

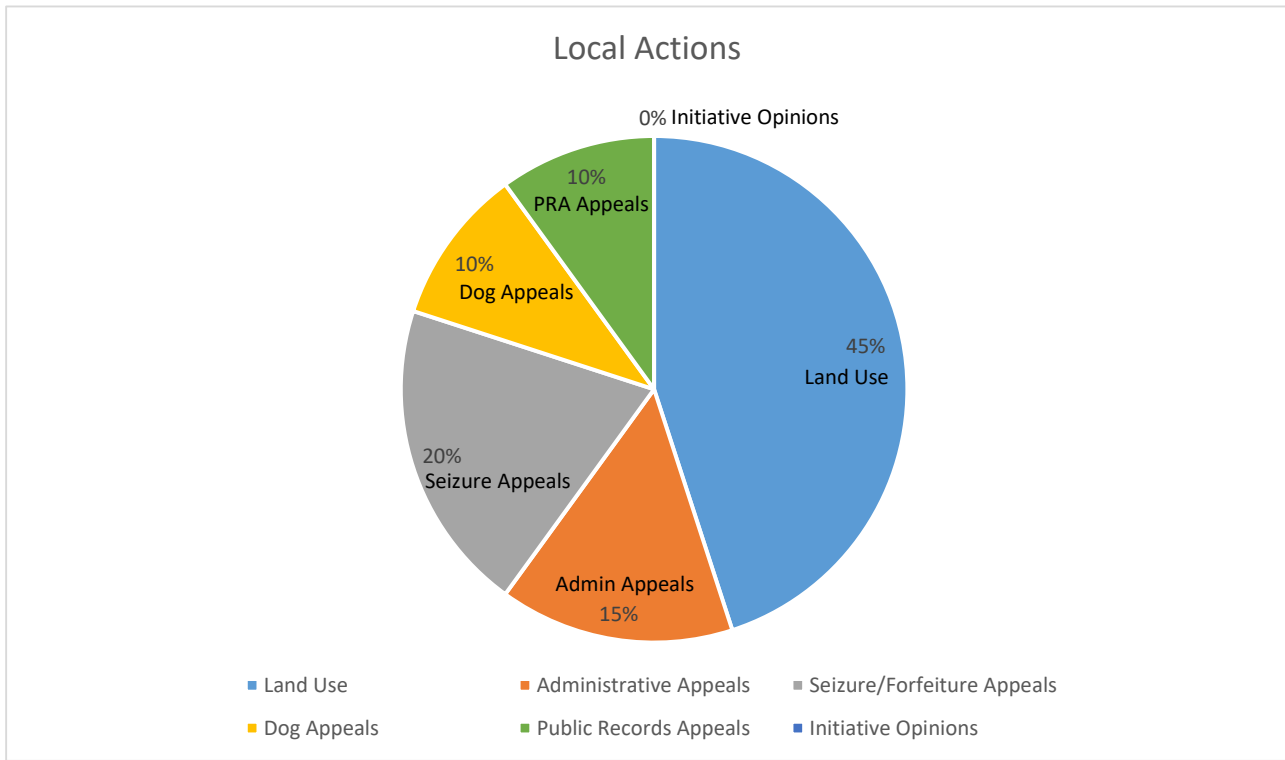
**City of Spokane**  
**Office of the Hearing Examiner**  
**2022 Annual Report**

Brian T. McGinn  
Hearing Examiner

# Summary

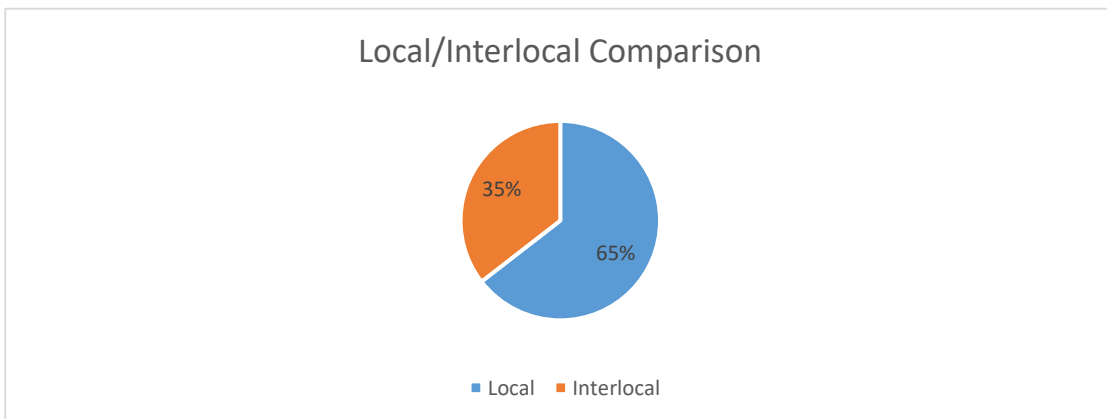
<b>Local Actions Requiring Hearings</b>	<b>18</b>
Land Use	9
Administrative Appeals	3
Seizure/Forfeiture Appeals	4
Dog Appeals	2

