

RESOLUTION

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON
IN THE MATTER OF COUNTY PLANNING RE: AMENDMENT TO THE BENTON COUNTY
COMPREHENSIVE PLAN. FILE NO. CPA 08-05, APPLICANT: BENTON COUNTY
PLANNING STAFF.

WHEREAS, on June 22, 1998, the Benton County Board of Commissioners adopted the Benton County Comprehensive Plan; and,

WHEREAS, Washington State Planning law requires continuing review and evaluation of the Comprehensive Plan pursuant to RCW 36.70A.130(2)(a); and,

WHEREAS, Benton County provides for annual Comprehensive Plan Amendments in BCC 16.14; and,

WHEREAS, the Benton County Planning Commission did conduct a public hearing on July 15, 2008, to review the proposed comprehensive plan amendment to amend text within Chapters One (Introduction) Chapter Three (Plan Goals and Policies) Chapter Six (Parks and Recreation Element) and in Chapter Nine (Capital Facilities Element); and,

WHEREAS the purpose of the amending text in Chapter One is to update the quoted RCW that refers to the "Frequency of Amendments" as revised by the state and add reference to the Comprehensive Plan Amendment Ordinance; Chapter Three, edit the cycle of major review to every seven years counting from the State mandated 2006 Compliance Review as mandated by the GMA; in Chapter Six, change references to the Interagency Committee for Outdoor Recreation (IAC) to its new name Recreation and Conservation Office (RCO), and in Chapter Nine revise descriptive text to accurately reflect current conditions in the Parks and Recreation section; and,

WHEREAS, the Benton County Planning Commission at the conclusion of its public hearing on CPA 08-05 forwarded a recommendation of approval of the amendments to the Board of Commissioners. The Planning Commission record was forwarded to the Board of County Commissioners on November 3, 2008 and the legal notification was published on October 30, 2008; and copies mailed to those interested parties as noted in the file maintained in the Planning Department and,

WHEREAS, the Board of County Commissioners did conduct their own public hearing on November 10, 2008, and January 26, 2009, at 9:05 a.m. in the Commissioner's Meeting Room, Third Floor, Courthouse, Prosser WA 99350; and,

WHEREAS, the "housekeeping edit" nature of the proposal does not require review under RCW 43.21C (SEPA); and,

WHEREAS, the Board finds that proper legal notification, public hearing and review have been made; and,

WHEREAS, after consideration of the above mentioned request and reviewing the Planning Commission record, staff analysis and memos, and all written and oral comments received at the public hearings, the Board of County Commissioners finds the staff's application to amend text within Chapters One (Introduction); Chapter Three (Plan Goals and Policies); Chapter Six (Parks and Recreation Element); and in Chapter Nine (Capital Facilities Element), to be in compliance with the Growth Management Act and consistent with the Benton County Comprehensive Plan; and,

NOW THEREFORE, BE IT RESOLVED that the Board of County Commissioners hereby amends the Comprehensive Plan to include housekeeping edits to Chapter One, Chapter Three, Chapter Six and Chapter Nine, as set forth in Exhibits 1, 2, 3 , & 4 of the CPA 08-05 Record.

Dated this 23 day of Feb 2009.


Chairman of the Board


Member


Member

Constituting the Board of County
Commissioners of Benton County
Washington

Attest.....

Clerk of the Board

Michael Shuttleworth/smw
cc: Prosecuting Attorney's Office

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

STAFF REVIEW AND RECOMMENDATION July 7, 2008

File No. CPA 08-05
Date 7-8-08
Exhibit No. 1
Received by djh

CONSISTENCY OF A PROPOSED COMPREHENSIVE PLAN AMENDMENT WITH THE ADOPTED COMPREHENSIVE PLAN AMENDMENT CRITERIA

Comprehensive Plan Amendment # 2008-05 (CPA 08-05)

Proposed Amendment: Staff housekeeping items.

Purpose of the Plan Amendment: Housekeeping items are changes proposed by staff that improve the accuracy, or update the text in the Comprehensive Plan to reflect current conditions.

Section of the Comprehensive Plan to be Amended:

- Chapter One -Introduction, The RCW quoted on page 1-9 has been revised by the state as shown and a reference to the Comprehensive Plan Amendment Ordinance is added on new page 1-11. The revisions made to update text are shown in Exhibit 2.
- Chapter Three -Goals Policies and Actions, the following is an edit to text on page 3-1:

Goal 3, Policy B.
B. That the Comprehensive Plan shall undergo a major review every ~~five~~ seven years commencing the ~~fifth~~ seventh year after the State mandated 2006 Compliance Review and Update adoption.
- Chapter Six - Parks and Recreation, change agency name from Interagency Committee for Outdoor Recreation or IAC to its new name Recreation and Conservation Office, Exhibit 3.
- Chapter Nine -Capital Facilities, Revisions made to update text in the Parks and Recreation section are shown in Exhibit 4.

