

**RECOMMENDATION OF THE
BENTON COUNTY PLANNING COMMISSION**

RE: In the Matter of County Planning: relating to the Comprehensive Plan Amendment to clarify Benton County Land Use Designations including text edits and maps showing each of the five Urban Growth Areas in Benton County and correction of mapping errors to five parcels.

File No. CPA 2022-004
RECOMMENDATION, FINDINGS OF FACT AND
CONCLUSIONS

RECOMMENDATION

CPA 2022-004; A Comprehensive Plan Amendment to clarify and amend the text and Map Folio of the Benton County Comprehensive Plan regarding Urban Land Use Designations and correct mapping errors to five parcels is hereby recommended to be **APPROVED WITH CONDITIONS**. This action is based upon the following findings pursuant to RCW 58.17.110.

RESOLUTION

WHEREAS, the legal notification pursuant to RCW 36.70A.130 was given on February 23, 2022 in the Prosser Record Bulletin; and,

WHEREAS, the open record public hearing was held on March 8, 2022 at 6:00 p.m., in the Planning Hearing Room, First Floor, Courthouse, 620 Market St., Prosser, WA 99350; and,

WHEREAS, the Planning Commission was available to receive public testimony, exhibits, and answer questions in the public portion of the hearing with the public being able to attend and comment through video and telephonic access to the meeting. The meeting was also broadcast through streaming video to allow the public to view the meeting; and,

WHEREAS, the following members attended the meeting Martin Sheeran, Brian Skeels, Marjorie Kaspar, Lorna Zaback, and Lloyd Coughlin; and,

WHEREAS, all those who testified and those public hearing exhibits that were received into evidence are identified in the minutes for the hearing on March 8, 2022; and,

WHEREAS, the Planning Commission considered all testimony and, after questions to those giving testimony, closed the public hearing; and,

WHEREAS, the Planning Commission at the open record public hearing considered the evidence submitted and voted to recommend approval with the findings of fact as outlined in the staff memo dated November 4, 2021; and,

WHEREAS, the Planning Commission is entering its written findings, conclusions and recommendations concerning this matter, and is forwarding the same to the Board of County Commissioners.

FINDINGS OF FACT

1. Comprehensive Plan Amendment application 2022-004 proposes text amendments and the addition of Map Folios to Appendix A to delineate the five (5) designated and approved Urban

Growth Areas associated with each of the five individual cities in Benton County. The amended sections focus on the language associated with these Urban Growth Areas and includes:

- A. Land Use Element, 3.3.1 – Urban Land Use Designation.
 - B. Appendix A – Map Folio (prepared by Benton County GIS).
2. The intent of Comprehensive Plan Amendment application CPA 2022-004 is to amend text and add maps to the Map Folio of the Benton County Comprehensive Plan regarding Urban Growth Areas. The amendment adds language to Section 3.3.1.1, Urban Land Use Designation, clarifying that Benton County has five designated and approved Urban Growth Areas. The amendment further adds a map for each city's existing Urban Growth Area to Appendix A – Map Folio.
3. Comprehensive Plan Amendment application (CPA 2022-004) proposes to correct a mapping error on the County's Land Use Map, Appendix A, Figure 5 – 2017 Periodic Land Use Designation Map. Four (4) parcels were inadvertently omitted from the Benton City Urban Growth Area during the 2017 update to the Comprehensive Plan. Historically, these four (4) parcels have been included in Benton City's Urban Growth Area. During the 2018 update, these parcels were inadvertently omitted from the Benton City Urban Growth, with the adopted map showing the parcels outside of the designated Urban Growth Area. This proposal seeks to rectify this error and include the four (4) parcels in Benton City's Urban Growth Area. To ensure consistency between the Benton County Comprehensive Plan and Benton County Zoning, the four (4) parcels currently zoned Rural Lands Five Acres District (RL-5) will require a zoning change to Urban Growth Area Residential District. Three (3) of the parcels are located in Section 12, Township 9 North, Range 26 East, just west of La Buena Vida Estates with the fourth (4) parcel located in Section 20, Township 9 North, Range 27 East, South of the Yakima River and East of 1st Street.
- A. Three of the parcels proposed for correction are unimproved vacant parcels, located west of La Buena Vida Estates and Benton City limits. The fourth parcel is addressed at 10806 E Kennedy Rd, Benton City, WA 99320. This parcel is located south of the Yakima River east of 1st Street.
 - B. Parcel Numbers: 1-1296-300-0017-001, 1-1296-300-0003-001, 1-1296-300-0004-001, and 1-2097-200-0007-000.
 - C. The four parcels collectively comprise approximately 11.15 acres.
 - D. To ensure consistency between the Benton County Comprehensive Plan and Benton County Zoning, the four (4) parcels currently zoned Rural Lands Five Acres District (RL-5) will require a zoning change to Urban Growth Area Residential District.
 - E. Correcting the mapping error will clarify Benton City's established Urban Growth Area. The parcels have an Urban Land Use Designation which is consistent with parcels within the Urban Growth Area. This correction restores consistency between the Urban Land Use Designation, Benton City's Urban Growth Area, and the Comprehensive Plan(s).
4. Comprehensive Plan Amendment application (CPA 2022-004) proposes to correct a mapping error on the County's Land Use Map, Appendix A, Figure 5 – 2017 Periodic Land Use Designation Map. Parcel (105803020029000) is located in Finely, just east of Kennewick in Kennewick's Urban Growth Boundary. The parcel was inadvertently assigned both the Rural Remote and Urban Land Use Designations (split designation). This proposal seeks to rectify this error by

