

*Spokane County  
Regional Siting Process for  
Essential Public Facilities*



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Essential Public Facilities**

July 25, 2002

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# Executive Summary

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

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

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

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

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

# Acknowledgments

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

## EPF Task Force members:

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

## City of Spokane, EPF Technical Advisory Committee:

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

## Contact Information for Jurisdictions within Spokane County

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

- Rockford:  
Clerk/Treasurer  
P.O. Box 49  
Rockford, WA 99030  
509-291-4716
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Mayor/Clerk-Treasurer  
P.O. Box 147  
Spangle, WA 99031-0147  
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- City of Spokane:  
Planning Services Department  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201-3329  
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- Spokane County:  
Division of Planning, Long Range Planning  
1026 W. Broadway Ave., 2<sup>nd</sup> Floor  
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509-477-2294  
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Mail Stop PWK-2, 1116 W. Broadway Ave., Spokane, WA 99260-0240
- Waverly:  
Mayor / Clerk-Treasurer  
P.O. Box 37  
Waverly, WA 99039-0037  
509-283-4122

# Key Elements of Spokane County Regional Siting Process for Essential Public Facilities

## I. Essential Public Facilities

### *Definition of an EPF*

Essential Public Facilities (EPFs) are defined as follows:

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

### *Clarification of Utilities*

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

### *Ownership*

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

- provided by or substantially funded by government, or
- provided by a private entity subject to public service obligations<sup>1</sup>, or
- on an officially adopted state, regional, county or local community EPF list.

## II. EPF’s Level of Significance

### *Siting Process Determination*

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

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



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

### III. Public Involvement

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

### IV. Review Process: Roles and Responsibilities

#### *Board of County Commissioners*

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

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

#### *Applicant*

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

### V. Location Analysis

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

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<sup>2</sup> See CWPP 6.2.

## *Equitable Distribution*

In addition, site selection shall conform to the following Equitable Distribution Philosophy<sup>3</sup>:

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

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

## *Criteria for Assessment*

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

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

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

## *Functional Analysis*

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

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

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

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

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

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

### *Qualitative Analysis*

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

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

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

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

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

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

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

#### *Scoring Matrix: Weighted Analysis*

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

## **VI. Preferred Site Review**

### *Public Hearing*

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

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

### *Urban Impact*

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

### *Site Development Criteria*

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

### *Cost Sharing*

Finally, the proposed EPF shall be reviewed to determine if the financial impact on the jurisdiction can be reduced or avoided. The review will identify potential economic impacts from closure or lack of siting an EPF and include mitigation strategies to minimize impacts (i.e., bond or insurance).

Intergovernmental agreements will be established to mitigate any disproportionate financial burden that may fall on the jurisdiction that becomes the site of an EPF of statewide or regional/countywide significance. Especially in the case of an EPF of statewide significance, the proponent state agency may be required to mitigate costs related to siting the facility. In addition, all proponent entities are required to assume full responsibility for the costs of operating and maintaining their facility, and this burden shall not fall on the jurisdiction in which the facility is sited (unless the jurisdiction so desires).

