

AN ORDINANCE ADOPTING AN URBAN GROWTH AREA FOR THE CITY OF COLLEGE PLACE AS REQUIRED BY THE GROWTH MANAGEMENT ACT (GMA)

WHEREAS, the Walla Walla County Planning Commission held a public hearing on October 4, 1995, to consider the request and recommended to the Board of County Commissioners that the request for adoption of an Urban Growth Area be modified to delete Areas A & B based on the following findings:

1. College Place has demonstrated that the proposed area is sufficient in size to accommodate their projected growth (the County has estimated the City's 20 year population at 8,584, College Place estimates 9,500).
2. College Place has provided for water and sewer service for the proposed Urban Growth Area (see PC Exhibits C and D.)
3. The overall land area included in the Urban Growth Area is less than in the City's 1988 plan. PC Exhibit B identifies those areas that are new to the Plan.
4. There are two primary areas that are new to the City's Comprehensive Plan and which differ from the Interim Urban Growth Area adopted by the County in 1994.
 - A. Area "A" on attached PC Exhibit A is a 66.93 acre parcel under one ownership. There is one house on the parcel, which is otherwise in agricultural use.

The plan does not identify a specified future land use for the property, which is indicative of the fact that the need for this property to be included has not been analyzed. In addition, the only reference in the plan to the Growth Reserve designation is on the UGA map. There is no accompanying discussion anywhere in the text regarding the purpose of this designation, nor is there discussion of how provision of services would be made to this area.

The inclusion of this property also is not consistent with the agricultural conservation policies within College Place's comprehensive plan ("Reduce the pressures to convert agricultural land to non-farm uses by encouraging the efficient use of lands within the City and the urban growth area through implementation of appropriate development regulations") or the County-wide Planning Policies, adopted by the County and City of College Place in 1993.

The only indication why this property would be included in the City's UGA is that the property owner requested it. Because a comprehensive plan should benefit the

community at large rather than an individual property owner, a request is not sufficient justification for this action. The Urban Growth Area can be amended in the future if circumstances change to where it can be demonstrated that it is necessary for this area to be annexed to provide for growth. There are no physical boundaries that separate this parcel from the adjacent lands to the west or that would provide a buffer between urban uses and active commercial agricultural operations. Since no specific designation is attached, no determination as to compatibility can be made.

- B. The second area that differs significantly from the Interim UGA is Area "B" on attached PC Exhibit A.

The area consists of two properties totalling 11.09 acres, each with a residence. There is also a nursery/produce stand on one of the properties which was authorized by a CUP approved by the County in 1993. The City has designated this Commercial/Light Industrial Mix. The zoning is AR and the County's Comprehensive Plan designation is Rural. Adjacent land in the County is also zoned AR and designated Rural. Land to the east across Dalles Military Road is zoned R-75 and designated Urban Residential in the City of College Place. Adjacent land uses are urban density residential, large lot rural residential, agricultural and a school/church.

The Commercial/Industrial Mix designation is intended to provide lands for "distribution centers, warehousing and storage facilities, wholesale activities, transportation terminals, processing for distribution, regular servicing, sales and display headquarters, assembly activities, trade and service functions".

Many of the uses described are not compatible with residential uses due to the truck traffic that would be generated (and associated noise/lighting/etc.). Nor is it consistent with the City's Comprehensive Plan policy to "separate residential districts from industrial and commercial uses by careful design of the transportation network and by proper screening, landscaping, open space and green space buffers."

These uses could also significantly impact the adjacent County roads. The issue of those impacts has not been considered in terms of effects on adjacent land use and financing of improvements that would be necessitated. While there is merit in the City controlling the entire intersection of the City's proposed new interchange if constructed, it may be more appropriate to designate the property for residential development which would be more com-

patible with the adjacent uses and designations.

On the other hand, if the new intersection is not constructed, it is questionable whether additional land south of SR 125 should be included in the City's UGA, particularly since they have chosen to otherwise limit lands to be included to only those currently in the City limits lying south of SR125. There is also no physical boundary between Area B and other lands to the west.

- C. The other areas included within the City's UGA appear to meet the locational criteria for inclusion in the City's UGA, and

WHEREAS the Board of County Commissioners held a public hearing on October 30, 1995, and

WHEREAS, based on the public testimony received by the Board, both orally and written, the Board makes the following additional findings:

1. RCW 36.70A.110 states in part that: "Each county that is required or chooses to adopt a comprehensive land use plan under RCW 36.70A.040 shall designate an urban growth area (UGA) or areas within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature. Each city that is located in such a county shall be included within an urban growth area."

Additionally, "Each county required to designate urban growth areas shall begin consulting with each city located within its boundaries and each city shall propose the location of an urban growth area. The County shall attempt to reach agreement with each city on the location of an urban growth area within which the city is located. If such an agreement is not reached with each city located within the urban growth area, the county shall justify in writing why it is designated the area an urban growth area."

It also states "Urban growth should be located first in areas already characterized by urban growth that have existing public facility and service capacities to serve such development, and second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services."

It is clear that a City shall propose a UGA to the County and both parties shall work towards an agreement as to its location. It is also clear that the County has the final authority on the location of a UGA.

WAC 365-195-335(3) contains a recommendation of how that process

should occur. It states that: "The designation of urban growth area should ultimately be incorporated into the comprehensive plan be made to complete the urban growth area designation process earlier, so that the comprehensive plans of both the county and the cities can be completed in reliance upon it."

It further states: "The County in review of proposed UGA's should attempt to define urban growth areas so as to accommodate the growth plans of the cities, while recognizing that physical location or existing patterns of service make some unincorporated areas which are characterized by urban growth inappropriate for inclusion in any city's potential growth area."

RCW 36.70A.110(4) states that "Final UGA shall be adopted at the time of Comprehensive Plan adoption." Therefore the city of College Place has adopted its final UGA (B Exhibit 1) by action of adoption of their plan on September 25, 1995.

