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BENTON COUNTY PLANNING/BUILDING DEPARTMENT

TERRY A. MARDEN, DIRECTOR

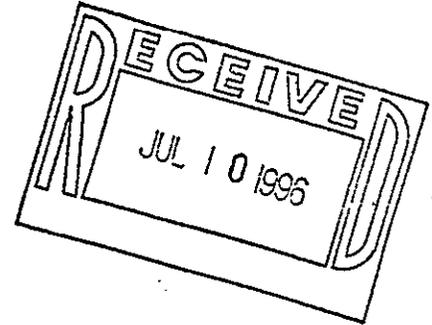
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PLANNING
PLANNING ANNEX
P O BOX 910, 1002 DUDLEY AVENUE
PROSSER, WA 99350
PROSSER OFFICE: (509) 786-5612
FROM TRI-CITIES: (509) 736-3086
FAX: (509) 786-5629

BUILDING
COURTHOUSE ANNEX
5600 W. CANAL PLACE, STE. 106
KENNEWICK, WA 99336
TRI-CITIES OFFICE: (509) 735-3500
FROM PROSSER: (509) 786-5622
FAX NUMBER: (509) 736-2732

2 July 1996

Arrie Bachrach
Jacob's Engineering
3250 West Clearwater Avenue
Kennewick, Washington 99336

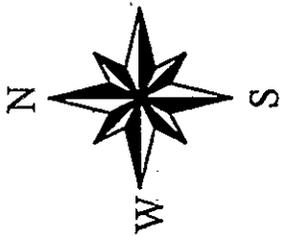


Mr. Bachrach,

I hope that in our telephone conversation yesterday, I could shed some light on Benton County's planning process and give you a good idea of where we are at and where we are going. Such topics can be difficult to convey over the phone.

I have enclosed for you in this packet, some items that should further aid your understanding of the County's Hanford planning efforts:

- What we call the "polygon map". The polygon map is a Sitewide depiction of what the staff currently recommends as "Critical Areas" (*Growth Management Act term*) and as developable areas. When we speak of these three ("Critical Areas" + *two degrees of developable areas*) we refer to them as Area One (multiple-use, with *off-Site* mitigation of environmental [mainly habitat] effects), Area Two (multiple-use, with *on-Site* mitigation of environmental [mainly habitat] effects), and Area Three ("Critical Areas" -- a preservation area).
- Another polygon map with accompanying table and chart. This sheet compares the polygons by area. It is a little outdated, as you will notice that the "Vernita Terrace" and "May Junction" planning areas have since been revised. I have not updated this project since those revisions, but for this display, the changes do not significantly affect the numbers. Area One would remain at 9.90% of the total, while Area Three would increase a little -- perhaps to around 64%, and therefore Area Two would decrease inversely.

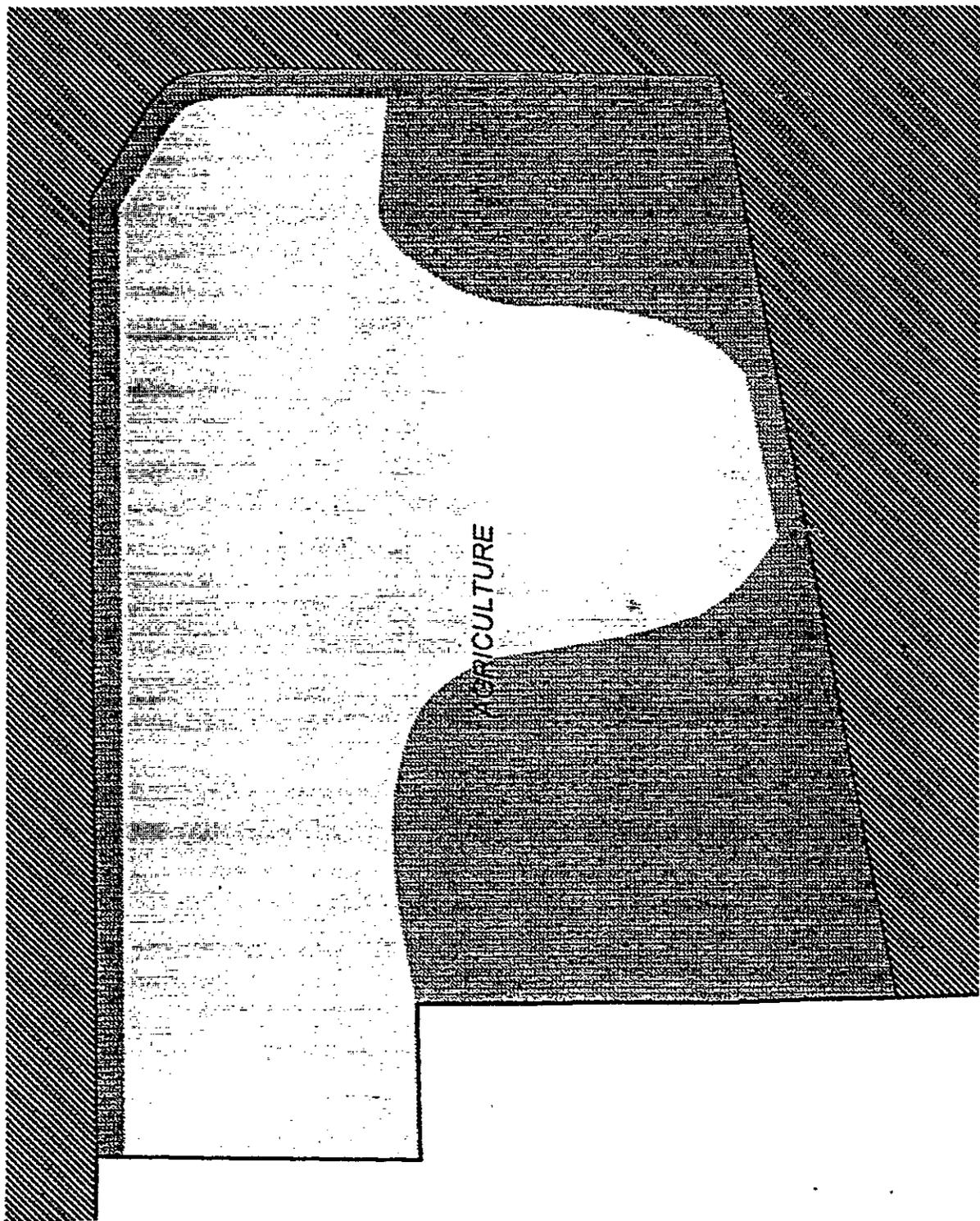


DRAFT LAND-USE DESIGNATIONS

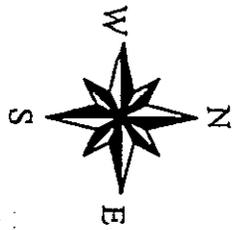
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MCGEE RANCH

