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Ordinance No. 269

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

An Ordinance Relating to Adoption of Amendments to Development Regulations and Zoning to implement the Comprehensive Plan, amending Titles 14, 16, 17 and 18 of the Walla Walla County Code and the Zoning Map to comply with the Order of the Eastern Washington Growth Management Hearings Board and the Washington State Growth Management Act (GMA).

WHEREAS, the Walla Walla County Board of County Commissioners adopted the Walla Walla County Draft Comprehensive Plan 2001-2021, on May 15, 2001, pursuant to and consistent with the goals and requirements of the GMA; and

WHEREAS, the GMA in RCW 36.70A.040(4)(d) requires Walla Walla County to adopt development regulations that are consistent with and implement the Comprehensive Plan; and

WHEREAS, the Board of County Commissioners adopted interim regulations to implement the Comprehensive Plan; and

WHEREAS, the Eastern Washington Growth Management Hearings Board ordered the County to adopt development regulations to implement the Comprehensive Plan; and

WHEREAS, the Walla Walla County Planning Commission initiated a review and update of the County's development regulations to comply with the adopted Walla Walla County Comprehensive Plan; and

WHEREAS, the draft preliminary development regulations were available for public review on November 30, 2001, and were subject to a public participation process which included a public workshop, three public open houses, and public hearings by the Planning Commission and Board of County Commissioners; and

WHEREAS, the proposed amendments consist of updates and changes to the County's Zoning Regulations (Title 17), Subdivision Regulations (Title 16), Administrative Procedures for the Development Code (Title 14), Environment (Title 18), and County Zoning Map to implement and ensure consistency with the Comprehensive Plan and also to provide clarity and reduce duplication and inconsistencies between code provisions; and



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WHEREAS, following public hearings on the proposed amendments to the development regulations, the Planning Commission made and adopted recommendations to the Board of County Commissioners; and

WHEREAS, the County's Responsible Official under the State Environmental Policy Act (SEPA) issued a threshold determination of nonsignificance (DNS) which incorporated by reference the combined Environmental Impact Statement and Walla Walla County Comprehensive Plan 2001 – 2021, adopted May 15, 2001; and

WHEREAS, following an appeal of the DNS for the proposed amendments to the development regulations, the Planning Commission determined that the DNS complied with SEPA; and

WHEREAS, upon public notice, the Board of County Commissioners conducted public hearings on the proposed development regulations; and

WHEREAS, the Board of County Commissioners considered the entire hearing record including the Planning Commission's recommendations, and written and oral testimony submitted during the Commissioner's hearings; and

WHEREAS, the Board of County Commissioners' approval of development regulations herein is intended to achieve compliance with the Board's Order and the GMA; and

WHEREAS, the development regulations approved herein are consistent with and implement the Walla Walla County Comprehensive Plan;

NOW THEREFORE, the Walla Walla County Board of County Commissioners do hereby ordain as follows:

Section 1. Adoption of Amendments. The Planning Commission's recommendations for adoption of amendments to the development regulations (attached as Exhibit A hereto), as revised by the Board of County Commissioners in open session on March 5, 2002 (attached as Exhibit B hereto), are hereby adopted;

Section 2. Preparation of Supplemental Findings and an Approved Draft of the Adopted Amendments. The Director of the Walla Walla County Planning Department is directed to prepare and present to the Board of County Commissioners at their regular meeting on March 26, 2002, an approved draft of the development regulations adopted in Section 1 herein, supported by supplemental written findings.

Section 3. 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.



Section 4. Effective Date. This ordinance shall take effect five (5) days after its passage and publication of an approved summary thereof consisting of the title.

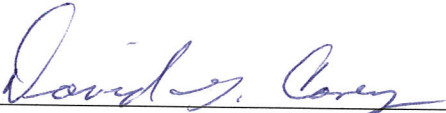
PASSED by the Walla Walla County Board of County Commissioners in regular session at Walla Walla, Washington, by the following vote, then signed by its membership and attested by its Clerk in authorization of such passage this 5th day of March, 2002.

Two YEA; One NAY; None ABSTAIN; and
None ABSENT

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



Chairman


Commissioner

Commissioner

Attest:

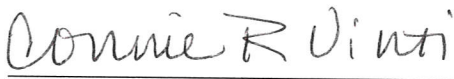

Clerk of the Board



EXHIBIT B **AMENDMENTS TO THE WALLA WALLA COUNTY DEVELOPMENT REGULATIONS**

<i>Item No.</i>	<i>Section</i>	<i>Heading</i>	<i>Action</i>	<i>Description</i>
1.	17.18.020	Table of Dim. Requirements	Deletion	Relates to item 9 below. See item 9 below for deletion.
2.	17.30.040(G)	Rural Farmworker Communities	Amendment	Consideration for avoiding uniformity and repetitiveness in architectural design <u>may use be avoided through</u> such techniques as contrasting building materials, covered entries, and a variety of roof elevations consistent with the standards and guidelines.
3.	Chapter 16.80	Cluster Subdivisions	Deletion	This chapter has been removed and will be reviewed at a later date.
4.	Chapter 16.95	Large Lot Subdivisions	Deletion	This chapter has been removed and will be reviewed at a later date.
5.	17.16.014	Permitted Uses Table	Amendment	RETAIL/WHOLESALE LAND USES – Development Conditions No. 1 amend as follows: The primary building can not exceed <u>20,000</u> 5,000 sq. ft. per establishment. GOVERNMENT/GENERAL SERVICES LAND – Development Conditions No. 1 amend as follows: The primary building can not exceed <u>20,000</u> 5,000 sq. ft. per establishment. INDUSTRIAL/MANUFACTURING LAND USES – Development Conditions No. 4 amend as follows: The primary building can not exceed <u>30,000</u> 12,000 sq. ft. per establishment. RECREATIONAL/CULTURAL LAND USES – Development Conditions No. 3 amend as follows: Up to <u>20,000</u> 5,000 sq. ft. per establishment.



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<i>Item No.</i>	<i>Section</i>	<i>Heading</i>	<i>Action</i>	<i>Description</i>
6.	17.16.014	Permitted Uses Table	Amendment	GOVERNMENT/GENERAL SERVICES LAND USE under GENERAL SERVICES amend as follows: Add to Kennel, Commercial Add as a C5 under Primary Agriculture-40 Add as a C5 under General Agriculture-20 Add as a C5 under Agriculture Residential-10 Add as a C5 under Rural Agriculture-10
7.	17.22.090	Tasting Rooms	Amendment	Tasting rooms, as an ancillary use to a winery, will be allowed in most zones unless prohibited via the Conditional Use Permit based on findings of fact identifying the specific impacts that cannot be satisfactorily mitigated. Due to the unique zoning within the AE zone, tasting rooms will be restricted in operation. For example, strict limitations on operating hours and number of events will be imposed as a condition of the Conditional Use Permit. Tasting rooms may also not be allowed as an ancillary use within the AE zone.
8.	17.16.014:	Permitted Uses Table	Amendment	INDUSTRIAL/MANUFACTURING LAND USES under Winery amend as follows: Add a C3 under Rural Remote 20 Add a C3 under Rural Remote 40 Add a C3 under Rural Floating 2-3 Add a C3 under Rural Residential 2 Add a C3 under Rural Residential 5
9.	17.18.20	Table of Density and Dimensional Requirements	Amendment	Delete footnote number 5 and adjust footnotes 6, 7 and 8 to be consecutive. Also, adjust in table the numbering sequence for the footnotes.



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ATTACHMENT B

ORDINANCE NO. 269 ADOPTING DEVELOPMENT REGULATIONS TO IMPLEMENT THE COMPREHENSIVE PLAN: SUPPLEMENTAL FINDINGS

Section 1. - Comprehensive Plan

- 1.1 The Walla Walla County Board of Commissioners opted into Growth Management on October 30, 1990 (Resolution 90-449). Subsequent to that time, the County has made substantial, documented effort toward creation of a truly comprehensive planning document. The Walla Walla County Board of County Commissioners adopted the Walla Walla County Draft Comprehensive Plan 2001-2021, on May 15, 2001, pursuant to and in compliance with the goals and requirements of the Growth Management Act (GMA). The Walla Walla County Comprehensive Plan provides a legally recognized framework for making decisions about land use in Walla Walla County. It contains a series of maps with accompanying text, goals, and policies that were adopted by the Board of County Commissioners to direct the County's future physical growth and guide public and private land use decisions.
- 1.2 Consistent with the GMA, Walla Walla County has designated and mapped urban growth areas, open space, rural lands, natural resource lands, one industrial urban growth area and rural areas of more intense development. In recognition of the fact that Walla Walla County is an agricultural-based county with very little rural residential growth, the Comprehensive Plan designates nearly 90% of unincorporated Walla Walla County as Agricultural Lands of Long-term Commercial Significance under the GMA. These are: Exclusive Agriculture, Primary Agriculture, General Agriculture, and Agriculture Residential. The Comprehensive Plan sub-designations are summarized as follows:

Zone	Minimum Lot Size	No. of Acres	Percent
Exclusive Agriculture*	120 acres	21,094	2.60%
Primary Agriculture*	40 acres	679,491	83.79%
General Agriculture*	20 acres	837	0.01%
Agriculture Residential*	10 acres	25,617	3.70%
Rural Agricultural ⁺	5-10 acres	2,505	0.30%

* Agricultural lands of long-term commercial significance.

⁺ Rural lands.

Zone	Minimum Lot Size	No. of Acres	Percent
Rural Remote ⁺	20-40 acres ^{2/}	55,394	06.83%
Rural Transitional ^{1/}	.5-1 acre	1,198	00.01%
Rural Floating-2 ⁺	20 acres with 2-3 acres possible overlay	1,480	00.02%
Rural Residential ⁺	5 acres	4,665	00.06%

Section 2. - Implementing Development Regulations

- 2.1 On January 30, 2001, the Board of County Commissioners adopted Ordinance No. 259, adopting Interim Zoning Controls pending adoption of permanent implementing development regulations, on an emergency basis, to ensure compliance with an order of the Eastern Washington Growth Management Hearings Board. Following release to the public of a draft copy of the Walla Walla County Comprehensive Plan on March 20, 2001, and public hearings on Ordinance No. 259, the Board of County Commissioners on May 7, 2001 amended the Interim Zoning Controls and Zone Designations consistent with the Draft Comprehensive Plan. On May 15, 2001, the Walla Walla Commissioners adopted the Walla Walla County GMA Comprehensive Land Use Plan. On October 1, 2001, the Board of County Commissioners adopted Ordinance No. 264, which extended and amended the Interim Zoning Controls to match and implement the newly adopted Comprehensive Land Use Plan's designations. These interim zoning ordinances are rescinded upon the effective date of Ordinance No. 269, the adoption ordinance for the GMA compliant Development Regulations.

Section 3. - Public Participation

- 3.1 The Walla Walla County Planning Commission initiated a review and update of the County's development regulations to comply with the adopted Walla Walla County Comprehensive Plan. The draft preliminary development regulations were available for public review on November 30, 2001, and have been subject to an extensive public participation process, including the following:
- Planning Commission public workshop introducing the draft amendments (December 5, 2001)
 - Three public open houses (December 11, 12, and 13, 2001)
 - Two public hearings by the Planning Commission (January 16 and 23, 2002)
 - Public hearings by the Board of County Commissioners (February 5 and 19, 2002)

^{1/} Rural areas of more intense development.

^{2/} Almost all of this district is assigned a minimum lot size of 40 acres.

Section 4. - Adoption of Permanent Development Regulations

- 4.1 Following consideration of the entire hearing record including the Planning Commission's recommendations, and written and oral testimony submitted during the Commissioner's hearings, the Board of County Commissioners, on March 5, 2002, passed Ordinance No. 269 adopting permanent development regulations consistent with and intended to implement the Walla Walla County Comprehensive Plan effective five (5) days after publication of a Notice of Publication. Ordinance No. 269 also directed the Director of the Walla Walla County Regional Planning Department to prepare and present to the Board of County Commissioners at their regular meeting on March 26, 2002, the approved draft of the development regulations incorporating the Commissioners' revisions to the Planning Commission's recommendations adopted on March 5, 2002 and supplemental written findings. On March 26, 2002 the Commissioners approved a time extension for preparation and presentation of the findings until April 1, 2002 due to a delay of one week in the hearing date with the Eastern Washington Growth Management Hearings Board appeals of the County's Comprehensive Land Use Plan and interim zoning and employee illness.
- 4.2 The findings set forth herein supplement the written findings contained in Ordinance No. 269 and reflect the intent of the Board of County Commissioner's with respect to the development regulations adopted in Ordinance No. 269.
- 4.3 Ordinance No. 269 updates and amends Walla Walla County's existing development regulations to implement and ensure consistency with the Comprehensive Plan and also to provide clarity and reduce duplication and inconsistencies between code provisions. Under the GMA, "development regulations" means "the controls placed on development or land use activities by a county, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances."
- 4.4 The following existing ordinances were reviewed and updated as needed:
- Zoning (Title 17), which includes zoning districts, permitted uses and densities, bulk and dimension requirements, and the County Zoning Map;
 - Subdivision (Title 16), which includes standards and design requirements for the creation of new lots;
 - Environment (Title 18), which includes State Environmental Policy Act procedures, Critical Area requirements, flood damage prevention and Shoreline Master Program;
 - Development Code Administration (Title 14), which includes application, review, and approval processes for land development.

Section 5. - Zoning Amendments

- 5.1 Essential Public Facilities. The GMA requires that a comprehensive plan include a process for identifying and siting essential public facilities. "Essential public facilities" are defined to include "those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities" Ordinance No. 269 adds a new chapter to Title 17 to implement Countywide Planning Policies and Comprehensive Plan policies CF-11 through CF-16 relating to essential public facilities.
- 5.2 Concurrency. The GMA requires adoption of an ordinance which prohibits development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. A new chapter is added to Title 17 which establishes transportation concurrency requirements consistent with the GMA and implements Comprehensive Plan Policy TR-3.
- 5.3 Rural Floating-2 Zone.
- 5.3.1 The area designated Rural Floating-2, with a potential for 2-3 acre minimum lot size, consists of one discrete area, the Mill Creek Canyon area, depicted on Plan Map LU-3. The underlying designation for Rural Floating-2 is one dwelling unit per 20 acres (1 DU/20A). Consistent with the Comprehensive Plan, Ordinance No. 269 rezoned the base zoning in the Rural Floating-2 District from 1 DU/10 acres to 1 DU/20 acres and removed incompatible uses from the Table of Permitted Uses.
- 5.3.2 The County worked with the Mill Creek Planning Committee to create this zone under the auspices of GMA. The County and the residents wanted to create a unique zone which took into account the fact that the then current platting patterns were resulting in 10 acre land divisions, of which 7-8 acres (for example) tended to be extremely steep, non-buildable, non-cultivable slopes, with a two to three acre buildable area at the canyon bottom. These steep slopes were then under the management of many individual landowners. Creation of the Rural Floating-2 district has allowed for better management of these lands by keeping the larger hillside acreages available for the large tract ownership and land use management practices such as grazing, hunting, and timber harvest, while allowing for the canyon bottom to be managed for rural development. This floating district also serves to protect "Forest Resource Lands" (which the Forest Resource Lands Technical Advisory Committee Report recommended be protected within a zoning district which is more appropriate for grazing and harvest activities) by removing these steep slopes, which function in accordance with forestry lands, from the rural zoning designation.
- 5.3.3 The County rezoned the Mill Creek corridor within select areas in 1993. This area has been operating under this zoning for close to ten years. Adoption of this overlay zone

also including substantial SEPA review. The Mill Creek area is the only area in which this zoning exists. This zoning is not proposed for any other areas within the County, as there are no other areas with the unique qualities of the Mill Creek canyon.

- 5.3.4 Lands within the Mill Creek area Rural Floating-2 designation are characterized by unique topographical constraints and other significant critical area limitations, including rivers and streams and a designated flood plain. The County implements this protection in concert with the Critical Areas ordinance and Shoreline Management Shoreline Master Program, and in doing so requires that adequate protections to critical areas, flood plains and rivers and streams first be shown before the two to three acre minimum density is applied. If wetlands are present on site, technical assistance is sought via utilization of skilled ecologists from the Washington State Department of Ecology. Dependent upon site-specific analysis, a special permit for a short plat can be applied for which would allow for lots with a range of a two or three acre minimum lot size.
- 5.3.5 The site-specific application process was established by County Ordinance No. 205 in 1993. A special RF-2 plat application must be filed and approved by the County before the smaller lot size will be granted. Ordinance No. 205 does not allow a shift of density as the result of critical area compliance. Therefore, only if sufficient land is available to allow a two to three acre building lot after imposition of critical area, shoreline, and special RF-2 protections, will the non-standard lot density overlay be applied. If sufficient land is not available to protect critical areas, then the two to three acre minimum lot density is not allowed, and the zoning remains at the one dwelling per 20 acre minimum lot size. The County has denied RF-2 rezone applications where inadequate critical area protection was provided.
- 5.3.6 Since adoption of the Rural Floating-2 district, (ordinance No. 205), only 15 RF-2 applications have been approved, creating 47 new lots between two and three acres in size in the area comprising the Rural Floating-2 overlay district. This is an average of two short plats a year creating an average of 6.7 lots in the 1500 acres within the RF-2 overlay district. It should be noted that the RF-2 zone does not encompass the entire width of the Mill Creek canyon floor. Many areas within this canyon are not included in the overlay zone and are still maintained in a natural state, or in some cases are farmed. These are areas that tend to be remote, have a large lot existing development pattern, and are limited in access due to the physical location of Mill Creek county road in relation to Mill Creek, which functionally does not allow development because of lack of proper access. These areas are designated in the underlying Rural Remote 20 and Rural Remote 40 zones.
- 5.3.7 Ordinance No. 269 retains the site-specific application process established by Ordinance No. 205, and the requirement that RF-2 applications comply with Critical Areas and Shoreline Ordinance requirements and standards.

5.4 Rural Activity Centers.

- 5.4.1 The Countywide Planning Policies allow for Rural Activity Centers, called "Rural Service Centers," which are small unincorporated communities generally providing

limited commercial services, a post office, a school, agricultural services and a variety of housing types.

5.4.2 The Growth Management Act permits counties to designate “limited areas of more intensive development” in rural areas subject to a number of guidelines and criteria (RCW 36.70A.070.5(a)-(d)). These areas of more intensive development may be developed at urban densities, possess some urban services, and contain a mix of uses that are traditionally considered more urban than rural. However, counties must adopt measures to ensure that these areas are limited and contained. The County’s Comprehensive Plan defines and designates Rural Activity Centers under the state’s definition of “limited areas of more intensive development” and provides direction for limiting and containing them (see Goals RL 25-31 and Policies RL 37-43).

5.4.3 Consistent with the Comprehensive Plan, Ordinance No. 269 adopts zoning district boundaries and zoning for the Rural Activity Centers of Wallula, Touchet, Lowden, Ayer, Dixie, and Burbank (Zoning Maps D5 to D10). The zoning code amendments to Title 17 include regulations for Rural Activity Centers that allow a mix of residential, commercial and industrial land uses.

5.5 Rural Transition (rural areas of more intense development).

5.5.1 The purpose of the Rural Transition zoning district is to recognize areas where some platting to smaller lots already exist in subdivisions and along arterials and where some services and infrastructure may be located. The Comprehensive Plan designates two Rural Transition zoning districts: Blalock Orchards and Sun Harbor Estates. These are previously platted neighborhoods where the development patterns are not consistent with a rural residential lands designation, yet the lands do not fit within the definition of ‘urban’, even though these areas may be adjacent to urban growth areas or there may be components of urban level services available to these lands, most frequently public water systems with fire hydrants.

5.5.2 These areas also qualify as “limited areas of more intensive development” under Growth Management Act guidelines and criteria (RCW 36.70A.070(5)(a)-(d)) and are designated as such in the Comprehensive Plan. The outer boundaries of these two Rural Transition areas generally follow the historic development and platting patterns of these communities that have existed since before adoption of the GMA. Both of these areas have public water systems and district boundaries formed by the service areas of these water systems and which serve to form the logical, non-expanding outer boundary of the rural transition areas.

5.5.3 The outer boundary established for Blalock Orchards Rural Transition area is a logical outer boundary that follows the historical platting (from the late 1800’s and early 1900’s) and development pattern of the community into one-acre lots or smaller that existed well before 1990. The vast majority of the Blalock Orchards Rural Transition area was platted at a two acre density subdivision in 1909. In addition, zoning in the area has allowed for predominant lot sizes of one-acre as well as residential densities as low as 7200-square foot lots and commercial and industrial development. Approximately 25% of this area

was zoned at less than 1 acre (7200 and 9600 square foot minimum lot sizes) since the 1967 adoption of zoning within Walla Walla County. The remaining 75% has been zoned at one acre minimum lot size since that same time. The outer boundary also logically follows the water service areas of the water purveyors for the Blalock Rural Transition areas and the City of Walla Walla urban growth area, the land fill, and the County's agricultural lands zoning. The Walla Walla County 2001-2021 Comprehensive Plan does not allow for expansion of this area, but allows only for limited infill.

- 5.5.4 The outer boundary for the Sun Harbor Estates Rural Transition area is also based on the historical platting and development pattern -- from the 1960's -- of the Sun Harbor Estates plat, which is nearly built out along its perimeter and interior and would allow for only limited infill development.
- 5.5.5 The Rural Transition zone includes areas characterized by land uses that include small-scale farms, single-family homes, limited commercial uses, light industrial uses and open space. Pre-existing zoning included AR (1), CG, CN, IL, and CL.
- 5.5.6 The Rural Transition zoning for the Blalock Orchards and Sun Harbor Estates Rural Transition zoning districts will allow for limited infill development at densities consistent with current development patterns. Development of the Blalock Orchards Rural Transition zone is limited by the lack of water availability and zoning regulations that prohibit creation of new lots through subdivision unless they will be connected to a public water system.
- 5.5.7 The Blalock Orchards Rural Transition designation and zoning is coordinated and consistent with the adjacent urban growth areas for the cities of Walla Walla and College Place. The County found, and the limited additional infill development possibly supports this finding, that the remaining lands to be developed do not represent competition or a threat to development within the Cities' urban growth areas because of the limitations on development due to existing water system limitations. (Ordinance No. 264, Attachment C, Finding 17.7.4). Further, the minimum lot densities for the Rural Transition District are not urban densities, commonly understood under the Growth Management Act as four dwelling units per acre or more, thereby providing a logical transition from intense urban development, to limited more intense development, then to low density rural and residential outside the logical boundaries of the Blalock Rural Transition Zone.

5.6 Rural Residential.

- 5.6.1 Except for within Rural Activity Centers, all lands designated Rural Residential in the Comprehensive Plan are zoned Rural Residential-5 (1 DU/ 5 acre minimum density)). Lands zoned Rural Residential-5 are located within the County adjacent to the cities of Walla Walla and College Place urban growth areas and within Rural Activity Centers. The previous zoning (prior to the currently adopted Comprehensive Plan and interim zoning) lot sizes around these areas ranged from one-acre to a five-acre minimum lot size. The Rural Residential-5 zoning has combined all of these different lot sizes into a minimum lot size of five acres.

- 5.6.2 The County rezoned the areas adjacent to the urban growth areas of the City of Walla Walla and the City of College Place to Rural Residential-5 in order to provide for appropriate patterns of development between this area and the urban growth areas.
- 5.6.3 In order to eliminate the non-conforming status of existing smaller, but established lots in the Rural Residential-5 zoned lands, and thereby recognize legal lots of record, the County will zone these currently developed and/or platted consistent with their current lot size and density at the time of adoption of implementing development regulations (e.g.: currently platted 1 acre will be zoned 1 acre). Undeveloped and/or unplatted areas are zoned at a density of one dwelling unit per 5 acres. There are 1,199 pre-existing lots in the Rural Residential zone recognized as legal lots of record that fall under the 5 acre proposed minimum lot size. There is a remainder of 251 parcels that are greater than five (5) acres in size. Out of the 251 parcels, only 145 parcels are ten (10) acres in size or greater.
- 5.6.4 Rural Residential-5 zoning in these areas was coordinated with, and is consistent with, the adjoining urban growth areas and City/County Urban Growth Area Plans and City Comprehensive Plans which allow for lot sizes of less than 5 acres directly adjacent to those lands designated Rural Residential within the County's 2001-2021 Comprehensive Plan and the implementing development regulations.
- 5.7 Rural Agriculture Zone.
- 5.7.1 The Walla Walla County Comprehensive Plan designates Rural Agricultural at a 5-10 minimum lot size. Consistent with these land use designations the County has adopted zoning districts of Rural Agriculture 5 and 10. The districts are intended for smaller scale farming activity, residential and limited agricultural production uses. It is primarily located adjacent to resource lands and areas of encroaching residential development or expansion.
- 5.8 Agriculture (natural resource lands).
- 5.8.1 Walla Walla County designated as "agricultural resource lands of long-term commercial significance" under the GMA all land within the Primary Agriculture (1 DU/40 acres), Exclusive Agriculture (1 DU/ 120 acres), General Agriculture (1 DU/ 20 acres) and Residential Agriculture (1 DU/10 acres) land use categories in the Comprehensive Plan. Consistent with these land use designations, and in order to conserve these agricultural resource lands of long-term commercial significance, the County has adopted resource zoning districts that limit the densities of the four categories of agricultural resource lands to the minimum densities specified in the Comprehensive Plan. As a result, most of the County's agricultural resource lands are zoned at 40-acre and 120-acre minimum lot densities.
- 5.8.2 The adopted zoning implements Comprehensive Plan policies that require larger lot sizes in Agricultural Resource Lands as well as stricter control of high impact resource uses via the conditional use permit process. Prior to adoption of interim zoning to implement the Comprehensive Plan, the majority of the County was zoned as

Agricultural General with a minimum lot size of 10 acres (94.12% of Walla Walla County). The implementing development regulations decrease density in the vast majority of Agriculture Resource Lands to 40-acre minimum lot sizes or greater, thereby more than quadrupling that of the previous zoning. The overall result is that the County's zoning minimum lot sizes have dramatically increased in size, providing lower dwelling units per acre densities and consequently more protection of resource lands.

- 5.8.3 Although the Comprehensive Plan allows clustering in one agricultural zone, Primary Agriculture 40, clustering is prohibited in that zoning district on prime and unique agriculture lands as designated by the Soil Conservation Service (now NRCS) and the GMA Resource Lands Committee. This is done in order to maintain their economic significance. Comprehensive Plan, p. 7-76. In addition, Walla Walla County did not adopt development regulations in Ordinance No. 269 to implement clustering in the Primary Agriculture zone, the only district in which it is allowed. The County is still assessing parcel information and creating additional GIS information and mapping as to what will be considered prime agricultural lands for purposes of implementing clustering. Only after completing this effort will the Board of County Commissioners consider adopting clustering on lands zoned Primary Agriculture.
- 5.8.4 The County has not designated all Soil Conservation Service (now Natural Resources Conservation Service) "prime when irrigated" soils as agricultural lands of long-term commercial significance. Staff has determined with NCRS representatives that there is a gradual net loss of "prime when irrigated" farmlands. The County believes, and staff of the NRCS have affirmed, that all agencies, including irrigation districts, are sensitive to water use and in many cases are decreasing use of irrigation water in order to increase in-stream flows as a response to endangered and threatened fish species listings. As long as ESA constraints continue, the gradual net loss of "prime when irrigated" farmlands is likely to continue. The fluctuating nature of this loss will be very difficult to track. To attempt to designate, then undesignated, lands based on current irrigation use will lead to inconsistencies and lack of clear expectations for the landowner and the public. In addition, if landowners have property that will never be irrigated, development rights will be denied based on theoretical circumstances (i.e. provision of on-site irrigation water) that do not, and may never, exist. Under these circumstances, the County believes that to designate "prime when irrigated" soil as Growth Management Act agricultural lands when these lands may never receive irrigation water, violates protection of private property GMA goals. But, at such a time, if there is a time, that water becomes more abundant, and current water quantity/quality regulations are relaxed, perhaps the question of designating more "prime when irrigated" lands as prime and unique agricultural lands can be addressed.
- 5.8.5 It is important to note that many areas of the County with soils that are "prime when irrigated" are within areas too remote to develop. The private road length standards (1000 foot length limitation) functionally limit these areas of development and remove approximately eighty percent (80%) of the agricultural areas of the County from the potential for residential or other development. Further, current rural residential growth statistics show minimal new residential use in such areas. In addition, many of these

areas are too steep for development and as steep slopes are regulated under the County's GMA compliant critical areas ordinance, these areas are precluded from development.

5.9 Agricultural Industrial Light, Agricultural Industrial Heavy and Burbank/Port Light Industrial Zones

- 5.9.1 Walla Walla County designated Agricultural/Light and Heavy Industrial within the Comprehensive Plan. Consistent with these land use designations the County has adopted zoning districts of Agricultural Industrial Light and Agricultural Industrial Heavy.
- 5.9.2 Mix of light industrial uses such as assembly, storage and manufacture of prefabricated materials, and agricultural land uses.
- 5.9.3 The purpose of the Agricultural Industrial Heavy district is primarily for manufacturing, processing, fabrication and assembling of products or materials, warehousing and storage, rail and water borne transportation facilities and agricultural activities.
- 5.9.4 The Burbank/Port Light Industrial district allows for light industrial uses, including a broad range of distribution, wholesale, assemble and manufacturing uses, including farm equipment and auto sales. The Walla Walla County Comprehensive Plan designates Port Limited Industrial Areas as properties under current ownership of the Port of Walla Walla.
- 5.9.5 The Light Industrial district is exclusively for limited assembly, fabrication, processing and service facilities involving small or portable machinery and regulated with regards to dissemination of atmosphere, pollutants, noise, vibration, odors and creation of physical hazards to adjacent uses.

5.10 Burbank Industrial, Residential, Commercial and Public Reserve Zones

- 5.10.1 The Walla Walla County Comprehensive Plan 2001-2021 identifies the Burbank community within a sub-area plan. The plan designates Industrial, Residential, Commercial and Public Reserve within the Burbank sub area plan. Consistent with these land use designations the County has adopted zoning districts of Burbank/Port Light Industrial, Burbank Residential, Burbank Commercial and Public Reserve. The Burbank area is designated as a rural activity center that is identified earlier under 5.4 above.
- 5.10.2 The intent of the Burbank/Port Light Industrial is described above under 5.9.3.
- 5.10.3 The Burbank Residential district is primarily a single-family residential district with provisions for multifamily dwelling units that are consistent with the height, bulk, and scale of adjacent development.
- 5.10.4 The Burbank Commercial district is a general commercial designation that allows for commercial uses that serve the local retail needs of the community as well as passing travelers.

5.10.5 The Public Reserve district is intended for public uses such as parks, playgrounds, federal and state wildlife habitats, open spaces, and greenbelts.

5.11 Neighborhood Commercial Zone

5.11.1 The Neighborhood Commercial Zone is exclusively a neighborhood business district for the provision of convenience shopping for limited residential area and which involves retail enterprises dispensing commodities, and providing personal services to the individual. This zoning district is located in the Blalock Orchards area discussed above under 5.5 above.

5.12 Rural Remote Zones

5.12.1 The Walla Walla County Comprehensive Plan designates Rural Remote for the purpose to differentiate from the higher rural land use to reflect the area's remoteness and/or limited opportunity for development. Consistent with this land use designation the County has adopted zoning districts of Rural Remote 20 and Rural Remote 40.

5.12.2 The Rural Remote zones are intended for areas that are not suitable for intensive farming and are generally not attractive for residential development. Permitted land uses include resource-oriented activities such as farming, grazing, timber and mineral extraction, open space, recreation and residential.

Section 6. - Subdivision Amendments

6.1 Ordinance No. 269 adds a chapter to Title 16 with provisions for boundary line adjustments.

6.2 Clustering subdivision regulations for the Primary Agricultural zoning district were recommended by the Planning Commission but not adopted by the Board of County Commissioners for the reasons stated in Finding 5.7.3, above.