Staff Recommendation

Staff recommends that the Planning Commission forward the proposed housekeeping amendments to the Board of County Commissioners with a recommendation of approval. Based upon the information available, staff believes that the proposed amendment #2008-5 meets or is not inconsistent with the Comprehensive Plan goals and policies.

Consistency of the Proposed Amendment with Adopted Comprehensive Plan Amendment Criteria:

Amendments are consistent with the Plan when:

- a. An amendment is necessary to resolve inconsistencies within the County Comprehensive Plan, or with other city plans or ordinances with which the county has no objection;

The proposed housekeeping amendments to the text in the Comprehensive Plan are made to improve the accuracy of the information or current conditions call for revisions to bring the Plan up to date.

- b. Conditions have so changed since the adoption of the county plan or ordinances that the existing adopted provision is inappropriate;

Comprehensive Plan provisions are unaffected by the corrections.

- c. The proposed amendment is consistent with the overall intent of the goals, map, and Rural Element of the county plan.

It is consistent

- d. The proposed amendment is consistent with Chapter 36.70A RCW, the County-wide Planning Policies, and Plan policies;

It is consistent.

- e. For an amendment to the Comprehensive Plan Map, the proposed designation is adjacent to property having a similar and compatible designation, or the subject property is of sufficient size, or other conditions are present, to locate development or otherwise mitigate potential incompatibilities to insignificant levels;

Not applicable.

- f. Environmental impacts have been disclosed and measures imposed to either avoid or mitigate said impacts;

Not applicable.

- g. Potential ramifications of the proposed amendment to other Comprehensive Plan Elements and supporting documents have been considered and addressed;

Not applicable.

- h. As appropriate, where an amendment of the Comprehensive Plan is approved by the Board of Commissioners, and a subsequent rezone or amendment to development regulations is required, the planning commission may consider them and make recommendations to the Board for consideration concurrent with the final approval of the comprehensive plan amendment.

Not applicable.

EXHIBITS

Exhibit 1 Staff Report dated July 7, 2008

Exhibit 2 Comprehensive Plan Chapter 1, page 1-9 through page 1-11

Exhibit 3 Comprehensive Plan Chapter 6, page 6-2

Exhibit 4 Comprehensive Plan Chapter 9, page 9-5 through 9-7

- the exclusion of lands previously designated Agriculture from the designation because of urban encroachments and parcelization which has occurred within the past 10 years;
- an increase in the number of acres designated industrial;
- a greater emphasis on recreational trails, paths and other amenities.
- a detailed Economic Element integrated with an Economic Development Improvement Program (EDIP) which is not a part of the Comprehensive Plan.
- a Park and Recreation Element.

AMENDMENTS TO THIS COMPREHENSIVE PLAN

Comprehensive Plans are not written in stone for all time. They are a living document designed to be at once rigid enough to hold a chosen course over an extended period of new growth and development, yet flexible enough to accommodate a wide spectrum of both anticipated and unforeseen market conditions. A fundamentally good plan can do this for a relatively short period of time (5-10 years), during which monitoring and data gathering and analysis for the purposes of "fine tuning" and improving the plan by amendment should be an ongoing program. ~~At the end of this period (it is recommended every 5-7 years) a major reassessment of the plan should occur.~~ State law requires review and update of Comprehensive Plans every seven (7) years.

Frequency of Amendments

RCW 36.70A.130 requires that:

(1) (a) "Each comprehensive land use plan and development regulations shall be subject to continuing review and evaluation by the county or city that adopted them. ~~Not later than September 1, 2002, and at least every five years thereafter~~ Except as otherwise provided, a county or city shall take action to review and, if needed, revise its comprehensive land use plan and development regulations to ensure that the plan and regulations are complying with the requirements of this chapter according to the time periods specified in subsection (4) of this section. The review and evaluation required by this subsection may be combined with the review required by subsection (3) of this section. Any amendment or revision to a comprehensive land use plan shall conform to this chapter, and any change to development regulations shall be consistent with and implement the comprehensive plan.

