

RESOLUTION 11 089

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF COUNTY PLANNING RE: AMENDING THE BENTON COUNTY COMPREHENSIVE PLAN TO RESOLVE AN APPEAL TO THE EASTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD (EWGMHB) OF RESOLUTION 10-301 REFLECTING THE EXPANSION OF THE WEST RICHLAND URBAN GROWTH BOUNDARY

WHEREAS, pursuant to RCW 36.70A.130(2)(a) on February 23rd, 2009, the Board of Benton County Commissioners adopted Resolution 09-143, which amended the Benton County Comprehensive Plan by expanding the City of West Richland's UGA to include an additional 747 acres; and,

WHEREAS, on April 10, 2009, John Brodeur, a County resident, and Futurewise a Washington non-profit corporation, and on April 23, 2009, Vince Panesko, a County resident, submitted Petitions for Review (PFR) to appeal the adoption of 09-143 to the EWGMHB and the PFR's were consolidated as Case Number 09-1-0010c.; and,

WHEREAS, the Eastern Washington Growth Management Hearings Board, in its December 2, 2009, Final Decision and Order regarding Case No. 09-1-0010c found that the County's action failed to comply with the Growth Management Act and issued an order of remand under RCW 36.70A.300; and the County was ordered to bring its Comprehensive Plan into compliance with the Growth Management Act; and,

WHEREAS, the City of West Richland provided additional supporting documentation and revised application CPA 08-02 to ask that its UGA boundaries be reduced in size by 200 acres to 545; and,

WHEREAS; on May 24th, 2010 the Board of County Commissioners at its properly noticed public hearing rescinded Resolution 09-143 and adopted Resolution 10-301 reducing the expansion of West Richland's Urban Growth Area to 545 acres; and,

WHEREAS, the Eastern Washington Growth Management Hearings Board, in its September 24th 2010, Order finding continuing non-compliance on Case No. 09-1-0010c, found that the County's action again failed to comply with the Growth Management Act and was clearly erroneous in view of the entire record and concluded that the sizing of the West Richland UGA is not supported by substantial evidence in the record and issued an order of remand under RCW 36.70A.300, and for the County to bring its Comprehensive Plan into compliance with the Growth Management Act; and,

WHEREAS; the County Planning Commission at its publicly noticed hearing on December 14th, 2010 did review comments and take testimony, deliberate on the issues before it, and made a recommendation that Resolution 10-301 be rescinded; and,

WHEREAS, the Board of Benton County Commissioners at its properly noticed public hearing held on this date, reviewed the Planning Commission record and findings, and took public comment on this resolution; and, NOW THEREFORE,

BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS hereby rescinds Resolution 10-301 to gain compliance with the Growth Management Act; and,

BE IT FURTHER RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS hereby finds that this action is in the best interests of the public, adopts the Planning Commissions Findings of Fact as its own, and the Benton County Comprehensive Plan is amended to reflect this action and the maps revised as shown in Exhibit CCM1.3, attached to this resolution.

Dated this 24th day of January, 2011.