6.3 Subdivisions are prohibited in Rural Transition zoning districts unless the lots can be connected to a public water system.

6.4 In agricultural zoning districts, no subdivisions can divide lands below the minimum lot size and urban services are prohibited in all agricultural and rural lands designations.

Section 7. - Amendments to Environmental Regulations

7.1 When considering application of GMA policies, and adopting the Comprehensive Plan, the County considered and ensured the proper preservation and protection of the functions and values of critical areas and preservation and enhancement of anadromous fisheries according to the best available scientific information of the time. Although the County determined that the existing Critical Areas Ordinance regulations, adopted in 1995, adequately implement the Comprehensive Plan, the County anticipates future review and revision of the Critical Areas Ordinance once watershed planning and other environmental studies now underway in the County are completed. Furthermore, SB

5841—RCW 36.70A.130, the GMA Update Deadline Extension Bill has established a new timeline for updates to Critical Areas. Dee Caputo, the Office of Community Development Planner for this region, has advised Walla Walla County Regional Planning that the GMA updates have now been extended for Walla Walla County through 2007.

- 7.2 Since August, 2000 and continuing into 2002, the Board of County Commissioners has adopted resolutions approving contracts and funding for hundreds of thousands of dollars worth of environmental studies, including watershed planning under ESHB 2514, development of a Habitat Conservation Plan for the Walla Walla River Basin, and planning specific to salmon recovery under the Endangered Species Act (Resolutions No. 232, 355, 1332, 1350, 2001, 2010, 2032 and 2032). In addition, the County procured funding to conduct a water study for the Mill Creek area to evaluate potential impacts on surface and groundwater resources as the result of rural residential development and anticipates approaching the City of Walla Walla to participate in and share in the costs of the study.

Section 8. - Procedural and Administrative Amendments

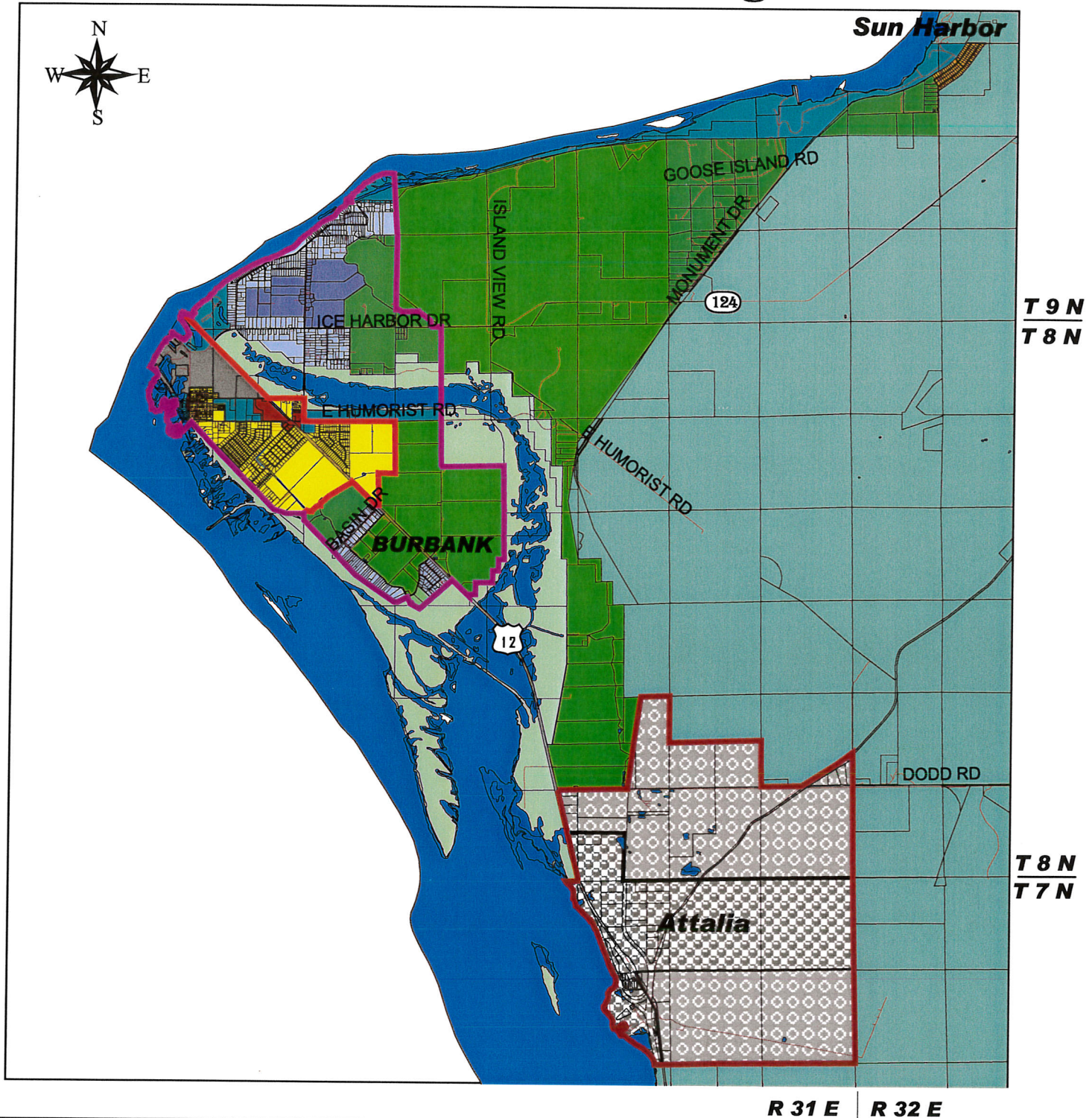
- 8.1 To be consistent with the Comprehensive Plan, GMA requirements, and the requirements of the State's regulatory reform requirements, the permit processes have been streamlined and consolidated where possible.
- 8.2 The County's Comprehensive Plan and development regulations are subject to continuing evaluation and review. Although Walla Walla County's Comprehensive Plan is a carefully thought out document, because it represents the County's first experience operating under a GMA plan, the County will review and update the Plan on an annual basis. (Comprehensive Plan, p. 7-92). As part of this review process, the Plan embraces a monitoring program which establishes certain "growth management indicators" used to analyze land use development trends, including the rate of rural residential growth. The indicators address the effectiveness in implementing plan policies. Audit of growth rates and plan success is a mandatory State Environmental Policy Act (SEPA) mitigation requirement that the County has incorporated into its GMA Plan and FEIS. (MM/RL-3, Plan p. 7-92).
- 8.3 The GMA and the County's Comprehensive Plan direct the County to adopt a process for amending the Comprehensive Plan only one time per year unless an emergency is declared or sub-area plans are adopted. In response to this requirement, an amendment process has been included in Title 14. In addition to limiting amendments to once a year, a "docketing" process for future amendments of the comprehensive plan and/or development regulations has been included consistent with the requirements of RCW 36.70A.470.

Section 9. - Efficiency and Predictability

- 9.1 The Growth Management Act requires the County to adopt a land use decision-making system that is efficient and predictable. To effectuate these purposes, Chapter 17.39 of the Walla Walla County Code relating to Flood Damage Prevention has been moved

from Title 17, Zoning, and to Title 18, Environment, as a new chapter 18.10. In addition, several technical corrections to the development regulations adopted on December 5, 2002 are necessary: First, item 4 in Exhibit B to Ordinance No. 269 mistakenly indicates that the Board of County Commissioners deleted proposed Chapter 16.95 "Large Lot Subdivisions" from the development regulations adopted in Ordinance No. 269 when in fact the Commissioners intended to delete Chapter 16.97 "Subdivisions in the Primary Agricultural Zone" for review at a later date; Second, the date of "The Flood Insurance Study for the unincorporated areas in Walla Walla County," adopted by reference in Walla Walla County Code Section 18.10.070 (formerly Code Section 17.39.070), was amended by the Board of County Commissioners from "June 1, 1983" to "January 18, 2002" but was inadvertently omitted from Exhibit A to Ordinance No. 269; Third, within the development regulations, chapter 17.29, "Flood Damage Prevention," is moved to Walla Walla County Code Title 18, "Environment," in a new chapter, chapter 18.10, "Flood Damage," and citations to Chapter 17.29 are replaced with chapter 18.10.

Burbank and Surrounding Area



Ordinance No. 269 (Resolution No. 2-118)

Date: 6/10/03 6/04/02 3/05/02 & (4/01/02)

AMENDED: ORD. 274
ORD. 286

Civil Boundaries

- Burbank RAC
- Burbank Provisional UGA
- Attalia Industrial UGA

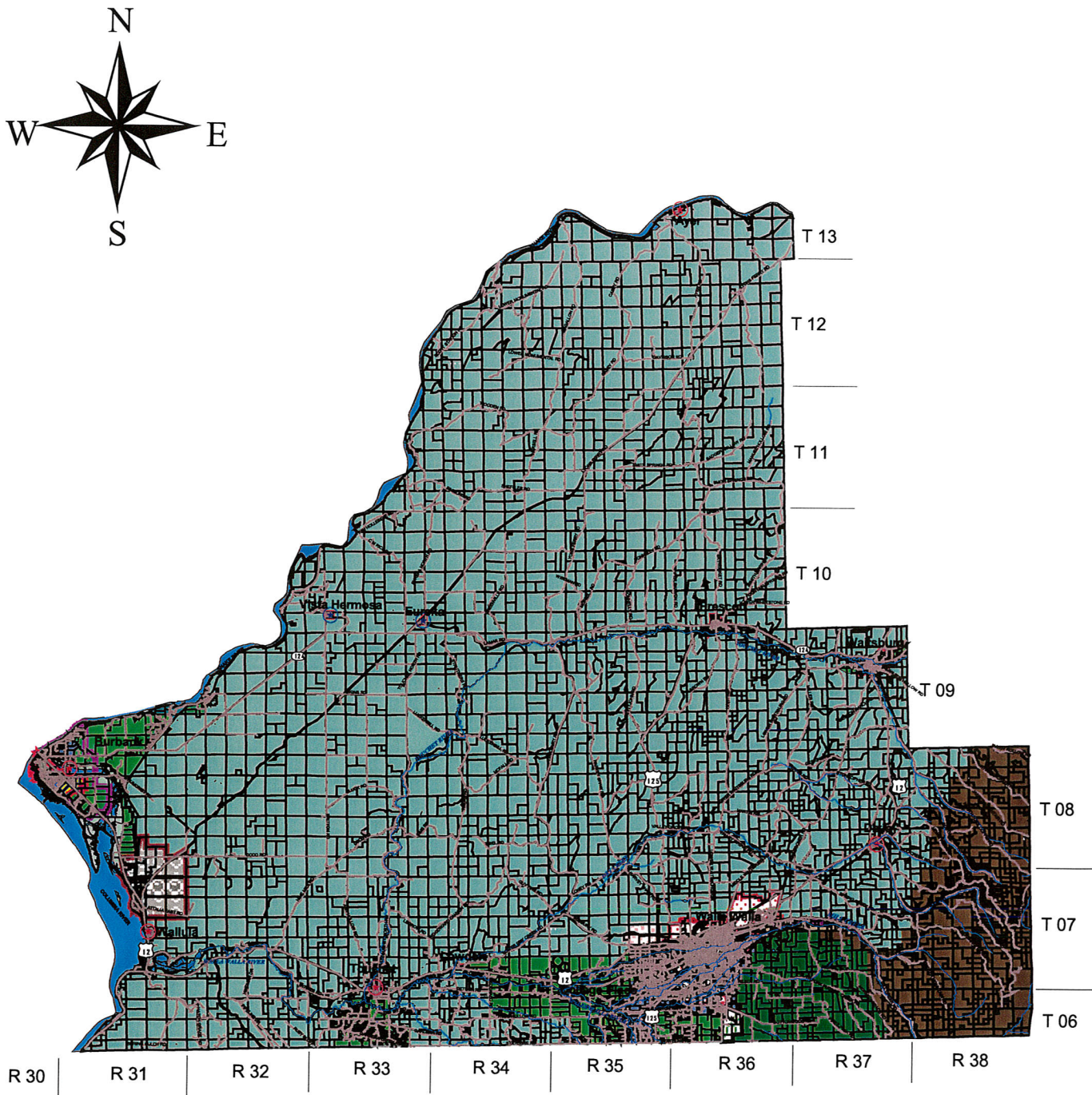
Zoning

- Public Reserve
- Agriculture Industrial Heavy
- Agriculture Industrial Light
- Burbank/Port Light Industrial
- Burbank Commercial
- Burbank Residential
- Rural Residential 2 Acres
- Rural Residential 5 Acres
- Rural Transition RAID 1/2 Acre
- Agriculture Residential 10 Acres
- Primary Agriculture 40 Acres
- Rural Agriculture 10 Acres
- Rural Agriculture 5 Acres

David J. Carey
Chair,
Walla Walla County Board of Commissioners

Printed on 6/10/03

Walla Walla County Zoning



Ordinance No.
269 (Resolution No. 2-118)
Date
6/10/03 6/04/02 3/05/02 & (4/01/02)

Amended: Ordn. 274
Ordn. 286

David J. Carey
Chair,

Walla Walla County Board of Commissioners

Printed on: 06/10/03

Civil Boundaries

- Civil Boundary
- Sudbury Landfill
- Attalia Industrial UGA
- Rural Farm Worker Community
- Rural Activity Center
- Burbank Provisional UGA
- Burbank RAC

Zoning

- | | | | |
|-------------------------------|---------------------------------|--------------------------------|----------------------------------|
| Agriculture Industrial Heavy | Primary Agriculture 40 Acres | Burbank Residential | Agriculture Residential 10 Acres |
| Agriculture Industrial Light | General Agriculture 20 Acres | Rural Residential 2 Acres | Rural Remote 20 Acres |
| Burbank/Port Light Industrial | Exclusive Agriculture 120 Acres | Rural Residential 5 Acres | Rural Remote 40 Acres |
| Burbank Commercial | Rural Agriculture 5 Acres | Rural Floating 2-3 Acres | Public Reserve |
| Public Reserve | Rural Agriculture 10 Acres | Rural Transition RAID 1/2 Acre | |



COUNTY OF WALLA WALLA
Board of County Commissioners

P.O. Box 1506
315 West Main
Walla Walla, Washington 99362
509/527-3200
509/527-3235 (Fax)
509/527-3244 (TDD)

FACSIMILE COVER SHEET

TO: Scott R. Venti FROM: Connie R. Vinti, Clerk of the Board

DEPT: _____ FAXED BY: _____

FAX: _____ PHONE: _____

DATE: 4-17-06 PAGES (including cover page): _____

RE: Reso 02118

COMMENTS:

If you experience any problems with this facsimile, please call 509/527-3200.

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

A Resolution Approving the Final Draft of Permanent Development Regulations and Zoning to implement the Comprehensive Plan, as adopted in Ordinance No. 269, and adopting supplemental findings in support thereof.

WHEREAS, the Growth Management Act requires Walla Walla County to adopt development regulations that are consistent with and implement the Walla Walla County Comprehensive Plan 2001-2021, adopted on May 15, 2001 by the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners was required to adopt implementing development regulations by March 5, 2002 in order to comply with an order of the Eastern Washington Growth Management Hearings Board; and

WHEREAS, the Board of County Commissioners on March 5, 2002 passed Ordinance No. 269 adopting implementing permanent development regulations as recommended by the Planning Commission and as revised by the Board of County Commissioners in open session on March 5, 2002; and

WHEREAS, Ordinance No. 269 directed the Director of the Walla Walla County Planning Department to prepare and present to the Board of County Commissioners at their regular meeting on March 26, 2002, an approved draft of the development regulations adopted in Section 1 of Ordinance No. 269, incorporating all changes made by the Commissioners to the Planning Commission recommendations, supported by supplemental written findings, and directing that a notice of publication informing the public of adoption of the development regulations and their effective date, which is five (5) days from the date of publication; and

WHEREAS, upon approval of the final draft of permanent development regulations and zoning to implement the County's Comprehensive Plan on April 1, 2002, a Notice of Publication will be published in The Times, the county's legal newspaper, on April 4, 2002; and

WHEREAS, the Planning Department Director has prepared a final approved draft of the development regulations, attached hereto as Attachment A, and supplemental findings in support of Ordinance No. 269, attached hereto as Attachment B; and

WHEREAS, Attachment A incorporates the revisions to the Planning Commission's recommendations for adoption of amendments to the development regulations adopted by the Board of County Commissioners in open session on March 5, 2002, and corrects technical and typographical errors and omissions.

WHEREAS, the final draft of development regulations shown in Attachment A, as supported by the supplemental findings in Attachment B, fully effectuates and represents the intent of the Board of County Commissioners in adopting implementing development regulations on March 5, 2002 in Ordinance No. 269; and

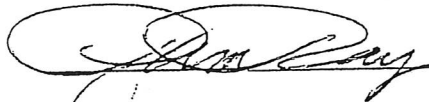
WHEREAS, the Walla Walla County Comprehensive Plan Goals and Policies as identified in the Planning Commission's February 6, 2002 staff report and as identified in Planning Commission resolution 02-04 (attachment H) are incorporated by reference; and

WHEREAS, the interim zoning ordinances are rescinded upon the effective date of Ordinance No. 269, the adoption ordinance for the GMA compliant development regulations; now therefore

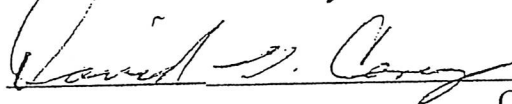
BE IT HEREBY RESOLVED that the Walla Walla County Board of County Commissioners formally approves the final draft of development regulations in Attachment A, as adopted in Ordinance No. 269 by the Board of County Commissioners on March 5, 2002;

BE IT FURTHER RESOLVED that the Walla Walla County Board of County Commissioners adopts the Supplemental Findings as shown in Attachment B and, together with the recitals in Ordinance No. 269, represent the findings of fact in support of adoption of permanent development regulations in Ordinance No. 269 to implement the Walla Walla County Comprehensive Plan.

DONE this 1st day of April, 2002.

_____

Chairman

_____

Commissioner

Commissioner

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

Attest:

_____

Clerk of the Board

Title 14

DEVELOPMENT CODE ADMINISTRATION

Chapters:

14.01	Introduction
14.03	Administration
14.05	Consolidated Application Process
14.07	Public Notice Requirements
14.09	Review and Approval Process
14.10	Comprehensive Plan and GMA Implementing Regulations Amendment Process
14.11	Appeals
14.13	Fee Schedule Adoption

"County Commissioners" means the Board of Walla Walla County Commissioners.

"Critical areas" means areas of environmental sensitivity, which include the following: (1) wetlands, (2) areas with a critical recharging effect on aquifers used for potable water, (3) fish and wildlife habitat conservation areas, (4) frequently flooded areas, and (5) geologically hazardous areas; as defined and regulated in Chapter 18.08 WW1.

"Date of decision" means the date on which final action occurs and from which the appeal period is calculated.

"Developer" means any person who proposes an action or seeks a permit regulated by Titles 14-18, Walla Walla County Code, inclusive.

"Development" means any land use permit or action regulated by Titles 14-18 WWCC, including but not limited to subdivisions, rezones, conditional use permits, or variances. (See also "Project permit".)

"Development code" means Walla Walla County Code Titles 14 through 18.

"Director" means the director of the Walla Walla County Regional Planning Department or her designee.

"Effective date" means the date a final decision becomes effective.

"Environmental code" means Title 18, Walla Walla County Code.

"Final decision" means the final action by the director, planning commission or county commissioners.

"Nonconforming use" means a lawfully established use which does not conform to the provisions of the zoning code.

"Party of record" means any person who has testified at a hearing or has submitted a written statement related to a development action and who provides the county with a complete address.

"Person" means any person, firm, business, corporation, partnership or other associations or organization, marital community, municipal corporation or governmental agency.

"Planned action" means a significant development proposal as defined in RCW 43.21C.031 as amended.

"Planned unit development" means a flexible method of land development which accomplishes the purposes of Chapter 17.20.170 WWCC.

"Plat" means a scale drawing of a subdivision showing lots, blocks, streets or tracts or other divisions or dedications of land to be subdivided.

Plat, final. "Final plat" means a precise drawing of a subdivision and dedications which conforms to the approved preliminary plat, meets all the conditions of preliminary plat approval and meets the requirements of the Walla Walla County auditor for recording.

"Preliminary plat" means a neat and approximate scale drawing of a proposed subdivision, showing the existing conditions and the proposed layout of streets, lots, blocks, and other information needed to properly review the proposal.

"Short plat" means a precise drawing of a short subdivision and dedications which shows the existing conditions and the proposed layout of private roads, lots and other information needed to properly review the proposal and which meets the requirements of the Walla Walla County auditor for filing.

"Project" means a proposal for development.

"Project permit" means any land use or environmental permit required from the county for a project action, including but not limited to building permits, subdivisions, planned unit developments, conditional uses, critical area permits, site specific rezones, but excluding the adoption or amendment of a comprehensive plan or development regulation.

"Public hearing" means an open record hearing conducted by a single hearing body that creates the county's record through testimony and submission of evidence and information.

Chapter 14.03

ADMINISTRATION

Sections:

- 14.03.010** **Roles and responsibilities.**
- 14.03.020** **Director of regional planning.**
- 14.03.030** **Planning commission.**
- 14.03.040** **Board of county commissioners.**
- 14.03.050** **Building code board of appeals.**

14.03.010 **Roles and responsibilities.** A. The regulation of land development is a cooperative activity including many different elected and appointed boards and county staff. The specific responsibilities of these bodies is set forth below.

B. A developer is expected to read and understand the Walla Walla County development code and be prepared to fulfill the obligations placed on the developer by Titles 14 through 18, WWCC. (Ord. 234 §1(part), 1996)

14.03.020 **Director of regional planning.** A. Authority. The Director of Regional Planning is responsible for the administration of Titles, 14, 15, 16, 17 and 18 of the Walla Walla County Code.

B. Administrative Interpretation. Upon request, application, or as determined necessary, the director shall interpret the meaning or application of the provisions of said titles and issue a written administrative interpretation within thirty days. Requests for interpretation shall be written and shall concisely identify the issue and desired interpretation. Administrative interpretations which find that an application to the planning commission is required shall not be subject to appeal after an application for action by the planning commission has been submitted.

C. Administrative Decisions Without Notice. The director may approve, approve with conditions, or deny the following without notice:

1. Extensions of time for approval;
2. Minor amendments or modifications to approved developments or permits. Minor amendments are those which may affect the precise dimensions or location of buildings, accessory structures and driveways, but do not: (a) affect overall project character, (b) increase the number of lots, dwelling units or density, or (c) decrease the quality or amount of open space;
3. Variances from the standards and dimensional regulations of the zoning code, Title 17, such as height, width, setback and yard restrictions in which the requested adjustment to is twenty percent or less than the specified requirement;
4. Critical areas permits;
5. Building permits;
6. Accessory dwelling permits;
7. Short plats, except those within the RF-2 zoning district; short plat amendments, and vacations of short plats;
8. Conditional use permits for quarries located on designated mineral lands of long-term commercial significance, as identified in Ordinance No. 233.
9. Shorelines exemptions

A. Appeals of decisions of the building official on the interpretation or application of the building or fire code;

B. Disapproval of permits for failure to meet the building or fire codes. (Ord. 234 §1(part), 1996)Chapter 14.05

4. Any supplemental information or special studies identified by the environmental review committee.

C. For applications determined to be incomplete, the county shall identify, in writing, the specific requirements or information necessary to constitute a complete application. Upon submittal of the additional information, the county shall, within fourteen days, issue a notice of completeness or identify what additional information is required.

D. A notice of completeness is not required for projects for which the permit is issued with the twenty-eight day period, provided that they are categorically exempt from SEPA or environmental review has been completed.

E. Issuance of a notice of completeness shall not preclude the county from requesting additional information or studies either at the time of the notice or subsequently if new information is required or substantial changes in the proposed action occur. (Ord. 234 §1(part), 1996)

14.05.050 Technical review. A. For projects requiring review under SEPA a meeting of the county environmental review committee (ERC) shall be held prior to the issuance of a notice of completeness. The ERC may be composed of representatives of all affected county departments, utility districts, fire district, and other entities or agencies with jurisdiction.

B. The ERC shall review the development application for compliance with county plans and regulations, coordinate necessary permit reviews, and identify the development's environmental impacts. (Ord. 234 §1(part), 1996)

14.05.060 SEPA review. A. Developments and planned actions subject to the provisions of the State Environmental Policy Act (SEPA) shall be reviewed in accordance with the policies and procedures contained in Chapter 18.04. Threshold determinations shall be issued within ninety days of the completed application.

B. SEPA review shall be conducted concurrently with development project review. The following are exempt from concurrent review:

1. Projects categorically exempt from SEPA;
2. Components of previously completed planned actions, to the extent permitted by law and consistent with the EIS for the planned action. (Ord. 234 §1 (part), 1996)
3. The County may require that the public comment and/or appeal periods of a SEPA determination, be complete prior to the beginning of the public notice period on a notice of public hearing.

4. A statement that final approval will be granted unless an appeal requesting a public hearing is filed with the director within fifteen days of the date of the notice.

B. Notification of Preliminary Approval, Class 2 Administrative Decision.

1. Requirements shall be the same as in Section 14.07.030 A, except that notification shall be made to property owners within one thousand feet of the subject property. (Ord. 234 §1(part), 1996)

14.07.040 Notice of public hearing. Notice of a public hearing for all development applications, open record appeals and legislative actions for which a public hearing is required shall be given as follows:

A. Time of Notices. Except as otherwise required, public notification of hearings under Title 14 through 18 WWCC, shall be made by:

1. Publication at least fifteen days before the date of a public hearing in the official newspaper if one has been designated or a newspaper of general circulation in the county; and

2. For site-specific applications, mailing at least fifteen days before the date of a public hearing to all property owners shown on the records of the county assessor within five hundred feet of the boundaries of the property which is the subject of the hearing; and

3. Posting at least fifteen days before the hearing one notice on or near the subject property (for site specific applications) and one notice at the County Courthouse.

B. Content of Notice. The public notice shall include, but not be limited to, a general description of the proposed project, action to be taken, a non-legal description of the property or a vicinity map or sketch, the time, date and place of the public hearing and the place where further information, including a complete legal description, can be obtained. The notice shall also include the threshold determination issued under SEPA when applicable.

C. Continuations. If for any reason, a hearing cannot be completed on the date set in the public notice, the hearing may be continued to a date certain and no further notice under this section is required. (Ord. 234 §1 (part), 1996)

14.07.050 Notice of appeal. In addition to the posting and publication requirements of Section 14.07.040, notice of appeals shall be as follows:

A. For appeals of administrative approvals, notice shall be mailed to property owners as specified in Section 14.07.030.

B. For closed record appeals, mailing to parties of record from the planning commission meeting. (Ord. 234 §1(part), 1996)

14.07.060 Notice of decision. A written notice for all final decisions shall be mailed to the applicant and all parties of record requesting written notice. The notice of decision shall include a statement of any threshold determination and any procedures for administrative appeal. The notice of decision may be a copy of (1) the report of decision on the project permit application, (2) signed ordinance or resolution, or (3) building permit. (Ord. 234 §1 (part), 1996)

proposal, and evaluating the proposal for consistency with the county's development code, adopted plans and regulations. Notice of the planning commission hearing shall be in accordance with Section 14.07.040 of this title.

C. Required Findings. The planning commission shall not approve or recommend approval of a proposed development unless it first makes findings and conclusions which support and are consistent with the criteria specified in the sections of the development code which are applicable to the requested permit.

D. Recommendation. Upon approving or disapproving a development proposal or action, the planning commission shall prepare and adopt a resolution setting forth its findings and conclusions. The resolution shall be finalized no later than at the regularly scheduled planning commission meeting following the public hearing. Nothing shall prohibit the planning commission from directing the chair to finalize the resolution prior to the next scheduled planning commission meeting. Actions which require a recommendation to the board of county commissioners shall be forwarded to the board within fourteen days following the finalization of the resolution by the planning commission chair. (Ord. 234 §1(part), 1996)

14.09.040 Board of County Commissioner action. A. Actions. Upon receiving a recommendation from the planning commission or notice of any matter requiring the board's attention, the board shall perform the following actions as appropriate:

1. Make a decision on a planning commission recommendation;
2. Hold a public hearing and make a decision on comprehensive plan amendments and amendments to the text of the development code;
3. Hold a closed record review and make a decision on an appeal of a planning commission action.

B. Decisions. The county commissioners shall make its decision by motion, resolution, or ordinance as appropriate.

1. A board decision on a planning commission recommendation or following a public hearing shall include one of the following actions:

- a. Approve as recommended;
- b. Approve with additional conditions;
- c. Modify, with or without the applicant's concurrence, provided that the modifications do not:
 - i. Enlarge the area or scope of the project,
 - ii. Increase the density or proposed building size, or
 - iii. Significantly increase adverse environmental impacts as determined by the responsible official.
- d. Deny (reapplication or resubmittal is permitted);
- e. Deny with prejudice (reapplication or resubmittal is not allowed for one year);
- f. Remand for further proceedings and/or evidentiary hearing in accordance with Section 14.09.090.

2. Actions by the board which are not consistent with the recommendation of the planning commission shall not be made without findings and conclusions which include:

- a. Specification of that portion of the planning commission's findings which are determined to be in error, and
- b. How the board's action better addresses the criteria outlined in the code for the specific permit requested.

3. A board decision following a closed record appeal review shall include one of the following actions:

- a. Grant the appeal in whole or in part;
- b. Deny the appeal in whole or in part;

14.09.100 Final decision. A. Time. The final decision on a development proposal shall be made within one hundred twenty days from the date of the notice of completeness. Exceptions to this include:

1. Amendments to the comprehensive plan or development code;
2. Any time required to correct plans, perform studies or provide additional information, provided that after receiving the requested additional information, the director shall determine whether the information is adequate to resume the project review;
3. Substantial project revisions made or requested by an applicant, in which case the one hundred twenty days will be calculated from the time that the county determines the revised application to be complete;
4. All time required for the preparation and review of an environmental impact statement;
5. Projects involving the siting of an essential public facility, a master planned resort, or a fully contained community;
6. An extension of time mutually agreed upon by the county and the applicant;
7. All time required for the administrative appeal of a determination of significance;
8. Time required for administrative appeals of project permits, provided that the time period for appeals shall not exceed (a) ninety days for an open record appeal hearing, and (b) sixty days for a closed record appeal. The parties to an appeal may agree to extend these time periods;
9. Any remand to the hearing body
10. The staff may also extend the timeline after making written findings that a specified additional time is necessary.

B. Effective Date. The final decision of the board or planning commission shall be effective on the date stated in the decision, motion, resolution, or ordinance, provided that the date from which appeal periods shall be calculated shall be the date the board or hearing body takes action on the motion, resolution, or ordinance. (Ord. 234 §1(part), 1996)

14.09.110 Records. A. Planning Commission hearings. Records of the Planning Commission hearings on a preliminary plat shall be kept by the administrator, for the time frame required by state statute, and shall be open to public inspection.

B. Records of the Board's proceedings concerning a preliminary plat shall be kept by the clerk of the Board, for the time frame required by state statute, and shall be open to public inspection.

1. Resolution of an emergency condition or situation that involves public health, safety or welfare and when adherence to the amendment process set forth in this Chapter would be detrimental to the public health, safety or welfare;
2. Initial adoption of a sub-area plan identified in the Walla Walla County Comprehensive Plan;
3. The adoption of or amendments to the Walla Walla County Shoreline Master Program;
4. Technical, non-substantive corrections to manifest land use mapping errors which do not involve interpretations of the criteria for the various land use designations contained in the Comprehensive Plan;
5. Resolution of a decision by an administrative agency or court of competent jurisdiction; and
6. The amendment of the capital facilities element of the Comprehensive Plan that occurs concurrently with the adoption or amendment of the County's budget.

