

EXHIBIT LIST FOR 2017 COMPREHENSIVE PLAN APPEAL  
Futurewise Settlement Agreement

Planning Commission Memo Exhibit List - December 10, 2019			
		DATED	
PCM 1 Includes:	PCM 1.1	Planning Department Staff Memo	November 22, 2019
	PCM 1.2	Resolution 2019-276	September 25, 2018
	PCM 1.3	Draft Ordinance	
	PCM 1.4	Notice of Public Hearing	November 19, 2019
	PCM 1.5	New policies the Rural Lands-Section 2.2.3 pages 14-16; (PCM 1.5)	
	PCM 1.6	Amendments to Rural Domestic Water Policies-Section 2.4.3 page 19; (PCM 1.6)	
	PCM 1.7	Amendments to the Capital Facilities & Public Services (2.10 pg. 30); (PCM 1.7)	
	PCM 1.8	Housekeeping edits to pages 36 and 52 to correct an acreage amount (PCM 1.8)	
	PCM 1.9	Housekeeping edits to page 95 to correct estimated number of new homes needed (PCM 1.9)	
	PCM 1.10	Amendments to the Transportation Element-Section 7.1 page 98, 7.2.6 pages 102-103, Section 7.2.7 pages 103, Section 7.2.7 page 103, Section 7.2.8 pages 103-104, Section 7.3.1 and 7.3.11 pages 104-105, Section 7.5.1 page 109-110; (PCM 1.10)	
	PCM 1.11	Amendments to the Capital Facilities Relationship between Land Use and Capital Facilities Section 9.11 page 122; (PCM 1.11)	
	PCM 1.12	Amendments to Capital Facilities Improvement to Public Facilities identified in Other Plans-Section 9.24 pages 125-138; Section 9.6 Siting of Essential Public Facilities pages 141 and 143(PCM 1.12)	
	PCM 1.13	Addition to the References section-page 154; (PCM 1.13)	
	PCM 1.14	Title Change to Appendix H-4 (Inventory within Benton County and 2028 Forecast and Level of Service Analysis; (PCM 1.14)	
	PCM 1.15	Addition Appendix M (Benton County Community Wildfire Protection Plan, previously adopted by the Board of County Commissioners); and (PCM 1.15)	
	PCM 1.16	Addition Appendix N (Benton County Natural Hazard Mitigation Plan 2019, previously adopted by the Board of County Commissioners (PCM 1.16)	
	PCM 1.17	Letter Change from Appendix M to Appendix O (Comment Response Matrix) (PCM 1.17)	
Planning Commission Hearing Exhibit List - December 10, 2019			
PCH 1	PCH 1.1		

Includes:	PCH 1.2	
Board of County Commissioners Memo Exhibit List - DATE		
BCCM 1	BCCM 1.1	
Includes:	BCCM 1.2	
	BCCM 1.3	
	BCCM 1.4	
Board of County Commissioners Hearing Exhibit List DATE		
BCCH 1	BCCH 1.1	
Includes:	BCCH 1.2	

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

PCM = Planning Commission Memo Exhibits

PCH = Exhibits submitted during Hearing

BCCM = County Commissioner Memo Exhibits

BCCH = Exhibits submitted during Hearing



PCM 1.1

STAFF REPORT TO THE  
BENTON COUNTY PLANNING COMMISSION

CASE FILE: 2017 Benton County Comprehensive Plan- Periodic Review- Appeal-  
Settlement Agreement

MEMO DATE: November 22, 2019

HEARING DATE: December 10, 2019

APPLICANT: Benton County

OWNER: N/A

LOCATION: Benton County

PROPERTY SIZE: N/A

AREA TO BE USED: N/A

LAND USE: N/A

COMP. PLAN: N/A

ZONING: N/A

SUGGESTED STAFF  
RECOMMENDATION: Staff recommends that the Planning Commission forward to the  
Board of County Commissioners a recommendation to approve an  
amendment to the Benton County Comprehensive Plan to comply  
with Resolution 2019-276 subject to eight (8) findings of fact.

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BACKGROUND INFORMATION

The State of Washington (RCW 36.70A.130) requires mandatory "periodic updates" of the entire comprehensive plan and development regulations every eight years for all "fully planning" cities and counties. Each Washington city and county must periodically review and, if needed, revise its comprehensive plan and development regulations to ensure that they comply with the GMA.

Benton County approved its periodic update of its Comprehensive Plan on February 13, 2018 (Ordinance 600/Resolution 2018-0137).

On April 19, 2018, Futurewise challenged the compliance of Benton County Comprehensive Plan (Ordinance 600/Resolution 2018-0137) with the Growth Management Act. Futurewise filed a

Petitioned for Review by Futurewise to the Eastern Washington Region Growth Management Hearings Board (Case Number 18-1-0004).

On April 2, 2019, Futurewise and Benton County, after negotiation, developed a settlement to which Futurewise agreed to dismiss the above referenced Petition for Review if the Board of County Commissioners considers and ultimately adopts certain amendments to the Benton County Comprehensive Plan and additional development regulations. This agreement was adopted by Benton County in County Resolution 2019-276.

### APPLICATION DESCRIPTION

To comply with Benton County Resolution 2019-276, the Benton County Planning Department is proposing an amendment application to the Benton County Comprehensive Plan, (Ordinance 600/Resolution 2018-0137)

This amendment includes:

1. New policies the Rural Lands-Section 2.2.3 pages 14-16; (PCM 1.5)
2. Amendments to Rural Domestic Water Policies-Section 2.4.3 page 19; (PCM 1.6)
3. Amendments to the Capital Facilities & Public Services (2.10 pg. 30); (PCM 1.7)
4. Housekeeping edits to pages 36 and 52 to correct an acreage amount; (PCM 1.8)
5. Housekeeping edits to page 95 to correct estimated number of new homes needed; (PCM 1.9)
6. Amendments to the Transportation Element-Section 7.1 page 98, 7.2.6 pages 102-103, Section 7.2.7 pages 103, Section 7.2.7 page 103, Section 7.2.8 pages 103-104, Section 7.3.1 and 7.3.11 pages 104-105, Section 7.5.1 page 109-110; (PCM 1.10)
7. Amendments to the Capital Facilities Relationship between Land Use and Capital Facilities Section 9.11 page 122; (PCM 1.11)
8. Amendments to Capital Facilities Improvement to Public Facilities identified in Other Plans-Section 9.24 pages 125-138; Section 9.6 Siting of Essential Public Facilities pages 141 and 143(PCM 1.12)
9. Addition to the References section-page 154; (PCM 1.13)
10. Title Change to Appendix H-4 (Inventory within Benton County and 2028 Forecast and Level of Service Analysis; (PCM 1.14)
11. Addition Appendix M (Benton County Community Wildfire Protection Plan, previously adopted by the Board of County Commissioners); (PCM 1.15)
12. Addition Appendix N (Benton County Natural Hazard Mitigation Plan 2019, previously adopted by the Board of County Commissioners; (PCM 1.16) and
13. Letter Change from Appendix M to Appendix O (Comment Response Matrix) (PCM 1.17)

### PUBLIC NOTICE

1. Legal notification for the Planning Commission public hearing was published in the Prosser Record Bulletin on November 27, 2019 (PCM 1.4)
2. A public hearing was held before the Planning Commission on December 10, 2019.

### AGENCY COMMENTS

1. Benton County Planning Department: The Planning Department analyzed and developed the application for consistency with the Growth Management Act, the Benton County Comprehensive Plan, the County-Wide Planning Policies, Benton County Resolution 2019-276 (Agreement with Futurewise) and other regulations adopted by Benton County as applicable.

#### CRITERIA FOR FINDINGS OF FACT

1. Benton County Code 16.14.080 (Comprehensive Plan- Amendments- Procedural Steps for Review of Proposed Amendments)
2. Benton County Comprehensive Plan, 1.7 Amendments to this Comprehensive Plan.
3. Growth Management Act (RCW 36.70A)
4. Benton County Resolution 2019-276 (Agreement with Futurewise)

#### RECOMMENDATION

Benton County Planning Staff will assist the Planning Commission with the determination of findings and conditions for the application.

The Benton County Planning Department recommends that the Planning Commission forward a recommendation of approval to the Benton County Board of Commissioners with the following suggested findings of fact and motion.

#### SUGGESTED FINDINGS OF FACT:

1. The State of Washington (RCW 36.70A.130) requires mandatory "periodic updates" of the entire comprehensive plan and development regulations every eight years for all "fully planning" cities and counties. Each Washington city and county must periodically review and, if needed, revise its comprehensive plan and development regulations to ensure that they comply with the GMA.
2. Benton County approved its periodic update of its Comprehensive Plan on February 13, 2018 (Ordinance 600/Resolution 2018-0137).
3. On April 19, 2018, Futurewise challenged the compliance of Benton County Comprehensive Plan (Ordinance 600/Resolution 2018-0137) with the Growth Management Act. Futurewise filed a Petitioned for Review by Futurewise to the Eastern Washington Region Growth Management Hearings Board (Case Number 18-1-0004).
4. On April 2, 2019, Futurewise and Benton County, after negotiation, developed a settlement to which Futurewise agreed to dismiss the above referenced Petition for Review if the Board of County Commissioners considers and ultimately adopts certain amendments to the Benton County Comprehensive Plan and additional development regulations. This agreement was adopted by Benton County in County Resolution 2019-276.
5. The proposed amendments comply with the standards of RCW 36.70A, the Growth Management Act. As required in RCW 36.70A.106, the County notified the Washington

State Department of Commerce (60-day review) on November 5, 2019 of the application to amend the Benton County Comprehensive Plan.

6. The proposed amendments comply with Benton County Resolution 2019-276, Agreement with Futurewise.
7. The proposed amendments comply with the public notice and procedural steps in Benton County Code (BCC) Chapter 16.14 Amendments to the Benton County Comprehensive Plan,
8. The proposed amendments generally include:
  - a. New policies the Rural Lands-Section 2.2.3 pages 14-16; (PCM 1.5)
  - b. Amendments to Rural Domestic Water Policies-Section 2.4.3 page 19; (PCM 1.6)
  - c. Amendments to the Capital Facilities & Public Services (2.10 pg. 30); (PCM 1.7)
  - d. Housekeeping edits to pages 36 and 52 to correct an acreage amount (PCM 1.8)
  - e. Housekeeping edits to page 95 to correct estimated number of new homes needed (PCM 1.9)
  - f. Amendments to the Transportation Element-Section 7.1 page 98, 7.2.6 pages 102-103, Section 7.2.7 pages 103, Section 7.2.7 page 103, Section 7.2.8 pages 103-104, Section 7.3.1 and 7.3.11 pages 104-105, Section 7.5.1 page 109-110; (PCM 1.10)
  - g. Amendments to the Capital Facilities Relationship between Land Use and Capital Facilities Section 9.11 page 122; (PCM 1.11)
  - h. Amendments to Capital Facilities Improvement to Public Facilities identified in Other Plans-Section 9.24 pages 125-138; Section 9.6 Siting of Essential Public Facilities pages 141 and 143(PCM 1.12)
  - i. Addition to the References section-page 154; (PCM 1.13)
  - j. Title Change to Appendix H-4 (Inventory within Benton County and 2028 Forecast and Level of Service Analysis; (PCM 1.14)
  - k. Addition Appendix M (Benton County Community Wildfire Protection Plan, previously adopted by the Board of County Commissioners); and (PCM 1.15)
  - l. Addition Appendix N (Benton County Natural Hazard Mitigation Plan 2019, previously adopted by the Board of County Commissioners (PCM 1.16)
  - m. Letter Change from Appendix M to Appendix O (Comment Response Matrix) (PCM 1.17)

**SUGGESTED MOTION:**

I move that the Planning Commission forward a recommendation of approval for the proposed Comprehensive Plan amendment subject to the eight (8) Findings of Fact listed in the Staff Report dated November 22, 2019 to the Benton County Board of Commissioners, and that the Chairman along with the Secretary of the Planning Commission develop written findings for approval and signature of the Planning Commission Chairman.

RESOLUTION 2019 276

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF RESOLVING THE APPEAL OF BENTON COUNTY'S 2017 COMPREHENSIVE PLAN PERIODIC UPDATE

WHEREAS, on February 13, 2018, the Board of Benton County Commissioners adopted Resolution 2018-137 and Ordinance 600 to enact the 2017 Comprehensive Plan Periodic Update; and

WHEREAS, on April 18, 2018, Futurewise, a Washington non-profit corporation, executed and subsequently filed with the Growth Management Hearings Board a Petition for Review with the Growth Management Hearings Board to challenge the compliance of Benton County Resolution 2018-137 and Ordinance 600 with the Growth Management Act; and

WHEREAS, after negotiation, Futurewise and the Board of County Commissioners have developed an agreement pursuant to which Futurewise agrees to dismiss the above referenced Petition for Review if the Board of County Commissioners considers and ultimately adopts certain amendments to its comprehensive plan and additional development regulations to implement certain measures to protect the rural water supply; and

BE IT RESOLVED, that the Chairman is authorized to sign and have delivered to Futurewise the attached Settlement Agreement between Futurewise and Benton County to establish a framework to potentially resolve the matter of Futurewise v. Benton County, Growth Management Hearings Board Eastern Washington Region Case No. 18-1-0004.