Contrary to the recommendation of the Department of Community, Trade and Economic Development (DCTED) Procedural Criteria, the City of College Place did not propose an UGA as a result of their information gathering and analysis to the County prior to adoption of their Comprehensive Plan. They have in effect adopted a final UGA without coordination with Walla Walla County as required by WAC 365-195-335(2) (b) .

The interim UGA that was adopted by Walla Walla County and the City of College Place was just that; interim. The purpose of an interim UGA is two-fold, to provide land use controls on development that may take place during the planning process and for use as a beginning point in the analysis of alternatives in the development of the final UGA.

In 1988, Walla Walla County adopted an Urban Area Comprehensive Plan by Resolution 88-033. That Plan contained an Urbanizable Area Element with locational criteria and identified that area. Subsequently, the Cities of Walla Walla and College Place adopted that element with slightly varying urbanizable areas.

The interim UGAs that were adopted in 1994 by Walla Walla County Resolution #94-067 for the Cities of Walla Walla and College Place under GMA referred to the adopting resolutions for each jurisdiction, but adopted the 1988 Walla Walla County Urban Area Comprehensive Plan Map (B Exhibit 2) as the delineation of the interim UGAs. The accompanying Staff Report noted that there were differences between the respective UGAs and that this would be resolved through the planning process.

The Urban Growth Areas adopted at that time pre-dated GMA and were therefore not necessarily in conformance with the criteria established in the GMA.

A letter dated January 5, 1994 from the City of College Place to the County reported adoption by the City of the Interim UGA and

stated "It should be strongly emphasized that some changes to this designation are likely before final comprehensive plans developed under GMA are adopted. Any changes should be made only after extensive public involvement in the planning process."

The designation of an interim UGA does not represent an agreement upon a final UGA as it is a part of the analysis process that cities, in cooperation with counties, must go through to determine the final UGA. College Place's neglect to include the County in the development of its UGA as required does not obligate the County to automatically concur with the City's proposal as was noted in letters from the County to the City of College Place dated 8/21/95 and 9/25/95.

The UGA adopted by the City in its plan on September 25, 1995 differs in many areas from the interim UGA (see B Exhibit 3) and had not received County concurrence prior to adoption.

2. The College Place plan contains a 40% market factor. The GMA Hearings Boards have applied per DCTED guidelines the 25% market factor to both residential and industrial/commercial lands (Achen, et al vs. Clark County, et al). College Place has not demonstrated limiting physical factors that justify the need for a 40% market factor and therefore the need for inclusion of areas A & B (B Exhibit 4) has not sufficiently been demonstrated.

The City of College Place has used a population growth rate of 2%/year for the planning period. This is contrary to the population figures agreed upon by the jurisdictions within the County of 2% through this decade and 1% thereafter. These same agreed upon figures have also be utilized by the RTPO and in the Urban Area Coordinated Water System Plan. Due to use of larger than agreed upon number, without substantiating evidence, the market factor is further inflated.

3. The Clark County case before the GMA Western Hearings Board also reviewed the use of an urban reserve area, very similar to College Place's proposed Growth Reserve (Area A).

As in that case, there is no provision for "reserving" this land or criteria for its conversion and specific designation. This was deemed to be noncompliance with the GMA.

The City's plan does not identify a specified future land use of the property, which is indicative of the fact that the need for this property to be included within the City's Urban Growth Area has not been analyzed. In addition, the only reference in the plan to the Growth Reserve designation is on the UGA map. There is no accompanying discussion anywhere in the text regarding the purpose of this designation, nor is there discussion of how provision of services would be made to this area.

The inclusion of this property is not consistent with the agricultural conservation policies within College Place's

Comprehensive Plan ("Reduce the pressures to convert agricultural land to non-farm uses by encouraging the efficient use of lands within the City and the urban growth area through implementation of appropriate development regulations") or the County-wide Planning Policies, adopted by the County and City of College Place in 1993.

The only indication why this property would be included in the City's UGA is that the property owner requested it. Because a Comprehensive Plan should benefit the community at large rather than an individual property owner, a request is not sufficient justification for this action. The Urban Growth Area can be amended in the future if circumstances change to where it can be demonstrated that it is necessary for this area to be annexed to provide for growth. There are no physical boundaries that separate this parcel from the adjacent land to the west or that would provide a buffer between urban uses and active commercial agricultural operations. Since no specific designation is attached, no determination as to compatibility can be made.

4. Area B does not meet the inclusion criteria set forth in WAC 365-195-335(1), nor is it compatible with the adjacent land use in the County.

The City has designated this Commercial/Light Industrial Mix. The County's existing Comprehensive Plan designation is Rural. Adjacent land in the County is also designated Rural and General Agriculture. Land to the east across Dalles Military Road is zoned R-75 and designated Urban Residential in the City of College Place. Adjacent land uses are urban density residential within the City and large lot rural residential, agricultural and a school/church in the County (B Exhibit 5).

According to the City's Plan, the Commercial/Industrial Mix designation is intended to provide lands for "distribution centers, warehousing and storage facilities, wholesale activities, transportation terminals, processing for distribution, regular servicing, sales and display headquarters, assembly activities, trade and service functions".

Many of the uses described are not compatible with residential uses due to the truck traffic that would be generated (and associated noise/lighting/etc.). Nor is it consistent with the City's policies to "separate residential districts from industrial and commercial uses by careful design of the transportation network and by proper screening, landscaping, open space and green space buffers" and to reduce pressure to convert agriculture lands to non-farm uses and encourage the retention of existing productive agriculture lands around the City.

RCW 36.70A.030(14) defines urban growth as that which is "intensive use of land for building structures and impermeable surfaces to such a degree as to be incompatible with the primary use of such land for the production of food, other agricultural

products."

There is no buffer other than a 24' wide roadway, or physical delineation between Area B and the lands in the County designated Rural and General Agriculture and the active commercial agricultural lands adjacent to the site.

The location of the Urban Growth Area to include Area B is also not compatible with the functional and visual character of the area (Vashon, Mari et al. vs King County) which is that of a rural/farming community.

The Coordinated Water System Plan's (CWSP) inclusion of lands outside of both cities' UGA is not inconsistent as the CWSP has a 50 year planning horizon as opposed to the 20 year planning horizon of the Comprehensive Plan.