B. **Determination of Emergency.** Situations involving official legal or administrative action (e.g., decisions by the Eastern Washington Growth Management Hearings Board, state or federal courts, actions of a state agency or office, or the state legislature) affecting Walla Walla County will be reviewed by the Walla Walla Board of County Commissioners to determine whether an emergency exists warranting an emergency Comprehensive Plan amendment.

14.10.040 Applications for Comprehensive Plan Amendment. A. Anyone may apply for an amendment to the Comprehensive Plan which shall be added to the list of proposed amendments to be maintained by the Director. The process outlined in Section 14.10.060 below shall govern whether such suggested amendments are considered during the annual review process.

B. **Application Deadline.** Applications for amendments shall be submitted to the Regional Planning Office during one specified month of the current calendar year in order to be considered during that year's amendment process.

C. **Application Form.** Applications for amendments shall be accepted by the Regional Planning Office on forms provided by the department and shall include the following information, as determined by the Director, to be necessary to evaluate a particular proposal:

1. Name and address of applicant;
2. A description of the proposed Comprehensive Plan amendment and any associated development proposals, if applicable. Site specific or project-related amendments shall include plans, information and/or studies that accurately depict existing and proposed uses and improvements;
3. Proposed amendatory language;
4. An explanation of the rationale for the proposed amendment;
5. An explanation of how the proposed amendment and associated development proposal(s), if any, conform to, conflict with, or relate to the criteria set forth in section 14.10.080, as applicable;
6. A completed SEPA checklist if the application is for a site-specific amendment; and
7. Any additional information reasonably deemed necessary by the Director to evaluate the proposed amendment.

D. **Failure to Comply - Effect.** Applications that do not include the information required, or which are not received by the deadline set forth in section 14.10.040 B above, shall not be processed.

E. **Application Fee.** A filing fee as set forth in the Walla Walla County Fee schedule shall accompany applications for amendments.

14.10.050 Compilation of Preliminary Docket. A. The preliminary docket shall consist of all proposals for amendments;

B. Each year, the Director shall maintain for public review the annual list of suggested amendments made by citizens, the Board of County Commissioners or members of the Board of County

b. The public need was not recognized in the existing comprehensive plan due to a change in circumstances in the community or due to an error in development of the plan as it currently exists.

c. The defined need conforms to policy directives of the comprehensive plan and Countywide Planning Policies; and

d. The proposal does or does not require amendment of current policies in other areas of the comprehensive plan.

2. Additional Required Findings - Site-Specific Amendments. In addition to the required findings set forth above, in order to recommend approval of a site-specific proposal to amend the Comprehensive Plan, the Planning Commission must also make the following findings:

a. The proposed site-specific amendment meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services (e.g., sheriff, fire and emergency medical services, parks, fire flow, and general governmental services);

b. The proposed site-specific amendment is consistent with the goals, policies and implementation strategies of the various elements of the Walla Walla County Comprehensive Plan;

c. The proposed site-specific amendment will not result in probable significant adverse impacts to the county's transportation network, capital facilities, utilities, parks, and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;

d. In the case of a site-specific amendment to the land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including but not limited to the following:

i. Access;

ii. Provision of utilities; and

iii. Compatibility with existing and planned surrounding land uses;

e. The proposed site-specific amendment will not create a pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the county as a whole;

f. The proposed site-specific amendment does not affect the land use and population growth projections that are the bases of the Comprehensive Plan;

g. If within an unincorporated urban growth area (UGA), the proposed site-specific amendment does not affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA; and

h. The proposed amendment is consistent with the Growth Management Act (Chapter 36.70A RCW), the County-Wide Planning Policies for Walla Walla County, any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.

3. Recommendation. The Planning Commission's findings and conclusions shall include a recommendation to the Board of County Commissioners that the proposed amendment(s) be denied, approved, or approved with conditions or modifications.

B. Board of County Commissioners Review.

1. Board of County Commissioners Workshop. The Board of County Commissioners may first review the recommendation of the Planning Commission in a workshop meeting(s).

2. Board of County Commissioners Hearing. The Board of County Commissioners shall consider the proposed amendments to the Comprehensive Plan at a regularly scheduled meeting and conduct a public hearing, noticed as set forth in 14.07.040 WWCC.

3. Criteria for Evaluation of Proposed Plan Amendments. The Board of County Commissioners shall apply the same criteria as the Planning Commission as set forth in section 14.10.080 1 and 2 above, as applicable.

4. Adoption by Ordinance. The Board of County Commissioners shall adopt any amendments to the Walla Walla County Comprehensive Plan by ordinance.

2. When inconsistent with the Plan, under the process and time lines for Comprehensive Plan amendments by any interested person consistent with this Chapter; or

3. Immediately following or concurrent with an amendment or amendments to the Walla Walla County Comprehensive Plan, the implementing regulations shall be amended to be consistent with the Plan and land use map.

B. Planning Commission Review. The Planning Commission shall hold a public hearing, noticed as required in section 14.07.040 of this Title, on any amendments to the implementing regulations and shall make a recommendation to the Board of County Commissioners using the site-specific criteria set forth in section 14.10.080, as applicable.

C. Board of County Commissioners Review. The Board of County Commissioners shall consider the proposed amendments at a regularly scheduled meeting by applying the criteria set forth in Section 14.10.080, as applicable and by conducting a public hearing. Notice of the public hearing shall be given as required in section 14.07.040 of this Title.

D. Transmittal to State. The Director shall transmit a copy of any proposed amendments to the implementing regulations at least sixty (60) days prior to the expected date of final action by the Board of County Commissioners, as consistent with Chapter 36.70A RCW. The Director shall transmit a copy of any adopted amendments to the implementing regulations to OCD within ten (10) days after adoption by the board.

E. Appeals. All appeals to the adoption of any amendments to the implementing regulations shall be filed with and processed by the Eastern Washington Growth Management Hearings Board in accordance with the provisions of Chapter 36.70A. RCW.

Chapter 14.13

Fee Schedule Adoption

Sections:

14.11.010 Fee Schedule Adoption.

14.11.010 Fee Schedule adoption. A. for the purpose of partially defraying expenses involved in processing applications, the planning department shall require fees as identified in the Land Development Application Fee Schedule, which is adopted by reference and incorporated in this section.

B. All fees are nonrefundable except in cases when the processing of an application was terminated prior to the incurring of substantial administrative expenses. Refunds shall be made at the direction of the planning director.

C. No action shall be taken on proceedings before the planning commission until fees have been paid in full.

D. When a combination of applications involves the same property, only the highest fee shall be required.

Title 14

DEVELOPMENT CODE ADMINISTRATION

Chapters:

14.01	Introduction
14.03	Administration
14.05	Consolidated Application Process
14.07	Public Notice Requirements
14.09	Review and Approval Process
14.10	Comprehensive Plan and GMA Implementing Regulations Amendment Process
14.11	Appeals
14.13	Fee Schedule Adoption

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Chapter 14.01

INTRODUCTION

Sections:

14.01.010	Intent.
14.01.020	Rules of interpretation.
14.01.030	Definitions.
14.01.010	Intent.

14.01.010 Intent. The purpose of this title is to combine and consolidate the application, review, and approval processes for land development in the unincorporated areas of Walla Walla County in a manner that is clear, concise, and understandable. It is further intended to comply with state guidelines for combining and expediting development review and integrating environmental review and land use development plans, including provisions for no more than one open record hearing and one closed record appeal for any project permit. Final decisions on development proposals shall be made within one hundred twenty days of the date of the notice of completeness except as provided in Section 14.09.100. (Ord. 234 §1(part), 1996)

14.01.020 Rules of interpretation. A. For the purposes of the development code, all words used in the code shall have their normal and customary meanings, unless specifically defined otherwise in this code.

- B. Words used in the present tense include the future.
- C. The plural includes the singular and vice-versa.
- D. The words "will" and "shall" are mandatory.
- E. The word "may" indicates that discretion is allowed.
- F. The masculine gender includes the feminine and vice-versa. (Ord. 234 §1(part), 1996)

14.01.030 Definitions. The following definitions shall apply to Titles 14 through 18 of this code; other definitions may be found in individual titles.

"Applicant" means a person seeking development approval from Walla Walla County.

"Board" means Board of Walla Walla County Commissioners.

"Building code" means Title 15, Walla Walla County Code.

"Closed record appeal" means an administrative appeal on the record to the county, following an open record hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument is allowed.

"Comprehensive plan" means the most recently adopted comprehensive plan for the area of the county in which the proposed project will be located.

"Comprehensive plan amendment" means an amendment or change to the text or maps of the comprehensive plan.

"Conditional use" means a use allowed in one or more zones as defined by the zoning code, but because of characteristics peculiar to such use, the size, technological processes or equipment, or because the exact location with reference to surroundings, streets and existing improvements or demands upon public facilities requires a special degree of control to make such uses consistent and compatible with other existing or permissible uses in the same zone and mitigate adverse impacts of the use.

"County" means Walla Walla County.

"County Commissioners" means the Board of Walla Walla County Commissioners.

"Critical areas" means areas of environmental sensitivity, which include the following: (1) wetlands, (2) areas with a critical recharging effect on aquifers used for potable water, (3) fish and wildlife habitat conservation areas, (4) frequently flooded areas, and (5) geologically hazardous areas; as defined and regulated in Chapter 18.08 WW1.

"Date of decision" means the date on which final action occurs and from which the appeal period is calculated.

"Developer" means any person who proposes an action or seeks a permit regulated by Titles 14-18, Walla Walla County Code, inclusive.

"Development" means any land use permit or action regulated by Titles 14-18 WWCC, including but not limited to subdivisions, rezones, conditional use permits, or variances. (See also "Project permit".)

"Development code" means Walla Walla County Code Titles 14 through 18.

"Director" means the director of the Walla Walla County Regional Planning Department or her designee.

"Effective date" means the date a final decision becomes effective.

"Environmental code" means Title 18, Walla Walla County Code.

"Final decision" means the final action by the director, planning commission or county commissioners.

"Nonconforming use" means a lawfully established use which does not conform to the provisions of the zoning code.

"Party of record" means any person who has testified at a hearing or has submitted a written statement related to a development action and who provides the county with a complete address.

"Person" means any person, firm, business, corporation, partnership of other associations or organization, marital community, municipal corporation or governmental agency.

"Planned action" means a significant development proposal as defined in RCW 43.21C.031 as amended.

"Planned unit development" means a flexible method of land development which accomplishes the purposes of Chapter 17.20.170 WWCC.

"Plat" means a scale drawing of a subdivision showing lots, blocks, streets or tracts or other divisions or dedications of land to be subdivided.

Plat, final. "Final plat" means a precise drawing of a subdivision and dedications which conforms to the approved preliminary plat, meets all the conditions of preliminary plat approval and meets the requirements of the Walla Walla County auditor for recording.

"Preliminary plat" means a neat and approximate scale drawing of a proposed subdivision, showing the existing conditions and the proposed layout of streets, lots, blocks, and other information needed to properly review the proposal.

"Short plat" means a precise drawing of a short subdivision and dedications which shows the existing conditions and the proposed layout of private roads, lots and other information needed to properly review the proposal and which meets the requirements of the Walla Walla County auditor for filing.

"Project" means a proposal for development.

"Project permit" means any land use or environmental permit required from the county for a project action, including but not limited to building permits, subdivisions, planned unit developments, conditional uses, critical area permits, site specific rezones, but excluding the adoption or amendment of a comprehensive plan or development regulation.

"Public hearing" means an open record hearing conducted by a single hearing body that creates the county's record through testimony and submission of evidence and information.

"Public meeting" means an informal meeting, workshop or public gathering to obtain comments from the public or other agencies on a proposed project permit prior to the county's decision. A public meeting may include, but is not limited to, design review or a scoping meeting on a draft environmental impact statement. A public meeting does not include an open record hearing, although the proceedings at a public meeting may be recorded and a report or recommendation may be included in the project permit application file.

"Rezone" means a change in classification from one zoning district to another.

"SEPA" means State Environmental Policy Act.

"Subdivision" means a division of land into five or more lots, tracts or other divisions.

"Subdivision code" means Title 16, Walla Walla County Code.

Subdivision, short. "Short subdivision" means a division of land into four or fewer lots or tracts.

"Variance" means an adjustment in the application of the specific regulations of Title 17 WWCC, to a particular property because of special circumstances applicable to it, and because it is deprived of privileges commonly enjoyed by other properties in the same vicinity and zoning district.

"WWCC" means Walla Walla County code.

"Zone, zone district" means a defined area of the county within which the use of land is regulated and certain uses permitted and other uses excluded as set forth in Title 17 WWCC.

"Zoning code" means Title 17, Walla Walla County Code. (Ord. 234 §1(part), 1996)

Chapter 14.03

ADMINISTRATION

Sections:

- 14.03.010** **Roles and responsibilities.**
- 14.03.020** **Director of regional planning.**
- 14.03.030** **Planning commission.**
- 14.03.040** **Board of county commissioners.**
- 14.03.050** **Building code board of appeals.**

14.03.010 **Roles and responsibilities.** A. The regulation of land development is a cooperative activity including many different elected and appointed boards and county staff. The specific responsibilities of these bodies is set forth below.

B. A developer is expected to read and understand the Walla Walla County development code and be prepared to fulfill the obligations placed on the developer by Titles 14 through 18, WWCC. (Ord. 234 §1(part), 1996)

14.03.020 **Director of regional planning.** A. Authority. The Director of Regional Planning is responsible for the administration of Titles, 14, 15, 16, 17 and 18 of the Walla Walla County Code.

B. Administrative Interpretation. Upon request, application, or as determined necessary, the director shall interpret the meaning or application of the provisions of said titles and issue a written administrative interpretation within thirty days. Requests for interpretation shall be written and shall concisely identify the issue and desired interpretation. Administrative interpretations which find that an application to the planning commission is required shall not be subject to appeal after an application for action by the planning commission has been submitted.

C. Administrative Decisions Without Notice. The director may approve, approve with conditions, or deny the following without notice:

1. Extensions of time for approval;
2. Minor amendments or modifications to approved developments or permits. Minor amendments are those which may affect the precise dimensions or location of buildings, accessory structures and driveways, but do not: (a) affect overall project character, (b) increase the number of lots, dwelling units or density, or (c) decrease the quality or amount of open space;
3. Variances from the standards and dimensional regulations of the zoning code, Title 17, such as height, width, setback and yard restrictions in which the requested adjustment to is twenty percent or less than the specified requirement;
4. Critical areas permits;
5. Building permits;
6. Accessory dwelling permits;
7. Short plats, except those within the RF-2 zoning district; short plat amendments, and vacations of short plats;
8. Conditional use permits for quarries located on designated mineral lands of long-term commercial significance, as identified in Ordinance No. 233.
9. Shorelines exemptions

D. Administrative Decisions with Notice. The director may grant preliminary approval, preliminary approval with conditions or deny the following actions subject to the notice and appeal requirements set forth in Section 14.09.020 of this title:

1. Class 1 administrative decision.
 - a. Conditional use permits of the following types:
 - i. Home occupations;
 - ii. Temporary placement of mobile homes or travel trailers for hardship conditions specified in Section 17.40.030 of this code; iii. Single-wide mobile homes located in the AR zoning district.
 - b. Changes in nonconforming use.
2. Class 2 administrative decision.
 - a. Short plats of property within the RF-2 zoning district. (Ord. 234 §1(part), 1996)

14.03.030 Planning commission. A. The planning commission shall review, hold public hearings, and make recommendations on the following applications and subjects:

1. Amendments to the comprehensive plan;
 2. Amendments to the subdivision code, Title 16;
 3. Amendments to the zoning code, Title 17, or the official map;
 4. Amendments to the environment code, Title 18;
 5. Applications for preliminary plats and planned unit developments;
- B. The planning commission shall review, hold public hearings and act on the following applications and subjects:
1. Conditional use permits; except those set forth as administrative decisions in Section 14.03.020;
 2. Variances from the standards and dimensional regulations of the zoning code, Title 17, such as height, width, size, setback and yard restrictions; except those set forth as administrative decisions in Section 14.03.020;
 3. Appeals of administrative decisions;
 4. Appeals of administrative interpretations.
- C. The planning commission shall review and act on the following:
1. Appeals of SEPA determinations of nonsignificance of the underlying land use actions;
 2. Appeals of SEPA determinations of significance;
 3. Other actions requested or remanded by the board of county commissioners. (Ord. 234 §1(part), 1996)

14.03.040 Board of county commissioners. A. The board of county commissioners shall review and act on the following subjects:

1. Recommendations of the planning commission;
 2. Appeals of planning commission actions;
 3. Final plats and vacation or alteration of long plats.
- B. The board shall review, hold public hearings and act on the following subjects:
1. Amendments to the text of Titles 14, 15, 16, 17 and 18;
 2. Amendments to the comprehensive plan;
 3. Other legislative matters which may come before the board. (Ord. 234 §1(part), 1996)

14.03.050 Building code board of appeals. The board of appeals shall review and act on the following subjects:

A. Appeals of decisions of the building official on the interpretation or application of the building or fire code;

B. Disapproval of permits for failure to meet the building or fire codes. (Ord. 234 §1(part), 1996)Chapter 14.05

Chapter 14.05

CONSOLIDATED APPLICATION PROCESS

Sections:

14.05.010	Application.
14.05.020	Preapplication meetings.
14.05.030	Content of applications.
14.05.040	Notice of completeness.
14.05.050	Technical review.
14.05.060	SEPA review.

14.05.010 Application. A. The county shall consolidate development application and review in order to integrate the development permit and environmental review process, while avoiding duplication of the review process. Applicants proposing project actions which require two or more permits may elect to have the county consolidate the review process for the permits.

B. All applications for development permits and other county approvals under the development code shall be submitted on forms provided by the regional planning department. All applications shall be signed by both the property owner and the applicant. (Ord. 234 §1(part), 1996)

14.05.020 Preapplication meetings. A. Informal. Applicants are encouraged to participate in an informal meeting prior to the submission of applications, or prior to the formal preapplication meeting if one is required. The purpose of the informal meeting is to discuss, in general terms, the proposed development, design standards and alternatives, and required permits and approval process.

B. Formal. Every person proposing a subdivision of more than four lots or a planned unit development in the unincorporated area of Walla Walla County shall attend a pre-application meeting. The purpose of the meeting is to discuss the nature of the proposed development, application and permit requirements, fees, review process and schedule; applicable plans, policies and regulations. In order to expedite development review, the county may invite all affected jurisdictions, agencies and/or special districts to the preapplication meeting. (Ord. 234 §1(part), 1996)

14.05.030 Content of applications. A. All applications for approval under Titles 15 through 18 shall include the information specified in the applicable title. The director may require such additional information as reasonably necessary to fully and properly evaluate the proposal.

B. The applicant shall apply for all permits that are identified by the director as being necessary for the approval of the proposed development. (Ord. 234 §1(part), 1996)

14.05.040 Notice of completeness. A. Within twenty-eight days of receiving a date-stamped application, the county shall review the application and as set forth below, provide applicants with a written determination that the application is complete or incomplete.

B. A project application shall be declared complete only when it contains all of the following materials:

1. A fully completed, signed, and acknowledged development application and all applicable review fees;
2. A fully completed, signed, and acknowledged environmental checklist for projects subject to review under the State Environmental Policy Act;
3. The information specified for the desired project in the appropriate chapters of the Walla Walla County Code and as identified in Section 14.05.030; and

4. Any supplemental information or special studies identified by the environmental review committee.

C. For applications determined to be incomplete, the county shall identify, in writing, the specific requirements or information necessary to constitute a complete application. Upon submittal of the additional information, the county shall, within fourteen days, issue a notice of completeness or identify what additional information is required.

D. A notice of completeness is not required for projects for which the permit is issued with the twenty-eight day period, provided that they are categorically exempt from SEPA or environmental review has been completed.

E. Issuance of a notice of completeness shall not preclude the county from requesting additional information or studies either at the time of the notice or subsequently if new information is required or substantial changes in the proposed action occur. (Ord. 234 §1(part), 1996)

14.05.050 Technical review. A. For projects requiring review under SEPA a meeting of the county environmental review committee (ERC) shall be held prior to the issuance of a notice of completeness. The ERC may be composed of representatives of all affected county departments, utility districts, fire district, and other entities or agencies with jurisdiction.

B. The ERC shall review the development application for compliance with county plans and regulations, coordinate necessary permit reviews, and identify the development's environmental impacts. (Ord. 234 §1(part), 1996)

14.05.060 SEPA review. A. Developments and planned actions subject to the provisions of the State Environmental Policy Act (SEPA) shall be reviewed in accordance with the policies and procedures contained in Chapter 18.04. Threshold determinations shall be issued within ninety days of the completed application.

B. SEPA review shall be conducted concurrently with development project review. The following are exempt from concurrent review:

1. Projects categorically exempt from SEPA;
2. Components of previously completed planned actions, to the extent permitted by law and consistent with the EIS for the planned action. (Ord. 234 §1 (part), 1996)
3. The County may require that the public comment and/or appeal periods of a SEPA determination, be complete prior to the beginning of the public notice period on a notice of public hearing.

Chapter 14.07

PUBLIC NOTICE REQUIREMENTS

Sections:

- 14.07.010** Notice of development application.
- 14.07.020** Notice of public meeting.
- 14.07.030** Notice of administrative approval.
- 14.07.040** Notice of public hearing.
- 14.07.050** Notice of appeal.
- 14.07.060** Notice of decision.

14.07.010 **Notice of development application.** Following issuance of a letter of completeness under Section 14.05.040, the county shall issue a notice of development application. The notice shall include but not be limited to the following:

1. Date of the notice;
2. The name of the applicant;
3. Date of application;
4. The date of the notice of completeness;
5. A project description and location;
6. The requested permits, actions, and/or required studies;
7. Identification of other permits required but not included in the application;
8. Identification of existing environmental documents;
9. A public comment period not less than fourteen nor more than thirty days;
10. The date, time, and place of a public hearing if one has been scheduled;
11. A statement that the decision on the application will be made within one hundred twenty days of the date of the notice of completeness;
12. A regional planning department staff contact and phone number.

B. The notice of development application shall be posted on the subject property, posted in the regional planning department, and distributed to local newspapers.

C. A notice of application is not required for the following actions, when they are categorically exempt from SEPA or environmental review has been completed:

1. Applications for building permits;
2. Applications for administrative decisions. (Ord. 234 §1(part), 1996)

14.07.020 **Notice of public meeting.** Notice of a public meeting shall include, but not be limited to, distribution to local newspapers and mailing of notice to any parties which have commented on a notice of development application related to the public meeting. (Ord. 234 §1 (part), 1996)

14.07.030 **Notice of administrative approval.** Notice of administrative approvals subject to notice under Section 14.03.020 D of this title shall be made as follows:

A. Notification of Preliminary Approval, Class 1 Administrative Decision. The director shall notify the adjacent property owners of her intent to grant approval. Notification shall be made by mail only. The notice shall include:

1. A description of the preliminary approval granted, including any conditions of approval;
2. An address and phone number of the regional planning department staff contact from whom further information may be obtained;
3. A combined comment/appeal period of fifteen days.

4. A statement that final approval will be granted unless an appeal requesting a public hearing is filed with the director within fifteen days of the date of the notice.

B. Notification of Preliminary Approval, Class 2 Administrative Decision.

1. Requirements shall be the same as in Section 14.07.030 A, except that notification shall be made to property owners within one thousand feet of the subject property. (Ord. 234 §1(part), 1996)

14.07.040 Notice of public hearing. Notice of a public hearing for all development applications, open record appeals and legislative actions for which a public hearing is required shall be given as follows:

A. Time of Notices. Except as otherwise required, public notification of hearings under Title 14 through 18 WWCC, shall be made by:

1. Publication at least fifteen days before the date of a public hearing in the official newspaper if one has been designated or a newspaper of general circulation in the county; and

2. For site-specific applications, mailing at least fifteen days before the date of a public hearing to all property owners shown on the records of the county assessor within five hundred feet of the boundaries of the property which is the subject of the hearing; and

3. Posting at least fifteen days before the hearing one notice on or near the subject property (for site specific applications) and one notice at the County Courthouse.

B. Content of Notice. The public notice shall include, but not be limited to, a general description of the proposed project, action to be taken, a non-legal description of the property or a vicinity map or sketch, the time, date and place of the public hearing and the place where further information, including a complete legal description, can be obtained. The notice shall also include the threshold determination issued under SEPA when applicable.

C. Continuations. If for any reason, a hearing cannot be completed on the date set in the public notice, the hearing may be continued to a date certain and no further notice under this section is required. (Ord. 234 §1 (part), 1996)

14.07.050 Notice of appeal. In addition to the posting and publication requirements of Section 14.07.040, notice of appeals shall be as follows:

A. For appeals of administrative approvals, notice shall be mailed to property owners as specified in Section 14.07.030.

B. For closed record appeals, mailing to parties of record from the planning commission meeting. (Ord. 234 §1(part), 1996)

14.07.060 Notice of decision. A written notice for all final decisions shall be mailed to the applicant and all parties of record requesting written notice. The notice of decision shall include a statement of any threshold determination and any procedures for administrative appeal. The notice of decision may be a copy of (1) the report of decision on the project permit application, (2) signed ordinance or resolution, or (3) building permit. (Ord. 234 §1 (part), 1996)

Chapter 14.09

REVIEW AND APPROVAL PROCESS

Sections:

14.09.010	Administrative decisions without notice.
14.09.020	Administrative decisions with notice.
14.09.030	Planning commission review and recommendation or action.
14.09.040	Board of county commissioner action.
14.09.050	Procedures for public meetings.
14.09.060	Procedures for public hearings.
14.09.070	Procedures for closed record appeals.
14.09.080	Reconsideration.
14.09.090	Remand.
14.09.100	Final decision.
14.09.110	Records.

14.09.010 Administrative decisions without notice. A. The director may approve, approve with conditions, or deny without notice those actions specified in Section 14.03.020 C of this title. A written decision which includes findings and conclusions which support and are consistent with the criteria specified in the sections of the development code which are applicable to the requested permit shall be issued. Administrative checklists that serve to evaluate the appropriateness of the action may be utilized in lieu of a written decision.

B. The director's decisions under this section shall be final on the date issued. (Ord. 234 §1(part), 1996)

14.09.020 Administrative decisions with notice. A. The director may grant preliminary approval or approval with conditions of those actions specified in Section 14.03.020 D of this title subject to the requirements of this section. Notice of preliminary approval shall be in accordance with Section 14.07.030 of this title.

B. The director may deny the actions specified in Section 14.03.020 D of this title with no notice other than a notice of decision to the applicant as required in Section 14.07.060 of this title.

C. Preliminary decisions under this section shall become final subject to the following:

1. If no appeal is submitted, the preliminary decision becomes final at the expiration of the fifteen-day notice period. A written decision which includes findings and conclusions which support and are consistent with the criteria specified in the sections of the development code which are applicable to the requested permit shall be issued. Administrative checklists that serve to evaluate the appropriateness of the action may be utilized in lieu of a written decision.

2. If a written notice of appeal on the form provided by the Regional Planning Department is received within the specified time the matter will be referred to the planning commission for a public hearing. (Ord. 234 §1(part), 1996)

14.09.030 Planning commission review and recommendation or action. A. Staff Report. The director shall prepare a staff report on the proposed development or action summarizing the comments and recommendations of county departments, affected agencies and special districts, and evaluating the development's consistency with the county's development code, adopted plans and regulations. The staff report shall include findings, conclusions and proposed recommendations for disposition of the development application.

B. Hearing. The planning commission shall conduct a public hearing on development proposals for the purpose of taking testimony, hearing evidence, considering the facts pertinent to the

proposal, and evaluating the proposal for consistency with the county's development code, adopted plans and regulations. Notice of the planning commission hearing shall be in accordance with Section 14.07.040 of this title.

C. Required Findings. The planning commission shall not approve or recommend approval of a proposed development unless it first makes findings and conclusions which support and are consistent with the criteria specified in the sections of the development code which are applicable to the requested permit.

D. Recommendation. Upon approving or disapproving a development proposal or action, the planning commission shall prepare and adopt a resolution setting forth its findings and conclusions. The resolution shall be finalized no later than at the regularly scheduled planning commission meeting following the public hearing. Nothing shall prohibit the planning commission from directing the chair to finalize the resolution prior to the next scheduled planning commission meeting. Actions which require a recommendation to the board of county commissioners shall be forwarded to the board within fourteen days following the finalization of the resolution by the planning commission chair. (Ord. 234 §1(part), 1996)

14.09.040 Board of County Commissioner action. A. Actions. Upon receiving a recommendation from the planning commission or notice of any matter requiring the board's attention, the board shall perform the following actions as appropriate:

1. Make a decision on a planning commission recommendation;
2. Hold a public hearing and make a decision on comprehensive plan amendments and amendments to the text of the development code;
3. Hold a closed record review and make a decision on an appeal of a planning commission action.

B. Decisions. The county commissioners shall make its decision by motion, resolution, or ordinance as appropriate.

1. A board decision on a planning commission recommendation or following a public hearing shall include one of the following actions:

- a. Approve as recommended;
- b. Approve with additional conditions;
- c. Modify, with or without the applicant's concurrence, provided that the modifications do not:

- i. Enlarge the area or scope of the project,
- ii. Increase the density or proposed building size, or
- iii. Significantly increase adverse environmental impacts as determined by the responsible official.

- d. Deny (reapplication or resubmittal is permitted);
- e. Deny with prejudice (reapplication or resubmittal is not allowed for one year);
- f. Remand for further proceedings and/or evidentiary hearing in accordance with Section 14.09.090.

2. Actions by the board which are not consistent with the recommendation of the planning commission shall not be made without findings and conclusions which include:

- a. Specification of that portion of the planning commission's findings which are determined to be in error, and
- b. How the board's action better addresses the criteria outlined in the code for the specific permit requested.

3. A board decision following a closed record appeal review shall include one of the following actions:

- a. Grant the appeal in whole or in part;
- b. Deny the appeal in whole or in part;

c. Remand for further proceedings and/or evidentiary hearing in accordance with Section 14.09.090. (Ord. 234 §1 (part), 1996)

14.09.050 Procedures for public meetings. Public meetings shall be conducted in accordance with the rules of procedure for the body conducting the meeting, and may be formal or informal meetings. (Ord. 234 §1(part), 1996)

14.09.060 Procedures for public hearings. A. Conduct. Public hearings shall be conducted in accordance with the hearing body's rules of procedure and shall serve to create or supplement an evidentiary record upon which the body will base its decision. The chair shall open the public hearing and, in general, observe the following sequence of events:

1. Staff presentation, including submittal of any administrative reports and written correspondence received prior to the hearing. Members of the hearing body may ask questions of staff.
2. Applicant presentation, including submittal of any material. Members of the hearing body may ask questions of the applicant.
3. Testimony or comments by the public pertinent to the matter. Questions directed to the staff or the applicant shall be posed by the chair at its discretion.
4. Rebuttal, response or clarifying statements by the staff and the applicant.
5. The evidentiary portion of the public hearing shall be closed and the hearing body shall deliberate on the matter.

