

**EXHIBIT LIST FOR ZC 2022-007/EA 2021-032
Zone Change/Jacobs Road**

DATED

Planning Commission Memo Exhibit List - October 11, 2022			
PCM 1 Includes:	PCM 1.1	Staff Report	September 27, 2022
	PCM 1.2	Existing Zoning Map	May 25, 2022
	PCM 1.3	Proposed Zoning Map	May 25, 2022
	PCM 1.4	Vicinity Map	September 27, 2022
	PCM 1.5	City of Benton City Updated Comp. Plan Map	August 15, 2017
	PCM 1.6	Zone Change Application	June 21, 2022
	SEPA INFORMATION		
	PCM 1.7	Determination of Non Significance	September 7, 2022
	PCM 1.8	Environmental Checklist EA 2021-024	August 16, 2022
	HEARING NOTICES		
	PCM 1.9	Notice of Public Hearing	September 22, 2022
	COMMENTS		
PCM 1.10	Comments from Benton Clean Air	September 8, 2022	
PCM 1.11	Comments from Kennewick Irrigation District	September 13, 2022	
Planning Commission Hearing Exhibit List - October 11, 2022			
	PCH 1.1		
	PCH 1.2		
	PCH 1.3		
Board of County Commissioners Memo Exhibit List - DATE			
BCCM 1 Includes:	BCCM 1.1		
	BCCM 1.2		
	BCCM 1.3		
	BCCM 1.4		

The Exhibit Numbers are found in the Top Right Hand Corner of each document.

PCM = Planning Commission Memo Exhibits

PCH = Planning Commission Hearing Exhibits

BCCM = County Commissioner Memo Exhibits



PCM 1.1

STAFF REPORT TO THE BENTON COUNTY PLANNING COMMISSION

FILE NO: ZC 2022-007

MEMO DATE: September 26, 2022

HEARING DATE: October 11, 2022

APPLICANT: Benton County Planning Division, PO Box 910, Prosser, WA 99350

OWNER: Multiple Owners / Multiple Parcels

LOCATION: Four (4) parcels in Section 11, Township 9 North, Range 27 East, Benton County, Washington.

PROPERTY SIZE: 4.34 acres (4 parcels collectively)

AREA TO BE USED: N/A

LAND USE: Residential/Undeveloped

COMPREHENSIVE PLAN: Urban

STAFF RECOMMENDATION: The Planning Division recommends that the Planning Commission forward to the Benton County Commissioners a recommendation to approve, Zone Change Request ZC 2022-007, subject to the twelve (12) findings of fact.

APPLICATION DESCRIPTION:

The parcels shown in the table below are located in unincorporated Benton County, Washington and within the Benton City's Urban Growth Area (UGA). Benton City's Comprehensive Plan designates these parcels as Residential (per ordinance 1037, effective 7/4/22), while the Benton County zoning designation is currently Light Industrial. To provide consistency, Benton County Planning staff is requesting a zone change for the four (4) parcels from Light Industrial (LI) to Urban Growth Area Residential (UGAR). The change will promote consistency between the City's land use designation and the County's zoning designation, allowing property owners to continue the existing residential uses in the area.

Benton City UGA Parcel List
Proposed Zoning Change: Light Industrial (LI) to Urban Growth Residential District (UGAR)

Parcel Number	Address	Parcel Number	Address
119971011157002	6501 E Jacobs Rd	119971011157004	1.00 Acre – Vacant Land
119971011157003	1.08 Acre – Vacant Land	119971011157006	7401 E Kiona Rd

PUBLIC NOTICE:

1. Initial notification of the zone change proposal was mailed to the property owners of record on August 11, 2022.
2. The application for ZC 2022-007 was submitted to the Benton County Planning Division on August 16, 2022.
3. The application documents were distributed to reviewing agencies on September 8, 2022.
4. Legal notification for the Planning Commission public hearing was published on September 28, 2022 in the Prosser Record Bulletin.
5. Notice of the Planning Commission public hearing was mailed to property owners of record within 300-feet of the proposal on September 23, 2022.
6. ZC 2022-007 was reviewed under the requirements of the State Environmental Policy Act, and Determination of Non-Significance (DNS) was issued on September 7, 2022 with a 14-day comment period.
7. The Planning Commission public hearing is scheduled for October 11, 2022.

APPLICABLE STANDARDS/ORDINANCES:

1. Benton County Code (BCC) 11.53.020, Zoning – Zoning Map and Text Amendments.
2. Benton County Code (BCC) 11.53.020, Zoning – Amendments - Initiation.
3. Benton County Code (BCC) 11.53.020, Zoning – Application Required – Non-Refundable Application Fee.
4. Benton County Code (BCC) 11.53.020, Zoning – Planning Commission Hearing.

AGENCY COMMENTS:

1. The following are general comments and discussion points from the Planning Division:
 - a. The Planning Division analyzed the application for consistency with the Benton County Comprehensive Plan, Benton County Code, and other regulations adopted by Benton County as applicable.
 - b. The subject parcels are designated Urban by the Benton County Comprehensive Plan.

- c. The County’s request for a zone change, if approved, will provide for consistency between the zoning designation and the City’s comprehensive plan land use designation.
- d. If approved, the zoning change from Light Industrial (LI) to Urban Growth Area Residential (UGAR) will provide consistency with the Benton County urban land use designation and allow property owners to continue the existing residential uses in the area.
- e. Properties in the immediate area surrounding the parcels are predominantly residential uses.
 - i. There are two (2) parcels located north of E Jacobs Road that have light industrial uses.
 - 1. Benton City’s Comprehensive Plan designates the Land Use of the parcels as Manufacturing / Light Industrial.
 - 2. The two (2) parcels are zoned Light Industrial (LI) by Benton County.
 - ii. There is a vineyard located west of the subject parcels.
 - 1. This parcel is zoned Growth Management Act Agricultural District.
- f. The zone change will allow property owners to continue the existing residential uses in the area.
- g. ZC 2022-007 was reviewed under the requirements of the State Environmental Policy Act, and a Determination of Non-Significance (DNS) was issued on September 7, 2022 with a 14-day comment period.

CRITERIA FOR FINDINGS OF FACT:

- 1. **Benton County Code (BCC) 11.53.020**, Zoning – Amendments and Appeals, Zoning Map and Text Amendments.
 - (a) The Board of Commissioners may, upon recommendation of the County Planning Commission, change by ordinance the following:
 - (1) The Benton County Official Zoning Map, pursuant to Chapter 11.05 BCC, including zoning district boundary lines and zoning classifications.
- 2. **Benton County Code (BCC) 11.53.050**, Zoning-Amendments and Appeals, Amendments - Planning Commission Hearing.