5. Compliance with the economic development goals of the GMA and County-wide Planning Policies have been cited as reason for inclusion of Area B. College Place officials have repeatedly stated at hearings on this request that the inclusion of Area B and completion of a new intersection (College Place Boulevard) is necessary in order for proposed commercial development to take place on the north side of SR 125 within the City of College Place and that without the new intersection and Area B's inclusion, the commercial project cannot be accomplished.

This is contrary to the City's assertion in correspondence to the County dated March 27, 1995 that these are separate, unconnected projects meriting separate environmental analysis as opposed to an EIS or phased environmental document. It is stated that "the College Place Boulevard project is a separate and distinct project from any development activity that may occur in the City of College Place," and that properties zoned for commercial use are available for such use irrespective of whether the TIB project is completed or not."

The proposed intersection is not shown on the transportation map within the City's plan (B Exhibit 6). No intersection plans have been submitted to the State Department of Transportation (DOT) for their approval, and no access hearings have been conducted. To date, DOT has simply reviewed alternatives and acknowledged that discussions have occurred (Bob McNeil, November 2, 1995). These factors combine to make the inclusion of this area speculative at best.

6. The City has chosen to otherwise limit lands to be included to only those currently within the City limits lying south of SR 125. There is also no physical boundary between Area B and other lands to the west or the south. Therefore pressures to expand the urban designation will occur over time, particularly due to the presence of relatively high value commercial land in close proximity to the lower valued adjacent agricultural and rural residential land.

7. Inclusion of Area B could also significantly impact the adjacent County roads. The issue of those impacts has not been considered in terms of effects on adjacent land use and financing of improvements that would be necessitated.

County staff was not included in the development of the alternatives for the proposed circulation pattern, nor was the County Public Works Department included in the development or review of the City's Transportation Element.

One of the cornerstones of the GMA is coordination of government units in planning for facilities that cross jurisdictional boundaries such as transportation routes. WAC 365-195-325(d) requires that there are intergovernmental coordination efforts, including an assessment of the impacts of the transportation systems of adjacent jurisdictions.

The TRANSPO Group study done as a part of the plan (2/16/95) did not include Mojonier or Dalles Military Roads, impacts within its project study area.

While the road intersection (College Place Boulevard) is discussed in the text of College Place's Comprehensive Plan, it is not shown on the Proposed Street Network.

The S. Chamberlain and Associates Study (10/25/95) considered limited alternatives identified by the City of College Place, after adoption of the Plan, did not consider impacts on Mojonier and Dalles Military Roads beyond the proposed intersection modifications, and only documented future peak hour traffic. Other alternatives exist which the City did not have their consultant analyze and therefore a conclusion cannot be drawn that the improvement of existing facilities combined with new streets would not be a viable option.

8. This request is for approval of the City's Urban Growth Area as established in their Comprehensive Plan. No specific development has been proposed for the sites in question and therefore it is inappropriate to discuss use and site-specific mitigating measures.

Since the Chamberlain study was completed after adoption of the plan and was not a part of the environmental analysis of the Comprehensive Plan it is questionable whether it is applicable to the issue of the UGA as adopted in the City's Plan,

now, therefore, the County Commissioners adopt B Exhibit 7 as the College Place Urban Growth Area, and

BE IT RESOLVED by the Walla Walla Board of County Commissioners that inclusion of that Areas A & B as identified on B Exhibit 3 is not in compliance with the GMA per the above stated findings and that they further resolve that areas A & B shall not be included in the City of College Place's UGA, and

BE IT FURTHER RESOLVED that the other areas included within the City's UGA appear to meet the criteria for inclusion in the City's UGA with the exception that it should be clarified that the west line of the UGA lying south of Whitman Drive is the west line of Walla Walla College's property.

Done this 14th day of November, 19 95

Attest: Connie R. Vint
Clerk of the Board.

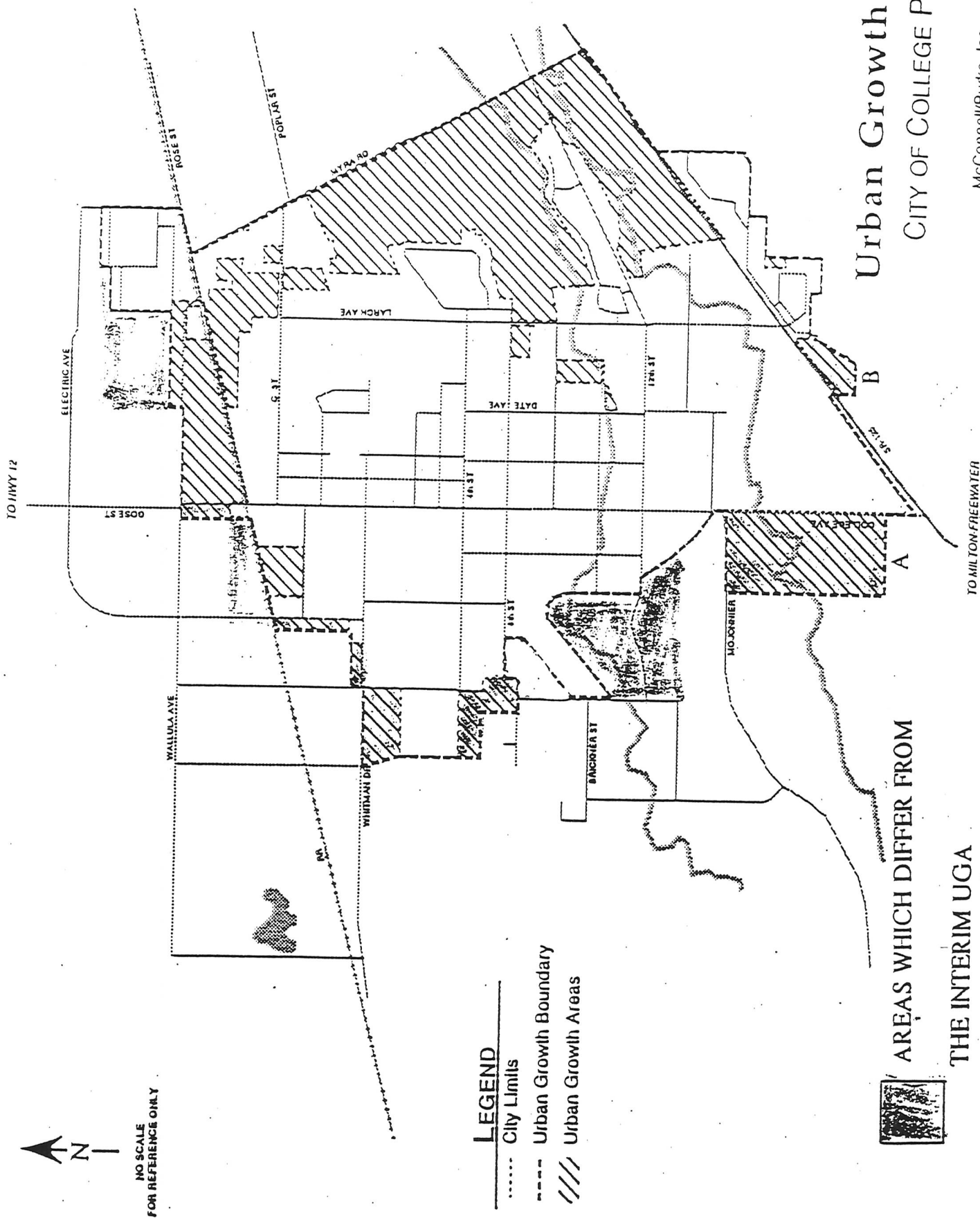
Lewis L. Jueky Chairman
David J. Gray Commissioner
Charles A. Marden Commissioner