B. Consolidated Hearings. The county may combine any hearing on a project permit with any hearing that may be held by another local, state, regional, federal or other agency provided that the hearing is held within Walla Walla County. (Ord. 234 §1(part), 1996)

14.09.70 Procedures for closed record appeals. Closed record appeal meetings shall be conducted in accordance with the ruling body's rules of procedure and shall serve to provide argument and guidance for the body's decision. Closed record appeal meetings shall include a staff review of the project, the record from the hearing, and a reading of the written appeal arguments. Except as provided in Section 14.09.090, no new evidence or testimony shall be given or received. The parties to the appeal and/or the applicant must submit written statements or arguments at least twenty days prior to the date of the meeting at which the appeal will be considered. Written arguments shall be limited to ten pages. (Ord. 234 §1(part), 1996)

14.09.080 Reconsideration. A party to a public hearing or closed record appeal may seek reconsideration only of a final decision by filing a written request for reconsideration with the director within five days of the announcement of the final decision. If no request for reconsideration is filed within five days of announcement of decision, the decision will be considered final. The request for reconsideration shall comply with Section 14.11.020 B of this title. The board or hearing body shall consider the request at its next regularly scheduled meeting, without public comment or argument by the party filing the request. If the request is denied, the previous action shall become final. If the request is granted, the board or hearing body may immediately revise and reissue its decision or any call for argument in accordance with the procedures for closed record appeals. Reconsideration should be granted only when an obvious legal error has occurred or a material factual issue has been overlooked that would change the previous decision. (Ord. 234 §1 (part) , 1996)

14.09.090 Remand. In the event the board of county commissioners determines that the public hearing record on appeal is insufficient or otherwise flawed, the board may remand the matter back to the hearing body to correct the deficiencies. The board shall specify the items or issues to be considered and the time frame for completing the additional work. The board may hold a public hearing on a closed record appeal only for the limited purposes identified in RCW 34.05.562(1). (Ord. 234 §1(part), 1996)

14.09.100 Final decision. A. Time. The final decision on a development proposal shall be made within one hundred twenty days from the date of the notice of completeness. Exceptions to this include:

1. Amendments to the comprehensive plan or development code;
2. Any time required to correct plans, perform studies or provide additional information, provided that after receiving the requested additional information, the director shall determine whether the information is adequate to resume the project review;
3. Substantial project revisions made or requested by an applicant, in which case the one hundred twenty days will be calculated from the time that the county determines the revised application to be complete;
4. All time required for the preparation and review of an environmental impact statement;
5. Projects involving the siting of an essential public facility, a master planned resort, or a fully contained community;
6. An extension of time mutually agreed upon by the county and the applicant;
7. All time required for the administrative appeal of a determination of significance;
8. Time required for administrative appeals of project permits, provided that the time period for appeals shall not exceed (a) ninety days for an open record appeal hearing, and (b) sixty days for a closed record appeal. The parties to an appeal may agree to extend these time periods;
9. Any remand to the hearing body
10. The staff may also extend the timeline after making written findings that a specified additional time is necessary.

B. Effective Date. The final decision of the board or planning commission shall be effective on the date stated in the decision, motion, resolution, or ordinance, provided that the date from which appeal periods shall be calculated shall be the date the board or hearing body takes action on the motion, resolution, or ordinance. (Ord. 234 §1(part), 1996)

14.09.110 Records. A. Planning Commission hearings. Records of the Planning Commission hearings on a preliminary plat shall be kept by the administrator, for the time frame required by state statute, and shall be open to public inspection.

B. Records of the Board's proceedings concerning a preliminary plat shall be kept by the clerk of the Board, for the time frame required by state statute, and shall be open to public inspection.

Chapter 14.10

COMPREHENSIVE PLAN AND GMA IMPLEMENTING REGULATIONS AMENDMENT PROCESS

Sections:

14.10.010	Amendments - Purpose and Introduction
14.10.020	Annual Amendments - Consideration of Cumulative Effects
14.10.030	Exceptions to the Annual Amendment Process
14.10.040	Applications for Comprehensive Plan Amendment
14.10.050	Compilation of Preliminary Docket
14.10.060	Review of Preliminary Docket - Adoption of Final Docket
14.10.070	Final Docket - Regional Planning Office Review and Recommendation - SEPA Review
14.10.080	Final Docket - Planning Commission and Board of County Commissioners Review
14.10.085	Amendments to Urban Growth Areas
14.10.090	Amendments to GMA Implementing Regulations

14.10.010 Amendments - Purpose and Introduction. A. The purpose of this Chapter is to establish procedures for amending the Walla Walla County Comprehensive Plan, defined for the purposes of this Chapter as including the plan text and/or the land use map. The Growth Management Act (GMA, Chapter 36.70A.RCW) generally allows amendments to comprehensive plans no more often than once per year, except in emergency situations. This chapter is intended to provide the following:

1. A process whereby the County will compile and maintain a preliminary docket of proposed amendments to the Comprehensive Plan and then select which proposed amendments will be placed on the final docket for review;

2. Timelines and procedures for reviewing applications for amendments on the final docket, no more often than once annually; and

3. Criteria for review of the final docket by the Walla Walla County Planning Commission and the Board of County Commissioners.

B. Public Participation. The public participation process set forth in this Chapter is intended to solicit from the public suggested amendments to the Walla Walla County Comprehensive Plan for future consideration, and to provide an opportunity for public comment on any proposed amendments. This is achieved by early and continuous public involvement with broad dissemination of proposals and alternatives, opportunity for written comments, public meetings after effective notice, provisions for open discussion, and consideration and response to public comments.

14.10.020 Annual Amendments – Consideration of Cumulative Effects. Except as provided in section 14.10.030 below, proposals for amendments to the Walla Walla County Comprehensive Plan shall be considered by the Board of County Commissioners no more frequently than once every year. Proposals for Plan amendments shall be considered concurrently so that the cumulative effect of all items on the final docket will be ascertained. Proposals may be considered at separate meetings or hearings, so long as the final action taken considers the cumulative effect of all the proposed amendments to the Comprehensive Plan.

14.10.030 Exceptions to the Annual Amendment Process. A. In addition to the amendment process set forth in this Chapter, the Board of County Commissioners may amend the Walla Walla County Comprehensive Plan in any of the following circumstances:

1. Resolution of an emergency condition or situation that involves public health, safety or welfare and when adherence to the amendment process set forth in this Chapter would be detrimental to the public health, safety or welfare;

2. Initial adoption of a sub-area plan identified in the Walla Walla County Comprehensive Plan;

3. The adoption of or amendments to the Walla Walla County Shoreline Master Program;

4. Technical, non-substantive corrections to manifest land use mapping errors which do not involve interpretations of the criteria for the various land use designations contained in the Comprehensive Plan;

5. Resolution of a decision by an administrative agency or court of competent jurisdiction; and

6. The amendment of the capital facilities element of the Comprehensive Plan that occurs concurrently with the adoption or amendment of the County's budget.

B. Determination of Emergency. Situations involving official legal or administrative action (e.g., decisions by the Eastern Washington Growth Management Hearings Board, state or federal courts, actions of a state agency or office, or the state legislature) affecting Walla Walla County will be reviewed by the Walla Walla Board of County Commissioners to determine whether an emergency exists warranting an emergency Comprehensive Plan amendment.

14.10.040 Applications for Comprehensive Plan Amendment. A. Anyone may apply for an amendment to the Comprehensive Plan which shall be added to the list of proposed amendments to be maintained by the Director. The process outlined in Section 14.10.060 below shall govern whether such suggested amendments are considered during the annual review process.

B. Application Deadline. Applications for amendments shall be submitted to the Regional Planning Office during one specified month of the current calendar year in order to be considered during that year's amendment process.

C. Application Form. Applications for amendments shall be accepted by the Regional Planning Office on forms provided by the department and shall include the following information, as determined by the Director, to be necessary to evaluate a particular proposal:

1. Name and address of applicant;
2. A description of the proposed Comprehensive Plan amendment and any associated development proposals, if applicable. Site specific or project-related amendments shall include plans, information and/or studies that accurately depict existing and proposed uses and improvements;
3. Proposed amendatory language;
4. An explanation of the rationale for the proposed amendment;
5. An explanation of how the proposed amendment and associated development proposal(s), if any, conform to, conflict with, or relate to the criteria set forth in section 14.10.080, as applicable;
6. A completed SEPA checklist if the application is for a site-specific amendment; and
7. Any additional information reasonably deemed necessary by the Director to evaluate the proposed amendment.

D. Failure to Comply - Effect. Applications that do not include the information required, or which are not received by the deadline set forth in section 14.10.040 B above, shall not be processed.

E. Application Fee. A filing fee as set forth in the Walla Walla County Fee schedule shall accompany applications for amendments.

14.10.050 Compilation of Preliminary Docket. A. The preliminary docket shall consist of all proposals for amendments;

B. Each year, the Director shall maintain for public review the annual list of suggested amendments made by citizens, the Board of County Commissioners or members of the Board of County

Commissioners, county staff, county departments or other agencies. This list of suggested amendments shall be compiled into a preliminary docket. Section 14.10.060, below, sets forth the process for selecting which suggested amendments will be placed on the final docket to be formally reviewed during the annual review process.

14.10.060 Review of Preliminary Docket-Adoption of Final Docket.

A. The Regional Planning Office's Review of Preliminary Docket. After compiling the preliminary docket, the Director shall review the suggested amendments and prepare a report concerning which suggested amendments the Director believes should be placed on the final docket for consideration during the annual amendment process. The staff report shall address the need and appropriateness of each suggested amendment.

B. Planning Commission Hearing - Report and Recommendation. The Planning Commission shall hold a public hearing to accept public comment regarding the suggested amendments on the preliminary docket. Notice of the Public Hearing shall be as required in 14.07.040 WWCC. Following the hearing, the Planning Commission shall prepare a report and recommendation identifying those suggested amendments that it is recommending for consideration by the Board of County Commissioners during the annual amendment process. The Planning Commission's recommendation shall be based upon the perceived need, urgency and appropriateness of each suggested amendment.

C. Board of Commissioner's Decision Adoption of Final Docket.

1. Review and Decision Process. The Board of County Commissioners shall review and consider the Planning Commission's report and recommended final docket at a regularly scheduled commissioner's meeting. The Board of County Commissioners may adopt the Planning Commission's recommended final docket without a public hearing; however, in the event that a majority of the Board of County Commissioners decides to add or subtract suggested amendments, it shall first hold a public hearing. Notice of the public hearing shall be given as required in section 14.07.040 of this Title.

2. Effect of Final Adopted Docket. The decision of the Board of County Commissioners to adopt the final docket does not constitute a decision or recommendation that the substance of any recommended amendment should be adopted. No additional amendment proposals shall be considered by the County after adoption of the final docket for that year; except for exceptions and emergencies as set forth in WWCC 14.10.030 above.

14.10.070 Final Docket - Regional Planning Office Review and Recommendation - SEPA Review. The final docket as adopted by the Board of County Commissioners shall first be reviewed and assessed by the Regional Planning Office, and the Director shall prepare a staff report and recommendation on each proposed amendment. The Regional Planning Office shall also be responsible for conducting SEPA review of all items on the final docket. As appropriate, the Director shall solicit comments regarding the proposed amendments from the public and/or government agencies. The Director shall also provide notice and opportunity for public comment as deemed appropriate given the nature of the proposed amendments and consistent with RCW 36.70A.140 and SEPA (Chapter 43.21C RCW and Chapter 197-11 WAC).

14.10.080 Final Docket - Planning Commission and Board of County Commissioners Review. A. Planning Commission Review. All proposed amendments on the final docket shall be reviewed and assessed by the Planning Commission, which shall make a recommendation to the Board of County Commissioners after holding at least one (1) open record public hearing, noticed as required in section 14.07.040 of this Title.

1. Required Findings - Generally. For all proposed amendments, the Planning Commission shall develop findings and conclusions and a recommendation which includes the following:

- a. The proposal meets a definable public need;

b. The public need was not recognized in the existing comprehensive plan due to a change in circumstances in the community or due to an error in development of the plan as it currently exists.

c. The defined need conforms to policy directives of the comprehensive plan and Countywide Planning Policies; and

d. The proposal does or does not require amendment of current policies in other areas of the comprehensive plan.

2. Additional Required Findings - Site-Specific Amendments. In addition to the required findings set forth above, in order to recommend approval of a site-specific proposal to amend the Comprehensive Plan, the Planning Commission must also make the following findings:

a. The proposed site-specific amendment meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services (e.g., sheriff, fire and emergency medical services, parks, fire flow, and general governmental services);

b. The proposed site-specific amendment is consistent with the goals, policies and implementation strategies of the various elements of the Walla Walla County Comprehensive Plan;

c. The proposed site-specific amendment will not result in probable significant adverse impacts to the county's transportation network, capital facilities, utilities, parks, and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;

d. In the case of a site-specific amendment to the land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including but not limited to the following:

i. Access;

ii. Provision of utilities; and

iii. Compatibility with existing and planned surrounding land uses;

e. The proposed site-specific amendment will not create a pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the county as a whole;

f. The proposed site-specific amendment does not affect the land use and population growth projections that are the bases of the Comprehensive Plan;

g. If within an unincorporated urban growth area (UGA), the proposed site-specific amendment does not affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA; and

h. The proposed amendment is consistent with the Growth Management Act (Chapter 36.70A RCW), the County-Wide Planning Policies for Walla Walla County, any other applicable inter-jurisdictional policies or agreements, and any other local, state or federal laws.

3. Recommendation. The Planning Commission's findings and conclusions shall include a recommendation to the Board of County Commissioners that the proposed amendment(s) be denied, approved, or approved with conditions or modifications.

B. Board of County Commissioners Review.

1. Board of County Commissioners Workshop. The Board of County Commissioners may first review the recommendation of the Planning Commission in a workshop meeting(s).

2. Board of County Commissioners Hearing. The Board of County Commissioners shall consider the proposed amendments to the Comprehensive Plan at a regularly scheduled meeting and conduct a public hearing, noticed as set forth in 14.07.040 WWCC.

3. Criteria for Evaluation of Proposed Plan Amendments. The Board of County Commissioners shall apply the same criteria as the Planning Commission as set forth in section 14.10.080 1 and 2 above, as applicable.

4. Adoption by Ordinance. The Board of County Commissioners shall adopt any amendments to the Walla Walla County Comprehensive Plan by ordinance.

C. Transmittal to State. The Director shall transmit a copy of any proposed amendment of the Comprehensive Plan to the Washington State Office of Community Development (OCD) at least sixty (60) days prior to the expected date of final action by the Board of County Commissioners, as consistent with Chapter 36.70A RCW. The Director shall transmit a copy of any adopted Comprehensive Plan amendment to OCD within ten (10) days after adoption by the board.

D. Appeals. All appeals to the adoption of an amendment to the Walla Walla County Comprehensive Plan shall be filed with and processed by the Eastern Washington Growth Management Hearings Board in accordance with the provisions of Chapter 36.70A RCW.

14.10.085 Amendments to Urban Growth Areas. A. Amendments to Urban Growth Area boundaries shall be considered only once every five years (with year 1 being the date of original adoption of each respective city's plan) and will be conducted jointly with the cities.

B. For amendments impacting the map or policies of an Urban Growth Area the County shall provide the application to the City for review and input prior to declaring the application complete.

C. Upon expiration of the time for public submittal of amendment proposals, County staff shall meet with staff of each city in the County to review all accepted applications and coordinate the environmental review process.

D. If one or more of the cities has indicated that amendments which affect the Urban Growth Area of their city will be forwarded to the County, the County will not initiate its hearing process until it has received each of the cities' planning commission recommendations, except that the County Planning Commission may conduct joint hearings with a city planning commission for the purpose of hearing issues which affect the Urban Growth Area if an agreement is made between jurisdictions to that affect. A joint hearing must be held within the time established by local authorities for submittal of applications.

E. Notice of the time, place and purpose of such joint public hearings shall be published in the official newspaper of the County within the time set by local authorities.

F. Where a joint City-County hearing process has been held, the County's recommendations will first be referred to the appropriate City Council before being forwarded to the Board of County Commissioners for review and final decision.

G. Action by the board of County Commissioners shall be final, however, the County may enter into an agreement process with each City which outlines a process for resolution of disputes.

H. Findings. In addition to the findings outlined in 14.10.080 A.1, the following findings are required for actions which affect the location and alignment of the Urban Growth Boundary.

1. The population projection in the comprehensive plan has been reviewed and the proposal does or does not necessitate reallocation of population within the County; and

2. The Buildable Lands Analysis of the comprehensive plan has been reviewed and does or does not require modification based on the proposal.

14.10.090 Amendments to GMA Implementing Regulations. A. The text of the County's adopted Comprehensive Plan implementing regulations may be amended at any time, provided the amendment is consistent with the Walla Walla County Comprehensive Plan and land use map. When inconsistent with the Comprehensive Plan and land use map, the amendment may be processed concurrent with any necessary Plan amendments using the process and timelines for Plan amendments set forth in this Chapter. "Implementing regulations" means the controls placed on development or land use activities by the County, including, but not limited to, Title 17 Zoning, Title 16 Subdivisions, the Walla Walla County Shoreline Master Program, or any other official controls required to implement the Plan (see RCW 36.70A.030). Proposed amendments, changes, or modifications may be initiated as follows:

1. When consistent with the Plan, at any time at the direction of the Board of County Commissioners or by the Planning Commission;

2. When inconsistent with the Plan, under the process and time lines for Comprehensive Plan amendments by any interested person consistent with this Chapter; or

3. Immediately following or concurrent with an amendment or amendments to the Walla Walla County Comprehensive Plan, the implementing regulations shall be amended to be consistent with the Plan and land use map.

B. Planning Commission Review. The Planning Commission shall hold a public hearing, noticed as required in section 14.07.040 of this Title, on any amendments to the implementing regulations and shall make a recommendation to the Board of County Commissioners using the site-specific criteria set forth in section 14.10.080, as applicable.

C. Board of County Commissioners Review. The Board of County Commissioners shall consider the proposed amendments at a regularly scheduled meeting by applying the criteria set forth in Section 14.10.080, as applicable and by conducting a public hearing. Notice of the public hearing shall be given as required in section 14.07.040 of this Title.

D. Transmittal to State. The Director shall transmit a copy of any proposed amendments to the implementing regulations at least sixty (60) days prior to the expected date of final action by the Board of County Commissioners, as consistent with Chapter 36.70A RCW. The Director shall transmit a copy of any adopted amendments to the implementing regulations to OCD within ten (10) days after adoption by the board.

E. Appeals. All appeals to the adoption of any amendments to the implementing regulations shall be filed with and processed by the Eastern Washington Growth Management Hearings Board in accordance with the provisions of Chapter 36.70A. RCW.

CHAPTER 14.11

APPEALS

Sections:

- 14.11.010** **Appeal of administrative interpretations and decisions.**
- 14.11.020** **Appeal to the planning commission.**
- 14.11.030** **Appeal of planning commission recommendations.**
- 14.11.040** **Appeal to the board of county commissioners.**
- 14.11.050** **Judicial appeal.**

14.11.010 **Appeal of administrative interpretations and decisions.** Administrative interpretations and administrative decisions may be appealed to the planning commission by the applicant or by parties of record. (Ord. 234 §1(part), 1996)

14.11.020 **Appeal to the planning commission.** A. Filing. Every appeal to the planning commission shall be filed with the director within fourteen days after the date of the recommendation or decision of the matter being appealed.

- B. Contents. The notice of appeal shall contain a concise statement which identifies:
1. The decision being appealed;
 2. The name and address of the appellant and his interest(s) in the matter;
 3. The specific reasons why the appellant believes the decision to be wrong. The appellant shall bear the burden of proving the decision was wrong;
 4. The desired outcome or changes to the decision; and
 5. The appeals fee. (Ord. 234 §1 (part), 1996)

14.11.030 **Appeal of planning commission recommendations.** Decisions of the planning commission may be appealed to the board of county commissioners by applicant or parties of record from the planning commission hearing. (Ord. 234 §1(part), 1996)

14.11.040 **Appeal to the board of county commissioners.** A. Filing. Every appeal to the county commissioners shall be filed with the director within ten days after the date of the decision of the matter being appealed.

- B. Contents. The contents of the application shall be the same as those specified in 14.11.020 B. (Ord. 234 §1(part), 1996)

14.11.050 **Judicial appeal.** Appeals of the final decision of the county commissioners or other county board or body involving Titles 14 to 18 WWCC, and for which all other appeals specifically authorized have been timely exhausted, shall be made to Walla Walla County superior court in accordance with the Land Use Petition Act, RCW 36.70C. (Ord. 234 §1(part), 1996)

Chapter 14.13

Fee Schedule Adoption

Sections:

14.11.010 Fee Schedule Adoption.

14.11.010 Fee Schedule adoption. A. for the purpose of partially defraying expenses involved in processing applications, the planning department shall require fees as identified in the Land Development Application Fee Schedule, which is adopted by reference and incorporated in this section.

B. All fees are nonrefundable except in cases when the processing of an application was terminated prior to the incurring of substantial administrative expenses. Refunds shall be made at the direction of the planning director.

C. No action shall be taken on proceedings before the planning commission until fees have been paid in full.

D. When a combination of applications involves the same property, only the highest fee shall be required.

Title 16

SUBDIVISIONS

Chapters:

DIVISION I. SUBDIVISION CONTROL ORDINANCE

16.04	General Provisions
16.08	Definitions
16.12	Procedural Requirements
16.16	Dedications
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16.40	Enforcement and Penalty

DIVISION II. SHORT SUBDIVISIONS

16.44	General Provisions
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DIVISION I. SUBDIVISION CONTROL ORDINANCE

Chapter 16.04

GENERAL PROVISIONS

Sections:

- 16.04.010** **Applicability.**
- 16.04.020** **Exemptions.**
- 16.04.030** **Development of illegally divided land public interest determination.**
- 16.04.040** **Development of illegally divided land-Innocent purchaser for value.**
- 16.04.050** **Severability.**

16.04.010 **Applicability.** Every subdivision of land within the unincorporated area of Walla Walla County shall proceed in compliance with Division I of this title. Land divided as a short division within five years immediately preceding may be resubdivided pursuant to Division I of this title.

16.04.020 **Exemptions.** The provisions of Division I of this title shall not apply to:

- A. Any cemetery or burial plot, while used for that purpose;
- B. Any division of land not containing a dedication, in which the smallest lot created by the division exceeds forty acres;
- C. Any division of land made by testamentary provision, the laws of descent, or upon court order. (Ord. 82 §1.01, 1970; Amd. unnumbered, 10-2-73)

16.04.030 **Development of illegally divided land public interest determination.** No application for a building permit, septic tank permit or other development for any lot, tract or parcel of land divided in violation of state law or Division I of this title shall be granted without prior approval of the planning commission. Such approval shall only be given following a public meeting at which the applicant shall demonstrate to the satisfaction of the planning commission that:

- A. The director of health has certified that the proposed means of sewage disposal and water supply on and to the lot, tract or parcel are adequate;
- B. The county engineer has certified that the lot, tract or parcel is served with an adequately designed means of ingress and egress, and with adequate drainage facilities, none of which interfere with or impair existing or planned public highway and drainage facilities in the vicinity;
- C. The planning department has certified that the proposed development conforms to the comprehensive plan and all zoning regulations;
- D. The proposed development will not adversely affect the safety, health or welfare of adjacent property owners, or interfere with their enjoyment of their property. (Ord. 82 §9.00, 1970)

16.04.040 **Development of illegally divided land-Innocent purchaser for value.** An application for a building permit, septic tank permit or other development permit for any lot, tract or parcel of land divided in violation of state law or Division I of this title shall not be granted without prior approval of the board, which approval shall only be given following a public meeting at which the applicant shall demonstrate to the satisfaction of the board that:

- A. The applicant purchased the lot, tract or parcel for value;
- B. The applicant did not know, and could not have known by the exercise of care which a reasonable purchaser would have used in purchasing the land, that the lot, tract or parcel had been part of a larger lot, tract or parcel divided in violation of state law or Division I of this title. (Ord. 82 §9.01, 1970)

16.04.50 Severability. If any provision of division I of this title or its application to any person or circumstance is held invalid, the remainder of Division I of this title or the application of the provision to other persons or circumstances shall not be affected. (Ord. 82 §11.00, 1970)

Chapter 16.08

DEFINITIONS

Sections:

16.08.010	Generally.
16.08.020	Alley.
16.08.030	Block.
16.08.040	Board.
16.08.050	Comprehensive plan.
16.08.060	Cul-de-sac.
16.08.070	Dedication.
16.08.075	Driveway.
16.08.080	Easement.
16.08.090	Final plat.
16.08.100	Lot.
16.08.110	Planning commission.
16.08.120	Plat.
16.08.130	Preliminary plat.
16.08.140	Road.
16.08.145	Road, private.
16.08.150	Subdivider.
16.08.160	Subdivision.

16.08.010 Generally. Whenever the following words and phrases appear in Division I of this title they shall be given the meaning attributed to them by this chapter. When not inconsistent with the context, words used in the present tense shall include the future; the singular shall include the plural, and the plural the singular. The word "shall" is always mandatory, and the word "may" indicates a use of discretion in making a decision. (Ord. 82 §2.00, 1970)

16.08.020 Alley. "Alley" is a strip of land dedicated to public use providing vehicular and pedestrian access to the rear side of properties which abut and are served by a public road. (Ord. 82 52.11, 1970)

16.08.030 Block. "Block" is a group of lots, tracts or parcels within well defined and fixed boundaries. (Ord. 82 §2.08, 1970)

16.08.040 Board. "Board" means the Board of County Commissioners of the county of Walla Walla, Washington.

16.08.050 Comprehensive plan. "Comprehensive plan" is the current comprehensive plan of Walla Walla County, adopted by the board pursuant to state law. (Ord. 82 52.12, 1970)

16.08.060 Cul-de-sac. "Cul-de-sac" is a road closed at one end by a circular area of sufficient size for turning vehicles around. (Ord. 82 52.10, 1970)

16.08.070 Dedication. "Dedication" is the deliberate appropriation of land by an owner for any general and public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat or short plat showing

the dedication, thereon; and, the acceptance by the public shall be evidenced by the approval of such plat for filing by the board of county commissioners of Walla Walla County. (Ord. 82 §2.05, 1970)

16.08.075 Driveway. "Driveway" is a lot's exclusive access to a public right of way.

16.08.080 Easement. "Easement" is a grant by a property owner to specific persons or to the public to use land for a specific purpose or purposes. (Ord. 82 §2.06, 1970)

16.08.090 Final plat. "Final plat" is the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in 58.17 RCW, and in Division I of this title adopted pursuant thereto. (Ord. 82 §2.04, 1970)

16.08.100 Lot. "Lot" is subdivided land having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term includes tracts or parcels. (Ord. 82 §2.07, 1970)

16.08.110 Planning commission. "Planning commission" is the Walla Walla County planning commission: (Ord. 82 §2.13, 1970)

16.08.120 Plat. "Plat" is a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, roads and alleys or other divisions and dedications. (Ord. 82 §2.02, 1970)

16.08.130 Preliminary plat. "Preliminary plat" is a neat and approximate drawing of a proposed subdivision showing the general layout of roads and alleys, lots, blocks and restrictive covenants to be applicable to the subdivision, and other elements of a plat or subdivision which shall furnish a basis for the approval or disapproval of the general layout of a subdivision. (Ord. 82 §2.03, 1970)

16.08.140 Road. "Road" is an improved and maintained public right-of-way which provides vehicular circulation or principle means of access to abutting properties, and which may also include provisions for public utilities, pedestrian walkways, public open space and recreation areas, cut and fill slopes, and drainage. (Ord. 82 §2.09, 1970)

16.08.145 Road, private. "Private Road" is an access to two or more lots or parcels where the responsibility for repair and maintenance has not been accepted by the County.

16.08.150 Subdivider. "Subdivider" is a person, including a corporate person, who undertakes to create a subdivision. (Ord. 82 §2.15, 1970)

16.08.160 Subdivision. "Subdivision" is the division of land into five or more lots, tracts, parcels, sites or divisions for the purpose of sale or lease and includes all resubdivision of land. (Ord. 82 §2.01, 1970)

Chapter 16.12

PROCEDURAL REQUIREMENTS

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ARTICLE I. GENERAL PROVISIONS

16.12.010 Administration. The county planning director referred to in Division I of this title as "the administrator," is vested with the duty of administering subdivision and platting regulations within the unincorporated areas of the county, and may prepare and require the use of such forms as are essential to their administration. (Ord. 82 §3.00, 1970)

ARTICLE II. PROCEDURE

16.12.020 Application and fees. A. Any person desiring to subdivide land in the unincorporated area of Walla Walla County shall submit an application therefor to the administrator on forms prescribed by the planning director.

B. Applicants for approval pursuant to Division I of this title shall pay to the planning department the applicable filing and plat check fees identified on the approved land development application fee schedule, which is adopted by reference and incorporated in Division I of this title.

C. Recording fees shall be paid to the county auditor as set forth in RCW 26.18.010. (Ord. 82 §3.01, 1970; Amd. 1, 9-8-81; Ord. 176, 55, 1984)

16.12.030 Plats and plans required. A subdivider shall submit with his application six copies of a preliminary plat and six copies of plans, profiles and specifications for streets, utilities and other proposed improvements to be constructed in the proposed subdivision. Plans and profiles shall be drawn upon standard twenty-three inches by thirty-nine inches Federal Aid Plan profile sheets or such other sheets as may be acceptable to the county engineer and submitted prior to filing of the final plat. (Ord. 82 §3.02, 1970)

16.12.040 Adequacy and distribution of plats and plans. A. If the administrator determines that the preliminary plat contains sufficient elements and data to furnish a basis for its approval or disapproval, and the plans, profiles and specifications are adequate to allow the county engineer to approve or disapprove the construction of future improvements, the administrator shall affix a file number and date of receipt to the application and promptly forward all copies of the plans, profiles and specifications of roads, utilities and other proposed improvements to the county engineer.

B. The administrator shall promptly forward one copy of the preliminary plat to the county engineer, health director, park director, fire protection official, superintendent of schools, assessor, and appropriate utility, service and environmental agencies.

C. The administrator shall forward one copy of the preliminary plat to the city engineer of any city when the area to be subdivided is within three miles of an urban area; provided, that the city has a general development plan and a subdivision regulation code. (Ord. 82 §3.03, 1970)

16.12.050 Planning commission hearing date. After issuance of a notice of complete application, the administrator shall set a date for public hearing before the planning commission. (Ord. 82 §3.04, 1970)

16.12.060 Notice of hearing. The administrator shall give notices of the public hearing as required in WWCC 14.07.040.

ARTICLE III. HEARING

16.12.070 Scope and continuance. At the public hearing, the planning commission shall consider all relevant evidence to determine whether to recommend that the preliminary plat be approved or disapproved by the board. Any hearing may be continued at the discretion of the commission, within the time limits allowed by the law. (Ord. 82 §3.06, 1970)

16.12.080 Road, sewer and water, and fire system recommendations. A. The county engineer, the county health officer and the appropriate fire protections official shall certify to the planning commission their respective recommendations as to the adequacy of the proposed road system, the proposed sewage disposal, storm sewage disposal and water supply systems, and fire protection facilities within the subdivision.

B. The recommendations of the county engineer, the county health officer, and the fire protection official shall be attached to the commission's report for transmittal to the board. (Ord. 82 §3.07, 1970)

16.12.090 Appropriate facilities and improvements. The commission shall determine whether the proposal includes appropriate provisions for drainage, roads, alleys and other public ways, water supplies, sanitary wastes, parks, playgrounds, fire protection facilities, school sites and grounds and other public and private facilities and improvements. Sidewalks shall be constructed of concrete or asphalt as determined by the County Public Works or Regional Planning Departments. (Ord. 82 §3.08, 1970)

16.12.100 Conformance to comprehensive plan. The commission shall determine if the proposed subdivision conforms to the general purposes of the comprehensive plan; and if the public use and interest will apparently be served by the proposal. (Ord. 82 §3.09, 1970)

16.12.110 Report to board. A. Not later than fourteen days following conclusion of the hearing, the planning commission shall submit its written report and recommendations to the legislative body.

