

**PROCEEDINGS OF THE  
WASHINGTON STATE BOUNDARY REVIEW BOARD  
FOR KING COUNTY  
RESOLUTION AND HEARING DECISION**

**IN RE: CITY OF RENTON  
Benson Hill Area  
Proposed Annexation  
King County, Washington**

**FILE NO. 2256**

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**I. PUBLIC HEARING OVERVIEW**

In March of 2007 the City of Renton filed a Notice of Intention (File No. 2256) to annex 2438 acres, described as the Benson Hill Area.

Renton City Council adopted a Resolution approving a plan to annex the Benson Hill Area. City officials reported that the proposal to annex the Benson Hill Area was made in response to a petition from citizens seeking to incorporate into the City of Renton.

The Benson Hill Area is located on the eastern edge of the City of Renton. The Annexation Area is generally bordered on the north by the City of Renton. The northernmost boundary generally follows SE 19<sup>th</sup> Street. The annexation area is bordered, as well, on the west by the City of Renton. This boundary is serpentine, primarily following 104<sup>th</sup> Avenue SE and extending, at some locations, to 92<sup>nd</sup> Avenue South. A portion of the southern boundary (South 200<sup>th</sup> Street) borders on the City of Kent. The remainder of the Annexation Area – the easternmost boundary of which is located at 135<sup>th</sup> Place SE – borders Unincorporated King County.

The City of Renton invoked jurisdiction at the same time it filed the Notice of Intention. Its purpose in invoking jurisdiction was to provide citizens an independent forum to obtain information and comment upon the proposed Benson Hill Area Annexation.

The City of Renton also reported to the Boundary Review Board that the Resolution for the Benson Hill Area calls for an election to permit the citizens within the Benson Hill Area to ultimately decide whether or not to join the City of Renton.

The Board held a public hearing on May 21, 2007 to consider the proposal by the City of Renton to annex the Benson Hill Area (2438 acres). At the Special Meeting/Public Hearing, the City of Renton requested that the Board modify the boundaries of the proposed Benson Hill as follows:

- Proposed Modification A: Delete eighteen single-family dwellings on the south side of SE 164<sup>th</sup> Street which were erroneously included on the original map provided for the Benson Hill Area;
- Proposed Modification B: Add, at the request of King County, a portion of SE Petrovitsky Road east of 128<sup>th</sup> Avenue SE extending to 134<sup>th</sup> Avenue SE. This addition would be composed solely of public right-of-way adjacent to the Benson Hill Area.
- Proposed Modification C: Add 25 acres of lands originally proposed for annexation in the Anthonie Notice of Intention (File No. 2199); this area was required to then be excluded from the Anthonie Annexation by virtue of the Supreme Court decision in the matter of the City of Redmond Rose Hill annexation. Inclusion of these lands in the Benson Hill Area Annexation would be acceptable to the owners of the affected properties. This adjustment would serve to assist in the protection of the nearby Springbrook Watershed.

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The Board reviewed File No. 2256 in accord with RCW 36.93. (Local Governments – Boundaries – Review Boards). The Board directed particular attention to RCW 36.93.170 (Factors) and RCW 36.93.180 (Objectives). The Board also considered RCW 36.93.150, the authority for modification of

annexation proposals. In accord with the law, the Board also considered RCW 36.70.A, the Growth Management Act, the King County Comprehensive Plan, the City of Renton Comprehensive Plan, together with other applicable state, regional, and local regulations and guidelines.

The Board finds that the record for File No. 2256 contains sufficient documentation (e.g., technical data, fiscal data), evidence of community information programs, and certification of petitions and/or legislative action to complete its review of the Benson Hill Area Annexation.

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On the basis of the testimony, evidence and exhibits presented at said hearing, and the matters on record in said **File No. 2256**, it is the decision of the Board to **approve and modify (with Modification A and Modification B)** the action proposed in said **Notice of Intention**. The legal description of the Benson Hill Area is attached hereto and marked as “Exhibit I”, together with a map showing the boundaries of the area herein marked as “Exhibit II.”

