

Benton County Planning Department

Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629



BENTON COUNTY PLANNING COMMISSION
Regular Meeting, 7:00 p.m.
AUGUST 9, 2016
BENTON COUNTY PLANNING ANNEX
Hearing Room - 1002 Dudley Avenue
Prosser WA 99350

Call to order/Roll Call

Approval of Minutes

CONSENT AGENDA: None

UNFINISHED BUSINESS: NONE

NEW BUSINESS: None

Planning Commission Workshop:

a. 2017 Comprehensive Plan Update.

MICHAEL SHUTTLEWORTH, PLANNING MANAGER
BENTON COUNTY PLANNING DEPARTMENT

MARTIN SHEERAN, Chairman
BENTON COUNTY PLANNING COMMISSION

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BENTON COUNTY PLANNING COMMISSION

Regular Meeting, 6/14/2016

7:00 p.m. Public Hearing Room, Planning Annex
1002 Dudley Avenue, Prosser WA 99350

THESE MINUTES ARE SUMMARIZED AND ARE NOT A VERBATIM TRANSCRIPT.

ROLL CALL

	PRESENT	ABSENT
Martin Sheeran	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Aimee Bergesen	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VACANT	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Marjorie Kaspar	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dean Burows	<input checked="" type="checkbox"/>	<input type="checkbox"/>
James Willard	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Leo Perales	<input checked="" type="checkbox"/>	<input type="checkbox"/>

STAFF

Michael Shuttleworth
Donna Hutchinson
Michelle Cooke

APPROVAL OF MINUTES

It was moved by James Willard and seconded by Marjorie Kaspar, that the minutes be approved as written.

Vote:

	YES	NO	ABSTAIN	ABSENT
Martin Sheeran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marjorie Kaspar	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VACANT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Aimee Bergesen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
James Willard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leo Perales	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dean Burows	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion passed unanimously.

CONSENT AGENDA - NONE

UNFINISHED BUSINESS:

Continued Public Hearing on the Countywide Planning Policies.

Mike Shuttleworth, Planning Staff, stated that the changes to the CWPP had been put into PowerPoint to help outline the proposed changes. Mike went through the PowerPoint and explained the process and changes to the PC.

There being no one in the audience who wished to testify the public portion of the hearing was closed.

After discussion by the Planning Commission the following motion was made.

MOTION

It was moved by Dean Burows and seconded by Aimee Bergesen, that the proposed changes to the Countywide Planning Policies be forwarded to the Board of County Commissioners with a recommendation for approval.

Vote:

	YES	NO	ABSTAIN	ABSENT
Martin Sheeran	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marjorie Kaspar	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VACANT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Aimee Bergesen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
James Willard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leo Perales	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dean Burows	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion passed unanimously.

NEW BUSINESS: NONE

Planning Dept. Reports and Discussions:

- a. Discussion on accepting application for UGA's in 2017.

Mike Shuttleworth explained why staff was proposing to allow the Cities to submit applications for Urban Growth Area changes to the County in 2017. He noted that those changes could then be incorporated in the overall 2017 update to the Comprehensive Plan.

It was moved by R. Dean Burows and seconded by Leo Perales that the Planning Commission forward a recommendation that the Board of County Commissioners approve the proposed Resolution. All in favor, the motion passed.

b. Benton County's Six Year Road Plan - for informational purposes only.

UNSCHEDULED VISITORS:

Wayne/Cynthia Daily were in the audience to promote the proposal of an ordinance allowing extension of subdivision past the limits set in RCW.

MARTIN SHEERAN, Chairman DATE
BENTON COUNTY PLANNING COMMISSION

Benton Comprehensive Plan Update for 2017

Presentation for the Planning Commission

August 9, 2016

Land Use Element

A land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. **The land use element shall include population densities, building intensities, and estimates of future population growth.** The land use element shall provide for protection of the quality and quantity of groundwater used for public water supplies. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity. Where applicable, the land use element shall review drainage, flooding, and storm water run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.