B. The planning commission may recommend that the proposed plat be approved, conditionally approved, or disapproved.

C. Conditions of approval shall be precisely recited in the planning commission's report and shall include recommended protective improvements, if any. (Ord. 82 §3.10, 1970)

ARTICLE IV. BOARD ACTION

16.12.130 Date. Upon receipt of the planning commission's recommendation, the board shall, at its next public meeting, set the date for the public meeting at which the board shall consider the recommendation. (Ord. 82 §3.12, 1970)

16.12.140 Acceptance or rejection. At the meeting scheduled for considering the preliminary plat the board shall, after reviewing the recommendations of the planning commission, the county engineer, the health officer, the fire protection official, and any other relevant evidence presented to it, shall either concur with or reject the planning commission's recommendation. (Ord. 82 §3.13, 1970)

ARTICLE V. PRELIMINARY PLAT APPROVAL

16.12.170 Authorization for subdivider. Approval of the preliminary plat shall constitute authorization for the subdivider to develop the subdivision's facilities and improvements in strict accordance with standards established by Division I of this title and any conditions imposed by the board. (Ord. 82 §3.16, 1970)

16.12.180 Expiration. Preliminary plat approval shall be effective for three years. Upon application by the subdivider, the Director of Regional Planning shall review the preliminary plat and find that the preliminary plat then serves the public use and interest and complies with all zoning requirements as of the date of the reapplication, may extend approval for one additional twelve-month period. The fee

for such reapplication shall be one-half the fee paid to the planning department for the original application. (Ord. 82 §3.17, 1970; Ord. 176 §3, 1984)

ARTICLE VI. FINAL PLAT

16.12.190 Filing period. At any time within three years following the board's approval of a preliminary plat the subdivider shall file the original and six copies of a proposed final plat with the administrator. (Ord. 82 §3.18, 1970; Ord. 176 §4, 1984)

16.12.200 Review by administration. The administrator shall satisfy himself:

- A. That the final plat meets all standards established by state law and Division I of this title relating to final plats;
- B. That the proposed final plat bears the certificates and statements of approval required by Division I of this title;
- C. That a title insurance report furnished by the subdivider confirms the title of the land in the proposed subdivision is vested in the name of the owners whose signatures appear on the plat's certificate;
- D. That the facilities and improvements required to be provided by the subdivider have been completed or, alternatively, that the subdivider will provide a bond in a form acceptable to the prosecuting attorney and in an amount and with sureties commensurate with improvements remaining to be completed securing to the county the construction and installation of the improvements within a fixed time set by the board. (Ord. 82 §3.19, 1970)

16.12.210 Submission to board. The administrator shall acknowledge receipt of a proposed final plat which meets the requirements of Section 16.12.200 and shall forward the original to the clerk of the board. (Ord. 82 §3.20, 1970)

16.12.220 Board determination-approval or disapproval. A. The board shall determine:

1. Whether conditions imposed when the preliminary plat was approved have been met;
2. Whether the bond, if there is one, by its essential terms assures completion of improvements;
3. Whether the public use and interest will be served by approving the proposed final plat;
4. Whether the requirements of state law and Division I of this title have been satisfied by the subdivider.

B. The board shall thereupon approve or disapprove the proposed final plat. If the board approves the plat the administrator shall forward one reproducible copy thereof to the county engineer and one paper copy to the county assessor, and shall transmit the original to the county auditor for filing. (Ord. 82 §3.21, 1970)

16.12.230 Expiration. If the final plat is not recorded within two years from the date of original approval by the board, such approval of the preliminary plat shall be null and void.

Chapter 16.16

DEDICATIONS

Sections:

16.16.010	Required.
16.16.020	Shown on plat.
16.16.030	Protective improvements.
16.16.040	Access to public waters.
16.16.050	Access to lots.
16.16.060	Exemption, conveyance to corporation.
16.16.070	Exemption, corporate membership and responsibilities and conditions.
16.16.080	Notification of public exemption to acquire.
16.16.090	Request to reserve for delayed public acquisition.
16.16.100	Reservation for delayed public acquisition.
16.16.110	Reserved land to show on plat.
16.16.120	Reserved land-No development.
16.16.130	Reserved land-Development if not acquired.

16.16.010 Required. No plat shall be approved unless adequate provision is made in the subdivision for such drainage ways, roads, alleys, easement, parks, playgrounds, sites for schools, school grounds, and other general purposes as may be required to protect the public health, safety and welfare. (Ord. 82 54.00, 1970)

16.16.020 Shown on plat. All dedications of land shall be clearly and precisely indicated on the face of the plat. (Ord. 82 54.01, 1970)

16.16.030 Protective improvements. Protective improvements and easements to maintain such improvements shall be dedicated. (Ord. 82 54.02, 1970)

16.16.040 Access to public waters. A. Plats of subdivisions containing land adjacent to publicly owned or controlled bodies of water shall contain dedications of access to such bodies of water unless the board determines and provides findings that the public use and interest will not be served thereby. If no public access exists within one-half mile of the borders of the subdivision, a standard county road with a minimum sixty feet right-of-way shall be dedicated and constructed thereon to allow public access to such water.

B. In the event the subdivision has more than one-half mile of waterfront without public access to said bodies of water, the plat shall contain more than one sixty-foot dedicated and constructed right-of-way for legal public access to such waters in each mile thereof, with there being no more than one mile between the centerlines of such water accesses.

C. Such dedications shall be to the low water mark and shall include easements for pedestrian traffic at least fifteen feet wide above the water mark throughout the entire length of waterfront within the subdivision. (Ord. 82 54.03, 1970)

16.16.050 Access to lots. Convenient access to every lot shall be provided by a dedicated road. (Ord. 82 §4.04, 1970)

16.16.060 Exemption, conveyance to corporation. If the board concludes that the public interest will be served thereby, the board may, in lieu of requiring the dedication of land in a subdivision

for protective improvements, drainage ways, alleys, sidewalks, parks, playgrounds, recreational, community or other general purposes, allow the said land to be conveyed to a home owners association or similar nonprofit corporation. (Ord. 82 §4.05, 1970)

16.16.070 Exemption, corporate membership and responsibilities and conditions. A. A subdivider who wishes to make a conveyance as permitted by Section 16.16.060, shall at or prior to the time of filing a final plat for approval supply the board with copies of the grantee organization's articles of incorporation and bylaws, and with evidence of the conveyance or a binding commitment to convey.

B. The articles of incorporation shall provide that membership in the organization shall be appurtenant to ownership of land in the subdivision; that the corporation is empowered to assess the said land for costs of construction and maintenance of the improvements and property owned by the corporation, and that such assessments shall be a lien upon the land.

C. The board may impose such other conditions as it deems appropriate to assure that property and improvements owned by the corporation will be adequately constructed and maintained. (Ord. 82 §4.06, 1970)

16.16.080 Notification of public exemption to acquire. Any public agency with power to acquire land by condemnation or otherwise for public uses may, at any time prior to final approval of a preliminary plat, notify the board and the subdivider of its intention to acquire some or all of the land in a proposed subdivision for public uses. (Ord. 82 §4.07, 1970)

16.16.090 Request to reserve for delayed public acquisition. In the event the land is not dedicated for the said uses, the public agency may request that the board require the reservation of such land for a stated period, not to exceed three years following the board's approval of the final plat, during which time the agency may acquire the land. (Ord. 82 §4.08, 1970)

16.16.100 Reservation for delayed public acquisition. A. If the board finds that the public health, safety or general welfare will be served thereby, the board may require, as a condition precedent to approval of the final plat, that the said land or such part of it as the board deems appropriate be designated on the plat as reserved land, and that for the period requested or such shorter period as the board deems sufficient the reserved land not be developed for uses other than the contemplated public use.

B. A public agency may accelerate the expiration date of a reservation period by filing written notice of its intention to abandon its right to acquire the reserved land with the county auditor. (Ord. 82 §4.09, 1970)

16.16.110 Reserved land to show on plat. The subdivider may indicate on the plat that if the reserved land is not acquired for public use it shall be subdivided, and, if the subdivider does so, the plat shall show the configuration and dimensions of proposed lots, blocks, roads, easements and like features in the reserved area. (Ord. 82 §4.10, 1970)

16.16.120 Reserved land-No development. No building permit, septic tank permit or other development permit shall be issued for improvements on reserved land during the period of reservation except as expressly authorized by the board at the time of final plat approval. (Ord. 82 §4.11, 1970)

16.16.130 Reserved land-Development if not acquired. A. If the public agency has not acquired or commenced proceedings to acquire reserved land within the period set by the board, the subdivider and the subdivider's successors may proceed to develop land lying within the reserved area in conformity with the plat.

B. No improvements shall be made upon reserve land available for development until adequate surety for development thereon has been provided. (Ord. 82 §4.12, 1970)

Chapter 16.20

DESIGN REQUIREMENTS

Sections:

16.20.010	Conformance to comprehensive plan and zoning.
16.20.015	Subdivisions.
16.20.020	Topographical hazards-Protective improvements.
16.20.030	Fire protection facilities and water supplies.
16.20.040	Subdivision roads.
16.20.050	Blocks.
16.20.060	Lot access.
16.20.070	Reverse frontage lots.
16.20.080	Lot line angles.
16.20.090	Sidewalks.
16.20.100	Drainage and storm sewer easements.
16.20.110	Utility easements.
16.20.120	Alleys.

16.20.010 Conformance to comprehensive plan and development regulations. All subdivisions shall conform to the Walla Walla County comprehensive plan and all development regulations in effect at the time any plat of a subdivision is submitted for approval including, but not limited to, the County's Zoning (Title 17 WWCC) and Critical Areas regulations (Chapter 18.08 WWCC). Lots shall be of sufficient area, width and length to satisfy zoning requirements. (Ord. 82 §4.13, 1970)

16.20.020 Geological hazards-Protective improvements. A. Land on which exist any geological conditions hazardous to the safety or general welfare of persons or property in or near a proposed subdivision, such as susceptibility to erosion, sliding or earthquake, shall not be subdivided unless the construction of protective improvements will eliminate the hazards or unless land subject to the hazards is reserved for uses as will not expose persons or property to the hazard.

B. Protective improvements shall be constructed prior to final plat approval.

C. Protective improvements and restrictions on use shall be clearly noted on the final plat.

(Ord. 82 §4.14, 1970)

16.20.030 Fire protection facilities and water supplies. A. Water sources and facilities adequate for fire protection purposes per the Uniform fire Code section 902 shall be provided in every subdivision proposed to contain lots of one-half acre or less.

B. Except when otherwise permitted by the board, fire hydrants shall be spaced at distances not to exceed six hundred sixty feet where lots contain one-half acre or more, and at distances not to exceed three hundred thirty feet where lots contain less than one-half acre.

C. Such hydrants shall have a minimum fire flow of five hundred gallons per minute.

D. The source of water shall be sufficient to provide the minimum fire flow for at least two hours daily in addition to other consumptive uses.

E. Where fire hazards exist, the board may require the removal of flammable vegetation from an area used as a fire break around or within a subdivision. (Ord. 82 §4.15, 1970)

16.20.040 Subdivision roads. The following development standards shall apply per the requirements and recommendations of the Walla Walla County Public Works Department. A. All

subdivisions shall be served by one or more public roads providing ingress and egress to and from the subdivision per the Uniform Fire Code.

B. Major roads within every subdivision shall conform with any comprehensive plan and shall provide for the continuation of major roads which serve property contiguous to the subdivision. Where such is not shown in the general community plan, the arrangement of streets in a subdivision shall either:

1. Provide for the continuation or appropriate projection of existing principal streets in surrounding area; or
2. Conform to a plan for the neighborhood approved or adopted by the planning commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.
3. Minor streets shall be so laid out that their use by through traffic will be discouraged.

C. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the planning commission may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts, or for commercial or industrial purposes in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

D. Street jogs with centerline offsets of less than one hundred twenty-five feet shall be avoided.

E. A tangent at least one hundred feet long shall be introduced between reverse curves on arterial and collector streets, and at least ten feet long for minor streets.

F. When connecting street lines deflect from each other at any one point by more than ten degrees, they shall be connected by a curve with a radius adequate to insure a sight distance of not less than one hundred feet for minor and collector streets, or as required by the County Engineer

G. Street right-of-way widths shall not be less than as follows, or as prescribed by the County Engineer:

Street Type	Right-of-way (in feet)
Arterial	70
Collector	60
Minor, for row houses and Apartments	50
Minor, for other residences	50

H. Half streets shall be prohibited except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations; and where the planning commission finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Wherever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.

I. No street names shall be used which will duplicate or be confused with the names of existing streets. Street names shall be subject to the approval of the planning commission.

J. Street grades, wherever feasible, shall not exceed the following, with due allowance for reasonable vertical curves as approved by the County Engineer:

Street Type	Percent Grade (in percent)
Arterial	0.05
Collector	0.05
Minor	0.05

K. No street grade should be less than 1/2 percent (.05%).

L. Road intersections shall be as nearly at right angles as is practicable and in no event shall be less than seventy-five degrees.

M. Cul-de-sacs shall be designed as to provide a circular turnaround right-of-way at the closed end which has a minimum radius of fifty feet and shall not exceed a length of four hundred feet.

N. Road networks shall provide ready access for fire and other emergency vehicles and equipment, routes of escape for inhabitants. (Ord. 82 §4.16, 1970)

16.20.050 Blocks. Blocks shall be so designed as to assure traffic safety and ease of traffic control and circulation. Blocks shall be wide enough to allow for two tiers of lots unless the topography or other factors dictate the use of one tier of reverse frontage lots or unless the planning commission approves the design or irregularly shaped blocks indented by cul-de-sacs within a particular subdivision. (Ord. 82 §4.17, 1970)

16.20.060 Lot access. A. Every lot shall be provided with satisfactory access by a public road connecting to an existing public road.

B. Lots adjacent to a road that has been designated an arterial by the board shall be provided with access other than the arterial, unless the board grants specific exemption to this requirement.

C. The plat of a subdivision containing lots adjacent to a designated arterial shall not be approved unless the plat recites a waiver of the right of direct access to the arterial, or the board grants specific exemptions to this requirement. (Ord. 82 §4.18, 1970)

D. Lot access shall not be permitted within 75 ft. of right-of-way intersections unless approved otherwise by the County Engineer.

16.20.070 Reverse frontage lots. A. No residential lots shall have road frontage along two opposite boundaries unless topographical features or the need to provide separation of the lots from arterials, railways, commercial activities or industrial activities, justify the designing of reverse frontage lots.

B. Reverse frontage lots shall be designed with an easement at least ten feet wide to be dedicated along the lot lines abutting the traffic arterial or other disadvantageous use, across which there shall be no right of access for the general public or adjoining property owners. (Ord. 82 §4.19, 1970)

16.20.080 Lot line angles. Where practicable, side lot lines shall be straight lines running at or near right angles to the road upon which the lots front. Side lot lines on curved roads should run at or near the same radii as the road curve. (Ord. 82 §4.20, 1970)

16.20.090 Sidewalks. Sidewalks or sidewalk easements shall be provided in every subdivision (residential) proposed to contain lots of one-half acre or less and shall be at least five feet wide, and in business district subdivisions shall be at least eight feet wide. Sidewalks or sidewalk easements shall be properly located and sufficient to meet the circulation needs of the subdivision. (Ord. 82 §4.21, 1970)

16.20.100 Drainage and storm sewer easements. A. Easements for watercourse drainage channels and ways, critical areas or streams shall be coordinated with existing and applicable floodplain zoning ordinance and shall be of sufficient width to assure that the same may be maintained and improved.

B. Easements for storm sewers shall be provided and shall be of sufficient width and proper location to permit future installation. (Ord. 82 §4.22, 1970)

C. Bio-filtrations swales should be provided on private property where possible.

16.20.110 Utility easements. A. Easements for electric, telephone, water, gas and similar utilities shall be at least ten feet wide and of sufficient width to assure future maintenance.

B. When initial installation of such facilities will be other than underground, easements for the same shall be sufficiently wide and so located as to permit future installation of underground utilities. (Ord. 82 §4.23, 1970)

16.20.120 Alleys. A. Alleys may be provided in commercial and industrial districts except that the planning commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed.

B. The minimum width of an alley in commercial and industrial districts shall be twenty-five feet.

C. Alleys may be provided in residential districts. The minimum width shall be twenty feet.

D. Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be cut off sufficiently to permit safe vehicular movement.

E. Dead end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turnaround facilities at the deadend, as determined by the planning commission. (Ord. 82 §4.24, 1970)

Chapter 16.24

IMPROVEMENTS

Sections:

- 16.24.010 Construction of roads, bridges, drains, culverts and related structures.**
- 16.24.020 Curbs, gutters, underground storm sewers and sidewalks.**
- 16.24.030 Water and sanitary sewer systems.**
- 16.24.040 Fire protection system.**

16.24.010 Construction of roads, bridges, drains, culverts and related structures. A. All roads, bridges, drains, culverts and related structures and facilities shall be constructed in accordance with current standards promulgated by the board and in effect at the time of construction.

B. Fish and wildlife cover, and disturbance of habitat shall be replaced.

C. All stream disturbance shall be done under applicable Federal, State and local regulations, including hydraulic project approval permits. (Ord. 82 §5.00, 1970)

16.24.020 Curbs, gutters, underground storm sewers and sidewalks. All roads within a subdivision shall be constructed with curbs and gutters, and underground storm sewers and sidewalks as directed by the board. Sidewalks shall be constructed of concrete or asphalt as determined by the County Public Works and County Regional Planning Department. (Ord. 82 §5.01, 1970)

16.24.030 Water and sanitary sewer systems. A. Water supply facilities adequate to provide potable water from a public or community water supply source to each lot proposed in the Agriculture Residential and General Agriculture Zones, shall be installed in conformity to standards of the Walla Walla County health department unless an acceptable alternative is proposed.

B. Each lot shall be provided with a sanitary sewer system connection approved by appropriate authorities unless the health department determines that all of the lots can be adequately served with private septic tanks.

C. Dry sewerage systems shall be installed in accordance with existing standards, studies and resolutions. (Ord. 82 §5.02, 1970)

16.24.040 Fire protection system. Service mains and fire hydrants shall be installed in conformance with standards set forth in Division I of this title and of the appropriate fire department or fire protection district prior to the construction of any structure in a subdivision. (Ord. 82 §5.03, 1970)

Chapter 16.28

SURVEY

Sections:

16.28.010	Preparation of plats.
16.28.020	Survey notes-Accuracy.
16.28.030	Orientation of subdivision.
16.28.040	Permanent control monuments.
16.28.050	Permanent control monuments on roads.
16.28.060	Lot corners.
16.28.070	Property contiguous to water.

16.28.010 Preparation of plats. A. The survey of every proposed subdivision, and the preparation of preliminary and final plats thereof, shall be made by or under the supervision of a registered land surveyor who shall certify on the plat that it is a true and correct representation of the lands actually surveyed.

B. All surveys shall conform to standard practices and principles for land surveying. (Ord. 82 §6.00, 1970)

16.28.020 Survey notes-Accuracy. The surveyor shall furnish the county engineer with a full set of survey notes, which notes shall clearly show:

- A. The ties to each permanent monument;
- B. At least three durable, distinctive reference points or monuments;
- C. Sufficient data to determine readily the bearing and length of each line;
- D. The base meridian referred to; traverse of the boundaries of the subdivision and all lots and blocks shall close within an error of one foot in five thousand feet. (Ord. 82 §6.01, 1970)

16.28.030 Orientation of subdivision. Primary survey control points shall be referenced to section corners and monuments. Corners of adjoining subdivisions or portions thereof shall be identified and ties shown. (Ord. 82 §6.02, 1970)

16.28.040 Permanent control monuments. A. Permanent control monuments shall be established at:

1. All controlling corners on the boundaries of the subdivision;
2. The intersections of centerlines of roads within the subdivision;
3. The beginning and ends of curves on centerlines;
4. All block corners.

B. Permanent control monuments may be placed on offset lines. The position and type of every permanent monument shall be noted on all plats of the subdivision. Permanent control monuments shall be set in two-inch pipe, twenty-four inches long, filled with concrete or shall be constructed of an approved equivalent. (Ord. 82 §6.03, 1970)

16.28.050 Permanent control monuments on roads. Permanent control monuments within the streets shall be set after the roads are graded. In the event final plat is approved before roads are graded the surety deposited to secure grading shall be sufficient to pay the costs estimated by the county engineer setting such monuments. (Ord. 82 §6.04, 1970)

16.28.060 Lot corners. Every lot corner shall be marked by a three-fourths inch galvanized iron pipe; eighteen-inches long, minimum, or approved equivalent driven into the ground. (Ord. 82 §6.05, 1970)

16.28.070 Property contiguous to water. A. If any land in a subdivision is contiguous to a body of water, a meander line shall be established along the shore at a safe distance back from the ordinary high-water mark.

B. Property lying beyond the meander lines shall be defined by distances along the side property lines extended from the meander line.

C. If the thread of a stream lies within a subdivision or forms the boundary of a subdivision, such thread shall be defined by bearings and distances as it exists at the time of the survey. (Ord. 82 §6.06, 1970)

Chapter 16.32

PRELIMINARY PLAT

Sections:

16.32.010 Standards.

16.32.010 Standards. Every preliminary plat shall consist of one or more maps, the horizontal scale of which shall be two hundred feet to the inch, and the vertical scale of which, for street and sewer profiles, shall be twenty feet to the inch together with written data in such form that when the maps and written data are considered together they shall fully and clearly disclose the following information:

- A. The name of the proposed subdivision;
- B. The legal description of land contained within the subdivision;
- C. The names, addresses and telephone numbers of all persons, firms, and corporations holding interests in the said land;
- D. The name, address, telephone number and seal of the registered land surveyor who made, or under whose supervision was made, a survey of the proposed subdivision;
- E. The date of the said survey;
- F. The boundary lines of the proposed subdivision;
- G. All existing monuments and markers;
- H. The boundaries of all blocks and lots within the proposed subdivision, together with the numbers proposed to be assigned each lot and block;
- I. The location, names and width of all existing streets, roads and easements within the proposed subdivision and adjacent thereto;
- J. The location and, where ascertainable, sizes of all permanent buildings, wells, watercourses, bodies of water, 100-year floodplain, floodway, critical areas, overhead and underground utilities, railroad lines, municipal boundaries; section lines, township lines, and other important features existing upon, over or under the land proposed to be subdivided;
- K. Contour lines of sufficient intervals to show the topography of the land to be subdivided referenced to either the United States Coast and Geodetic Survey datum, or United States Geological Survey;
- L. A layout of proposed roads, alleys, utility mains, and parcels proposed to be dedicated or reserved for public or community school, park, playground or other uses;
- M. Plans of proposed water distribution system, sewage disposal systems and drainage systems, indicating locations;
- N. A sketch of the general vicinity in which the land proposed for subdivision lies, upon which are identified owners of land adjacent to the subdivision and the names of any adjacent subdivisions;
- O. A copy of all restrictive covenants proposed to be imposed upon land within the subdivision;
- P. In subdivisions proposed to be served by individual septic tanks, the location of soil log holes together with data regarding percolation rates. (Ord. 82 57.00, 1970)

Chapter 16.36

FINAL PLAT

Sections:

- 16.36.010** **Materials and form.**
- 16.36.020** **Scale and margins.**
- 16.36.030** **Contents-Name, scale, north point and signatures.**
- 16.36.040** **Contents-Map.**
- 16.36.050** **Contents-Written data.**

16.36.010 **Materials and form.** A. Every final plat shall consist of one or more pages clearly and legibly drawn on pages provided by the county auditor. All drawing and lettering on the final plat shall be in permanent black ink, or an approved equivalent:

B. In addition, a duplicate original shall be prepared on one or more pages each clearly and legibly drawn on tracing cloth, stable base mylar polyester film or equivalent approved material. (Ord. 82 58.00 (part), 1970)

16.36.020 **Scale and margins.** The perimeter of the subdivision shall be depicted with heavier line weights than appear elsewhere on the plat. The scale shall be one-hundred feet to one inch. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of three inches on the left side and one inch on the remaining sides. (Ord. 82 58.00(part), 1970)

16.36.030 **Contents-Name, scale, north point and signatures.** Each sheet of the final plat shall contain the subdivision's name, the scale and the north point. All signatures affixed to a final plat shall be original signatures written in permanent black ink. (Ord. 82 §8.00(part), 1970)

16.36.040 **Contents-Map.** Every final plat shall include an accurate map of the subdivided land, based upon a complete survey thereof, which shall include:

- A. All section, township, municipal and county lines used as ties to establish the subdivision;
- B. The location of all monuments or other evidence used as ties to establish the subdivision's boundaries;
- C. The location of all permanent control monuments found and established within the subdivision;
- D. The boundary of the subdivision with complete bearings and lineal dimensions;
- E. The length and bearings of all straight lines; the radii, arcs and semitangents of all curves;
- F. The length of each lot line, together with bearings and other data necessary for the location of any lot line in the field;
- G. The location, width, centerline, and name or number of all streets within and adjoining the subdivision;
- H. The location and width, shown with broken lines, and description of all easements;
- I. Numbers assigned to all lots and blocks within the subdivision;
- J. Names of owners of land adjacent to the subdivision and the names of any adjacent subdivisions. (Ord. 82 §8.00(part), 1970)

16.36.050 **Contents-Written data.** In addition to the map or maps, every final plat shall contain written data including:

- A. The name of the subdivision;
- B. The legal description of land contained within the subdivision;

- C. A certificate of the registered land surveyor who made, or under whose supervision was made, the survey of the subdivision in substantially the following language:
I registered as a land surveyor by the State of Washington, certify that this plat is based on an actual survey of the land described herein, conducted by me or under my supervision, during the period of ___ - ,through ____ that the distances, courses and angles are shown thereon correctly; and that monuments other than those monuments approved for setting at a later date, have been set and lot corners staked on the ground as depicted on the plat.
- D. A statement of approval signed by the county engineer as to:
1. Survey data;
 2. Layout of roads, alleys and easement;
 3. Road names and numbers;
 4. The design and/or construction of protective improvements, bridges, sewage and drainage systems.
- E. A statement of approval as to the design and/or construction of sanitary sewage disposal systems and public water supply systems installed in the subdivision signed by the county health director; provided, however, that no such statement shall be deemed a guarantee of acceptability of individual septic tank systems contemplated for use within the subdivision;
- F. A statement of the planning director that the subdivision conforms to the comprehensive plan;
- G. If any portion of the subdivision lies within a flood control zone, a statement of approval signed by the Director of the State Department of Water Resources, or its successors;
- H. A certificate bearing the typed or printed names of all persons having an interest in the subdivided land, signed by the said persons and acknowledged by them before a notary public, consenting to the subdivision of the said land and reciting a dedication by them of all land shown on the plat to be dedicated for public uses and a waiver by them and their successors of all claims for damages against any governmental authority arising from the construction and maintenance of public facilities and public property within the subdivision;
- I. A certificate signed by the Walla Walla County treasurer that all taxes one year in advance on all unimproved property in each proposed subdivision and delinquent assessments for which the land within the subdivision may be liable have been duly paid, satisfied or discharged;
- J. Space for approval by the Walla Walla County board of commissioners. (Ord. 82 §8.00 (part), 1970)

Chapter 16.40

ENFORCEMENT AND PENALTY

Sections:

- 16.40.010** **Offering for sale property divided into five or more lots without final plat registry-Action to restrain-Costs of action.**
16.40.020 **Violation of court order or injunction.**
16.40.030 **Assurance of discontinuance-Violation.**
16.40.040 **Violation of Division I of this title - Penalty.**

16.40.010 **Offering for sale property divided into five or more lots without final plat registry-Action to restrain-Costs of action.** A. Whenever any parcel of land is divided into five or more lots, tracts or parcels of land and any person, firm or corporation or any agent of any of them sells or transfers, or offers or advertises for sale or transfer, any such lot, tract, or parcel without having a final plat of such subdivision filed for record, the prosecuting attorney shall commence an action to restrain and enjoin further subdivisions or sales, or transfers, or offers for sale or transfer and compel compliance with all provisions of Division I of this title.

B. The costs of such action shall be taxed against the person, firm, corporation or agent selling or transferring the property. (Ord. 82 §10.00, 1970)

16.40.020 **Violation of court order or injunction.** Any person who violates any court order or injunction issued pursuant to Division I of this title shall be subject to a fine of not more than five thousand dollars or imprisonment for not more than ninety days or both. (Ord. 82 §10.01, 1970)

16.40.030 **Assurance of discontinuance-Violation.** In the enforcement of Division I of this title, the prosecuting attorney may accept an assurance of discontinuance of any ordinance or practice deemed in violation of Division I of this title from any person engaging in, or who has engaged in such act or practice. Any such assurance shall be in writing and be filed with and subject to the approval of the superior court of the county in which the alleged violation occurs. A violation of such assurance shall constitute prima facie proof of a violation of Division I of this title. (Ord. 82 §10.02, 1970)

16.40.040 **Violation of Division I of this title-Penalty.** Any person, firm, corporation, or association or any agent of any person, firm, corporation, or association who violates any provision of Division I of this title or any local regulations adopted pursuant thereto relating to the sale, offer for sale, lease, or transfer of any lot, tract or parcel of land, shall be guilty of, a gross misdemeanor and each sale, offer for sale, lease or transfer of each separate lot, tract, or parcel of land in violation of any provision of Division I of this title or any local regulation adopted pursuant thereto shall be deemed a separate and distinct offense. (Ord. 82 §10.03, 1970)

DIVISION II. SHORT SUBDIVISIONS

Chapter 16.44

GENERAL PROVISIONS

Sections:

- 16.44.010** **Applicability.**
- 16.44.020** **Exemptions.**
- 16.44.030** **Prohibited.**

16.44.010 **Applicability.** Every division of land for the purpose of lease or sale into two or more but less than five lots, parcels or tracts within the unincorporated area of Walla Walla County shall proceed in compliance with Division II of this title.

16.44.020 **Exemptions.** The provisions of Division II of this title shall not apply to:

- A. Any cemetery or burial plot, while used for that purpose;
- B. Any division of land not containing a dedication, in which the smallest lot created by the division exceeds forty acres.
- C. Any division made by testamentary provision, the laws of descent, or upon court order;
- D. Any division made in compliance with Division I of this title. (Ord. 83 §1.01, 1970; Amd. 1 (part), 9-3-74; Amd. 1(part), 6-2-92)

16.44.30 **Prohibited.** Short subdivisions are prohibited in "Primary Significance" and "Unique" farmlands as described and delineated in the Walla Walla County Comprehensive Plan.

Chapter 16.48

DEFINITIONS

Sections:

16.48.010	Generally.
16.48.020	Alley.
16.48.030	Board.
16.48.040	Comprehensive plan.
16.48.050	Cul-de-sac.
16.48.060	Dedication.
16.48.070	Easement.
16.48.080	Lot.
16.48.090	Planning commission.
16.48.100	Road.
16.48.110	Short plat.
16.48.120	Short subdivision.
16.48.130	Subdivider.

