

FRANKLIN COUNTY ORDINANCE 07-2021
BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
FRANKLIN COUNTY, WASHINGTON

Adoption of the 2018-2038 Franklin County Comprehensive Plan

IN THE MATTER OF COUNTY PLANNING – COMPREHENSIVE PLANNING, *the following ordinance is hereby adopted but will not be codified.*

WHEREAS, Franklin County is a “fully planning” county within the context of the State of Washington Growth Management Act (GMA) and a “periodic” review and update of the comprehensive plan is required pursuant to RCW 36.70A.130; and

WHEREAS, the last Franklin County Growth Management Comprehensive Plan was adopted February 27, 2008 via Resolution 2008-088 and Resolution 2008-089 and subsequently amended via Resolution 2012-310, Resolution 2012-311, and Resolution 2012-312; and

WHEREAS, Franklin County began the periodic update process on November 1, 2017 with the passage of Resolution 2017-324 which included a Public Participation Plan, and upon passage of Resolution 2018-197 the County documented substantial progress toward the update process; and

WHEREAS, pursuant to RCW 36.70A.210(3), the GMA requires that Counties adopt County-Wide Planning Policies (CWPPs) in coordination with cities located within the County’s boundaries, to guide growth, investments, and outline processes and procedures related to growth management items and CWPPs were first adopted in 1993 (Res. 93-015) and revised in 2019 (Res. 2019-312); and

WHEREAS, the Franklin County Planning and Building Department received an application for an Urban Growth Area (UGA) boundary adjustment from the City of Connell on June 22, 2018 requesting an expansion of the UGA by approximately 80 acres; and

WHEREAS, the Franklin County Planning and Building Department received an application for a UGA boundary adjustment from the City of Pasco on June 26, 2018 requesting an expansion of the UGA by approximately 4,855 acres; and

WHEREAS, the Franklin County Planning and Building Department received two applications from landowners requesting changes to the land use map for their properties:

- a. Mr. Dustin Anderson filed an application on November 9, 2017 requesting a minor change affecting two parcels (which were later modified via a boundary line adjustment), to swap an approximately equal amount of land between “Agriculture” and “Rural Remote” located at the *Ringold Road Area* Limited Area of More Intensive Rural Development (LAMIRD);
- b. Mr. Kristopher Butcher filed an application on December 1, 2017 requesting a change from “Agriculture” to “Rural Remote” for a twenty-acre parcel south of

Sagemoor Road, which is adjacent to the *Haworth Road Area* but is not within the LAMIRD's boundaries; and

WHEREAS, the Planning Commission held a duly-noticed public hearing on September 4, 2018 to take initial input on applications from the City of Connell and the City of Pasco regarding Urban Growth Area expansion requests; and

WHEREAS, the Franklin County Planning and Building Department received an amended application for a UGA boundary adjustment from the City of Connell on July 29, 2019, which included the removal of 300 acres of land and the previously requested addition of approximately 80 acres of land, for a net decrease of 220 acres; and

WHEREAS, the Franklin County Planning and Building Department received a revised application for a UGA boundary adjustment from the City of Pasco in November 2020, replacing the previous application (which had been withdrawn) and requesting an expansion of the UGA by approximately 3,448 acres; and that application was based on the "mid-series" population growth scenario, included an Environmental Impact Statement (EIS), was supported by a Land Capacity Analysis that considered infill development and upzoning opportunities, and included a Capital Facilities Plan; and

WHEREAS, the Planning Commission held numerous public workshops regarding the Comprehensive Plan Update and each workshop was advertised and open to the public and public input opportunities were given at each meeting; there were two workshops in 2017, seven workshops in 2018, and two additional workshops in 2020 and the various meetings and workshops addressed a wide range of issues addressed in the Plan; and

WHEREAS, the Planning Commission reviewed the last adopted Comprehensive Plan, and oversaw the revision to that text, including the goals and policies contained in the Plan; and