After holding at least one open record hearing, the County Planning Commission shall transmit to the Board of County Commissioners its recommendations for the zoning map or zoning text amendment. The Planning Commission may recommend for the approval, approval with conditions, or denial of the application request. The Planning Commission must make Findings of Fact with respect to the following:

- (a) The amendment to the zoning map or zoning text will not result in any building construction, land use or other development related activity which would be detrimental to or endanger the public health, safety, comfort, or general welfare of the community as a whole or any portion thereof.
- (b) The amendment to the zoning map or zoning text is consistent with the spirit and intent of the Benton County Zoning Ordinance and Comprehensive Plan.

SUGGESTED RECOMMENDATION

The Benton County Planning Division recommends that the Planning Commission forward a **recommendation of approval** to the Benton County Board of Commissioners for application ZC 2022-007, with the following suggested findings of fact and motion.

SUGGESTED FINDINGS OF FACT

The following Findings of Fact are based on comments received up to the date of this staff memo. Any comments received after the completion of this staff memo or submitted during the advertised public hearing for ZC 2022-007 will need to be considered by the Planning Commission and may be added to the suggested Findings of Fact as set forth below. The Planning Commission may decide to adopt these as their own or amend/add to these Findings of Fact after holding the open public hearing.

FINDINGS OF FACT

- 1. The applicant is requesting to change the zoning designation for four (4) parcels south of the Benton City limits and Interstate 82, in S11 T 9N, R27 E, in unincorporated Benton County. All four (4) parcels are currently zoned Light Industrial (LI). The applicant is requesting the designation be changed to the Urban Growth Area Residential District (UGAR).
- 2. The applicant is Benton County whose mailing address is PO Box 910, Prosser, WA 99350.
- 3. The zoning change request includes four (4) parcels south of the Benton City limits and Interstate 82, in S11, T 9N, R27 E, in Benton City’s Urban Growth Area as indicated in the table below.

Parcel Number	Address	Parcel Number	Address
119971011157002	6501 E Jacobs Rd	119971011157004	1.00 Acre – Vacant Land
119971011157003	1.08 Acre – Vacant Land	119971011157006	7401 E Kiona Rd

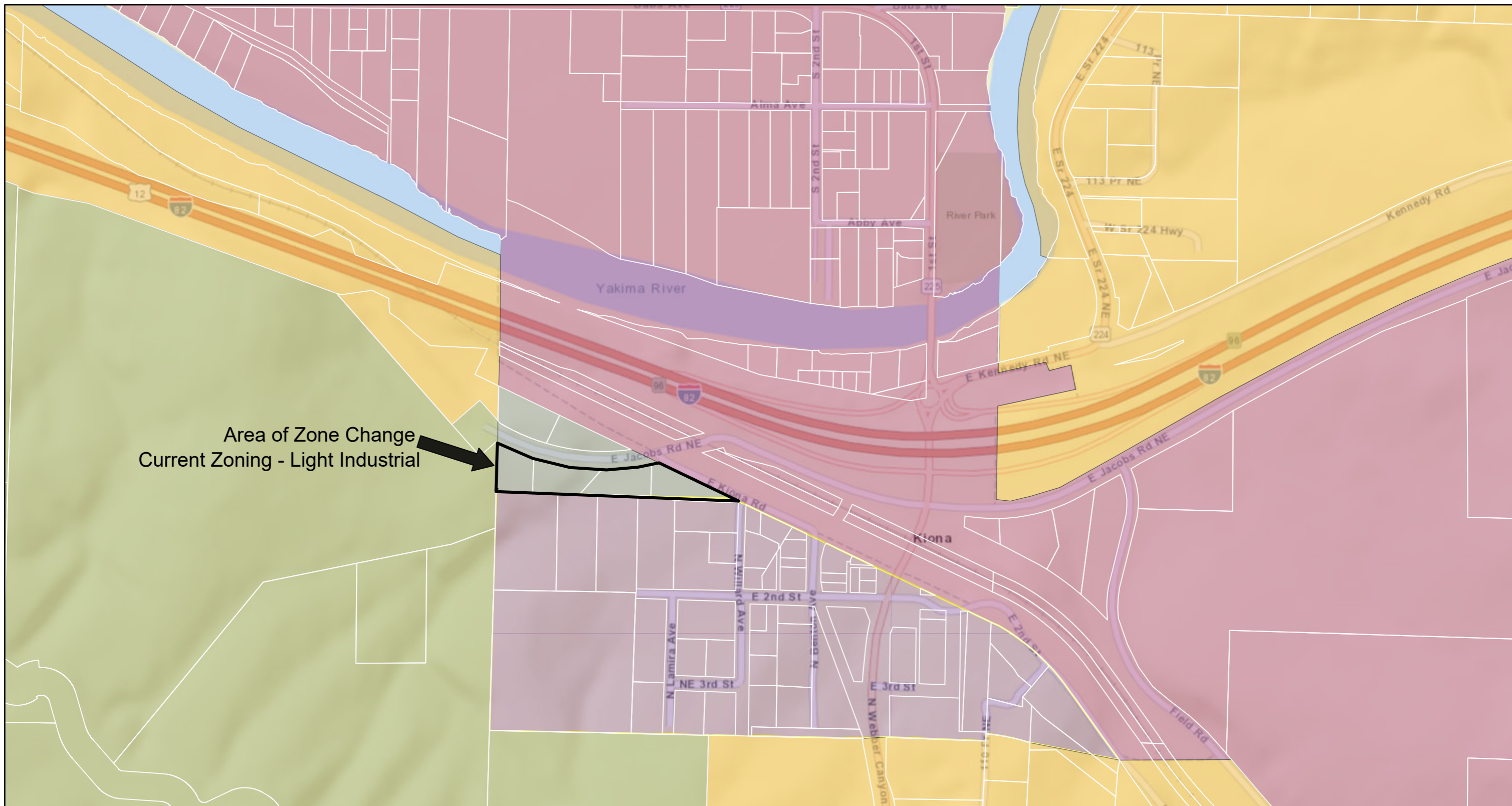
- 4. The properties collectively comprise approximately 4.34 acres in size.
- 5. The subject parcels currently have a land use designation of Urban in the Benton County Comprehensive Plan, Appendix A, Map Folio Figure 5-Land Use Designation Map.
- 6. If approved, the proposed zone change to Urban Growth Area Residential District will:
 - a. Provide for consistency between the zoning designation and Comprehensive Plan designation;
 - b. Provide for consistency between Benton County’s zoning designation and the predominant residential uses existing in the area;
 - c. Assist in facilitating the ability for existing owners with residential uses to continue to maintain or improve those uses; and
 - d. Will serve as a transition between rural Benton County and the City of Benton City.

