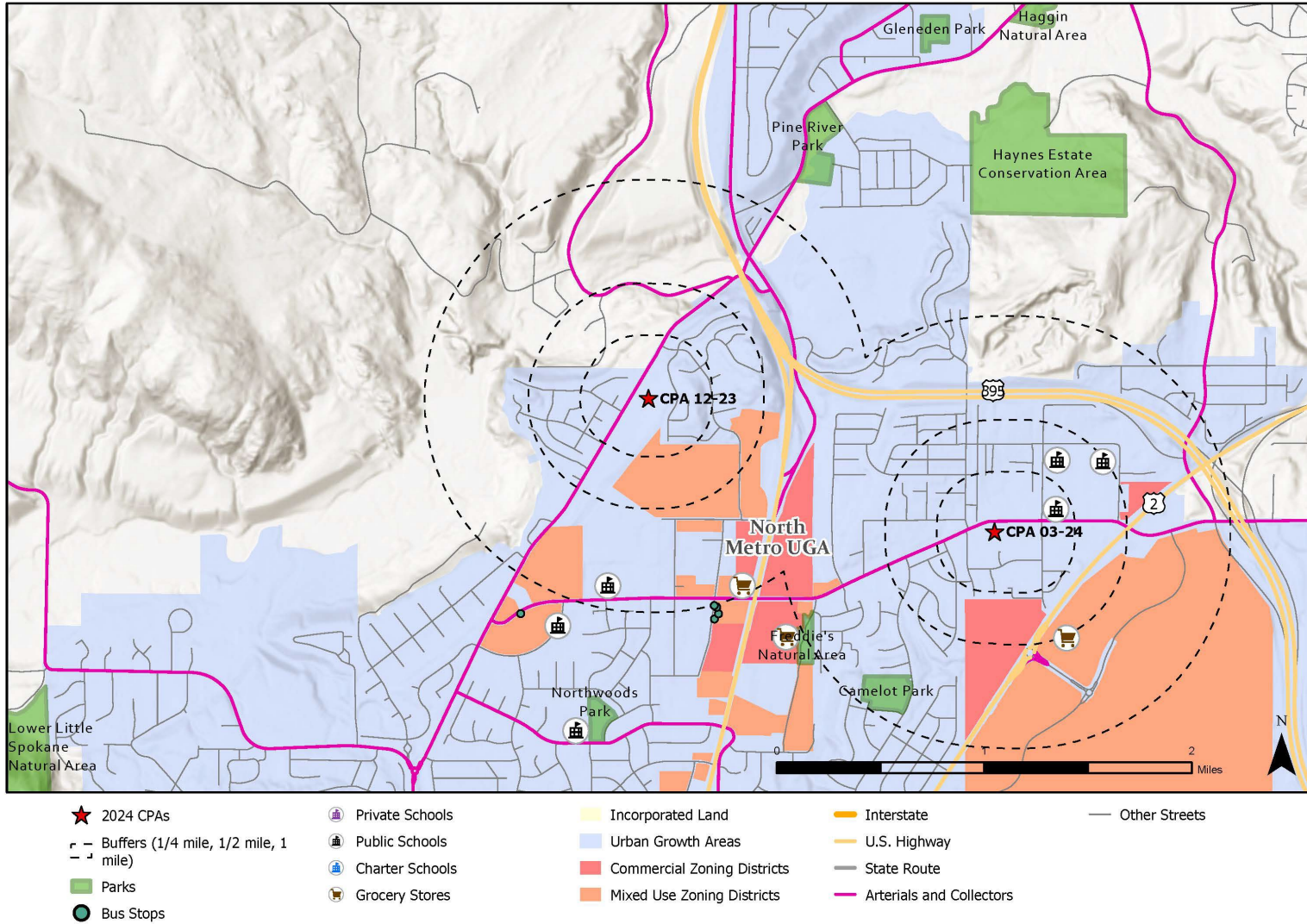
*The neighborhoods surrounding the subject site are generally single-family dwellings on quarter-acre lots. Multi-family housing would add another housing-type option within the North Mill Road area.*

**Nearness Analysis**

*As shown in the map below, CPA 12-23 is immediately surrounded by low density residential uses, with an undeveloped mixed-use zone within a quarter mile of the site. Commercial districts, a school, a grocery store and transit stops are within one mile of the site.. approximately two miles away in multiple directions, there are more schools, parks, and mixed-use areas as well.*



### CPA 12-2023 Surrounding Area





Appendix A

Department of Historic Archeology & Historic Preservation CPA-02-24 Preview Comment



Allyson Brooks Ph.D., Director  
State Historic Preservation Officer

February 7, 2024

Bongo Thompson  
Spokane County  
1026 W. Broadway Avenue  
Public Works Building, 1st Floor  
Spokane, WA 99260

In future correspondence please refer to:  
Project Tracking Code: 2024-02-00909  
Property: Spokane County Comprehensive Plan Amendment -02-2024  
Re: Survey Requested

Dear Bongo Thompson:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance Washington State law. Should additional information become available, our assessment may be revised.