Dated this 2nd day of April, 2019.

[Signature]
Chairman of the Board

[Signature]
Member

[Signature]
Member

Constituting the Board of Commissioners of Benton County, Washington

Attest..... [Signature]
Clerk of the Board

## Settlement Agreement between Futurewise and Benton County

THIS SETTLEMENT AGREEMENT (“Settlement Agreement”) is entered into this 2 day of April, 2019, by and between the Appellant, Futurewise, a Washington non-profit corporation, and Respondent, Benton County, a Washington state municipal government (“County”), for the purpose of resolving and settling all claims associated with Futurewise’s appeal of Benton County Resolution 2018-137 and Benton County Ordinance 600, adopting the 2017 Comprehensive Plan Periodic Update, and Benton County Resolution 2018-167 and Benton County Ordinance 601, adopting Map A-3 as the official zoning map for Benton County.

NOW THEREFORE, FOR GOOD AND FAIR CONSIDERATION, FUTUREWISE AND BENTON COUNTY AGREE AS FOLLOWS:

### **Section 1. Requirement to Dismiss.**

A. Within 15 days of the completion of the tasks and adoption of the development regulations referenced in Sections 2 and 3.B, and the amendments to the comprehensive plan referenced in Sections 3 and 4 of this Settlement Agreement, Futurewise shall cause to be dismissed with prejudice the appeal with the caption *Futurewise v. Benton County*, Growth Management Hearings Board Eastern Washington Region Case No. 18-1-0004. Growth Management Hearings Board Eastern Washington Region Case No. 18-1-0004 is Futurewise’s appeal of Benton County Resolution 2018-137 and Benton County Ordinance 600, adopting the 2017 Comprehensive Plan Periodic Update, and Benton County Resolution 2018-167 and Benton County Ordinance 601, adopting Map A-3 as the official zoning map for Benton County.

B. This dismissal will be accomplished through a joint stipulation executed by Futurewise and Benton County or any other means authorized by Growth Management Hearings Board rules of practice and procedure.

### **Section 2. Provisions to Protect Surface and Ground Water.**

Benton County will consider adopting and implementing the following measures for the protection of the quality and quantity of ground and surface water.

A. Permanent regulations will be considered that will require new development relying on permit-exempt wells proposed to be located within a certain portion of Water Resource Inventory Area (WRIA) 37 to fully mitigate the impacts of such wells on the main stem of the Yakima River resulting from the consumptive use of water by such wells for housing unit needs by meeting the criteria set forth below:

- (i) The geographic area subject to these regulations will only be that portion of WRIA 37 located in Benton County that drains to the Yakima River and not the Columbia River. That geographic area

is depicted on the attached Exhibit A. The area is hereafter referred to as the “mitigated area.”

- (ii) Benton County has acquired and may continue to acquire surface water rights with a priority date pre-May 10, 1905, in the Yakima River Basin. Mitigation of the consumptive water use of permit-exempt wells in the mitigated area to be considered will be accomplished by placing such water rights in trust with the State of Washington for instream flows within or upstream of WRIA 37.
- (iii) For every building permit issued after February 13, 2018, and prior to the adoption of the regulations set forth below in subsection (iv), that requires potable water from a permit-exempt well located in the mitigated area, Benton County will reserve 200 gallons per day per parcel (annual daily average) if the permit is or was for development on a parcel within an irrigation district and 300 gallons per day per parcel (annual daily average) if the permit is or was for development on a parcel not within an irrigation district from a water right placed in trust by the County.
- (iv) The permanent regulations to be considered will require new applicants for subdivisions and residential building permits that seek to use permit-exempt wells located in the mitigated area for potable water supply to provide evidence of mitigation in the following form as a condition to final plat approval and building permit approval: (1) acquisition of a mitigation certificate from the County for up to a certain number of gallons per day per parcel (annual daily average) for indoor only water usage for each residence; or (2) acquisition of a mitigation certificate from the County for up to a certain larger number of gallons per day per parcel (annual daily average) for indoor and outdoor water usage for each residence if the parcel on which the development is proposed is not located within an irrigation district.
- (v) The County will consider regulations that will only allow the issuance of a mitigation certificate if the aggregate of water usage allotted by all mitigation certificates issued by the County, in addition to the water reserved under subsection (iii) above, will not exceed the amount of water placed into trust by the County.

B. The County further agrees that prior to the adoption of the permanent regulations set forth in section A above, it will approve long plat applications submitted after the effective date of this Agreement that seek to rely on permit-exempt wells within the mitigated area only if a condition is required that a statement be placed on the face of the plat indicating that no building permits will be issued for any of the lots within the plat without first obtaining mitigation certificates for the lot for which a building permit is sought.

\*Note: Code provisions to address the deleted §2.B already have been adopted in Benton County Ordinance 611, section 165(c), and Ordinance 612, section 11(b). Those

sections will be considered for further amendment at the same time as the regulations in 2.A above to make BCC 9.02.100 and BCC 11.42.040 only applicable to unincorporated areas not covered by the regulations referred to above in section 2.

### **Section 3. Measures to Protect Rural Character.**

A. Benton County will consider amendments to the Rural Element/Land Use Element of its Comprehensive Plan to add policies governing rural development. The policies shall be equivalent in substance and effect to the provisions listed below, but Futurewise and Benton County (the parties) recognize that changes in location, order, formatting, numbering, and wording that do not change the substance may occur as part of the comprehensive plan amendment process.

- New Policy: Development in rural areas is typified by large lots and less dense development. Favoring development that is less dense and has larger lots helps maintain the rural character of designated rural areas and supports the protection of ground and surface water.
- New Policy: Designated rural areas will be utilized to reduce the inappropriate conversion of agricultural lands, prevent sprawling low-density development and assure that rural development is compatible with surrounding rural and agricultural areas.
- New Policy: Rural development shall provide adequate water for domestic use. When feasible, rural developments will be encouraged to utilize existing community systems with adequate availability for domestic water and sewage disposal.
- New Policy: New groundwater uses must provide evidence that the proposed water source is physically and legally available. Groundwater uses and withdrawals, including the issuance of building permits and the approval of land divisions, must be consistent with RCW 90.44.050, and with applicable rules adopted pursuant to RCW 90.22 and 90.54.
- New Policy: Provide public services consistent with rural character. Rural developments will not impact existing public facilities/services to the extent that the level of service for that facility is reduced below the adopted threshold and/or acceptable operation capacity. Rural developments should occur where adequate access to transportation systems, and rural levels of utilities and facilities, such as domestic water, power, and fire and police protection are available.
- New Policy: Rural development shall minimize potential adverse impacts to water quality, slope stability, vegetation, wildlife and aquatic life as implemented through the County's critical area regulations, shoreline master program, and hydrology manual.
- New Policy: Support the availability of sufficient water to maintain the agricultural industry and agricultural processing and value-added manufacturing.

- New Policy: Encourage long-term conservation, adequate water supply, and the wise stewardship of natural resources within Benton County for the benefit of current and future residents.
- New Policy: Encourage the continued communication with irrigation districts, legislature, and other responsible entities to ensure that adequate irrigation water is available for agricultural uses.
- New Policy: Encourage the use of low-impact development (LID) measures in the Eastern Washington Low Impact Development Guidance Manual and their application to urban development, urban and rural subdivisions, and large rural developments in Benton County.
- New Policy: Support on-site infiltration in rural areas for new lots, subdivisions and developments by promoting storm water best management practices. Promote the retention of existing native vegetative cover in landscaping plans for areas zoned Rural Lands One Acre (RL-1), Rural Lands Five Acre (RL-5), Rural Lands Twenty Acre (RL-20), and Planned Development (PD) zones applied to any of these zones. Where the proposed development will not be precluded, limit impervious surfaces that are not infiltrated on-site for all new development in the zoning districts listed above to no more than ten percent and require the retention of 45 percent vegetative cover, which may include native or non-native species, provided soil infiltration/filtration properties are maintained.
- New Policy: Support and encourage the use of and application of Firewise principles and other fire risk reduction measures consistent with the Benton County Hazard Mitigation Plan and Community Wildfire Protection Plan to reduce fire risk for urban development, urban subdivisions, rural subdivisions and large rural developments susceptible to wildfires. Encourage the implementation of the Firewise principles, or similar best management measures, applicable to individual lots on all lots at risk from wildfires.
- Adopt by reference as an appendix to the Comprehensive Plan, the Benton County Hazard Mitigation Plan and Community Wildfire Protection Plan, as amended.

B. Benton County will consider adopting the Eastern Washington Storm Water Manual by reference as a development regulation.

C. If the regulations set forth in Section 2 and the Comprehensive Plan amendments and the regulation listed above in Section 3 are adopted and implemented, Benton County will commit to the following practices regarding low impact development and Firewise principles for at least ten (10) years from the effective date of the dismissal of the appeal as set forth in Section 1:

- Include informational materials related to the Eastern Washington Low Impact Development Guidance Manual and the NFPA Firewise educational and outreach materials as an attachment/supplemental to the County's land use, road approach and building permit application materials to be utilized as a resource for landowners.
- Include on the County's website (Planning, Public Works and Building) links to the Eastern Washington Low Impact Development Guidance Manual and the NFPA Firewise educational and outreach materials to be utilized as a resource for landowners.

**Section 4. Modification of the Capital Facilities Plan Element, the Capital Improvement Plan, and the Transportation Element of Benton County Comprehensive Plan.**

A. Benton County will consider amending the applicable parts of Chapter 2 – Goals and Policies, Chapter 9 Capital Facilities Element, and Appendix J – Capital Improvement Plan, 2017 – 2022, and include an inventory or reference to an inventory of existing public facilities owned by public entities, a forecast of future needs, the proposed location and capacities of expanded or new public facilities, and a six-year financing plan for capital facilities that is within the projected funding capacities for publicly owned water systems, fire districts, municipal emergency services providers, and school systems, as applicable.

B. Benton County will consider including in its Capital Facilities Plan Element/Capital Improvement Plan and Transportation Element the Ben-Franklin Transit capital facilities, level of service standards, service areas, and recommendations for additional service.

C. In addition, Benton County will agree to conduct an analysis of the adequacy of the firefighting capabilities and consider amendments to the Capital Facilities Plan Element if it determines such amendments are needed to maintain adequate firefighting capabilities on the borders of the UGAs and the rural areas within the county.

D. Benton County will consider amending Appendix H to more clearly describe the land use assumptions used in the analysis. In addition, Benton County will coordinate with the Washington State Department of Transportation (WSDOT) and Benton-Franklin Council of Governments (BFCOG) in conducting a more detailed evaluation of the estimated traffic impacts of projected growth on state-owned facilities and the facility and service needs stemming from future population demands on state owned facilities, and amend Appendix H, as needed.

**Section 5. Attorneys' Fees and Costs.**

Each party hereto shall bear its own attorneys' fees and costs.

**Section 6. Entire Agreement and Successors in Interest.**

This Settlement Agreement contains the entire agreement between Futurewise and Benton County, shall supercede any and all prior written and/or oral agreements, and shall be binding upon and inure to the benefit of the executors, administrators, personal representatives, heirs, successors and assigns of each. No other understandings, oral or otherwise, shall be deemed to bind any of the parties hereto.

**Section 7. Remedy for Breach.**

For any breach of this Settlement Agreement all remedies in law and equity shall be available including the remedy of specific performance.

**Section 8. Amendment.**

This Settlement Agreement may not be modified or amended except by the written agreement of the parties.

**Section 9. Governing Law.**

This Settlement Agreement shall be construed and interpreted according to the laws of the State of Washington.

**Section 10. Authorization.**

Each person signing this Settlement Agreement represents and warrants that he or she has authority to sign this Settlement Agreement on behalf of and to bind the party represented, and that any necessary conditions precedent to the execution of this Settlement Agreement on behalf of the party represented have been satisfied.

**Section 11. Counterparts.**

A. This Settlement Agreement may be executed in counterparts and each executed counterpart shall have the same force and effect as the original instrument and as if all of the parties to the counterparts had signed the same instrument.

B. Electronic facsimile signatures and/or electronically scanned signatures shall be sufficient to demonstrate a party's assent to this Settlement Agreement.

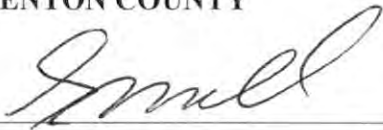
**Section 12. Effective and Expiration Dates.**

A. This Settlement Agreement shall be effective on the later of the dates it is signed by the parties.

B. This Settlement Agreement shall expire on the day after the day the Growth Management Hearings Board dismisses *Futurewise v. Benton County*, Growth

Management Hearings Board Eastern Washington Region Case No. 18-1-0004. No cause of action shall accrue under this Settlement Agreement with respect to actions by Benton County regarding any comprehensive plan amendments or amendment or repeal of development regulations adopted after this Settlement Agreement expires. This provision does not limit in any way the rights of Futurewise to challenge such actions under the provisions of the Growth Management Act.