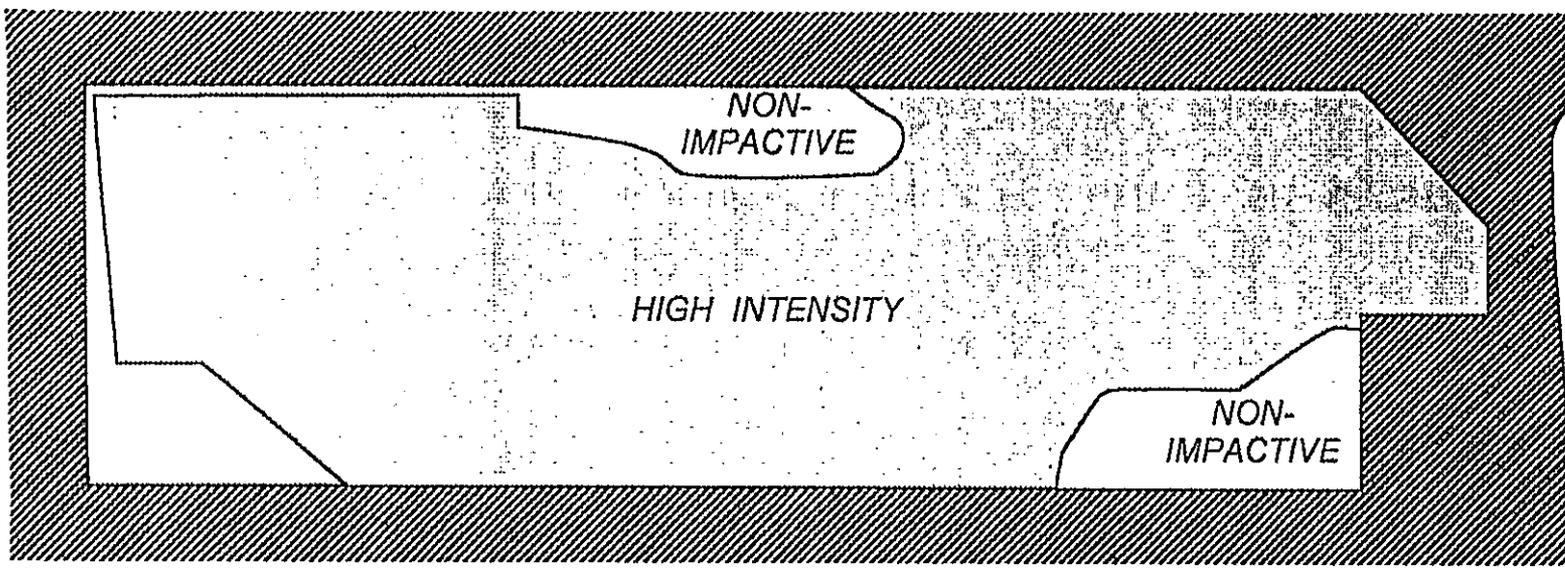


DRAFT LAND-USE INTENSITIES



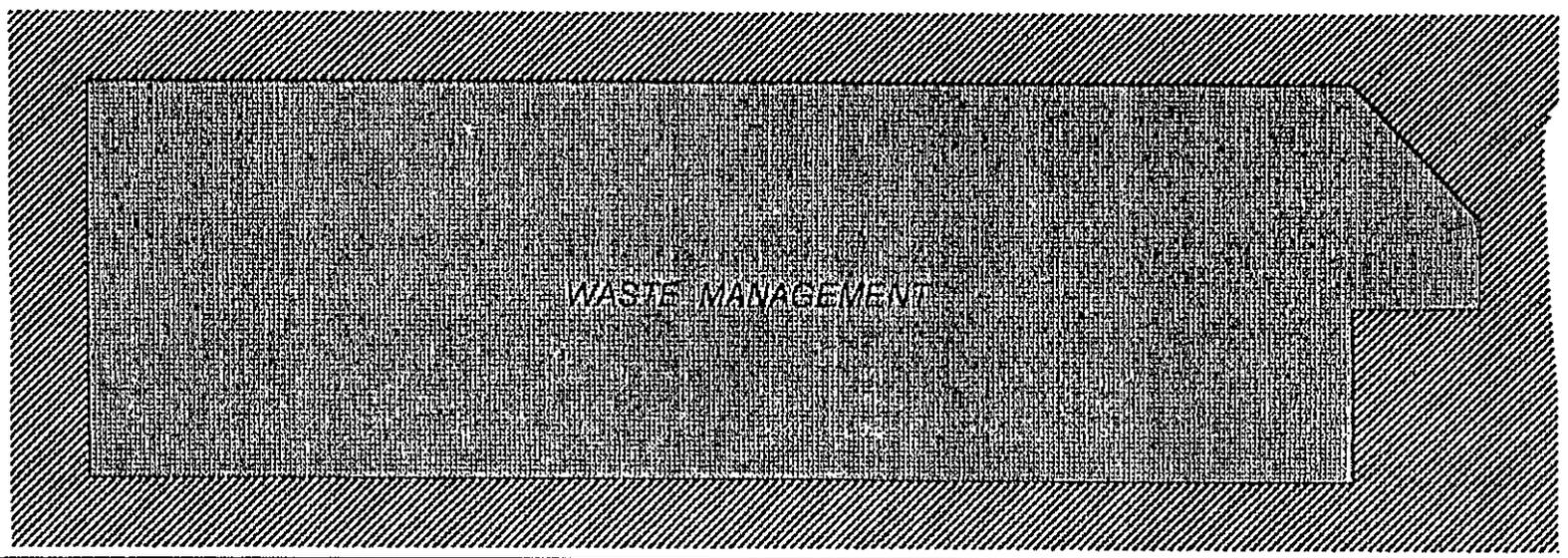
COLUMBIA HORN

DRAFT LAND-USE
INTENSITIES

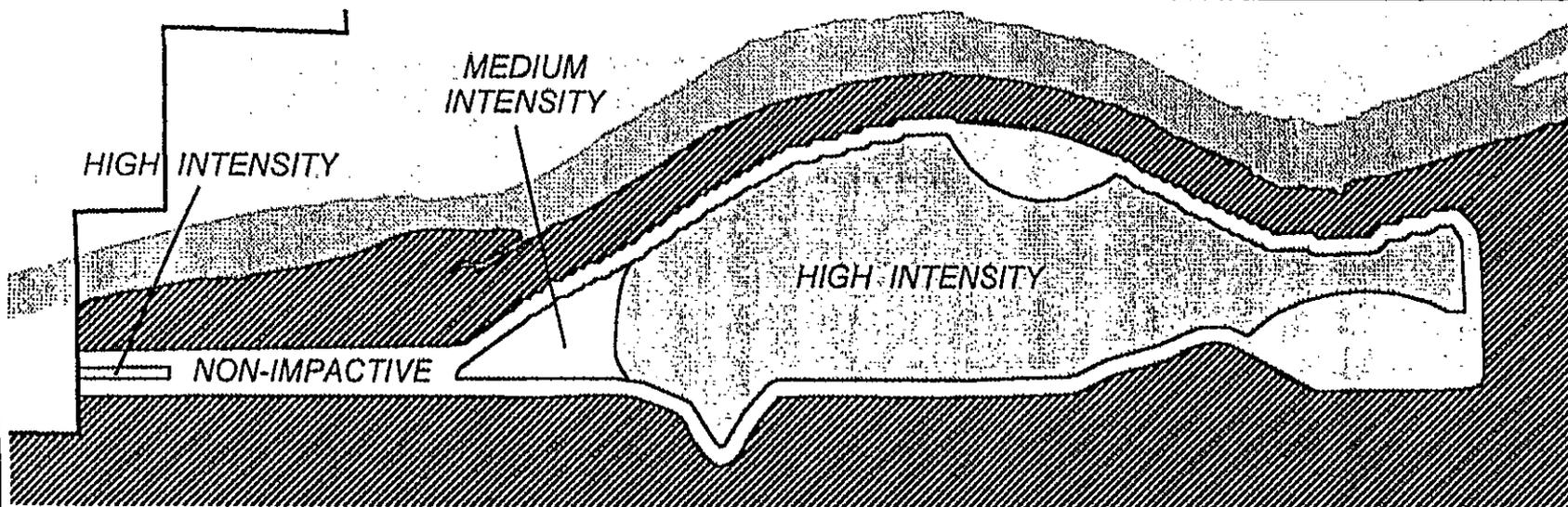


200 AREAS PLATEAU