7. The amendment to the zoning map will not result in any building construction, land use or other development related activity which would be detrimental to or endanger the public health, safety, comfort, or general welfare of the community as a whole or any portion thereof.
8. The amendment to the zoning map is consistent with the spirit and intent of the Benton County Zoning Ordinance and Comprehensive Plan.
9. The application for ZC 2022-007 is consistent with the Growth Management Act (GMA) – RCW 36.70A
10. Adjoining property improvements/uses predominantly involve single-family dwellings and typical residential accessory buildings.
11. Public notice and application requirements have been completed for the Zone Change request as follows:
 - a. Initial notification of the zone change proposal was mailed to the property owners of record on August 11, 2022.
 - b. The application for ZC 2022-007 was submitted to the Benton County Planning Division on August 16, 2022.
 - c. The application documents were distributed to reviewing agencies on September 8, 2022.
 - d. Legal notification for the Planning Commission public hearing was published on September 28, 2022, in the Prosser Record Bulletin.
 - e. Notice of the Planning Commission public hearing was emailed/mailed to property owners of record within 300 feet of the proposal on September 23, 2022.
 - f. ZC 2022-007 was reviewed under the requirements of the State Environmental Policy Act, and a Determination of Non-Significance (DNS) was issued on September 7, 2022, with a 14-day comment period.
 - g. The Planning Commission public hearing is scheduled for October 11, 2022.
12. The application submittal, eligibility, public notice, and procedural steps for ZC 2022-007 have been consistent with *Benton County Code (BCC) Chapter 11.53.020 Zoning – Amendments and Appeals, Zoning Map and Text Amendments*.

SUGGESTED MOTION

I move that the Chairman in conjunction with the Secretary of the Planning Commission, prepare and adopt written findings that articulate and are consistent with the findings, conclusions and recommendations made by the Planning Commission tonight reflecting the commission's recommendation **for approval of ZC 2022-007** subject to the twelve (12) Findings of Fact listed in the Staff Report dated September 26, 2022, changing the zoning designation from Light Industrial to Urban Growth Area Residential District for those parcels listed in Staff Report to the Benton County Board of Commissioners.

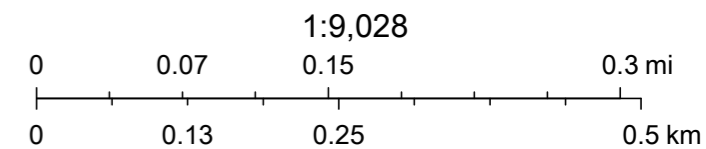
Current Zoning: Proposed Zone Change, ZC 2022-007



Area of Zone Change
Current Zoning - Light Industrial

9/29/2022, 10:16:13 AM

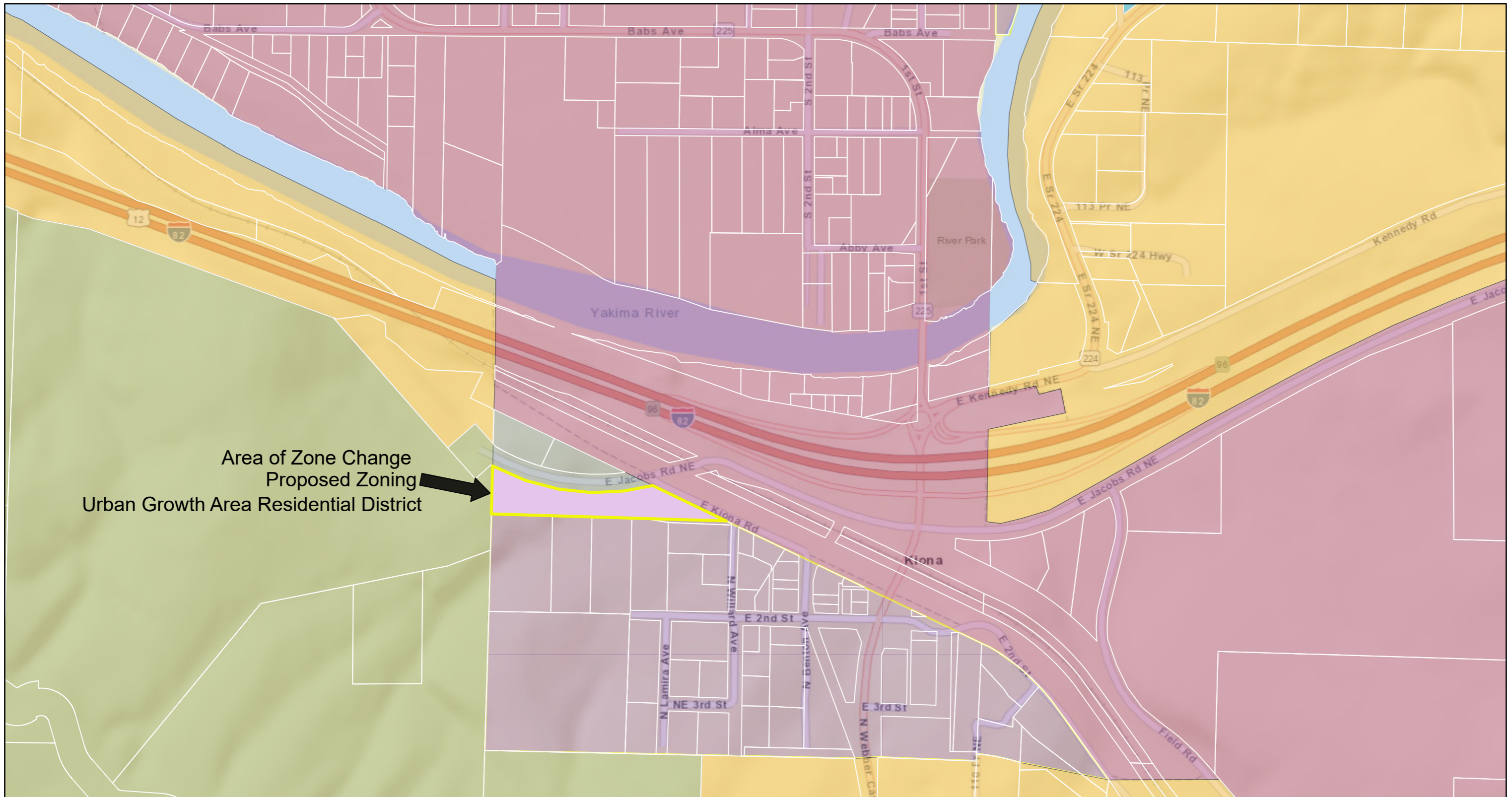
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- Zoning_6547
- GMA AG
- LIGHT INDUSTRIAL
- RL-5
- UGAR
- City_Limits_8028
- Benton City