**BENTON COUNTY**

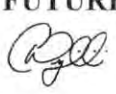
  
\_\_\_\_\_

By: Shon Small

Its: Chairman

Signed this 2 day of April, 2019.

**FUTUREWISE**

  
\_\_\_\_\_

By: Chris Wierzbicki

Its: Executive Director

Signed this 29<sup>th</sup> day of March 2019.

Approved as to form:

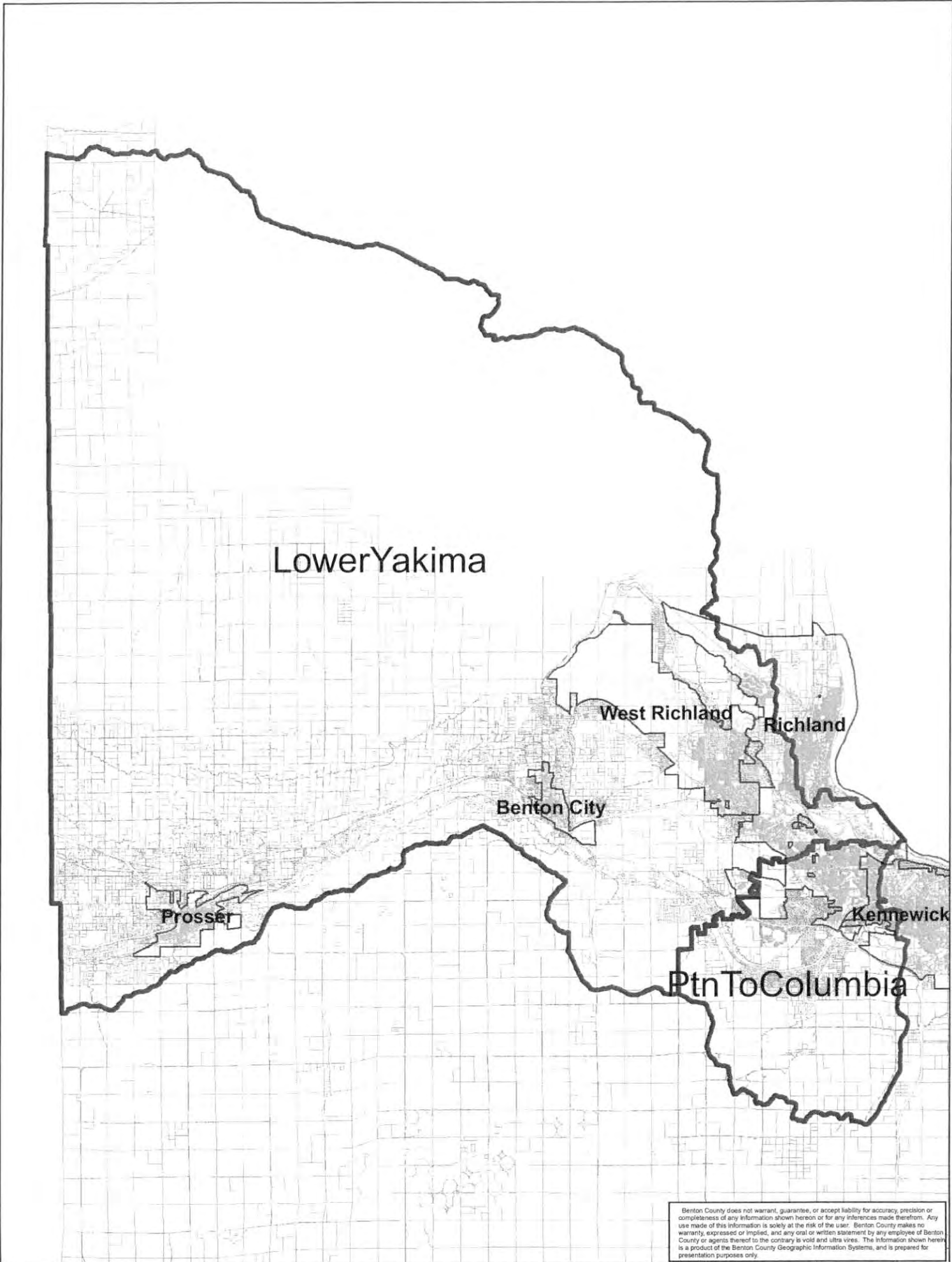
  
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By: Ryan K. Brown

Its: DPA

# **EXHIBIT A**

**(2 pages)**



Lower Yakima

Prosser

Benton City

West Richland

Richland

Ptn To Columbia

Kennewick

Benton County does not warrant, guarantee, or accept liability for accuracy, precision or completeness of any information shown hereon or for any inferences made therefrom. Any use made of this information is solely at the risk of the user. Benton County makes no warranty, expressed or implied, and any oral or written statement by any employee of Benton County or agents thereof to the contrary is void and ultra vires. The information shown hereon is a product of the Benton County Geographic Information Systems, and is prepared for presentation purposes only.



Lower Yakima

Ptn To Columbia

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**ORDINANCE NO. \_\_\_\_\_**

IN THE MATTER OF COUNTY PLANNING: COMPREHENSIVE PLAN AMENDMENT APPLICATION, TO COMPLY WITH BENTON COUNTY RESOLUTION 2019-276, SETTLEMENT AGREEMENT WITH FUTUREWISE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BENTON COUNTY, WASHINGTON:

The following ordinance is hereby adopted but will not be codified.

Section 1. Public Interest. The Board of County Commissioners find it to be in the public interest to amend the Benton County Comprehensive Plan to comply with Benton County Resolution 2019-276 as it relates to a settlement agreement with Futurewise.

Section 2. Update to Comprehensive Plan. Amend the **2017 Benton County Comprehensive Plan (Ordinance 600)** to amend the text **(PCM 1.5-1.13)**, create a title change to Appendix H-4, **(PCM 1.14)**, add Appendix M **(PCM 1.15)** and Appendix N **(PCM 1.15)** and change the appendix letter from Appendix M to Appendix O **(PCM 1.17)**

The Benton County 2017 Comprehensive Plan dated **February 13, 2018** is hereby amended to comply with Benton County Resolution 2019-276 as it relates to a settlement agreement with Futurewise, as attached. The amendment is in compliance with current requirements of the Growth Management Act and shall become part of the Benton Comprehensive Plan as of this date.

Section 3. Severability. If any provision of this ordinance is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the ordinance and the applicability thereof to other persons and circumstances shall not be affected thereby.

Section 4. Effective Date. This ordinance shall take effect and be in full force upon its passage and adoption.

**ADOPTED AND PASSED this \_\_\_\_\_ day of December 2019.**

\_\_\_\_\_  
Chairman of the Board

\_\_\_\_\_  
Chairman Pro-Tem

\_\_\_\_\_  
Member

Approved as to Form:

Constituting the Board of  
County Commissioners of  
Benton County, Washington

\_\_\_\_\_  
Deputy Prosecuting Attorney

Attest: \_\_\_\_\_  
Clerk of the Board



## NOTICE OF PUBLIC HEARING

NOTICE OF HEARINGS before the Benton County Planning Commission in the matter of the 2017 Periodic update of the County Comprehensive Plan: proposed amendments to the land use maps and text of the Benton County Comprehensive Plan, BCC Title 9-Subdivision Regulations and BCC Title 11-Zoning in a manner that would resolve a Petition for Review filed by Futurewise. After negotiations, the County and Futurewise developed a settlement on the above-mentioned Petition for Review that was approved by the Board of County Commissioners in Resolution 2019-276.

The Planning Commission will consider amendments to the 2017 Comprehensive Plan amending Ordinance 600 as noted below and to BCC Title 9 Subdivision Regulations (File No. OA 2019-002) amending Ordinance 612, Section 11 and BC 9.02.100 and to BCC Title 11-Zoning (File No. OA 2019-003) relating to building permits; amending Ordinance 611, Section 165 and BCC 11.42.040 at a public hearing Tuesday, December 10, 2019 at 6 p.m., in the Benton County Planning Annex Hearing Room at 1002 Dudley Avenue in Prosser. The Planning Commission will consider all comments received and make their recommendation to the Board of County Commissioners (BOCC). The BOCC will then conduct a hearing **to consider and act upon the Planning Commission's** recommendation.

NOTICE IS FURTHER GIVEN that draft land use maps and related documents may be **viewed on the County's website** at <http://tinyurl.com/2017compplan>, a summary of those changes follows this notice. Copies may be requested by calling or writing the planning office using the information below. Any comments regarding the proposed hearings may be made at the above hearings or submitted in writing. All written comments submitted by mail should be sent to: Benton County Planning Department, P.O. Box 910, Prosser, WA 99350-0910, and received by the Planning Department no later than December 9, 2019. Comments may also be submitted by email to [planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us) by 3:00 p.m. December 10, 2019.

Any information submitted to Benton County is subject to the 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.

**It is Benton County's policy that no qualified individual with a disability shall by reason of** such disability be excluded from participation in public meetings. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please contact the Benton County Planning Department at the above stated phone numbers and/or address

no later than 48 hours prior to the date of the meeting. The Request for Reasonable Accommodation form is available online at [www.co.benton.wa.us](http://www.co.benton.wa.us) or from the Planning Department.

Dated this 19<sup>th</sup> day of November 2019.

MARTIN SHEERAN, Chairman  
BENTON COUNTY PLANNING COMMISSION

GREG WENDT,  
Interim Planning Manager

Publish date: November 27, 2019

Proposed Changes 2017 Comprehensive Plan - Ordinance 600  
**Draft land use maps and related documents may be viewed on the County's website at**  
<http://tinyurl.com/2017compplan>

1. New policies the Rural Lands-Section 2.2.3 pages 14-16
2. Amendments to Rural Domestic Water Policies-Section 2.4.3 page 19
3. Amendments to the Capital Facilities & Public Services (2.10 pg. 30)
4. Amendments to the Transportation Element-Section 7.2.6 pages 102-103, Section 7.2.7 pages 103, Section 7.2.7 page 103, Section 7.2.8 pages 103-104, Section 7.3.1 and 7.3.11 pages 104-105, Section 7.5.1 page 109-110
5. Amendments to the Capital Facilities Relationship between Land Use and Capital Facilities Section 9.11 page 122
6. Amendments to Capital Facilities Improvement to Public Facilities identified in Other Plans-Section 9.24 pages 125-138
7. Title Change to Appendix H-4 (Inventory within Benton County and 2028 Forecast and Level of Service Analysis
8. Addition to the References section-page 154
9. Addition Appendix M (Benton County Community Wildfire Protection Plan, previously adopted by the Board of County Commissioners)
10. Addition Appendix N (Benton County Natural Hazard Mitigation Plan 2019, previously adopted by the Board of County Commissioners

OA 2019-002 Proposed Changes to BCC Title 9 Subdivision Regulations relating to water supply; amending Ordinance 612, Section 11 and BC 9.02.100.

Ordinance 612, Section 11 and BCC 9.02.100(b) are hereby amended to read as follows:  
(b) Private water supplies may be utilized to serve a short plat or subdivision if an applicant demonstrates that the proposed water source is consistent with RCW 90.44.050, as existing or hereafter amended, ~~((and))~~ with applicable rules adopted pursuant to RCW 90.22 and 90.54, as existing and hereafter amended, and with Ordinance \_\_\_\_\_, if applicable.

OA 2019-003 Proposed Changes to BCC Title 11-Zoning relating to building permits; amending Ordinance 611, Section 165 and BCC 11.42.040

Ordinance 611, Section 165 and BCC 11.42.040 are hereby amended to read as follows:  
BUILDING PERMITS - (a) a) No person, company, or corporation shall erect a building or structure of any kind or make any addition to an existing building or structure or alter any building or structure already erected within the unincorporated area of the County of Benton without ((first obtaining a permit in writing from a county official duly authorized for this purpose.)) complying with Title 3 of the Benton County Code. (b) Private water supplies may be utilized to serve a short plat or subdivision if an applicant demonstrates that the proposed water source is consistent with RCW 90.44.050, as existing or hereafter amended, ~~((and))~~ with applicable rules adopted pursuant to RCW 90.22 and 90.54, as existing and hereafter amended, and with Ordinance \_\_\_\_\_, if applicable.

**LU Goal 4: Establish UGAs adjacent to incorporated areas, within which an orderly and cost-effective transition from rural to urban land uses and authority can be coordinated within the next 10 to 20 years.**

Policy 1: Consider UGA expansions according to the process identified in the Benton CWPP.

Policy 2: Facilitate the realization of regional transportation and other infrastructure and public facilities plans.

Policy 3: Designate zoning and promote development on unincorporated lands within the UGAs consistent with the cities' Comprehensive Plan land use designations.