<b>Local Actions Not Requiring Hearings</b>	<b>2</b>
Public Records Appeals	2
Initiative Opinions	0
<b>Total Local Actions</b>	<b>20</b>



<b>Interlocal Hearings</b>	<b>11</b>
Airway Heights	2
Cheney	0
Chewelah	1
Liberty Lake	3
Medical Lake	0
Millwood	0
Newport	1
Sound Transit	0
Spokane Valley	2
Spokane County	2

<b>Total Local and Interlocal Actions</b>	<b>31</b>
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## Five-Year Trends

### Local Actions Requiring Hearings

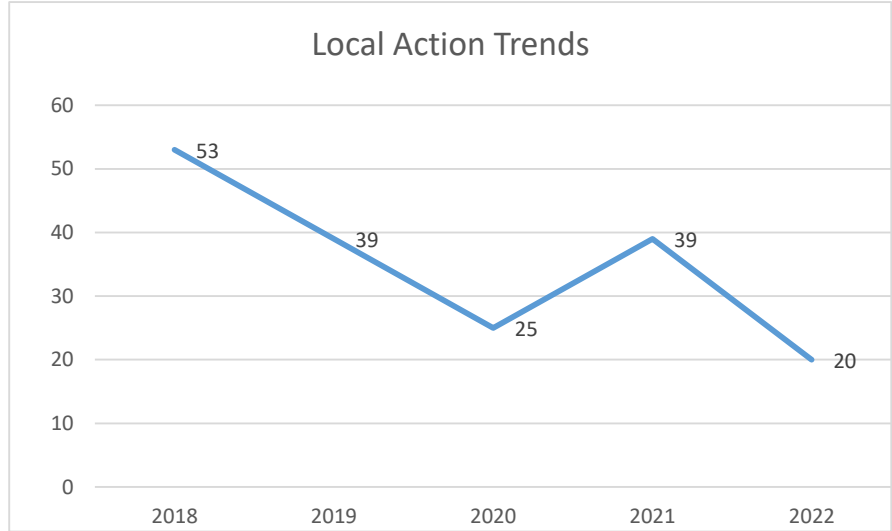
2018	49
2019	30
2020	23
2021	29
2022	18

### Local Actions Not Requiring Hearings

2018	4
2019	9
2020	2
2021	10
2022	2

### Total Local Actions by Year

2018	53
