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Walla Walla County Commissioners

Document Titles (ie: type of document)

Ordinance No 266

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Assessors Parcel Number

NA

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**Ordinance No. 266**

**BOARD OF COUNTY COMMISSIONERS  
WALLA WALLA COUNTY, WASHINGTON**

An Ordinance Relating to the Adoption of Interim Zoning Controls temporarily revising Title 17 of the Walla Walla County Code by amending the development densities, minimum lot sizes, and other related land use matters properly relating thereto, to achieve consistency with the Comprehensive Land Use Plan, pending adoption of permanent development regulations implementing the Plan, and rescinding Amended Ordinance 259.

WHEREAS, on January 30, 2001, the Board of County Commissioners of Walla Walla County, Washington, adopted Ordinance No. 259, adopting Interim Zoning Controls, on an emergency basis; and

WHEREAS, on May 7, 2001, the Board of County Commissioners of Walla Walla County, Washington, adopted Amended Ordinance No. 259, adopting revised Interim Zoning Controls, after convening public hearings and receiving public comment; and

WHEREAS, on May 15, 2001, the Board of County Commissioners of Walla Walla County adopted its final Comprehensive Land Use Plan and Environmental Impact Statement pursuant to the Growth Management Act, Chapter 36.70A, RCW; and

WHEREAS, the Growth Management Act requires that development regulations be consistent with the Comprehensive Land Use Plan and it is the desire of Walla Walla County on an interim basis to adopt temporary zoning controls which implement the Comprehensive Plan; and

WHEREAS, the Board of County Commissioners of Walla Walla County, Washington, intends to fully comply with the Orders of the Eastern Washington Growth Management Hearings Board issued in Case No. 00-1-0011 and the scheduling directives contained therein; and

WHEREAS, the Eastern Washington Growth Management Hearings Board Case No. 00-1-0011, has allowed Walla Walla County until October 1, 2001, to adopt permanent development regulations implementing its Growth Management Act Comprehensive Land Use Plan unless that date is further extended by Order of the Board; and

WHEREAS, RCW 36.70A.390 provides for the emergency adoption of interim zoning controls provided the County holds a public hearing on the proposed Interim Zoning Ordinance within at least sixty (60) days of its adoption; and, that the Interim Zoning Ordinance may be effective for not longer than six (6) months, but may be effective for up to one year if a work plan is developed; and, that the Interim Zoning Ordinance may be extended for one or more six-month period(s); and

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WHEREAS, the Board of County Commissioners in order to satisfy the requirements of RCW 36.70A.030(15) and RCW 36.70A.070(5)(b) to “provide a variety of rural densities,” to maintain the unique rural character of this County, to reflect local circumstances and to harmonize the goals of the Growth Management Act, including protection of private property rights, decided it was necessary to adopt specifically tailored zones in the Comprehensive Land Use Plan that are sensitive to varying topography and historic development patterns, yet allow appropriate types of development for each rural area in the County; and

WHEREAS, the Board of County Commissioners decided that it was necessary in the Comprehensive Land Use Plan to adopt a Rural Floating Zone with a minimum lot size of 2-3 acres in order to recognize certain areas where development is limited due to steep slopes and/or other topographical constraints, to preserve the unique physical and visual characteristics of the land within the district, and to provide for flexibility in development requirements depending upon the environmental constraints present on individual properties, such Rural Floating Zone comprising approximately 1.18% of the lands in the County; and

WHEREAS, the Board of County Commissioners decided that it was necessary in the Comprehensive Land Use Plan to adopt a Rural Transition Zone with a minimum lot size of 5 acres to provide buffering and an area of transition between existing rural developments and areas of higher and lower densities, as well as to recognize historic development patterns in the County, particularly along arterial roadways, such Rural Residential Zone comprising approximately 3.57% of the lands in the County; and

WHEREAS, the Board of County Commissioners decided that it was necessary in the Comprehensive Land Use Plan to adopt a Rural Transition Zone with a minimum lot size of .5-1 acres to recognize areas where pre-existing platting and extension of certain public infrastructure has already occurred making long-term resource use impractical, but where the lands are not quite “urban” in the nature, such Rural Transition Zone comprising approximately 0.01% of the lands in the County.

NOW THEREFORE, the Walla Walla County Board of County Commissioners do hereby ordain and establish interim development regulations as follows:

**Section 1. Emergency.** The Board of County Commissioners declares that an emergency exists requiring the immediate adoption of these Interim Zoning designations which designations shall be deemed immediately effective as of the date of adoption of this Ordinance.