Bureau of Land Management, State of Oregon GEO, State of Oregon, Esri, HERE, Garmin, GeoTechnologies, Inc., Intermap, NGA, USGS, U.S. Forest Service

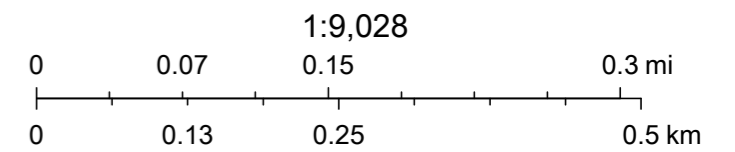
Proposed Zoning: Proposed Zone Change, ZC 2022-007

PCM 1.3



9/29/2022, 10:24:03 AM

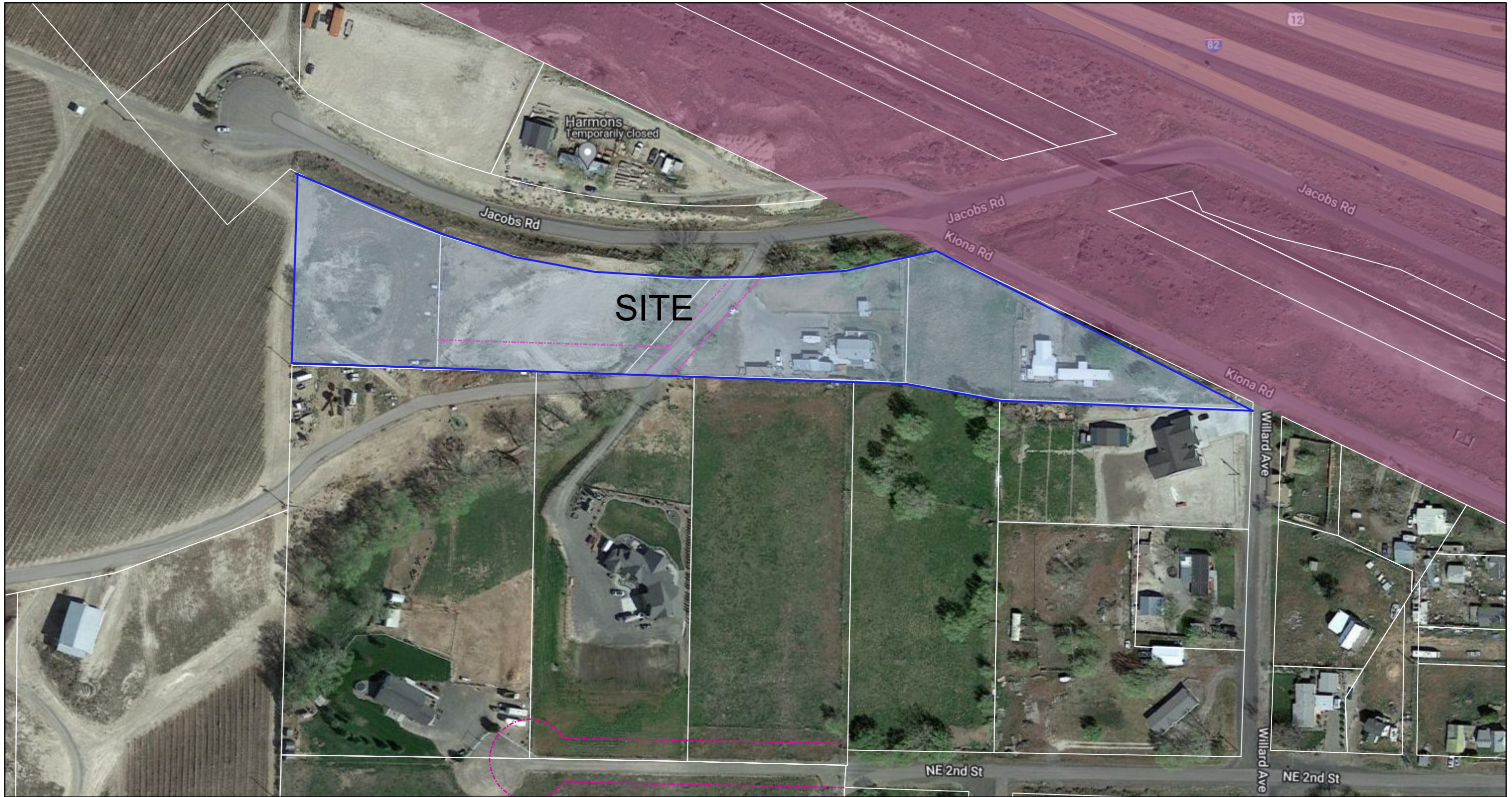
- | | | |
|-------------------------|------------------|------------------|
| Parcels_and_Assess_3424 | LIGHT INDUSTRIAL | UGAR |
| Zoning_6547 | RED MOUNTAIN AG | City_Limits_8028 |
| GMA AG | RL-5 | Benton City |



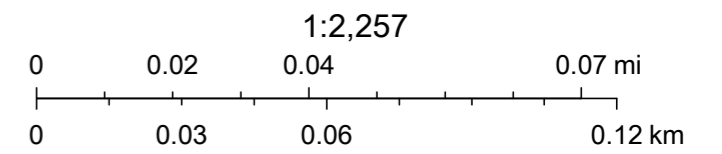
Bureau of Land Management, State of Oregon GEO, State of Oregon, Esri, HERE, Garmin, GeoTechnologies, Inc., Intermap, NGA, USGS, U.S. Forest Service