16.48.010 Generally. Whenever the following words and phrases appear in Division II of this title, they shall be given the meaning attributed to them by this chapter. When not inconsistent with the context, words used in the present tense shall include the future; the singular shall include the plural, and the plural the singular. The word "shall" is always mandatory, and the word "may" indicates a use of discretion in making a decision. (Ord. 83 §2.00, 1970)

16.48.020 Alley. "Alley" is a strip of land dedicated to public use providing vehicular and pedestrian access to the rear side of properties which abut and are served by a public road. (Ord. 83 §2.08, 1970)

16.48.030 Board. "Board" is the legislative authority of Walla Walla County. (Ord. 83 §2.11, 1970)

16.48.040 Comprehensive plan. "Comprehensive plan" is the current comprehensive plan of Walla Walla County, adopted by the board pursuant to law. (Ord. 83 §2.09, 1970)

16.48.050 Cul-de-sac. "Cul-de-sac" is a road closed at one end by a circular area of sufficient size for turning vehicles around. (Ord. 83 §2.07, 1970)

16.48.060 Dedication. "Dedication" is the deliberate appropriation of land by an owner for any general and public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a short plat showing the dedication thereon; and, the acceptance by the public shall be evidenced by the approval of such plat in the manner provided in Division II of this title. (Ord. 83 §2.03, 1970)

16.48.070 Easement. "Easement" is a grant by a property owner to specific persons or to the public to use land for a specific purpose or purposes. (Ord. 83 §2.04, 1970)

16.48.080 Lot. "Lot" is subdivided lands having fixed boundaries being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels. (Ord. 83 §2.05, 1970)

16.48.090 Planning commission. "Planning commission" is the Walla Walla County planning commission. (Ord. 83 §2.09, 1970)

16.48.100 Road. "Road" is an improved and maintained public right-of-way which provides vehicular circulation or principal means of access to abutting properties, and which may also include provisions for public utilities, pedestrian walkways, public open space and recreation areas, cut and fill slopes and drainage. (Ord. 83 §2.06, 1970)

16.48.110 Short plat. "Short plat" is a document consisting of a map of a short subdivision together with written certificates, dedications and data. (Ord. 83 §2.02, 1970)

16.48.120 Short subdivision. "Short subdivision" is the division of land into four or fewer lots, tracts, parcels, sites or divisions for the purpose of sale or lease. (Ord. 83 §2.01, 1970)

16.48.130 Subdivider. "Subdivider" is a person, including a corporate person, who undertakes to create a subdivision. (Ord. 83 §2.12, 1970)

Chapter 16.52

PROCEDURAL REQUIREMENTS

Sections:

- 16.52.010** Administrator's duties.
- 16.52.020** Application-Preparation.
- 16.52.030** Application-Content.
- 16.52.040** Design.
- 16.52.050** Administrative determination.
- 16.52.060** Approval and filing.
- 16.52.070** Appeal to board.

16.52.010 Administrator's duties. The Walla Walla County planning director referred to in Division II of this title as the administrator is vested with the duty of administering the provisions of this title and with authority to summarily approve or disapprove proposed short plats. The administrator may prepare and require the use of such forms as deemed essential. (Ord. 83 §3.00, 1970)

16.52.020 Application-Preparation. A. Applications for approval of short subdivision shall be accompanied by a proposed short plat which includes pertinent survey data compiled as a result of a survey made by, or under the supervision of, a registered land surveyor in compliance with the Survey Recording Act of 1973.

B. Sheet size for short plats shall be eighteen inches by twenty-four inches. (Ord. 83 §3.02, 1970; Amd.1 (part), 9-3-74)

16.52.030 Application-Content. A. Applications for approval of short subdivisions shall contain: A mylar original and a sepia intermediate original of the entire contiguous tract owned or being purchased on contract by the applicant, and shall show:

1. The owners of adjacent land and the names of any adjacent subdivision;
2. Lines marking the boundaries of proposed lots; and
3. Approximate location of the existing roads and ways, or easements for roads and ways, within or adjacent to the tract.

4. The legal description of lots within a short plat shall be by the lot number.

B. A certificate from the title company containing:

1. Legal description of the tract;
2. The fee ownership; and
3. Any underlying contracts.

C. The name and address of the owner or owners of said tract. (Ord. 83 §3.03, 1970; Amd. 1 (part), 9-3-74'; Amd. 1(part), 6-2-92)

16.52.040 Design. All easements, rights-of-way, and improvements shall be designed in accordance with Division I of this title, with the exception of private roads, which shall meet the minimum approval standards contained in Chapter 12.06. (Ord. 83 §3.04, 1970; Amd. 1(part), 6-2-92)

16.52.050 Administrative determination. The administrator shall, after conferring with appropriate officials, determine whether:

A. The proposed lots conform to the comprehensive plan and development regulations including, but not limited to, the County's Zoning (Title 17 WWCC) and Critical Areas regulations (Chapter 18.08 WWCC);

B. The proposed lots are served with adequate means of access, fire protection, drainage, water supplies and means of sanitary sewage disposal;

C. The public use and interest will be served by permitting the proposed division of the land. (Ord. 83 §3.05, 1970)

16.52.060 Approval and filing. If the administrator determines that the foregoing requirements are met, he shall approve the application, and shall transmit an approved copy to the assessor. If the short subdivision contains a dedication the administrator shall file the short plat, bearing his certificate of approval, with the auditor. (Ord. 83 §3.06, 1970)

16.52.070 Appeal to board. A. Any person aggrieved by the decision of the administrator to approve or disapprove a proposed short plat may appeal the decision to the board of Walla Walla County Commissioners as required in 14.11.040 WWCC

B. The board may affirm or reverse the administrator's decision, or may remand the application to the administrator with instruction to approve the same upon compliance with conditions imposed by the board. (Ord. 83 §3.07, 1970)

Chapter 16.56

RESUBDIVISION PROCEDURE

Sections:

16.56.010 **Procedure designated.**

16.56.10 **Procedure designated.** Land within a short subdivision approved within five years immediately preceding, may not be further divided until a final plat of the resubdivision has been approved and filed for record pursuant to Division I of this title. (Ord. 83 54.01, 1970)

Chapter 16.60

ENFORCEMENT

Sections:

16.60.010 Designated.

16.60.010 Designated. A. No person shall transfer, sell, lease, or offer for transfer, sale or lease any land subject to the requirements of short plat approval until a short plat has been approved, and when required, filed.

B. When any person divides or attempts to divide land subject to the provisions of Division II of this title without having secured the administrator's approval or, when required, prior to the filing of the short plat, the prosecuting attorney may commence an action to enjoin further violations or attempted violations and to compel compliance with Division II of this title as required by Section 20, Chapter 271, Laws of 1969, First Extraordinary Session. (Ord. 83 §4.00, 1970)

DIVISION III. MISCELLANEOUS REGULATIONS

Chapter 16.64

RECORD OF SURVEYS AND MONUMENTS-FEES

Sections:

ARTICLE I. Filing Of Record Of Surveys And Monuments And Fees Charged

- 16.64.010** **Purpose.**
16.64.020 **Record of survey-Fees.**

ARTICLE II. Filing Of Record Of Short Plats And Short Subdivisions And Fees Charged

- 16.64.060** **Purpose.**
16.64.070 **Record-Fees.**

ARTICLE I.

Filing Of Record Of Surveys And Monuments And Fees Charged

16.64.010 **Purpose.** The purpose of this article is to implement the Survey Recording Act (58.09 RCW) and to assist in preserving evidence of land surveys by establishing fees for recording a public record as prescribed by the act. (Ord. 92 §1, 1973)

16.64.020 **Record of Survey - Fees.** The charge for filing any record of survey and/or record of corner information shall be as adopted in the County's fee schedule.

ARTICLE II.

Filing Of Record Of Short Plats And Short Subdivisions And Fees Charged

16.64.060 **Purpose.** The purpose of this article is to implement RCW 58.17.065 (1974 First Extraordinary Session) which requires that each short plat and short subdivision granted pursuant to local regulations after July 1, 1974 shall be filed with the county auditor and shall not be deemed "approved" until so filed. (Ord. 114 §1, 1975)

16.64.070 **Record-Fees.** The record of short plat or short subdivision shall be on a sheet size eighteen inches by twenty-four inches, of durable material to insure permanence, such as plastic (Mylar) or hard paper plat sheets, and filed according to the County's adopted fee schedule.

Chapter 16.70

BOUNDARY LINE ADJUSTMENT

Sections:

16.70.010	Definition.
16.70.020	Application and process.
16.70.030	Criteria for approval.
16.70.040	Authority to act.
16.70.050	Appeal.
16.70.060	Recording.

16.70.010 Definition. Boundary Line Adjustments are minor and insignificant changes in property lines between contiguous lots or parcels. If an alteration results in any of the following it is not a Boundary Line Adjustment:

- A. Create any additional lot, tract, parcel, site or division;
- B. Result in a lot, tract, parcel, site or division, which contains increased density or insufficient area or dimension to meet the minimum requirements for area and dimensions as set forth in the land use and health codes and regulations.
- C. Diminish or impair drainage, water supply, existing sanitary sewage disposal and access or easement for vehicles, utilities, and fire protection for any lot, tract, parcel, site, or division;
- D. Create or diminish any easement or deprive any parcel of access or utilities,
- E. Increase the nonconforming aspects of an existing nonconforming lot;
- F. Replat, amend, alter, or vacate a plat or short subdivision;
- G. Amend the condition of approval for previously platted property.

16.70.020 Application and process. A. A complete boundary line adjustment (BLA) application shall be filed with the Director of Regional Planning on forms supplied by Walla Walla County Regional Planning, shall be signed by the owner(s) of the property, and shall be accompanied by the following:

1. Sheet size eighteen (18) inches by twenty-four (24) inches BLA map/plot plan depicting both existing boundary lines and proposed boundary line changes drawn at a scale not to exceed 1 inch = 50 feet, or at a scale agreed upon by the applicant and the Director of Regional Planning. The map/plot plan shall be signed and stamped by a professional land surveyor and shall comply with the requirements of Chapter 58.09 RCW and 332-130 WAC governing minimum standards for land boundary surveys;
2. The map/plot plan shall be titled on the top of the page, in large capital letters, as follows: **RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT.**
3. The map/plot plan shall contain a signature block for the Walla Walla County Regional Planning Director's signature of approval.

4. The map/plot plan shall contain a signature block for the Auditor's Certificate, as follows:

Auditor's Certificate

Filed for Recorded this _____ day of _____, 20____, at the request of _____ in Volume _____ at Page _____ of Record of Survey, together with deed of conveyance recorded under Auditor's fee No. _____

Auditor

5. A note shall be placed on the map/plot plan that reads as follows: **THIS BOUNDARY LINE ADJUSTMENT IS NOT A PLAT, REPLAT, OR SUBDIVISION. APPROVAL OF A BOUNDARY LINE ADJUSTMENT IS NOT A GUARANTEE THAT FUTURE PERMITS WILL BE GRANTED FOR ANY STRUCTURE OR DEVELOPMENT WITHIN A LOT AFFECTED BY A BOUNDARY LINE ADJUSTMENT.**

6. A Free Consent Statement as shown below shall be inked on the Map/Plot plan. This shall be signed and notarized, prior to submittal, in permanent black ink, by all parties having interest in the property.

The undersigned agree that the boundary line adjustment set forth herein is made with the free consent and in accordance with the desires of the owners

Black In Seal

(Paper Press

Seals Will Not Be Accepted)

Notary Seal

I hereby certify that the above individual(s) signed as a free and voluntary act and deed for the uses and purposes herein mentioned.

Given under my hand and seal this _____ day of _____, 20____.
_____, NOTARY PUBLIC, in and for the State of
Washington, residing at _____

7. A vicinity map that depicts the location of the property;
8. Legal descriptions of the revised lots, tracts, or parcels, certified by a licensed surveyor;
9. The location and dimensions of all structures/improvements existing upon the affected lots and the distance between structure/improvements and the proposed lot/boundary lines;
10. The position of rebar and caps set at each new property corner;
11. All parcel numbers of affected lots;
12. The location of the property to Quarter/Quarter Section;
13. The location and dimensions of any drain field, easement, or right-of-way existing within or adjacent to any affected lots;
14. The area and dimensions of each lot following the proposed adjustment;
15. The applicant shall certify by signature on the application form that each resulting lot affected by the BLA has an accessible building area;
16. The applicant shall acknowledge by signature on the application form that county approval of a BLA proposal does not guarantee or imply that the subject property may be developed or

subdivided, and that BLA approval may not be grounds for approval of subsequent modification or variance requests;

B. The director or his designee may establish more specific submittal standards (such as detailed plot plan specifications and number of copies required) provided such standards only constitute refinement of the items required by this section;

C. If the BLA proposes lots that result in reduced county road frontage and/or changes in access, a review by the department of public works to verify that all lots have safe access points may be required. In such cases, the applicant shall stake approximate proposed access points and property lines along the road frontage within 5 days of BLA application; and

D. The completeness date of the application shall be the date the complete application was filed. Failure to submit all requested materials within six months shall void the application.

16.17.030 Criteria for approval. The following criteria for approval shall govern consideration of BLAs:

A. The proposed BLA is consistent with applicable development restrictions or code requirements including but not limited to restrictions and requirements of the Walla Walla County Development Regulations;

B. The proposed BLA will not detrimentally affect access, design or other public safety and welfare concerns. The evaluation of detrimental effect may include review by the health district, the department of public works, or any other agency or department with expertise;

C. The proposed BLA will not cause boundary lines to bisect on-site sewage disposal systems, prevent adequate access to water supplies or obstruct fire lanes;

D. The proposed BLA will not create new access, which is unsafe or detrimental to the existing road system because of sight distance, grade, road geometry or other safety concerns, as determined by the department of public works;

E. If within an approved subdivision or short subdivision, the proposed BLA will not violate conditions of approval of that subdivision or short subdivision;

F. The proposed BLA meets the consistency requirements of Walla Walla County Development Regulations;

G. The proposed BLA will not cause any lot that conforms with lot area or lot width requirements to become substandard;

H. The proposed BLA will not result in lots without building areas when building areas existed before the adjustment.

16.70.040 Authority to act. The director of Regional Planning is authorized to deny a proposed Boundary Line Adjustment.

16.70.050 Appeals - Procedure. As prescribed by WWCC 14.11.010.

16.70.060 Recording. To finalize an approved BLA, the applicant must record with the county auditor the BLA application, certified legal descriptions and the BLA map within 6 months of approval or the application and approval shall be void.

If the BLA affects more than one property owner, a conveyance document(s) shall be recorded at the same time as the BLA documents. The conveyance document(s) shall establish ownership consistent with the approved, adjusted boundaries. When a BLA is recorded subsequent to a record of survey for the same property, the recording number of the record of survey shall be noted on the BLA map. Recording fees and applicable state fees shall be paid by the applicant. Immediately after recording, copies of the recorded BLA documents shall be provided to Walla Walla County Regional Planning by the applicant.

Chapter 16.85

DISAPPROVAL DUE TO FLOOD

16.85.010 Disapproval due to flood. The County may disapprove a proposed plat because of flood, inundation, or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. No plat shall be approved by the County covering any land situated in the 100 year flood plain as provided in chapter 86.16 RCW without the prior written approval of the department of ecology of the state of Washington.

Chapter 16.90

SUBDIVISIONS IN THE RURAL TRANSITION ZONE

16.90.010 **Subdivisions in the Rural Transition Zone.** If a community domestic water system cannot provide water to a proposed subdivision in the Rural Transition Zone the subdivision shall not be approved.

Chapter 16.95
LARGE LOT SUBDIVISIONS

Sections:

16.95.010	Applicability.
16.95.020	Purpose.
16.95.030	Application and Contents.
16.95.040	Approval Procedures.
16.95.050	Application Fee.

16.95.010 Applicability. This chapter applies to the divisions of land into two or more lots or parcels, where the smallest lot, tract, parcel or site is greater than 40 acres.

16.95.020 Purpose. The purpose of this chapter is to provide a simplified subdivision process that sets forth a level of review that is proportional to the effect the division of large lots may have on the surrounding area. It is not intended to provide a detailed level of review which occurs for smaller lots.

16.95.030 Application and Contents. A. Applications for approval of a large lot subdivision shall be submitted to the Office of Regional Planning. Applications for a large lot subdivision shall contain the same information that is required for a short subdivision (see 16.52.020 and 16.52.030 WWCC) and any additional information reasonably deemed necessary by the Director of Planning to evaluate the proposal.

B. If the proposed large lot subdivision exceeds any categorical exemption levels established in Title 18 WWCC, an environmental checklist shall also be included in the application.

16.95.040 Approval Procedures. A. In addition to the criteria established in 16.52.050 WWCC, the Planning Director shall ascertain if the application conforms to the County's Shoreline Management Plan, Flood Hazard and Critical Areas regulations.

B. The administrative review and approval process of all large lot subdivisions shall be the same procedure as that described for short subdivisions in WWCC 16.52.050, 14.03.020 and 14.09.

16.95.50 Application Fee. A filing fee as set forth in the Walla Walla County Land Development Fee Schedule shall accompany applications for large lot subdivisions.

Chapter 16.99

CONCURRENCY MANAGEMENT SYSTEM

Sections:

- 16.99.010 Purpose.**
- 16.99.020 Applicability.**
- 16.99.030 Concurrency Review.**

16.99.010 Purpose. Pursuant to the State Growth Management Act, the purpose of this chapter is to ensure that applicable transportation facilities and services necessary to accommodate the impacts of development are made concurrent with the development. This chapter establishes a concurrency management system to ensure that transportation improvements and strategies needed to maintain the level of service (LOS) standards set in the Comprehensive Plan are available at the time of development approval or occupancy, or that a financial commitment is in place to complete the facilities within six (6) years.

16.99.020 Applicability A. Projects subject to concurrency review: Each applicant requesting development approval by the County shall provide all information required by the Director in order for a concurrency determination to be made on the proposed project, except that the following projects are exempt from concurrency review:

1. single-family home on an existing lot of record;
2. any proposed development that creates no additional impacts on any transportation facility or service subject to concurrency, as determined by the Director;
3. any project generating a total of less than ten (10) peak hour trips from the total project;
4. any project exempt from threshold review pursuant to Chapter 43.21C RCW.

B. Concurrency Facilities and Services: The following transportation facilities, if impacted or used by the proposed development, shall be subject to concurrency review: those County roads for which LOS standards are established in the Comprehensive Plan.

16.99.030 Concurrency Review.

A. Timing: All applicants for project permits, except those exempt, shall apply for concurrency review at the time applications for such project permits are submitted. Concurrency review will be performed as part of the processing of a project permit as specified in Title 14.

B. Concurrency Determination: Developments that result in a reduction of a level of service below the adopted level of service standards for the affected transportation facility cannot be approved. The Director shall make a determination of concurrency as part of the development permit review process. The project permit may be conditioned as necessary to ensure that an improvement or strategy relied upon to demonstrate concurrency will be completed or implemented in the required time frame.

C. Methodology: The Director shall develop the methodology that will be used to conduct concurrency review, consistent with the LOS standards established in the Comprehensive Plan.

D. Appeals: The Concurrency determination shall be part of the permit decision, and may be appealed only as part of an appeal of the underlying permit pursuant to Chapter 14.11.

Chapter 16.90

SUBDIVISIONS IN THE RURAL TRANSITION ZONE

16.90.010 **Subdivisions in the Rural Transition Zone.** If a community domestic water system cannot provide water to a proposed subdivision in the Rural Transition Zone the subdivision shall not be approved.

Chapter 16.99

CONCURRENCY MANAGEMENT SYSTEM

Sections:

- 16.99.010 Purpose.**
- 16.99.020 Applicability.**
- 16.99.030 Concurrency Review.**

16.99.010 Purpose. Pursuant to the State Growth Management Act, the purpose of this chapter is to ensure that applicable transportation facilities and services necessary to accommodate the impacts of development are made concurrent with the development. This chapter establishes a concurrency management system to ensure that transportation improvements and strategies needed to maintain the level of service (LOS) standards set in the Comprehensive Plan are available at the time of development approval or occupancy, or that a financial commitment is in place to complete the facilities within six (6) years.

16.99.020 Applicability A. Projects subject to concurrency review: Each applicant requesting development approval by the County shall provide all information required by the Director in order for a concurrency determination to be made on the proposed project, except that the following projects are exempt from concurrency review:

1. single-family home on an existing lot of record;
2. any proposed development that creates no additional impacts on any transportation facility or service subject to concurrency, as determined by the Director;
3. any project generating a total of less than ten (10) peak hour trips from the total project;
4. any project exempt from threshold review pursuant to Chapter 43.21C RCW.

B. Concurrency Facilities and Services: The following transportation facilities, if impacted or used by the proposed development, shall be subject to concurrency review: those County roads for which LOS standards are established in the Comprehensive Plan.

16.99.030 Concurrency Review.

A. Timing: All applicants for project permits, except those exempt, shall apply for concurrency review at the time applications for such project permits are submitted. Concurrency review will be performed as part of the processing of a project permit as specified in Title 14.

B. Concurrency Determination: Developments that result in a reduction of a level of service below the adopted level of service standards for the affected transportation facility cannot be approved. The Director shall make a determination of concurrency as part of the development permit review process. The project permit may be conditioned as necessary to ensure that an improvement or strategy relied upon to demonstrate concurrency will be completed or implemented in the required time frame.

C. Methodology: The Director shall develop the methodology that will be used to conduct concurrency review, consistent with the LOS standards established in the Comprehensive Plan.

D. Appeals: The Concurrency determination shall be part of the permit decision, and may be appealed only as part of an appeal of the underlying permit pursuant to Chapter 14.11.

Title 17

ZONING

Chapters:

17.04	General Provisions
17.06	Establishment of Zoning Maps
17.08	Definitions
17.12	Establishment of Districts
17.16	Permitted Uses
17.18	DEVELOPMENT STANDARDS – Density and Dimensions
17.20	DEVELOPMENT STANDARDS – Off-street Parking and Loading Areas
17.22	DEVELOPMENT STANDARDS – Wineries
17.23	DEVELOPMENT STANDARDS – Essential Public Facilities
17.24	DEVELOPMENT STANDARDS – Fences
17.26	DEVELOPMENT STANDARDS – Animals
17.28	DEVELOPMENT STANDARDS – Signs
17.30	DEVELOPMENT STANDARDS – Rural Farmworker Communities
17.32	DEVELOPMENT STANDARDS – Recreational Vehicle Parks
17.33	DEVELOPMENT STANDARDS – Landscaping (place holder)
17.34	DEVELOPMENT STANDARDS – Wireless Communication Facilities
17.36	GENERAL PROVISIONS – Nonconforming Uses, Lots and Structures
17.37	GENERAL PROVISIONS – Planned Unit Developments
17.40	Conditional Uses
17.44	Variances
17.60	Enforcement and Penalty

Chapter 17.06

ESTABLISHMENT OF ZONING MAPS

Sections:

17.06.010 Official zoning map.

17.06.020 Rules for interpretation of districts.

17.06.010 Official zoning map.

- A. The county is divided into zones, or districts, as shown on the official zoning map which, together with all explanatory matter thereon, is adopted by reference in this chapter and declared to be a part of this title.
- B. The official zoning map shall be identified by the signature of the chairman of the board of county commissioners attested by the clerk of the board, and shall bear the county seal.
- C. Any changes to the official zoning map shall be made on the official zoning map promptly after the amendment has been approved by the board of county commissioners. The amending resolution shall provide that such changes or amendments shall not become effective until they have been duly entered upon the official zoning map. No amendment to this title which involves matter portrayed on the official zoning map shall become effective until after such change and entry has been made on said map.
- D. The official zoning map shall be located in the office of the director of planning and shall be the final authority as the current zoning status of land and water areas, buildings, and other structures in the county. (Ord. 70 §1.02 (part), 1967)

17.06.020 Rules for interpretation of districts. Where uncertainty exists as to the boundaries of districts as shown on the official zoning map, the following rules shall apply:

- A. Boundaries indicated as appearing to follow the centerlines of streets, highways or alleys shall be construed to follow such centerlines;
- B. Boundaries indicated as appearing to follow platted lot lines shall be construed as following such lot lines;
- C. Boundaries indicated as appearing to follow city limits shall be construed as following city limits;
- D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
- E. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centerlines, and in the event of change in the location of streams, rivers, canals, lakes or other bodies of water, shall be construed as moving with the actual body of water and following the centerline;
- F. Boundaries indicated as parallel to or extensions of features indicated in subsections A through E above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map. (Ord. 70 §2.00, 1967).

17.08.180	Daycare center.
17.08.185	Day-use area.
17.08.190	Dependent space, campground.
17.08.195	District.
17.08.197	Durable goods, wholesale.
17.08.205	Dwellings, types of.
17.08.210	Dwelling unit.
17.08.212	Eating and drinking establishments.
17.08.213	Electronic and other electric equipment manufacture.
17.08.214	Fabricated metal products industries.
17.08.215	Family.
17.08.217	Farmworker dwellings.
17.08.220	Fence.
17.08.230	Finance, insurance and real estate services.
17.08.232	Food and kindred products manufacture.
17.08.235	Food stores.
17.08.237	Funeral service and crematories.
17.08.240	Furniture and fixtures manufacture.
17.08.245	Garage, private.
17.08.251	General merchandise stores.
17.08.252	Golf facility.
17.08.255	Health officer.
17.08.256	Hive.
17.08.258	Home furniture, furnishings and equipment stores.
17.08.260	Home occupation.
17.08.261	Honey bees.
17.08.265	Hospital.
17.08.270	Hospital, animal.
17.08.280	Hotel.
17.08.285	Independent space, campground.
17.08.287	Industrial machinery and equipment manufacture.
17.08.290	Instruments and related products manufacture.
17.08.300	Junk yard.
17.08.305	Kennel, commercial.
17.08.307	Leather and leather goods manufacture.
17.08.310	Livestock.
17.08.317	Long-term care facility.
17.08.320	Lot.
17.08.325	Lot frontage.
17.08.330	Lot types.
17.08.331	Lumber and wood products manufacture.
17.08.332	Manufactured home.
17.08.333	Meat processing and packing.
17.08.335	Mobile home, double-wide.
17.08.340	Mobile home lot.
17.08.345	Mobile home park.
17.08.348	Mobile home, single-wide.
17.08.349	Mobile home subdivision.
17.08.355	Motel.
17.08.360	Nonconforming use.
17.08.362	Nondurable goods, wholesale.

17.08.010 Accessory use. "Accessory use" means a use, a building or structure, part of a building or other structure, which is subordinate to, and the use of which, is incidental to that of the main building, structure or use on the same lot, including a private garage. If an accessory building is attached to the main building by a common wall or roof, such accessory building shall be considered a part of the main building. (Ord. 70 §3.01, 1967)

17.08.015 Accessory dwelling unit. "Accessory dwelling unit" means living quarters within an accessory building for the sole use of the family or of persons employed on the premises, or for the temporary use of guests of the occupants of the premises. Such quarters may have kitchen facilities but are not rented or otherwise used as a separate dwelling unit. "Accessory dwelling unit" includes "guesthouse." (Ord. 70 §3.02, 1967)

17.08.017 Adult family home. "Adult family home" means a regular family abode in which a person or persons provides personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services.

17.08.020 Airport. "Airport" means a place where aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair, and various accommodations for passengers.

17.08.023 Airport and aircraft landing field. "Airport, and aircraft landing field" means any runway, landing area or other facility which is designed, used or intended to be used in relation to agricultural uses for landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tiedown areas, hangars and other necessary buildings and open space.(Ord. 70 §3.03, 1967)

17.08.025 Alley. "Alley" means a passage or way, other than a public street open to public travel and dedicated to public use, affording generally a secondary means of vehicular access to abutting lots and not intended for general traffic circulation. (Ord. 70 §3.04, 1967)

17.08.030 All-terrain vehicle areas or parks. "All-terrain vehicle areas or parks" means an area or park where a minimum level of permanent improvements are required, designed for use by all-terrain vehicles, including motorcycles, minibikes, dunebuggies, snowmobiles and four-wheel drive vehicles. (Ord. 70 53.04.1, 1967; Amd. 129 (part), 8-5-80)

17.08.035 Alterations. "Alterations" means a change or rearrangement of the structural parts of existing facilities, or an enlargement by extending the sides or increasing the height or depth, or the moving from one location to another on the same site. (Ord. 70 53.05, 1967)

17.08.051 Apiary. "Apiary" includes bees, hives and appliances wherever they are kept, located or found. (Ord. 188 (part), 6-19-89)

17.08.051A Apparel and accessory stores. "Apparel and accessory stores" means retail stores primarily engaged in selling clothing of all kinds and related articles for personal wear and adornment.

17.08.051B Apparel and other textile products manufacture. "Apparel and other textile products manufacture" means establishments producing clothing and fabricating products by cutting and sewing purchased woven or knit textile fabrics and related materials, such as leather, rubberized fabrics, plastics, and furs. Also included are establishments that manufacture clothing by cutting and joining (for example, by adhesives) materials such as paper and nonwoven textiles.

solid from the ground to the roofline, and shall contain no openings except for windows and doors which are designed so that they may be closed. (Ord. 70 §3.18, 1967)

17.08.110 Building height. "Building height" means the vertical distance measured from the average elevation of the finished grade around the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof. (Ord. 70 §3.19, 1967)

17.08.115 Building, main. "Main building" means the principal building or other structure on a lot or building site designed or used to accommodate the primary use to which the premises are devoted. (Ord. 70 §3.20, 1967)

17.08.117 Building materials, hardware and garden supply stores. "Building materials, hardware and garden supply stores" means retail establishments primarily engaged in selling lumber and other building materials; paint, glass, and wallpaper; hardware; nursery stock; and lawn and garden supplies.

17.08.120 Business or commerce. "Business or commerce" means the purchase, sale, offering for sale, or other transaction involving the handling or disposition of any article, service, substance, or commodity for livelihood or profit; or the management or occupancy of the office buildings, offices, recreational and amusement enterprises; or the maintenance and the use of buildings, or persons rendering services. (Ord. 70 §3.21, 1967)

17.08.122 Business services. "Business services" means establishments primarily engaged in providing services, to business establishments on a contract or fee basis.

17.08.125 Campground. "Campground" means a parcel of land in which two or more spaces are occupied on a temporary basis or intended for temporary occupancy by recreational vehicles or tents for travel, recreational or vacation uses and which is designated as being open to the general public. For the purpose of this regulation, "campground" includes camping clubs as defined in RCW Chapter 19.105, and Sections 17.08.185, 17.08.190, 17.08.255, 17.08.285 and 17.08.370. (Ord. 70 §3.22.1, 1967; Amd. 145 (part), 3-30-82)

17.08.130 Campground space. "Campground space" means a portion of a campground for the placement of a single recreational vehicle or tent and the exclusive use of its occupants. (Ord. 70 §3.22A, 1967; Amd. 145 (part), 3-30-82)

17.08.135 Camp, public. "Public camp" means any area or tract of land used or designed to accommodate two or more camping parties, including cabins, tents, camping trailers or other camping outfits. (Ord. 70 §3.22, 1967)

17.08.137 Caretakers quarters. "Caretakers quarters" means a residential use accessory to a nonresidential use consisting of a dwelling unit and occupied by a caretaker or watchperson.

17.08.140 Carport. "Carport" means a structure to house or protect motor vehicles owned or operated by the occupants of the main building which is open to the weather for at least forty percent of the total area of its sides. (Ord. 70 §3.23, 1967)

17.08.141 Car wash. "Car wash" means any building or premises or portions thereof used for washing automobiles.

17.08.185 Day-use area. "Day-use area" means an area established or maintained for use by the public as a place for picnicking and other day-use activities and at which overnight use is prohibited. (Ord. 70 §3.31.1, 1967; Amd. 145 (part), 3-30-82)

17.08.190 Dependent space, campground. "Campground dependent space" means a campground space at which there is no sanitary sewage connection provided. (Ord. 70 §3.31.2, 1967; Amd. 145 (part), 3-30-82)

17.08.195 District. "District" means an area accurately defined as to boundaries and location on an official zoning map and within which area only certain types of land uses are permitted and within which other types of land uses are excluded, as set forth in this title. (Ord. 70 §3.32, 1967)

17.08.197 Durable goods, wholesale. "Wholesale durable goods" means establishments primarily engaged in the wholesale distribution of motor vehicles and motor vehicle parts and supplies, furniture and home furnishings; lumber and other construction materials; professional and commercial equipment and supplies; metals and minerals, except petroleum; electrical goods; hardware, and plumbing and heating equipment and supplies; machinery, equipment, and supplies; and miscellaneous durable goods.