Policy 4: Promote outreach to established citizen interest groups regarding significant developments proposed within or adjacent to their communities.

### 2.2.2 *Communities Outside UGAs*

**LU Goal 5: Identify the location, site planning, and density of new non-farm development outside of UGAs to protect existing agriculture from incompatible adjacent land uses.**

Policy 1: Establish compatible land uses adjacent to areas designated as GMA Agriculture to minimize conflicts associated with farm activities such as spray, dust, noise, odors, and liability.

### 2.2.3 *Rural Lands*

**LU Goal 6: Preserve rural lifestyles outside UGAs and incorporated areas while accommodating new population growth consistent with the protection of rural character.**

Policy 1: Maintain overall residential densities within rural residential areas that reflect rural character as defined by the GMA and are low enough to perpetuate rural lifestyles, which are typically characterized locally by a predominantly open landscape inhabited by households engaged in diverse and recreational land use activities related to livestock and crop production; protect surface and ground water; and that can be supported by available public services.

Policy 2: Development in rural areas is typified by large lots and less dense development. Favoring development that is less dense and has larger lots helps maintain the rural character of designated rural areas and supports the protection of ground and surface water.

Policy 3: Designated rural areas will be utilized to reduce the inappropriate conversion of agricultural lands, prevent sprawling low-density development and assure that rural development is compatible with surrounding rural and agricultural areas.

Policy ~~24~~: Encourage low impact recreational uses and protect open spaces that preserve rural character.

Policy ~~35~~: Provide public services consistent with rural character. Rural developments will not impact existing public facilities/services to the extent that the level of service for that facility is reduced below the adopted threshold and/or acceptable operation capacity. Rural developments should occur where adequate access to transportation systems, and rural levels of utilities and facilities, such as domestic water, power, and fire and police protection are available.

~~Policy 4: Encourage the reduction of fire risk and urban/wildland interface through fire-wise principles, prevention measures, and other programs.~~

Policy 6: Rural development shall minimize potential adverse impacts to water quality, slope stability, vegetation, wildlife and aquatic life as implemented through the County's critical area regulations, shoreline master program, and hydrology manual.

Policy 7: Support the availability of sufficient water to maintain the agricultural industry and agricultural processing and value-added manufacturing.

Policy 8: Encourage long-term conservation, adequate water supply, and the wise stewardship of natural resources within Benton County for the benefit of current and future residents.

Policy 9: Encourage the continued communication with irrigation districts, legislature, and other responsible entities to ensure that adequate irrigation water is available for agricultural uses.

Policy ~~510~~: Limit impervious surface in rural lands by implementing maximum lot coverage in the development regulations.

Policy 11: Encourage the use of low-impact development (LID) measures in the Eastern Washington Low Impact Development Guidance Manual and their application to urban development, urban and rural subdivisions, and large rural developments in Benton County.

Policy 12: Support on-site infiltration in rural areas for new lots, subdivisions and developments by promoting storm water best management practices. Promote the retention of existing native vegetative cover in landscaping plans for areas zoned Rural Lands One Acre (RL-1), Rural Lands Five Acre (RL-5), Rural Lands Twenty Acre (RL-20), and Planned Development (PD) zones applied to any of these zones. Where the proposed development will not be precluded, limit impervious surfaces that are not infiltrated on-site for all new development in the zoning districts listed above to no more than ten percent and require the retention

of 45 percent vegetative cover, which may include native or non-native species, provided soil infiltration/filtration properties are maintained.

Policy 13: Encourage the reduction of fire risk and urban/wildland interface through fire-wise principles, prevention measures, and other programs.

Policy 14: Support and encourage the use of and application of Firewise principles and other fire risk reduction measures consistent with the Benton County Natural Hazard Mitigation Plan and Community Wildfire Protection Plan to reduce fire risk for urban development, urban subdivisions, rural subdivisions and large rural developments susceptible to wildfires. Encourage the implementation of the Firewise principles, or similar best management measures, applicable to individual lots on all lots at risk from wildfires.

Policy 615: Encourage new rural development away from the 100-year floodplain, and as guided in the County's Flood Damage Prevention Ordinance, CAO, and SMP.

## *2.2.4 Master Plan Resorts and Small-scale Recreational or Tourist Use*

**LU Goal 7: Provide opportunities for Master Planned Resorts (MPRs) and Small-scale Recreational or Tourist (SSRT) uses consistent with the GMA.**

Policy 1: Provide MPR and SSRT development regulations that are consistent with provisions of RCW 36.70A.360, the Comprehensive Plan, and County regulations.

Policy 2: Locate MPR and SSRT Uses outside the vicinity of UGAs according to the provisions of the GMA.

Policy 3: Develop a master site plan that functionally integrates various land uses with motorized and non-motorized circulation systems that are accessible to public transportation where available and connect with open spaces for public use.

Policy 4: Ensure that infrastructure, such as roads, water supply, and utility standards are consistent with rural densities and uses.

Policy 5: Prepare a capital facilities plan. Necessary capital facilities, utilities, and services may be provided to a MPR by service providers from outside the boundary of the MPR, including municipalities and special service districts, provided that all costs associated with service extensions and capacity increases directly attributable to the MPR are fully borne by the resort.

Policy 6: Ensure that developments contain open space and open space amenities (paths, trails, scenic overlooks, and viewpoints) that are open to the public.

## PCM 1.6

- Policy 2: Work to identify opportunities for water conservation on County property and at County facilities.
- Policy 3: Encourage the use of irrigation water for non-potable uses in housing units, parks, and other developed lands within water service areas.
- Policy 4: Acknowledge that municipal governments and other water utilities, as applicable, are the best long-term water supply service providers within designated UGAs.
- Policy 5: Consider existing public or private water purveyors first when the need arises for a rural domestic water supplier.
- Policy 6: Look to Satellite Management Agencies (SMA) first for assistance with operations and management of failing or troubled water systems throughout the County. Encourage an increase in the number of approved SMAs in the County.

### 2.4.3 *Rural Domestic Water Policies*

- Policy 1: Public and private purveyors, along with exempt wells operated by individual households, adequately provide for water needs in rural areas of the County. The County will not seek to become a residential water purveyor except where mandated by the state under RCW 43.70.195.
- Policy 2: Recognize that new rural water right permit exempt wells are junior to senior surface and ground water rights and may have the potential to impair these water rights. Support the implementation of water management and mitigation strategies to avoid or offset impacts from exempt wells, as applicable, that allow for continued growth and development consistent with the land use plan.
- Policy 3: Rural development shall provide adequate water for domestic use. When feasible, rural developments will be encouraged to utilize existing community systems with adequate availability for domestic water and sewage disposal.
- Policy 4: New groundwater uses must provide evidence that the proposed water source is physically and legally available. Groundwater uses and withdrawals, including the issuance of building permits and the approval of land divisions, must be consistent with RCW 90.44.050, and with applicable rules adopted pursuant to RCW 90.22 and 90.54.

## PCM 1.7

- Policy 3: Eliminate existing service level deficiencies in existing facilities before expending capital funds for new uses. Capital facilities planning should integrate all of the County's capital project resources (grants, bonds, general County funds, donations, real estate excise tax, conservation futures property tax, fees and rates for public utility services, and any other available funding).
- Policy 4: Prioritize and evaluate public capital facilities annually for funding public funding for capital projects that are necessary to accommodate existing and projected demands of the Land Use Element of the Comprehensive Plan.
- Policy 5: Prioritize capital facilities planning and expenditures consistent with this Comprehensive Plan for projects that accomplish one or more of the following:
1. Are essential for public health, safety, and welfare
  2. Address and/or improve the quality and level of regional government services
  3. Maintain designated transportation LOS
  4. Improve public and private sector productivity
  5. Facilitate the maintenance and growth of the rural/agricultural economy
- Policy 6: Explore public facilities and infrastructure investment options that use Hanford site resources and benefit the region beyond the Hanford area.
- Policy 7: Promote compatible development of land adjacent to existing and proposed school and other public facilities.

**CF Goal 2: Provide for the siting of "Essential Public Facilities" using siting criteria that are consistent with statutory requirements applicable to these facilities and within appropriate land use designations,**

Policy 1: Locate capital facilities identified as essential public facilities in a manner that will provide necessary service to intended users while minimizing the impact to surrounding land uses.

### 2.11 Utilities

**UE Goal 1: Ensure utilities support the land use and economic development goals of the County.**

Policy 1: Siting of proposed public facilities should be consistent with adopted land use policies.

**UE Goal 2: Maintain public and private household water and sewer systems that are consistent with the rural character of the County.**

Policy 1: Develop joint service agreements between special districts, counties, and cities for lands within UGAs.

activities in 2009 and beyond. Table 3-2 indicates the historic population growth in Benton County by decades.

**Table 3-2  
Historic Population Growth in Benton County**

Year	Benton County	% Change Benton County
1970	67,540	8.81%
1980	105,800	56.65%
1990	112,560	6.39%
2000	142,475	26.58%
2010	175,177	22.95%

Benton County’s current population, based on the 2017 OFM data, is 193,500. The unincorporated County population constitutes 35,085 persons, or approximately 18 percent of the total County population. At present, the agricultural sector is experiencing significant economic growth in the County, as the global markets for eastern Washington farm products continue to expand. At the local level, the commercial retail sector within the Tri-Cities has reached a scale of regional significance with new retail stores being constructed regularly, and serving an area within an approximate 100-mile circumference of the Tri-Cities. Hanford Cleanup budgets continue to play a major role in supporting local economic and population growth, and this is expected to continue into the future.

The land use trend on the Hanford Site can be broadly described as the gradual reintegration of major portions of Hanford's resources (land, water, and infrastructure) into the economy, custom and culture, and regulatory authority of local jurisdictions within which the Hanford Site lies. Today, the Hanford Site is being cleaned up for future uses that, in addition to federal missions, will likely include non-defense related private and public sector uses.

Recently, ~~13,641~~ 1,641 acres of Hanford land was transferred from the U.S. Department of Energy to the City of Richland, the Port of Benton, and Energy Northwest for industrial uses. The Hanford Reach National Monument, created by President Clinton in 1999, has also generated additional visitors and tourists to the site and the surrounding communities.

### 3.2.3 *Future Considerations*

Accommodating land needs of both agricultural and non-agricultural uses, while maintaining the potential of all economic sectors, is important for Benton County. Key considerations for land use in the County are to preserve and protect agricultural and resource lands, allow rural lifestyle in rural lands, and allow growth where services are available, primarily in the urban areas. With the County

### 3.6 Expansion of Urban Growth Areas

Two aspects are important for UGA expansion: meeting the required need for future land in urban areas and maintaining low density land outside the UGA to enable logical and cost-effective expansion.

Currently, the County is updating the UGA boundary in two areas as follows:

1. City of Richland UGA expansion. As discussed before, ~~13,641~~ 1,641 acres of Hanford land was transferred from the U.S. Department of Energy to the City of Richland, the Port of Benton, and Energy Northwest. As a result, the City has applied for an UGA expansion to add 1,184 acres of Hanford land to its UGA and remove 283 acres from the Richland UGA (for a net increase of 901 acres). This request has been incorporated into the County's Comprehensive Plan update.
2. City of Prosser UGA amendment. Based on the City of Prosser's OFM population projection and land needed to accommodate this population, a reduction of 483.96 acres of UGA land and an addition of 100.44 acres of industrial land (for a net reduction of 383.52 acres) has been applied for and is incorporated into this Comprehensive Plan update.

Within the Comprehensive Plan, four principle factors apply to future connections between cities and the County relative to the build-out of and expansion of UGAs. These include the availability of vacant lands in the municipalities; urban densities within the cities and UGAs; appropriate sizing of UGAs compared to future population growth; and consideration of site planning that preserves rural lands outside of UGAs for future expansion.

#### 3.6.1 *Total Vacant Land Within Benton County's Metropolitan Planning Area*

The cities of West Richland, Richland, and Kennewick are contiguous. Some of the cities already have annexed unincorporated lands that are adequate to meet future demand. For instance, the City of Richland had placed significant amount of land within its UGA under the Urban Reserve land use category. Each City assesses their own land use demand based on vacant land and developable land to identify future needs before any UGA expansion is proposed.

The adoption of the County's Comprehensive Plan, and the adoption of each of the cities' plans, require that the expansion of urbanization, with its conversion of rural lands to urban uses be an orderly, cost-efficient process, based on population projections and protection of rural neighborhoods and natural resource lands. The UGA process is intended to, and has, influenced a reduction of urban sprawl, increased annexation of unincorporated islands with the cities, and achieved greater cost effectiveness for development within UGAs.

