

Community Development Department

Prosser Office: 620 Market Street, 1st Floor
Kennewick Office: 102206 East Wiser Parkway
www.bentoncountywa.gov



Planning Division

(509) 786-5612
Planning.department@co.benton.wa.us
102206 East Wiser Parkway, Kennewick, WA 99338

Determination of Non-Significance

Proponent: Benton County
Community Development Department
102206 E Wiser Parkway
Kennewick, WA 99336

File No. EA 2024-001

Project Description: A Comprehensive Plan Amendment (CPA 2024-001) by Benton County to amend two (2) sections of the Benton County Comprehensive Plan. The application proposes to amend Section 3.3.5 and Table 3.4 related to the Open Space Conservation Land Use Designation. A new Chapter will be added to the Benton County Code regarding the Open Space Conservation Zoning Designation and the Official Benton County Zoning Map will be updated to reflect those lands within that Zoning Designation.

Project Location: County-Wide

Jurisdiction: Benton County, Washington

Lead Agency: Benton County Planning Division

Threshold Determination: The lead agency for this proposal has determined that it will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). The decision was made after review of a completed environmental checklist, comments received from various agencies and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2) the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by March 6, 2024.

Administrative appeals of threshold determinations of non-significance are not allowed.

SEPA Responsible Official: Michelle Mercer

Position/Title: Planning Manager - Benton County Planning Division

Address: 102206 E Wiser Parkway, Kennewick WA 99338

Date: February 21, 2024

Michelle Mercer, Planning Manager
Benton County Community Development Department



RECEIVED

OCT 06 2023

Benton County
Planning Division

SEPA ENVIRONMENTAL CHECKLIST

File No. EA 2024-001

A. BACKGROUND

1. Name of proposed project, if applicable: Comprehensive Plan Amendment- Open Space Conservation
2. Name of applicant: Benton County Community Development Department
3. Address and phone number of applicant and contact person: Greg Wendt, Director of Community Development
102206 E Wiser Parkway, Kennewick, WA 99336 (509-736-3086)
4. Date checklist prepared: 10/2/2023
5. Agency requesting checklist: Benton County
6. Proposed timing or schedule (including phasing, if applicable): Summer of 2024
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
If approved, the Community Development Department will file a zone change application to be consistent with the County's Land Use Map and a text amendment to create a new zoning chapter to be known as the Open Space Conservation District.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. None
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. None
10. List any government approvals or permits that will be needed for your proposal, if known. Two step process:
1. Update Open Space Conservation Sections in the Comprehensive Plan; and 2) Update zoning map and create new zoning chapter
11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.
Modify the text of the Benton County Comprehensive Plan in two (2) sections. 1) Section 3.3.5 Open Space Conservation; and 2) Table 3.4 Land Use Implementation by Zoning. See attached documentation describing the specific changes.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. Countywide- The project is not reviewed on a project or site specific basis.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (circle one):

Flat Rolling Hilly Steep Slopes Mountainous

Other N/A

b. What is the steepest slope on the site (approximate percent slope)? N/A

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

N/A

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

N/A

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. N/A

N/A

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

N/A

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? N/A

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: N/A

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. N/A

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
N/A

c. Proposed measures to reduce or control emissions or other impacts to air, if any: _____

N/A

3. Water

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. N/A

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. N/A

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. N/A

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. N/A

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. N/A

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. N/A

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. N/A

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. N/A

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. N/A

2) Could waste materials enter ground or surface waters? If so, generally describe. N/A

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

N/A

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: N/A

4. **Plants**

a. Check the types of vegetation found on the site:

Deciduous tree (*alder, maple, aspen, other*)

Evergreen tree (*fir, cedar, pine, other*)

Shrubs

Grass

Pasture

Crop or grain

Orchards, vineyards or other permanent crops

Wet soil plants (*cattail, buttercup, bullrush, skunk cabbage, other*)

Water plants (*water lily, eelgrass, milfoil, other*)

Other types of vegetation

b. What kind and amount of vegetation will be removed or altered? N/A

c. List threatened and endangered species known to be on or near the site. N/A

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: N/A

e. List all noxious weeds and invasive species known to be on or near the site. N/A