17.08.205 Dwellings, types of. "Types of dwellings" means:

- A. Dwelling, One-family. "One-family dwelling" means a detached building designed exclusively for occupancy by one family and containing one dwelling unit.
- B. Dwelling, Two-family (Duplex). "Two-family dwelling or duplex" means a building designed exclusively for occupancy by two families living independently of each other, and containing two dwelling units.
- C. Dwelling, Multiple. "Multiple dwelling" means a building designed exclusively for occupancy by three or more families living independently of each other, and containing three or more dwelling units. (Ord. 70 §3.34, 1967)

17.08.210 Dwelling unit. "Dwelling unit" means one or more rooms designed for or occupied by one family for living or sleeping purposes and containing kitchen facilities for use solely by one family. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit. A studio apartment constitutes a dwelling unit within the meaning of this title. (Ord. 70 §3.35, 1967)

17.08.212 Eating and drinking establishments. "Eating and drinking establishments" mean establishments engaged in selling prepared food and drinks for consumption on the premises. Also included are caterers which serve prepared food other than at the place of business and lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption. In-plant food contractors are included here as well as leased eating and drinking concessions in hotels, motels, sports arenas, and other amusement places.

17.08.213 Electronic and other electric equipment manufacture. "Electronic and other electric equipment manufacture" means establishments engaged in manufacturing machinery, apparatus, and supplies for the generation, storage, transmission, transformation, and utilization of electrical energy. Included are the manufacturing of electricity distribution equipment; electrical industrial apparatus; household appliances; electrical lighting and wiring equipment; radio and television receiving equipment; communications equipment; electronic components and accessories; and other electrical equipment and supplies. The manufacture of household appliances is included.

17.08.252 Golf facility. "Golf facility" means a recreational facility designed and developed for golf activities such as golf courses, driving ranges and putting greens.

17.08.255 Health officer. "Health officer" means the legally designated health officer as defined in RCW 70.25.010(2) or the authorized representative of Walla Walla County/City Health Department. (Ord. 70 §3.39.1, 1967; Amd. 145 (part), 3-30-82)

17.08.256 Hive. "Hive" means any receptacle or container made or prepared for the use of bees, or box, or similar container taken possession of by bees. (Ord. 188 (part), 6-19-89)

17.08.258 Home furniture, furnishings and equipment stores. "Home furniture, furnishings and equipments stores" means retail stores selling goods used for furnishing the home such as furniture, floor coverings, draperies, glass and chinaware, domestic stoves, refrigerators, and other household electric and gas appliances. Establishments selling electric and gas appliances are included in this if the major part of their sales consists of articles for home use. These stores also may perform repair work on household appliances, radios, televisions, and stereo equipment as an accessory use.

17.08.260 Home occupation. "Home occupation" means an occupation customarily conducted entirely within a dwelling or out building and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the dwelling for dwelling purposes and does not change the character thereof. (Ord. 70 §3.40, 1967)

17.08.261 Honey bees. "Honey bees" means honey producing insects of the species *apias mellifera*, and includes the adults, eggs, larvae, pupae or other immature stages thereof, together with such materials as are deposited into hives by their adults, except honey and beeswax in rendered form. (Ord. 188 (part), 6-19-89)

17.08.265 Hospital. "Hospital" means an institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences.

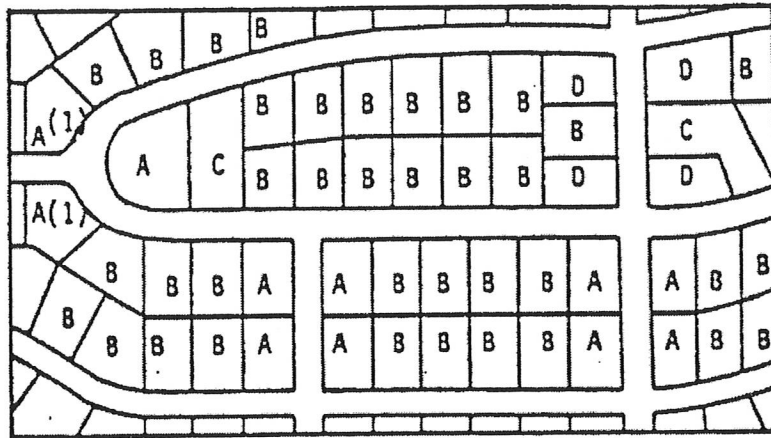
17.08.270 Hospital, animal. "Animal hospital" means a place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use.

17.08.280 Hotel. A facility offering transient lodging accommodations to the general public and may provide additional services, such as restaurants and meeting rooms.

17.08.285 Independent space, campground. "Campground independent space" means a campground space at which sewer and water services are provided for connection to a recreational vehicle. (Ord. 70 53.44.1, 1967; Amd. 145 (part), 3-30-82)

17.08.287 Industrial machinery and equipment manufacture. "Industrial machinery and equipment manufacture" means establishments engaged in manufacturing industrial and commercial machinery and equipment. Included are the manufacture of engines and turbines; farm and garden machinery; construction, mining, and oil field machinery; elevators and conveying equipment; hoists, cranes, monorails, and industrial trucks and tractors; metalworking machinery; special industry machinery; general industrial machinery; computer and peripheral equipment and office machinery; and refrigeration and service industry machinery. Machines powered by built-in or detachable motors

17.08.330 Lot types. The following diagram illustrates terminology used in this title with reference to "corner lots," "interior lots," "reversed frontage lots," and "through lots":



- A. "Corner lot" means a lot located at the intersection of two or more streets (see A in diagram) A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet an interior angle of less than one hundred thirty-five degrees (see lots marked A (1) in the diagram).
- B. "Interior lot" means a lot other than a corner lot with only one frontage on a street other than an alley (see B in diagram).
- C. "Through lot" means a lot other than a corner lot with only one street other than an alley. Through lots with frontage on two streets, may be referred to as "double frontage lots" (see C in diagram)
- D. "Reversed frontage lots" means a lot in which the frontage is at right angles, or approximately right angles, to the general pattern in the area involved. A reversed frontage lot may also be a corner lot or an interior lot (see D in diagram).(Ord. 70 §3.52, 1967)

17.08.331 Lumber and wood products manufacture. "Lumber and wood products manufacture" means establishments engaged in cutting timber and pulpwood; merchant sawmills, lath mills, shingle mills, cooperage stock mills, planing mills, and plywood mills and veneer mills engaged in producing lumber and wood basic materials; and establishments engaged in manufacturing finished articles made entirely or mainly of wood or related materials.

17.08.332 Manufactured home. "Manufactured home" means a residential dwelling built in accordance with the Federal Manufactured Home Construction and Safety Standards Act of 1974 which became effective June 15, 1976.

17.08.333 Meat processing and packing. "Meat processing and packing" means establishments primarily engaged in the operation of meat packing plants; manufacturing sausages and other prepared meat products; and poultry slaughtering and processing.

17.08.335 Mobile home, double-wide. "Double-wide mobile home" means a one-family dwelling thirty-two feet or more in length and more than fourteen body feet in width as measured along the total body length when assembled, constructed in accordance with state of Washington or federal standards as evidenced by the attachment of an insignia, designed for transportation after fabrication in

paperboard into converted products, such as paper coated off the paper machine, paper bags, paper boxes, and envelopes.

17.08.370 Park. "Park" means an area established or maintained for use by the public as a place for outdoor recreational activities including, but not limited to, picnic areas, marine parks, fishing access areas and campgrounds. (Ord. 70 §3.55.1, 1967; Amd. 145 (part), 3-30-82)

17.08.375 Pasture. "Pasture" means an area confined within a fence or other physical barrier and which area is used for grazing or roaming of livestock. (Ord. 70 §3.56, 1967)

17.08.380 Person. "Person" means any individual, firm, corporation, partnership, association, or agency of the state, county or municipal government. (Ord. 70 §3.56.1, 1967; Amd. 145 (part), 3-30-82)

17.08.382 Personal services. "Personal services" means establishments primarily engaged in providing services generally to individuals, such as barber and beauty shops, drycleaners, laundries, and photographic studios.

17.08.383 Petroleum and coal products manufacture. "Petroleum and coal products manufacture" means establishments primarily engaged in petroleum refining, paving and roofing materials, and compounding lubricating oils and greases from purchased materials.

17.08.385 Planning commission. "Planning commission" means the planning commission of the County of Walla Walla. (Ord. 70 §3.57, 1967)

17.08.387 Primary metal industries. "Primary metal industries" means establishments engaged in smelting and refining ferrous and nonferrous metals from ore, pig, or scrap; in rolling, drawing, and alloying metals; in manufacturing castings and other basic metal products; and in manufacturing nails, spikes, and insulated wire and cable. Including the production of coke.

17.08.390 Principal use. "Principal use" means the primary or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory. (Ord. 70 §3.58, 1967)

17.08.392 Printing, publishing and allied industries. "Printing, publishing and allied industries" means establishments engaged in printing by one or more common processes, such as letterpress; lithography (including offset), gravure, or screen; and those establishments which perform services for the printing trade, such as bookbinding and platemaking. Including establishments engaged in publishing newspapers, books, and periodicals, regardless of whether or not they do their own printing

17.08.393 Produce market. "Produce market" means a market specifically for the display and sale of fresh fruits and vegetables where at least 50% of the produce for sale is produced on-site.

17.08.395 Produce stand. "Produce stand" means a roadside stand of less than 120 sq. ft. specifically for the display and sale of fresh fruits and vegetables where at least 50% of the produce for sale is produced on-site.

17.08.407 Recreational facility. "Recreational facility" means facilities and equipment for recreation purposes such as swimming pools, tennis courts and community centers.

carburetors, coils, condensers, distributor caps, fan belts, filters, generators, points, rotors, spark plugs, voltage regulators, water and fuel pumps, water hoses and wiring; Convenience markets and fast food services. (Ord. 70 §3.68, 1967)

17.08.460 Sewage dumping station. "Sewage dumping station" means a facility used for removing and disposing of sewage from recreational vehicle holding tanks. (Ord. 70 §3.68.1, 1967; Amd. 145 (part), 3-30-82)

17.08.470 Sign. "Sign" means any device for visual communications that is used for the purpose of bringing the subject thereof to the attention of the public

17.08.482 Stone, clay, glass and concrete products manufacture. "Stone, clay and concrete products manufacture" means establishments manufacturing flat glass and other glass products, cement, structural clay products, pottery, concrete and gypsum products, cut stone, abrasive and asbestos products, and other products from materials taken principally from the earth in the form of stone, clay, and sand.

17.08.483 Storage, self service. "self service storage" means a structure containing separate, individual, and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time.

17.08.485 Street. "Street" means a dedicated public or recorded private thoroughfare which affords primary means of access to abutting property, intended for general traffic circulations. "Street" does not include an alley. (Ord. 70 53.73, 1967)

17.08.490 Structure. "Structure" means a combination of materials to form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water. (Ord. 70 §3.74, 1967)

17.09.492 Textile mill products manufacture. "Textile mill products manufacture" means establishments engaged in performing any of the following operations: (1) preparation of fiber and subsequent manufacturing of yarn, thread, braids, twine, and cordage; (2) manufacturing broad woven fabrics, narrow woven fabrics, knit fabrics, and carpets and rugs from yarn; (3) dyeing and finishing fiber, yarn, fabrics, and knit apparel; (4) coating, waterproofing, or otherwise treating fabrics; (5) the integrated manufacture of knit apparel and other finished articles from yarn; and (6) the manufacture of felt goods, lace goods, nonwoven fabrics, and miscellaneous textiles.

17.09.493 Townhouse. "Townhouse" means a building containing one dwelling unit that occupies space from the ground to the roof, and is attached to one or more other townhouse dwellings by common walls.

17.08.501 Transient labor camp. "Transient labor camp" means a place, area, or piece of land where sleeping places or housing sites are provided by an agricultural employer for his or her agricultural employees or by another person, including a temporary worker housing operator, who is providing such accommodations for employees for temporary, seasonal occupancy.

17.08.502 Transportation equipment manufacture. "Transportation equipment manufacture" means establishments engaged in manufacturing equipment for transportation of passengers and cargo by land, air, and water. Products produced by these establishments include motor vehicles, aircraft, ships, boats, railroad equipment, and miscellaneous transportation equipment, such as motorcycles, bicycles, and snowmobiles.

Chapter 17.12

ESTABLISHMENT OF DISTRICTS

Sections:

- 17.12.020** **Application of district regulations.**
- 17.12.030** **Establishment of districts – Intent.**
- 17.12.040** **Establishment of districts – Designated – General purposes.**
- 17.12.050** **Unincorporated Urban Growth Areas – zoning.**

17.12.020 Application of district regulations. The regulations set by this title within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as provided in chapter 17.36 WWCC (Nonconforming Uses, Lots and Structures):

- A. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered unless in conformity with all of the regulations specified in this title for the district in which it is located.
- B. No building or other structure shall hereafter be erected or altered:
 - 1. To exceed the height;
 - 2. To accommodate or house a greater number of families;
 - 3. To occupy a greater percentage of lot area;
 - 4. To have narrower or smaller rear yards, front yards, side yards, or other open spaces than required in this title; or in any other manner contrary to the provisions of this title.
- C. No part of a yard, or other open space, or off street parking or loading space required about or in connection with any building for the purpose of complying with this title, shall be included as a part of a yard, open space, or off-street parking or loading space similarly required for any other building.
- D. No yard or lot existing at the time of passage of the ordinance codified in this title shall be reduced in dimension or area below the minimum requirements set forth in this title. Yards or lots created after the effective date of the ordinance codified in this title shall meet at least the minimum requirements established by this title. (Ord. 70 §4.00, 1967; Amd. 82, 12-30-75; Amd. 198, 6-2-92)

17.12.030 Establishment of districts--Intent.

- A. It is the purpose of this chapter to establish districts that are consistent with the Walla Walla Comprehensive Plan and wherein compatible uses of land may be located and grouped to create, protect or maintain a mutually satisfying environment for the citizens of Walla Walla County.
- B. It is the intent of this title to promote orderly growth, resource conservation, protect critical areas, and contribute to the economy and general welfare of the county. It is also the purpose of this classification to make it possible to more efficiently and economically design and install all physical public service facilities to adequately and permanently meet needs resulting from defined intensity of land use and to provide for health, safety, prosperity and well being of the county. (Ord. 70 §5.00, 1967)

17.12.040 Establishment of districts--Designated-General purposes. The county of Walla Walla is divided by this section into nineteen classes of districts with the designations and general purposes listed in this section and the specifically permitted uses tabulated in Section 17.16.014:

services available to these lands, most frequently public water systems with fire hydrants. This zone includes areas characterized by land uses which include small-scale farms, single-family homes, limited commercial uses and open space.

- J. Rural Activity Center. The purpose of this zone is to recognize the historic, unincorporated rural communities in the County. Rural Activity Centers are generally small, compact, isolated rural centers that primarily exist to provide housing, convenience goods, and services to residents in and around the area. They also may provide limited services to travelers and some tourist attractions. This zone is intended to allow a mixture of uses. Permitted uses in this zone include single-family residences, small-scale industries and businesses, and public facilities such as post offices, schools, and fire departments.
 - K. Agriculture Industrial Heavy. This district is primarily for manufacturing, processing, fabrication and assembling of products or materials, warehousing and storage, rail and water borne transportation facilities and agricultural activities.
 - L. Agriculture Industrial Light. The purpose of this district is to establish a mix of light industrial uses, such as assembly, storage and manufacture of prefabricated materials, and agricultural land uses.
 - M. Burbank Residential. This district is primarily a single family residential district with provisions for multifamily dwelling units that are consistent with the height, bulk, and scale of adjacent development.
 - N. Burbank Commercial. This district is a general commercial designation that allows for commercial uses that serve the local retail needs of the community as well as passing travelers.
 - O. Burbank/Port Light Industrial. This district allows for light industrial uses, including a broad range of distribution, wholesale, assembly and manufacturing uses, including farm equipment and auto sales.
 - P. Public Reserve. This district is intended for public uses such as parks, playgrounds, federal and state wildlife habitats, open spaces, and greenbelts.
 - Q. Airport Development District. The purpose of the airport development district is to provide a zoning classification to regulate the use and development of land within the boundaries of the City-County Airport, to insure compatibility with aviation facilities and adjacent properties, protection of runway safety and clear zones and aviation facilities, and enhance the potential for future industrial development.
 - R. Light Industrial District. This district is exclusively for limited assembly, fabrication, processing and service facilities involving small or portable machinery and regulated with regards to dissemination of atmosphere, pollutants, noise, vibration, odors and the creation of physical hazards to adjacent uses.
 - S. Neighborhood Commercial District. This district is exclusively a neighborhood business district for the provision of convenience shopping for limited residential area and which involves retail enterprises dispensing commodities, and providing personal services to the individual.
- (Ord. 70 §§5.01, 506.B.2, 1967; Amd. 2 (part), 4-21-69; Amd. 7, 9-29-69; Amd. 19 §2, 11-9-70; Amd. 25 §1, 3-22-71; Ord. 187 (Exh. A(part)), 1986; Amd. 158 (part), 1983; Amd. 205 (Exh. A(part), 11-15-93)

17.12.50 Unincorporated Urban Growth Areas -- Zoning. A. The County's zoning districts and dimensional requirements in place before January 30, 2001 shall continue to apply to those unincorporated areas within the County's Urban Growth Boundaries until such time as joint zoning and development regulations are adopted.

Chapter 17.16

PERMITTED USES

Sections:

- 17.16.010** **Establishment of uses.**
- 17.16.012** **Interpretation of land use tables.**
- 17.16.013** **Interpretation of land use types.**
- 17.16.014** **Permitted uses tables.**

17.16.010 Establishment of uses. The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied or maintained. All applicable requirements of this code, or other applicable state or federal requirements, shall govern a use located in unincorporated Walla Walla County.

17.16.012 Interpretation of land use tables.

- A. The land use tables in this chapter determine whether a specific use is allowed in a zone district. The zone district is located on the vertical column and the specific use is located on the horizontal row of these tables.
- B. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district.
- C. If the letter "P" appears in the box at the intersection of the column and the row, the use is allowed in that district subject to the review procedures and general requirements of the code.
- D. If the letter "C" appears in the box at the intersection of the column and the row, the use is allowed subject to the conditional use review process specified in WWCC 17.40.
- E. If the letters "AC" appear in the box at the intersection of the column and the row, the use is allowed subject to the administrative conditional use review process specified in WWCC 17.40.
- F. If a number appears in the box at the intersection of the column and the row, the use may be allowed subject to the specific conditions indicated in the development condition with the corresponding number immediately following the land use table.

17.16.013 Interpretation of land use types. The Director or her/his designee shall determine whether a proposed land use not specifically listed in a land use table is allowed in a zone. The Director's determination shall be based on whether or not permitting the proposed use in a particular zone is consistent with the purposes of this title and the zone's purpose as set forth in WWCC 17.12.040, by considering the following factors:

- A. The physical characteristics of the use and its supporting structures, including but not limited to scale, traffic and other impacts, and hours of operation; and
- B. Whether or not the use complements or is compatible with other uses permitted in the zone.
- C. Whether the location of the use in a particular zone is consistent with the goals and policies of the Comprehensive Plan.
- D. If the use would require a zoning code text amendment.

RESIDENTIAL LAND USES - Continued

		INDUSTRIAL & COMMERCIAL						MISC.	
KEY P = Permitted Use C = Conditional Use permit required AC = Administrative Conditional Use permit required * = Definition of this specific land use see WWCC 17.08	ZONE	Agriculture Industrial Light	Agriculture Industrial Heavy	Light Industrial	Neighborhood Commercial	Burbank Commercial	Burbank/Port Light Industrial	Burbank Residential	Public Reserve
	SPECIFIC USE								
	DWELLING UNITS								
*	One Family	AC						P	
*	Two Family (duplex)							P	
*	Multi Family							P6	
*	Townhouse							P6	
*	Condominiums							P6	
*	Mobile Home, single wide	AC							
*	Mobile Home, double wide	AC						P	
*	Manufactured Home	AC						P	
*	MOBILE/MANUFACTURED HOME PARK							C	
*	RURAL FARMWORKER COMMUNITIES								
	GROUP RESIDENCES								
*	Adult Family Home					P		P	
*	Long Term Care Facility							C	
*	Senior Citizen Asst. Housing							AC	
	TEMPORARY LODGING								
*	Bed & Breakfast Type I							P	
*	Bed & Breakfast Type II							C	
*	Hotels/Motels					P			
*	Mobile/Manufactured Home							AC 1	
*	Transient Labor Camps								
	ACCESSORY USES								
*	Accessory Dwelling Units	P2						P2	
*	Accessory Use	P3						P3	
*	Home Occupation	AC 4						AC 4	
*	Caretakers Quarters	P	P				P		
*	Farmworker Dwellings	AC 5							

3. An accessory use, structure or activity clearly incidental to the permitted use and which will not create a nuisance or hazard if permitted.
4. Home occupations are permitted provided:
 - a. That not more than one person outside the family shall be employed in the home occupation;
 - b. There shall be no exterior display, no exterior sign, no exterior storage of materials and no other exterior indication of the home occupation or variation from the residential character of the principal building and that no special equipment different from the normal residential equipment shall be installed, and no offensive noise, vibration, smoke, dust, odors, heat or glare shall be produced as a result thereof.
 - c. The maximum amount of square footage used by the home occupation is 200 square feet
 - d. The home owner submits a letter acknowledging the above conditions.
5. Farmworker Dwellings to accommodate agriculture employees and their families employed by the owner of the premises are permitted, provided that only three accessory farmworker dwelling units are permitted on a lot in addition to the owner's single-family residence and that each lot has a minimum of twenty acres and; provided further that such housing facilities shall be considered accessory to the main dwelling and shall conform to the provisions of the district pertaining to required yards and open spaces for dwellings. Verification of half time or greater employment is required before issuance of building permit.
6. Permitted at densities not to exceed 4 dwelling units per acre. Height, bulk and scale to be consistent with existing adjacent development.
7. Transient Labor Camps are permitted provided they meet the State's minimum health and safety requirements for temporary worker housing (246-358 WAC Temporary Housing Rules).

RETAIL/WHOLESALE LAND USES - Continued

		INDUSTRIAL & COMMERCIAL						MISC.	
		ZONE	Agriculture Industrial Light	Agriculture Industrial Heavy	Light Industrial	Neighborhood Commercial	Burbank Commercial	Burbank/Port Light Industrial	Burbank Residential Public Reserve

KEY

P = Permitted Use

C = Conditional Use permit required

AC = Administrative Conditional Use permit required

★ = Definition of this specific land use see WWCC 17.08

SPECIFIC USE									
RETAIL									
★ Apparel & Accessory Stores					P1	P			
Auction Houses, except livestock					P1	P			
Auction Houses/Yards, Livestock		P							
★ Automobile Service Station & Convenience Market					P1	C2			
★ Automotive Dealers				P1	P1	P	P		
Automobile Leasing/Rental				P1	P1	P	P		
★ Building Material, Hardware, & Garden Supply				P1	P1	P	P		
★ Eating & Drinking Establishments					P1	P			
★ Food Stores					P1	P			
★ General Merchandise Stores					P1	P			
Heavy Equipment Sales & Rental				P1			P		
★ Home Furniture, Furnishings, and Equipment Stores					P1	P			
Horticultural Nurseries, Retail				P1	P1	P	P		
Irrigation Systems/ Equipment, Sales Service & Storage				P1			P		
★ Produce Stand					P				
★ Produce Market					P1	P			
★ Retail, Miscellaneous						P			
WHOLESALE									
★ Durable Goods		P	P	P1			P		
★ Non Durable Goods		P	P	P1			P		
Commercial Greenhouses		P		P1	P1		P		
ACCESSORY USES									
★ Accessory Use		P3	P3	P3	P3	P3	P3		

GOVERNMENT/GENERAL SERVICES LAND USES

	ZONE	RESOURCE				RURAL								
		Primary Agriculture-40	Exclusive Agriculture-120	General Agriculture-20	Agriculture Residential-10	Rural Remote-40	Rural Remote-20	Rural Agriculture -10	Rural Agriculture-5	Rural Floating-2-3	Rural Residential-2	Rural Residential-5	Rural Transition-1/2	Rural Activity Center

KEY

P = Permitted Use

C = Conditional Use permit required

AC = Administrative Conditional Use permit required

* = Definition of this specific land use see WWCC 17.08

SPECIFIC USE														
EDUCATION SERVICES														
* Schools, public and private										P	C	C	C	C
GOVERNMENT SERVICES														
Fire Station	C		C	C	C	C	C	C	C	C	C	C	C	C
GENERAL SERVICES														
* Animal Hospital									C	C	C	C	C	P1
* Automotive Repair and Services														P1
* Automobile Parking														P1
* Automobile Wrecking Yard														
* Business Services														P1
Catering Establishments														P1
Cemeteries, Mausoleums					P	P	P							C
Churches & Places of Worship	C		C	C	C	C	C	C	P	C	C	C	C	C
* Clinic														P1
* Day Care Center														P1
Dog Pound														AC
* Finance, Insurance, Real Estate														P1
* Funeral Service & Crematories														C
* Hospitals														C
* Kennel, Commercial	C5		C5	C5				C5						C5
Laboratories, Research & Testing														P1
* Offices														P1
Orphanage/Charitable Institutions											P1	P1	P1	P1, 3
* Personal Services														P1
* Repair Shops & related services														P1
Storage, Self Service														P1
* Utility Facilities	C		C	C	C	C	C	C	C	C	C	C	C	C
* Warehousing & Storage														P1
ACCESSORY USE														
* Accessory Use	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4

GOVERNMENT/GENERAL SERVICES LAND USES - Development Conditions

1. The primary building can not exceed 20,000 sq. ft. per establishment.
2. Permitted if conducted within an enclosure not less than 8 ft. in height with a solidity of not less than 60% and setback fifty ft. from any public street.
3. No building so used shall be within one hundred feet of any property line.
4. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
5. All cages, runs, pens or kennels used for holding animals shall be at least 25 feet from property lines and be kept in a clean and sanitary condition, and must be disinfected on a routine basis. All waste material must be disposed of daily in a sanitary method in accordance with regulations of the city/county health department. Cages and kennels must be of sufficient size to allow for exercise and maintenance of sanitary conditions.

Animals must be provided with adequate shelter to protect them from extremes of temperature and from rain and snow.

Fencing shall be adequate to contain all animals and to restrict the entry of animals not under the control of the kennel operator.

The kennel may be inspected during any reasonable hour by the Director, the Health Officer or by the Animal Control Officer, for compliance with these regulations, and/or the provisions of Title VI of the Walla Walla County Code.

The following shall be considered when a Conditional Use Permit is reviewed for a commercial kennel:

- a. Noise;
- b. Proximity to and compatibility with adjacent uses;
- c. Lot size and isolation;
- d. Location of kennel on the lot;
- e. Screening and buffering;
- f. Number of animal accommodations.

INDUSTRIAL/MANUFACTURING LAND USES - Continued

		RESOURCE				RURAL								
		Primary Agriculture-40	Exclusive Agriculture-120	General Agriculture-20	Agriculture Residential-10	Rural Remote-40	Rural Remote-20	Rural Agriculture -10	Rural Agriculture-5	Rural Floating-2-3	Rural Residential-2	Rural Residential-5	Rural Transition-1/2	Rural Activity Center
KEY		ZONE												
P = Permitted Use														
C = Conditional Use permit required														
AC = Administrative Conditional Use permit required														
* = Definition of this specific land use see WWCC 17.08														
*	Stone, Clay, Glass & Concrete Products													
	Smelting or Refining Aluminum, Copper, Tin or Zinc													
	Storage/Packing Agricultural Produce	P	P	P	P			P	P		P	P	P	P4
*	Textile Mill Products													
*	Transportation Equipment													
*	Truck Stop													
*	Winery	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3
*	Miscellaneous Light Manufacturing													
	ACCESSORY USES													
*	Accessory Use	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1

INDUSTRIAL/MANUFACTURING LAND USES -- Continued

		INDUSTRIAL & COMMERCIAL						MISC.		
KEY P = Permitted Use C = Conditional Use permit required AC = Administrative Conditional Use permit required * = Definition of this specific land use see WWCC 17.08		ZONE	Agriculture Industrial Light	Agriculture Industrial Heavy	Light Industrial	Neighborhood Commercial	Burbank Commercial	Burbank/Port Light Industrial	Burbank Residential	Public Reserve
*	Stone, Clay, Glass & Concrete Products	P	P	P4						
	Smelting or Refining Aluminum, Copper, Tin or Zinc		C							
	Storage/Packing Agricultural Produce	P	P	P4			P			
*	Textile Mill Products	P	P	P4			P			
*	Transportation Equipment		P							
*	Truck Stop	P	P				P			
*	Winery	P3	P3				P3			
*	Miscellaneous Light Manufacturing	P	P				P			
	ACCESSORY USES	P	P							
*	Accessory Use	P1	P1	P1, 4	P1		P1			

RECREATIONAL/CULTURAL LAND USES

		RESOURCE				RURAL								
		Primary Agriculture-40	Exclusive Agriculture-120	General Agriculture-20	Agriculture Residential-10	Rural Remote-40	Rural Remote-20	Rural Agriculture -10	Rural Agriculture-5	Rural Floating-2-3	Rural Residential-2	Rural Residential-5	Rural Transition-1/2	Rural Activity Center
KEY P = Permitted Use C = Conditional Use permit required AC = Administrative Conditional Use permit required * = Definition of this specific land use see WWCC 17.08		ZONE												
	SPECIFIC USE													
	PARKS/RECREATION													
*	Golf facility	C5		C5	C	C	C	C	C	C	C	C	C	C
	Gun/Archery Ranges (Outdoor)	C5	C5	C5	C	C	C			C				
	Gun/Archery Ranges (Indoor)	C5		C5	C	C	C	C	C	C	C	C	C	C
*	Park	P5	P5	P5	P	P	P	P	P	P	P	P	P	P
*	Recreational Facility (Public)	P5		P5		P	P	C	C	C	C	C	C	P
	Recreation Facility (Private when 50% or less is owned/partnered by a public agency)	C5		C5	C	C	C	C	C	C	C	C	C	C
	Recreational Vehicle Park & Campgrounds	C1,5		C1, 5	C1	C1	C1	C1						
*	Stables, private	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	C4
*	All-terrain Vehicle Park	C5		C5	C	C	C							
	ENTERTAINMENT													
	Drive-in Theaters													C
	Theaters													P3
	CULTURAL													
	Art Galleries													P3
	Art Studio													P3
*	Assembly Halls	AC		AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	P3
	Outdoor Concert Amphitheaters, Coliseums, Stadiums													C
	Libraries													P3
	Museums													P3
	ACCESSORY USES													
*	Accessory Use	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2

RECREATIONAL/CULTURAL LAND USES – Development Conditions

1. See section 17.32 WWCC for RV Park and Campground development regulations.
2. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
3. Up to 20,000 sq. ft. per establishment
4. See section 17.26 WWCC for Animal Standards
5. This land use type shall not be permitted on lands identified as Primary Significance or Unique farmlands per the adopted maps of the Agricultural Lands Advisory Committee.
6. The primary building not to exceed 12,000 sq. ft. per establishment

RESOURCE LAND USES - Continued

	INDUSTRIAL & COMMERCIAL							MISC.	
	Zone	Agriculture Industrial Light	Agriculture Industrial Heavy	Light Industrial	Neighborhood Commercial	Burbank Commercial	Burbank/Port Light Industrial	Burbank Residential	Public Reserve

KEY
P = Permitted Use
C = Conditional Use permit required
AC = Administrative Conditional Use permit required
***** = Definition of this specific land use see WWCC 17.08

SPECIFIC USE									
AGRICULTURE									
Raising Livestock, Large Scale Commercial	P	P					P		
Processor for Animal Killing & Dressing (large scale processing greater than 1,500 square feet of gross floor area)	C	C					P		
Processor for Animal Killing & Dressing (equal to or less than 1,500 square feet of gross floor area)	P	P	P				P		
FISH /WILDLIFE									
Hatcheries	P	P							
MINERAL									
Asphalt Plant	P	P							
Concrete Batch Plant	P	P							
Rock Crushers									
Quarries, gravel/rock extractions (designated mineral lands)	AC	AC							
Quarries, gravel/rock extractions (non-designated mineral lands)	C	C							
ACCESSORY USES									
* Accessory Use	P1	P1	P1				P1		

REGIONAL LAND USES

	ZONE	RESOURCE				RURAL								
		Primary Agriculture-40	Exclusive Agriculture-120	General Agriculture-20	Agriculture Residential-10	Rural Remote-40	Rural Remote-20	Rural Agriculture -10	Rural Agriculture-5	Rural Floating-2-3	Rural Residential-2	Rural Residential-5	Rural Transition-1/2	Rural Activity Center

KEY

P = Permitted Use

C = Conditional Use permit required

AC = Administrative Conditional Use permit required

***** = Definition of this specific land use see WWCC 17.08

	SPECIFIC USE													
*	Airports & Accessory Uses													
*	Airports & Aircraft Landing Field	P	P	P	P									
	Bus Passenger Stations													C
	Colleges or Universities, public or private										C	C	C	C
	Colleges, business colleges, trade schools and similar organizations, all without students in residence offering training in specific fields										C	C	C	C
	Heliports and/or Helistops	C		C	C	C	C	C	C	C	C	C		C
	Jails and Penal Institutions													
*	Junkyards													
	Land fills													
	Microwave Relay Stations	P												
	Radio & Television Broadcasting Stations and Towers	P3		P3	P3	P3	P3	C3	C3	C3	C3	C3	C3	C3
	Railroad Freight Yards					P	P							
	Railroad Terminals	P		P	P	P	P	C	C	C	C	C	C	C
	Wind Farm Power Generators, Commercial	C		C		C	C							
*	Wireless Communication Facility	P4, 6	P4, 6	P4, 6	P6	P6	P6	P6	P6	P6	P6	P6	C5, 6	C5, 6
*	Wireless Communication Facility, Attached	P6	P6	P6	P6	P6	P6	P6	P6	P6	P6	P6	P6	P6
	ACCESSORY USES													
*	Accessory Use	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2

REGIONAL LAND USES -- Development Conditions

1. Only permitted when conducted within an enclosure not less than eight feet in height with a solidity of not less than sixty percent and located at least fifty feet from any public street.
2. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
3.
 - A. The applicant shall demonstrate that the selected tower design is as visually unobtrusive as possible, considering technical, engineering, economic or other constraints.
 - B. The tower shall be painted silver or the galvanized finish be retained on towers less than two hundred feet or unless otherwise required by the FAA.
 - C. Appropriate landscaping may be required and/or fencing and signage for radiation.
 - D. No nighttime lighting of the tower may take place unless required by the FAA.
 - E. The tower shall meet the minimum front yard setback for the district in which it is located or twenty percent of its height, whichever is greater and be setback from the side and rear property lines equal to twenty percent of its height.
4. If located within one mile of another Wireless Communication Facility a Conditional Use Permit is required.
5. A conditional use permit for a Wireless Communication Facility shall be subject to the following additional standards:
 - A. Such facilities shall not be injurious to the neighborhood or otherwise detrimental to the public welfare;
 - B. The applicant shall demonstrate the need for the proposed tower (wireless communication support structure) to be located near a residential area, the procedures involved in the site selection and an evaluation of alternative sites and existing facilities on which the proposed facility could be located or co-located;
 - C. A site development plan shall be submitted showing the location, size, screening, and design of all buildings and structures, including fences, the location, size and nature of outdoor equipment, and the location, number, and species of all proposed landscaping;
 - D. The facility shall be designed to be aesthetically and architecturally compatible with the natural and built environment. This includes, but is not necessarily limited to, building design and the use of exterior materials harmonious with the character of the surrounding neighborhood and the use of landscaping and privacy screening to buffer the facilities and activities on the site from surrounding properties. Any equipment or facilities not enclosed within a building (e.g., towers, transformers, tanks, etc.) shall be designed and located on the site to minimize adverse impacts on surrounding properties.
 - E. The applicant shall demonstrate a justification for the proposed height of the structures and an evaluation of alternative designs which might result in lower heights. If additional height over that allowed in the zone is justified it may be approved by the Planning Commission.
 - F. The applicant shall include an analysis of the feasibility of future consolidated use of the proposed facility with other utility facilities.