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DESIGNATIONS

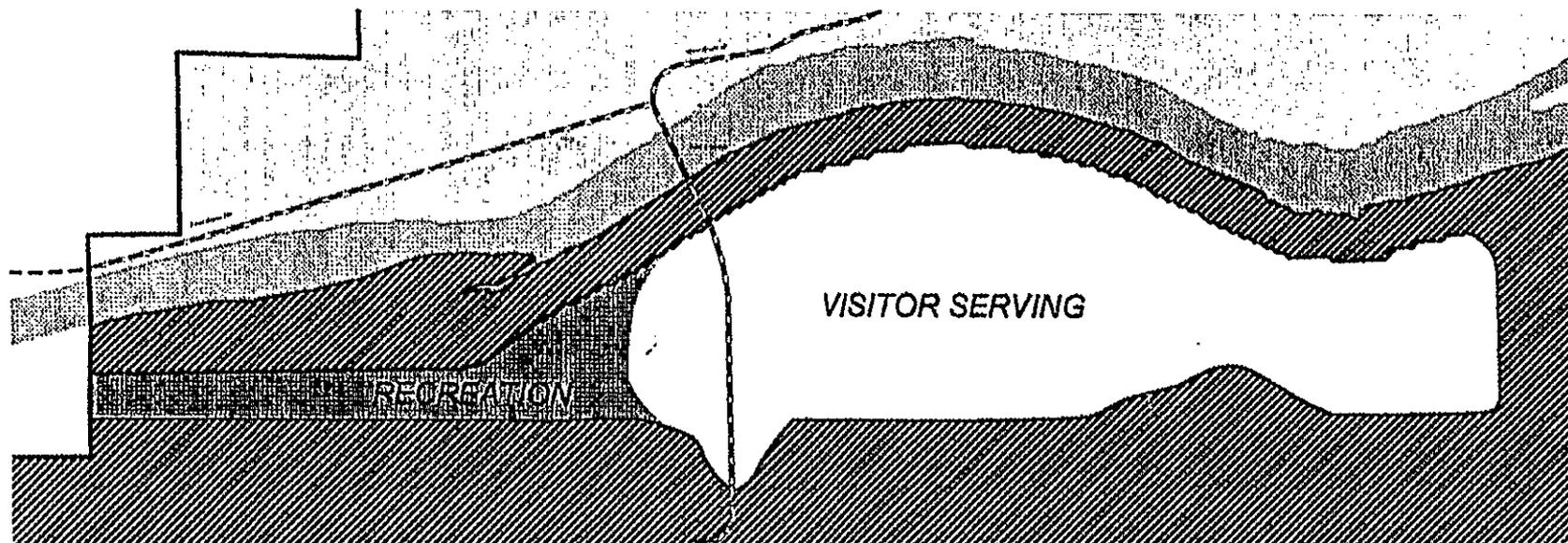


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INTENSITIES

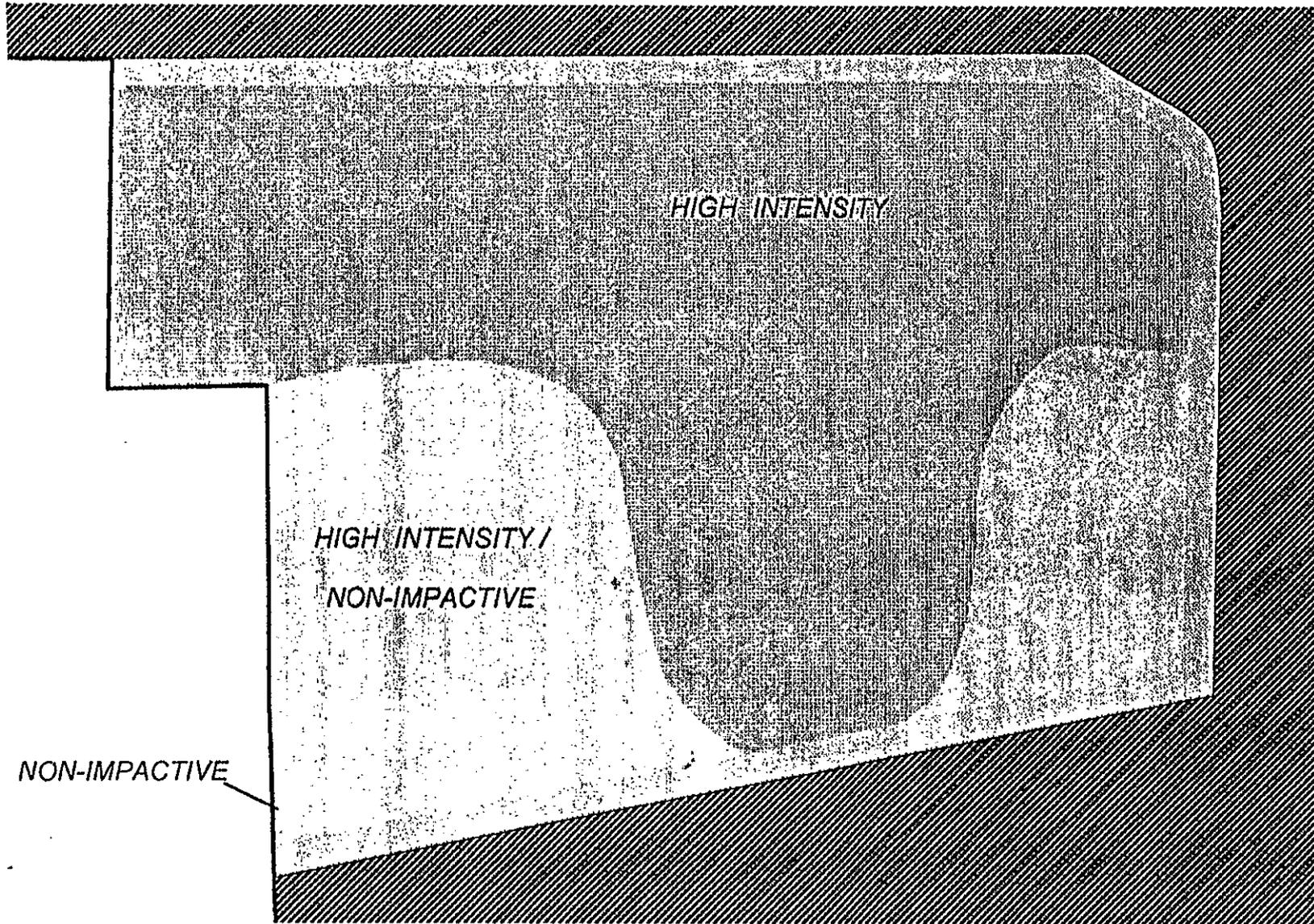
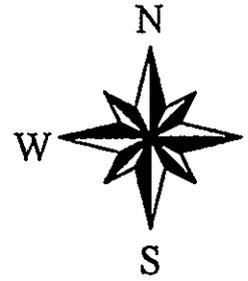