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include: birds: hawk, heron, eagle, songbirds, other; mammals: deer, bear, elk, beaver, other; fish: bass, salmon, trout, herring, shellfish, other. N/A

b. List any threatened and endangered species known to be on or near the site. N/A

c. Is the site part of a migration route? If so, explain. N/A

d. Proposed measures to preserve or enhance wildlife, if any: N/A

e. List any invasive animal species known to be on or near the site. N/A

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. N/A

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. N/A

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: N/A

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. N/A

1) Describe any known or possible contamination at the site from present or past uses. N/A

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project

area and in the vicinity. N/A

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

N/A

4) Describe special emergency services that might be required. N/A

5) Proposed measures to reduce or control environmental health hazards, if any: N/A

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? N/A

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. N/A

3) Proposed measures to reduce or control noise impacts, if any: N/A

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. N/A

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? N/A

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting?
If so, how: N/A

c. Describe any structures on the site. N/A

d. Will any structures be demolished? If so, what? N/A

e. What is the current zoning classification of the site? N/A

f. What is the current comprehensive plan designation of the site? N/A

g. If applicable, what is the current shoreline master program designation of the site? N/A

h. Has any part of the site been classified as a critical area by the city or county? If so, specify. N/A

i. Approximately how many people would reside or work in the completed project? N/A

j. Approximately how many people would the completed project displace? N/A

k. Proposed measures to avoid or reduce displacement impacts, if any: N/A

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: _____

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: N/A

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low income housing. N/A

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low income housing. _____

c. Proposed measures to reduce or control housing impacts, if any: N/A

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? N/A

b. What views in the immediate vicinity would be altered or obstructed? N/A

c. Proposed measures to reduce or control aesthetic impacts, if any: N/A

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
N/A

b. Could light or glare from the finished project be a safety hazard or interfere with views? N/A

c. What existing off-site sources of light or glare may affect your proposal? N/A

d. Proposed measures to reduce or control light and glare impacts, if any: N/A

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity? N/A

b. Would the proposed project displace any existing recreational uses? If so, describe. N/A

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: N/A

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe.
N/A

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. N/A

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. N/A

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. N/A

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. N/A

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? N/A

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? N/A

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). N/A

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. N/A

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as

commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? N/A

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. N/A

h. Proposed measures to reduce or control transportation impacts, if any: N/A

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. N/A

b. Proposed measures to reduce or control direct impacts on public services, if any. N/A

16. Utilities

a. Circle utilities currently available at the site:

electricity natural gas water refuse service telephone sanitary sewer system
other N/A

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Greg Wendt

Name of Signee Greg Wendt

Position and Agency/Organization Director of Community Development (Benton Co.)

Date Submitted: 10/2/23

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(IT IS NOT NECESSARY to use this sheet for project actions)

- Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.
- When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise? The proposed amendments will not result in activities that will increase
discharge to water, emissions to air, production, storage, or release toxic substances or produce noise.

a. Proposed measures to avoid or reduce such increases are: N/A

2. How would the proposal be likely to affect plants, animals, fish, or marine life? The Open Space designation, as
amended, will help protect species from the encroachment of incompatible uses.

a. Proposed measures to protect or conserve plants, animals, fish, or marine life are: N/A

3. How would the proposal be likely to deplete energy or natural resources? The Open Space designation
will assist in recognizing the County's Natural Resources and further the protection of these areas.

a. Proposed measures to protect or conserve energy and natural resources are: N/A

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands? The Open Space designation will help to protect and recognize areas having critical resources and ecosystems. The amendment will
will further ensure the lands be held under conservation easement or land trust.

a. Proposed measures to protect such resources or to avoid or reduce impacts are: N/A

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans? The Open Space Conservation areas protect the destruction, conversion, and encroachment by incompatible uses. All lands with this designation are held under a conservation easement.

a. Proposed measures to avoid or reduce shoreline and land use impacts are: N/A

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The amendment will not increase demands on transportation or public facilities.

a. Proposed measures to reduce or respond to such demand(s) are: N/A

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. There will be no conflict. The designation and amendment will support environmental protection of critical resources and ecosystems in the County while limiting incompatible uses.