**Section 2. Adoption of Interim Zoning establishing Density Units per Acre / Minimum Lot Sizes.** The following interim zoning establishing maximum density units per acre and minimum lot sizes are hereby adopted:

**A. Interim Zone Designations - New Density Units per Acre / Minimum Lot Sizes.**

The following new density units per acre and minimum lot sizes shall apply to the

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following zones, in accordance with the ranges adopted in the Comprehensive Land Use Plan, and shall apply to the areas lying within the boundaries delineated in the Comprehensive Plan and as depicted in the attached Interim Zone Map attached as Exhibit A, which are consistent with the goals and policies specified in the *Walla Walla County Comprehensive Plan/EIS*, adopted May 15, 2001; all as follows:

Primary Agriculture – 40 acres  
 General Agriculture – 20 acres  
 Agriculture Residential – 10 acres  
 Rural Remote – 20 acres  
 Rural Agriculture – 10 acres  
 Rural Residential – .5 acres  
 Rural Transition – .5 – 1 acre  
 Attalia Industrial U.G.A.

<b>ZONE</b>	<b>Comp Plan Designation</b>	<b>MINIMUM LOT SIZE</b>	<b># Density Units per Acre</b>	<b>Comp Plan Goals</b>	<b>Comp Plan Policies</b>
Primary Agriculture	p.75-76	20 acres	1 per 40	RS 1-12, p.79-82	RS 1-20, p.82-89
General Agriculture	p.77-78	20 acres	1 per 20	RS 1-12, p.79-82	RS 1-20, p.81-89
Agriculture Residential	p.78	10 acres	1 per 10	RS 1-12, p.79-82	RS 1-20, p.81-89
Rural Remote	p.115-117	20 acres	1 per 20	RL 1-9 p.125-128; RL 10-12 p.132	RL 1-12, p.128-132; RL 19-21 p.135-136
Rural Agriculture	p.117-118	10 acres	1 per 10	RL 1-9 p.125-128; RL 13 p.135	RL 1-12, p.128-132; RL 19-21, p.135-136

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Rural Residential	p.119-120	5 acres	1 per 5	RL 1-9 p.125-128;  RL 18-19, p.138	RL 1-12, p.128-132;  RL 27-29 p.138-140
Rural Transition	p.120-121	.5 acre	1 per .5-1	RL 1-9 p.125-128;  RL 20-23, p.140-141	RL 1-12, p.128-132;  RL 30-33, p.141-142
Attalia Industrial U.G.A.	p.175-91	See Footnote 1	See Footnote 1	IUGA 1-3  p.202-203	IUGA 1-3  p.203

**B. Retained Zone Designations.** The following designations are currently zoned consistent with the Comprehensive Plan and such zones and boundaries remain in effect.

Exclusive Agriculture—120 acres  
Rural Floating—2-3 acres

**C. Activity Center -Retained Zone Designations.** The following are activity centers, within which areas are currently zoned consistent with the Comprehensive Plan and such zones and boundaries remain in effect.

The Touchet Rural Activity Center  
Lowden Rural Activity Center  
Dixie Rural Activity Center  
Wallula Rural Activity Center  
Eureka Farmworker Community  
Vista Hermosa Rural Farmworker Community  
Townsite of Burbank

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<sup>1</sup> The Attalia Industrial U.G.A. is an area of approximately 12 square miles, and consists of two industrial zones Agricultural/Light Industrial (AG-IL) and Agricultural/Heavy Industrial AG-IH. The minimum lot size for the industrial zones is use-driven.

### **Section 3. Adoption of Interim Land Use Controls.**

**A. The New Density Units per Acre / Minimum Lot Sizes Interim Zones.** The New Density Units per Acre / Minimum Lot Sizes Interim Zones shall be interpreted and administered as follows:

- i. The categories of allowed uses shall be pursuant to the land use goals, policies and designations contained in the those elements of the *Walla Walla County Comprehensive Plan/EIS*, adopted May 15, 2001.
- ii. The land use definitions of the current County Code shall apply.
- iii. The land use process and procedures of the current County Code shall apply.

**B. The Retained Zones and Activity Centers.** The Retained Zones and Activity Center Zones shall be interpreted and administered pursuant to the adopted Comprehensive Land Use Plan and County Code.

**Section 4. Duration.** This ordinance shall be in effect until the adoption of permanent development regulations which are consistent with the then-currently effective Walla Walla County Comprehensive Land Use Plan, said development regulations scheduled to be adopted on or before October 1, 2001, in compliance with the Orders of the Eastern Washington Growth Management Hearings Board, unless extended, or six months from its effective date, whatever is sooner, unless extended. This ordinance may be extended as required by law in order to ensure its continued effectiveness until such development regulations are adopted.

**Section 5. Public Hearing Requirements.** Pursuant to RCW 36.70A.390, the Board of County Commissioners will hold a public hearing within sixty (60) days of the passage of this ordinance. The Clerk of the Board of County Commissioners is directed to provide public notice of such hearing as required by law.

**Section 6. Rescinding Amended Ordinance No. 259.** Amended Ordinance No. 259 is rescinded effective immediately as of the date of adoption of this Ordinance.