assigning the Urban Land Use Designation to the entire parcel.

- A. The subject parcel proposed for correction is addressed at 195501 E 7th Ave, Kennewick, WA 99337.
- B. Parcel Number: 1-0580-302-0029-000.
- C. The parcel is 6.59 acres.
- D. Amending the Land Use Designation to Urban will provide consistency between the Comprehensive Plan's Urban Land Use Designation and the parcel's location within Kennewick's Urban Growth Area. The property is zoned Urban Growth Residential District by Benton County which is consistent with the Comprehensive Plan's Urban Land Use Designation.
- E. Notice of the Comprehensive Plan's amendment to the Urban Land Use Designation for the entire parcel was mailed to the property owner of record on February 10, 2022.

5. Public notice and application requirements have been completed for the Comprehensive Plan Amendment request as follows:

- A. Legal notification for the 2022 Comprehensive Plan Amendment Docket was published in the Prosser Record Bulletin on January 12, 2022.
- B. The application for CPA 2022-004 was submitted to the Benton County Planning Division November 29, 2021.
- C. An Environmental Checklist (EA 2021-033) was submitted on November 29, 2021, and a Determination of Non-Significance was issued on January 27, 2022, with a 14-day comment period.
- D. The application was declared complete for processing on December 2, 2021.
- E. The application documents were distributed to reviewing agencies on January 27, 2022.
- F. The application documents were provided to the Washington State Department of Commerce, through the online submittal system, on January 28, 2022, initiating the 60-day review period. (*WA Dept. of Commerce: Submittal ID: 2022-S-3639*)
- G. Legal notification for the Planning Commission public hearing was published February 23, 2022.
- H. The Planning Commission public hearing is scheduled for March 8, 2022.

6. The application submittal, eligibility, public notice, and procedural steps for CPA 2022-004 is consistent with *Benton County Code (BCC) Chapter 16.14 – Amendments to the Benton County Comprehensive Plan*.

7. The application for CPA 2022-004 is consistent with the *Benton County Comprehensive Plan, 1.7 Amendments to this Comprehensive Plan*.

8. The application for CPA 2022-004 is consistent with the goals and policies of the Benton County Comprehensive Plan.

A. Section 2.1 Planning Process

- i. PP Goal 1: Develop a Comprehensive Plan that reflects the community's vision and objectives, is consistent with the State's planning laws, and is implemented through various local development regulations.
 - a. Policy 4: Coordinate the County's plans and programs with those at local, regional, and state levels.

B. Section 2.2 Land Use

- i. LU Goal 1: Ensure that land uses are compatible with surrounding uses that maintain public health, safety, and general welfare.
 - a. Policy 1: Maintain mix of land uses that supports the character of each rural community.
 - b. Policy 2: Promote compatible mixed uses of urban intensity that are appropriate in the UGAs where community sewer and water are available or provided, and outside of UGAs within designated Rural Community Center areas and Commercial zones, and Planned Developments (PDs).