We recommend that the property at 8727 N Wall St, Spokane, WA 99218 be evaluated for eligibility for listing in the National Register of Historic Places on a Historic Property Inventory (HPI) form. We highly encourage the SEPA lead agency to ensure that these evaluations are written by a cultural resource professional meeting the SOI Professional Qualification Standards in Architectural History.

Thank you for the opportunity to comment on this project and we look forward to receiving the survey report. Please ensure that the DAHP Project Number (a.k.a. Project Tracking Code) is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. Should you have any questions, please feel free to contact me.

Sincerely,

Maureen Elenga, M.A.  
Architectural Historian - Transportation Reviewer  
(360) 972-4539  
Maureen.Elenga@dahp.wa.gov

State of Washington • Department of Archaeology & Historic Preservation  
P.O. Box 48343 • Olympia, Washington 98504-8343 • (360) 586-3065  
www.dahp.wa.gov



Appendix B  
Spokane County Public Works Roads CPA-03-24 Preview Comment



**Spokane County**  
PUBLIC WORKS

**DEVELOPMENT  
SERVICES**

*Matt Zarecor, P.E. – County Engineer*

# Memo

**To:** Tate Andrie, Planner  
**From:** David Istrate, Land Development Coordinator  
**Date:** **January 25, 2024**  
**RE:** CPAIR-03-24 Initial Comments

---

**Public Works has reviewed the proposed Comp Plan Amendment and have the following comments:**

- Spokane County is requesting a Trip Generation and Distribution Letter for the potential increased trips produced by this proposal. Trip Letters can be sent to David Istrate in PDF form at [DCISTRATE@spokanecounty.org](mailto:DCISTRATE@spokanecounty.org).
- The trip distribution letter shall include the existing use of the property, the proposed use, and the highest and best use of the property allowed under the proposed zone.

End

Appendix C

Department of Historic Archeology & Historic Preservation CPA-04-24 Preview Comment



Allyson Brooks Ph.D., Director  
State Historic Preservation Officer

February 5, 2024

Josh Warwick  
Spokane County  
1026 W. Broadway Avenue  
Public Works Building, 1st Floor  
Spokane, WA 99260

In future correspondence please refer to:  
Project Tracking Code: 2024-02-00844  
Property: Spokane County\_Comprehensive Plan Amendment-04-2024  
Re: Survey Requested

Dear Josh Warwick:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance Washington State law. Should additional information become available, our assessment may be revised.

Our statewide predictive model indicates that there is a high probability of encountering cultural resources within the proposed project area. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted and a report be produced prior to ground disturbing activities. This report should meet DAHP's [Standards for Cultural Resource Reporting](#).

We also recommend that any historic buildings or structures (45 years in age or older) located within the project area are evaluated for eligibility for listing in the National Register of Historic Places on Historic Property Inventory (HPI) forms. We highly encourage the SEPA lead agency to ensure that these evaluations are written by a cultural resource professional meeting the [SOI Professional Qualification Standards in Architectural History](#).

Please note that the recommendations provided in this letter reflect only the opinions of DAHP. Any interested Tribes may have different recommendations. We appreciate receiving any correspondence or comments from Tribes or other parties concerning cultural resource issues that you receive.

Thank you for the opportunity to comment on this project. Please ensure that the DAHP Project Tracking Number is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. Please also ensure that any reports, site forms, and/or historic property inventory (HPI) forms are uploaded to WISAARD by the consultant(s).

State of Washington • Department of Archaeology & Historic Preservation  
P.O. Box 48343 • Olympia, Washington 98504-8343 • (360) 586-3065  
[www.dahp.wa.gov](http://www.dahp.wa.gov)



Should you have any questions, please feel free to contact me.