## II. FINDINGS

### RCW 36.93.170 FACTORS AFFECTING THIS PROPOSAL

The Board finds the following Factors (RCW 36.93.170) to be applicable to the City of Renton’s proposed Benson Hill Area Annexation (approximately 2438 acres). Additional authorities applicable to the Benson Hill Area include, but are not limited to: RCW 36.70A, RCW 35.13, King County Comprehensive Plan/Countywide Policies, the Renton Comprehensive Plan and its enabling regulations (e.g., zoning code). These State and local authorities are intended to ensure reasonable development regulations and adequate public services to local communities.

A brief review of key issues related to each applicable element is presented below:

#### **RCW 36.93.170 (1) POPULATION AND TERRITORY**

The Board finds the following factors to be applicable to this matter: Population Density/Proximity to Other Populated Areas/Land Area/Land Uses; Comprehensive Land Use Plans; Topography, Natural Boundaries and Drainage Basins; Likelihood of Significant Growth in the Area During the Next Ten Years; and Population Density/Proximity to Other Populated Areas/Land Area/Land Uses. Following is a brief review of key issues related to these factors.

The Benson Hill Area (including Modification A and Modification B) lies within the Urban Growth Area established by King County. The King County Comprehensive Plan contemplates transfer of the Benson Hill Area to a local jurisdiction. County Policy LU-31 requires cities to designate potential annexation areas to include adjacent urban lands and eliminate unincorporated islands between cities. Policy LU-32 encourages cities to annex designated areas into city boundaries. King County Comprehensive Plan/Countywide Policies call for contiguous orderly growth of local jurisdictions (e.g., U-304, U-208, U-301, U-304.) Policies also establish cities as the providers of local governance, community planning, and urban services (e.g., FW-13, CO-1, CO-3; LU-31 - LU-34, LU-36).

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The City of Renton Comprehensive Plan provides for the commitment and the resources to govern the Benson Hill Area. The Renton Plan demonstrates that the City has provided for protection of the existing built environment and for new development in the Benson Hill Area. Under the City’s Comprehensive Plan, citizens of the Benson Hill Area would also be provided with a full array of uniform public services, facilities and infrastructure.

Specifically, the Renton Comprehensive Plan “Annexation Element” addresses the annexation of the Benson Hill Area. The Benson Hill Area is included in the “Annexation Element” of the City of Renton Comprehensive Plan and lies within the City’s Potential Annexation Area. The Benson Hill Area Annexation is consistent with City’s Comprehensive Plan policies supporting inclusion of urban areas within the City for local governance. The community is unified with respect to its specific physical elements (e.g., geographic features) and social elements.

The Benson Hill Area will likely experience continuing urban growth over the next ten years. This Area is an urban community that is substantially developed with single-family homes. There is remaining land that is suitable and permitted for redevelopment/new development with residential uses. There is sizeable commercial property within Benson Hill Area boundaries. Public facilities and open spaces are present in the Benson Hill Area.

The City of Renton Comprehensive Plan provides for growth at urban levels of density consistent with the existing built environment and the natural environment. Future residential development would reportedly be generally similar to and essentially compatible with existing density/design standards for residential uses, commercial uses, and public facilities/open spaces permitted in Benson Hill. With annexation of the Benson Hill Area, there would be an opportunity to immediately implement consistent and coordinated development standards throughout the community.

The Benson Hill Area contains environmentally sensitive features (e.g., water bodies; watershed; wetlands; variable topography, drainage basins, natural habitat). Portions of the environmentally sensitive lands require planning and management to ensure the protection of these critical areas. The Renton Comprehensive Plan provides support for the natural environment within the Benson Hill Area through guidelines and regulatory controls (e.g., critical areas ordinances; open space preservation; storm water/flood control programs) designed to protect sensitive areas.

Similarly, the Benson Hill Area Annexation would be consistent with policies supporting annexations in areas where urban infrastructure and services are available for development at urban densities and in areas contiguous to City boundaries (e.g., Annexation Policies and Land Use Policies). The Renton Comprehensive Plan includes policies addressing land development, service provision, and mutual social and economic benefits (e.g., LU-378; LU-386; LU-388) applicable to the Benson Hill Area.

