

Appendix E

Benton County-wide Planning Policies

ORDINANCE NO. 581

AN ORDINANCE relating to county planning; adopting updated Benton County Countywide Planning Policies.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

Section 1. The following new section is hereby made part of Title 16 of the Benton County Code but will not be codified.

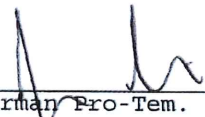
COUNTYWIDE PLANNING POLICIES. The attached Countywide Planning Policies are hereby adopted pursuant to RCW 36.70A.210 as the countywide planning policies for Benton County and the cities therein.


Section 2. Severability. If any provision of this ordinance is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the ordinance and the applicability thereof to other persons and circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall take effect and be in full force upon its passage and adoption.

ADOPTED AND PASSED this 7 day of Feb 2017.


Chairman of the Board.


Chairman Pro-Tem.


Member.

Approved as to Form:

Constituting the Board of
County Commissioners of
Benton County, Washington

Deputy Prosecuting Attorney

Attest: 
Clerk of the Board

Exhibit A

INTRODUCTION AND OVERVIEW:

The Washington State Growth Management Act (GMA) requires that cities and counties adopt comprehensive plans. The GMA further requires that counties adopt Countywide Planning Policies (CWPPs), in cooperation with the cities located in whole or in part within the county. CWPP establish a countywide framework for developing and adopting county and city comprehensive plans. The role of the CWPP is to coordinate comprehensive plans of jurisdictions in the same county for regional issues or issues affecting common borders (RCW 36.70A.100). Under state law, RCW 36.70A.210(1) describes the relationship between comprehensive plans and CWPPs. It says that:

a 'countywide planning policy' is a written policy statement or statements used solely for establishing a countywide framework from which county and city comprehensive plans are developed and adopted pursuant to this chapter. This framework shall ensure that city and county comprehensive plans are consistent as required in RCW 36.70A.100. Nothing in this section shall be construed to alter the land use powers of the cities.

In order to achieve the objectives above, and to ensure that regional planning efforts and governmental actions are consistent with current legal requirements and information, substantial revisions to the Benton County CWPPs have been proposed. The development of these revisions was a collaborative process between the County and the cities.

HISTORY:

In 1991, one year after the Washington State Legislature enacted the Growth Management Act (GMA), the GMA was amended to require that Countywide Planning Policies (CWPPs) be adopted within those counties subject to the GMA. The first Benton County Countywide Planning Policies were adopted on September 28, 1992.

AMENDMENTS AND ADOPTION:

In the years since the last CWPPs were adopted in Benton County, the GMA has evolved through amendments and judicial interpretations provided by the GMA and the courts. The revised CWPPs attempt to provide procedures for County and city/town coordination to address these issues.

The GMA does not specifically address amendments to the CWPPs; however, it has become apparent that the Benton County CWPPs should be updated in order to better address countywide planning concerns and coordination between jurisdictions in the County. A public hearing was held by the Benton County Planning Commission on April 12, 2016.

Benton County is the lead agency for this proposal and has determined that it does not have a significant adverse impact on the environment and a Determination of Non Significance was issued on February 10, 2016

In order to comply with GMA requirements and the adoption/amendment procedures identified below, all jurisdictions in Benton County must agree to the adoption of the revised CWPPs. This process will involve the planning departments, planning commissions, and elected representatives of each jurisdiction. In order to facilitate this process, Benton County, in consultation with the cities, has developed the following adoption/ratification process for the draft CWPPs:

1. Benton County Planning Commission recommendation on proposed CWPPs.
2. The Benton County Board of Commissioners (BOCC) adopts a resolution agreeing in principle to the proposed CWPPs, but acknowledging that changes may need to be made based on input from each jurisdiction. The BOCC's resolution will contain a statement requiring that each jurisdiction ratify the CWPPs adopted by Benton County and will lay out a schedule for future approval steps.
3. CWPPs approved by Benton County BOCC reviewed by each jurisdiction's Planning Commission.
4. The elected body of each jurisdiction passes a resolution which states that the jurisdiction either: (a) supports the CWPPs in their entirety, (b) rejects the CWPPs in their entirety, or (c) supports the CWPPs with specific changes.
5. If specific changes are identified by a jurisdiction in step four, the Benton County Planning Department and Planning Commission may amend the CWPPs and attempt to reconcile and conflicting changes.
6. The Benton County BOCC adopts, by ordinance, the final CWPPs.