ZC 2022-032 Vicinity Map

PCM 1.4



9/7/2022, 10:01:08 AM



Google Inc

City of Benton City **COMPREHENSIVE PLAN 2017**

UPDATED VIA ORD. 1037

August 15, 2017

Updated June 21, 2022

Prepared for

City of Benton City



Prepared by

Oneza & Associates



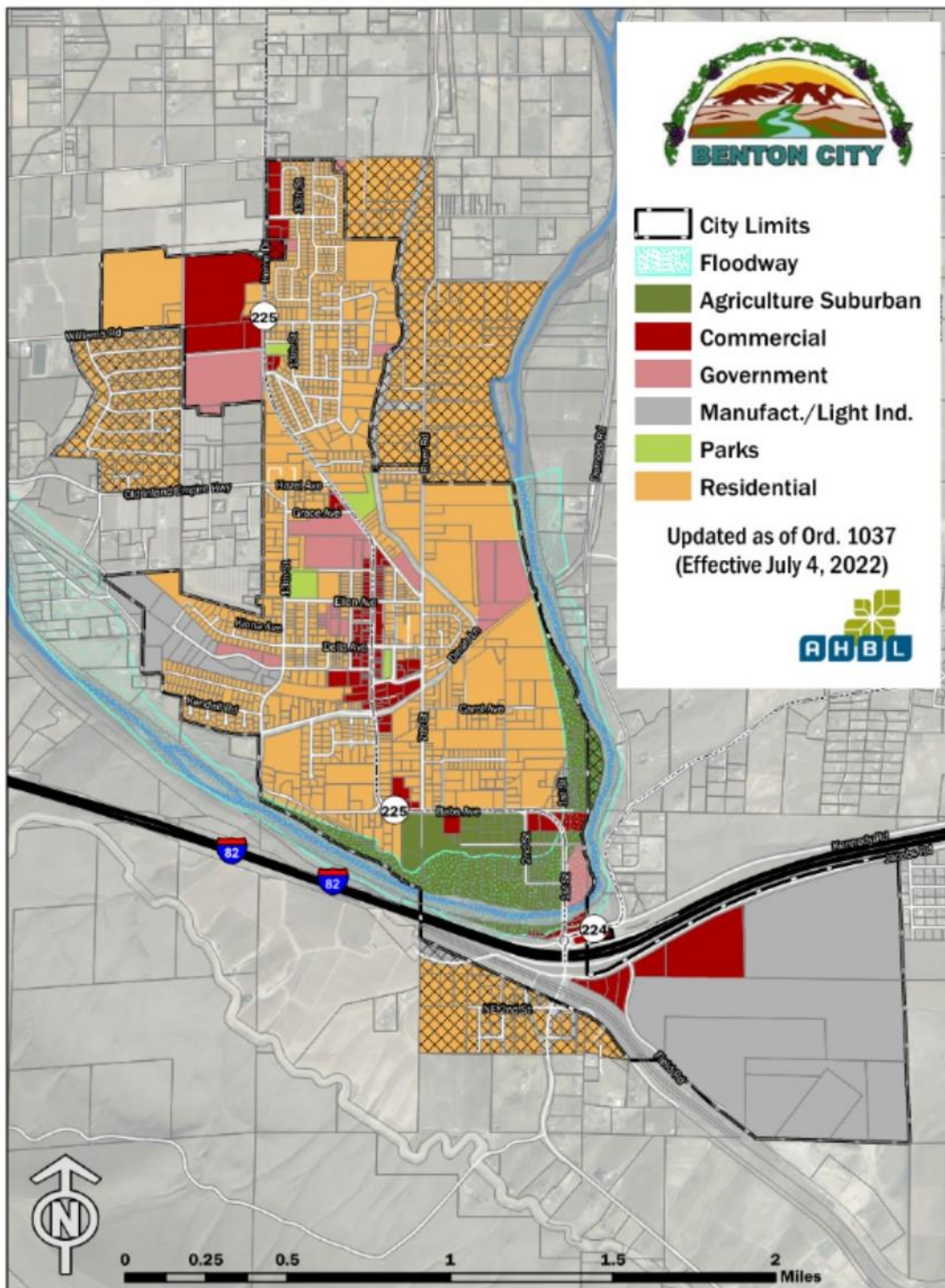
Prepared with assistance from

Anchor QEA, LLC

J-U-B Engineers Inc.

Figure 4: Land Use Map

BENTON CITY COMPREHENSIVE PLAN LAND USE MAP



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

RECEIVED

AUG 16 2022

Benton Co. Planning Dept.

ZONE CHANGE APPLICATION

Application No. ZC 2022-007 (E Jacobs Rd)

APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

Applicant/Agent: Benton County Planning Division

Mailing Address: PO Box 910 City: Benton City

State: WA ZIP: 99350 Phone: 509-786-5612 Work: N/A

Email Address: planning.department@co.benton.wa.us

Signature: _____ Date: _____

Property Owner(s) (if different): N/A

Mailing Address: N/A City: N/A

State: N/A ZIP: N/A Phone: N/A Work: N/A

Email Address: N/A

Signature: _____ Date: _____

Signature: _____ Date: _____

**If there are additional owners please copy this section, sign, and attach to the application*

If the property is owned by a corporation, trust, partnership or LLC please complete the entity signature block below showing that the person signing has the authority to sign on behalf of the company.

ENTITY SIGNATURE BLOCK

If the applicant or legal owner of the property is a corporation, partnership, trust or LLC please use the following signature block.

Applicant/Legal Owner: Benton County

Officer name: Michelle Cooke

Title: Planning Manager

Signature: Date: 8/16/22

THE ABOVE SIGNED OFFICER OF Benton County (name of entity)
WARRANTS AND REPRESENTS THAT ALL NECESSARY LEGAL AND CORPORATE ACTIONS HAVE BEEN
DULY UNDERTAKEN TO PERMIT Michelle Cooke TO SUBMIT THIS APPLICATION
AND THAT THE ABOVE SIGNED OFFICER HAS BEEN DULY AUTHORIZED AND INSTRUCTED TO
EXECUTE THIS APPLICATION.

PARCEL INFORMATION

1. **Subject property address:** Please refer to the attached parcel list and map.

City: Benton City **State:** WA **ZIP:** 99320

2. **Parcel number(s) to be rezoned:** Benton City area (3) parcels in S34 T9N R24E and (1) parcel in S20 T9N R27E- Not Site Specific
Please refer to the attached documents for list and map of parcels.

3. **Utilities:** *Power:* Benton PUD Benton REA
Sewer: Septic Tank City Sewer: *(Provider)* _____
Water: Individual Wells One well serving 2 or more lots
 Private System *(Provider & Address)* _____
 City System *(Provider)* Benton City
Gas: No Yes: *(Provider)* N/A
Cable: No Yes: *(Provider)* N/A
Phone: No Yes: *(Provider)* N/A
Irrigation: No Private District: *(Provider)* N/A

4. **We the applicant(s) listed above who is/are the owner(s)/contract purchaser(s) do hereby petition the Benton County Planning Commission to have the real property listed above to be changed from the zoning classification of** See attached list of 4 parcels in S19 T9N R27E and S20 T9N R27E **to the zoning classification of** Urban Growth Area Residential District (UGAR)

5. **Comprehensive Plan designation:** Urban

6. **The change in classification for the above described property is requested for the purpose of conducting the following use(s) which is/are known to be consistent with the requested zoning classification:** Current zoning, Light Industrial (LI) is inconsistent with the City's Residential Land Use designation.
Zoning change to Urban Growth Residential District is consistent with Residential Land Use designation and the existing improvements in the area.