WHEREAS, the Planning Commission reviewed the maps, figures and tables contained in the last adopted Comprehensive Plan, and oversaw the revision to those items, including the Land Use map; and

WHEREAS, updates and amendments to the Comprehensive Plan are subject to review under the State Environmental Policy Act (SEPA) and a SEPA Determination of Nonsignificance (DNS) was issued on January 14, 2021 and a notice was published of the determination; the SEPA Comment period ended on January 28, 2021; and no appeals were filed; and

WHEREAS, the draft 2018-2038 Comprehensive Plan document was submitted to the State of Washington's Department of Commerce for a required 60-day review in compliance with RCW 36.70A.106; and the notice and documentation was accepted by Commerce on January 15, 2021; and

WHEREAS, the Planning Commission held duly-noticed public hearings on December 22, 2020, January 19, 2021, March 30, 2021, and May 4, 2021 to take input on the revised UGA expansion application from the City of Pasco, and regarding the UGA modification request from the City of Connell, as well as the Franklin County draft 2018-2038 Comprehensive Plan document including the Land Use map; and

WHEREAS, The Plan was provided to staff at the Benton-Franklin Council of Governments (BFCG) on January 7, 2021 for certification of the Transportation Element, which has been reviewed by BFCG staff for conformity with the applicable sections of the GMA and consistency with the Regional Transportation Plan (TRP), and is pending action by the BFCG board following county adoption; and

WHEREAS, the Transportation and Circulation Element of the draft 2018-2038 Comprehensive Plan document contains information that was previously included in the Franklin County Transportation Plan (adopted as Ordinance 1-2006) but with updated figures and information; and

WHEREAS, Franklin County Planning Staff and Planning Commission have actively sought citizen input, utilizing several forms of public informational media and outreach, in addition to the regularly noticed public workshops, public meetings, and public hearings such as email notifications and the maintenance of a project website; and

WHEREAS, written comments received at various stages of the project such as drafting of the Comprehensive Plan document, review of land use applications, agency consultation, and environmental review are documented in a "Project Review Matrix" which also contains staff's responses to the comments; and

WHEREAS, the Franklin County Planning Staff and the Planning Commission have expended considerable time and effort in reviewing and updating the Comprehensive Plan and have recommended to the Board of County Commissioners approval of the ***2018-2038 Franklin County Comprehensive Plan***; and

WHEREAS, the ***2018-2038 Franklin County Comprehensive Plan*** does not include approvals of the following proposed changes, which are denied:

- a. The City of Pasco included in their Urban Growth Area expansion request approximately nine acres of land in Section 32, Township 10 N Range 32 E, W.M., where there is a portion of land mapped as Agricultural Resource lands, and as such should be left out of the UGA;
- b. The City of Pasco included in their Urban Growth Area expansion request approximately 32 acres of land in the southwest quarter of Section 2, Township 9 N, Range 29 E, W. M., which the City would categorized as "airport reserve" and therefore those 32 acres could not be developed at urban densities and as such it should be left out of the UGA;

- c. Mr. Butcher's application to change 20 acres from "Agriculture" to "Rural Remote" is denied, as the subject property is not within a LAMIRD; and

WHEREAS, the Periodic Update of the Comprehensive Plan includes the integration of the following approved amendments to Urban Growth Areas within the County:

- a. The Pasco Urban Growth Area is increased by approximately 3,407 acres, and around 26 percent of that increase will result in the conversion of LAMIRDs (rural lands with the designations of Rural Industrial, Agriculture Service Center, Rural Residential or Rural Remote) that will be "transferred" from the County's rural lands inventory into the UGA;
- b. The Connell Urban Growth Area is decreased by 220 acres (decrease of 300 acres in the west half of Section 7, Township 14 North, Range 32 E, W.M. which will be subsequently classified as Agricultural land by the County and an increase of 80 acres in the southwest quarter of Section 20, Township 14 N, Range 32 E which is for Industrial use); and

