

City of Spokane

Planning Services
Department



General Application

Z1000061-COMP

DESCRIPTION OF PROPOSAL:

Modifications to CFU 3.6 "Limitation of Services Outside Urban Growth Areas) to clarify language regarding sewer and water connections outside the Urban Growth Area.

ADDRESS OF SITE OF PROPOSAL: (if not assigned yet, obtain address from Public Works before submitting application)
Citywide

APPLICANT:

Name: City of Spokane – Department of Engineering Services
Address: 808 W. Spokane Falls Blvd., 2nd Floor, Spokane, WA 99201
Phone (home): **Phone (work):** (509) 625-6700
Email address:

PROPERTY OWNER:

Name: n/a
Address:
Phone (home): **Phone (work):**
Email address:

AGENT:

Name: n/a *Kris Becker*
Address:
Phone (home): **Phone (work):**
Email address:

ASSESSOR'S PARCEL NUMBERS:

n/a

LEGAL DESCRIPTION OF SITE:

City of Spokane

SIZE OF PROPERTY:**LIST SPECIFIC PERMITS REQUESTED IN THIS APPLICATION:**

n/a



DESCRIPTION OF THE PROPOSED AMENDMENT Please check the appropriate box(es):

(Inconsistent Amendments will only be processed every other year beginning in 2005.)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Comprehensive Plan Text Change | <input type="checkbox"/> Land Use Designation Change |
| <input type="checkbox"/> Regulatory Code Text Change | <input type="checkbox"/> Area-wide Rezone |

Please respond to these questions on a separate piece of paper. Incomplete answers may jeopardize your application's chances of being reviewed during this amendment cycle.

1. General Questions (for all proposals):

- a. Describe the nature of the proposed amendment and explain why the change is necessary.
- b. How will the proposed change provide a substantial benefit to the public?
- c. Is this application consistent or inconsistent with the Comprehensive Plan goals, objectives and policies? Describe and attach a copy of any study, report or data, which has been developed that supports the proposed change and any relevant conclusions. If inconsistent please discuss how the analysis demonstrates that changed conditions have occurred which will necessitate a shift in goals and policies.
- d. Is this application consistent or inconsistent with the goals and policies of state and federal legislation, such as the Growth Management Act (GMA) or environmental regulations? If inconsistent, describe the changed community needs or priorities that justify such an amendment and provide supporting documents, reports or studies.
- e. Is this application consistent with the Countywide Planning Policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the Regional Transportation Improvement District, and official population growth forecasts? If inconsistent please describe the changed regional needs or priorities that justify such an amendment and provide supporting documents, reports or studies.
- f. Are there any infrastructure implications that will require financial commitments reflected in the Six-Year Capital Improvement Plan?
- g. Will this proposal require an amendment to any supporting documents, such as development regulations, Capital Facilities Program, Shoreline Master Program, Downtown Plan, critical areas regulations, any neighborhood planning documents adopted after 2001, or the Parks Plan? If yes, please describe and reference the specific portion of the affected plan, policy or regulation.
- h. If this proposal is to modify an Urban Growth Area (UGA) boundary, please provide a density and population growth trend analysis. Changes to the Urban Growth Area may occur only every five years and when the Board of County Commissioners (BoCC) reviews all UGA's countywide.

2. For Text Amendments:

- a. Please provide a detailed description and explanation of the proposed text amendment. Show proposed edits in "line in/line out" format, with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.
- b. Reference the name of the document as well as the title, chapter and number of the specific goal, policy or regulation proposed to be amended/added.

3. For Map Change Proposals:

- a. Attach a map of the proposed amendment site/area, showing all parcels and parcel numbers.
- b. What is the current land use designation?
- c. What is the requested land use designation?
- d. Describe the land uses surrounding the proposed amendment site (land use type, vacant/occupied, etc.)

1. General Questions (for all proposals):

- a. Describe the nature of the proposed amendment and explain why the change is necessary.**

This text revision of Comprehensive Plan Policy CFU 3.6 "Limitations of Service Outside of the Urban Growth Boundary" is necessary to clarify the intent of the policy in the administration of sewer and water utility service outside of the Urban Growth Boundary.

- b. How will the proposed change provide a substantial benefit to the public?**

This text revision of the Comprehensive Plan Policy is intended to facilitate sewer and water utility service connections as allowed by the Comprehensive Plan's policy following the limitations of the Growth Management Act while continuing to restrict the extension of sewer and water utility mains as required outside of the Urban Growth Area.