7. **Time schedule for redevelopment?** N/A - not site specific

8. **Facts to justify the change on the basis of advancing the public health, safety, and general welfare?**
Provide consistency between Benton City's Comprehensive Land Use designation and Benton County zoning. The UGAR zoning is consistent with Benton City's Residential Land Use designation, the location of the parcels in Benton City's Urban Growth area, and the existing residential uses in the area.

9. **Affect the proposed change will have on adjacent property and on the Comprehensive Plan?**
Zoning amendments will provide consistency between the City's land use and County's zoning designations with the adjacent parcels thus promoting compatible uses and development.

Any information submitted to the Benton County Planning Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

10. **Affect on the property owner(s) if the request is not granted?** RCW 36.70A.100 requires the consistent coordinated land use planning. Currently, the County's Light Industrial zoning is not consistent with Benton City's Residential Land Use designation and location in Benton City's UGA, and therefore requires the change to provide conformity for property owners.

**IF FURTHER EXPLANATION IS NEEDED FOR ANY OF THE QUESTIONS
PLEASE ATTACH ADDITIONAL PAGES.**

(For Staff Use Only)

Critical Areas: N Y: _____

Reviewed by: _____

Application Complete: Y N

Zoning: _____

Date: _____

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

Determination of Non-Significance

Proponent: Benton County Planning Division

File No. EA 2022-032

Project Description:

Benton County is proposing zoning changes that are necessary for consistency between Benton City's Comprehensive Land Use and the County's zoning designations. The proposal includes four (4) parcels within Benton City's Urban Growth Area to be changed from Light Industrial (LI) to the Urban Growth Area Residential District (UGAR) to be consistent with the City's recent Comprehensive Plan Amendment.

Project Location:

The proposal includes four (4) parcels located in Benton City's Urban Growth Area in unincorporated Benton County, as indicated in the table below.

Proposed Zoning Change: Light Industrial (LI) to Urban Growth Residential District (UGAR)

Parcel Number	Address	Parcel Number	Address
119971011157002	6501 E Jacobs Rd	119971011157004	1.00 Acre – Vacant Land
119971011157003	1.08 Acre – Vacant Land	119971011157006	7401 E Kiona Rd

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 and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under 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 September 21, 2022.

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

SEPA Responsible Official: Michelle Cooke

Position/Title: Planning Manager

Address: P.O. Box 910, Prosser WA 99350

Dated this 7th day of September 2022.

Michelle Cooke, Planning Manager
 Benton County Planning Division

Distribution List:

Applicant
Benton Clean Air Authority
Benton County Building Department
Benton County Fire Marshal
Benton County Public Works Department
Benton-Franklin Health District
Bureau of Land Management
Bureau of Reclamation
Conf. Tribes and Bands of the Yakama Nation
Conf. Tribes of the Umatilla Indian Reservation
Tom Price, Environmental Review Inc.
Futurewise
WA Department of Archaeology & Historic
Preservation
WA Department of Ecology
WA Department of Fish and Wildlife
WA Department of Health
WA Department of Natural Resources
WA Department of Transportation
US Army Corps of Engineers
City of Benton City
Fire District #2
Kennewick Irrigation District

Planning Department

(509) 786-5612
 P.O. Box 910
 Prosser, WA 99350



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

SEPA ENVIRONMENTAL CHECKLIST

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AUG 16 2022

File No. EA 2022-032

Benton Co. Planning Dept.

A. BACKGROUND

1. Name of proposed project, if applicable: BC Planning - Zone Change of four (4) parcels in Benton City UGA
2. Name of applicant: Benton County Planning Division
3. Address and phone number of applicant and contact person: 620 Market St, PO Box 910, Prosser, WA 99350
509-786-5612; Contact: Peter McEnderfer
4. Date checklist prepared: 8/10/2022
5. Agency requesting checklist: Benton County
6. Proposed timing or schedule (including phasing, if applicable): Planning Commission open public hearing - October 2022
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
No

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. None. Environmental evaluations for future site specific projects will be conducted at the time the site specific project is proposed.

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. The approval of the proposed zoning designation amendments is required of the Board of County Commissioners (BOCC).

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.

Proposed zone change is necessary for consistency between the City's Comprehensive Land Use and the County's Zoning designations. All four (4) parcels are located in Benton City's Urban Growth Area. The four (4) parcels will change from Light Industrial to an Urban Growth Area Residential (UGAR) zoning (attachment A).

The zone change to UGAR is consistent with Benton City's Comprehensive Plan's Use designation as Residential, per Ordinance 1037, effective July 4, 2022.

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. Parcels: 1-1997-101-1157-002, 1-1997-101-1157-003, 1-1997-101-1157-004, and 1-1997-101-1157-006 are located in Benton City's Urban Growth Area.

The parcels are south of Interstate 82 and Jacobs Road, west of Kiona Road, north of NE 2nd Street, and east of the Urban Growth Boundary. More specifically, Lots 1, 2, 3, and 4, Short Plat 1157 together with a portion of the Northwest quarter, of the Southwest quarter of Section 19, Township 9 North, Range 27 East, Benton County, Washington.

B. ENVIRONMENTAL ELEMENTS

1. Earth

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

Flat Rolling Hilly Steep Slopes Mountainous

Other N/A; project is not site specific.

b. What is the steepest slope on the site (approximate percent slope)? N/A; project is not site specific.

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; project is not site specific.

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

N/A; project is not site specific.

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; project is not site specific.

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

N/A; project is not site specific.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? N/A; project is not site specific.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: N/A; project is not site specific.

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. None.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. None

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. No

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; project is not site specific.

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; project is not site specific.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. N/A; project is not site specific.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. No

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. No

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; project is not site specific.

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; project is not site specific.

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; project is not site specific.

2) Could waste materials enter ground or surface waters? If so, generally describe. No

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

No

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: N/A; project is not site specific.

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; project is not site specific.

c. List threatened and endangered species known to be on or near the site. N/A; project is not site specific.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: N/A; project is not site specific.

e. List all noxious weeds and invasive species known to be on or near the site. N/A; project is not site specific.

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; project is not site specific.

b. List any threatened and endangered species known to be on or near the site. N/A; project is not site specific.

c. Is the site part of a migration route? If so, explain. If any threatened or endangers species are found for site specific projects, compliance with BCC Title 15 (Protection of Critical Areas and Resources) will be required.

d. Proposed measures to preserve or enhance wildlife, if any: N/A; project is not site specific.

e. List any invasive animal species known to be on or near the site. N/A; project is not site specific.