Housing Element

A housing element ensuring the vitality and character of established residential neighborhoods that:

- (a) Includes an **inventory and analysis of existing and projected housing needs** that identifies the number of housing units necessary to manage projected growth;
- (b) includes a statement of **goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing**, including single-family residences;
- (c) **identifies sufficient land for housing**, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and
- (d) makes adequate provisions for existing and projected needs of all economic segments of the community.

Capital Facilities Plan (CFP) Element

A capital facilities plan element consisting of:

- (a) An **inventory of existing capital facilities** owned by public entities, showing the locations and capacities of the capital facilities;
- (b) a **forecast of the future needs** for such capital facilities;
- (c) the **proposed locations and capacities** of expanded or new capital facilities;
- (d) at least a **six-year plan** that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and
- (e) a **requirement to reassess** the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.

Utilities Element

A utilities element consisting of the general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines.

Rural Element

Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources. The following provisions shall apply to the rural element:

(a) Growth management act goals and local circumstances. Because circumstances vary from county to county, in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a **written record explaining how the rural element harmonizes the planning goals** in RCW [36.70A.020](#) and meets the requirements of this chapter.

(b) Rural development. The rural element shall permit rural development, forestry, and agriculture in rural areas. The rural element shall provide for **a variety of rural densities, uses, essential public facilities, and rural governmental services** needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties may provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural densities and uses that are not characterized by urban growth and that are consistent with rural character.

Rural Element Continued

(c) **Measures governing rural development.** The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

- (i) Containing or otherwise controlling rural development;
- (ii) Assuring visual compatibility of rural development with the surrounding rural area;
- (iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;
- (iv) Protecting critical areas, as provided in RCW [36.70A.060](#), and surface water and groundwater resources; and
- (v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW [36.70A.170](#).

(d) **Limited areas of more intensive rural development.** Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:

Rural Element Continued

(i) Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

(A) A commercial, industrial, residential, shoreline, or mixed-use area shall be subject to the requirements of (d)(iv) of this subsection, but shall not be subject to the requirements of (c)(ii) and (iii) of this subsection.

(B) Any development or redevelopment other than an industrial area or an industrial use within a mixed-use area or an industrial area under this subsection (5)(d)(i) must be principally designed to serve the existing and projected rural population.

(C) Any development or redevelopment in terms of building size, scale, use, or intensity shall be consistent with the character of the existing areas. Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5);

(ii) The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development. A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl;

Rural Element Continued

(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to RCW [36.70A.030](#)(15). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the local government according to RCW [36.70A.030](#)(15). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;

(iv) A county shall adopt measures to minimize and contain the existing areas or uses of more intensive rural development, as appropriate, authorized under this subsection. Lands included in such existing areas or uses shall not extend beyond the logical outer boundary of the existing area or use, thereby allowing a new pattern of low-density sprawl. Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominately by the built environment, but that may also include undeveloped lands if limited as provided in this subsection. The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries, such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;

Rural Element Continued

(v) For purposes of (d) of this subsection, an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

(B) On the date the county adopted a resolution under RCW [36.70A.040\(2\)](#), in a county that is planning under all of the provisions of this chapter under RCW [36.70A.040\(2\)](#); or

(C) On the date the office of financial management certifies the county's population as provided in RCW [36.70A.040\(5\)](#), in a county that is planning under all of the provisions of this chapter pursuant to RCW [36.70A.040\(5\)](#).

(E) Exception. This subsection shall not be interpreted to permit in the rural area a major industrial development or a master planned resort unless otherwise specifically permitted under RCW [36.70A.360](#) and [36.70A.365](#).

Transportation Element

A transportation element that implements, and is consistent with, the land use element.