Constituting the Board of County Commissioners
of Walla Walla County, Washington.

EXHIBIT A
Planning Commission (PC)

Urban Growth Areas
CITY OF COLLEGE PLACE

McConnell/Burke, Inc.



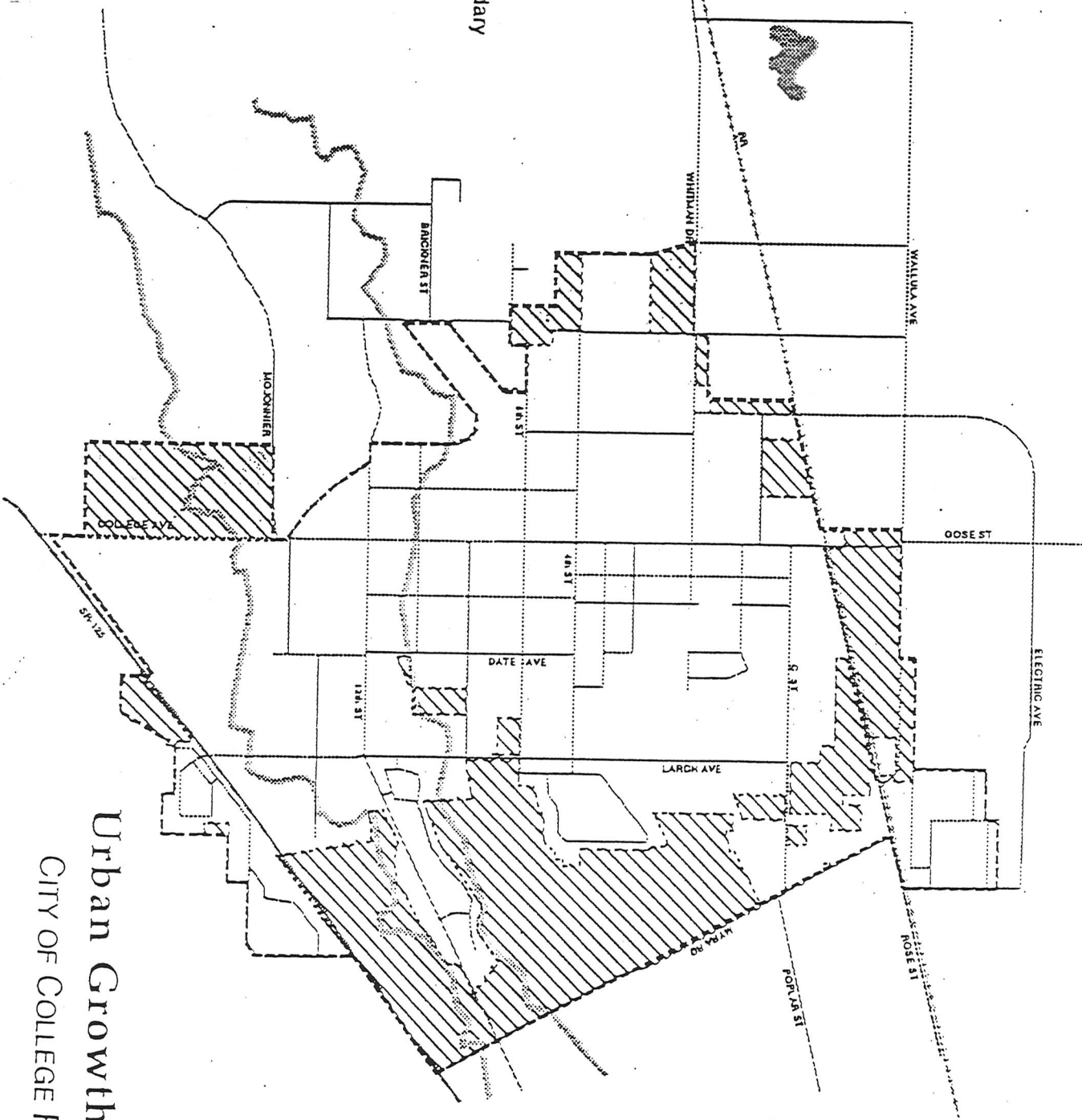
- ☐ DELETIONS FROM THE 1988 COLLEGE PLACE COMPREHENSIVE PLAN
- ☒ ADDITIONS TO THE 1988 COLLEGE PLACE COMPREHENSIVE PLAN