**Section 7. Controlling Language.** If any section, subsection, paragraph, sentence, clause or phrase of this ordinance conflicts with any existing provision of the Walla Walla County Code or previously enacted ordinances, the terms and provisions of this ordinance shall be controlling.

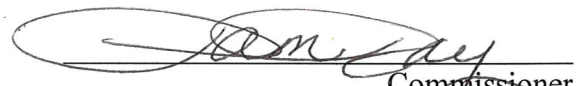
**Section 8. Savings and Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance. If any portion of the ordinance is found invalid, the corresponding provisions of the repealed ordinances shall be reinstated and shall be fully enforceable as if never repealed until corrective action may be taken by the Board of County Commissioners.

PASSED by the Walla Walla Board of County Commissioners in regular session at Walla Walla, Washington, by the following vote, then signed by its membership and attested by its Clerk in authorization of such passage this 1st day of October, 2001.

TWO YEA; NONE NAY; NONE ABSTAIN; and  
ONE ABSENT.

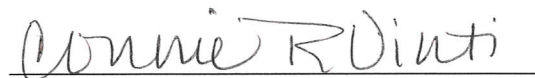
BOARD OF WALLA WALLA COUNTY COMMISSIONERS,  
WALLA WALLA COUNTY, WASHINGTON

  
Acting Chairman

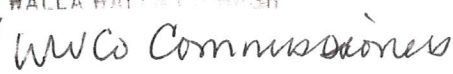
  
Commissioner

  
Commissioner

Attest:

  
Clerk of the Board



FILED FOR RECORD  
IN WALLA WALLA CO. WASH  
BY   
OCT 3 3 10 PM '01

KAREN MARTIN  
COUNTY AUDITOR



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Original to  
Recording

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WALLA WALLA COUNTY, WASHINGTON**

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WHEREAS, the Board of County Commissioners decided that it was necessary in the Comprehensive Land Use Plan to adopt a Rural Floating Zone with a minimum lot size of 2-3 acres in order to recognize certain areas where development is limited due to steep slopes and/or other topographical constraints, to preserve the unique physical and visual characteristics of the land within the district, and to provide for flexibility in development requirements depending upon the environmental constraints present on individual properties, such Rural Floating Zone comprising approximately 1.18% of the lands in the County; and

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**Section 6. Rescinding Amended Ordinance No. 259.** Amended Ordinance No. 259 is rescinded effective immediately as of the date of adoption of this Ordinance.


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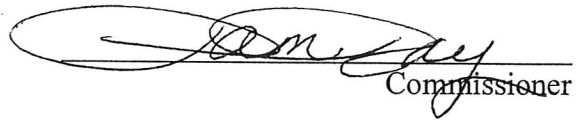
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PASSED by the Walla Walla Board of County Commissioners in regular session at Walla Walla, Washington, by the following vote, then signed by its membership and attested by its Clerk in authorization of such passage this 1st day of October, 2001.

TWO YEA; NONE NAY; NONE ABSTAIN; and  
ONE ABSENT.

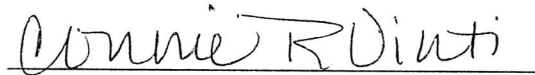
BOARD OF WALLA WALLA COUNTY COMMISSIONERS,  
WALLA WALLA COUNTY, WASHINGTON

  
Acting Chairman

  
Commissioner

  
Commissioner

Attest:

  
Clerk of the Board



BOARD OF COUNTY COMMISSIONERS  
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF RESCINDING  
AMENDED ORDINANCE 259 AND  
APPROVING AN ORDINANCE  
ADOPTING INTERIM ZONING  
CONTROLS CONSISTENT WITH  
THE COUNTY'S FINAL  
COMPREHENSIVE LAND USE  
PLAN

RESOLUTION NO. **01292**

**WHEREAS**, Walla Walla County opted to plan under and in keeping with the Growth Management Act (GMA), pursuant to RCW 36.70A; and

**WHEREAS**, Walla Walla County, pursuant to Ordinance 259 (adopted January 30, 2001) and Ordinance 259 as amended (adopted May 7, 2001), approved interim zoning controls; and

**WHEREAS**, on May 15, 2001, Walla Walla County adopted its final Comprehensive Land Use Plan to provide policy direction to ongoing and future planning efforts; and

**WHEREAS**, the provisions of Ordinance 259 as amended are not in compliance with the final Comprehensive Land Use Plan as adopted; now therefore

**BE IT RESOLVED** by this Board of Walla Walla County Commissioners that Ordinance 259 as amended be rescinded.

**BE IT FURTHER RESOLVED** that a new ordinance adopting interim zoning controls consistent with the final Walla Walla County Comprehensive Land Use Plan be approved.

Done this 1st day of October, 19 2001

Attest:

Connie R. Dinti  
Clerk of the Board.

David G. Carey  
Chairman

Tom Ray  
Commissioner

absent  
Commissioner

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