- c. Is this application consistent or inconsistent with the Comprehensive Plan goals, objectives and policies? Describe and attach a copy of any study, report or data, which has been developed that supports the proposed change and any relevant conclusions. If inconsistent please discuss how the analysis demonstrates that changed conditions have occurred which will necessitate a shift in goals and policies.**

This application is consistent with the Comprehensive Plan goals and is intended to clarify the implementation and administration of CFU 3.6 "Limitations of Service Outside of the Urban Growth Boundary".

- d. Is this application consistent or inconsistent with the goals and policies of state and federal legislation, such as the Growth Management Act (GMA) or environmental regulations? If inconsistent, describe the changed community needs or priorities that justify such an amendment and provide supporting documents, reports or studies.**

This application is consistent with the goals and policies of the Growth Management Act.

- e. Is this application consistent with the Countywide Planning Policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the Regional Transportation Improvement District, and official population growth forecasts? If inconsistent please describe the changed regional needs or priorities that justify such an amendment and provide supporting documents, reports or studies.**

This application is consistent with the Countywide Planning Policies.

- f. Are there any infrastructure implications that will require financial commitments reflected in the Six-Year Capital Improvement Plan?**

No. This application will not affect the Six-Year Capital Improvement Plan.

- g. Will this proposal require an amendment to any supporting documents, such as development regulations, Capital Facilities Program, Shoreline Master Program, Downtown Plan, critical areas regulations, any neighborhood planning documents adopted after 2001, or the Parks Plan? If yes, please describe and reference the specific portion of the affected plan, policy or regulation.**

No. This application will not affect any of the above mentioned supporting documents.

- h. If this proposal is to modify an Urban Growth Area (UGA) boundary, please provide a density and population growth trend analysis. Changes to the Urban Growth Area may occur only every five years and when the Board of County Commissioners (BoCC) reviews all UGA's countywide.**

Not applicable.

2. For Text Amendments:

- a. Please provide a detailed description and explanation of the proposed text amendment. Show proposed edits in "line in/line out" format, with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.**

Please see attached.

- b. Reference the name of the document as well as the title, chapter and number of the specific goal, policy or regulation proposed to be amended/added.**

City of Spokane's Comprehensive Plan, Chapter 5 "Capital Facilities and Utilities", CFU 3.6 "Limitations of Service Outside of the Urban Growth Boundary". Please see attached.

CFU 3.6 Limitation of Services Outside Urban Growth Areas

Limit the provision of water and sewer service by the City of Spokane outside the Urban Growth Areas (UGAs) to areas where exceptions apply.

Discussion: It is appropriate for the City of Spokane to extend or expand water and sewer services outside UGAs in those limited circumstances shown to be necessary to protect basic public health and safety and the environment and when such services are financially supportable at rural densities and do not permit urban development. (RCW 36.70A.110 (4)). The intent of this policy is to provide for connection and/or expansion of the city's public utility infrastructure outside ~~Urban Growth Areas~~ UGAs in limited situations consistent with the Growth Management Act and the County Wide Planning Policies for Spokane County, where the long term viability of the City and the health and safety of residents of the rural areas are balanced with maintaining the character of the rural areas and sound planning principles.

A. City of Spokane Sewer Service

1. Sewer Service Connections

Sewer Service Connections to property outside UGAs will be approved only if the connection is to existing infrastructure with surplus capacity, and any one ~~or both~~ of the following conditions for exception exists:

- a. The Spokane Regional Health District or the Washington State Department of Health has determined that an existing development poses an immediate threat to public health or safety; or
- b. A written commitment for service to a vested development was made by the City of Spokane prior to the adoption of the City of Spokane's Comprehensive Plan under RCW 36.70A; or
- c. Contingent upon mutual agreement of the City Council and the Board of County Commissioners, sewer service outside designated ~~urban growth areas~~ UGAs may be allowed for the purpose of protecting the sole source Aquifer, subject to additional conditions and as allowed by state law.

2. Sewer Main Extensions

Any mains extended outside UGAs after May 31, 2001, shall be for the overall operational benefit and efficiency of the City of Spokane's sewer utility system. Such extensions shall be for transmission purposes only with no connections allowed except for as allowed in 1- (a-), (b-) and (c-) above.