TO HWY 12



NO SCALE
FOR REFERENCE ONLY

- LEGEND**
- City Limits
 - Urban Growth Boundary
 - /// Urban Growth Areas



Urban Growth Areas CITY OF COLLEGE PLACE

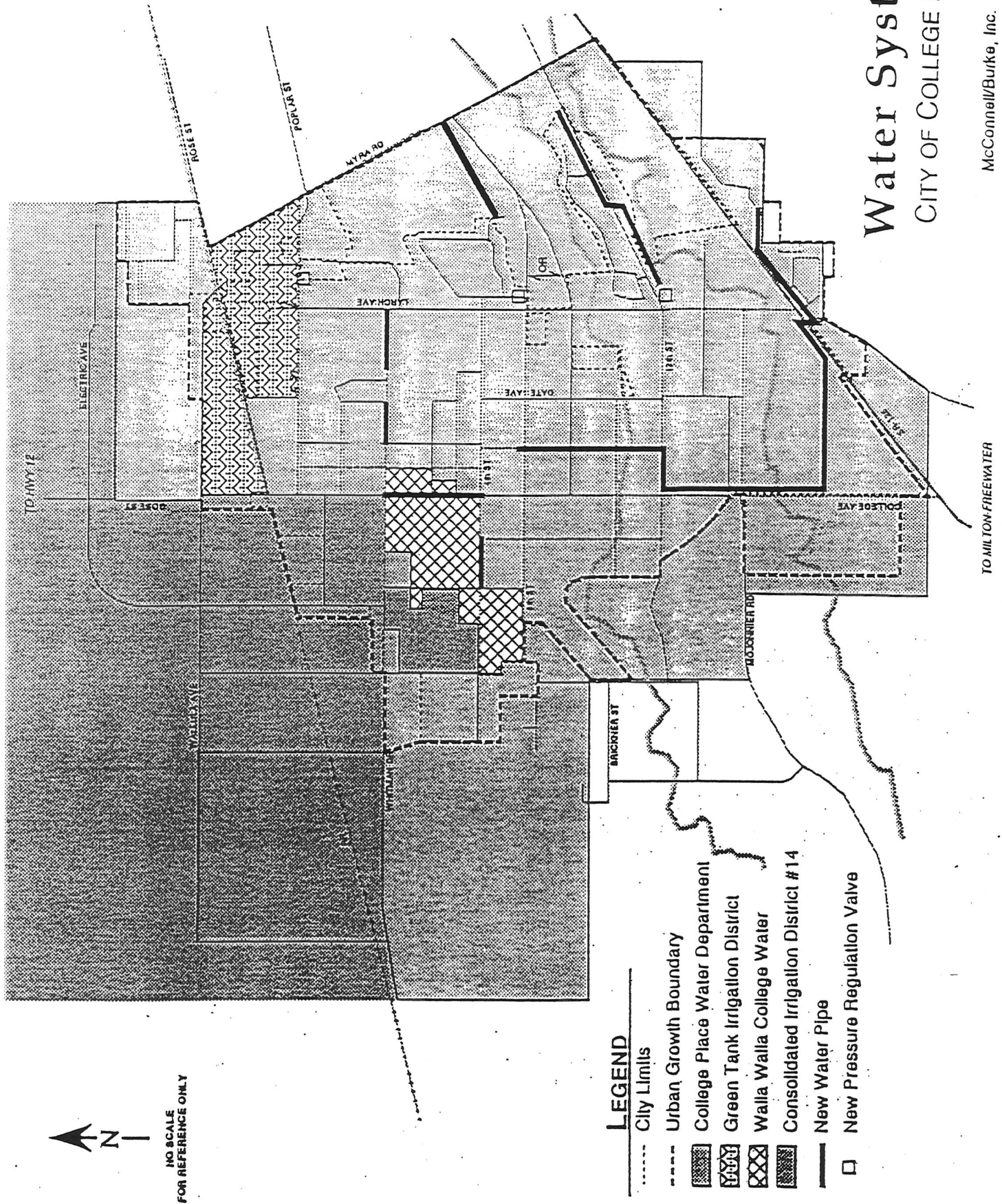
TO MILTON-FREEWATER

McConnell/Burke, Inc.