**Table 6-4  
Housing Mix, Cities in Benton County, 2015**

Jurisdiction	Single family	Multi-family	Manufactured Homes	Total Dwellings <sup>1</sup>
Unincorporated	8,117	220	3,558	11,962
Kennewick	17,590	9,488	2,208	29,356
Richland	15,000	6,309	786	22,130
Prosser	1,431	580	290	2,301
West Richland	3,698	305	527	4,530
Benton City	716	182	279	1,194
<b>Total</b>	<b>46,552 (65%)</b>	<b>17,084 (24%)</b>	<b>7,648 (11%)</b>	<b>71,284 (100%)</b>

Notes:

<sup>1</sup>Does not include RV, Boats, and Vans

Source: American Community Survey (U.S. Census Bureau 2015)

## 6.4 Future Considerations

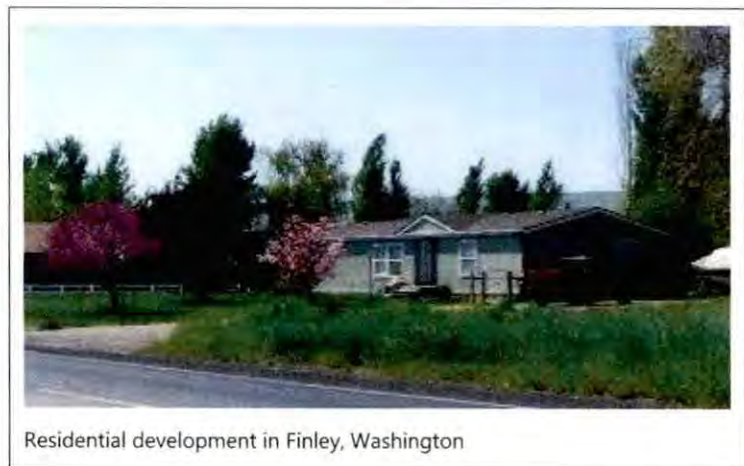
As discussed above, based on the population estimates, the County will need to add ~~7,079~~ 6716 new homes in the next 20 years. The Land Use element discusses potential areas for future developments and the County’s land capacity to meet projected housing needs. The discussion below indicates multiple housing types in various densities to address housing needs and affordability.

### 6.4.1 Density

A range of residential densities is provided within the unincorporated County to provide broad affordability related to land costs and construction. Within the Rural Community Center areas in Paterson, Whitstran, Plymouth, and Finley, densities of up to 3 DU/acre may occur, including duplexes.

Densities of 1 DU/acre are designated in Rural Transition areas due to their proximity to UGAs and adequate road capacity. These designations are considered limited areas of more intensive rural development

enabled by RCW36.70A.070 (5)(d). The density of 1 DU/5 acres is the dominant rural density in Rural Remote areas. Low density residential uses are allowed in Rural Resource areas at 1 DU/20 acres. Minimum lot sizes in each land use and zoning district are identified in the zoning code Chapter 11 of BCC.



Residential development in Finley, Washington

## 7 Transportation Element

## PCM 1.10

### 7.1 Introduction

The Transportation element of the Comprehensive Plan describes the existing transportation network, LOS, planned improvements and financing, and intergovernmental coordination needs, as required under RCW 36.70A.070(6). Collectively, these items help functionally integrate the transportation network with the Land Use Map (see Appendix A: Map Folio, Figure 14 – Transportation – Existing Major Facilities Map).

Under current local farm and non-farm economic growth conditions, the trend to convert raw land for agriculture, residential, commercial, and industrial land uses will continue. These conversions engender new land uses which drive maintenance and expansion of road capacity for commuter, "farm to market," leisure, recreation, business, and other vehicle trips. Transportation related land use demands ultimately manifest themselves as capital projects in the County's Six-Year Road Program (Appendix H-1). Further information on the Washington State Highway System can be found in Appendix H-3 (Washington State Highway Inventory within Benton County) and Appendix H-4 (Washington State Highway [Inventory and 2028 Forecast and Level of Service Analysis Build-Out of Benton County Comprehensive Plan Land Use Assumptions—2028 AADT](#)).

### 7.2 Existing Transportation System

Transportation systems in Benton County form a multi-modal network that provides for the movement of people and goods locally. The systems connect to regional, state, national, and international systems. Transportation systems which comprise the local network include road, rail, air, waterborne, and non-motorized (bicycle, pedestrian) transit.

Efficient transportation links to regional, state, national, and global markets are essential to the maintenance and growth of the County's economic base. Additionally, the ease with which people can move throughout the County is an important quality of life factor.

#### 7.2.1 *Benton County Road System*

Within and around the Metropolitan Planning Area (Kennewick, Richland, West Richland), the road system within Benton County is well developed with interstates, state highways, collectors, and local access routes. Improvements have been made to several roads to improve access to some of the outlying rural areas, such as Finley and in areas in southern Benton County. Road access for rural and agricultural areas is good and continues to be improved.

Peak hour congestion problems do exist within the urban areas, notably on routes such as State Route 240 and George Washington Way used by Hanford Site commuters, and on Columbia Center Boulevard related to the Columbia Center Commercial Retail complex in Kennewick.

The principal commodity shipped out of Benton County by barge is grain products. Grain shipments in 2014 above McNary Dam totaled 4,189,000 tons and 4,644,565 tons between McNary and the Dalles dams (Godlewski 2016).

Agricultural products are shipped from privately owned docking facilities located at grain storage and industrial sites. Occasionally, special shipments of former nuclear components, such as submarine reactor hulls, destined for disposal at Hanford, are barged to the Port of Benton dock in Richland.

The demand for waterborne transport fluctuates with markets, commodity supply, and in relationship to the economics of transport by rail and overland truck. However, over the long term, because of its inherent efficiencies, waterborne transport will likely remain an integral part of the Inland Empire transportation system and will continue to play a vital and expanding role as global trade expands, balanced with associated river management strategies supporting salmon recovery efforts. Maintaining the existing water transportation system is an important priority for the County.

### 7.2.5 Pipeline Transport

#### **7.2.5.1 Existing Conditions**

Benton County has two interstate natural gas pipelines: Pacific Gas and Transmission Company and Northwest Pipeline Company. The Pacific Gas and Transmission Company line crosses the southeast corner of the County as it extends from Walla Walla County into Oregon. The Northwest Pipeline Corporation line runs up the Columbia River Gorge from Vancouver, Washington, to Plymouth. There it branches into two lines, one to the Yakima Valley and Wenatchee, the other serves the Tri-Cities and Spokane. The system distributes natural gas to Washington's seven utility companies. The maximum pipe size is 30 inches.

#### **7.2.5.2 Future Considerations**

Gas energy from this distribution system directly serves the Plymouth and south Finley areas Industrial land use designations. Substantial undeveloped industrial designated land exists within these two areas. The presence of large acreages with gas energy and road, rail, and barge transport opportunities provides economic opportunities that should not be blocked by piece-meal developments. Proactive advanced planning should occur in these areas to preserve their future industrial/commerce values.

### 7.2.6 Public Transit Service, Park and Ride Lots, Bicycle Transport

**Ben Franklin Transit (BFT).** The Tri-Cities urban area, Prosser, and Benton City are served by several fixed routes operated by [Ben Franklin Transit \(BFT\) BFT](#). BFT also provides a rideshare/vanpool program that operates throughout the region. [A map of the BFT Service Area known as the Public](#)

Transit Benefit Area (BFTA) is included in Appendix A. BFT route headways are set and adjusted periodically based on ridership demand and market potential, using load factors, productivity, and development growth to inform the planning process. BFT distributes bus service so that the majority of all residents within the service area are within a 1/2 mile walk of bus service. DAR paratransit service operates on an eligibility basis throughout the entire PTBA, at a regular rate when the origin and destination are within 3/4 of a mile of the service boundary, and at a premium rate when the origin or destination is beyond 3/4 of a mile from the service boundary.

Benton County sits on the Board for BFT and participates in their planning process as well. BFT regularly prepared a Transit Development Plan (TDP) which identifies improvements and expansions to the transit service provided in the region. Because of the nature of providing efficient transit service within budgetary limitations, transit service to unincorporated areas of Benton County are somewhat limited. However, coordination of appropriate services such as bus stops, park and rides and other services occurs with each update of the TDP. The current TDP is adopted by reference in the Comprehensive Plan and can be found at this weblink: <https://www.bft.org/assets/1/6/draft-2019-2024-transit-development-plan-for-public-comment-06-13-191.pdf>

**Park and Ride Lots.** There are currently nine park and ride lots in Benton County which are owned by WSDOT, BFT, and the City of Kennewick. BFT buses serve six of the sites in the urban area.

### 7.2.7 Non-Motorized Transport

**Bicycle System/Plans.** Bicycle paths have increased in the past several years, with a bike path that forms a loop around the urban areas of the Tri-Cities and a path north and west of Prosser. In addition, roads with lower traffic use in the County are often used by cyclists for recreational riding.

Benton County is an active participant in the regional transportation planning process that is coordinated by the Benton Franklin Council of Governments (BFCG). As members, the County participates regularly on both the Technical Advisory Committee and the Policy Board to address numerous transportation issues in the region. The BFCG has prepared the Regional Active Management Plan which discusses bicycle and pedestrian facilities. As members of BFCG this document and its associated strategies, are adopted and incorporated into the Benton County Comprehensive Plan by reference. This document can be found at the following weblink: <http://bfcog.us/wp-content/uploads/2017/03/FINAL-2016-Regional-Active-Transportation-Plan-3-28-16.pdf>. A map from this document of the Benton County Active Transportation System is included in Appendix A Map Portfolio.

### 7.2.8 Transportation Demand Management Strategies

As discussed above, Benton County is an active participant in the BFCG. The Regional Transportation Plan, *Transition 2040*, includes a chapter on Transportation Management and Operations that discusses Transportation Demand Management Strategies. TDM strategies should be pursued before roadway LOS approaches or drops below adopted standards included in the Comprehensive

Plan. As members of BFCG all of these documents, and associated TDM strategies, are adopted and incorporated into the Benton County Comprehensive Plan by reference. These documents can be found at the following weblink: <http://bfcog.us/transition2040/> <http://bfcog.us/transition2040/>.

### **7.3 Level of Service Analysis**

Consistent with GMA, the County has adopted LOS as the standard of operating efficiency for the County-owned and maintained major collectors and arterials within the County transportation service system. Local roads and minor collectors do not have designated LOS. LOS for minor arterials are designated by WSDOT.

#### **7.3.1 Benton County Level of Service**

Benton County's designated LOS is "C" in rural areas and LOS "D" within Urban Growth Areas. When a roadway meets a LOS "C" standard, it means that the streams of traffic flow remain uninterrupted, even at peak hours, by congestion or delays related to traffic volume and road configuration.

County land uses are primarily rural and agricultural, and such uses typically generate new traffic demands gradually. An evaluation of LOS for all County major collectors and arterials was conducted by evaluating existing and future volume (through 2027) estimates.

On rural roads with relatively light traffic volumes where flow is uncomplicated by frequent entry points and signalized intersections, a simple comparison of existing traffic counts and projected traffic counts based upon assumed growth percentages by area in the County was applied to evaluate LOS. The LOS for each of the roads evaluated was determined for both existing and future volumes to be at a C level – efficient flow of traffic without delays. No new major increases in traffic generators from new localized sources were identified as part of this evaluation. Appendix H-2: Transportation Level of Service shows the current volumes of traffic over major collectors and the 10-year projected traffic volumes for each collector. The LOS for each of these roads has been determined to be acceptable, at a C level at least or higher.

##### **7.3.1.1 Level of Service on State-owned Facilities**

The LOS for regional highways, including state roadways, is set through a coordinated process through the Benton-Franklin Council of Government (BFCG), the County's regional transportation planning organization, along with state, regional, and local input. The LOS for highways of statewide significance ~~which are exempt from the requirements of the GMA~~ is set by the State in consultation with local jurisdictions, with the State having final authority to establish LOS and associated state and federal expenditures on the system.

~~An analysis was performed to determine impacts to Level of Service on state owned facilities, the impact portion is a calculation by the County of the future Annual Average Daily Trips (AADTs) based on the land use assumptions through the build-out of the 2006 Comprehensive Plan.~~ The

Washington State Highway Inventory Matrix shown in Appendix H-3, provides an inventory of state-owned facilities. ~~and~~ Appendix H-4 provides details on the analysis of LOS for current conditions as well as for year 2028 AADT calculations using the land use assumptions in the Plan. All state highway segments will function with acceptable Levels of Service with all segments anticipated to perform at LOS all, but two segments forecast to be LOS "A" or "B". Those two segments on SR 397 between Kennewick and Finley are forecast to be LOS "D" but are within the Urban Growth Area.

As mentioned in the Land Use and Housing Elements, much of the population growth within the unincorporated Benton County is anticipated to occur outside the city limits but within the Urban Growth Areas. The Level of Service analysis was conducted using the most recent traffic data available from WSDOT for the state highway system along with the BFCG regional traffic model. The regional model forecasts several different land uses throughout the region for the year 2040 to estimate future travel demand on functionally classified roadways. Benton County participates in the development of the model, including the preparation of population and employment forecasts for Transportation Analysis Zones supported by the modeling process. The land use assumptions of the model are included in the Appendix of the Regional Transportation Plan, are included here by reference, and found at this weblink: <http://bfcog.us/wp-content/uploads/2018/01/Appendix-Jan-8.pdf>. Maps representing the TAZ as well as the population and employment growth are included in Appendix H.4. For areas not covered by the regional model, a discussion was held with WSDOT and it was agreed that traffic forecasts for these areas would be fairly represented using 1% per year growth in current volumes.