The State Growth Management Act (RCW 36.70A) also supports the Benson Hill Area Annexation. The proposed action would be consistent with RCW 36.70.20 which calls for community planning goals, for urban growth, services and infrastructure, and environmental preservation.

#### **RCW 36.93.170 (2) MUNICIPAL SERVICES**

The Board finds the following factors to be applicable: need for municipal services; effects of ordinances, governmental codes, regulations and resolutions on existing uses; present cost and adequacy of governmental services and controls in area; probable future need for such services; costs; effect on the finance, debt structure and contractual obligations; and prospects of government services from other sources, and rights of other affected governmental units. Following is a brief review of key issues related to these factors.

The evidence shows that the Benson Hill Area is an urban community requiring municipal services and facilities. Service goals and policies for urban areas are established by the State Growth Management Act and King County Comprehensive Plan. For example, King County FW-13 states that cities are the appropriate provider of local urban services to Urban Areas. FW-29 and FW-30 address the need for jurisdictions to plan for and coordinate services. Further, annexation is appropriate under Countywide Policy CO-1, when a jurisdiction has “identified and planned for (a) full range of urban services”.

Consistent with the State Growth Management Act and the King County Plan, the City of Renton has developed policies – through the City’s Comprehensive Land Use Plan, Comprehensive Service Plans, and other regulatory authorities – for provision of services to all properties within its corporate boundaries. Upon annexation, the City of Renton would include the newly incorporated area in the municipality’s Service Area. The City of Renton will provide (directly or by contract) a full array of public services.

More specifically, upon annexation, the City of Renton will include the Benson Hill properties in its Service Area under unified regulatory authorities administered by a single local government unit. The City is planning to provide services to the Benson Hill Area either directly or by contract with other providers.

For example, the City of Renton will assume responsibility for land use management through the City's Comprehensive Plan and land use regulations. The City of Renton will assume responsibility for protection of environmentally sensitive areas through the Comprehensive Plan, Critical Areas Ordinance, Stormwater Management Plan, et al.

The Renton Police Department would serve the residents. The City will assume responsibility for providing fire/emergency services to the Benson Hill properties through a contract with Fire Protection District No. 40 and with Fire Protection District No. 37.

*Note: An agreement between the City of Renton and Fire District No. 40 is required to provide for fire protection and emergency medical services to the Benson Hill community, an agreement between the City of Renton, the agency which will provide future fire services to the Benson Hill Area, and Fire District No. 40 (existing service provider) regarding the transition of fire protection and emergency services within this community.*

*Pursuant to guidance provided by Robert Kaufman, Special Assistant Attorney General to the Boundary Review Board, the City of Renton and Fire District No. 40 are provided sufficient statutory guidance and authority to directly achieve the necessary transition of assets and resources. The Boundary Review Board is not required by statute to establish, implement, or monitor a transition plan.*

Soos Creek Water and Sewer District and the City of Renton will continue to provide water services and wastewater treatment services to the area. The City will provide a storm water management system.

The City will assume responsibility for provision and management of capital facilities (e.g., parks, roadways). Acquisitions and improvements will be identified by means of a priority listing which reflects both necessity (e.g., safety improvements to roadways) and the interests of the citizens.

The City will provide law and justice services and a full range of human services. Libraries would be available to residents. Local/regional recreation facilities would be available to community members. The Renton School District and the Kent School District would continue to administer school assignments.

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The Board finds that the City of Renton has provided documentation, through a Fiscal Feasibility Study which examined revenues/expenditures relating to governance and service of the Benson Hill Area, that sufficient funds are available both at current development and at full development to provide a full array of services/facilities to the community.

More specifically, the City has developed a basic plan to provide Benson Hill Area citizens with public services/facilities in a manner equivalent to the services/facilities provided to citizens within the existing City of Renton. Benson Hill Area residents would be provided services, infrastructure, and facilities at a basic level immediately upon incorporation. The City is committed to undertaking all necessary steps to ensure equivalent levels of service for the Benson Hill Area both at current development and as the community experiences growth.