WHEREAS, no changes are made to the Urban Growth Areas for Kahlotus or Mesa; and

WHEREAS, the Periodic Update of the Comprehensive Plan includes the following approved amendment to the County's Land Use map:

- a. The request from Mr. Dustin Anderson to amend the *Ringold Road Area* LAMIRD logical outer boundary to match a recently approved boundary line adjustment between two parcels is approved, swapping an approximately equal amount of land between "Agriculture" and "Rural Remote" (comprising less than one acre); and

WHEREAS, this board finds the ***2018-2038 Franklin County Comprehensive Plan*** is consistent with the Growth Management Act (RCW 36.70A), and

WHEREAS, this board finds the ***2018-2038 Franklin County Comprehensive Plan*** is consistent with County Resolution 2019-312 Countywide Planning Policies; and

WHEREAS, this board finds the approval of the proposed Comprehensive Plan Periodic Update would be in the public interest since the update attains compliance with the GMA and ensures consistency between the updated Comprehensive Plan, Franklin County Codes, and applicable state laws; and

WHEREAS, the updated Comprehensive Plan document was updated to ensure compliance with the State of Washington Growth Management Act; to fully reflect the issues and opportunities facing Franklin County; and to revise policies and other language in the plan to update information, improve readability and understanding; and

WHEREAS, in Franklin County, development regulations include: Title 14 Development Code Administration, Title 15 Buildings and Construction, Title 16 Subdivisions, Title 17 Zoning and Title 18 Environment.

- a. Title 14 was newly written during the Periodic Update process and was adopted and codified via Franklin County Ordinance 01-2020;
- b. Revisions to Title 16 and Title 17 have been proposed by staff and will be reviewed by the Planning Commission in 2021;
- c. The County's Critical Areas Ordinance, codified as Chapter 18.08 Critical Area/ Resource Area Protection Standards, will be reviewed and updated in 2021; and

WHEREAS, upon revisions to Title 16, Title 17, and Chapter 18.08 of the Franklin County Code the periodic update process will be complete; and

WHEREAS, a public hearing before the Board, which is the legislative body of the County, was held on June 1, 2021 at a duly noticed meeting in the evening hours to maximize opportunities for public comment and engagement, and the Board heard public testimony on the proposal; and

WHEREAS, in accordance with the Growth Management Act, the Board has considered the cumulative effect of the Plan and finds it in the public interest to approve the Plan update;

NOW, THEREFORE, BE IT ORDAINED as follows:

SECTION 1: The *2018-2038 Franklin County Comprehensive Plan* is hereby approved and adopted as set forth in Exhibit A, attached hereto and incorporated by this reference as if set forth in full.

SECTION 2: SEVERABILITY: If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION 3: EFFECTIVE DATE: This ordinance, being an exercise of a power specifically delegated to the Board, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

SECTION 4: CORRECTIONS: The County Clerk is authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's / clerical errors, references, ordinance numbering, section / subsection numbers and any references thereto.


SECTION 5: COPY TO DEPARTMENT OF COMMERCE: Pursuant to RCW 36.70A.106, a complete and accurate copy of this ordinance shall be transmitted to the Department of Commerce within ten (10) days of adoption.

NOW, THEREFORE, BE IT FURTHER ORDAINED that Ordinance 1-2006 is repealed.

NOW, THEREFORE, BE IT FURTHER ORDAINED that the Board of County Commissioners hereby supersede and repeal Franklin County Resolution Numbers 2008-088, 2008-089 as well as Resolution 2012-310, Resolution 2012-311 and Resolution 2012-312 and any other applicable resolutions and/ or ordinances that have previously amended the Franklin County Comprehensive Plan (or "Franklin County Comprehensive Growth Management Plan").

