

No. 10-0262

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

IN THE MATTER OF AMENDING)
THE SPOKANE COUNTY STANDARDS) **FINDINGS OF FACT**
FOR ROAD AND SEWER CONSTRUCTION) **AND DECISION**

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

WHEREAS, pursuant to the provisions of Chapters 36.70 and 36.70A RCW the Commission may make recommendations concerning the adoption of official controls that implement comprehensive plans; and

WHEREAS, pursuant to the provisions of Chapters 36.70 and 36.70A RCW, the Board may adopt road standards as an official control for the unincorporated areas of Spokane County and may amend the same; and

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

WHEREAS, Spokane County initiated various amendments to Spokane County Code regarding road and sewer standards; and

WHEREAS, pursuant to the RCW 36.70A.106, notice of intent to adopt was sent to the Washington State Department of Community, Trade and Economic Development (CTED). The standard 60 day review period for state agencies was complied with and an approval letter was issued on October 26, 2009; and

WHEREAS, pursuant to the State Environmental Policy Act (SEPA) and WAC 197-11, a Determination of Nonsignificance (DNS) was issued on December 1, 2009 for the proposed amendment; and

WHEREAS, after providing at least fifteen (15) days notice, the Commission held a public hearing on December 17, 2009, to consider adopting the updated Spokane County Standards for Road and Sewer Construction and amending the Code for Spokane County accordingly; and

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WHEREAS, the only public testimony received at the Commission public hearing was from Rick Frier of Fire District #1 in full support of the proposed changes, and no comments were received during the SEPA determination appeal period; and

WHEREAS, the Planning Commission has unanimously made a recommendation to adopt the Spokane County Standards for Road and Sewer Construction and the proposed amendments to Spokane County Code; and

WHEREAS, after providing at least fifteen (15) days notice, the Board held a public hearing on January 12, 2010, to consider adopting the updated Spokane County Standards for Road and Sewer Construction and amending the Code for Spokane County accordingly; and

WHEREAS, the Board finds that the best interests of the public as well as its health, safety and welfare, will be met by the adoption of the updated Spokane County Standards for Road and Sewer Construction as set forth in Attachment A, along with the corresponding revisions to Spokane County code as set forth in Attachment B, attached hereto and incorporated herein by reference; and

NOW, THEREFORE, BE IT RESOLVED by the Board that, in making the hereinabove resolution, the Board does hereby enter the following Findings of Fact:

#1

Pursuant to the provisions of RCW Chapter 36.70, the Board has the legal authority to adopt changes to the road and sewer standards for Spokane County.

#2

Spokane County has provided for timely public participation in consideration of the proposed amendment, consistent with RCW 36.70A.140, WAC 365-195-600 and the adopted *Spokane County Public Participation Program Guidelines* (BoCC Resolutions 98-0144 and 98-0788).

Public Participation for the proposed amendment included:

- a. Public notice of the hearing as required by Washington State law, including legal notices published in the Spokesman Review newspaper.
- b. Notice within an interactive website for the Div. of Engineering and Roads in Spokane County, including information and direction on how to provide public comment.
- c. Email notification to government agencies, neighborhood organizations, business organizations and other interested groups and organizations.
- d. Notice of hearing provided to County Libraries and the City of Spokane Downtown Library.
- e. A public workshop held at Spokane County.
- f. Circulation of SEPA determination and public comment period.
- g. Media release

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- h. Notice of intent to adopt sent to the Washington State Department of Community, Trade and Economic Development.
- i. Commission public hearing on December 17, 2009.
- j. Board public hearing including a two week extension for written comments.

#3

A Determination of Nonsignificance (DNS) was issued on December 1, 2009 for the proposed amendment.

#4

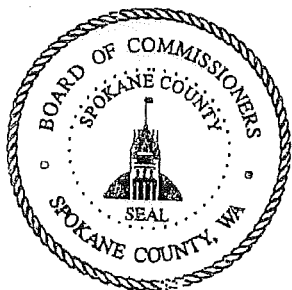
The Commission motioned, seconded, and unanimously approved the proposed amendment.

#5

The amendment is consistent with, and implements, the Spokane County Comprehensive Plan and the requirements of the Growth Management Act (GMA).

BE IT FURTHER RESOLVED by the Board of County Commissioners that it hereby adopts the amendments to the Spokane County Standards for Road and Sewer Construction and corresponding modifications to Spokane County Code as set forth in Attachment A and Attachment B, respectively. These updated standards and the corresponding revisions to County Code will become effective March 15, 2010.

ADOPTED by the Board of County Commissioners of Spokane County, Washington this 16th day of March, 2010.



ATTEST:

Daniela Erickson
Daniela Erickson
Clerk of the Board

Mark Richard
Mark Richard, Chair

Bonnie Mager
Bonnie Mager, Vice-Chair

Todd Mielke
Todd Mielke, Commissioner

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**ATTACHMENT A
SPOKANE COUNTY STANDARDS
FOR ROAD AND SEWER CONSTRUCTION**

9.12.030 Standards generally.

As a condition of approval, roadways shall be improved in accordance with specified standards set forth in Sections ~~9.12.040~~ 9.12.060 through 9.12.090 of this chapter, and the manual entitled "Spokane County Road Standards."