Water System

CITY OF COLLEGE PLACE

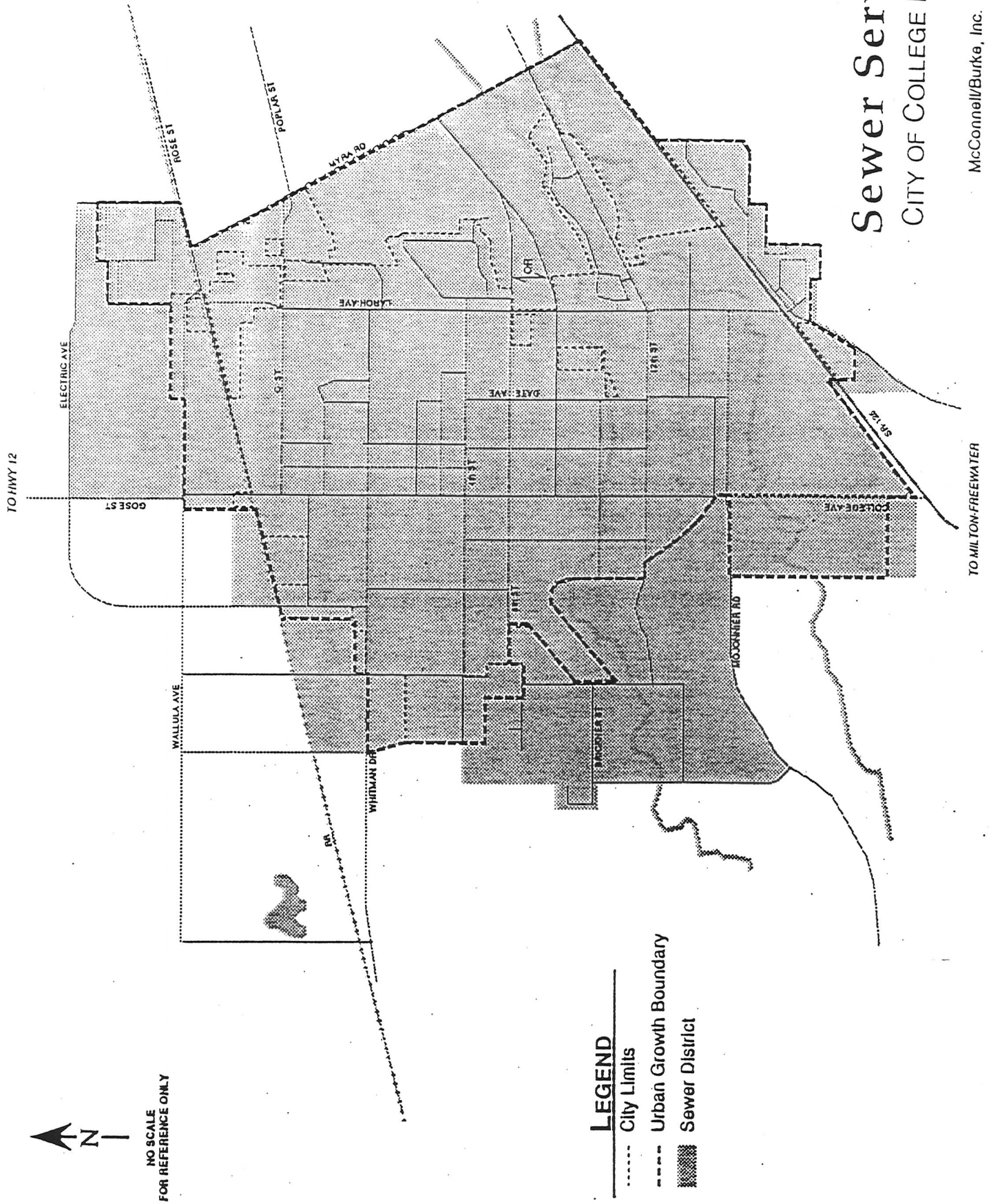
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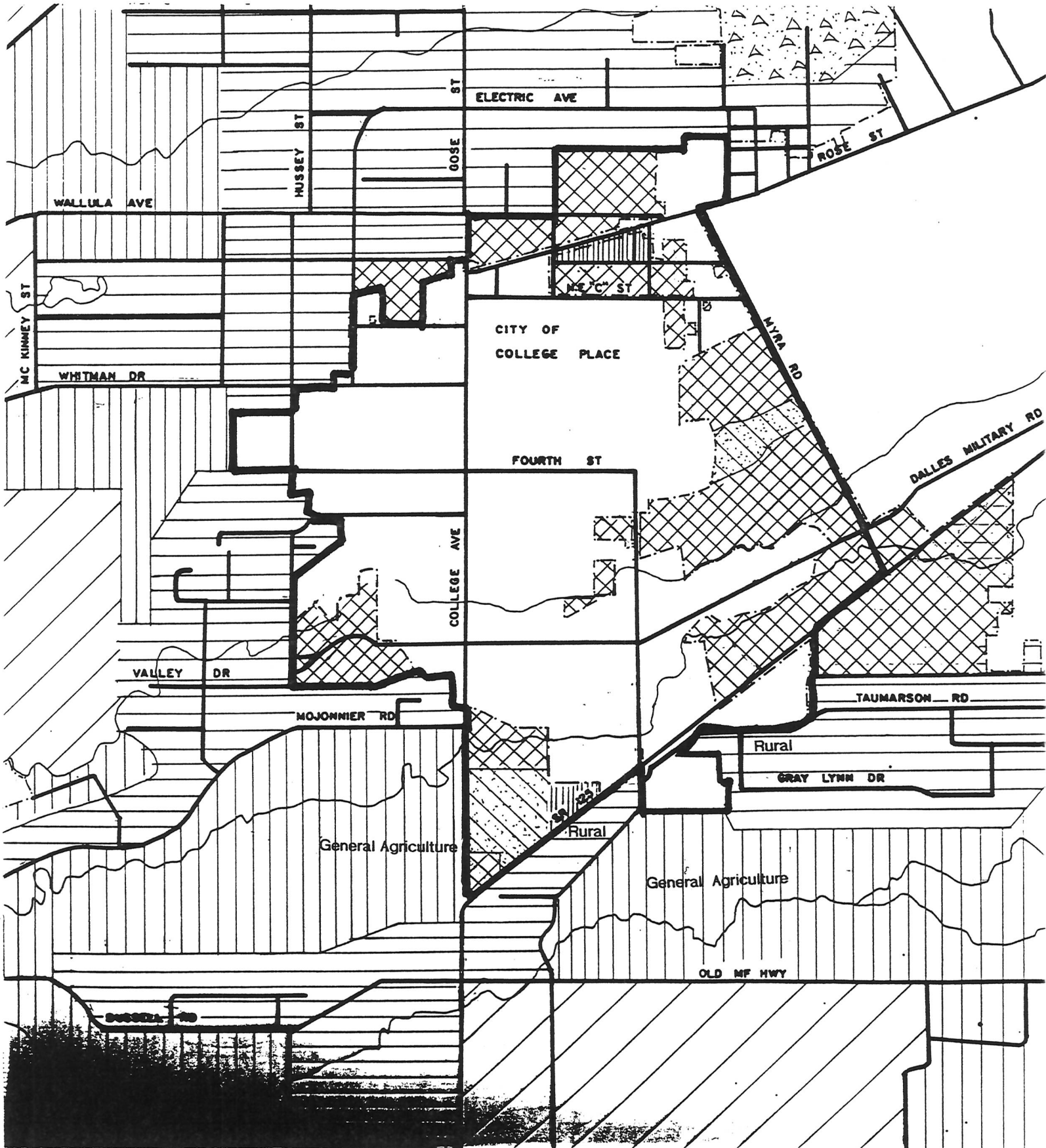
CITY OF COLLEGE PLACE