Community Development Department

Prosser Office: 620 Market Street, 1st Floor
Kennewick Office: 102206 East Wiser Parkway
www.co.benton.wa.us



Planning Division

(509) 786-5612
P.O. Box 910, Prosser, WA 99350
planning.department@co.benton.wa.us

Comprehensive Plan Amendment CPA 2024-001

Applicant:

Benton County Community Development Department
Planning Division

Subject Parcels:

The application is not a parcel specific as it is a county-wide proposal.

APPLICATION DESCRIPTION

A Comprehensive Plan Amendment to clarify and amend the text of the Benton County Comprehensive Plan

Existing Comprehensive Plan Text:

Section 3.3.5 Open Space Conservation

Open Space Conservation lands are recognized as areas having critical resources and ecosystems with unique characteristics that support: significant habitats for migratory birds, fish, and wildlife; natural riverine functions and aquatic environments; botanical inventory; water quality and flood retention. Open Space Conservation designated areas provide significant natural functions and benefits to natural resources and the public and should be protected from destruction, conversion, and encroachment by incompatible uses. These areas may also provide limited recreational and educational opportunities for the public. These areas are held under conservation easements with state or federal agencies. Barker Ranch, which is located adjacent to the Yakima River near West Richland, is the only area in the County that currently has this designation.

Proposed Comprehensive Plan Text:

Section 3.3.5 Open Space Conservation

Open Space Conservation lands are recognized as areas having critical resources and ecosystems with unique characteristics that support significant habitats for migratory birds, fish, and wildlife; natural riverine functions and aquatic environments; botanical inventory; water quality and flood retention. Open Space Conservation designated areas provide significant natural functions and benefits to natural resources and the public and should be protected from destruction, conversion, and encroachment by incompatible uses. These areas may also provide limited recreational and educational opportunities for the public. ~~These areas are held under conservation easements with state or federal agencies. Barker Ranch, which is located adjacent to the Yakima River near West Richland, is the only area in the County that currently has this designation~~ Open Space Conservation lands can be public or private property, and must be held under conservation easements with local, state, or federal agencies or land trusts. Open Space Conservation designations are voluntary in nature for property owners.

Existing Comprehensive Plan Text:
Table 3.4 Land Use Implementation by Zoning

Land Use	Zoning
Urban	Urban Growth Area Residential
Hanford	Unclassified
Hanford Reach	Unclassified
Growth Management Act Agriculture	Growth Management Act Agriculture
Open Space Conservation	Rural Lands 5
Public	Park District
Rural Transition	Rural Lands 1
Rural Remote	Rural Lands 5
Rural Resource	Rural Lands 20
Rural Community Center	Community Center Residential, Community Commercial
Rural Commercial	Interchange Commercial, General Commercial
Rural Industrial	Light Industrial, Heavy Industrial

Proposed Comprehensive Plan Text:
Table 3.4 Land Use Implementation by Zoning

Land Use	Zoning
Urban	Urban Growth Area Residential
Hanford	Unclassified
Hanford Reach	Unclassified
Growth Management Act Agriculture	Growth Management Act Agriculture
Open Space Conservation	Rural Lands 5 Open Space Conservation
Public	Park District
Rural Transition	Rural Lands 1
Rural Remote	Rural Lands 5
Rural Resource	Rural Lands 20
Rural Community Center	Community Center Residential, Community Commercial
Rural Commercial	Interchange Commercial, General Commercial
Rural Industrial	Light Industrial, Heavy Industrial

local economy. Port district holdings include lands in the rural areas of Paterson, Plymouth, and Finley, and in or adjacent to the cities of Richland, Kennewick, Prosser, and Benton City.

Typical port enterprises include the construction of industrial and office space for start-up businesses; the lease of land or buildings to commercial enterprises, which may in turn purchase the real property from the Port; and facilitating the assemblage of major industrial/commercial projects requiring collaboration by numerous interests such as utilities, local and regional governments, and private enterprise.

Descriptions of the County's industrial land resources can be found in Chapter 5 (Economic Element).

