RECOMMENDATION OF THE
BENTON COUNTY PLANNING COMMISSION

RE: Comprehensive Plan Amendment
to realign the City of Kennewick's
Urban Growth Area

File No. CPA 2019-001

RECOMMENDATION, FINDINGS OF FACT
AND CONCLUSIONS

RECOMMENDATION

In the matter of County Planning, the Benton County Planning Commission recommends the comprehensive plan amendment application by the City of Kennewick to realign its urban growth area boundary through the addition of 279.53 acres for industrial uses be approved subject to twenty-one (21) findings of fact.

LEGAL DESCRIPTION

The area covered by the proposed Comprehensive Plan Amendment is generally described below:

The property within the application is located South of I-82 and East of the I-82 and SR 395 Interchange and is located along Christianson Road in the South Half of the SE Quarter of the SW Quarter of Section 17 and the NE Quarter of the SW Quarter of the SE Quarter of the SW Quarter and the SE Quarter of Section 18, Township 8 North, Range 29 East, W.M. Parcel # 1-1889-200-0001-005. The 279.53 acres includes approximately 56.70 acres of existing road right of way.

RESOLUTION

WHEREAS, the legal notification for the 2019 Comprehensive Plan Amendment Docket was published in the Tri City Herald on January 11, 2019;

WHEREAS, the legal notification for the Planning Commission public hearing was published in the Prosser Record Bulletin on October 30, 2019;

WHEREAS, the notice of the Planning Commission public hearing was emailed/mailed to those property owners within 300 feet of the proposal on October 25, 2019;

WHEREAS, a public hearing was held before the Planning Commission on November 12, 2019.

WHEREAS, the following members were present, Martin Sheeran, Tammara McKeirnan, Curtis Wills, and Lloyd Coughlin;

WHEREAS, the Planning Commission considered all evidence and testimony submitted and after discussion voted four (4) members in favor to recommend approval of a Comprehensive Plan Amendment by the City of Kennewick to realign its UGA boundaries; and,

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

1. This is a comprehensive plan amendment application (CPA 2019-001) to realign the City of Kennewick’s Urban Growth Area (UGA). The City of Kennewick is requesting to add approximately 279.53 acres, to be designated for large tract industrial uses, to its UGA. The property is identified as Benton County Parcel Number 1-1699-200-0001-005 (as described in the PCM 1.11) and as shown in application submittal’s site and aerial map (PCM 1.12).

2. The County finds that between 2013-2019, the following occurred as it relates to a realignment of the City of Kennewick UGA:
   a. The City of Kennewick’s plan to realign its Urban Growth Area (UGA) began in 2013-2014 with two (2) Benton County Comprehensive Plan Amendment requests to modify its UGA.
   b. The City of Kennewick applied with Benton County to expand the City’s Urban Growth Area (UGA) by approximately ±1200 acres (CPA 2013-01) and retract the City’s easternmost UGA by approximately 240 acres (CPA 2014-001).
   c. In 2014, the City’s request (CPA 2013-01) to expand the UGA by approximately 1200 acres+ was denied. No acreage was added to the UGA during this process.
   d. In 2014, the City’s request (CPA 2014-001) to remove 240 acres from the UGA was approved.
   e. With a five (5) year review cycle for application submittals to update Urban Growth Area Boundaries, Benton County’s next UGA application period was set for the fall of 2018.
   f. In October 2018, the City Council of the City of Kennewick approved City Resolution 18-21, authorizing the mayor to sign and submit an application to the Benton County Planning Department to amend the City of Kennewick’s Urban Growth Area (PCM 1.11).
   g. In November 2018, the City of Kennewick submitted an application (CPA 2019-001) to realign its UGA to seek adjustment for the 240 acres removed in 2014 in CPA 2014-001. This application proposes to add approximately 279.53 acres of which approximately 222.827 acres is proposed to be designated for industrial uses and approximately 56.703 acres is designated as road right of way.
   h. In August 2019, the City of Kennewick submitted supplemental data for its UGA application, including an updated capital facility analysis (PCM 1.31), land capacity analysis (PCM 1.34) and land quantity analysis (PCM 1.35).