SECTION 1. Countywide planning policy is a written policy statement or statements used solely for establishing a countywide framework from which County and City comprehensive plans are developed and adopted. This framework will ensure that City and County comprehensive plans are consistent with statewide planning policies and as required by the Growth Management Act.

SECTION 2. POLICIES TO IMPLEMENT RCW 36.70A.110;

Policy #1: The Comprehensive Plans of Benton County and each of the cities therein shall be prepared and adopted with the objective to facilitate economic prosperity by accommodating growth consistent with the following:

1. Urban Growth. Encourage development in urban areas where adequate public facilities exist or can be provided in a cost efficient manner.
2. Reduce the inappropriate conversion of undeveloped land into low density development lacking adequate services, injurious to ground and surface water quality, destructive to the area's agricultural lands base and less than cost effective relative to public service costs.

3. Transportation. Encourage efficient multi-modal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.
4. Property rights. Private property rights shall not be taken for public use without just compensation having been made. The property rights of land owners shall be protected from arbitrary and discriminatory actions.
5. Permits. Maintain a permit review process that provides for integrated and consolidated review.
6. Natural resource industries. Maintain and encourage natural resource-based industries, including agricultural, fisheries and mineral industries.
7. Open space and recreation. Encourage the retention of open space and the development of recreational opportunities, conserve fish and wildlife habitat, and increase access to natural resource lands and water.
8. Environment. Protect the environment and enhance the region's high quality of life, including air and water quality and the availability of water.
9. Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.
10. Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards. With the exception of water, sewer, and local access streets, which shall be available at the time of occupancy, the term "adequate" shall be defined as either available at the time of occupancy, or shown on the current Capital Improvement Plan (CIP), as a funded project within six years.
11. Historic preservation. Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.

SECTION 3. POLICIES FOR PROMOTION OF CONTIGUOUS AND ORDERLY DEVELOPMENT AND THE PROVISION OF URBAN SERVICES TO SUCH DEVELOPMENT;

Policy #2: The County shall allocate future projected populations through the use of the latest population projections published by the Washington State Office of Financial Management (OFM). Allocation of future populations shall be based on the following distribution: City of Kennewick 40% of total county population; City of Richland 28% of total county population; Benton County 19% of total county population; City of West Richland 8% of total county population; City of Prosser 3% of total county population and City of Benton City 2% of total county population. The County, in consultation with the Cities, will review the OFM population projection ranges (Low, Medium and High) and allocation percentages whenever OFM publishes new GMA population projections.

Policy #3: The locating of Urban Growth Areas within the County shall be accomplished through the use of accepted planning practices which provide sufficient land and service capacity, up to the determined need, to meet projected populations at urban densities and service standards within the Cities, and urban densities for those portions of the County located within the urban growth areas.

Policy #4: That Urban Growth Areas of each City shall be based upon official and accepted population projections for minimum of 20 years. The gross undeveloped and underdeveloped acreage within the city limits and the Urban Growth Area shall be sufficient to meet all the land requirements, for the following: community and essential public facilities, population projection, commercial and industrial activities, employment projections, infill and to prevent inflation of land cost due to a limited land supply.

- a. The jurisdictions within the county shall use a uniform formula for identifying the land area necessary per capita for each community. Each jurisdiction's population projection shall be multiplied by its gross per capita land area requirement, which in the aggregate will define total land needs within the Urban Growth Area (UGA).

The uniform formula is as follows:

$A + B + C + D + E + F + G + H + I + J + K = \text{acreage/per capita}$ (or acreage per dwelling unit if per capita is divided by average household size) where:

- A = residential land per capita; (or DU)
- B = parks and recreational area per capita;
- C = area required for public facilities (fire stations, jails, etc.) per capita;
- D = area required for schools per capita;
- E = commercial area per capita, or per employee;
- F = industrial/manufacturing area per capita;
- G = open space (golf courses, etc.) per capita;
- H = public service lands required for transportation network, easements and R.O.W.s per DU;
- I* = use 70% build-out for all residential lands;
- J = add 25% to the total of A Through I for land supply/demand balance;
- K = land credit for undevelopable lands i.e. Critical Areas including steep slopes, wetlands, habitat, etc. within the UGA.

* The same factor should be used for all jurisdictions.

Policy #5 : That within the urban growth area, urban uses shall be concentrated in and adjacent to existing urban services or where they are shown on a Capital Improvement Plan to be available within 6 years.