Fiscal Feasibility Study findings indicate that a substantial portion of the costs for governance and services will be essentially offset by property taxes, standard service fees, and other revenues based on population. Benson Hill citizens would be assessed reasonable taxes and fees for both basic and enhanced services/facilities. For example, upon annexation, property owners will assume their share of the regular and special levy rate of the City for capital facilities and public services.

The Fiscal Feasibility Study finds, however, that the City would be required to provide a subsidy to the Benson Hill Area. Upon annexation, the City would receive revenue in the amount of \$8,038,000 and be faced with expenditures of \$8,719,000. Thus, the City of Renton would realize an initial (first-year) cost of approximately \$681,000 based upon the intent of City officials to provide facilities and services in the Benson Hill Area equivalent to levels of service provided to citizens of the existing City of Renton.

The City has made a commitment to provide this subsidy to the Benson Hill Area in the same manner that a subsidy is provided to other residential communities within Renton. However, the City has other resources available to address these costs. Specifically, SSB 6686 would permit the City access to existing sales tax funds (at the current rate of taxation) which – in combination with existing City resources – would permit the off-setting of the cost-to-revenue imbalances occurring in conjunction with the Benson Hill Area Annexation.

Further, the City is negotiating an Interlocal Agreement with King County to support the interest of the City in annexation of the Benson Hill Area. Under the Interlocal Agreement, the County is prepared to provide \$1.7 million in funding to support the effort's of the City to govern and serve the Benson Hill Area.

Thus, the Benson Hill Area would cause no significant impacts to City finances, debt structure, or rights of other governmental units at the time of annexation. Further, the City is prepared to provide improvements to levels of service over time as required to meet the needs of the community and as permitted by available resources.

With annexation to Renton, all services for the Benson Hill Area reportedly will be efficiently coordinated under unified regulatory authorities administered by a single local government unit. Services would be equal to – or improved from – the services currently provided by King County.

King County officials support annexation of the Benson Hill Area. This action creates a logical municipal service area. The City can provide more cohesive policies, standards, programs, cohesive operations, and efficient, economic control of services. Thus, services will be more effective, more efficient, and less costly to both government and citizens of the Benson Hill Area.

### **RCW 36.93.170 (3) Effects of Proposal**

The Board considered mutual economic and social interests, and local government structure effects to be applicable. Below is a brief review of key issues.

The evidence shows that the Benson Hill Area is contiguous to – and shares mutual social and economic profiles with – the City of Renton. Coordinated integration of citizens of the Benson Hill Area into Renton would preserve social organization, support economic health, and protect public safety and welfare.

The City of Renton Comprehensive Plan encourages local governance of communities. With annexation, citizens would participate in local governance including land use planning, service planning, fiscal planning and planning for public amenities to serve the community. Renton officials testified that the City is prepared to govern and to provide full services to this community.

King County Comprehensive Plan/Countywide Planning Policies encourage local governance of communities. Annexation of the Benson Hill Area is also consistent with the King County Annexation Initiative, which calls for transfer of urban lands to local jurisdictions at the earliest feasible date. More specifically, the Benson Hill Annexation is proposed under a framework being established through a pending Interlocal Agreement between the City of Renton and King County. The Interlocal Agreement is intended to provide for a commitment by the County to provide support to the City of Renton to facilitate transition of service responsibilities from the County to the City. The Interlocal Agreement is also intended to address City responsibilities for public facilities (e.g., parks, surface water management systems, ground water facilities). Annexation of the Benson Hill Area into the City of Renton under this Interlocal Agreement is anticipated to promote balanced, unified and effective local government.

### **CONSISTENCY WITH THE GROWTH MANAGEMENT ACT**

RCW 36.93.157 mandates that Boundary Review Board decisions must be consistent with three sections of the Growth Management Act:

- RCW 36.70A.020 Planning Goals
- RCW 36.70A.110 Urban Growth Areas
- RCW 36.70A.210 Countywide Planning Policies

Key Growth Management Act policies that guide the provision of public services and that are relevant to the proposed Benson Hill Area include:

- RCW 36.70A.020 (1) Urban Growth: Encourages development in urban areas where adequate public facilities and services exist or can be provided efficiently.
- RCW 36.70A.020 (2) Reduce Sprawl: Reduce inappropriate conversion of undeveloped land into sprawling low-density development.