3.3.3.1 Industrial Land Use Designation

Rural Industrial is intended for a wide range of industrial land uses including light and heavy industrial uses. These lands require access and infrastructure for heavy industrial uses; rail and waterborne transportation access are critical. Other important criteria include separation of such land from residential and commercial uses and availability of large acreages for outside storage and maneuvering of trucks and rail equipment. Industrial lands play a key role in the local and regional economy by offering manufacturing and various other types of jobs.

3.3.4 Public Lands Designation

The Public Lands (PL) designation is found throughout the County, but most generally along the Columbia River corridor. PL designated lands are intended for public uses such as parks, playgrounds, greenways, open spaces, and wildlife habitats owned and operated by a local, state, or federal government. Although approximately 15,563 acres of land are currently designated PL in the Land Use Map, there are about 93,299 acres of additional land in Benton County currently owned by public entities, including the Washington Department of Fish and Wildlife, Bureau of Land Management, Department of Natural Resources, and U.S. Army Corps of Engineers.

3.3.5 Open Space Conservation

Open Space Conservation lands are recognized as areas having critical resources and ecosystems with unique characteristics that support: significant habitats for migratory birds, fish, and wildlife; natural riverine functions and aquatic environments; botanical inventory; water quality and flood retention. Open Space Conservation designated areas provide significant natural functions and benefits to natural resources and the public and should be protected from destruction, conversion, and encroachment by incompatible uses. These areas may also provide limited recreational and educational opportunities for the public. These areas are held under conservation easements with state or federal agencies. Barker Ranch, which is located adjacent to the Yakima River near West Richland, is the only area in the County that currently has this designation.

Table 3-4
Land Use Implementation by Zoning

Land Use	Zoning
Urban	Urban Growth Area Residential
Hanford	Unclassified
Hanford Reach	Unclassified
Growth Management Act Agriculture	Growth Management Act Agriculture
Open Space Conservation	Rural Lands 5
Public	Park District
Rural Transition	Rural Lands 1
Rural Remote	Rural Lands 5
Rural Resource	Rural Lands 20
Rural Community Center	Community Center Residential, Community Commercial
Rural Commercial	Interchange Commercial, General Commercial
Rural Industrial	Light Industrial, Heavy Industrial

Designations under each category are further discussed below.

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.

3.3.1.1 Urban Land Use Designation

Urban lands in Benton County include land within the city limits and the UGAs. There are five designated and approved urban growth areas (UGA's) in Benton County: Benton City (Appendix A-Figure 18), Kennewick (Appendix A-Figure 19), Prosser (Appendix A-Figure 20), Richland (Appendix A-Figure 21), and West Richland (Appendix A-Figure 22). The densities, uses, and development

CHAPTER 11.00
OPEN SPACE CONSERVATION DISTRICT (OSC)

SECTIONS:

- 11.00.010 Purpose
- 11.00.020 Applicability
- 11.00.030 Allowable Uses
- 11.00.040 Accessory Uses
- 11.00.050 Uses Subject to Planning Administrator Review and Approval
- 11.00.060 Uses Requiring a Conditional Use Permit
- 11.00.070 Uses Prohibited
- 11.00.080 Property Development Standards-General Standards
- 11.00.090 Property Development Standards-Setback Requirements
- 11.00.100 Severability
- 11.00.110 Effective Date

11.00.010 PURPOSE. The purpose of the Open Space Conservation District is to recognize areas of the County having critical areas and ecosystems with unique characteristics that support habitat for migratory birds, fish, and wildlife; natural riverine functions and aquatic environments; botanical inventory; the protection of steep slopes and viewsheds, water quality and flood retention. These areas provide significant natural functions and benefits to natural resources and the public and should be protected from destruction, conversion, and encroachment by incompatible uses. Open Space Conservation lands can be public or private property, and must be held under conservation easements with local, state, or federal agencies or land trusts. Open Space Conservation designations are voluntary in nature for property owners.

11.00.020 APPLICABILITY. The provisions of this chapter shall apply to the areas designated as an Open Space Conservation District (OSC) on the official zoning maps of Benton County and located in unincorporated Benton County.