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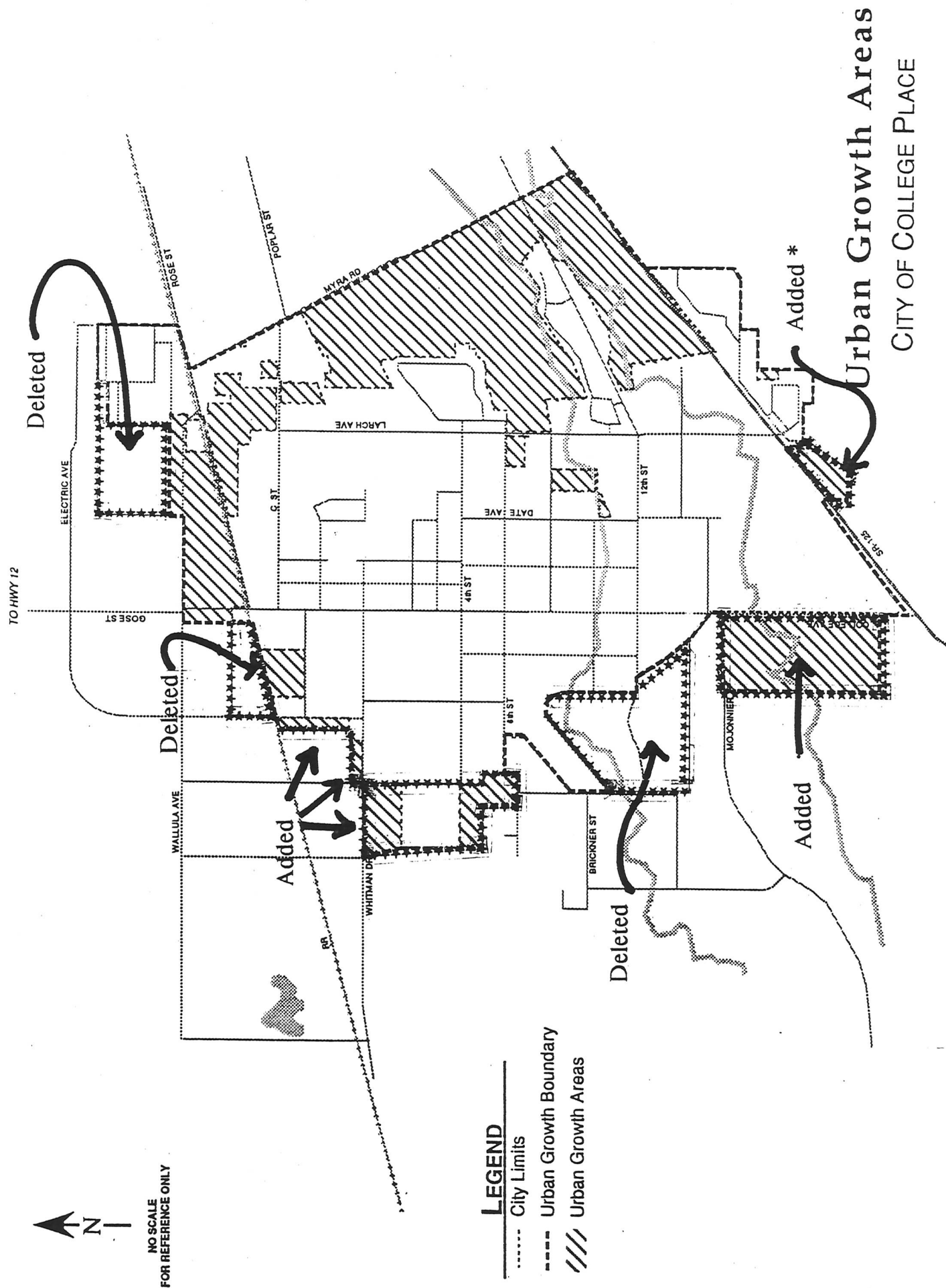