3. The County finds the application submittal, public notice, and procedural steps is consistent with Benton County Code (BCC) Chapter 16.14 Amendments to the Benton County Comprehensive Plan, including:
   a. In October 2018, the City Council of the City of Kennewick approved City Resolution
18-21, authorizing the mayor to sign and submit an application to the Benton County Planning Department to amend the City of Kennewick’s Urban Growth Area (PCM 1.24).

b. On September 14, 2018, legal notification was posted stating that Benton County will be accepting proposals from cities for possible amendments to their respective urban growth area boundaries.

c. On November 29, 2018, the City of Kennewick UGA application (PCM 1.11) was submitted to Benton County in compliance with the established 2019 application process.

d. On November 29, 2018, the County issued a written determination to the City of Kennewick stating the application is complete, in compliance with the 14-day review time-period.

e. The City of Kennewick’s application submittal consists of the following documents/materials:

(i). Benton County Planning Department Application - Comprehensive Plan - Urban Growth Area Amendment Application Form (PCM 1.11);

(ii). Washington State Department of Commerce Requests for Information (PCM 1.16);

(iii). City of Kennewick Industrial Zoned Land Assessment, dated September 30, 2016 (PCM 1.23);

(iv). City of Kennewick Resolution No. 18-21 (PCM 1.24);

(v). Aerial Map and Site Map (PCM 1.12);

(vi). City of Kennewick 2018 UGA Information Spreadsheet (PCM 1.15);

(vii). ECONorthwest, December 16, 2016, Methods for Buildable Lands Inventory (PCM 1.29);

(viii). SEPA: Adoption of Existing Environmental Document (PCM 1.20) and SEPA Addendum for UGA Expansion (PCM 1.28);

(ix) SEPA Checklist (PCM 1.19) and Determination of Non-Significance (PCM 1.21);

(x) 2012 South Kennewick Industrial Area - UGA Expansion Capital Facilities Analysis (PCM 1.17);

(xi). 2018 Urban Growth Area Application – Capital Facility Analysis Summary (PCM 1.18);

(xii). City of Kennewick Comprehensive Plan (PCM 1.22);
(xiii). City of Kennewick General Sewer Plan Update (PCM 1.25);

(xiv). City of Kennewick Critical Area Map (PCM 1.13);

(xv). 2019 South Kennewick Industrial Area UGA Expansion- Capital Facilities Analysis (PCM 1.31);

(xvi). 2019 Land Capacity Analysis (PCM 1.34);

(xvii). 2019 Land Quantity Analysis for 2019 UGA Re-Alignment Request (PCM 1.35); and

(xviii). 2019 Industrial, Medium Zoning District documentation, including submittal to Department of Commerce (PCM 1.32).

f. On January 11, 2019, a legal notification for the 2019 Comprehensive Plan Amendment Docket was published in the Tri-City Herald (PCM 1.9).

g. On October 25, 2019, legal notification for the 2019 Comprehensive Plan Amendment Docket was mailed to property owners within 300 feet of the proposal and was published on the County Website.

h. On October 30, 2019, a legal notification for the Planning Commission public hearing was published in the Prosser Record Bulletin. (PCM 1.8).

i. On November 12, 2019, a public hearing was held before the Planning Commission.

j. The Planning Commission recommendation is to be heard by the Board of County Commissioners in at least one open record hearing.

k. The Benton County Planning Department analyzed the application for consistency with the Growth Management Act, the Benton County Comprehensive Plan, the County-Wide Planning Policies (CWPP), and other regulations adopted by Benton County as applicable.

4. The County finds the application submittal is consistent with the purpose, goals and policies of the Benton County Comprehensive Plan (Ordinance 600/Resolution 2018-137), including:

a. The application submittal is consistent with the Benton County Comprehensive Plan, Sub-Section 1.7 Amendments to the Comprehensive Plan.

   (i) With a five (5) year review cycle for city application submittals to update urban growth area boundaries, the City of Kennewick was eligible to apply with Benton County in the fall of 2018.

b. The application submittal is consistent with Benton County Comprehensive Plan, Sub-Section 2.2.1 Urban Growth, LU Goal 4.

   (i) The 279.53 acres is adjacent to existing city limit boundaries and through
long range capital facility planning actions by the City, will provide an orderly and cost-effective transition from rural to urban for the proposed area.

c. The application submittal included the following documentation regarding the extension of city utilities, including water and sewer services, to the realigned urban growth area:

(i) 2012 South Kennewick Industrial Area- UGA Expansion Capital Facilities Analysis (PCM 1.17);

(ii) 2018 Urban Growth Area Application – Capital Facility Analysis Summary (PCM 1.18);

(iii) 2019 South Kennewick Industrial Area UGA Expansion- Capital Facilities Analysis (PCM 1.31); and

(iv) City of Kennewick General Sewer Plan Update (PCM 1.25).

d. The application submittal is consistent with Economic Development Goal 3, as stated in the Benton County Comprehensive Plan, 2.6 Economic Development.

(i) The 279.53 acres is located in an area that: is environmentally acceptable for industrial uses; will minimize impacts on rural and urban uses; will protect proposed industrial uses from incompatible uses; provides transportation access to I-82; is adjacent to existing industrial development within the urban area; and can be served by city utilities.

e. The application submittal is consistent with the requirements and process established in the Benton County Comprehensive Plan, Sub-Section 3.5 Countywide Planning Policies and the Countywide Planning Policies (CWPP), County Ordinance 581.