- RCW 36.70A.020 (10) Environment: Protect and enhance the environment and quality of life.
- RCW 36.70A.020 (11) Citizen Participation and coordination in the planning process and ensure coordination between communities/jurisdictions to reconcile conflicts.
- RCW 36.70A.020 (12) Public Facilities and services: Ensures that adequate public services and facilities are available to serve land developments.
- RCW 36.70A.110 (1/6) calls for each county to designate an urban growth area.
- RCW 36.70A.110 (3) directs urban growth to areas with existing or available public services and facilities
- RCW 36.70A.110 (4) states that “(in) general, cities are the units of local government most appropriate to provide urban ...services.”
- RCW 36.70A.210 (1) calls for cities to be primary providers of governmental services in urban growth areas.

Annexation of the Benson Hill Area into the City of Renton satisfies Growth Management Act criteria for governance of urban areas. This action is supported by the provisions of RCW 36.70.A which require community planning goals, for urban growth, services and infrastructure, and environmental preservation. For example, the proposed Benson Hill Area Annexation is consistent with RCW 36.70A.020 (1), encouraging development in urban areas where there are adequate public services.

The Benson Hill Area Annexation is also consistent with RCW 36.70A.020 (12), which calls for public services to support permitted development. Annexation would also permit urban growth – and protection of environmentally sensitive areas – as envisioned in the Growth Management Act.

### **RCW 36.93.180 OBJECTIVES**

The Boundary Review Board has considered RCW 36.93.180 (Objectives), with respect to the Benson Hill Area Annexation (with Modification A and Modification B) as follows:

#### **RCW 36.93.180 (1) PRESERVATION OF NATURAL NEIGHBORHOODS AND COMMUNITIES**

The Board finds that the Benson Hill Area is a “neighborhood” as that term is defined by case law, as “either geographically distinct areas or socially... distinct groups of residents”. The Benson Hill Area, in its entirety, exhibits many features that support its link with the City. Both the Benson Hill Area and the adjacent City lands are residential in character. The communities are characterized by similar and linked water features (e.g., creek, watershed, wetlands), topography, open spaces, and habitat features.

The citizens of both communities share similar demographic, social, and economic profiles. Residents of the City and the Benson Hill Area use common community facilities – e.g., schools, roadways, community centers, shopping centers, parks, and recreation facilities.

The City of Renton Comprehensive Plan anticipates annexation of the Benson Hill Area. The City includes the Benson Hill Area in its Potential Annexation Area. The Benson Hill Area is included in community planning programs to enable the City to guide growth and to provide coordinated services.

Annexation of the Benson Hill Area promotes the preservation of the neighborhood because this action encourages a more effective connection to the City of Renton. Annexation will allow the City of Renton to guide coordinated community development in a manner which considers both built lands and the critical natural areas.

Renton officials are committed to providing Benson Hill Area citizens a voice and a vote in planning for the future development of the built community and preservation of environmentally sensitive areas. City representatives demonstrate plans to effectively govern and serve this area as a part of a unified community.

King County officials support the annexation of the Benson Hill Area citing that this action would be consistent with state, regional and local guidelines. The County has indicated a preference for immediate annexation of urban areas to provide uniform governance for citizens of the Benson Hill Area. The City of Renton has a demonstrated capability of providing for zoning, development standards, and environmental protection appropriate to the area.

**RCW 36.93.180 (2) USE OF PHYSICAL BOUNDARIES, INCLUDING BUT NOT LIMITED TO BODIES OF WATER, HIGHWAYS, AND LAND CONTOURS**

Physical boundaries existing in this general area support the annexation of the Benson Hill Area.

The boundaries of the proposed Benson Hill Area Annexation are based upon co-terminus borders with the City, rights-of way, and individual property lines. More specifically, the Benson Hill Area is located immediately at the southeastern edge of the City of Renton. The Annexation Area is generally bordered on the north by the City of Renton. A portion of the southern boundary (South 200<sup>th</sup> Street) borders on the City of Kent. The remainder of the Annexation Area borders Unincorporated King County.