B Exhibit I

B Exhibit 2



Changes from Interim UGA

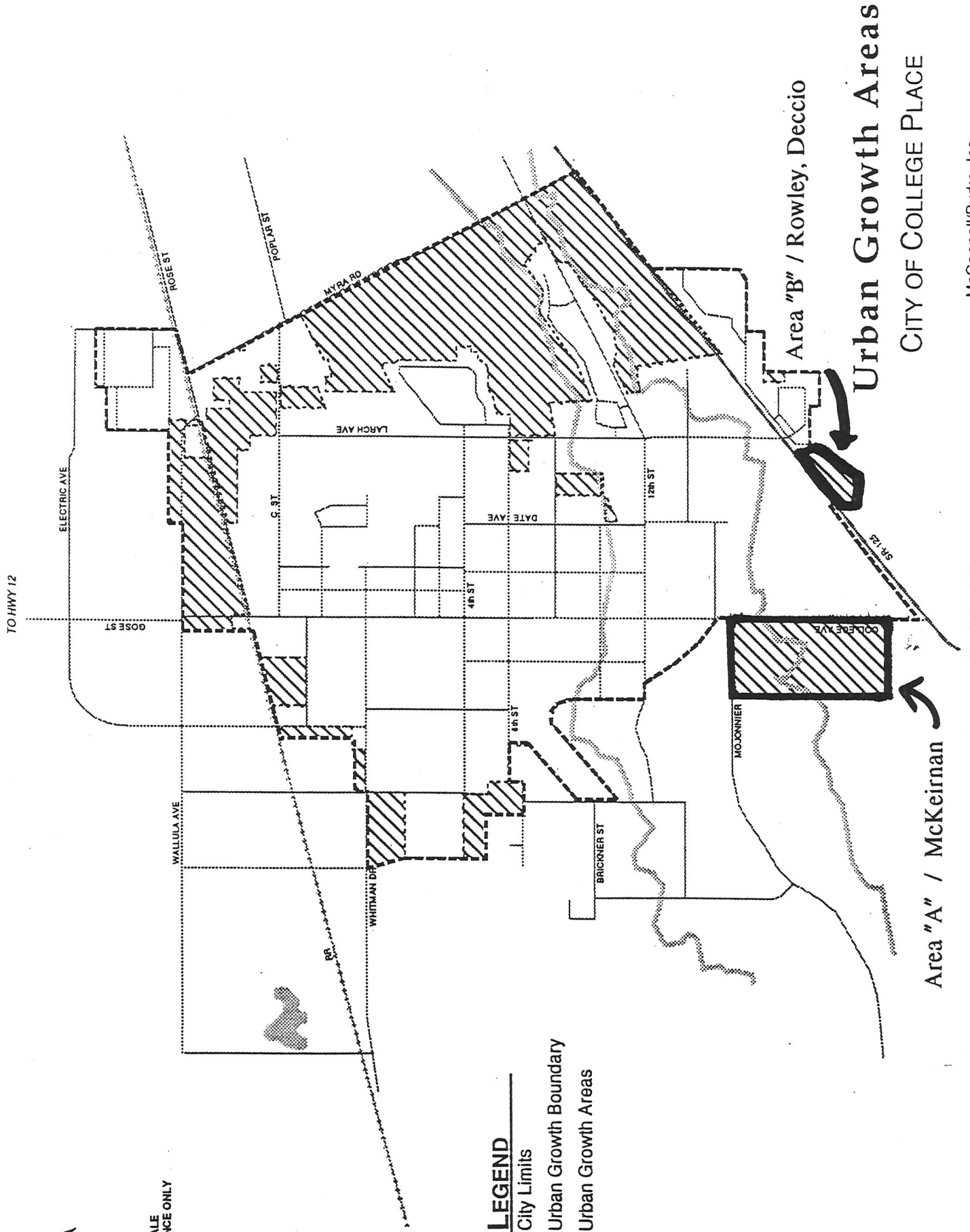




NO SCALE
FOR REFERENCE ONLY

LEGEND

- City Limits
- - - - - Urban Growth Boundary
- /// Urban Growth Areas

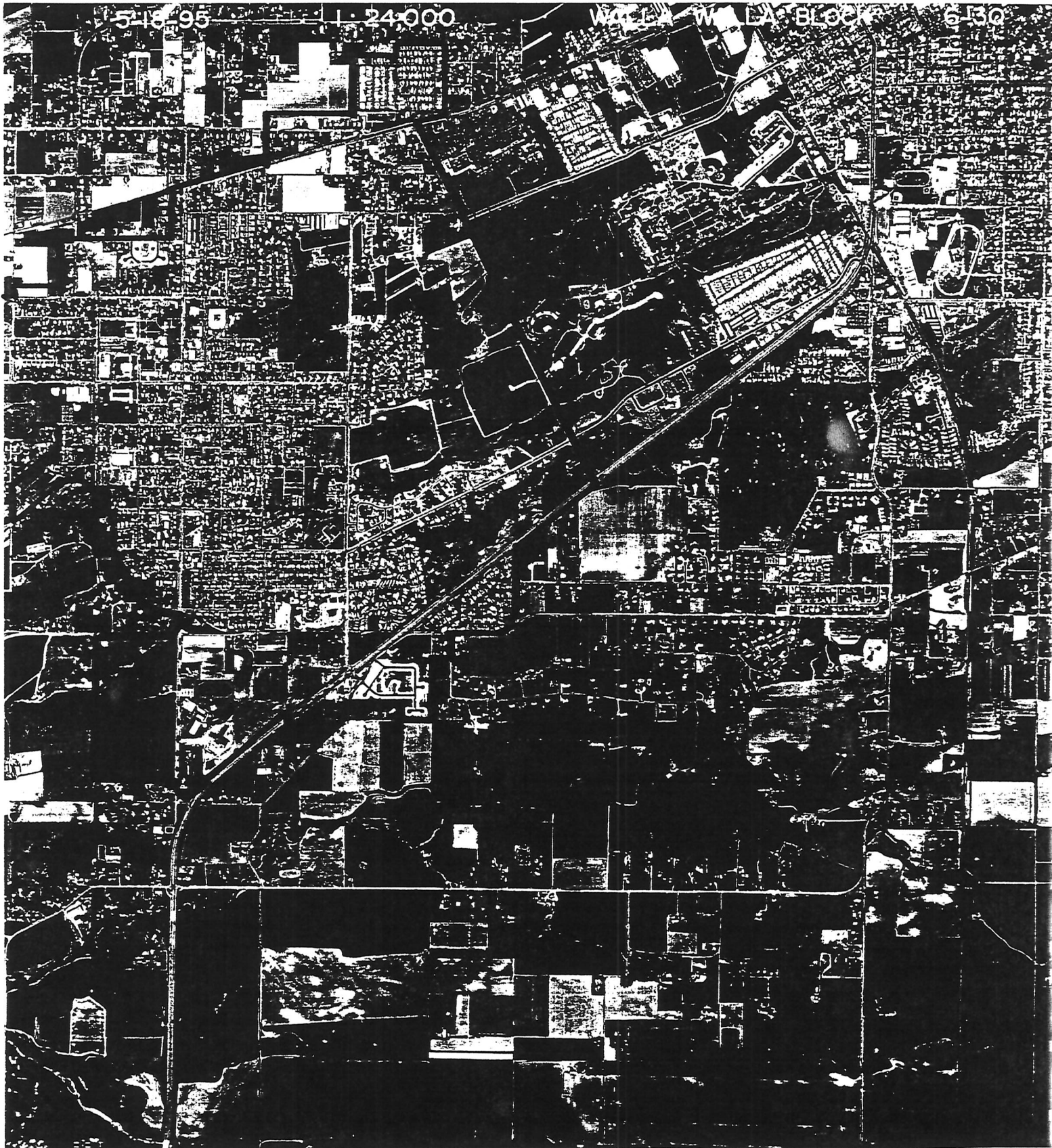


Urban Growth Areas

CITY OF COLLEGE PLACE

Area "A" / McKeirnan

Area "B" / Rowley, Deccio



B Exhibit 5

Urban Growth Areas

CITY OF COLLEGE PLACE