(i) The County and the five (5) cities have each adopted the Benton County Countywide Planning Policies (CWPP). Benton County adopted the policies on February 7, 2017 per Ordinance Number 581;

(ii) The application submittal is consistent with the overall intent and directives/policies of the CWPP, including CWPP Policy #4, the uniform methodology to calculate the amount of additional land needed by each city to accommodate the population growth projections provided by the OFM. The County refers to the following submitted documentation: 2018 UGA Information Spreadsheet (PCM 1.15); City of Kennewick Industrial Zoned Land Assessment, dated September 30, 2016 (PCM 1.23); Washington State Department of Commerce Requests for Information (PCM 1.16); ECONorthwest, December 16, 2016, Methods for Buildable Lands Inventory (PCM 1.29); 2019 Capital Facilities Analysis (PCM 1.31); 2019 Land Capacity Analysis (PCM 1.34); and 2019 Land Quantity Analysis for 2019 UGA Re-Alignment Request (PCM 1.35); and

(iii) The City's Capital Facilities Plans (PCM 1.31) and (PCM 1.17) and
associated analysis summary as submitted, complies with RCW 36.70A.070(3), demonstrating the City’s ability to serve the area of realignment with City utilities.

f. The application submittal is consistent with the requirements and process established in the Benton County Comprehensive Plan, Sub-Section 3.6 Expansion of Urban Growth Areas, including 3.6.1, 3.6.2, and 3.6.3.

(i) The realignment is a logical and effective expansion of the urban growth area;

(ii) The application submittal includes an analysis of land availability and population growth in its determination to realign the city’s UGA; and

(iii) Encouraging industrial development in the proposed UGA realignment area will assist with: Preservation of commercially significant agricultural land; Preservation of rural lands that have development constraints or critical areas; Directing industrial development to lands that do not have critical areas and/or development constraints; Promoting industrial development in areas with adequate separation from residential development; Providing the land necessary to accommodate projected population growth for the urban growth area; and providing economic development opportunities for industrial development in the urban growth area through an increase in amount of land that is attractive for new development.

g. The application submittal is consistent with the Benton County Comprehensive Plan, 5.4 Summary of Economic Development Priorities, including subsection 5, Industrial Development.

(i) The application submittal proposes a realigned urban growth area to accommodate industrial development that has access to both electricity (power) and a transportation system (I-82). The City has stated (PCM 1.32) the lands will be zoned for large tract industrial uses in the future, including a plan to form the Industrial, Medium Zoning District which includes a minimum lot size of 50 acres.

5. The County finds the application submittal is consistent with the Growth Management Act, RCW 36.70A.

a. The application submittal is consistent with the Growth Management Act, RCW 36.70A.106.

(i) As required in RCW 36.70A.106, the County notified the Washington State Department of Commerce on March 5, 2019 of the application to amend the Urban Growth Area Boundary. The 60-day review process was complete on May 6, 2019.

b. The application submittal is consistent with the Growth Management Act, RCW 36.70A.110 Comprehensive Plans- Urban Growth Areas.
(i) The application submittal complies with RCW 36.70A.110 including the requirements as specified in RCW 36.70A.110 (1)-(9) as it relates to the City's request to realign its urban growth area; and

(ii) The application submittal complies with the locational and sizing requirements of RCW 36.70A.110.

c. The application submittal is consistent with the Growth Management Act, RCW 36.70A.130 Comprehensive Plans- Review Procedures and Schedules-Amendments.

(i) The application submittal complies with RCW 36.70A.130 (2) public participation requirements and RCW 36.70A.130 (3) review of urban growth areas; and

(ii) The application submittal complies with the application review and evaluation criteria of RCW 36.70A.130.

d. The application submittal is consistent with the Growth Management Act, RCW 36.70A.020 Planning Goals.

(i) The realignment of the City's UGA meets and complies with the guiding planning goals in RCW 36.70A.020 including those focusing on urban growth, reducing sprawl, transportation, housing, economic development, property rights, permits, natural resource industries, open space, environment, citizen participation, public facilities, and historic preservation, as applicable.

6. The County finds that in 2017, it was determined that a county-wide review of agricultural resource lands in Benton County be completed with the goal to identify, maintain, enhance, and conserve agricultural lands of long-term commercial significance (Benton County Comprehensive Plan, Appendix L, Agricultural Land Reclassification Memorandum (PCM 1.5)).

a. Through the Benton County Periodic Update of its Comprehensive Plan, the County increased agricultural resource land designations, removed lands that do not have long-term commercial significance, identified a new designation for rural resource land, all of which assist in meeting GMA goals for agricultural land in Benton County.