The Board finds that the lands within the Benson Hill Area boundaries have been established for annexation by Renton under the City's Comprehensive Plan/Potential Annexation Area. The Benson Hill Area Annexation would create (or enhance) clear physical boundaries.

"Social neighborhoods" may also be the basis for boundaries. The evidence shows that the City and the Benson Hill Area share a social affiliation. The communities form a single social neighborhood. As such annexation of the Benson Hill Area would further the establishment of a cohesive community.

Annexation of the Benson Hill Area advances the planning goals established by the State Growth Management Act for providing local governance to unincorporated urban territories.

The Benson Hill Area annexation is consistent with the King County Comprehensive Plan as this action achieves progress toward incorporation of the greater unincorporated area in King County.

**RCW 36.93.180 (3) CREATION AND PRESERVATION OF LOGICAL SERVICE AREAS**

The Renton Comprehensive Plan (including the Land Use Plan, Comprehensive Sewer and Water Plans, Transportation Element, Comprehensive Storm Water Management Plan) designates the City as the provider of services for the Benson Hill Area. Annexation of the Benson Hill Area into the City of Renton will advance the creation and preservation of logical service areas.

The Benson Hill Area creates and preserves logical service areas by including a greater number of properties in the City's service area. Annexation of the Benson Hill Area will enable design and implementation of efficient, consistent, consolidated service programs throughout the greater community. These synchronized services and facilities (e.g., emergency services, water service, storm water and surface water management systems, wastewater treatment) will promote protection of the built environment and the natural environment.

King County strongly supports annexation of unincorporated urban areas, such as the Benson Hill Area to provide citizens with more effective, efficient governance. Countywide Planning policies encourage cities to annex (and provide services to) territory within their designated potential annexation area. Other policies establish cities as the appropriate units to govern, develop, and serve Urban Areas. The County does not have sufficient resources to manage land uses or serve properties in these urban areas.

The State Growth Management Act identifies cities as the logical providers of local governance and urban services.

**RCW 36.93.180 (4) PREVENTION OF ABNORMALLY IRREGULAR BOUNDARIES**

The evidence shows that incorporation of the Benson Hill Area would provide a reasonable and regular boundary consistent with the Renton Comprehensive Plan Annexation Element. The proposed Benson Hill Area boundaries are not geometric in form; however, these boundaries do provide regularity based upon the fact that the Benson Hill Area is located in Renton's Potential Annexation Area.

The Board finds that annexation of the Benson Hill Area to Renton is consistent with the intent of this criterion to achieve the boundaries necessary to facilitate coordinated land uses and provide for more effective, efficient services to the community.

Further, under the King County Comprehensive Plan and the State Growth Management Act, the Benson Hill Area, as an unincorporated urban community, is encouraged to annex to a local jurisdiction. The Benson Hill Area, as an unincorporated community, does not benefit from effective governance.

**RCW 36.93.180 (5) DISCOURAGEMENT OF MULTIPLE INCORPORATIONS**

RCW 36.93.180 (5) is not applicable to File No. 2256.

**RCW 36.93.180 (6) DISSOLUTION OF INACTIVE SPECIAL PURPOSE DISTRICTS**

RCW 36.93.180 (6) is not applicable to File No. 2256.

**RCW 36.93.180 (7) ADJUSTMENT OF IMPRACTICAL BOUNDARIES**

The Board finds that annexation of the Benson Hill Area to the City of Renton would create more practical boundaries necessary to achieve the preservation of the community, coordinated governance, and planning activities (e.g., establishment of coordinated land uses and development standards.)

Annexation of the Benson Hill Area will place a greater portion of the built environment and linked natural environment under City jurisdiction, thus creating more practical boundaries for the effective local governance, directed planning activities (e.g., establishment of uniform land uses and development standards); preservation of environmentally sensitive areas; and the provision of coordinated public facilities and services.

**RCW 36.93.180 (8) INCORPORATION AS CITIES OR ANNEXATION TO CITIES OF UNINCORPORATED AREAS WHICH ARE URBAN IN CHARACTER**

The Board finds that annexation of the Benson Hill Area into the City of Renton is based upon the location of this territory within the Urban Growth Area established by the King County Comprehensive Plan. The "Urban" designation established for the Benson Hill Area is also supported by the State Growth Management Act.