(a) The transportation element shall include the following sub-elements:

(i) **Land use assumptions used in estimating travel;**

(ii) **Estimated traffic impacts** to state-owned transportation facilities resulting from land use assumptions to assist the department of transportation in monitoring the performance of state facilities, to plan improvements for the facilities, and to assess the impact of land-use decisions on state-owned transportation facilities;

(iii) **Facilities and services needs**, including:

(A) An inventory of air, water, and ground transportation facilities and services, including transit alignments and general aviation airport facilities, to define existing capital facilities and travel levels as a basis for future planning. This inventory must include state-owned transportation facilities within the city or county's jurisdictional boundaries;

(B) Level of service standards for all locally owned arterials and transit routes to serve as a gauge to judge performance of the system. These standards should be regionally coordinated;

Transportation Element Continued

(C) For state-owned transportation facilities, **level of service standards for highways**, as prescribed in chapters [47.06](#) and [47.80](#) RCW, to gauge the performance of the system. The purposes of reflecting level of service standards for state highways in the local comprehensive plan are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, or transit program and the office of financial management's ten-year investment program. The concurrency requirements of (b) of this subsection do not apply to transportation facilities and services of statewide significance except for counties consisting of islands whose only connection to the mainland are state highways or ferry routes. In these island counties, state highways and ferry route capacity must be a factor in meeting the concurrency requirements in (b) of this subsection;

(D) **Specific actions and requirements for bringing into compliance** locally owned transportation facilities or services that are below an established level of service standard;

(E) **Forecasts of traffic** for at least ten years based on the adopted land use plan to provide information on the location, timing, and capacity needs of future growth;

(F) **Identification of state and local system needs** to meet current and future demands. Identified needs on state-owned transportation facilities must be consistent with the statewide multimodal transportation plan required under chapter [47.06](#) RCW;

Transportation Element Continued

(iv) **Finance**, including:

(A) An analysis of funding capability to judge needs against probable funding resources;

(B) A multiyear financing plan based on the needs identified in the comprehensive plan, the appropriate parts of which shall serve as the basis for the six-year street, road, or transit program required by RCW [35.77.010](#) for cities, RCW [36.81.121](#) for counties, and RCW [35.58.2795](#) for public transportation systems. The multiyear financing plan should be coordinated with the ten-year investment program developed by the office of financial management as required by RCW [47.05.030](#);

(C) If probable funding falls short of meeting identified needs, a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met;

(v) **Intergovernmental coordination efforts**, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions;

(vi) **Demand-management strategies**;

(vii) **Pedestrian and bicycle component** to include collaborative efforts to identify and designate planned improvements for pedestrian and bicycle facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles.

Transportation Element Continued

(b) After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW [36.70A.040](#), local jurisdictions must **adopt and enforce ordinances which prohibit development approval** if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. These strategies may include increased public transportation service, ride sharing programs, demand management, and other transportation systems management strategies. For the purposes of this subsection (6), "concurrent with the development" means that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years.

(c) The transportation element described in this subsection (6), the six-year plans required by RCW [35.77.010](#) for cities, RCW [36.81.121](#) for counties, and RCW [35.58.2795](#) for public transportation systems, and the ten-year investment program required by RCW [47.05.030](#) for the state, must be consistent.

Park and Recreation Element

A park and recreation element that implements, and is consistent with, the capital facilities plan element as it relates to park and recreation facilities. The element shall include:

- (a) **Estimates of park and recreation demand** for at least a ten-year period;
- (b) an **evaluation of facilities and service needs**; and
- (c) an **evaluation of intergovernmental coordination opportunities** to provide regional approaches for meeting park and recreational demand.

Economic Development Element

An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. The element shall include:

- (a) A **summary of the local economy** such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate;
- (b) a **summary of the strengths and weaknesses** of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, utilities, education, workforce, housing, and natural/cultural resources; and
- (c) an **identification of policies, programs, and projects to foster economic growth** and development and to address future needs. A city that has chosen to be a residential community is exempt from the economic development element requirement of this subsection.