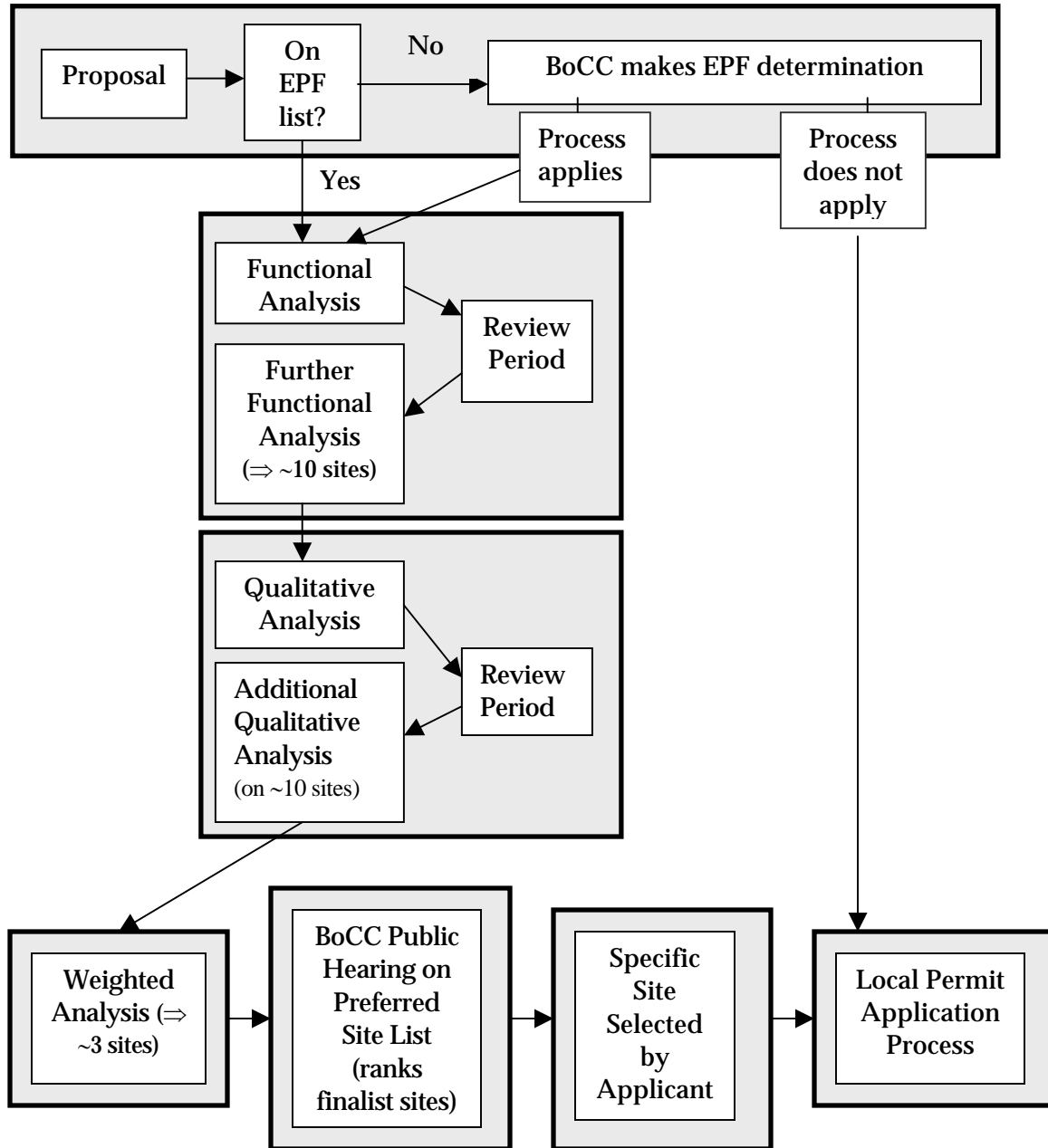
## **VII. Local Siting Process**

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

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

### VIII. Process Flow Chart

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



# **APPENDIX “A”: Level of Significance**

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

## **Essential Public Facilities of a State-wide Nature**

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

## **Essential Public Facilities of a Regional/County-wide Nature**

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

## **Essential Public Facilities of a Local Nature**

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

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

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

In order to allow each Spokane County jurisdiction to determine a proposal's classification, the project applicant shall identify the potential area of adverse impact and public benefit.

If it is determined that a proposed EPF is of statewide or regional/countywide significance, the process for siting EPFs shall be carried out as described herein. (See Appendix E for an Inventory of all EPFs of a statewide or regional/countywide significance that are located within Spokane County, as well as a map showing the location of each facility.)



# **APPENDIX “B”: Public Involvement Strategy Guidelines**

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

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

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

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

## **• Procedural Requirements**

The process for citizen involvement shall include the following elements:

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

## APPENDIX “C”: Evaluation Example

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

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

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

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

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

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

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

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

<b>Criteria</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	
<b>Site 1 Score</b>	4	4	4	3	3	2	1	5	
<b>Site 2 Score</b>	3	5	3	5	4	2	4	3	
<b>Site 3 Score</b>	4	3	5	4	5	1	1	1	
<b>Site 4 Score</b>	1	3	2	2	2	3	5	2	
<b>Weight</b>	5	4	3	3	3	3	2	2	
<b>Total Score</b>									<b>Final Score</b>
Site 1	20	16	12	9	9	6	2	10	84
Site 2	15	20	9	15	12	6	8	6	91
Site 3	20	12	15	12	15	3	2	2	81
Site 4	5	12	6	6	6	9	10	4	58

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

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

## APPENDIX “D”: Siting Criteria for EPFs

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

### Summary of Key Statutory Siting Requirements

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

- **Response Time.** Requirement to site in areas in which it is possible to “endeavor to achieve an average five-minute response time by law enforcement” has been deleted.
- **Equitable Distribution.** In considering potential sites, give great weight to “equitable distribution factors” (i.e., number of residential facilities operated by Dept of Corrections, residential facilities operated by DSHS Mental Health Division, and Level 2 and Level 3 sex offenders in each jurisdiction).
- **Public Safety and Security Criteria.**
  - ◆ Visibility between SCTF and adjacent properties is limited or barriers can be established to limit visibility;
  - ◆ Electronic monitoring devices/systems are available and are functional in the area;
  - ◆ Existing building, if used for an SCTF, is suitable or can be feasibly modified; and
  - ◆ Adequate security and back-up system resources can be installed at the site and contractor/maintenance services are available on 24/7 basis.
    - Security panel must be commercial grade with tamper-proof switches and key-lock to prevent unauthorized access.
    - All staff must be issued personal panic devices.
    - All staff must be issued and wear photo ID badges.
- **Other Siting Requirements.**
  - ◆ Site must be in area with access (reasonable commute distance) to medical, mental health and sex offender treatment providers, and community services such as employment, educational and other services.
  - ◆ Treatment providers must be available – this means the providers are qualified, willing to provide services, and within a reasonable commute.
  - ◆ Site must be in location suitable for programming, staffing and support considerations.
  - ◆ The SCTF property must be available at reasonable purchase or lease cost.

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

## **APPENDIX “E”: Inventory of EPFs**

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

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