Sincerely,



Sydney Hanson, M.A.  
Local Government Archaeologist  
(360) 280-7563  
Sydney.Hanson@dahp.wa.gov

---

State of Washington • **Department of Archaeology & Historic Preservation**  
P.O. Box 48343 • Olympia, Washington 98504-8343 • (360) 586-3065  
[www.dahp.wa.gov](http://www.dahp.wa.gov)



Appendix D

Spokane County Public Works Roads CPA-04-24 Preview Comment



**Spokane County**  
PUBLIC WORKS

**DEVELOPMENT  
SERVICES**

*Matt Zarecor, P.E. – County Engineer*

# Memo

**To:** Josh Warwick, Planner  
**From:** David Istrate, Land Development Coordinator  
**Date:** **January 25, 2024**  
**RE:** CPAIR-04-24 Initial Comments

---

**Public Works has reviewed the proposed Comp Plan Amendment and have the following comments:**

- Spokane County has reviewed the trip distribution letter and does not anticipate major impacts to area intersections. The traffic information has been accepted; no further information required.





**Spokane County**  
PUBLIC WORKS

**DEVELOPMENT  
SERVICES**

*Matt Zarecor, P.E. – County Engineer*

### TRIP DISTRIBUTION LETTER REVIEW CHECKLIST

PROJECT NAME: CPAIR-04-24 LETTER DATE: 12/14/23

STUDY PREPARED BY: Whipple Consulting Engineers

COUNTY REVIEWER: David Istrate REVIEW DATE January 25, 2024

TRIP GENERATION

Checked. Ok.

TRIP DISTRIBUTION

Checked. Ok.

COMMENTS

No comment. The TGDL has been accepted, no further traffic information required.

End

Appendix E  
Spokane County Public Works Sewer CPA-04-24 Preview Comment



**PROJECT COMMENT TRANSMITTAL**

**To:** JWARWICK@SpokaneCounty.org  
**From:** Dawn Dompier  
**Date:**

Planning Number	Name	Parent Parcels	Project Type
CPA-04-24 (County)	COMPREHENSIVE PLAN AMENDMENT (COUNTY)	36101.0544 36101.0545	Comprehensive Plan Amendment

General Sanitary Sewer Links

- Sewer Plan Submittal: To submit a sewer plan for review, please follow this link: [Sewer Plan Submittal](#)
- If your project requires a sewer plan submittal, please refer to the requirements here:
  - [Development Plan Review Checklist](#)
- Additional General Commercial Sewer information can be found here:
  - [General Commercial Sewer Info](#) | [Water Usage Estimate Form](#)
  - Sewer Planning and Design webpage: [Sewer Planning & Design](#)

Pretreatment

- IF GREASE PRODUCING STATUS IS NOT KNOWN:
  - Pretreatment review is required for your business or project. Please complete and return the “Commercial Pretreatment Questionnaire” located at: [www.spokanecounty.org/FOG](http://www.spokanecounty.org/FOG). Additionally, pretreatment requirements under our Industrial Pretreatment Program may apply to your business or project, for more information, please visit: [www.spokanecounty.org/IPP](http://www.spokanecounty.org/IPP).
- IF FACILITY IS ALREADY KNOWN TO NEED GREASE CONTROL (FOOD SERVICE ONLY):
  - Pretreatment review is required for your business or project. Please complete the “GCD Sizing & Permitting Checklist,” located at: [www.spokanecounty.org/FOG](http://www.spokanecounty.org/FOG) and email to: [ESPretreatment@spokanecounty.org](mailto:ESPretreatment@spokanecounty.org). Additionally, pretreatment requirements under our Industrial Pretreatment Program may apply to your business or project, for more information, please visit: [www.spokanecounty.org/IPP](http://www.spokanecounty.org/IPP).
- IF FACILITY IS ALREADY KNOWN TO NEED GREASE CONTROL (OIL-WATER SEPARATORS ONLY):
  - Pretreatment review is required for your business or project. Please visit [www.spokanecounty.org/FOG](http://www.spokanecounty.org/FOG) to download the “OWS Sizing” and “OWS Fact Sheet” for guidance on oil-water separators. Additionally, pretreatment requirements under our Industrial Pretreatment Program may apply to your business or project, for more information, please visit: [www.spokanecounty.org/IPP](http://www.spokanecounty.org/IPP)

**PROJECT-SPECIFIC COMMENTS START ON PAGE 2**

FA01	The Spokane County Public Works Wastewater System Division has no objection to the finalization of the above mentioned project.	
SS091	The project lies outside of the County six year sewer plan and inside of the Urban Growth Area. As per the development regulations/zoning code of the governing authority as amended, projects that fall within this area are required to connect to a sanitary sewer system.	