Shoreline Provisions:

For shorelines of the state, the goals and policies of the shoreline management act as set forth in RCW [90.58.020](#) are added as one of the goals of this chapter as set forth in RCW [36.70A.020](#) without creating an order of priority among the fourteen goals. The goals and policies of a shoreline master program for a county or city approved under chapter [90.58](#) RCW shall be considered an element of the county or city's comprehensive plan. All other portions of the shoreline master program for a county or city adopted under chapter [90.58](#) RCW, including use regulations, shall be considered a part of the county or city's development regulations

Public participation

Citizen participation and coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts

(OFM) 2015-2040 BENTON COUNTY POPULATION PROJECTION ALLOCATIONS¹

OFM High Series County-wide								
Year	Estimate	Benton Co	Benton City	Kennewick	Prosser	Richland	W Richland	Total
2015	188,590	34,130	3,285	78,290	5,845	53,080	13,960	188,590
Year	Projected							
2020	221,552	42,095	4,431	88,621	6,647	62,035	17,724	221,552
2025	238,812	45,373	4,776	95,525	7,164	66,867	19,105	238,812
2030	256,072	48,654	5,121	102,429	7,682	71,700	20,486	256,072
2035	273,332	51,934	5,467	109,333	8,200	76,533	21,867	273,332
2037	280,109	53,220	5,602	112,044	8,403	78,431	22,409	280,109
2040	290,592	55,212	5,812	116,237	8,718	81,366	23,247	290,592

¹ Population allocations based on: BC 19%, Benton City 2%, Kennewick 40%, Prosser 3%, Richland 28%, West Richland 8%

Urban Growth Areas

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS that Benton County will accept Comprehensive Plan Amendment application, from the cities, to amend the cities' Urban Growth Area Boundaries, provided said applications comply with the following:

The applications shall contain **all the information required in BCC 16.14.060(a), (b) and (c)** for a complete application, and

All applications must be submitted and determined to be complete by **December 31, 2016**.

Water

The GMA includes requirements that counties consider and address water resource issues in land use planning. *See:*

RCW 36.70A.020(10), GMA goal to **protect the environment**, including "water quality and the availability of water";

070(1), requiring that land use elements "shall provide for **protection of the quality and quantity of groundwater** used for public water supplies;"

(5)(c)(iv), requiring that rural elements include measures "[p]rotecting.....**surface water and groundwater resources**".

Water Continued

RIDGE challenged whether provisions of the County's subdivision code, Title 16KCC, violated the water protection requirements of the GMA.

The Board found that they did, holding "that the County's subdivision regulations allow multiple subdivisions side-by-side, in common ownership, which then can use multiple exempt wells ... contrary to the GMA's requirements to protect water quality and quantity."

*Kittitas Conservation II, 2008 WL 1766717, at *18, 2008 GMHB LEXIS 21, at *49-50.*

The Board's conclusion results from connecting the GMA's mandates to protect water with this court's interpretation of *RCW 90.44.050* in *Campbell & Gwinn, 146 Wn.2d at 4*, that the **total group groundwater use in a residential development must be considered**, rather than the separate use of each residential lot, for purposes of determining if use is in excess of 5,000 gallons per day for permit exemption.

County Wide Planning Policies

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS agrees in principle to the proposed amended Countywide Planning Policies for Benton County and direct the Benton County Planning Manager to send the proposed amended Countywide Planning Policies for Benton County to the Cities of Kennewick, Richland, West Richland, Benton City and Prosser for their review and concurrence.

BE IT ALSO RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS that if the cites have changes to the proposed amended Countywide Planning Policies, those changes will be reviewed by the Benton County Planning Commission and the Planning Commission will make a recommendation to the Board of County Commissioner.

Open Houses

Benton County Planning Department will be conducting several Open Houses to receive public input on changes to the Benton County Comprehensive Plan.