The City of Renton Comprehensive Plan includes the entire Benson Hill Area in its Potential Annexation Area. This definition addresses both existing land characteristics and future designation/use plans for the Benson Hill Area.

Immediate annexation of the Benson Hill Area into Renton will promote uniform governance, development, and services appropriate for this urban territory.

**RCW 36.93.180 (9) PROTECTION OF AGRICULTURAL AND RURAL LANDS FOR LONG TERM PRODUCTIVE AGRICULTURAL/RESOURCE USE**

RCW 36.93.180 (9) is not applicable to File No. 2256 as the Benson Hill Area lies in the Urban Growth Area as established for King County.

**III. BOUNDARY REVIEW BOARD FINDINGS AND DECISIONS**

The Boundary Review Board conducted review and deliberation of File No. 2256 based upon the record of written documents and oral testimony, in keeping with applicable state, regional and local regulations. The Board focused upon RCW 36.93 (Boundary Review Board Enabling Act); RCW 36.70A (Growth Management Act); King County Comprehensive Plan/Countywide Policies; City of Renton Comprehensive Plans, RCW 35.13 (Annexation of Cities); and other relevant regulations and guidelines. As prescribed by statutory mandate, the Boundary Review Board considered the following options:

- The Benson Hill Area Annexation could be approved as submitted by the City of Renton, if this action advances the provisions of RCW 36.93 and other applicable regulations (e.g., State Growth Management Act, King County Comprehensive Plan, Renton Comprehensive Plan).
- The Benson Hill Area Annexation could be modified, if this action advances the provisions of RCW 36.93 and other applicable regulations (e.g., State Growth Management Act, King County Comprehensive Plan, Renton Comprehensive Plan).

- The Benson Hill Area Annexation could be denied in its entirety if annexation is found to be inconsistent with RCW 36.93 and other applicable regulations (e.g., Chapter 36.70A RCW, King County Comprehensive Plan, Renton Comprehensive Plan).

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The Board finds that the record for File No. 2256 is detailed and extensive. Affected parties have provided considerable materials supporting their positions. The Board reviewed the entire record to come to a decision for the proposed Benson Hill Area Annexation. The Board finds that the City of Renton's proposed annexation of the Benson Hill Area (with Modification A and Modification B) is consistent with the provisions of Chapter 36.93 RCW. By way of example, but not limitation:

- The Benson Hill Area Annexation (with Modification A and Modification B) addresses criteria established in RCW 36.93.170 with respect to population, territory, comprehensive planning, land uses, natural environment, service needs and service capacity, and mutual social and economic needs.
- Additionally, the proposed Benson Hill Area (with Modification A and Modification B) was evaluated according to the criteria established in RCW 36.93.180 as follows:

<b>RCW 36.93</b>	<b>BENSON HILL AREA – WITH MODIFICATION A AND MODIFICATION B (APPX. 2438 ACRES)</b>
OBJECTIVE 1 – PRESERVATION OF NATURAL NEIGHBORHOODS AND COMMUNITIES	ADVANCES CRITERION AS ANNEXATION INCLUDES ALL PROPERTIES IN A NATURAL COMMUNITY
OBJECTIVE 2 – USE OF PHYSICAL BOUNDARIES	ADVANCES CRITERION AS IT IS CONSISTENT WITH ESTABLISHED COMPREHENSIVE PLAN BOUNDARIES
OBJECTIVE 3 – CREATION AND PRESERVATION OF LOGICAL SERVICE AREAS	ADVANCES CRITERION AS RENTON CAN SERVE ENTIRE AREA TO PROTECT PUBLIC WELFARE.
OBJECTIVE 4 – PREVENTION OF ABNORMALLY IRREGULAR BOUNDARIES	ADVANCES CRITERION AS REGULAR BOUNDARIES SUPPORT A UNIFIED COMMUNITY AND STREAMLINE SERVICE PROVISION
OBJECTIVE 5 – DISCOURAGEMENT OF MULTIPLE INCORPORATIONS	DOES NOT APPLY
OBJECTIVE 6 – DISSOLUTION OF INACTIVE SPECIAL PURPOSE DISTRICTS	DOES NOT APPLY
OBJECTIVE 7 – ADJUSTMENT OF IMPRACTICAL BOUNDARIES	ADVANCES CRITERION AS PRACTICAL BOUNDARIES ARE CREATED TO SUPPORT A UNIFIED COMMUNITY AND TO STREAMLINE SERVICE PROVISION
OBJECTIVE 8 – INCORPORATION ...OR ANNEXATION TO CITIES ... OF UNINCORPORATED URBAN AREAS	ADVANCES CRITERION AS THE ENTIRE DESIGNATED URBAN AREA (WILL BE INCORPORATED INTO A LOCAL JURISDICTION.
OBJECTIVE 9 – PROTECTION OF AGRICULTURAL AND RURAL LANDS ...	DOES NOT APPLY