A main extension will be allowed if any one of the exceptions allowed in 1 (a), (b), and (c) above exist and there is no main available to serve the subject property.

B. City of Spokane Water Service

~~Expansion of City of Spokane water service outside an UGA may be allowed in the following limited cases:~~

1. Water Service Connections

Water Service eConnections to property outside an UGAs will be approved if any one of may be allowed only under the following conditions for exception exists:

- a. Connections required under 2.(a), (b), (c), and (d) below: The Spokane Regional Health District or Washington State Department of Health has determined that an existing development poses an immediate threat to public health or safety; or
- b. A written commitment for service to a vested development was made by the City of Spokane prior to the adoption of the City of Spokane's Comprehensive Plan under RCW 36.70A; or
- b.c. Connections may be allowed to The parcels is directly adjacent to a main and if the parcel existed and the main was installed prior to May 31, 2001, or the main is located along an UGA boundary.; or
- d. The parcel is directly adjacent to a main and the main is located along an UGA boundary; or
- e. The parcel is used to provide public services typically provided by government-owned facilities which are allowed outside an UGA. A public service may include, but is not limited to, law enforcement, fire protection, public utilities, schools, libraries, parks and recreation services; or
- f. The project is a Rural Cluster Development approved by the County within an area zoned Urban Reserve subject to the platted streets directly bordering each lot meeting City Standards and sewer mains being installed in these platted streets concurrent with water main installations. If conditions 1 and 2 in Section A are not met, the sewer mains shall be "dry lines" until connections are allowed by State Law and orders to connect are issued by the City as addressed in Section C.

2. Water Main Extensions

- a. ~~The Spokane Regional Health District or Washington State Department of Health has determined that an existing development poses an immediate threat to public health or safety.~~
- b. ~~A written commitment for service to a vested development was made by the City of Spokane prior to the adoption of the City of Spokane's Comprehensive Plan under RCW 36.70A.~~
- e. ~~The main may supply services to premises used to provide public services typically provided by government-owned facilities which are allowed outside an UGA. A public service may include, but is not limited to, law enforcement, fire protection, public utilities, schools, libraries, parks and recreation services.~~
- d. ~~The main may supply service to a Rural Cluster Development approved by the County within an area zoned Urban Reserve subject to the platted streets directly bordering each lot meeting City Standards and sewer mains being installed in these platted streets concurrent with water main installations. If conditions 1 and 2 in Section A are not met, the sewer mains shall be "dry lines" until connections are allowed by State Law and orders to connect are issued by the City as addressed in Section C.~~
- e. ~~All costs associated with the extension of water infrastructure subject to this policy will be borne by the proponent.~~

f.—Any water infrastructure extended or located outside an UGA after May 31, 2001, shall be for the overall operational benefit and efficiency of the City of Spokane's water utility system. Such extensions shall be for transmission purposes only with no connections allowed except for as allowed in (a), (b), (c), (d), ~~and (e)~~, and (f) above.

A main extension will be allowed if any one of the exceptions allowed in 1 (a), (b), (c), (d), (e), or (f) above exist and there is no main available to serve the subject property.

C. General Provisions

All owners of property outside UGAs that are allowed to connect to the City's utilities shall sign a binding agreement to annex when requested to do so by the City. In the case of connections to the Water Utility only, the binding agreement shall also provide that the property owner agrees to connect to the City of Spokane's sewer system at the property owner's sole expense when requested to do so by the City. In addition, all exceptions shall be considered within the context of overall cumulative impacts on capacity and level of service obligations in accordance with the city's Capital Facilities Program, Six-Year Capital Improvement Plans and Concurrency Management System. Except for the limited exceptions addressed herein, the rural population allocation shall be accommodated without reliance on the extension of public services.

All costs associated with the extension of water or sewer infrastructure subject to this policy will be borne by the proponent.

This policy does not limit the City's authority to impose additional conditions, require a developer agreement that includes a requirement for payment of mitigation fees, or modify existing conditions on extensions of water or sewer service outside of urban growth areas.

In all cases, water or sewer ~~service~~ mains can be extended only if:

1. it can be done in a timely and reasonable manner; and,
2. ground water resources and the sole source Aquifer can be protected by concurrently connecting the premise to a public sewer or reasonable accommodations are made to connect to a public sewer as soon as allowed by law; and,
3. a developer agreement incorporating mitigation requirements is approved by City Council.