Appendix F  
Washington State Department of Health CPA-04-24 Preview Comment

**Miroshin, Elya**

**From:** Warwick, Joshua  
**Sent:** Tuesday, February 6, 2024 9:26 AM  
**To:** bgoodmansen@whipplece.com  
**Cc:** Weir, Michael  
**Subject:** FW: CPA-04-2024 (Septic Information from the Department of Health)



Joshua Warwick | Associate Planner 1 | O: 509.477.7142 | Spokane County Building & Planning | <http://www.spokanecounty.org/BP>

**From:** Jones, Andrew (DOH) <andrew.jones@doh.wa.gov>  
**Sent:** Monday, February 5, 2024 3:24 PM  
**To:** Warwick, Joshua <JWARWICK@SpokaneCounty.org>  
**Cc:** Weir, Michael <MWEIR@SpokaneCounty.org>  
**Subject:** RE: CPA-04-2024

Hi Josh, took a look at the information for CPA-04-2024 and have the following comments/thoughts:

- Total Project Area = 5.22 Acres
  - Your rule allows for 15 dwelling units per acre
  - My rule allows for up to 1,450 GPD/acre in soil types 3-5, and 900 GPD/acre in soil types 1-2. (7,569/4,698 GPD)
  - For multifamily housing we use 120 GPD per bedroom, so the maximum number of bedrooms we can allow under the LOSS rule is **63 bedrooms in soil types 3-5, and 39 bedrooms in soil types 1-2.**
- Existing soil conditions
  - The area in question appears to have some driveways or at least regular pathways used by vehicles. LOSS require native and undisturbed soils in order to install an effective drainfield.
  - It will be important to identify a suitable area to situate the drainfield. Drainfields cannot be installed in poor soils, compacted soils, or fill material.
  - Assuming 45 bedrooms and type 5 soils (max sizing requirements), you would need to find around 36,000-40,000 square feet of area to fit the active and reserve drainfields accounting for set-backs.
- Sewer availability
  - If sewer is available within 1000 feet of the project then we would recommend they connect to sewer.
- Environmental concerns
  - I don't see any immediately obvious environmental concerns on the map.
  - When we asses environmental impacts of a system we usually look at the property line. The closer a LOSS is placed to the property line, the more likely treatment will be required.

These are the initial thoughts I had when looking at the project. It's difficult to determine if a LOSS is feasible without looking at the soils. That would be the biggest piece of information for anytime of onsite sewage system. No LOSS or OSS would be feasible if there isn't enough room for the drainfield.

Please reach out with any follow-up questions you might have.

**Andrew Jones, P.E.**  
Gender Pronouns: he/him

Environmental Engineer V  
Large On-site Sewage Program Supervisor  
Environmental Public Health  
Washington State Department of Health  
[Andrew.jones@doh.wa.gov](mailto:Andrew.jones@doh.wa.gov)  
360-236-3378 | [www.doh.wa.gov](http://www.doh.wa.gov)



**From:** Warwick, Joshua <[JWARWICK@SpokaneCounty.org](mailto:JWARWICK@SpokaneCounty.org)>  
**Sent:** Thursday, February 1, 2024 11:15 AM  
**To:** Jones, Andrew (DOH) <[andrew.jones@doh.wa.gov](mailto:andrew.jones@doh.wa.gov)>  
**Cc:** Weir, Michael <[MWEIR@SpokaneCounty.org](mailto:MWEIR@SpokaneCounty.org)>  
**Subject:** CPA-04-2024

External Email

Hello Andrew:

Thank you so much for your help today. The attached document is a site description for the proposed site. Could you please provide a comment on septic for CPA-04-2024 of the Initiation Summary Report. The maximum density for Medium Density Residential is 15 dwelling units per acre. If you need any additional information on the proposed site, feel free to contact me.

Best,

Joshua Warwick



Appendix G  
Spokane Regional Health District CPA-04-24 Preview Comment

**Warwick, Joshua**

**From:** Jeff Harris <jharris@srhd.org>  
**Sent:** Tuesday, February 6, 2024 12:56 PM  
**To:** Warwick, Joshua  
**Cc:** Weir, Michael  
**Subject:** FW: CPA-04-2024  
**Attachments:** Version 1 CPA-2024 Initiation Summary Report.pdf

Joshua,

I am the technical advisor for the liquid waste program at SRHD. In regards to CPA-04-2024, based on WAC 246-272A and minimum land area requirements within the code, Medium Density Residential with a maximum of 15 dwelling units per acre would not be conducive for on-site septic systems. With that said, SRHD cannot give a definitive answer without a complete soil evaluation as density requirements are depending on soil type. The developer and/or applicant would want to work with an OSS Designer or Engineer to determine exact density requirements for the parcels in question.