2019	39
2020	25
2021	39
2022	20

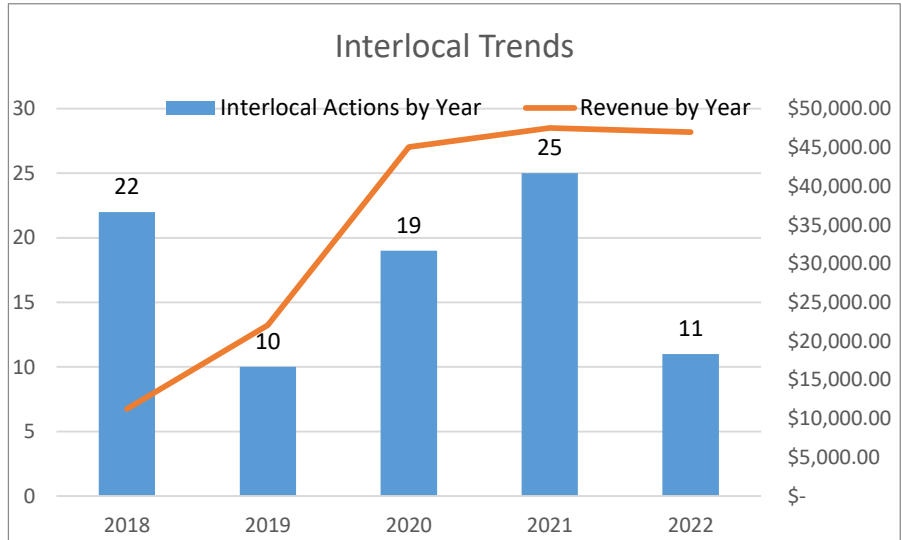


### Interlocal Actions by Year

2018	22
2019	10
2020	19
2021	25
2022	11

### Revenue by Year (based on invoicing)

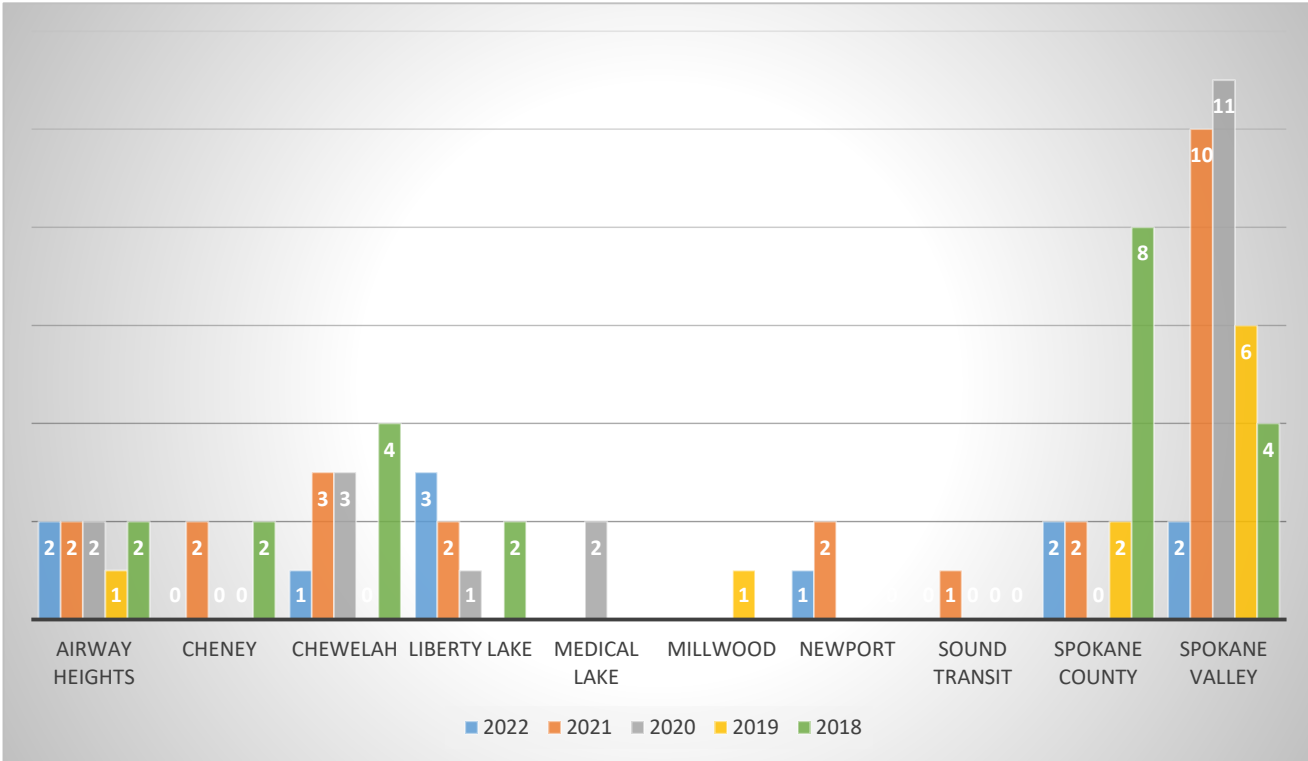
2018	\$ 11,236.95
2019	\$ 22,055.09
2020	\$ 45,043.09
2021	\$ 47,508.99
2022	\$ 46,972.60



## Five-Year Trends by Jurisdiction

	2022	2021	2020	2019	2018	TOTAL
Airway Heights	2	2	2	1	2	9
Cheney	0	2	0	0	2	4
Chewelah	1	3	3	0	4	11
Liberty Lake	3	2	1	0	2	8
Medical Lake	0	0	2	0	0	2
Millwood	0	0	0	1	0	1
Newport	1	2	0	0	0	3
Sound Transit	0	1	0	0	0	1
Spokane County	2	2	0	2	8	14
Spokane Valley	2	10	11	6	4	33
	11	24	19	10	22	<b>AVG:</b>