### 7.3.2 *Future Considerations*

**Improve the Utility of the Transportation Network.** The utility and adaptability of an area's transportation network is one of the primary characteristics upon which the "quality of life" is based. By in large, the road transportation network within the County and the Tri-Cities is an excellent and efficient one, consisting of interstate highways, state routes, and local arterials, collectors, and local access routes; it has well-defined and institutionalized mechanisms for eliminating its deficiencies and maintaining its high level of performance.

However, the existing transportation network is almost singularly dedicated to the personal automobile. This is not a fault, but rather a limitation to the larger community's realization of other land uses, commercial enterprises, human activity, and socioeconomic diversity.

A truly multi-modal transportation system invites increased personal mobility (via pedestrian, bicycle, equestrian, and transit modes); it energizes existing and fosters the creation of new activity centers; it melds business, casual, tourism, and recreational activities into a richer and more resilient community fabric.

3. To improve the predictable movement of and access to goods and people throughout the region and improve quality of life
4. To promote and develop transportation systems that stimulate, support, and enhance the movement of people and goods to ensure a prosperous economy
5. To make transportation decisions that protect the environment, promote sustainable development, and coordinate regional/community stakeholders

Benton County considers these goals and the associated objectives along with other information in planning for transportation system improvements to the County road system and in lending support to regional projects and programs.

### 7.5.1 *Current and Future State Highway System Needs*

Transportation elements of GMA comprehensive plans must include an identification of current and forecast needs and a financial analysis of how an identified need might be addressed concerning the regional transportation system, including state highways.

Appendix H-4 lists current and forecast 2028 peak hour traffic volumes AADT for the state highway system in Benton County in 128 discrete segments. The County is not responsible for traffic effects on highway segments in cities, and the WSDOT sets levels of service on Highways of Statewide Significance. When segments in cities and on the Highways of Statewide Significance are removed from that list a total of 3756 segments on seven ten state highways: SR 14, 22, 24, 82, 182, 221, 224, 225, 240 and 397 remain and for which analysis was reported.

A source for identification of current and forecast need on the state highway system is Transition2040, the 2017-2040 Metropolitan/Regional Transportation Plan adopted on May 2017 by the BFCG. Transition2040 is a long-range, multi-modal planning document which identifies the mobility needs of the region, comprising of both Benton and Franklin counties, through the year 2040. Chapter 5 of the Transition2040, Financial Analysis, includes programmed projects and available funds submitted by WSDOT for the period of 2017 through 2025 in Benton and Franklin counties.

The chapter identifies forecasted WSDOT cost for maintenance and operations and capital construction in Benton and Franklin counties. Maintenance and operations needs are forecast at about \$28,000,000 and capital improvement costs at about \$119,000,000. The Plan states revenues and expenditures balance out and there is no predicted new revenue. The only identified system capital improvements in the two-county area are those included in the Connecting Washington funding package.

Connecting Washington is a 16-year program, funded primarily by an 11.9-cent gas tax increase that was fully phased-in on July 1, 2016. Table 7-2 below shows the Connecting Washington projects listed in Transition2040 and state costs associated with each project.

**Table 7-2  
Connecting Washington Projects in Benton and Franklin Counties**

Connecting Washington Account	State Funds
Connell Rail Interchange	\$10,000,000
I-82 West Richland – Red Mountain Interchange	\$27,000,000
US 395/Ridgeline Intersection	\$17,000,000
Duportail Bridge	\$38,000,000
US 2395/Safety Corridor Improvements	\$15,000,000
Lewis Street Overpass	\$26,000,000

Source: 2017 WSDOT Project Delivery Plan; Additional WSDOT documentation

In ~~July 2019~~ ~~November 2017~~, WSDOT released the 2017~~9~~ Project Delivery Plan, a detailed county-level ~~810~~-year list of capital improvement and preservation (maintenance and operations) projects and costs for the years ~~20172020~~ through 20~~25~~30. Funding decisions at WSDOT are the responsibility of the Department, as are decisions on releasing information on funding sources. A background document companion to the project list discusses funding assumptions, stating the Delivery Plan aligns with legislative direction provided in the ~~2017~~ ~~2019-2021~~ Transportation ~~Budget Appropriations Bill~~ and is consistent with overall legislative investment expectations.

Noteworthy improvements listed in Benton County are the Connecting Washington projects which, except for the Red Mountain Interchange are urban in nature. Rural improvement projects include the Red Mountain Interchange, the intersection of SR 224/SR 225 in Benton City, railroad crossing improvements in the vicinity of the SR 397/Piert Road intersection and rumble strips on SR 22.

Significant preservation projects listed in the Project Delivery Plan include painting the SR 24/Columbia River Bridge at Vernita and painting the Interstate-82/Columbia River Bridge at Umatilla. Multiple paving projects on Interstate-82 in rural Benton County are also listed.

### 7.5.2 *2016 Regional Active Transportation Plan for Benton and Franklin Counties and Tri-Cities Urban Area*

The *2016 Regional Active Transportation Plan for Benton and Franklin Counties and Tri-Cities Urban Area* was approved by BFCG in 2016 and is incorporated by reference in *Transition2040*. This document provides a status of bicycle and pedestrian planning and implementation, includes a review of bicycle and pedestrian policies and practices, and discusses active transportation safety issues. The plan notes that attention to bicycling and walking issues in Benton and Franklin counties has significantly increased in volume and importance in the last decade, with interconnected pedestrian and bike systems becoming a more critical component of the regional transportation network. Strong public support exists for improved bicycling and walking conditions through

## **9 Capital Facilities Element**

### **9.1 Introduction and Purpose**

The Capital Facilities element identifies necessary and planned capital improvements, improvement schedules, and funding resources that functionally integrate capital facilities into the Comprehensive Plan. For the purposes of this element, capital facilities are defined as the infrastructure the County is responsible for constructing, operating, and maintaining, and which enable the County to provide public services to County residents. This element provides the framework for the County's CIP (Appendix J) and adopts a 6-year CIP list of proposed projects and financing plan.

This element is one of six mandatory planning elements that GMA requires in County's Comprehensive Plan (RCW 36.70A.070 (3)) and must identify specific facilities, include a realistic financing plan, and adjust the plan if funding is inadequate. WAC 365-196-415 provides requirements and recommendations for this element.

#### ***9.1.1 Relationship between Land Use and Capital Facilities***

There is a direct relationship between the Capital Facilities and Land Use elements of the Comprehensive Plan. The Land Use element determines where and at what density population and employment growth will be located. The Capital Facilities element identifies the thresholds of growth, when new and expanded public facilities will be needed, and indicates the County's priority system for constructing the identified public facilities. Although some public facilities are provided by **other** government agencies or private entities, the County must demonstrate these services are available.

Identified improvements to public facilities that are owned or operated by Benton County shall also be included in the County's annual budget. Any identified public facility improvements that are not owned or operated by the County should be included in the annual budgets and CIPs of the entities which provide those public facilities. State, local government, and district plans that are affected by proposed public facility improvements will be considered prior to inclusion of the improvements in the CIP. This includes considering a city's comprehensive plan when evaluating proposed improvements that affect that city's UGA.

#### ***9.1.2 Capital Facilities Element Update Process***

Any updates to the Capital Facilities element of the Comprehensive Plan will be considered concurrently with other proposed amendments that are included in the annual Comprehensive Plan amendment review. Benton County's CIP, adopted by reference, is a dynamic document that will be updated annually to reflect new cost information, funding information, project list changes, and existing facility updates. The annual updates to the CIP will be done prior to the annual budget process so that CIP projects can be included in the annual budget.

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collection facilities. The County does not currently provide, nor does it plan to provide in the foreseeable future, sewer, water, or utility services. Accordingly, its capital facilities do not include processing or production plants and the distribution/collection systems typically associated with such services. The only exception to this general condition occurs when a private water or disposal system fails, whereupon if placed in "receivership" under state law the County must assume responsibility as an interim condition.

The County may coordinate planning and development of public facilities in UGAs with municipalities and public facility providers by entering into interlocal/joint planning agreements, contracts, memorandums of understanding, or joint ordinances. Capital facilities and utilities may be constructed and operated by outside public service providers on rural properties if they are within the boundaries of a MPR, or a Rural Community Center pursuant to County Comprehensive Plan policies and development regulations. Electric and natural gas transmission and distribution facilities may be sited throughout Benton County both inside and outside of municipal boundaries, UGAs, MPRs, and Rural Community Centers. The County will coordinate with the BFCG and/or municipalities within the County when siting regional and community facilities. This coordination may include developing an inventory of essential facilities, determining a fair share allocation of essential facilities, conducting public involvement strategies, and assuring protections for the environment, public health, and public safety.

### *9.2.4 Improvements to Public Facilities Identified in Other Plans*

Various plans ~~have been~~ prepared by other public agencies have been reviewed by the County as part of this periodic Comprehensive Plan review and update that identify potential. A summary of capital facilities forecasted for the next six years, along with the six-year financing plan, for these non-County operated facilities is provided in Table 9-1. This non-County operated facilities forecast and financing plan, combined with the County CIP for County-owned facilities comprise the County's forecast of future needed public facilities and financing plan for the next 6 years, to support implementation of the Comprehensive Plan. The County will review and revise this forecast and financing plan, as applicable, during plan implementation.

Regarding firefighting capabilities, in addition to the capital improvements identified in Table 9-1, the County has conducted an analysis of the adequacy of the firefighting capabilities for those districts that serve on the borders of the UGA and within rural areas of the County. This includes reviewing and incorporating into this plan by reference the Benton County 2018 Community Wildfire Protection Plan, and also interviews conducted with fire district personnel. A discussion of the findings from this analysis is provided in narrative following Table 9-1. Capital projects that can be included in a future 6 year plan. The County will consider these projects as funding becomes available or when it is determined that public facilities have inadequate LOS.

**Table 9-1**

**Six-Year Capital Improvements Plan for Non-County Operated Facilities**

<b>Capital Facility Type</b>	<b>Providers (Location)</b>	<b>Existing Condition</b>	<b>Planned Improvements (Capacity)</b>	<b>Funding Source(s)</b>	<b>Estimated Cost/Date</b>
<u>School Districts</u>	<u>Kennewick School District</u>	<u>Aging facilities need updates. Capacity to meet school enrollment is adequate for several years.</u>	<u>Planned new or remodeled schools</u>	<u>Bond</u>	<ul style="list-style-type: none"> <li><u>Kennewick High School, 2019-2021, \$105,000,000</u></li> <li><u>Amistad Elementary (Phase 2), 2019-2020, \$22,000,000</u></li> <li><u>Kamiakin High School Addition, 2020-2021, \$5,000,000</u></li> <li><u>Southridge High School Addition 2020-2021, \$5,000,000</u></li> <li><u>New Elementary #18, 2021-2024, \$26,000,000</u></li> <li><u>Ridge View Elementary, 2023-2024, \$24,000,000</u></li> </ul>
				<u>Potential bond, planned for future</u>	<ul style="list-style-type: none"> <li><u>Hawthorne Elementary, 2025-2026, \$28,000,000</u></li> <li><u>Washington Elementary, 2025-2026, \$28,000,000</u></li> <li><u>New Elementary #19, 2025-2026, \$29,000,000</u></li> <li><u>Horse Heaven Hills Middle School 2025-2027, \$40,000,000</u></li> </ul>
	<u>Richland School District</u>	<u>Aging facilities need updates. Capacity to meet school enrollment is adequate for several years.</u>	<u>Planned new or remodeled schools and make other facility improvements.</u>  <u>The school district is starting a facilities long term plan in the</u>	<u>Bond approved February 2017 for \$99 million bond. Also applying for about \$42 million in state assistance</u>	<ul style="list-style-type: none"> <li><u>Replacement of Badger Mountain Elementary 2020-2021, \$21 million</u></li> <li><u>Replacement of Tapteal Elementary, 2019-2020, \$19.9 million</u></li> </ul>

