

**State of Washington**  
**GROWTH MANAGEMENT HEARINGS BOARD**  
**FOR EASTERN WASHINGTON**

KENNETH and SANDRA KNAPP et al.,	)	
	)	CASE No. 97-1-0015c
Petitioners	)	
	)	<b>THIRD ORDER</b>
Vs.	)	<b>ON COMPLIANCE</b>
	)	<b>AMENDED</b>
SPOKANE COUNTY,	)	
<hr style="width:100%; border: 0.5px solid black; margin-bottom: 5px;"/>	Respondent	)

I. PROCEDURAL HISTORY

On December 24, 1997, the Eastern Washington Growth Management Hearings Board (the Board) issued its Final Decision and Order finding Spokane County out of compliance with the Growth Management Act (GMA). The County had not adequately shown its work in their land capacity analysis. In the absence of that information, the Board was unable to determine if the Interim Urban Growth Area (IUGA) was properly sized.

On September 23, 1998, the Board entered an Order denying a motion to extend time for compliance. The Board directed the County to make the necessary corrections to its IUGA and to be in compliance by the Scheduled November 19, 1998 hearing.

On November 18, 1998, Thurston County Superior Court, in response to an appeal in this case, entered an order of remand. Among other things, the Board was directed to proceed with the compliance hearing scheduled for November 19, 1998, and take such actions as required by the Growth Management Act.

On November 19, 1998, the Eastern Washington Growth Management Hearings Board held a compliance hearing to determine whether Spokane County made the necessary changes to its IUGAs to be in compliance.

On December 1, 1998, the Board issued an order finding the County had not completed either the IUGA or the FUGA and to come into compliance with the Board's orders. The parties were directed to work together to determine a reasonable timeline for completion of the IUGA. They

were unable to do so.

On December 18, 1998, the Board reconvened the compliance hearing in Spokane, Washington. This reopening was to allow the Board to have a better understanding of the time needed to complete the IUGAs as ordered.

On January 5, 1999, the Board issued a Third Order on Compliance directing the Respondent and the City of Spokane to provide the petitioners with complete copies of the GIS "SHAPE" computer files for the City and County land quantities, including all "map" and "drawing" files and all "layers". These computer files should be made available either on diskette or for direct transfer, at the option of the individual petitioners. A February 5, 1999 hearing was set to review those steps.

On January 7, 1999, the County filed a petition for reconsideration and a telephone conference was held on January 11, 1999 to hear arguments on the issues raised.

## II. DISCUSSION

The Respondents contend the City will be able to provide the staff prepared revised IUGA land capacity analysis and IUGA report and proposal to Spokane County by January 13, 1999. The County will prepare a report on its land quantity and capacity using revised County data and it will be completed by or before February 1, 1999. The County is not expected to have redrawn IUGA lines or other appropriate corrections, by that time.

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## III. CONCLUSION

The January 5, 1999 Third Order on Compliance should be amended to reflect the above changes.

## IV. ORDER

The Third Order on Compliance is amended as follows:

1. The City shall provide the data used in its revised land quantity analysis, as prepared by City staff, in the format utilized by the City's Planning Department which shall include digital GMA parcel layer data, input tabular data and data dictionary.
2. The County shall provide updated land quantity information for both unincorporated IUGAs as well as rural areas. The County will provide corresponding data dictionaries and adopted methodology for completing its land quantity analysis. The County GIS digital data

prepared for the Petitioners will include all layers used, including: parcels, zoning, comprehensive plan, sewer plan, flood plains, priority habitat and species, wetlands, geologic hazards, erodible soils, interim urban growth areas, traffic analysis zones, preliminary plats, building permits and parcel attribute tables. This information shall include the GIS layers for partially used and under-utilized parcels. The County's data will be provided on the CD Rom or 8 mm cassette tape format or by direct transfer.

3. The City shall provide the County with its staff prepared revised IUGA land capacity analysis and IUGA report and proposal by January 13, 1999. The County shall prepare a separate land quantity and capacity report for the unincorporated areas. The reports and analysis documentation shall be made available to the petitioners and the public on or before February 1, 1999.

4. A status hearing is set for February 5, 1999 at 9:00 a.m.

5. A final compliance hearing will be scheduled on a date to be subsequently determined.

SO ORDERED this 22<sup>nd</sup> day of January, 1999.

EASTERN WASHINGTON  
GROWTH MANAGEMENT HEARINGS

BOARD

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Dennis A. Dellwo, Presiding Officer

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Judy Wall, Board Member

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D. E. "Skip" Chilberg, Board Member