C. Section 2.2.1 Urban Growth

- i. LU Goal 3: Concentrate urban development in and adjacent to existing urban areas.
 - a. Policy 1: Promote urban growth within the UGA and incorporated areas where urban services are available.
 - b. Policy 2: Encourage well-designed, compact development in UGAs to save taxpayers and ratepayers money, conserve water, reduce water pollution, and support transit use.
- ii. LU Goal 4: Establish UGAs adjacent to incorporated areas, within which an orderly and cost-effective transition from rural to urban land uses and authority can be coordinated within the next 10 to 20 years.
 - a. Policy 3: Designate zoning and promote development on unincorporated lands within the UGAs consistent with the cities' Comprehensive Plan land use designations.

9. The application for CPA 2022-004 is consistent with the *Benton County Comprehensive Plan, 3 Land Use Element*:

A. Section 3.2.1 Land Use Pattern and Compatibility

Benton County's land use can be described in broad categories: urban, rural, agricultural, industrial, public, and open space. Agriculture is the predominate land use in Benton County. Much of the urban land is concentrated in the eastern portion of the county which comprises the Tri-Cities area – Kennewick, Richland, and West Richland – with Benton City and Prosser composing the urban land in central and western Benton County. The rural residential lands are mostly along the Interstate-82 corridor and in the urban fringes with some located in the

Patterson and Plymouth areas. Industrial lands are minimal in the unincorporated County, located nearby Finley and Prosser. Other industrial lands are mostly located within the Hanford area or within the UGAs. Public and open space lands located throughout the County.

Compatibility is based on the intensity of land uses. Generally speaking, the most intense use is industrial due its operational impacts (e.g., noise, light, dust), supporting facility needs, and overall land impact. Natural areas are considered the least intense as there are no developments or improvements on such areas. Therefore, a low-density residential area next to a heavy industrial land use would be considered incompatible because of the negative impacts industrial uses may have on the residential areas. Appropriately designed buffers, landscaping, and transition areas between uses should be considered between incompatible uses.

B. Section 3.3.1 Urban Lands

Urban lands are lands located within, adjacent to, or as in the case of existing unincorporated islands, surrounded by existing city limits. A key component of the GMA and the Comprehensive Plan is to allow growth within the UGAs. These areas include cities and other areas characterized by urban growth or adjacent to such areas and are designed to accommodate the projected population growth for 20 years. The GMA further specifies that urban growth should first be located in areas that already have adequate existing public facilities and service capacity and second, be located in areas where such services if not already available, can be served adequately by a combination of both existing and future public and private sector facilities and services. The CWPP establish a process between the County and cities to manage development within the cities and their UGAs, and a process of annexation of UGAs into the cities.

C. 3.3.1.1 Urban Land Use Designation

Urban lands in Benton County include land within the city limits and the UGAs. Benton County has five designated urban areas: the city limits and UGAs of Benton City, Kennewick, Prosser, Richland, and West Richland. The densities, uses, and development provisions allowed within this land use assure that development patterns are consistent with city comprehensive plans.

D. 3.5 Countywide Planning Policies

Benton County and the five cities within it have jointly adopted a set of CWPPs (Appendix E), which form the framework for the preparation, implementation, and amendment of their comprehensive plans in a manner that provides for integration and consistency among the County and city plans in terms of services, designations, and other elements as applicable. Included within the CWPPs are a uniform methodology to calculate the amounts of additional land needed by each city to accommodate the population growth projections provided by the OFM. Other CWPPs establish standards for selecting additional lands to be included within the UGAs and for joint county and city planning on lands within UGAs.

10. The application for CPA 2022-004 is consistent with the Growth Management Act (GMA)—RCW

36.70A, including RCW 36.70A.020, RCW 36.70A.030, RCW 36.70A.100, RCW 36.70A.110, RCW 36.70A.130, and RCW 36.70A.210.

THEREFORE, BE IT RESOLVED THAT THE BENTON COUNTY PLANNING COMMISSION, through its chairman, adopts these findings and conclusions with respect to File No. CPA 2022-004, and hereby recommends APPROVAL to the Board of County Commissioners for amendments to the Benton County Comprehensive Plan including Appendix A-Map Folio by adding a map for the each of the five cities within Benton County showing their existing Urban Growth Area boundaries and amending the language to Section 3.3.1.1, Urban Land Use Designation on Page 38 of the 2017 Benton County Comprehensive Plan and correcting to mapping errors on the County's Land Use Map, *Appendix A, Figure 5 – 2017 Periodic Update Land Use Designation Map* to reflect the recommendation of the Planning Commission.

 3/8/2022
MARTIN SHEERAN, Chairman DATE
BENTON COUNTY PLANNING COMMISSION