11.00.030 ALLOWABLE USES. The following uses are allowed within the Open Space Conservation District (OSC) on a single parcel of record:

- (a) Wildlife preserve or game management area.
- (b) Hunting preserve.
- (c) Hiking and non-motorized biking trails.
- (d) Equestrian trails.
- (e) Water access facilities.
- (f) Utility substation facility.
- (g) Agricultural uses.
- (h) Caretaker residential dwelling, office and/or storage facility used in conjunction with the conservation activities on the property.

11.11.040 ACCESSORY USES. Provided all applicable code provisions are satisfied, the following uses are allowed as an accessory/ancillary use within the Open Space Conservation District (OSC) on a single parcel of record:

- (a) One (1) or more accessory buildings and uses.
- (b) One (1) or more agricultural buildings.
- (c) Solar Power Generator Facility, Minor
- (d) Uses subject to Planning Administrator review and approval, specified in BCC 11.11.050(a).

11.00.050 USES SUBJECT TO PLANNING ADMINISTRATOR REVIEW AND APPROVAL.

The following uses may be allowed within the Open Space Conservation District (OSC) on a single parcel of record upon the review and approval of the Planning Administrator:

- (a) Communication facilities subject to the provisions in Chapter 11.47 BCC.

11.00.060 USES REQUIRING A CONDITIONAL USE PERMIT. The following uses may be permitted on a single parcel of record within the Open Space Conservation District (OSC) if a conditional use permit is issued by the Hearings Examiner after notice and public hearing as provided by BCC 11.50.040:

- (a) Irrigation pumping station.

11.00.070 USES PROHIBITED. Any use not authorized or approved pursuant to BCC 11.00.030, BCC 11.00.040 or 11.00.050, or 11.00.060 is prohibited within the Open Space Conservation District (OSC).

11.00.080 PROPERTY DEVELOPMENT STANDARDS--GENERAL STANDARDS. All lands, structures and uses in the Open Space Conservation District (OSC) shall conform to the following general standards, and if applicable, to the standards set forth in Chapter 15.02 BCC, Chapter 15.04 BCC, Chapter 15.06 BCC, Chapter 15.08 BCC, Chapter 15.12 BCC, and Chapter 15.14 BCC.

- (a) Frontage. Each parcel shall have a minimum frontage of forty (40) feet on a public road right-of-way or access easement.

11.00.090 PROPERTY DEVELOPMENT STANDARDS--SETBACK REQUIREMENTS. All lands, structures, and uses in the Open Space Conservation District (OSC) shall meet the following setback requirements:

- (a) Setback Requirements. The following minimum setbacks shall apply:

- (1) Each structure on a parcel shall have a setback of fifty-five (55) feet from the centerline of any public road right-of-way or twenty five (25) feet from the property line bordering any public road right-of-way, whichever is greater; and a setback of twenty-five (25) feet from the closest edge of any legally established boundary line of a private access easement.

- (2) Each structure shall have a setback of twenty-five (25) feet from the rear parcel lines.

- (3) Each structure on a parcel shall have a setback of ten (10) feet from the side parcel lines.

(4) All caretaker dwelling units and swimming pools shall have a setback of one hundred fifty (150) feet from any parcel located partially or wholly within the Growth Management Agricultural Act District (GMAAD) and from any adjacent orchard, hop field or vineyard (or combination thereof) of ten (10) acres or more on one parcel or on contiguous parcels under common ownership