(2)(a) Each county and city shall establish and broadly disseminate to the public a public participation program consistent with RCW 36.70A.035 and 36.70A.140 that identifies procedures and schedules whereby updates, proposed amendments, or revisions of the comprehensive plan are considered by the governing body of the county or city no more frequently than once every year. "Updates" means to review and revise if needed,

according to subsection (1) of this section, and the time periods specified in subsection (4) of this section or in accordance with the provisions of subsections (5) and (8) of this section. ~~except that a~~ Amendments may be considered more frequently **than once per year** under the following circumstances:

(i) The initial adoption of a subarea plan that does not modify the comprehensive plan policies and designations applicable to the subarea;

(ii) The adoption or amendment of a shoreline master program under the procedures set forth in chapter 90.58 RCW; ~~and~~;

(iii) The amendment of the capital facilities element of a comprehensive plan that occurs concurrently with the adoption or amendment of a county or city budget.

(iv) **Until June 30, 2006, the designation of recreational lands under *RCW 36.70A.1701. A county amending its comprehensive plan pursuant to this subsection (2)(a)(iv) may not do so more frequently than every eighteen months; and**

(v) **The adoption of comprehensive plan amendments necessary to enact a planned action under RCW 43.21C.031(2), provided that amendments are considered in accordance with the public participation program established by the county or city under this subsection (2)(a) and all persons who have requested notice of a comprehensive**

plan update are given notice of the amendments and an opportunity to comment.

(b) Except as otherwise provided in (a) of this subsection, all proposals shall be considered by the governing body concurrently so the cumulative effect of the various proposals can be ascertained. However, after appropriate public participation a county or city may adopt amendments or revisions to its comprehensive plan that conform with this chapter whenever an emergency exists or to resolve an appeal of a comprehensive plan filed with a growth management hearings board or with the court.

(3)(a) Each county that designates urban growth areas under RCW 36.70A.110 shall review, at least every ten years, its designated urban growth area or areas, and the densities permitted within both the incorporated and unincorporated portions of each urban growth area. In conjunction with this review by the county, each city located within an urban growth area shall review the densities permitted within its boundaries, and the extent to which the urban growth occurring within the county has located within each city and the unincorporated portions of the urban growth areas. (b) The county comprehensive plan designating urban growth areas, and the densities permitted in the urban growth areas by the comprehensive plans of the county and each city located within the urban growth areas, shall be revised to accommodate the urban growth projected to occur in the county for the succeeding twenty-year period. The review required by this subsection

may be combined with the review and evaluation required by RCW 36.70A.215." ~~[1997 c 429 § 10; 1995 c 347 § 106; 1990 1st ex.s. c 17 § 13.]"~~

(4) The department shall establish a schedule for counties and cities to take action to review and, if needed, revise their comprehensive plans and development regulations to ensure the plan and regulations comply with the requirements of this chapter. Except as provided in subsections (5) and (8) of this section, the schedule established by the department shall provide for the reviews and evaluations to be completed as follows:

(c) On or before December 1, 2006, and every seven years thereafter, for Benton, Chelan, Douglas, Grant, Kittitas, Spokane, and Yakima counties and the cities within those counties;

Procedures For Accomplishing Plan Amendments

In July of each calendar year proposed amendments to the Benton County Plan shall be brought to the Benton County Planning Commission for hearing and recommendation to the Board of Commissioners. In order for this to occur, proposals must be submitted to the Benton County Planning Department no later than December 1st of each year, so that the proposals can be packaged, analyzed for effect, and scheduled for hearings, etc.

Detailed procedures for amending the Benton County Comprehensive Plan are contained in Appendix 1, ITEM 1-2, *and are adopted by*

ordinance in Title 16 of the Benton County Code (BCC).

HISTORY OF COMPREHENSIVE PLANNING IN BENTON COUNTY

1985 Comprehensive Plan

In 1985 the Benton County Board of Commissioners, after a several years long planning process adopted the 1985 Comprehensive Plan. Implementing Ordinances for the Plan were drafted through a public participation process, however the ordinances were never adopted due to changing economic and staffing circumstances in the early and middle 1980s. (See Appendix 1, item 1-3 for chronology of the 1985 Comprehensive Planning process as well the process engaged in under GMA to amend, or update the 1985 Comprehensive Plan).