- State Growth Management Act (Chapter 36.70A RCW) policies call for logical and orderly growth. The Board finds that annexation of the Benson Hill Area (with Modification A and Modification B) advances the provisions of the RCW 36.70A by providing for effective local governance.
- The King County Comprehensive Plan/Countywide Policies and the Renton Comprehensive Plan also contemplate logical and orderly growth of communities. These County and City plans support local governance to assure balanced, sound, cost-effective governance for this community.

The Board finds that the proposed Benson Hill Area Annexation (with Modification A and Modification B) achieves the provisions of the King County Comprehensive Plan/Countywide Policies and the City of Renton Comprehensive Plan. Annexation of the Benson Hill Area (with Modification A and Modification B) would accomplish that balance that the County and the City seek from annexation of urban areas into local communities.

#### **IV. CONCLUSION**

The Boundary Review Board finds that approval of the Benson Hill Area Annexation (with Modification A and Modification B) to the City of Renton advances the standards established in the Growth Management Act, King County Comprehensive Plan, the City of Renton's Comprehensive Plan, RCW 36.93, and other state and local guidelines for incorporation of urban areas.

The Boundary Review Board finds that approval of the City of Renton Notice of Intention to annex the Benson Hill Area (with Modification A and Modification B) is timely based upon the City of Renton's current and historical commitment to guide development and provide municipal services to this area.

The Benson Hill Area Annexation (with Modification A and Modification B) will enable the City of Renton to provide a harmonious efficient plan for the governance of the built community, preserving the environment, and protection of public health and welfare.

*(Note: Under state law, the City of Renton must adopt an Ordinance or Resolution affirming the Benson Hill Area Annexation following action by the Boundary Review Board and agreement by a vote of the citizens. Under state law, the City must confirm the action as approved by the Boundary Review Board. Alternatively, the Council may decide not to pursue the action. However, the City cannot modify the boundaries that have been approved by the Boundary Review Board.)*

**NOW, THEREFORE,**

**BE IT RESOLVED BY THE WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY THAT,** for the above reasons, the action proposed in the Notice of Intention contained in said **File No. 2256** be, and the same is, hereby **approved with Modification A and Modification B s** as described in Exhibits attached hereto and incorporated herein by reference.

**ADOPTED BY SAID WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY** by a vote of \_\_\_\_\_ in favor , \_\_\_\_\_ in opposition, and \_\_\_\_\_ abstentions, on this \_\_\_ day of \_\_\_\_\_, 2007, and signed by me in authentication of its said adoption on said date.

**WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY**

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Michael Marchand, Chair

**FILED** this \_\_\_\_\_ day of \_\_\_\_\_ , 2007 **BY:**

\_\_\_\_\_  
Lenora Blauman, Executive Secretary

## **EXHIBITS**

**EXHIBIT I            CITY OF RENTON BENSON HILL AREA (WITH MODIFICATION A AND MODIFICATION B): LEGAL DESCRIPTION OF ANNEXATION AREA BOUNDARIES**

**EXHIBIT II            CITY OF RENTON BENSON HILL AREA (WITH MODIFICATION A AND MODIFICATION B): MAP OF ANNEXATION AREA BOUNDARIES**