VERNITA TERRACE

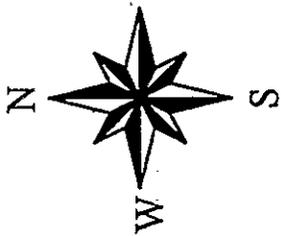
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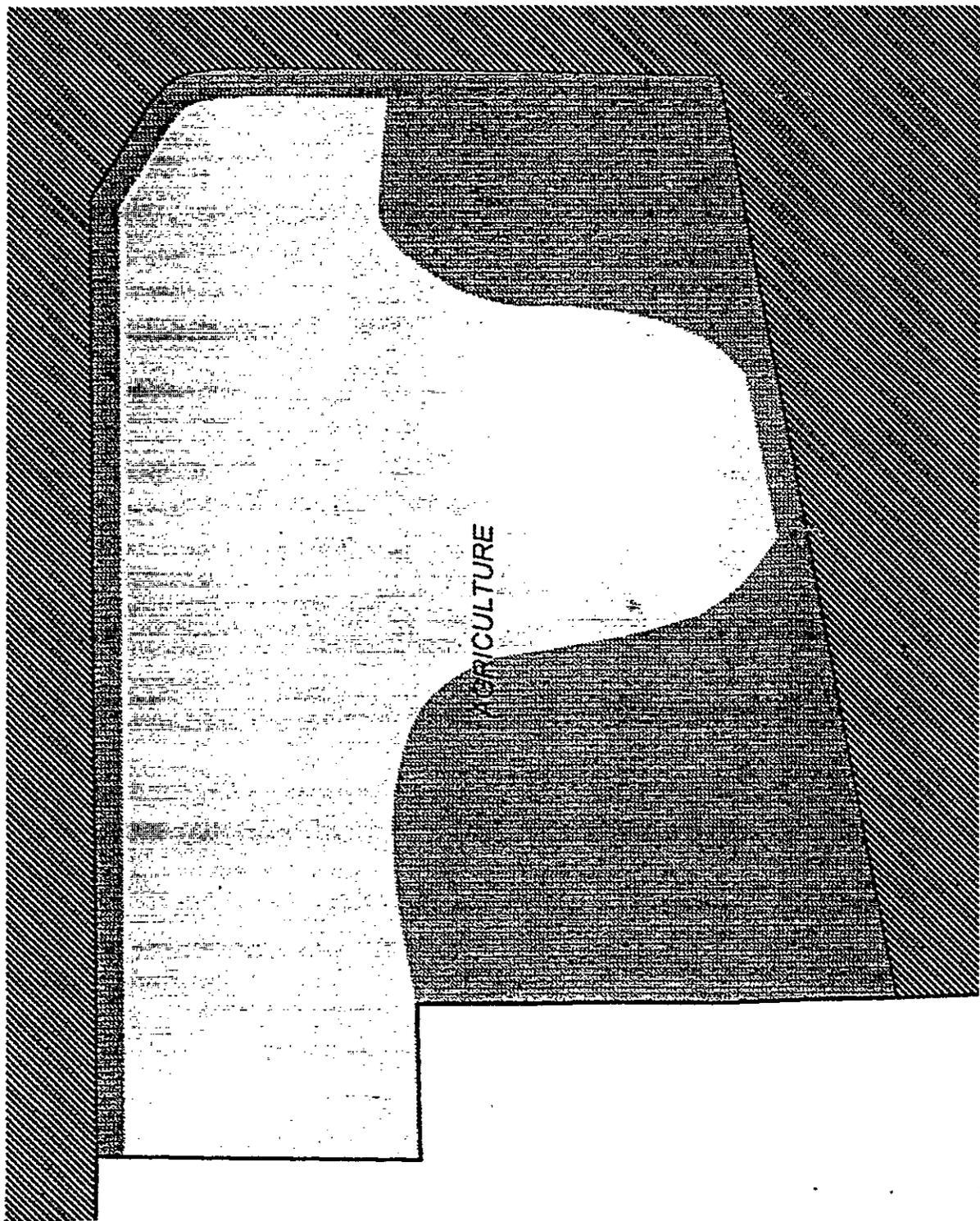


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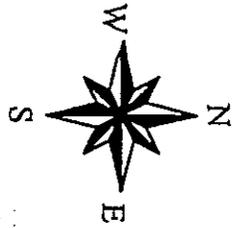
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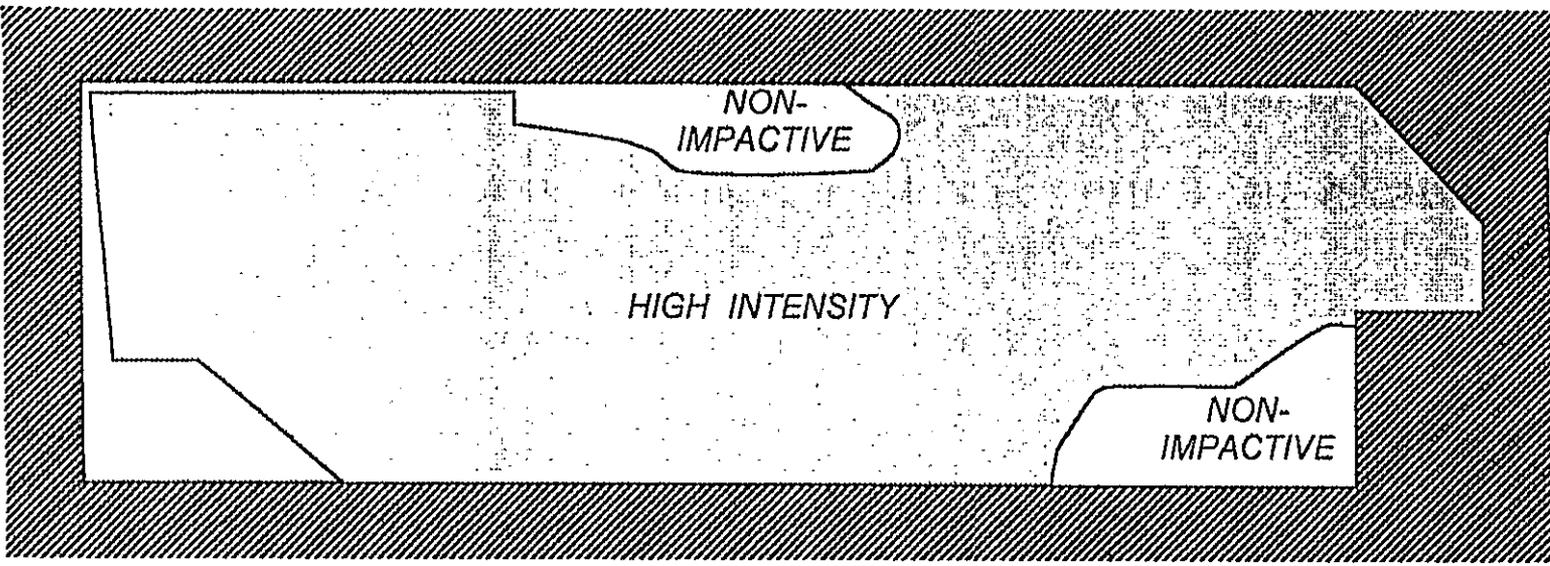