Policy #6: That cities limit the extension of service district boundaries and water and sewer infrastructure to areas within each jurisdiction's urban growth area contained in their adopted Comprehensive Plan. Utility plans should attempt to reflect possible needs for 50 years.

Policy #7: Within each Comprehensive Plan, the Land Use Plan for urban growth areas shall designate urban densities and indicate the general locations of greenbelt and critical areas.

Policy #8: Wherever possible, given consideration of all other variables, such as existing unused service infrastructure, the placement of an urban growth line into an area of existing commercial agriculture shall be avoided.

Policy #9: The appropriate directions for the expansion of urban growth areas are those which are unincorporated lands with existing service infrastructure and lands adjacent to corporate limits.

Policy #10: All policies within each jurisdiction's Comprehensive Plans shall be modified to be consistent with adopted Countywide Policies.

SECTION 4. POLICIES FOR SITING PUBLIC FACILITIES OF A COUNTYWIDE OR STATEWIDE NATURE;

Policy #11: The County and Cities, along with public participation shall develop a cooperative regional process to site essential public facilities of regional and statewide importance. The objective of the process shall be to ensure that such facilities are located so as to protect environmental quality, optimize access and usefulness to all jurisdictions, and equitably distribute economic benefits/burdens throughout the region or county.

At the Countywide and multi-county level, the following action should be accomplished:

- a. Develop a uniform siting procedure which enables selection of optimum project sites and appropriate size and scale relative to intended benefit area.

Policy #12: Support the existing solid waste program that promotes and maintains a high level of public health and safety, protects the natural and human environment of Benton County and encourages public involvement by securing representation of the public in the planning process.

Policy #13: Encourage and expand coordination and communication among all jurisdictions and solid waste agencies/firms in Benton and Franklin Counties in order to develop consistent and cost-effective programs that avoid duplication of effort and gaps in program activities.

- a. Utilize the existing Benton-Franklin Solid Waste Advisory Committee.

SECTION 5. POLICIES FOR COUNTYWIDE TRANSPORTATION FACILITIES AND STRATEGIES;

Policy #14: Maintain active County-City participation in the Regional Transportation Planning Organization in order to facilitate City, County, and State coordination in planning regional transportation facilities and infrastructure improvements to serve essential public facilities including Port District facilities and properties.

SECTION 6. POLICIES THAT CONSIDER THE NEED FOR AFFORDABLE HOUSING, SUCH AS HOUSING FOR ALL ECONOMIC SEGMENTS OF THE POPULATION AND PARAMETERS FOR ITS DISTRIBUTION;

Policy #15: The County and Cities within shall work together to provide housing for all economic segments of the population. All jurisdictions shall seek to create the conditions necessary for the construction of affordable housing, at the appropriate densities within the cities and County. The following actions should be accomplished:

- a. Jointly quantify and project total Countywide housing needs by income level and housing type (i.e. rental, ownership, senior, farm worker housing, group housing.)
- b. Establish a mechanism whereby the housing efforts/programs of each jurisdiction address the projected Countywide need.
- c. Address the affordable housing needs of very low, low, and moderate income households, and special needs individuals through the Comprehensive Housing Affordability Strategy (CHAS).
- d. Develop design standards for implementation within the Comprehensive Plan with special attention to be given to the residential needs of low to moderate income families.

SECTION 7. POLICIES FOR JOINT COUNTY AND CITY PLANNING WITHIN URBAN GROWTH AREAS;

Policy #16: Urban growth areas may include territory located outside of a city if such territory may be characterized by urban growth or is adjacent to territory already characterized by urban growth. Within urban growth areas, only urban development may occur. For the purposes of locating urban growth areas, and permitting new development within them, "Urban" is defined as:

- a. Having dedicated and improved (surfaced) streets, with dimension, design and construction standards for new development determined by "joint city/county standards" and;
- b. For new development, road, street and intersection right-of-way widths located and sized to accommodate projected local and regional average daily traffic (ADT) as determined by each jurisdictions Land Use Plan Transportation Element and, where relevant, projections of the Benton Franklin Council of Governments.

Policy #17: To encourage logical expansions of corporate boundaries into urban growth areas, and to enable the most cost efficient expenditure of public funds for the provision of urban services into newly annexed areas. The County and each City shall jointly develop and implement development, land division and building standards, and coordinated permit procedures for the review and permitting of new subdivisions within Urban Growth Areas.