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; project is not site specific.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. No.

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: None.

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; project is not site specific.

1) Describe any known or possible contamination at the site from present or past uses. N/A; project is not site specific.

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; project is not site specific.

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; project is not site specific.

4) Describe special emergency services that might be required. N/A; project is not site specific.

5) Proposed measures to reduce or control environmental health hazards, if any: N/A; project is not site specific.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? N/A; project is not site specific.

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; project is not site specific.

3) Proposed measures to reduce or control noise impacts, if any: N/A; project is not site specific.

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; project is not site specific.

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? No, the project is not site specific.

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: No; project is not site specific. +

c. Describe any structures on the site. N/A; project is not site specific.

d. Will any structures be demolished? If so, what? N/A; project is not site specific.

e. What is the current zoning classification of the site? Light Industrial

f. What is the current comprehensive plan designation of the site? Urban

g. If applicable, what is the current shoreline master program designation of the site? N/A; project is not site specific.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify. No

i. Approximately how many people would reside or work in the completed project? N/A; project is not site specific.

j. Approximately how many people would the completed project displace? N/A; project is not site specific.

k. Proposed measures to avoid or reduce displacement impacts, if any: N/A; project is not site specific.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: N/A; project is not site specific.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any: N/A; project is not site specific.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low income housing. None. N/A.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low income housing. None . N/A.

c. Proposed measures to reduce or control housing impacts, if any: N/A; project is not site specific.

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; project is not site specific.
- b. What views in the immediate vicinity would be altered or obstructed? N/A; project is not site specific.
- c. Proposed measures to reduce or control aesthetic impacts, if any: N/A; project is not site specific.

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; project is not site specific.
- b. Could light or glare from the finished project be a safety hazard or interfere with views? N/A; project is not site specific.
- c. What existing off-site sources of light or glare may affect your proposal? N/A; project is not site specific.
- d. Proposed measures to reduce or control light and glare impacts, if any: N/A; project is not site specific.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? N/A; project is not site specific.
- b. Would the proposed project displace any existing recreational uses? If so, describe. No.
- 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; project is not site specific.

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; project is not site specific.

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. No, this is not a site specific project. Any required evaluations for site specific projects will be conducted at the time a site specific project is proposed.

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. No, this is not a site specific project. Any required evaluations for site specific projects will be conducted at the time a site specific project is proposed.

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. No, this is not a site specific project. Any required evaluations for site specific projects will be conducted at the time a site specific project is proposed.

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; project is not site specific.

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; project is not site specific.

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; project is not site specific.

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). No, this is not a site specific project. Any required evaluations for site specific projects will be conducted at the time a site specific project is proposed.

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; project is not site specific.

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; project is not site specific.

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; project is not site specific.

h. Proposed measures to reduce or control transportation impacts, if any: N/A; project is not site specific.

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; project is not site specific.

b. Proposed measures to reduce or control direct impacts on public services, if any. N/A; project is not site specific.

16. Utilities

a. Circle utilities currently available at the site:

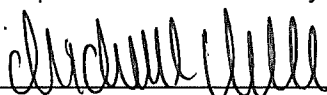
electricity natural gas water refuse service telephone sanitary sewer system
other N/A; project is not site specific.

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; project is not site specific.

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: 

Name of Signee Michelle Cooke

Position and Agency/Organization Manager, Benton County Planning Division

Date Submitted: August 16, 2022

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? N/A; project is not site specific.

a. Proposed measures to avoid or reduce such increases are: None.

2. How would the proposal be likely to affect plants, animals, fish, or marine life? N/A; project is not site specific.

Environmental evaluations for future site specific projects will be conducted at the time of the proposal(s).

a. Proposed measures to protect or conserve plants, animals, fish, or marine life are: N/A; project is not site specific.

If any threatened or endangered species are found during a review of a site specific project, compliance with BCC Title 15 is required.

3. How would the proposal be likely to deplete energy or natural resources? N/A

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? N/A; project is not site specific. Environmental evaluations for future site specific projects will be conducted at the

time a site specific project is proposed.

a. Proposed measures to protect such resources or to avoid or reduce impacts are: N/A; project is not site specific.

Mitigation for site specific projects may be required as a condition of approval, as determined through the SEPA process.

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? N/A

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?
N/A

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. N/A; project is not site specific. However, If any threatened or endangered species are found during a review of a site specific project, compliance with BCC Title 15 (Protection of Critical Areas and Resources) is required.
Also, the site specific project will need to comply with all local, state and federal laws.

Community Development Department

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

**Planning Division**

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

NOTICE OF OPEN RECORD PUBLIC HEARING

NOTICE OF HEARING BEFORE THE BENTON COUNTY PLANNING COMMISSION in the matter of county planning at a regular meeting on October 11, 2022, at 6:00 p.m., via in person and virtual meeting format in the Meeting Room on the first floor of the Courthouse, 620 Market Street, Prosser WA. The entry to the meeting room is located off Main Street on the East side of the Courthouse. To find information on virtual attendance options, including streaming video, WebEx video conferencing and telephone, please visit www.tinyurl.com/BCPublicNotice.

NOTICE IS HEREBY GIVEN that public comment will be taken on the following proposed applications before the Planning Commission at this meeting.

ZC 2022-007/EA 2022-032 - Benton County is proposing zoning changes that are necessary for consistency between Benton City's Comprehensive Land Use and the County's zoning designations. The proposal includes four (4) parcels within Benton City's Urban Growth Area to be changed from Light Industrial (LI) to the Urban Growth Area Residential District (UGAR) to be consistent with the City's recent Comprehensive Plan Amendment. The Parcels included in the Zone Change are: 119971011157002, 119971011157003, 119971011157004, and 119971011157006.

NOTICE IS FURTHER GIVEN that the proposed zone change application has been reviewed under the requirements of the State Environmental Policy Act and a Determination of Non-Significance (DNS) was issued on September 7, 2022. Accordingly, an Environmental Impact Statement is not required on this proposal. Any comments regarding this determination and the environmental impacts of the proposal can be made at the Planning Commission Hearing using the method noted below or in writing to the Benton County Planning Division by 3 p.m. on Friday October 10, 2022.

Comments regarding the proposed zone change or SEPA determination of the proposal may also be submitted in writing to the Benton County Planning Division; P.O. Box 910, Prosser, WA 99350 or via email to planning.department@co.benton.wa.us. No individual with a disability shall be denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at a public meeting, please contact the Benton County Planning Division at least ten days prior to the meeting date to make arrangements for special needs.