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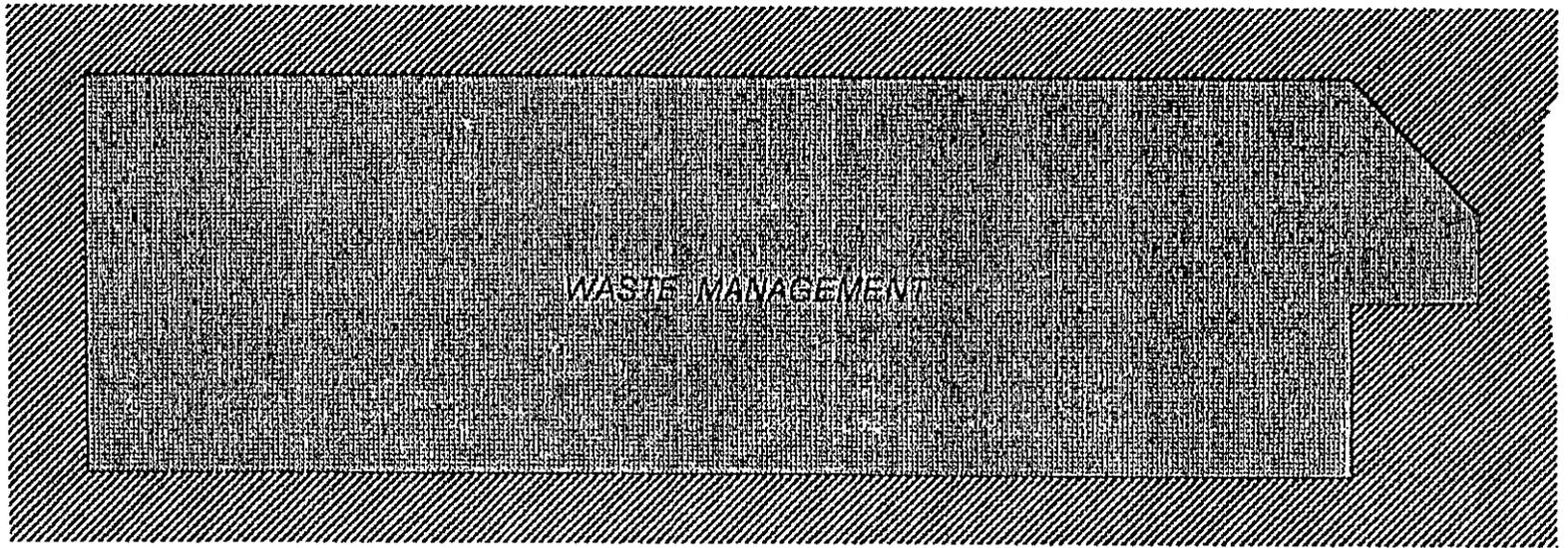
COLUMBIA HORN

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INTENSITIES

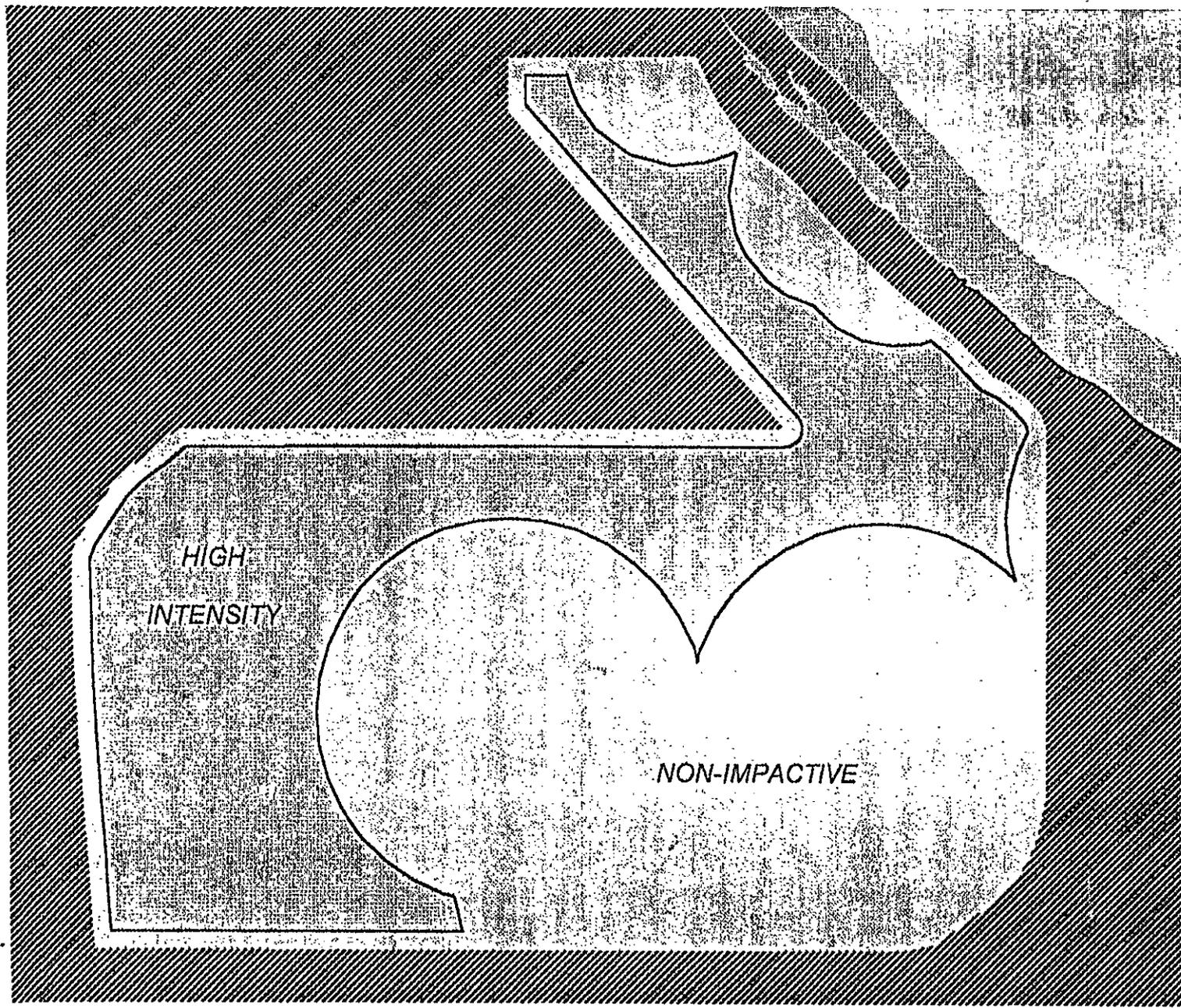
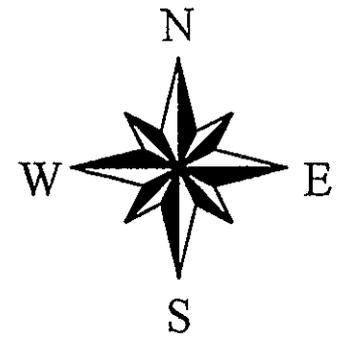