- a. Joint development standards shall be adopted by all jurisdictions. Standards may vary between the County and various incorporated jurisdictions.

SECTION 8. POLICIES FOR COUNTYWIDE ECONOMIC DEVELOPMENT AND EMPLOYMENT;

Policy #18: Consistent with the protection of public health, safety, welfare, and the use of natural resources on a long-term sustainable basis, the ability of service capacity to accommodate demands, and the expressed desires of each community, Comprehensive Plans shall jointly and individually support the County and region's economic prosperity in order to promote employment and economic opportunity for all citizens.

Policy #19: The County and Cities have historically partnered with each other as well as with other organizations to achieve economic development throughout the region. It is the intention of the County and Cities to continue to actively pursue mutually beneficial partnerships that promote growth in all sectors of business and industry, including but not limited to: areas of agriculture, agri-business, industrial, commercial, public schools, recreation and tourism. Key strategies will include promoting family wage jobs, increasing income and reducing poverty, increase business formation, expansion and retention, and creating jobs and financial investment to improve the economics of our communities.

- a. An economic development element should be integrated into the comprehensive plan of each jurisdiction. The economic development element should establish goals and policies for each jurisdiction; actively promote employment opportunities for family-wage jobs; support the retention and expansion of businesses and industry in Benton County; support development of public schools; encourage the development of tourist-related businesses, including those that capitalize on area agricultural and other resources.
- b. Comprehensive Plans should foster and promote a natural environment that will contribute to economic growth and prosperity, and a business environment that offers diverse economic opportunities for businesses of all types and sizes in the region.
- c. The County and Cities should encourage public and private agency cooperation and participation in the comprehensive planning process. These agencies should cooperatively evaluate trends and opportunities to identify strategies meeting long-term economic needs for the County region.
- d. The County and Cities agree that Benton County may establish economic development strategies and implementation criteria for siting major industrial and resource based development within rural areas of the County in accordance with RCW 36.70A.365.
- e. The provision of utilities and other supporting urban governmental services to commercial and industrial areas should be coordinated and assigned a high priority by utility purveyors and service providers.
- f. A Countywide land use inventory should be established to monitor commercial and industrial land supply.

- g. Support the development of public schools in areas where present or can be extended, is financially supportable at urban densities, where the extension of public infrastructure will protect health and safety, as per WAC 365-196-425(3)(b).

SECTION 9. AN ANALYSIS OF THE FISCAL IMPACT.

Policy #20: Capital Improvement Plans and Land Use Plans, shall conduct fiscal analyses which identify and refine the most cost effective use of regional and local public services. This should be accomplished through actions including the following:

- a. City's six year CIPs for streets, water, and sewer should show infrastructure sized to accommodate build-out of service areas within the 20 year urban growth area, at a minimum.
- b. Construction design and placement standards for roads, intersections and streets (with provisions for storm water conveyance), sewer, water and lighting infrastructure, should be determined based upon an analysis which identifies the lowest public expenditure over extended periods of time. Utilities should be incorporated into such analyses.
- c. Build out scenarios should be factored into school, fire and police service demand projections.

Policy #21: Support the development of public schools in areas where utilities are present or can be extended, is financially supportable at urban densities, where the extension of public infrastructure will protect health and safety, and the school locations are consistent with the analysis recommended by WAC 365-196-425(3)(b).

SECTION 10. AMENDING POLICIES.

Policy #22: The Growth Management Act requires counties planning under the Act to adopt a countywide planning policy in cooperation with the cities located in the county. The countywide planning policy is to be a written policy statement or statements used solely for establishing a countywide framework from which county and city comprehensive plans are developed and adopted pursuant to this [GMA] chapter." The purpose for the Benton County Wide Planning Policies is to meet this requirement of the Act. This document is a tool that will provide the necessary guidance to achieve consistency during the updating of comprehensive plans for the county and the cities/towns.

The County Commissioners will review the policies and cause a final proposal to be transmitted to the cities for ratification and ultimately back to the Board of Commissioners for final action. The County Wide Planning Policies will be considered adopted when ratified by the cities and approved by the Board of Commissioners. Cities agree to take action within 45 days of the transmittal of the proposal and to submit resolutions of ratification to the county to document the action taken by the city.

The Board of Commissioners agrees to adopt the ratified policies without modification upon receipt of notice that at least three cities have acted affirmatively. The Commissioners will convene to consider possible modifications to these policies if ratification is not accomplished.

Future amendments to the County Wide Planning Policies may be considered when proposed by the County or a City.