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### Currently Scheduled for 2023

Airway Heights	2	Millwood	0
Cheney	0	Newport	0
Chewelah	1	Sound Transit	0
Liberty Lake	1	Spokane Valley	1
Medical Lake	0	Spokane County	0

## City of Spokane Land Use

Hearing Date	File Number	Description	Decision
1/5/2022	Z210301CUP3	Conditional Use Permit Application by Excelsior Youth Center to expand Community Service use to abutting parcels in the RSF zone.	Approved with Conditions
2/3/2022	Z210318REZN	Rezone Application by Land Use Solutions and Entitlement to rezone properties located at Government Way and Sunset Boulevard from NR 35 to NR 55.	Approved with Conditions
3/30/2022	Z200185PPLT	Preliminary Plat Application by Whipple Consulting Engineers, Inc. to subdivide approximately 5.95 acres into 32 single-family lots on property located at 5840 S. Meadowlane Road.	Approved with Conditions
5/18/2022	Z220077CUP3	Conditional Use Permit Application by 509 Design LLC to convert an existing institutional building into an interior design office and small product showroom in a RSF zone.	Approved with Conditions by Hearing Examiner Pro Tem
6/29/2022	Z200184PPUD	Application for a Conditional Use Permit and Planned Unit Development to develop a 39.44 acre Manufactured Home Park and PUD residential community in the RSF zone to be known as Latah Glen.	Approved with <i>Revised</i> Conditions
7/6/2022	Z220084PPLT	Preliminary Plat Application by Syntier Engineering on behalf of Hayden Homes to subdivide approximately 17.79 acres into 78 single-family lots on property located at 2122, 2204, and 2222 West Strong Road to be known as Forest Grove.	Approved with <i>Revised</i> Conditions
7/13/2022	Z210223PPLT	Preliminary Plat Application by Spokane Townhomes LLC to subdivide approximately 14.25 acres into 56 single-family lots on property located at 2500 W. 17th Avenue in the RSF zone to be known as Crystal Ridge South.	Approved with Conditions
8/10/2022	Z220196SCUP	Application for Shoreline Conditional Use Permit by Whipple Consulting Engineers to develop a new 24-unit multi-family development within the Shoreline Jurisdiction.	Approved with Conditions
11/9/2022	Z220295SCUP	Application for Shoreline Conditional Use Permit by Spectrum Development Solutions to develop multi-family structures in the LI zone along N. Iron Bridge Way.	Approved with <i>Revised</i> Conditions

## City of Spokane Administrative Appeals

Hearing Date	File Number	Description	Decision
4/6/2022	P2105281TREE	Appeal by Neil O'Keefe of the City of Spokane Urban Forestry Department's decision to deny a permit for the removal of a tree located within the right-of-way abutting 403 E. 27th Street.	Settled
7/27/2022	P2203256TREE	Appeal by Naomi Franklin of the City of Spokane Urban Forestry Department's decision to deny a permit for the removal of a tree located with in the right-of-way abutting 1213 W. 20th Avenue.	Decision by Urban Forestry Upheld
10/26/2022	B2215194BOAP	Appeal by The Lamar Companies of the City of Spokane Planning Services Department's decision to deny a permit for a billboard relocation.	Decision by Planning Services Upheld

## City of Spokane Administrative Appeals/Reconsiderations on Redaction of Records

Decision Date	File Number	Description	Decision
1/28/2022	P003792-062921	Request by Maglio Christopher & Toale, PA and Law Office of H. Douglas Spruance III for Public Records Related to Raymond A. Mashtare.	Redactions Upheld
7/11/2022	C001183-112320	Brian R. Breen's Request for Public Records Related to Internal Affairs Investigation of Testimony of Officer Brooks in <i>United States v. Carlos Torres Medrano, Jr.</i>	Redactions Upheld

# City of Spokane Initiative Opinions

Opinion Date	Initiative Number	Description	Opinion
		None.	