Chairman of the Board

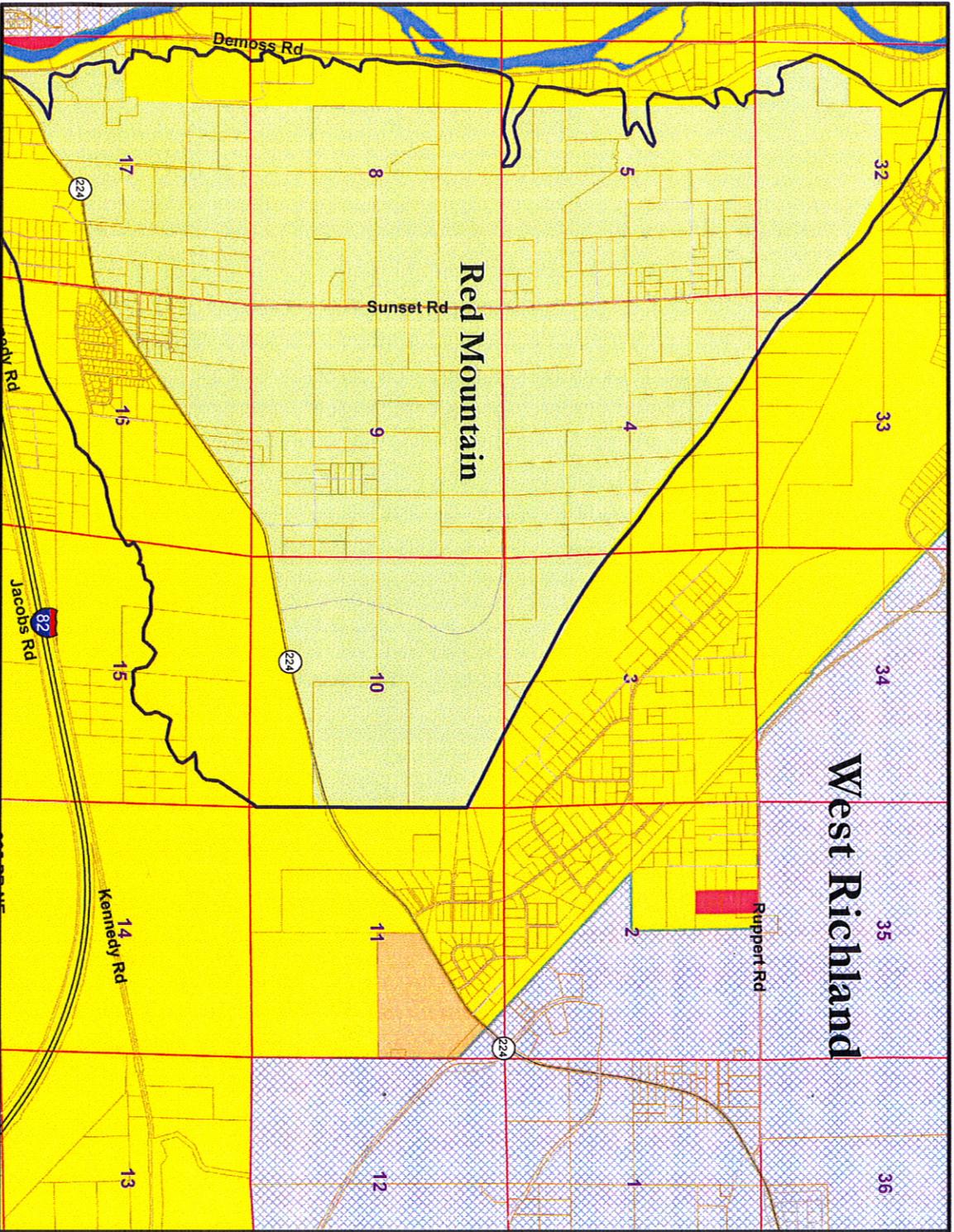

Member


Member

Constituting the Board of County
Commissioners of Benton County,
Washington

Attest 
Clerk of the Board

Michael E. Shuttleworth/smw



This information was prepared by the Benton County Planning staff for presentation and planning purposes only. Benton County does not accept the liability for the accuracy of any information shown herein. Any use made of this information is solely at the risk of the user.

**COMPREHENSIVE PLAN
LAND USE MAP
WEST RICHLAND
URBAN GROWTH AREA**

AS ADOPTED
RESCINDING
RES # 10-301
Date Printed 1/5/2011

Legend

- CITY LIMITS
- URBAN GROWTH AREA
- RURAL LANDS 5
- GMA AG
- LIGHT INDUSTRIAL
- Red Mountain AVA

BENTON COUNTY
Planning Department

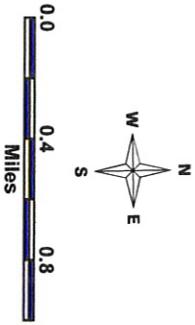


EXHIBIT CCM1.3