APPROVED AND ADOPTED THIS 1st DAY OF JUNE, 2021.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

  **ABSTAINED**

Chair



Chair Pro-Tem



Member

Attest:


Clerk of the Board


Approved as to Form: 

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: May 25, 2021	PREPARED BY: Nicole Stickney (AHBL, Inc.)
Meeting Date Requested: June 1, 2021	PRESENTED BY: Derrick Braaten and Nicole Stickney
ITEM: (Select One) <input type="checkbox"/> Consent Agenda <input checked="" type="checkbox"/> Brought Before the Board Time needed: 60 minutes	
SUBJECT: Proposed adoption of the 2018-2038 Franklin County Comprehensive Plan (Files CPA 2018-01, CPA 2018-02, CPA 2018-03 and CPA 2018-04)	
FISCAL IMPACT: No direct fiscal impact. Completion of the Periodic Update to the Comprehensive Plan and Development Regulations will ensure that the County is not prevented from receiving certain state grants.	
BACKGROUND: The County's Comprehensive Plan is an expression of the County's values and priorities. The Comprehensive Plan provides a 20-year vision for how the citizens of the community want their County to look and to function. The County first adopted a Comprehensive Plan in the 1970s. After the passage of the Growth Management Act (GMA), the County adopted a Comprehensive Plan to address the elements required by the GMA in 1995. The Board of County Commissioners (BOCC) adopted the latest version of the Comprehensive Plan in 2008, and has amended that document a few times since. The passage of this ordinance will complete work that was begun in late 2017 to update the County's Comprehensive Plan under the periodic process required by the state growth management act.	
RECOMMENDATION: The County Planning Commission and staff recommend approval of the proposed revised 2018-2038 Franklin County Comprehensive Plan <i>Suggested Motion: I move to pass ordinance 07-2021 adopting the 2018-2038 Franklin County Comprehensive Plan.</i>	
COORDINATION: All public notification requirements have been met; the revision to the Comprehensive Plan involved extensive coordination among local and state agencies, Franklin County cities, stakeholders and interested parties, and the public. SEPA Environmental review was completed in January 2021. The County's prosecuting attorney's office reviewed the ordinance.	
ATTACHMENTS: (Documents you are submitting to the Board) Draft Ordinance, draft minutes of the Planning Commission's May 4, 2021 meeting. <i>Additional materials and items on the record are available online:</i> https://www.ezview.wa.gov/site/alias__1967/37145/overview.aspx	
HANDLING / ROUTING: (Once document is fully executed it will be imported into Document Manager. Please list <u>name(s)</u> of parties that will need a pdf) To the Clerk of the Board: 1 Original Ordinance To Planning: 1 Copy Ordinance (<i>note: Planning will forward a copy to the State Dept. of Commerce, City of Pasco, City of Connell, City of Mesa and City of Kahlottus</i>)	

I certify the above information is accurate and complete.



Derrick Braaten – Planning and Building Director

ORDINANCE NO. 07-2021

FRANKLIN COUNTY

SUMMARY OF ORDINANCE

In accordance with RCW 65.16.160, the following is a summary of the Ordinance 07-2021 adopted on June 1, 2021. TITLE: ADOPTION OF THE 2018-2038 FRANKLIN COUNTY COMPREHENSIVE PLAN. The Plan sets out goals and policies for development; protection of critical (sensitive) areas such as wetlands and floodway; protection of agricultural and mineral resource lands; and other requirements of the state of Washington's Growth Management Act. The Plan addresses population growth that is expected to occur in Franklin County for the twenty year planning period. The Plan includes an updated Land Use Map and revised Urban Growth Area boundaries for the Cities of Connell and Pasco. This ordinance will take full force and effect five (5) days after approval, passage, and publication as required by law. The full text of this ordinance will be mailed (electronic or via postal service) free of charge to any person who requests it from Karin Milhan, Clerk of the Board, 1016 N. 4th Avenue, Pasco, WA, 99301-3706; (509) 546-5856.