## SCRAPS

<b>Hearing Date</b>	<b>File Number</b>	<b>Description</b>	<b>Decision</b>
5/25/2022	2021-0243	Appeal by James Foley of Potentially Dangerous Dog Determination.	SCRAPS decision upheld.
7/6/2022	2022-0175	Appeal by Darcee Kirby of Dangerous Dog Determination.	SCRAPS decision was upheld by default as the appellant failed to appear.

## Spokane Police Department Forfeiture Appeals

Hearing Date	File Number	Description	Decision
4/20/2022	19-012	Jody L. Barton submitted a claim on behalf of Mr. Joshua R. Blair, enclosing a Durable General Power of Attorney, in which Mr. Blair designated Ms. Barton as Attorney-in-Fact on his behalf. Ms. Barton asserted the right to ownership and possession of property and cash seized by the SPD from Mr. Blair under the USCA as being used to facilitate or the proceeds from trafficking in illicit drugs. Neither Ms. Barton nor Mr. Blair appeared for the hearing.	The seizure was upheld by default as the claimant failed to appear.
8/17/2022	22-019	Vitaliy Budimir asserted the right to ownership and possession of property seized by the SPD under RCW 10.105.010 as being used to facilitate the commission of a felony.	The seizure of property was upheld and the property was ordered forfeited.
9/28/2022	22-020	Ignacio Cobos asserted the right to ownership and possession of property seized by the SPD under the USCA as being used to facilitate or the proceeds from trafficking in illicit drugs.	The seizure of the cash was upheld ordered forfeited. The claim of the cell phone was granted and ordered returned to claimant.
10/5/2022	22-018	Michael Summa asserted the right to ownership and possession of property seized by the SPD under USCA as being used to facilitate or the proceeds from trafficking in illicit drugs.	The appeal was granted and the property was ordered released to the claimant.

## Other Jurisdictions

Hearing Date	File Number	Jurisdiction	Description	Decision
No Hearing	No Number	Liberty Lake	Code of Ethics complaint by citizen against Councilmember.	No Probable Cause
2/23/2021	PE-2094-21	Spokane County	Preliminary Plat of Dishman Estates at the Alteneder Ranch to divide 20.64 acres into 21 lots for single-family residences in the Low Density Residential zone.	Approved with Conditions
3/2/2022	CUW-06-21	Spokane County	Conditional Use Permit for an Outdoor Self-Service Storage Facility on 3.5 acres in the Rural Activity Center zone.	Approved with <i>Revised</i> Conditions
3/24/2022	CUP-2021-0002	Spokane Valley	Conditional Use Permit to operate a medical detoxification facility serving up to 40 patients at 204 N. Evergreen Road in the Corridor Mixed Use zone.	Approved with <i>Revised</i> Conditions
5/10/2022	2021-H16	Newport	Conditional Use Permit Application to install 21 new full-service RV pads within the City-owned Cowboy Campground and Rodeo Grounds to replace existing dry RV parking and camping areas.	Approved with <i>Revised</i> Conditions
6/23/2022	APP-2022-0002	Spokane Valley	Appeal of Administrative Decision on SHP-2022-0001, Marilyn Miller, et al., appellant v. City of Spokane Valley, respondent.	Remanded back to the City / After Remand, Decision of City Reversed
8/30/2022	LUA 2022-0008	Airway Heights	Kidsmile Signage Variance to place a second wall sign at the single business location located at 10219 W. Sunset Highway in the C-2 Highway Corridor zone.	Variance Application Denied
9/13/2022	BSP2022-0004	Liberty Lake	Appeal of LUA2022-0004 MDNS and BSP2022-0004 Decision by City of Spokane Valley	SEPA appeal sustained. Appeal of BSP denied. Motion to dismiss appeal denied.
10/4/2022	SPR-05-2022	Chewelah	Site Plan, Critical Area, and SEPA Review Application by Brennen Green for development of two duplexes within the buffer of a Category II wetland located in the R-1B zone.	Approved with Conditions

## Other Jurisdictions

Hearing Date	File Number	Jurisdiction	Description	Decision
10/11/2022	BLD2022-0815	Liberty Lake	Conditional Use Permit by Consolidated Irrigation District No. 19 to construct a 2-million-gallon concrete drinking water storage tank at 20761 E. Valley Vista Drive in the single family residential zone.	Approved with Conditions
12/13/2022	LUA2022-0016	Airway Heights	Conditional Use Permit request for a storage facility with 300 storage units on 100,000 square feet of land located within the C-2, Highway Corridor Zone.	Approved with Conditions