200 AREAS PLATEAU

DRAFT LAND-USE
DESIGNATIONS

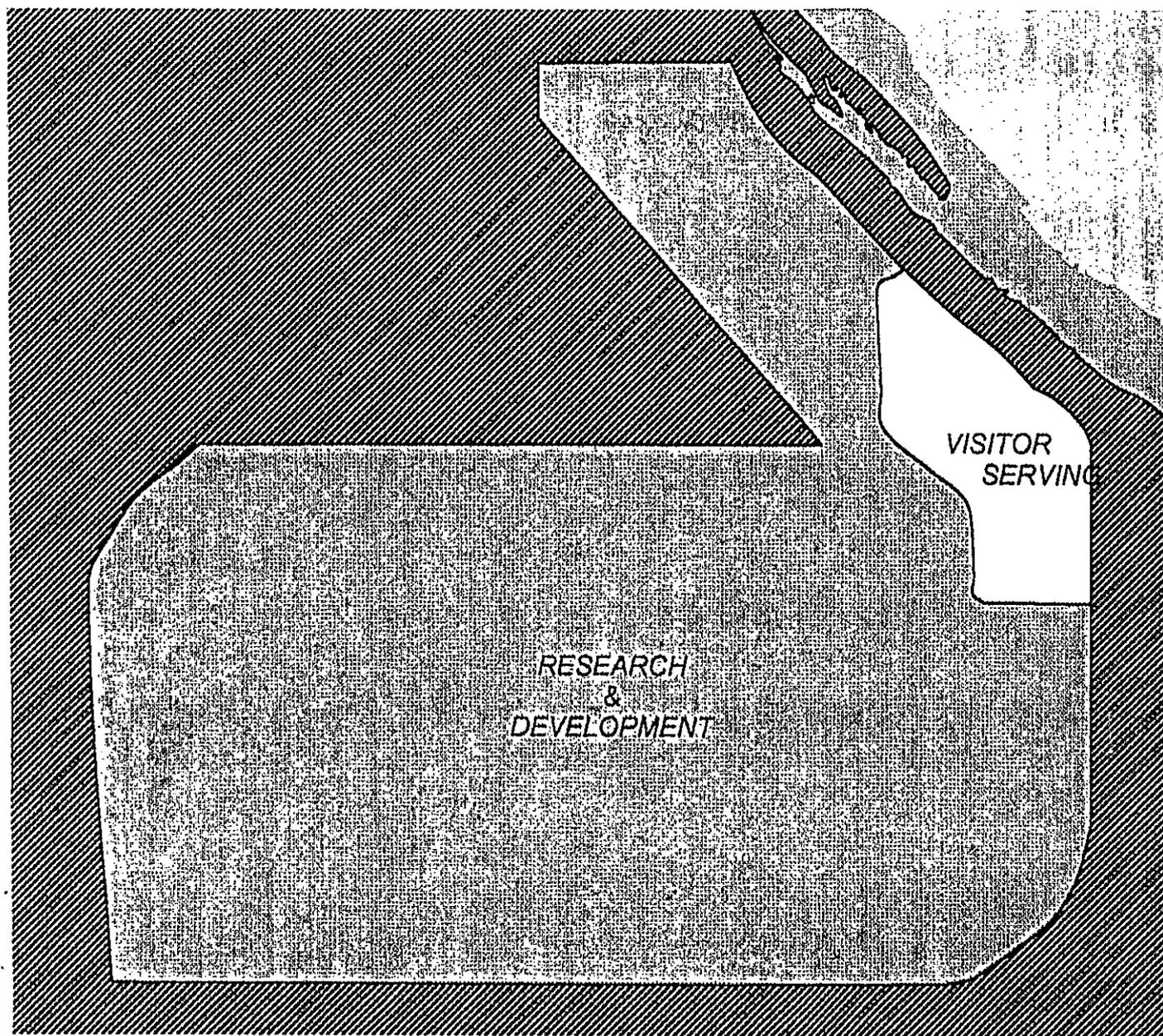
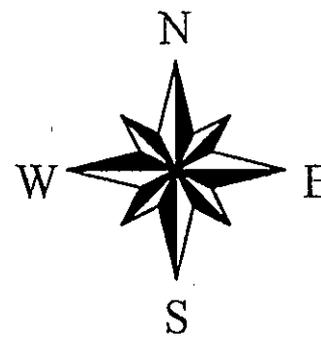