<u>Capital Facility Type</u>	<u>Providers (Location)</u>	<u>Existing Condition</u>	<u>Planned Improvements (Capacity)</u>	<u>Funding Source(s)</u>	<u>Estimated Cost/Date</u>
			<p><u>next year to see how they are doing in growth areas and depending on findings, there is potential for seeking additional bond funding before 2025.</u></p>	<p><u>dollars to augment local contributions</u></p>	<ul style="list-style-type: none"> <li>• <u>New elementary school #11 on Belmont Boulevard in West Richland, opened 2019, \$17.5 million</u></li> <li>• <u>Construction of a new elementary school in south Richland, 2021-2022, estimated \$22 million</u></li> <li>• <u>Renovation of the Richland High School auditorium, will be completed in 2021, \$9 million</u></li> <li>• <u>Home side improvements and installation of field turf at Fran Rish Stadium, 2022-2023, \$10 million</u></li> <li>• <u>Improved athletic fields at Hanford High School, 2021-2022, \$6 million</u></li> <li>• <u>Construction of a new Teaching, Learning &amp; Administrative Center, Sept. 2020 opening, \$11.6 million</u></li> <li>• <u>Renovation of the 1982 wing of the old Jefferson Elementary into the Early Learning Center</u></li> <li>• <u>Classroom additions, almost done with Phase 2, and working on getting a</u></li> </ul>

<u>Capital Facility Type</u>	<u>Providers (Location)</u>	<u>Existing Condition</u>	<u>Planned Improvements (Capacity)</u>	<u>Funding Source(s)</u>	<u>Estimated Cost/Date</u>
					<ul style="list-style-type: none"> <li>grant to do another phase in summer 2020</li> <li>Working on other purchases of land throughout district</li> </ul>
	<u>Prosser School District</u>	<u>Aging facilities need updates. Capacity to meet school enrollment is adequate for several years.</u>	<u>Planned remodel of schools, new high school and district offices</u>	<u>Bond</u>	<ul style="list-style-type: none"> <li><u>New Prosser High School, \$66,804,783; June 2021</u></li> <li><u>Remodel of 3 elementary schools, \$39,339,497, fall 2022</u></li> <li><u>Remodel old Prosser High School into District Offices, \$905,000, summer 2023</u></li> </ul>
	<u>Ki-Be School District</u>	<u>Aging facilities need updates. Capacity to meet school enrollment is adequate for several years.</u>	<u>Planned remodel of schools in future and parking lot repaving</u>	<u>Received a state grant and will run a bond in 2025 for remodeling the elementary and middle school in 2026.</u>	<ul style="list-style-type: none"> <li><u>Repaving the high school parking lot with the state grant received sometime from now through 2020.</u></li> <li><u>No other planned projects until after 2026.</u></li> </ul>
	<u>Finley School District</u>	<u>Aging facilities need updates.</u>	<u>Have done remodeling the last few years.</u>	<u>Bond of \$10 million in 2017</u>	<ul style="list-style-type: none"> <li><u>Renovate the Career &amp; Technical Education (CTE) Buildings and Greenhouses, \$2,140,746</u></li> <li><u>Upgrade athletic facilities, including ADA compliant grandstands, weight room equipment, and locker room modernization, \$2,556,000</u></li> <li><u>Install security cameras and new key system at all</u></li> </ul>

<u>Capital Facility Type</u>	<u>Providers (Location)</u>	<u>Existing Condition</u>	<u>Planned Improvements (Capacity)</u>	<u>Funding Source(s)</u>	<u>Estimated Cost/Date</u>
					<u>three school buildings to improve student and staff safety, \$405,000</u> <ul style="list-style-type: none"> <li>• <u>Complete additional projects including new carpeting at the elementary school, new roofing at the middle school, a new water distribution plant at the middle and high school, new lighting in all schools, \$4,015,000</u></li> <li>• <u>Tax &amp; Contingencies \$883,254</u></li> </ul>
	<u>Paterson School District</u>	<u>Existing facilities adequate</u>	<u>None</u>	<u>Not applicable</u>	<u>Not applicable</u>
	<u>Grandview School District</u>	<u>Existing facilities within Benton County adequate</u>	<u>None</u>	<u>Not applicable</u>	<u>Not applicable</u>
<u>Water and Sewer</u>	<u>Cities and Towns in Benton County</u>	<u>Existing system plans with facilities inventories and capacities adopted by reference</u>	<u>6-year water system and sewer plans</u>	<u>Rates and development charges, grants and loans. Existing revenues and planned rate increases will support system improvements, with growth paying for growth</u>	<u>See system plans, incorporated by reference, for these details</u>

<u>Capital Facility Type</u>	<u>Providers (Location)</u>	<u>Existing Condition</u>	<u>Planned Improvements (Capacity)</u>	<u>Funding Source(s)</u>	<u>Estimated Cost/Date</u>
<u>Power</u>	<u>Benton County PUD</u>	<u>Existing system plans with facility inventories adopted by reference</u>	<u>Transportation improvements</u>	<u>Rates and development charges. Existing financial plans support system improvements, with growth paying for growth</u>	<u>See system plans, incorporated by reference, for these details</u>
<u>Transportation and Stormwater</u>	<u>Benton County, and Cities and Towns</u>	<u>Existing inventories adopted by reference</u>	<u>6-year transportation (including stormwater) improvement plans adopted by reference</u>	<u>County road fund, city revenue sources, grant and loans</u>	<u>See 6-year plans, incorporated by reference, for details</u>
<u>Fire Districts (see also associated narrative that follows for additional information on adequacy of firefighting capabilities)</u>	<u>District 1</u>	<u>Fire station needs remodeled in Badger Canyon, and outdated equipment needs replaced</u>	<u>Fire station remodel in Badger Canyon, new fire truck ambulance purchase, replacement of specialized apparatus, replacement of wildland and structure engines and evaluating current administrative facility</u>	<u>Planned bond on ballot in November 2019 for \$3 million</u>  <u>Received FEMA grant for additional personnel</u>	<ul style="list-style-type: none"> <li><u>Fire station remodel in Badger Canyon, new fire truck (\$700,000),</u></li> <li><u>Ambulance purchase (\$240,000)</u></li> <li><u>Replacement of specialized apparatus (\$200,000)</u></li> <li><u>Replacement of wildland and structure engines (\$800,000 - \$1 million)</u></li> </ul> <p><u>Most to be done or started in 2020, if bond passes, with replacement of engines over the next 6 years. Hiring 4 - 5 additional personnel in 2020</u></p>
	<u>District 2</u>	<u>Main fire station is over 22 years old and needs</u>	<u>Currently adding additional apparatus bay and lean to</u>	<u>Current budget and WA State Local</u>	<u>Apparatus bay and lean to onto existing maintenance</u>

<u>Capital Facility Type</u>	<u>Providers (Location)</u>	<u>Existing Condition</u>	<u>Planned Improvements (Capacity)</u>	<u>Funding Source(s)</u>	<u>Estimated Cost/Date</u>
		<u>remodeled but do not have the funding due to low tax revenue.</u>	<u>onto existing maintenance facility out of existing budget. Purchase of two new ambulances. In need of hiring one or more additional Firefighter/Paramedics but</u>	<u>program on a 3-year term. Repayment funds will come from ambulance revenue. No funding yet identified for additional staff.</u>	<u>facility out of existing budget (\$45,000), Purchase of two new ambulances (\$320,000) Both currently in process</u>
	<u>West Benton Fire Rescue</u>	<u>Trucks and equipment aging, and need replaced</u>	<u>Replacement of 3 structure engines, 3 wildland apparatus, 2 tactical tenders, 1 new dozer and 2 command vehicles (more than \$3 million)</u>  <u>1 career staff added in 2020, 6 resident firefighter positions added by end of 2020, 2 career staff adds in 2022 or 2023.</u>	<u>Private and government financing</u>  <u>Funds from ballot measure and in 2021 will apply for grant to get these positions two years sooner</u>	<u>Over \$3 million over the next six years</u>
	<u>District 4</u>	<u>Capacity improvements needed</u>	<u>Would like to build a new fire station (#430) on Keene Road in West Richland and purchase at least two new fire engines</u>  <u>Will need to add personnel due to growth in the area over time</u>	<u>Bond</u>	<u>New station (costs under development) and fire engines by end of 2020 (\$500,000 for each fire engine)</u>
	<u>District 5</u>	<u>No information available</u>	<u>No information available</u>	<u>No information available</u>	<u>No information available</u>

<u>Capital Facility Type</u>	<u>Providers (Location)</u>	<u>Existing Condition</u>	<u>Planned Improvements (Capacity)</u>	<u>Funding Source(s)</u>	<u>Estimated Cost/Date</u>
	<u>District 6</u>	<u>Currently looking at replacing an ambulance and one Type 1 engine.</u>	<u>Would like to build two new fire stations and a training ground over the next 10 years in the Plymouth area and at far west end off of Sonova Road. Just starting to talk about the building of new fire stations but no timeframe yet.</u>  <u>Looking at increasing paid staff from 4 to 7 within next couple years. If station in Plymouth is built, they will have 1 career staff and 6 resident volunteers.</u>	<u>USDA grant or loan program</u>  <u>Current budget and savings</u>  <u>EMS levy to fund 3 positions</u>	<u>No set timeframe yet</u>

Notes:

ADA – American Disabilities Act

EMS – Emergency Management System

FEMA – Federal Emergency Management Agency

USDA – U.S. Department of Agriculture

## **Analysis of the Adequacy of Firefighting Capabilities in UGAs and Rural Benton County**

### **Fire District 1**

- **Capacity needs or deficiencies for addressing fire risks** - County code for property owners for defensible space and Firewise mitigations would be helpful as the district continues to go into the outreaching interface areas. Continue to deal with fireworks fires annually with lack of enforcement for regulations.
- **Wildland Urban Interface and Residential Growth** - The District has no current hazard fuel reduction program within the annual operating budget due to budget priorities. An increase in available grant funds would be beneficial to target some of the high hazard fuels reductions areas identified in the Benton County Community Wildfire Protection Plan (2018).
- **Fire Breaks:** Changes in the Conservation Reserve Program rules that would allow fire breaks down to the dirt without a negative financial impact to the property owner would be beneficial.
- **Rural Water Supplies:** Continue to seek and develop water supply systems in our rural areas for assistance in fire suppression.
- **Residential and Agricultural Burning:** Provide education to County residents on the process of conducting and/or requesting permits for the four types of fires permitted within the County; recreational burns, agricultural burns, tumbleweeds, barbeques and woodstoves. Provide education to agricultural producers on Washington State Department of Ecology regulations and permit requirements required to safely conduct agricultural burns within Benton County.
- **Communications** - Although the SECOMM system has gone through a major equipment update and fine tuning, the service area due to topography continues to have areas where radio communications between Dispatch and Fire/EMS responders is not always reliable or serviceable in some areas.
- **Other:** As with most volunteer agencies, The District continues to seek ways to improve its ability to recruit and retain more firefighters and EMS personnel.

### **Fire District 2:**

- **Capacity needs or deficiencies for addressing fire risks** - Current and largest risk is not having enough personnel. Small tax base with relatively low-income taxpayers does not produce much in tax revenue. Calls for service have increased dramatically over the years and continue to see a growth in large fires threatening our community.

- **Wildland Urban Interface Defensible Space** - Our Fire District for the last two years has instituted and developed a Firewise program to district residents. This has proven to offer some reduction to our wildfire-related calls; however, it does not get much participation to the high majority of our community despite public campaigns and strong community push. Plan to continue to use this program and maximize the use of our staff time to meet with property owners and educate them on the value of defensible space. Funding for staff time is a need to enhance this program; completing structural assessments every two years has proven difficult.
- **Fire Breaks** - The costs associated with maintaining established fire breaks costs our small fire department thousands of dollars annually and cannot be sustained without some type of financial assistance.
- **Rural Water Supplies** - Continue to seek and develop water supply systems in our rural areas for assistance in fire suppression. Very few areas exist for drawing water in the rural areas due to remoteness and lack of developed water systems.
- **Residential and Agricultural Burning** - All open burning within the County is subject to guidelines concerning, size, time, location and permit requirements from Benton County Clean Air Authority (BCCAA). Moreover, the BCCAA and the local cities have banned back yard burning except for blown in tumbleweeds. This is a two-fold problem. The first is that getting rid of some of the fuel loads reduces the fire potential to sustain burning. The other issue is that burning incorrectly causes numerous out of control fires.
- **Communications** - The SECOMM system has some limitations to cover the entire two counties due to topography despite the multiple channels and repeater sites.
- **Other** - As with most volunteer agencies, the District continues to seek ways to improve its ability to recruit and retain good firefighters and emergency response personnel.

#### **West Benton Fire Rescue:**

- **Capacity needs or deficiencies for addressing fire risks** - Always need more volunteer firefighter staffing. The career positions will not take away anything from the current volunteer force and are only being hired to supplement the response of volunteers. Need to maintain a robust roster of fulltime and volunteer staff to combat large incidents in the jurisdiction.
- **Personnel** - Response model relies heavily on Volunteer Firefighters, which make up 85 percent of response force. Due to a societal decline in volunteerism and the ever-increasing requirements to be a firefighter, it is difficult to increase the depth of the Volunteer ranks. In

addition, it is difficult to expand specialized services such as technical rescue and hazardous materials response when so heavily reliant on volunteer firefighters.