Hope this helps and please reach out if needed.

Jeff



Jeff Harris | Environmental Health Specialist 3 | Spokane Regional Health District | EPH  
Direct: 509.324.1584 | Cell: 509.280.0307 | [jharris@srhd.org](mailto:jharris@srhd.org) | [srhd.org](http://srhd.org)

**From:** Paul Savage <psavage@srhd.org>  
**Sent:** Monday, February 5, 2024 11:45 AM  
**To:** Mike LaScuola <mlascuola@srhd.org>; Kasey Wilberding <kwilberding@srhd.org>; Jeff Harris <jharris@srhd.org>  
**Subject:** FW: CPA-04-2024

Hello all,

The county is looking for our feedback on a density change. This area is served by onsite septic and a change to 15 dwelling units per acre would obviously not be very conducive to onsite septic systems. Let me know opinions on who from our group should respond.

Thanks,

Paul Savage | Environmental Health Specialist | Environmental Public Health Division  
Spokane Regional Health District  
Direct: 509.324.1578 | Fax: 509.324.3603  
[psavage@srhd.org](mailto:psavage@srhd.org) | [srhd.org](http://srhd.org)

Appendix H  
City of Spangle Public Works CPA-05-24 Preview Comment

**Miroshin, Elya**

---

**From:** Logan Billington <spanglepublicworks@outlook.com>  
**Sent:** Monday, February 5, 2024 10:23 AM  
**To:** Zickefoose, Graham  
**Subject:** Re: Official Comment on need for Sewer Connection to parcel 33333.9017, CPA 05-24

Good morning Graham,

Sorry for the delay and to answer your question, the town does not have any water or sewer lines to the property. The closest water and sewer lines to that property would be at 675 N old SR. 195, That would be South of the property on old highway 195 where the main water and sewer lines end just about at the city limits. Also, that sewer line is pressurized going to the wastewater treatment plant so that may change design planning and needs for connecting to the system.

Thank you and let me know if you have any other questions.

**Logan Billington**  
**Spangle Public Works Director**  
**Office: (509) 245-3260**  
**Cell: (509) 981-5331**  
**spanglepublicworks@outlook.com**

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**From:** Zickefoose, Graham <GZICKEFOOSE@SpokaneCounty.org>  
**Sent:** Monday, February 5, 2024 8:50 AM  
**To:** spanglepublicworks@outlook.com <spanglepublicworks@outlook.com>  
**Subject:** RE: Official Comment on need for Sewer Connection to parcel 33333.9017, CPA 05-24

Good morning Logan,

I just wanted to follow up with you on this. Are you able to provide a written comment?

Thank you,

Graham Zickefoose



Graham Zickefoose | Associate Planner I | 509.477.7153 |  
Spokane County Building & Planning | <http://www.spokanecounty.org/BP>

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**From:** Zickefoose, Graham  
**Sent:** Wednesday, January 31, 2024 7:54:54 AM  
**To:** spanglepublicworks@outlook.com <spanglepublicworks@outlook.com>  
**Subject:** Official Comment on need for Sewer Connection to parcel 33333.9017, CPA 05-24

Appendix I

Spokane County Public Works Roads CPA-05-24 Preview Comment



**Spokane County**  
PUBLIC WORKS

**DEVELOPMENT  
SERVICES**

Matt Zarecor, P.E. – County Engineer

# Memo

**To:** Graham Zickefoose, Planner  
**From:** David Istrate, Land Development Coordinator  
**Date:** January 25, 2024  
**RE:** CPAIR-05-24 Initial Comments

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**Public Works has reviewed the proposed Comp Plan Amendment and have the following comments:**

- Spokane County is requesting a Trip Generation and Distribution Letter for the potential increased trips produced by this proposal. Trip Letters can be sent to David Istrate in PDF form at [DCISTRATE@spokanecounty.org](mailto:DCISTRATE@spokanecounty.org).
- The trip distribution letter shall include the existing use of the property, the proposed use, and the highest and best use of the property allowed under the proposed zone.

End