DRAFT LAND-USE INTENSITIES



JUNCTION
MAY

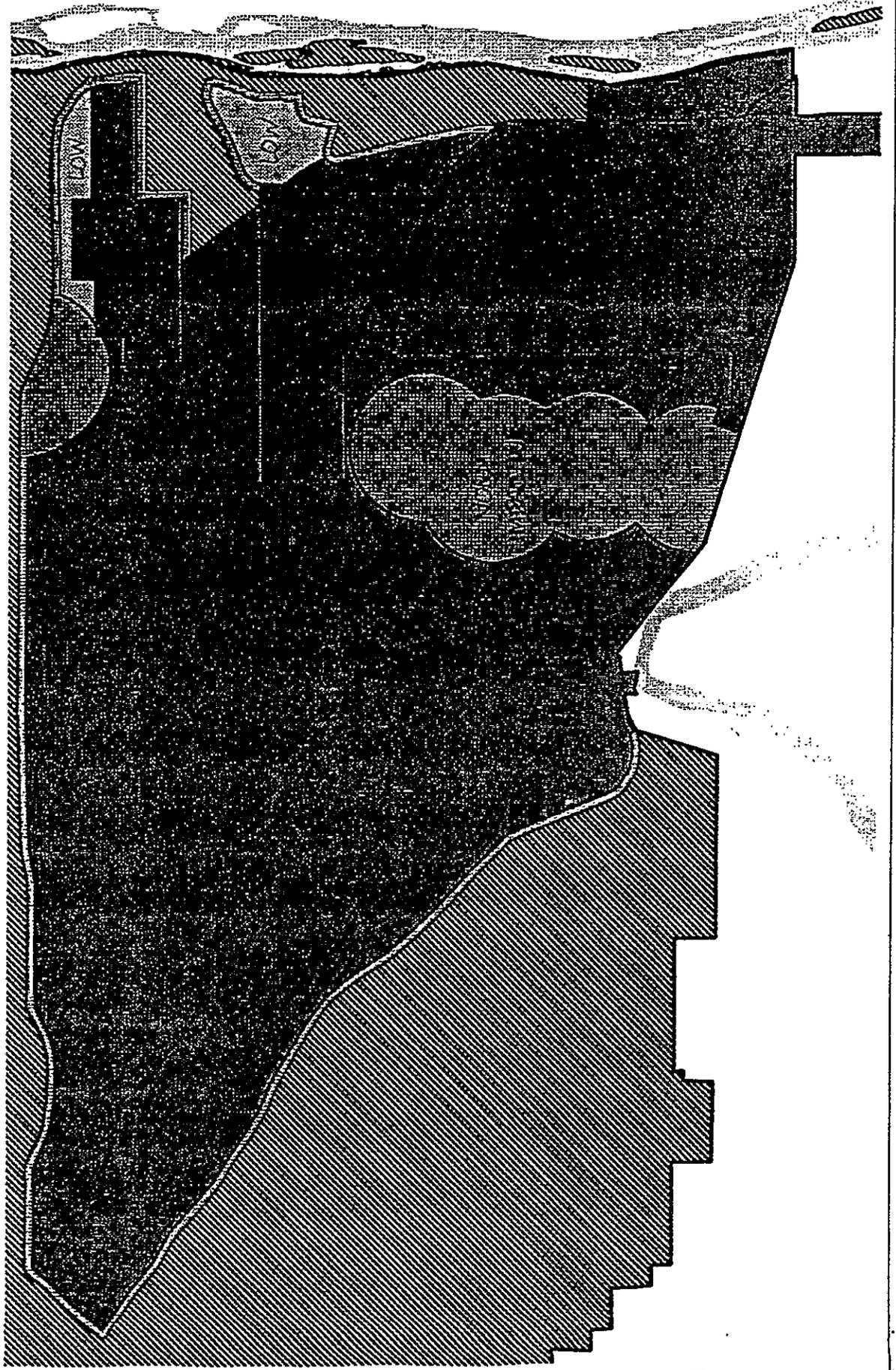
DRAFT LAND-USE DESIGNATIONS



JUNCTION
MAY

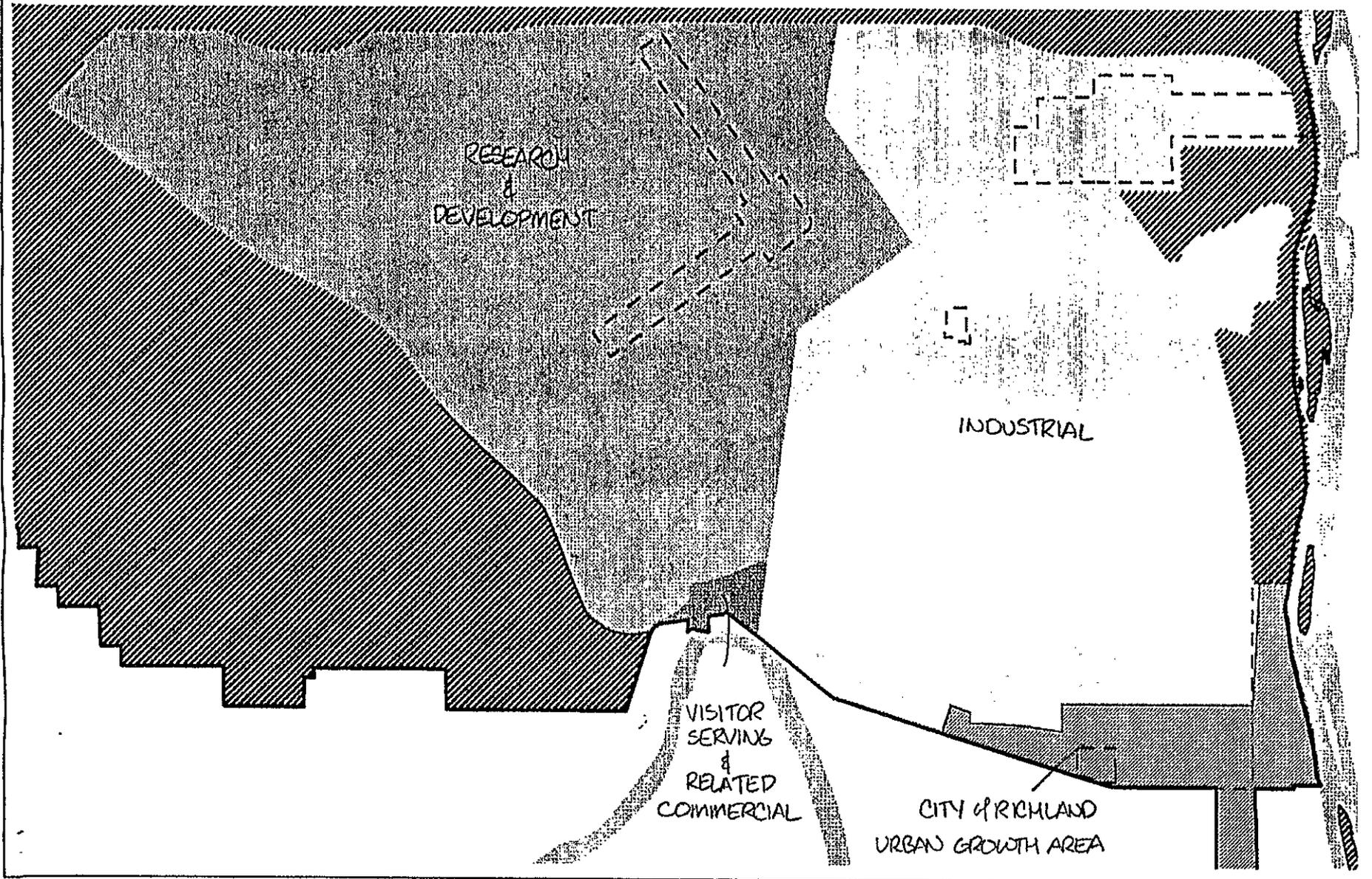
SOUTHERN PLAIN

DRAFT LAND-USE INTENSITIES



SOUTHERN PLAIN

DRAFT LAND-USE DESIGNATIONS



DRAFT Policies, Land Uses and Performance Standards For Critical Areas polygons (biological resources) on the Hanford Site

AREA 1

POLICY

The primary use of AREA 1 is multiple uses related to current and future federal missions, and/or private and public sector activities. Though perhaps appropriate for purposes of aesthetics, design, and legal requirements, mitigation of impacts to biological resources within AREA 1 is not a Plan requirement, i.e. off-site mitigation in AREAS 2 and 3 is appropriate.

LAND USES AND STANDARDS

Allowable uses are those detailed on the Hanford Comprehensive Plan Land Use Map. *NOTE: the map does not currently exist, its preparation will be the subject of a public process beginning in the 1st quarter of 1996.*

Threshold impacts on state and federal listed threatened, endangered, or candidate plant and animal species, as well as state Heritage plant communities must be compensated or rectified outside of AREA 1 when avoidance or mitigation within the Area is not possible. Natural open space buffers must be provided between developments in AREA 1 and the boundary of AREA 3. Developments and activities in AREA 1 must comply with management strategies/mitigations for listed and candidate species located in AREA 2 when such developments and activities have the potential to adversely impact those species.

The Hanford Site Biological Resources Management Plan (BRMP) shall be the principal guidance for the application of avoidance, mitigation and compensation measures.

DRAFT Policies, Land Uses and Performance Standards For Critical Areas polygons (biological resources) on the Hanford Site

AREA 2

POLICY

The primary use of AREA 2 is for multiple land use and activities related to federal missions and requirements, and for private sector economic needs and growth. Such uses include Fish and Wildlife Protection/Management and Tribal uses and activities consistent with Treaty Rights.

USES AND STANDARDS

Allowable Land Uses are those shown on the Hanford Comprehensive Plan Land Use Map (e.g., light or heavy Industrial, scientific research and/or development, agriculture, commercial visitor serving, passive and active recreation, water dependent or related industry, etc.) **NOTE:** *the map does not currently exist, its preparation will be the subject of a public process beginning in the 1st quarter of 1996.*

Threshold impacts on state and federal listed threatened, endangered, or candidate plant and animal species, as well as State Heritage Program plant communities must be compensated or rectified within AREA 3 when avoidance or mitigation within Area 2 is not possible. Natural open space buffers must be provided between developments in AREA 2 and the boundary of AREA 3. Within AREA 2 primary objectives of BRMP strategies and mitigations relative to species protection shall be the avoidance or minimization of habitat and wildlife travel corridor fragmentation.

The Hanford Site Biological Resources Management Plan (BRMP) shall be the principal guidance for the application of avoidance, mitigation and compensation measures.

DRAFT Policies, Land Uses and Performance Standards For Interim Critical Areas polygons (biological resources) on the Hanford Site

AREA 3

POLICY

The associations of geo-physical, aquatic, and native plant and animal resources within AREA 3 are of sufficiently high quality and federal, state and regional significance that they shall be protected from significant degradations and diminishment by land use activities or developments, and when appropriate they should be enhanced.

USES AND STANDARDS

The primary use within AREA 3 is Fish and Wildlife Conservation, within which primary objectives are prevention of habitat fragmentation and provision of functional wildlife travel corridors. All other allowable uses must be consistent with the primary use and objectives.