The advice of the Benton County Prosecuting Attorney's office to the Planning Director in the mid-1980's was that without adopted implementing ordinances the land use map and policies of the 1985 Comprehensive Plan could not be used as a standard for land use decisions. The Planning Director was advised to continue using the county's zoning district map and related zoning districts (ordinances) which predated the 1985 Comprehensive Plan. Actions taken by the Board of Commissioners to implement GMA will amend or replace these controls per current state planning law.

a significant new focus on the county's role as a regional park facilities provider, the goals, policies, and textual substance within this Element, are essentially those which were adopted in the 1990 update of the 1982 Comprehensive Parks and Recreation Plan.

Responsibility For Implementing The Provisions Of This Element

Unlike other Plan Elements in this document, this Element contains goals, objectives, and actions outside of those in Chapter 3, which is where all the Goals and Policies for other Plan Elements reside. The reason for this is that the responsibility for policy making, and decisions relating to the implementation of this Element, once it is adopted by the Board of County Commissioners as a part of the Comprehensive Plan, lies principally with the Benton County Park Board rather than the Board of County Commissioners.

The Park Board's public process and knowledge is the origin of the goals and objectives within this Element. Therefore, it is appropriate that goals and objectives specific to recreational facilities identified in this Element be separate from those in Chapter 3, which are the sole province of the Board of County Commissioners.

Park Planning, Management and Maintenance

Park maintenance is the responsibility of the County Facilities and Parks Department. Park planning, capital facilities, and operations and maintenance are overseen by the Director of the Facilities and Park Department, who provides administrative support to the seven member Benton County Parks and

Recreation Board which advises the Benton County Board of Commissioners.

After coordination with appropriate county departments, the Park Board submits its planning and capital projects to the County Board of Commissioners for adoption. Park budgets are the province of the Board of Commissioners.

State Requirements for Recreation Planning

In 1964 the Marine Recreation Land act (R.C.W. 43.99) created the Washington State Interagency Committee for Outdoor Recreation (I.A.C.). This act designated the I.A.C. as the administering agency for a grant-in-aid program made available to state and local agencies. **The name of the Agency was changed to the Recreation and Conservation Office (RCO) in 2007.**

Eligibility for attaining funds requested through the ~~I.A.C.~~ R.C.O. is contingent upon the requesting agency's completion and adoption of a comprehensive parks and recreation plan. This plan must contain a minimum of the required elements and be filed with the ~~I.A.C.~~ R.C.O. in Olympia. Once an agency has complied with the requirements set by the ~~I.A.C.~~ R.C.O. for parks and recreation comprehensive plans, that agency becomes eligible to apply for funding assistance from the state for a five-year period.

Goals, Objectives, Actions

Following are *Goals, Objectives, and Actions* to guide implementation of this Element. Where an "action" is shown, if capital expenditures are necessary to carry it out, the expenditure will be shown in Table 9.0 of Capital Facilities Element, Chapter 9. Where county resources for other than capital expenditures are necessary to forward an action, the resources must be

PARKS & RECREATIONAL FACILITIES

Existing Conditions

Proposed Capital Improvements For County Park lands

Table 9.0 at the end of this chapter indicates planned capital improvements; project funding sources and schedules for county parklands within the next ten years. The improvements shown are consistent with, and carry out in part, aspects of the recreational facilities improvement program identified in the County's "Capital Facilities Plan", which is updated annually; and in the County's "Parks Comprehensive Plan", which looks at a twenty-year planning horizon for recreational needs of the public. Using these two documents, the Park Board continually works together with elected officials, staff and the public, to assess needs that may not be adequately met and identify those opportunities for new facilities and partnerships. below. The improvements are numbered in their order of priority relative to the anticipated availability of funds within the ten-year period, i.e., if funding for all were available, they would all be priority #1.

The order of priority shown below represents two principal objectives:

~~i) meet current user demands at Two Rivers Park, and,~~

~~ii) provide new facilities to accommodate regional recreational demands at park sites which have the~~

~~potential to leverage increased public and private interest in additional recreational opportunities both within and outside the park site.~~

- ~~□ Starting with basic support facilities, develop Horn Rapids Park, per Phase I of the Park Master Plan, and as the central activity center on the Tupteal Greenway between Benton City and Columbia Point.~~
- ~~□ Renovate and upgrade Two Rivers Park, including the construction of a protective barrier for the boat launch and dock facility.~~
- ~~□ Develop a non-motorized trail/path for equestrian, bicycle, and hiking which connects Columbia Point to Horn Rapids Park.~~
- ~~□ Develop marked bikeways along designated county roads.~~
- ~~□ Gain access to, complete a master plan for, and develop Hover Park.~~
- ~~□ Acquisition of access to Wallula Gap Overlook, develop the park with overnight camping.~~
- ~~Develop a linear non-motorized, multi-modal trails and path system following the Yakima River from Prosser to its confluence with the Columbia River (an on-going project with elements shown in higher priority projects).~~