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

11.00.110 EFFECTIVE DATE. This chapter shall take effect and be in full force upon its passage and adoption.

DRAFT

BENTON COUNTY

STATE OF WASHINGTON
OFFICIAL ZONING MAP A-4

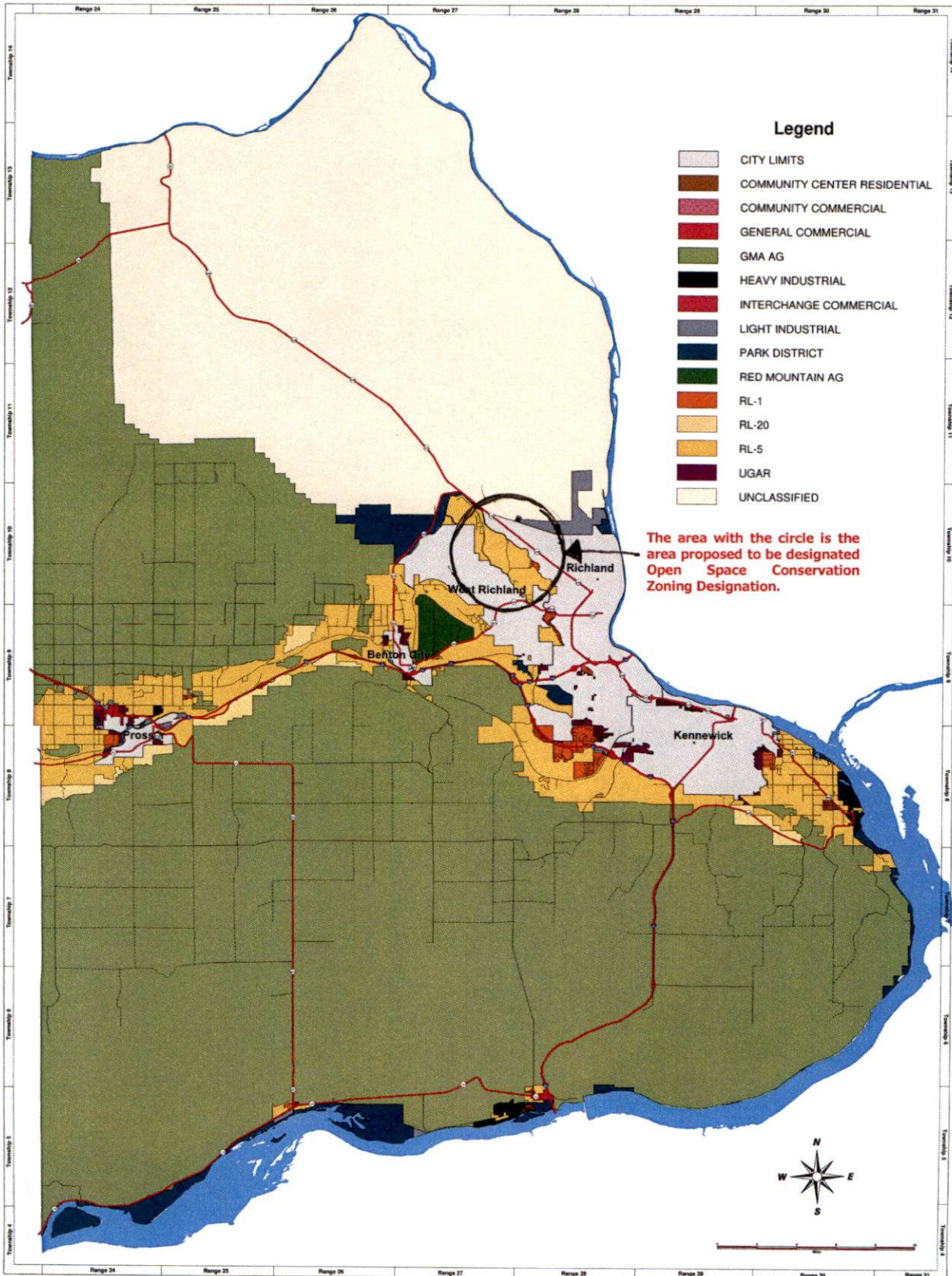
Effective 12-18-18

WE HEREBY CERTIFY THAT THIS MAP CONSTITUTES THE OFFICIAL ZONING MAP AS APPROVED BY ORDINANCE # 616 OF THE BOARD OF COUNTY COMMISSIONERS AND SIGNED BY ITS CHAIRMAN.

DATED THIS 18TH DAY OF DECEMBER 2018.

BY [Signature]
CHAIRMAN OF THE BOARD

ATTEST [Signature]
CLERK OF THE BOARD



This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map A 3 adopted by Ordinance 601 on Feb. 27, 2018

Map Printed 12/3/18