At this hearing, the Planning Commission may recommend approval, or disapproval of the proposal to the Benton County Board of Commissioners. All parties concerned may present any support or objections for the application. Information concerning the application can be obtained at the Benton County Planning Division, by calling 736-3086 (Tri-Cities) or 786-5612 (Prosser) or by visiting www.tinyurl.com/BCPublicNotice.

Dated this 22nd day of September 2022.

Martin Sheeran, Chairman
 Benton County Planning Commission

Michelle Cooke, Manager
 Planning Division

PUBLISH: September 28, 2022



BENTON CLEAN AIR AGENCY

September 8, 2022

Re: EA 2022-032

Donna Hutchinson
Office Assistant IV
PO Box 910
Prosser, WA 99350

Applicant/Proponent: Benton County Planning Division
Attn: Peter McEnderfer
620 Market St, PO Box 910
Prosser, WA 99350

Dear Ms. Hutchinson:

It has come to our attention that you are reviewing a proposal for the above named applicant in which a parcel or parcels will be disturbed for development. Because these activities may cause possible fugitive dust emissions, we would like to take this opportunity to provide information to ensure that the applicant takes reasonable steps to control the dust from his/her project.

The Benton Clean Air Agency (BCAA) requires the applicant submit a Proof of Contact: Soil Destabilization Notification for this project prior to any excavation/construction taking place. This will ensure that the proponent has the ability and resources to control fugitive dust emissions that may be created as a result of construction activities. This will also inform them of the regulations and requirements of the BCAA. Additionally, a written dust control plan must be developed and maintained for all soil destabilization projects and must be readily available upon request by the BCAA. Part of this plan is submitting the name of at least one person for the project so that the BCAA has a point of contact should we receive any dust complaints from the project. The Soil Destabilization Notification form can be found and submitted on our website, www.bentoncleanair.org.

Thank you for the opportunity to comment on this proposal. If you have any questions, or would like further information on this subject, please contact us at (509) 783-1304.

Sincerely,

Noah Lee

Noah Lee
Inspector

Donna Hutchinson

From: Daniel Tissell <DTissell@kid.org>
Sent: Tuesday, September 13, 2022 2:34 PM
To: Planning Department
Subject: [EXTERNAL] RE: EA 2022-032 Agency Review of DNS

EXTERNAL EMAIL WARNING!!!: This email originated from outside of Benton County. **DO NOT** click links or open attachments unless you recognize the sender and know the content is safe.

KID has no comment regarding this matter.

Thanks,

Daniel Tissell, P.E.
Assistant Engineering Manager
Kennewick Irrigation District
2015 S. Ely Street
Kennewick, WA 99337
(509) 586-6012 ext. 116



From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Wednesday, September 7, 2022 4:08 PM
To: Benton Clean Air - Noah Lee <noah.lee@bentoncleanair.org>; john.lyle@bentoncleanair.org; Benton Clean Air-Priddy <robin.priddy@bentoncleanair.org>; Benton Clean Air-Rodger <rob.rodger@bentoncleanair.org>; Benton Clean Air-Tyler Thompson <tyler.thompson@bentoncleanair.org>; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Clark Posey <Clark.Posey@co.benton.wa.us>; Elizabeth Koerner <Elizabeth.Koerner@co.benton.wa.us>; Michelle Johnson <Michelle.Johnson@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Elizabeth Koerner <Elizabeth.Koerner@co.benton.wa.us>; Benton-Franklin Dist. Health Dept. <rickd@bfhd.wa.gov>; Bureau of Land Management - Kevin Devitt District Manager (BLM_OR_SP_Mail@blm.gov) <BLM_OR_SP_Mail@blm.gov>; Burlington Northern Sante Fe Railroad <carrie.thompson@BNSF.com>; City of Benton City - Mayor Linda Lehman (llehman@ci.benton-city.wa.us) <llehman@ci.benton-city.wa.us>; sydney.hanson@dahp.wa.gov; Dept. of Archaeology and Historic Preservation - SEPA Review (sepa@dahp.wa.gov) <sepa@dahp.wa.gov>; Dept. of Ecology-Former Orchards SEPA (FormerOrchards@ecy.wa.gov) <FormerOrchards@ecy.wa.gov>; Dept. of Fish and Wildlife-SEPA Review <R3planning@dfw.wa.gov>; Dept. of Natural Resources (sepacenter@dnr.wa.gov) <sepacenter@dnr.wa.gov>; Dept. of Natural Resources <dnrmisepacenter@dnr.wa.gov>; Dept. of Transportation (scplanning@wsdot.wa.gov) <scplanning@wsdot.wa.gov>; Fire District #2 Ron Duncan <runcan@bcfpd2.org>; alex@futurewise.org; Futurewise <tim@futurewise.org>; Development <development@kid.org>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Tom Price-Environmental Review Inc. (envreview@gmail.com) <envreview@gmail.com>; US Corps of Engineers <cenww-re@usace.army.mil>; WA Dept of Health - Kelly Cooper - WA Dept of Health - Kelly Cooper (SEPA.reviewteam@doh.wa.gov) <SEPA.reviewteam@doh.wa.gov>; Yakama Indian Nation SEPA Review <enviroreview@yakama.com>; Yakima Indian Nation-John Marvin <john_marvin@yakama.com>; City of West Richland - Aaron Lambert <alambert@westrichland.org>; Confederated Tribes of the Umatilla Indian Reservation - Ashley M. Morton (AshleyMorton@ctuir.org) <AshleyMorton@ctuir.org>; Umatilla Indian Nation <EricQuaempts@ctuir.org>; Bureau of Reclamation - C. Garner (cgarner@usbr.gov) <cgarner@usbr.gov>; Bureau of Reclamation - L Hendrix - Bureau

of Reclamation (lhendrix@usbr.gov) <lhendrix@usbr.gov>; Bureau of Reclamation -McKinley (cmckinley@usbr.gov) <cmckinley@usbr.gov>

Subject: EA 2022-032 Agency Review of DNS

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The Benton County Planning Department has prepared the attached DNS in accordance with the State Environmental Policy Act regulation. This DNS is being circulated for review by all agencies with jurisdiction. We are circulating it for comments on the **environmental impacts** of this action.

We appreciate your review of the proposal and return of comments no later than **September 21, 2022**. This proposal will not be acted upon before that time.



Donna Hutchinson
Office Assistant IV
Community Development Dept.
Planning Division
PO Box 910 Prosser WA 99350
(509) 786-5612

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this email account may be a public record. Accordingly, this email, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

Prosser: We are located within the Road Department/Public Works Office on the first floor of the Benton County Courthouse at 620 Market St, Prosser WA 99350. **Kennewick:** Public Services Building at 102206 E Wiser Parkway, Kennewick, which houses the Planning, Building and Road Departments.