Financing of Capital Improvements On Park Lands

Improvements to State and Federal Lands

Financial resources from the county will only be used on county owned or leased park lands, or on projects or

programs specifically determined to have a direct beneficial impact on County park lands. Recreational lands which are owned and managed by federal or state agencies must be improved with funds from other than county revenues, though the county is amenable to applying jointly and cooperatively with state or federal agencies for grant funds to improve state or federal lands used for recreation by county residents. The county will consider providing "in kind services."

Improvements To County Owned or leased Park lands

There are numerous sources of capital improvement funds for constructing recreational facilities.

Funding packages for recreational facilities are usually comprised of different sources. For example, a project could be funded by monies from grants or loans from federal and state agencies, with local "matching" funds from "general" or "dedicated" funds, with "in kind services" from local agencies, and private donations. If the project were to cross jurisdictional boundaries (e.g., a trail), the funding sources increase per the number of jurisdictions.

Existing and potential sources of funding currently available to the county include the following:

IAG RCO Funds (Washington State ~~Interagency Committee for Outdoor~~

~~Recreation and Conservation Office~~) are annually available as grants for a broad range of recreational facilities;

County General funds may be budgeted by the Board of Commissioners to specific projects;

County Park Development Fund. As a matter of current policy the Board of Commissioners ~~budgets~~ annually ~~budgets monies 50,000-dollars~~ to the Park Development Fund for expenditures at the discretion of the County Park Board;

Other grants and loans and donations may be obtained from federal and state agencies, and from other community partners such as non-profit organizations or project-specific public funding sources ~~from federal and state agencies such as the Washington State Dept. of Natural Resources (DNR), or the National Parks Service (NPS);~~

Gas tax funds for trails. The County Public Works Department receives annually a 1/10th of 1% gas tax refund from the state for trails development; **ISTEA**, this federal (Intermodal Surface Transportation Efficiency Act) annually allocates 10% of its total transportation budget as grant funds for transportation "enhancement" projects. Such projects are surface transportation related (e.g., trails, bike-racks, and multi-modal transportation support facilities);

Private donations, non-profit public interest organizations such as the Taptal Greenway ~~Foundation Association~~ can partner with both the

private sector and local governments to involve the private sector in facilities development;

Economic development grants and loans from state and federal agencies that fund recreational improvements which enhance and expand economic activity;

Real Estate Excise Tax, under GMA, a real-estate excise tax of 1/2 of 1% may be levied for construction of capital facilities which are proposed in the Capital Facilities Element of the Comprehensive Plan;

PILT, Federal (Payments In Lieu of Taxes) for lands within the Hanford Site. Such payments are annual.

~~Army Corps of Engineers, 1135 projects are large-scale projects undertaken in partnership with the Army Corp of engineers. They are primarily restoration-oriented projects but can have a recreational overlay. The projects require a 25% local match.~~

BENTON COUNTY FAIRGROUNDS

Existing Conditions

In addition to its role as the home for the annual weeklong Benton-Franklin Fair and Rodeo, the Benton County Fairgrounds provides a wide variety of patron and event activities throughout the year. The Fairgrounds offer indoor and outdoor facilities of varying sizes that can accommodate many uses. Table 9.0, at the end of this chapter indicates planned capital improvements, funding sources and schedules for the fairgrounds within the next ten years.

Current Trends

Upgrades and renovation are being made to a number of the buildings on the Fairground campus in an effort to enhance the family "fair" experience and to help attract new customers to the facility during the off season. The Fairgrounds are being marketed to groups that hold events requiring large indoor and/or outdoor spaces, plentiful parking, or are otherwise seeking a unique type of venue other than hotels, convention centers, community halls, or municipal parks offer.

Future Considerations

As population growth in the region continues, use will increase along with the demand for services. Future planning initiated by County management and the various user groups regarding fairground needs and capital projects is essential to keep the fairgrounds economically viable and responsive to the needs of the fairground patrons and fair-goers.

COUNTY ADMINISTRATION AND SUPPORT FACILITIES

Existing Conditions

Capital Facilities Study

In January of 1991, a capital facilities study for Benton County described the county as "a complex 'Corporation' with public safety, business, justice and corrections service activities in six separate county owned buildings in 36 separate department components housing approximately 350 office employees."

The above numbers did not include