Unless specifically noted otherwise, Allowable uses and activities within AREA 3 are:

- The exercise of Tribal Treaty rights;
- Scientific research and education;
- Passive non-impactive recreation;
- Minerals extraction (outside the 1/4 mile river corridor) with full mitigation/restoration ;
- Normal repair and maintenance to existing infrastructure;
- Water Dependent Uses
- Construction of essential new "common" utility and transportation corridors when the use of existing corridors is not feasible, and where the least environmentally damaging route is selected with significant adverse impacts fully mitigated within AREA 3. Where full mitigation is not possible, in-kind replacement shall be made in AREA 2 on lands adjacent to and connected with AREA 3. Where the opportunity exists, replacement must mitigate habitat fragmentation and/or enhance wildlife corridors.

The Hanford Site Biological Resources Management Plan (BRMP) and Biological Resources Mitigation Strategy shall be consulted for guidance in the application of avoidance, mitigation and compensation measures.

GROWTH MANAGEMENT ACT

REVISED CODE OF WASHINGTON



identified public uses including an estimated date by which the acquisition will be needed.

The respective capital acquisition budgets for each jurisdiction shall reflect the jointly agreed upon priorities and time schedule. [1991 c 322 § 23; 1990 1st ex.s. c 17 § 15.]

NOTES:

Findings--Intent--1991 c 322: See notes following RCW 86.12.200.

RCW 36.70A.160 Identification of open space corridors--Purchase authorized. Each county and city that is required or chooses to prepare a comprehensive land use plan under RCW 36.70A.040 shall identify open space corridors within and between urban growth areas. They shall include lands useful for recreation, wildlife habitat, trails, and connection of critical areas as defined in RCW 36.70A.030. Identification of a corridor under this section by a county or city shall not restrict the use or management of lands within the corridor for agricultural or forest purposes. Restrictions on the use or management of such lands for agricultural or forest purposes imposed after identification solely to maintain or enhance the value of such lands as a corridor may occur only if the county or city acquires sufficient interest to prevent development of the lands or to control the resource development of the lands. The requirement for acquisition of sufficient interest does not include those corridors regulated by the interstate commerce commission, under provisions of 16 U.S.C. Sec. 1247(d), 16 U.S.C. Sec. 1248, or 43 U.S.C. Sec. 912. Nothing in this section shall be interpreted to alter the authority of the state, or a county or city, to regulate land use activities.

The city or county may acquire by donation or purchase the fee simple or lesser interests in these open space corridors using funds authorized by RCW 84.34.230 or other sources. [1992 c 227 § 1; 1990 1st ex.s. c 17 § 16.]

RCW 36.70A.170 Natural resource lands and critical areas--Designations. (1) On or before September 1, 1991, each county, and each city, shall designate where appropriate:

(a) Agricultural lands that are not already characterized by urban growth and that have long-term significance for the commercial production of food or other agricultural products;

(b) Forest lands that are not already characterized by urban growth and that have long-term significance for the commercial production of timber;

(c) Mineral resource lands that are not already characterized by urban growth and that have long-term significance for the extraction of minerals; and

(d) Critical areas.

(2) In making the designations required by this section, counties and cities shall consider the guidelines established pursuant to RCW 36.70A.050. [1990 1st ex.s. c 17 § 17.]

RCW 36.70A.180 Report on planning progress.

(1) It is the intent of the legislature that counties and cities required to adopt a comprehensive plan under RCW 36.70A.040(1) begin implementing this chapter on or before July 1, 1990, including but not limited to: (a) Inventorying, designating, and conserving agricultural, forest, and mineral resource lands, and critical areas; and (b) considering the modification or adoption of comprehensive land use plans and development regulations implementing the comprehensive land use plans. It is also the intent of the legislature that funds be made available to counties and cities beginning July 1, 1990, to assist them in meeting the requirements of this chapter.

(2) Each county and city that adopts a plan under RCW 36.70A.040 (1) or (2) shall report to the department annually for a period of five years, beginning on January 1, 1991, and each five years thereafter, on the progress made by that county or city in implementing this chapter. [1990 1st ex.s. c 17 § 19.]

RCW 36.70A.190 Technical assistance, grants, and mediation services. (1) The department shall establish a program of technical and financial assistance and incentives to counties and cities to encourage and facilitate the adoption and implementation of comprehensive plans and development regulations throughout the state.

(2) The department shall develop a priority list and establish funding levels for planning and technical assistance grants both for counties and cities that plan under RCW 36.70A.040. Priority for assistance shall be based on a county's or city's population growth rates, commercial and industrial development rates, the existence and quality of a comprehensive plan and development regulations, and other relevant factors.

(3) The department shall develop and administer a grant program to provide direct financial assistance to counties and cities for the preparation of comprehensive plans under this chapter. The department may establish provisions for county and city matching funds to conduct activities under this subsection. Grants may be expended for any purpose directly related to the preparation of a county or city comprehensive plan as the county or city and the department may agree, including, without limitation, the conducting of surveys, inventories and other data gathering and management activities, the retention of planning consultants, contracts with regional councils for planning and related services, and other related purposes.

(4) The department shall establish a program of technical assistance:

(a) Utilizing department staff, the staff of other state agencies, and the technical resources of counties and cities to help in the development of comprehensive plans required under this chapter. The technical assistance may include, but not be limited to, model land use ordinances, regional education and training programs, and information for local and regional inventories; and

(b) Adopting by rule procedural criteria to assist counties and cities in adopting comprehensive plans and development regulations that meet the goals and requirements of this chapter. These criteria shall reflect regional and local variations and the diversity that exists

NOTES:

Severability--Part, section headings not law--
1990 1st ex.s. c 17: See RCW 36.70A.900 and
36.70A.901.

RCW 36.70A.010 Legislative findings. The legislature finds that uncoordinated and unplanned growth, together with a lack of common goals expressing the public's interest in the conservation and the wise use of our lands, pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state. It is in the public interest that citizens, communities, local governments, and the private sector cooperate and coordinate with one another in comprehensive land use planning. Further, the legislature finds that it is in the public interest that economic development programs be shared with communities experiencing insufficient economic growth. [1990 1st ex.s. c 17 § 1.]

RCW 36.70A.020 Planning goals. The following goals are adopted to guide the development and adoption of comprehensive plans and development regulations of those counties and cities that are required or choose to plan under RCW 36.70A.040. The following goals are not listed in order of priority and shall be used exclusively for the purpose of guiding the development of comprehensive plans and development regulations:

- (1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.
- (2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.
- (3) Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.
- (4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.
- (5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.
- (6) Property rights. Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

fair manner to ensure predictability.

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.

(9) Open space and recreation. Encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks.

(10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

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

(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

(13) Historic preservation. Identify and encourage the preservation of lands, sites, and structures, that have historical or archaeological significance. [1990 1st ex.s. c 17 § 2.]

RCW 36.70A.030 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Adopt a comprehensive land use plan" means to enact a new comprehensive land use plan or to update an existing comprehensive land use plan.

(2) "Agricultural land" means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock, and that has long-term commercial significance for agricultural production.

(3) "City" means any city or town, including a code city.

(4) "Comprehensive land use plan," "comprehensive plan," or "plan" means a generalized coordinated land use policy statement of the governing body of a county or city that is adopted pursuant to this chapter.

(5) "Critical areas" include the following areas and ecosystems: (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas.

(6) "Department" means the department of community, trade, and economic development.

(7) For purposes of RCW 36.70A.065 and 36.70A.440, "development permit application" means any