SECTION 11. LOCATE URBAN GROWTH AREAS

Population Projections

1. Review and comment on preliminary OFM population projections due in Dec. 91.
2. Legislative bodies of each jurisdiction to review OFM population projections.
3. Update the existing land use inventory to reflect current conditions (use county GIS to provide county-wide land use inventory).
4. GMC derives formula for allocation of OFM population projections -sends formula to individual jurisdictions via the BCPPC.
 - BCPPC sends to indiv.jurisdictions legislative bodies for review
 - BOCC takes action on pop.allocation

Land Use Element Map

1. Identify accepted uniform planning criteria used for locating Urban Growth Areas:
 - natural physical barriers and roads
 - existing service capacity (supply/deficit)
 - projected service capacity (new supply)
 - planning objectives (GMA req.) and;
2. Uniform criteria for insuring adequate land supply within Urban Growth Areas:
 - enable growth without creating excess demand for services, congestion etc.,
 - discourage sprawl without grossly inflating land costs;
3. Identify uniform, established candidates for the supply of developable land within the Urban Growth areas:
 - vacant, underutilized, partially utilized
4. Identify uniform, established candidates for lands to be excluded from development, such as lands:
 - needed for R.O.W.
 - hazardous, critical, open space etc.,
 - too costly to provide services
 - to be zoned agricultural with Transfers of Density Rights (TDRs)
5. Map existing public, private and semi-public service district boundaries and;

6. Inventory all existing capital facilities for public, private and semi-public service providers, and transportation network, identify existing capacity:

Water	sewer
fire	police
schools	ports
parks	libraries
hospital	communications

7. Confer with BFRC to establish current level transportation data re: inventory

-each jurisdiction to build on BFRC transportation data; define local street conditions, capacities, programmed and needed improvements.

8. Inventory housing stock - identify existing supply/demand ratio by housing.

9. Using Population Projections per jurisdiction, accomplish the following:

-project housing mix/type and occupancy rates;
-identify projected gross demands for services identified in item #5, above;
- equate existing services infrastructure capabilities and C.I. P.s with gross demands;
-identify new C.I.s, (supplies of water, sewer, school, rec. fac. etc.,) necessary to meet gross demands;
-survey options to meet gross service with cost effectiveness on essential services (i.e., water and sewer, road maintenance as a priority) and; type, identify present need (use Census);
-with the cost effectiveness of meeting other services demands as a consideration.

10. Contact each utility purveyor. Solicit participation on LUE advisory committees on relevant issues.

11. Inventory facilities/capacities of existing utility services, identify current plans for new facilities and capacities including but not limited to electric, telecommunications, natural gas. Rely on BFRC data.

12. lands such as: utility and transportation corridors, landfills, sewage treatment facilities, recreation, schools etc.,

-integrate existing information from comp. plans, needs assessments, pop. projections, into one joint list of needed public lands;
-county must work with state and cities to identify areas of shared need and shall prepare a prioritized list with estimated acquisition dates;
-capital acquisition budget for each jurisdiction with jointly agreed upon priorities and schedule. *

13. Identify Open Space Corridors within and between Urban Growth Areas, including:

-lands used or designated as recreational, wildlife habitat, trails, and "critical areas" as defined in sec .3

-optional: develop a mechanism to purchase fee simple or lesser interests in these open spaces using funds authorized by RCW 84.34.230 *

-develop an acquisitions list for those lands with critical resources imposing extreme constraints on development *

14. Draft a procedure, including siting criteria, for locating/approving essential public facilities.

-review list of essential facilities provided by OFM with the objective to identify those suitable for location in urban vs rural areas.

15. Consistent with the revised Policies in the Comp. Plan Texts, integrate population projections, land use and capital facilities inventory data, lands necessary for new capital facilities, and total land requirements to support population projections densities, open space and critical/natural areas (set asides) into new 20 year Urban Growth Areas.

16. Review of Urban Growth Areas by each jurisdiction's legislative body.

17. BOCC adopts Urban Growth Areas, then;

SECTION 12. PREPARE DRAFT LAND USE MAP

Map Designations

1. Prepare Draft Land Use Map with general distribution, location and extent of land uses, and:

-Urban Growth Areas and Rural Lands;

-Open Space;

-Public Facilities and lands;

-population densities;

-building intensities;

-est. future pop. densities (multiply av. bldg. densities X pers/household:

* not necessary for locating urban growth boundaries