7. The County finds that pre-2018, the 279.53 acres was zoned Growth Management Act Agricultural District with a Benton County Comprehensive Land Use Designation of GMA Agriculture (GMA AG). The Comprehensive Plan and zoning designations were changed during Benton County's 2017 Periodic Update process with the completion of the Benton County Comprehensive Plan, including the Agricultural Land Reclassification Memorandum (PCM 1.5).

8. The County finds the 279.53 acres is currently zoned Rural Lands 5 (RL-5) and has a Rural Remote land use designation in the Benton County Comprehensive Plan (PCM 1.2).

9. The County finds the Rural Remote land use designation is generally located between
agricultural lands, rural transition, and urban growth boundaries.

10. The County finds the 279.53 acres is generally flat and the current use of the land is vacant and undeveloped.

11. The County finds the City of Kennewick has taken steps to reclassify land to meet its 20-year population demand, including the creation of a mixed-use zone (Vista Field Redevelopment and Bridge to Bridge/Rivers to Railroad Revitalization Area) for residential and commercial needs. Previously designated commercial, both of these areas will now be able to incorporate market demand housing options.

12. The County finds that the City has an adequate amount of residential land designated to meet the 20-year population increase, but the excess does not grant enough acreage necessary to meet the needs in all other aspects, except for commercial lands.

13. The County finds ECONorthwest, December 16, 2016, Methods for Buildable Lands Inventory (PCM 1.29) is a regional industrial lands analysis commissioned by the City of Kennewick to better understand the industrial needs of the region as the City desires to realign its UGA to provide industrial employment opportunity now and into the future.

14. The County finds the ECONorthwest, December 16, 2016, Methods for Buildable Lands Inventory (PCM 1.29) states the Tri-Cities region lacks large, desirable sites for industrial development.

15. The County finds that there is a shortage of land in the City’s existing UGA to accommodate future large tract industrial growth and the City has a desire to diversify its economy by increasing the amount of available industrial lands with qualities that make the land attractive for new development.

16. The County finds the undeveloped land in the Southridge Area of the UGA, currently zoned commercial and residential, is not a preferred location to encourage large tract industrial development. The area is limited in its development capacity for industrial uses due to critical area constraints, including steep slopes (15% or greater) with erosion hazard soils (PCM 1.13), and its proximity to existing or planned residential uses and development.

17. The County finds that the City of Kennewick has demonstrated it will maintain an adequate level of service standard and public facilities through its urban area capital facility planning efforts.

18. The County finds, upon completion of a review of the County Critical Area Ordinance and associated critical area maps, there are no documented critical areas (wetlands, critical aquifer recharge, floodplains, geologically hazardous, or fish and wildlife habitat conservation areas) on the 279.53 acres.

a. The 279.53 acres includes areas with erosion hazard soils and slopes that are less than 15%. These attributes, individually or combined, are not considered a critical area in unincorporated Benton County.

19. The County finds the nearest residential areas are separated from the 279.53 acres by canyons, Interstate 82, and existing industrial lands.
20. The County finds the application submittal provides an orderly and cost-effective transition from rural to urban land uses that can be coordinated.

21. The County finds, upon approval of CPA 2019-001, that the following maps and tables in the Benton County Comprehensive Plan (Ordinance 600/Resolution 2018-137) will be modified in accordance with CPA 2019-001:

a. Figure 1: Vicinity Map and Figure 5: 2017 Periodic Update Land Use Designation Map, Appendix A, Map Folio; to include the proposed City of Kennewick Urban Growth Area Boundary.

b. Table 3-1; Current Land Use in Benton County by removing 279 acres from Land Use Type- Rural Lands 5, adding 279 acres to Land Use Type- Cities and Urban Growth Areas, and remove 279 acres from Total Unincorporated Area.

c. Table 3-3; Proposed Land Uses and Land Distribution in Benton County. Remove 279 acres from Land Use Type- Rural Remote, add 279 acres to Land Use Type- Cities and Urban Growth Areas, and remove 279 acres from Total Unincorporated Area.

A majority of the Planning Commission members find that all of the facts set forth in the Planning Department Staff Report dated October 24, 2019 are accurate. Supporting documents have been considered and addressed.

THEREFORE BE IT RESOLVED THAT THE BENTON COUNTY PLANNING COMMISSION, through its chairman as authorized by motion of the Board, adopts these findings and conclusions with respect to File No. CPA 2019-001, a Comprehensive Plan Amendment proposed by the City of Kennewick is hereby recommended to be APPROVED.

[Signature] 11/12/2019
MARTIN SHEERAN, Chairman  Dated
BENTON COUNTY PLANNING COMMISSION