



## **CITY PLAN COMMISSION FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS ON THE WEST PLAINS ANNEXATION**

**A Recommendation of the City Plan Commission certifying that the West Plains Annexation is in conformance with the City of Spokane's Comprehensive Plan.**

### **FINDINGS OF FACT:**

**A.** The City of Spokane, pursuant to Chapter 35.13 RCW, is authorized to annex land contiguous to the City's municipal boundary.

**B.** Spokane County adopted an Urban Growth Area that includes the West Plains annexation area.

**C.** The City of Spokane, pursuant to the Washington State Growth Management Act, RCW 36.70A et seq, has adopted a Comprehensive Plan which identifies the West Plains annexation area as part of its proposed Urban Growth Area.

**D.** The Cities of Spokane and Airway Heights and Spokane County operating under a Memorandum of Understanding adopted in January 20, 2009 held twenty nine collaborative meetings to negotiate annexations of the West Plains Annexation Area.

**E.** Two Public Informational meetings were held within the West Plains annexation area by the Mayors of Spokane and Airway Height and Spokane County Commissioners June 3, 2009, and August 19, 2009, to inform residents and property owners of the process and answer questions.

**F.** An Interlocal Agreement addressing annexations of the West Plains annexation area was adopted by the legislative bodies of the City of Airway Heights, the City of Spokane and Spokane County in a joint legislative meeting on December 3, 2009.

**G.** The City of Spokane Plan Commission held workshops on appropriate Land Use, Zoning, & Airport Overlay designations for the West Plains annexation area on August, 11, 2010, October 10, 2010, and October 27, 2010.

**H.** Pursuant the provisions of RCW 43.21C a SEPA determination of Non-Significance was issued by the City of Spokane Planning Services Department for the proposed changes to the zoning and land use designations.

**I.** The City Plan Commission held hearings on appropriate Land Use, Zoning, & Airport Overlay designations for the West Plains annexation area on November 10, and December 8, 2010 and made a recommendation to the City Council.

**J.** The Spokane City Council held hearings on the recommended Land Use, Zoning, & Airport Overlay designations for the West Plains annexation area and adopted those designations on April 11, 2011 to be effective on the effective date of annexation.

**K.** Mayor Mary Verner officially initiated the annexation process by sending letters on March 28, 2011, to the Spokane County Commissioners, Spokane County Fire Protection District #3, and Spokane County Fire Protection District #10 inviting them to negotiate the terms of the annexation under RCW 35.13.238, the Interlocal Agreement process of annexation of territory served by fire districts.

**L.** The City of Spokane Plan Commission held a workshop on the West Plains annexation on April 13, 2011.

**M.** An Annexation Feasibility Analysis was prepared and presented to the Plan Commission for the West Plains annexation area.

**N.** The provisions and levels of service within the annexation area for Fire/EMT, Police, Street Maintenance, water, wastewater, planning and permitting, libraries and other public services will remain the same or increase after annexation.

**O.** The City Council must receive a recommendation from the City Plan Commission on proposed annexations consistency with the City's Comprehensive Plan.

**P.** The West Plains Annexation is consistent with Comprehensive Plan policy LU 9.6, Funding Capital Facilities in Annexed Areas which states, "Ensure that annexations do not result in a negative fiscal impact on the city."

**Q.** The West Plains Annexation is consistent with Comprehensive Plan policy CFU 1.1, Level of Service which states, "Adopt written level of service standards for each type of public facility or utility service, and provide capital improvements to achieve and maintain such standards for existing and future development."

**R.** Comprehensive Plan policy LU 9.8, City Bonded Indebtedness which states, "Require property owners within an annexing area to assume a share of the city's bonded indebtedness." is not applicable to this annexation request. Because the annexation is by Interlocal Agreement, rather than by the petition method, the Plan Commission does not find it necessary for the City's bonded indebtedness to be the responsibility of the newly added citizens of the City; however, as new indebtedness is incurred, the newly added citizens would be responsible for any new indebtedness. The newly added citizens are subject to all other City laws and responsibilities.

**S.** The West Plains Annexation is consistent with Comprehensive Plan policies LU 9.1, Logical Boundaries which states, "Encourage the annexation of areas that are logical extensions of the city," and LU 9.2, Peninsula Annexation which states, "Encourage and assist property owners in existing unincorporated "peninsular" in the city's urban growth area to annex to the city" and LU 9.4, Readily-Identifiable Boundaries which states, "Use

readily identifiable boundaries, such as lakes, rivers, streams, railroads, and highways, to define annexation areas wherever possible.” Based on staff analysis and information provided at workshops, the annexation area is not in fact a peninsula and the identified boundaries are sensible.

T. The West Plains Annexation is consistent with Comprehensive Plan policy LU 9.3, City Utilities which states, “Require property owners requesting city utilities to annex or sign a binding agreement to annex when requested to do so by the city.” The City provides utilities to the annexed area as required and the city does require property owners to sign binding agreements.

U. The Plan Commission finds that the West Plains Annexation is consistent with Comprehensive Plan policy LU 9.7 which states, “Require utilities, roads, and services in the city’s urban growth area to be built to city standards.” The City will impose City construction standards on new roads and streets and to existing streets where practical when they are improved. Water and sewer utilities that have been constructed since this area was part of the City service area have been constructed to city standards.

V. Based on information provided by staff at workshops and the Plan Commission public hearing on May 11, 2011, the Plan Commission finds the West Plains Annexation to be consistent with Comprehensive Plan policy LU 9.5, Community Impacts which states, “Evaluate all annexations on the basis of their short and long-term community impacts and benefits.”

The analysis presented by the City’s financial department projects a positive cash flow from the annexation area for at least the next decade. In addition the annexation provides airport-accessible industrial land for potential future development and associated economic benefits.

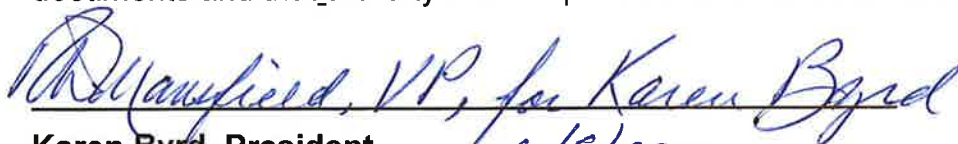
The required perpetual payment to the Fire District 10 coupled with the necessity to provide duplicative City fire protection is a liability. Despite this liability it is nonetheless the opinion of the City’s financial department that the annexation will have a net financial benefit to the City.

#### **CONCLUSION:**

A. The Spokane City Plan Commission finds that the West Plains Annexation is in compliance with the existing Spokane Comprehensive Plan as is authorized by Chapter RCW 35.13.

#### **RECOMMENDATION:**

A. By a vote of 9 to 0, the Plan Commission recommends approval of these amended documents and that the City Council proceed with the West Plains Annexation.

  
Karen Byrd, President  
Spokane Plan Commission  
6/8/2011