- **Rural Property Development** - Response area continues to see development of new single-family residential structures into the Intermix/Interface areas comprised of heavy grass/brush fuels. Many times, fires in the interface/intermix require an extensive amount of resources to provide structure protection as well as being actively engaged in fire suppression. This can cause a large drain on regionally available apparatus.
- **Communications** - With the recent addition of Franklin County and Walla Walla Fire District 5 to dispatching, radio traffic has been extremely busy. Though local repeaters and tactical frequencies used to command individual incidents are plentiful, both the availability of simulcast frequencies to communicate with the dispatcher and dispatch center capability to listen to and respond to multiple frequencies is lacking.
- **Vegetation Management** - Invasive plant species make managing a 5-acre rural residential parcel difficult. Many rural property owners fail to control invasive species which leads to insufficient or non-existent defensible space. The lack of a State Vegetation Management Program has allowed the cheatgrass and invasive species to grow right up the end edge of Interstate and State Highway road surfaces. Vegetation that has grown up to the edge of a roadway becomes critically dry in the summer months and is easily ignited by discarded smoking material, mechanical problems or traffic accidents and creates traffic hazards due to fire, smoke and responding fire apparatus in the roadway. It is a challenge to protect thousands of acres of lands that abut under-maintained roadways; spend a considerate amount of time dealing with wildland fires started from roadside ignitions.
- **Burn Permits** - Burning is limited within the City Limits of Prosser, and surrounding UGA to tumbleweeds. In the rural areas of the response area, Benton County Clean Air Agency sets burning regulations and sets the daily burn decision regarding outdoor burning. Many times, people are unaware about the daily burn decision or the presence of a burn ban.
- **Fire Inspections** - Prosser is home to a vibrant downtown core comprised of 100-year-old multistory buildings that house restaurants, assembly occupancies, mercantiles, offices and residential units. Fire and Life Safety Inspections came under the authority and responsibility of the City of Prosser in 2015. Proper fire and life safety inspections must be maintained to minimize the occurrences of devastating downtown fire losses.
- **Other** - Relying primarily on Volunteer Firefighters, it can be a struggle to mount an effective initial response force to incidents, and a large/complex natural cover fire or structure always requires the assistance from neighboring agencies to mitigate. To augment daytime

response in during the summer months, seasonal employees help with station tasks and incident responses.

The two fire stations are not staffed around the clock, and calls that occur at night or over the weekend are staffed with personnel responding from home. Continue to identify ways to decrease "turnout time" to incidents, which includes identifying funding to house responders at the headquarters fires station.

Identifying and installing fuel breaks with heavy equipment. Continue to build private landowner relationships and identify areas where fuel breaks will have a positive impact.

#### **Fire District 4:**

- **Wildland Urban Interface Defensible Space** - Funding for additional staff time is needed by the fire District to enhance the Firewise program and complete structural assessments every two years and deliver educational materials to potential participants as the population continues to grow and change. There are additional areas that abut City of West Richland property (specifically the sewer treatment plant) as well as many private homes that have never had a significant fire resulting in large buildup of fuel. The area also has extremely limited access and does pose a significant hazard if wildfire does gain access to the area. Efforts are needed to coordinate fuel reduction or defensible space around this area. This will be challenging, as there are wetlands in the area as well as being adjacent to the Yakima River and associated fish habitat.
- **Rural Water Supplies** - Continue to seek and develop water supply systems in rural areas for assistance in fire suppression. The District has worked with some of the vineyards to establish water supply points at irrigation ponds, but these are not always a reliable source of water depending upon the time of year and required water use for the vineyards. The District has also worked with the Barker Ranch to identify water supply access points to be developed as the ranch makes improvements to the irrigation and wetland management program. These water supplies allow access to water supplies closer to the threat of wildland fires as identified by landowners, users and the District.
- **Communications** - SECOMM has a rather sophisticated, intricate, and reliable – repeater simulcast microwave system. The system has some limitations to cover the entire two counties due to topography despite the multiple channels and repeater sites.
- **Residential and Agricultural Burning** - The District continues to see a high number of controlled burning activities that are not allowed under the current Benton County Clean Air Authority rules. The types of allowed burning depend upon the urban growth boundaries as well as agricultural use of lands. Many of the residents who have lived in the area for longer,

still conduct burning of natural vegetation even though they are inside the urban growth boundary, where this type of burning is not allowed. Efforts to educate the public on the rules continues to be a challenge based on the perceived rural nature of large portions of the District.

- **Cooperative Agreements** - The District is part of an automatic and mutual aid agreement system with Three counties; Benton, Franklin and Walla Walla. We have developed a dispatch matrix that allows us to put a large amount of resources on an incident in a relatively short period of time in the urban areas, but the rural areas take much longer to deploy resources due to the remote areas.
- **Other** - As with most combination career/volunteer agencies, the District continues to seek ways to improve its ability to recruit and retain reliable personnel to assist with the variety of responses and other administrative activities that must occur to be a progressive and successful organization.

#### **Fire District 5:**

- **Residential Growth** – The District has not seen significant population growth. However, there is growth in the suburban areas on the outer district lines, with housing development expanding into the district.
- **Communications** – The District is part of a Bi-County dispatch center (SECOMM) that is responsible for dispatching all fire, ems and police, as well as one fire agency from a third county, Walla Walla County. SECOMM has a VHF simulcast and microwave system utilized by fire agencies, and law enforcement agencies operate on an 800MHz radio system. The VHF radio system is outdated and will require a major overhaul within the next 2 to 5 years as parts are no longer available. The merger to one dispatch center was recent. With the addition of Franklin County Fire agencies, Pasco Fire Department and Walla Walla Fire District #5, radio traffic has increased. It seems that the number of dispatch staff needs to be increased to handle the increased radio traffic and calls.
- **Other** – The District is reliant on neighboring fire agencies for structure fires as well as for ALS services. There is a need to have access to Water Tenders and Type 1 Engines.
- **Cooperative Agreements** – The District has mutual aid agreements with neighboring fire agencies. The District will implement or renew needed mutual aid agreements.

#### **Fire District 6:**

- **Capacity needs or deficiencies for addressing fire risks** - Need more volunteers and paid staff. Have six seasoned responders that are near retirement age. However, these few

volunteers respond to a majority of the calls for service. These precious few members are the "backbone" of our organization and are vital to our continued operation. New volunteers have recently joined our ranks but will require several years of training to be able to take on medical and fire responsibilities.

The District does not enjoy a large donating population. Fundraisers in our economically depressed area do not produce the donations needed to purchase equipment. The tax base and a small amount of ambulance income are all that is available to operate on.

The remaining budget priorities are placed on personal protective equipment, maintenance, ensuring apparatus are safe, training firefighters and training EMT's. Several fire stations owned by the District are thirty-five years old and require major repair.

- **Other** - Need weed abatement along the state, federal highways and railways. The overgrowth and close proximity of combustible vegetation causes multiple large fires every year. With our rural location, this can be detrimental to the person in need if we do not have the responders to help. Additional training would also be helpful. Due to rural location it is difficult to get outreach training for firefighter 1, wildland firefighter and Emergency Medical Technician.

### 9.2.5 *Prioritizing Public Facility Projects*

Prioritization of projects and programs can be difficult, so the County has established the following general guidance in prioritizing public facility projects, from highest to lowest priorities they include:

1. Repair existing public facilities to achieve or maintain LOS
2. Construct new or expanded public facilities to achieve or maintain LOS
3. Repair existing public facilities or construct new public facilities to eliminate hazards
4. Construct new or expanded public facilities to achieve or maintain LOS and other needs as forecasted during the next 6-years
5. Repair existing public facilities or construct new public facilities to reduce the operating cost of providing a public service or facility
6. Construct new facilities to provide excess capacity that will be needed beyond the next 6 years
7. All other facilities the County is obligated to complete that do not meet the criteria above

### 9.2.6 *Other Considerations*

County strategic goals, key objectives, and financial policies provide the broad parameters for development of the annual CIP. Additional considerations include the following:

- Does a project support the County Commissioners' strategic goals?
- Does a project qualify as a capital project as defined in the County Budget Policy and have an expected useful life of at least 5 years?

- Law and justice, including the operation and administration of the courts, jail, and sheriff's functions
- Juvenile justice facilities including detention
- Regional parks and recreational facilities
- Bi-county regional health and human services
- Drainage improvement districts for low lying areas along river mainstems
- Waste management
- Regional fairground facilities

## 9.5 Capital Improvement Plan

The CIP is a 6-year list of projects updated at least biannually and used by the County to identify, maintain, and pay for current and future infrastructure needs for services provided by the County. The County prepares a comprehensive capital projects list that correlates funding sources to needed improvements and identifies project funding. The CIP is reviewed and updated in conjunction with the County budget process. Each update to the County's CIP is adopted by reference into the Comprehensive Plan.

Because the CIP is a working document regularly amended, it is not included in its entirety as a part of the Comprehensive Plan but is incorporated by reference.

## 9.6 Siting of Essential Public Facilities (RCW 36.70A.200)

The GMA requires that the comprehensive plans of each county and city include a process for identifying and siting essential public facilities. Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities, state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities, group homes and secure community transition facilities. The OFM maintains a regional list of such facilities that are required to be built within the next 6 years. Because of their nature, these facilities may have large land parcel requirements and unique siting needs with regard to public services and transportation or produce noise and raise complex public health and safety concerns. These requirements and impacts would be imposed upon those living and working in the surrounding area of such facilities. Benton County shall provide land use zones that are compatible and development regulations that are consistent with the statutory requirements applicable to these facilities. The County uses a review process that allows citizen, city, and state agency input when such facilities are proposed. The siting process is summarized in Table 9-24: Essential Public Facilities Siting Matrix.

Airports and heliports operated for the benefit of the public must be appropriately planned to assure that adjacent land uses are compatible. The Benton County Zoning Ordinance shall provide

**Table 9-12**

**Essential Public Facilities Siting Matrix**

Use: Essential Statewide Facility	Zone	SEPA	Public Utilities		Reviewing Board		Responsible Jurisdiction (local/ federal/ state)	Benton County Permits	Special Siting Criteria
			Water	Sewer	PC/ BOCC	BOA <sup>1</sup>			
Airport <sup>2</sup>	RL 5, GMA-AG, LI, HI	Yes	X	X	A/H Overlay	X	RTPO/FAA/WSDOT/ Ecology	BC-Building	Transportation access public services
State Education	UGAR, RL 5, GMA-AG	Yes	X	X		X	Ecology/DOH	BC-Building	Transportation access public services
State & Regional Transportation	All Zones	Yes				X	Ecology/WSDOT/RTPO	BC-Building Structures only	Public services structures only
State Correctional	HI, GMA-AG	Yes	X	X		X	Ecology/DOH	BC-Building	Transportation access public services
Solid Waste Handling	LI, HI, GMA-AG	Yes	X			X	Ecology	BC-Building	Transportation access public services
In-patient Health <sup>3</sup>	UGAR, RL 5	DOS <sup>4</sup>	X	X		X	Ecology/DOH/DSHS	BC-Building	Transportation access public services
Secure Community Transition <sup>5</sup>	HI	DOS	X	X		X	Ecology/DOH/DSHS	BC-Building	SCTF's land and cell access, not in close proximity to risk potential activities
Others as listed by OFM <sup>6</sup>	TBD <sup>7</sup>	DOS	TBD	TBD	TBD	TBD	TBD	TBD	TBD

Notes:

Source: 2006 Benton County Comprehensive Plan, Appendix 4

1. Conditional Use Permit
2. Airport/Heliports are subject to the provisions of 11A.86
3. Substance abuse, mental health, and group homes
4. Depending on size of facility
5. SCTFs as required by RCW 36.70A.200 & RCW 71.09 (civilly committed sex offender housing)
6. Facilities listed by the OFM required or likely to be built within the next 6 years (RCW36.70A.200)
7. To be determined by Benton County Planning Department as projects are identified

- A/H: Airport/Heliports
- BC: Benton County
- BOA: Board of Adjustment
- BOCC: Board of County Commissioners
- DOH: Department of Health
- DOS: Determination of Significance
- DSHS: Department of Social and Health Services
- Ecology: Department of Ecology
- FAA: Federal Aviation Administration
- GMA-AG: Growth Management Act Agriculture
- HI: Heavy Industrial

- LI: Light Industrial
- OFM: Office of Financial Management
- PC: Planning Commission
- RCW: Revised Code of Washington
- RL: Rural Lands
- RTPO: Regional Transportation Planning Organization
- SCTF: Secure Community Transition Facility
- SEPA: State Environmental Policy Act
- TBD: To be determined
- UGAR: Urban Growth Area Residential
- WSDOT: Department of Transportation

## 11 References

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Appendix H-4

Washington State Highway Inventory  
within ~~Build-Out of~~ Benton County and  
2028 Forecast and Level of Service  
Analysis ~~Comprehensive Plan Land Use~~  
Assumptions - 2028 AADT

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Appendix M

~~Comment Response Matrix~~ Benton County  
Community Wildfire Protection Plan  
(2018)

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Appendix N  
Benton County Natural Hazard Mitigation  
Plan (2019)

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Appendix MO  
Comment Response Matrix

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