~~(Res. 80-1592 (part), 1980; Res. 78-0212 § 2, 1978)~~

(Res. 10-XXXX, 2010)

~~9.12.040 Typical roadway section.~~

~~The county engineer shall for each application designate one of the standard typical roadway sections denominated as 1, 2, 3 and 4 in the "Spokane County Road Standards." In selecting the roadway section to be applied, the county engineer will review and give consideration to certain factors in connection with the proposal, including but not necessarily limited to the density of the proposed or existing development, the area frontage relationship of the lots or tracts in the development, the proposed or existing zoning, the existing platting of the immediate area, the cost relationship of the proposed improvements, the terrain, the surrounding developments, the streets, and other such factors as are deemed significant for the proposal being reviewed in light of public health, safety and welfare.~~

~~(Res. 80-1592 (part), 1980; Res. 78-0212 § 2.1, 1978)~~

9.12.090 General improvements.

Requirements for grading, draining, surfacing, curbing, safety features, traffic control, fencing, pathways and other appurtenances shall be as specified and recommended by the county engineer. All materials and methods shall be in accordance with the current standard specifications of the Washington State Highway Department, and the manual ~~manuals~~ entitled "Spokane County Road Standards" and "Spokane Regional Stormwater Manual," unless otherwise specified.

~~(Res. 80-1592 (part), 1980; Res. 78-0212 § 2.6, 1978)~~

(Res. 10-XXXX, 2010; Res. 08-0356 (part), 2008)

9.13.030 Private roads--Approval.

A private road may be approved permitted with prior approval of the county engineer, as provided for in Section ~~12.24.010(a)~~ 12.020(a) of this code and the manual entitled "Spokane County Road Standards." and may serve up to a maximum of eight lots.

~~(Res. 80-1592 (part), 1980; Res. 78-467 § 2.01(A), 1978)~~

(Res. 10-XXXX, 2010)

9.14.010 Preparation and administration of standards.

The county engineer is authorized and directed to prepare, revise, and administer standards describing proper controls for road construction, and access to, or drainage for building sites in conformance with these regulations. The standards shall be printed in manual form under the titles "Spokane County Road Standards" and "~~Guidelines for Stormwater Management~~" "*Spokane Regional Stormwater Manual*" (~~Attachments A and B of Resolution 80-1592~~) and are considered included as a part of this chapter. The purpose of this chapter is to insure that the public's health, safety, and welfare are met.

~~(Res. 80-1592 § 1.1, 1980)~~

(Res. 10-XXXX, 2010; Res. 08-0356 (part), 2008)

9.14.040 Surety or bond.

The county engineer is authorized to require the posting of a surety or bond to guarantee performance of conditions imposed on actions enumerated in Sections 9.14.020 (1) through (9).

The county engineer is also authorized to require the posting of a surety or bond to warranty the quality of workmanship and materials in all road, approach or drainage facility construction required by this chapter. Procedures for posting and release of bonds and amount of bond required shall be included in the road standards. "*Spokane County Road Standards.*"

~~(Res. 80-1592 § 1.4, 1980)~~

(Res. 10-XXXX, 2010)

9.14.100 Roads--Adoption of standards.

Details of these design criteria and standards shall be printed as "Spokane County Road Standards," as attached to ~~Resolution 80-1592~~ Resolution 10-XXXX and adopted by the board of county commissioners concurrently with this chapter and hereafter are to be made available to the public.

~~(Res. 80-1592 § 2.3, 1980)~~

(Res. 10-XXXX, 2010)

9.14.130 Approach--Adoption of standards.

Details of these design criteria and standards shall be printed as "Spokane County Road Standards," as attached to ~~Resolution 80-1592~~ Resolution 10-XXXX and adopted by the board of county commissioners concurrently with this chapter and hereafter are to be made available to the public.

~~(Res. 80-1592 § 3.3, 1980)~~

(Res. 10-XXXX, 2010)

9.33.010 Requirements for future uses.

Every future private, public, semipublic, commercial or industrial use shall have defined access and egress openings to and from public road rights-of-way and adequate drainage control, and as provided by the manuals "Spokane County Road Standards" and "~~Guidelines for Stormwater Management.~~" "*Spokane Regional Stormwater Manual.*"

~~(Res. 80-1592 (part), 1980; Res. 64-257 § 1.00, 1964)~~

(Res. 10-XXXX, 2010; Res. 08-0356 (part), 2008)

9.33.020 Requirements upon alteration of existing uses.

Every existing private, public, semipublic, commercial or industrial use, upon expansion, remodeling, or rebuilding shall establish defined access and egress openings and drainage control in accordance with this chapter, and as provided for in the manuals entitled "Spokane County Road Standards" and "~~Guidelines for Stormwater Management.~~" "*Spokane Regional Stormwater Manual.*"

~~(Res. 80-1592 (part), 1980; Res. 64-257 § 2.00, 1964)~~

(Res. 10-XXXX, 2010; Res. 08-0356 (part), 2008)