17.16.015 Permitted uses--Airport development district.

- A. The airport development district permits the full range of agricultural, aviation, industrial, office and commercial, public and quasi-public uses and incidental accessory uses.
- B. Specific use or uses of buildings and sites will be permitted by approval of the airport board, based on its land use and development plan. (Ord. 187 (Exhibit A (part)), 1986)

Chapter 17.18

DEVELOPMENT STANDARDS – DENSITY AND DIMENSIONS

Sections:

- 17.18.010 Density and Dimensional Requirements Purpose.**
- 17.18.020 Table of Density and Dimensional Requirements.**
- 17.18.030 Measurement Methods.**

17.18.010 Density and Dimensional Requirements Purpose. The purpose of this chapter is to establish basic dimensional standards for development as well as specific rules for their general application. The standards are established to guide project design, and maintain compatibility and privacy between adjacent uses.

17.18.020 Table of Density¹⁰ and Dimensional Requirements (Continued from previous page)

Minimum Lot Area Requirements ¹¹				Minimum Yard Requirements (in feet)			Maximum Impervious Surface Lot Coverage (in percent)	Maximum Height (in feet)
Zone	Acres	Width (in feet)	Front	Side	Rear			
Agriculture Light Industrial	--	--	(8)	(8)	(8)		75	--
Agriculture Heavy Industrial	--	--	(8)	(8)	(8)		75	35
Neighborhood Commercial	--	--	15	5	15		75	35
Light Industrial	--	--	(8)	(8)	(8)		75	--
Burbank Residential	(9)	(9)	20	10	25		35	35
Burbank Commercial	--	--	15	5	15		75	35
Burbank/Port Light Industrial	--	--	(8)	(8)	(8)		75	--

8. No restrictions, except 50ft. yard setbacks are required where abutting a residential district.

9. Lot sizes shall be sufficient to meet public health and environmental protection standards established by the Walla Walla County Health Department.

10. Density Calculation. To calculate allowed density for any given site in the County, the gross area of the site is multiplied by the allowed density per acre that applies to the zone where the site is located. The result is the maximum number of units that may occupy that site. For the purposes of this calculation, fractional values shall be rounded to the nearest whole number (0.5 and above, round up; below 0.5, round down).

Example:

$$90 \text{ (gross site area in acres)} \times \frac{1/40 \text{ Primary Agriculture allowed density is 1 dwelling unit per 40 acres}}{1} = 2 \text{ maximum allowed dwelling units}$$

11. Dedicated right of way shall not be calculated into meeting the minimum required lot size of the respective zone.

12. The buildable area shall not include lands with slopes greater than 15%, geologically unstable slopes and lands which lie within the 100-year floodplain

Chapter 17.20

DEVELOPMENT STANDARDS- OFF-STREET PARKING AND LOADING AREAS

Sections:

ARTICLE I. INTRODUCTION

17.20.010 Intent.

ARTICLE II. OFF-STREET PARKING

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17.20.090 Conditions required for joint use.
17.20.100 Table of minimum standards.
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17.20.080 Joint use. The Director of Regional Planning may authorize the joint use of parking facilities for the following uses or activities under conditions specified:

- A. Up to fifty percent of the parking facilities required by this chapter for primarily "night time" uses such as theaters, bowling alleys, bars, restaurants and related uses, may be supplied by certain other types of buildings or uses referred to in this title as "daytime" uses, such as banks, offices, retail, personal service, or wholesale and related uses.
- B. Up to fifty percent of the parking facilities required by this chapter for primarily "daytime" uses may be supplied by primarily "night time" uses.
- C. Up to one hundred percent of the parking facilities required by this chapter for a church or for an auditorium incidental to a public or parochial school, may be supplied by the off-street parking facilities provided by uses primarily of a "daytime" nature. (Ord. 70 §6.01(F), 1967)

17.20.090 Conditions required for joint use. The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use, shall be located within five hundred feet of such parking facilities, in addition to which:

- A. The applicant shall show that there is not substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed; and
- B. The applicant shall present a properly drawn legal instrument, recorded with the county auditor, executed by the parties concerned for joint use of off-street parking facilities. (Ord. 70 §6.01(G), 1967)

17.20.100 Table of minimum standards. Required off-street parking spaces shall be in conformance with the following table and where alternative standards prevail, the greater applies in conflicting computations:

Use	Spaces Required
Residential, all types except for those noted below	2 per dwelling unit
Residential, duplex or multifamily	2 per dwelling unit
Adult Family Homes and Long Term Care Facilities	1 per 6 beds plus 1 per each permanent staff employee
Retirement homes	.50 per dwelling unit
Motels/Hotels	1 per sleeping room
Hospitals and Health Care institutions	1 per 3 beds
Theaters	1 per 3 seats
Churches, auditoriums and similar enclosed places of assembly	1 per 3 seats or 60 lineal inches of pew or 40 square feet of gross floor area used for assembly purposes, whichever is greater.
Stadiums, sport arenas and similar open assemblies	1 per 8 seats and/or 1 per 100 square feet of assembly space without fixed seats, whichever is greater.

reviewed as part of another permit. The plan shall clearly indicate the proposed development, including location, size, shape, design, curbcuts, lighting, landscaping, construction details, and other features, and appurtenances proposed.

- A. All traffic control devices such as parking stripes designating car stalls, directional arrows or signs, bull rails, curbs, and other developments, shall be installed and completed as shown on the approved plans. Hard-surfaced parking areas shall use paint or similar devices to delineate car stalls and directional arrows. Gravel parking areas shall use wood or concrete bull rails or wheelstops and posted signs to delineate car stalls and direction of traffic. Where pedestrian walks are used in parking lots they shall be curbed, or raised six inches above the lot surface. All driveways, off-street parking areas and public off-street areas immediately adjacent to a service driveway which leads to a hard-surfaced public street shall be hard-surfaced with a minimum of two inches of asphaltic concrete, and for a driving distance of at least fifty feet from said service driveways
- B. Minimum dimensions of off-street parking spaces shall be not less than two hundred square feet with minimum width of nine feet.
- C. Landscaping, screening and lighting shall be provided in accordance with the provisions in chapter 17.33.
- D. Maintenance of all areas for off-street parking shall include removal and replacement of dead and dying trees, grass and shrubs, removal of trash and weeds, and repair of traffic control devices, signs, light standards, fences, walls, surfacing material, curbs and railings. (Ord. 70 §6.01 (1), 1967)

ARTICLE III. LOADING AREAS

17.20.120 General requirements. Each off-street loading space shall measure not less than thirty feet by twelve feet and shall have an unobstructed height of fourteen feet, six inches and shall be made permanently available for such purposes, and shall be surfaced, improved and maintained as required in Section 17.20.110. (Ord. 70 §6.02, 1967)

issued by the Department of Regional Planning a minimum of three days prior to the event. This permit will take into account public health, safety, and welfare standards in addressing issues such as traffic control, sanitary waste disposal, adequate crowd control measures, etc.

- D. Exemptions: the following are considered exempt from the above definitions as they are part of the everyday operation of the winery and/or are regional events:
- E. Daily traffic related to the function of the winery and tasting room;
- F. Walla Walla Wine Alliance functions such as Holiday Barrel Tasting Weekend, Spring Release Weekend and Walla Walla Balloon Stampede Weekend.
- G. The County Planning Commission may place a limit on the number of or size of events allowed. This is to be based on findings of fact which specify the need to mitigate impacts via these limitations.

17.22.065 Outdoor Entertainment Event. A winery sponsored outdoor entertainment event is an outdoor event where there is a scheduled performance that will accommodate more than 500 people. Outdoor Entertainment Events require an "Entertainment Event Permit" to be issued by the Department of Regional Planning a minimum of three days prior to the event. This permit will take into account public health, safety, and welfare standards. The County Planning Commission may limit the number of permits issued as the need is established.

17.22.070 Access. The winery will have adequate access from a public road. If an on-site driveway is utilized, it must be 20' in width with a gravel surface. The radius return of the road must be asphalt surfaced. Emergency vehicle turn-arounds must be provided if the driveway is more than 150' in length. Wineries that share a private road must submit a road maintenance agreement at the time of CUP application, signed by all legal property owners or their legal designee(s). Without this agreement included as part of the application, the application will be incomplete and will not be considered for approval until the agreement is submitted. All legal property owners (those with legal access to the private road in question) must sign for the Conditional Use Permit to be approved. Upon approval of the Conditional Use Permit application, the road maintenance agreement will be legally recorded.

17.22.080 Landscaping. The applicant may utilize grapevines as a part of the landscaping requirements in proportionate share to the landscaping requirement per the Walla Walla County Code requirements.

17.22.090 Tasting Rooms. Tasting rooms, as an ancillary use to a winery, will be allowed in most zones unless prohibited via the Conditional Use Permit based on findings of fact identifying the specific impacts that cannot be satisfactorily mitigated. Due to the unique zoning within the Exclusive Agriculture zone, tasting rooms will be restricted in operation. For example, strict limitations on operating hours and number of events will be imposed as a condition of the Conditional Use Permit. Tasting rooms may also not be allowed as an ancillary use within the Exclusive Agriculture zone.

17.22.100 Food Service. Wineries will be allowed limited food services on-site. This food service is not to include restaurants, unless otherwise allowed in the zone, but may include the following:

- A. Deli-service of pre-packaged food
- B. Winemaker dinners
- C. Tasting room events with food
- D. On-site catering for events

The following criteria must be met:

- A. No interior seating will be dedicated solely to the purpose of meal service
- B. No food will be cooked to order, although a list of pre-packaged foods may be posted.

Chapter 17.23

DEVELOPMENT STANDARDS - ESSENTIAL PUBLIC FACILITIES

Sections:

17.23.010	Purpose.
17.23.020	Scope.
17.23.025	Definition.
17.23.030	Identification of Essential Public Facilities.
17.23.040	Advisory Committee.
17.23.050	Responsibilities of the Advisory Committee.
17.23.060	Conditional Use.
17.23.070	Timing.
17.23.080	Appeal.
17.23.090	Secure Community Transition Facilities.

17.23.010 Purpose. The purpose of this chapter is to provide a cooperative and structured siting process for essential public facilities which is intended to implement the County Wide Planning Policies.

17.23.020 Scope. This chapter applies to the siting of essential public facilities. These procedures do not displace the provisions of Chapter 17.40 Conditional Uses, which apply to particular locations after development of site selection criteria and identification, analysis, and ranking of potential project sites in accordance with this chapter. The provisions of this chapter are deemed to be prerequisite steps in the conditional use process for essential public facilities.

- A. Sections 17.23.050 and 17.23.060 do not apply to siting of essential public facilities for which a statutory siting process exists which preempts the siting process established by this chapter.

17.23.025 Definition. "Essential Public Facilities" mean those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes and secure community transition facilities as defined in RCW 71.09.020 and includes supporting facilities needed for such essential facilities. It is not necessary that the facilities be publicly owned.

17.23.030 Identification of Essential Public Facilities.

- A. Essential public facilities may be identified by state statute.
- B. State agencies may identify essential public facilities by including them on the list of essential state public facilities maintained by the state office of financial management.
- C. The County may identify essential public facilities to be located in the County by scheduling such facilities in its comprehensive plan.
- D. All other facilities offered for identification as essential public facilities shall be submitted by interpretation request in accordance with section 14.03.020 B WWCC. Such interpretation shall be made with an opportunity for public input, without public hearing, and with a right of appeal to the Planning Commission.

17.23.090 Secure Community Transition Facilities. Only those secure community transition facilities proposed in accordance with subsections (6) and (7) of RCW 71.09.250, may be sited in Walla Walla County.

A. the maximum number of secure community transition facility beds that may be sited in Walla Walla County before June 30, 2008, shall be no greater than the total number of persons civilly committed to the special commitment center on McNeil Island from Walla Walla County under Chapter 71.09 of the Revised Code of Washington, or detained at the special commitment center under a pending civil commitment petition from Walla Walla County where a finding of probable cause had been made on April 1, 2001. The maximum number of additional secure community transition facility beds that may be sited in Walla Walla County between July 1, 2008 and June 30, 2015, shall be no greater than the total number of persons civilly committed from Walla Walla County, or detained at the special commitment center under a pending civil commitment petition from Walla Walla County where a finding of probable cause had been made, reduced by the number of unoccupied secure community transition beds already sited in Walla Walla County, as of July 1, 2008.

1. The maximum number of secure community transition facility beds that may be sited in Walla Walla County cannot be expanded by election to site additional secure community transition facility beds under the incentive program created by RCW 71.09.250 subsection 7(b), or by any other means, unless the Walla Walla County Board of County Commissioners approves such election by resolution. In the event that the Walla Walla County Board of County Commissioners elect site additional secure community transition facility beds in Walla Walla County under the incentive program created by RCW 71.09.250 subsection (7) (b), the maximum number of secure community transition facility beds that may be sited in Walla Walla County shall be established by resolution.

B. Sections 17.23.020, 17.23.030, 17.23.040, 17.23.050, 17.23.060, 17.23.070, 17.23.080, and 17.23.090 apply to siting of secure community transition facilities in addition to this section.

1. In addition to the requirements of section 17.23.060, the advisory committee established in accordance with section 17.23.050 shall consider, but not be bound or limited by, the policy guidelines adopted in accordance with subsection (6) (b) of RCW 71.09.250, and give great weight to, but not be bound or limited by, the equitable distribution factors established by subsection (8) and (9) of RCW 71.09.250.

2. In addition to the requirements of section 17.23.060 and subsection 17.23.100(B)(1), the advisory committee established in accordance with section 17.23.050 shall provide public notice and conduct public hearings similar to those required by subsections (1) and (2) of section RCW 71.09.315 (transition facilities -- Public notice, review, and comment).

Chapter 17.26

DEVELOPMENT STANDARDS—ANIMALS

Sections:

17.26.010	General requirements.
17.26.015	Animals not addressed.
17.26.020	Table of minimum standards for animals.
17.26.025	Sanitation.
17.26.030	Open range area.

17.26.010 General requirements. Animals and fowl kept for domestic purpose, not including commercial operations, shall be in conformance with the table set out in Section 17.26.020. (Ord. 70 §6.04, 1967)

17.26.015 Animals not Addressed. Minimum standards for any type of animal or fowl not addressed or not similar to those listed in this chapter as determined by the Planning Director shall be established by the Planning Commission.

17.26.020 Table of minimum standards for animals. Minimum standards for animals shall be as follows:

Type of Animal	Conditions
Horses – Mules - Cows - llamas	20,000 square feet of open fenced area for a maximum of two horses or mules. Plus, 10,000 additional square feet for each additional animal. Barns used for the housing of animals and storage of hay should be accessory buildings. Fences in residential zones for animals may be wood or woven wire construction of not less than four (4) feet in height nor more than six (6) feet. A maximum of two (2) strands of either barbed wire or electric fence with proper signs is allowed, if constructed a minimum of 12 inches inside the regular fence. All animal fencing shall be located or constructed in such a manner as to prevent the animals from encroaching on the abutting premises or property in any manner to prevent the destruction of trees, shrubbery and bushes. An enclosure for animals which does not provide forage shall be constructed 25 feet from the nearest lot line.
Dogs, cats	Not more than a combined total of four dogs or cats over six months of age on a parcel containing 1/2 acre or less and no more than a combined total of six on a parcel greater than one-half acre. All cages, pens, runs or kennels used for holding animals shall be kept a minimum of 10 feet from any property line and shall be in a clean and sanitary condition, and must be disinfected on a routine basis. All waste material must be removed daily and disposed of in a sanitary method in accordance with regulations of the city/county health department.

Chapter 17.28

DEVELOPMENT STANDARDS— SIGNS

Sections:

17.28.005	Purpose.
17.28.010	Sign standards.
17.28.020	Off premise signs.
17.28.030	Outdoor advertising display.
17.28.040	Billboards.
17.28.050	Sign setbacks.
17.28.060	Sign height.
17.28.070	Building permits required.
17.28.080	Exempt signs.
17.28.090	Prohibited signs.

17.28.005 Purpose. The purpose of this chapter is to enhance the visual environment of the county by regulating the location size and appearance of signs and outdoor advertising.

17.28.010 Sign Standards. A. The light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness will not be a nuisance to surrounding areas. Any externally illuminated sign shall be oriented away from the surrounding residences, and away from streets.

B. Signs projecting over an internal sidewalk or vehicular traffic area shall be at least 8 feet above internal walkways and at least 16 feet above any area used for vehicular traffic.

C. Signs are permitted in all zoning districts except for residential districts.

17.28.020 Off premise signs. Off premise signs are not allowed except for temporary events not to exceed 3 days unless documentation is provided that the temporary events exceed 3 days. In no case shall the temporary event signage exceed 30 days annually.

17.28.030 Outdoor advertising display. Outdoor advertising displays are permitted in all zones, except residential districts.

17.28.040 Billboards. A. Billboards are allowed in Industrial, Primary Agriculture and Agriculture Residential zones.

B. Billboards along state Routes are subject to permitting regulation by Washington State Department of Transportation.

C. Billboards along State Scenic/Historical Routes, outside of the jurisdiction of the Washington State Department of Transportation will be regulated for compatibility with the Scenic/Historical nature of the route.

17.28.050 Sign setbacks. A. For Industrial and Commercial districts a setback minimum of 5 feet from the leading edge of the sign to the street right of way or property line, which ever is greater, is required.

B. For all other districts a minimum of 30 feet from the leading edge of the sign to the street right of way or property line, which ever is greater, is required.

not contributing to a cluttered, confusing or unsafe condition, or would not be in conflict with the character of the zoning district.

12. Signs on public property without prior approval.
13. Searchlights or beacons.
14. Changing message centers.
15. Any other sign not meeting the provisions of this Chapter.

- G. Consideration for avoiding uniformity and repetitiveness in architectural design may use such techniques as contrasting building materials, covered entries and a variety of roof elevations consistent with the standards and guidelines;
- H. Vehicular flow shall be separated from walkways, active open space, and children's play areas;
- I. All open areas shall be landscaped and maintained in accordance with the standards and guidelines. Landscaping consists of the planting of some combination of trees, shrubs, vines, ground covers, flowers or lawns;
- J. Trash receptacles, utility facilities and maintenance buildings shall be screened;
- K. Housing related service facilities shall be reasonably related to the size of the population and the distance of the site from urban areas or Rural Activity Centers.
 - 1. A day care center is encouraged for communities with 10 or more dwelling units that are located over 20 miles from an urban area or Rural Activity Center;
 - 2. 200 sq. ft. of active recreation space is encouraged per dwelling unit. Recreation space shall be designed to suit the needs of the residents and may be in more than one location on the Rural Farmworker Community site. Recreation space such as play areas, tot lots and soccer play fields are encouraged.
 - 3. Convenience retail uses in Rural Farmworker Communities shall be no greater than 5,000sq.ft.

17.30.50 Design Guidelines. Review and approval of Rural Farmworker Communities shall be conditioned on the Rural Farmworker Communities Guidelines.

17.32.060 Accessory uses. Management headquarters, recreational facilities, toilets, showers, coin-operated laundry facilities and other uses or structures customarily incidental to operation of a recreation vehicle park are permitted as accessory uses. (Ord. 70 §8.01(F)(part), 1967; Amd. 145 Annex. A(6), 3-30-82)

17.32.070 General requirements.

- A. All dependent and independent spaces shall be so spaced as to provide a minimum separation of ten feet between recreational vehicles.
- B. No RV space shall be so located that any part intended for occupancy for sleeping purposes shall be within fifty feet of the arterial right-of-way or within twenty-five feet of any minor street. Nor shall a park space or accessory use be located within fifteen feet of an adjoining property line. (Ord. 70 §8.01(F)(part), 1967; Amd. 145 Annex. A(7), 3-30-82)

17.32.080 Site planning and improvements.

- A. Walls, fences, or vegetative screening may be required as internal buffers in or around the perimeter of the park site.
- B. All water, sewer and solid waste facilities shall be designed, constructed and operated in conformance with the requirements of Walla Walla County/city health department and department of social and health services. (Ord. 70 §8.01 (F) (part), 1967; Amd. 145 Annex. A (8), 3-30-82)

17.32.090 Park management.

- A. Parks shall be operated in compliance with the conditional-use permit and site plan approved for the park's development and all local and state regulations governing such parks. (Ord. 70 §8.01 (F) (part) , 1967; Amd. 145 Annex. A(9), 3-30-82)

Chapter 17.34

DEVELOPMENT STANDARDS- WIRELESS COMMUNICATION FACILITIES

Sections:

17.34.010	Purpose
17.34.020	Exemptions
17.34.030	Location of Wireless Communication Facilities
17.34.040	Design Standards
17.34.050	Height Standards
17.34.060	Height Related to Existing Utility Poles
17.34.070	Noise
17.34.080	Co-location
17.34.090	Discontinuation of Use
17.34.100	Permit Submittal Requirements

17.34.010 purpose. The purpose of this chapter is to provide placement, design and screening criteria for all wireless communication facilities (WCFs) in the County in order to protect the public health, safety, general welfare, and quality of life in the County while preserving the rights of wireless communication providers.

17.34.020 Exemptions. In the event an emergency or disaster is declared for the area, the Director may exempt WCFs from the requirements of this chapter during the duration of such emergency or disaster.

17.34.030 Location of Wireless Communication Facilities.

- A. It is the policy of the County to locate WCFs in the County according to the following order of preference (highest to lowest preference):
 - 1. Attached on existing structure such as buildings (not residential structures), communication towers, and utility facilities. Preference is to the fascia of buildings or mechanical penthouses.
 - 2. Co-location (on one support structure) with other WCFs.
 - 3. In the industrial zones as permitted in the table of uses.
 - 4. In agricultural zones as permitted in the table of uses.
 - 5. In residential zones as permitted in the table of uses.
- B. WCFs shall be located where the existing topography, vegetation, buildings, or other structures provide the greatest amount of screening.
- C. WCFs shall not be located within 1 mile (measured from tower structure to tower structure) of any other WCF except when located on an existing building, structure or wireless facility (that is, without support structures) or by a conditional use permit as identified within the table of permitted uses. For the purposes of this section, all distances shall be measured in a straight line without regard to intervening structures, from the nearest point of the proposed wireless communication support structure to the nearest point of another wireless communication support structure.
- D. WCFs located in a right-of-way shall meet the requirements of the abutting or closest zone (as measured from the support structure or the attached facility).

17.34.060 Height Related To Existing Utility Poles. A. In the case of existing utility poles, light standards, etc., if the utility pole is unable to support the attachment (as verified by a structural engineer or other qualified professional) the existing utility pole maybe replaced. In no case shall the height of the replacement utility pole be greater than 105 percent of the original height. The diameter of the new utility pole shall not exceed 110 percent of the original utility pole diameter.

17.34.070 Noise. A. Noise from stand by power generators shall have mufflers and or other attenuation devices to avoid becoming a nuisance to adjacent residences.

17.34.080 Co-location.

- A. All applicants shall cooperate in good faith with existing WCF operators in co-locating additional antennas on support structures and/or on existing buildings provide the existing operator has received a permit for such use at said site from the County.
- B. All applicants shall exercise good faith in cooperating in co-locating with other providers and sharing the permitted site, provider such proposed shared use does not prevent or unreasonably interfere with the existing use (i.e., significant interference in broadcast or reception capabilities as opposed to competitive conflict or financial burden). Such good faith cooperation shall include sharing technical information necessary to evaluate the feasibility of co-location. In the event a dispute arises as to whether a provider has exercised good faith in accommodating other users, the County may require a third party technical study at the expense of either or both the applicant and the existing operator as to the feasibility of co-locating. Failure to comply with the co-location requirements of this chapter may result in the denial of a permit request or revocation of an existing permit.

17.34.090 Discontinuation of Use.

- A. Lawfully erected WCFs that are no longer being used shall be removed promptly from the premises, no late than six (6) months after the discontinuation of use, except as otherwise provided by law. A WCF is considered abandoned if it ceases to provide wireless communication services that are substantially consistent with the application and/or purposes for which the WCF was constructed for six (6) or more months (occasional use shall not affect the 6-month period). Such removal shall be in accordance with property health and safety requirements and all ordinances, rules and regulations of the County. The wireless communication provider shall send to the County a copy of the discontinuation notice required by the FCC at the time the notice is sent to the regulatory agency.
- B. All facilities determined to be abandoned and not removed within the required six (6) month period from the date of notice shall be in violation of this chapter and operators of the facility and the owners of the property shall be subject to penalties for violations under the enforcement provisions of the zoning code. The County may remove all abandoned facilities following the six (6) month removal period at the operators' expense. Facilities removed by the County shall be stored for no less than thirty (30) days and thereafter be disposed of by public auction, if deemed to be of value by the County, or otherwise as permitted by law.

17.34.100 Permit Submittal Requirement.

- A. In addition to the information required by any other part of the County Code, the following items shall be required for any application for land use, development or construction permit for a WCF:
 - 1. A statement providing the reasons for the location, design and height of the proposed tower or antennas.
 - 2. The contact name managing the facility. This will include the telephone number(s) and mailing address.

Chapter 17.36

GENERAL PROVISIONS - NONCONFORMING USES, LOTS AND STRUCTURES

Sections:

- 17.36.010 Intent.**
- 17.36.020 Nonconforming lots of record.**
- 17.36.030 Nonconforming uses of land.**
- 17.36.040 Nonconforming structures.**
- 17.36.060 Repairs and maintenance.**

17.36.010 Intent.

- A. The provisions of this chapter shall apply to buildings, structures, lands and uses which become nonconforming as a result of the application of this title to them, or from classification or reclassification of the property under this title or any subsequent amendments thereto.
- B. If a use originally authorized by a variance, conditional use permit or other valid use permit prior to the effective date of the ordinance codified in this title is located within a district in which such use is not permitted by the terms of this title, such use shall be a nonconforming use.

(Ord. 70 §7.00, 1967)

17.36.020 Nonconforming lots of record.

- A. In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this title, a single-family dwelling and customary accessory buildings may be erected, rebuilt or enlarged on any single lot of record at the effective date of adoption or amendment of the ordinance codified in this title. Such lot must be in separate ownership and not of contiguous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district; provided, that yard dimensions and other requirements not involving area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of area, width, and yard requirements shall be obtained as required in Chapter 17.44 and Title 14 WWCC.
- B. If two or more vacant lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this title, and if all or part of the lots do not meet the requirements for lot width and area as established by this title, the lands involved shall be considered to be an undivided parcel for the purpose of this title, and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this title nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this title.(Ord. 70 §7.01, 1967)

17.36.030 Nonconforming uses of land. Where, at the effective date of adoption or amendment of the ordinance codified in this title, lawful use of land exists that is made no longer permissible under the terms of this title as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

- A. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of the ordinance codified in this title.

Chapter 17.37

GENERAL PROVISIONS – PLANNED UNIT DEVELOPMENTS

Sections:

17.37.170	Purpose.
17.37.180	Types of projects.
17.37.190	Application of regulations.
17.37.200	Classifications.
17.37.210	Procedure requirements.
17.37.215	Submittal requirements.
17.37.220	Residential projects.
17.37.230	Mixed Residential and Commercial land use projects.
17.37.240	General conditions.
17.37.250	Administrative conditions of approval.
17.37.260	Termination.

17.37.170 Purpose

- A. The purpose of the Planned Unit Development option is to provide greater flexibility and encourage more design creativity than is generally done under traditional lot by lot development, while insuring substantial compliance with the goals and policies of the comprehensive plan; and permitting more advantageous use of sites through the arrangement of structures, circulation, parking and open spaces.
- B. The use of this provision superimposes the regulations of planned unit development upon the underlying zoning districts without changing the fundamental intent of the underlying district regulations while providing flexibility in the application of those requirements. (Ord. 70 §6.05, 1967; Amd. 1 (part), 4-23-68)

17.37.180 Types of projects.

- A. Residential. A planned unit development consisting of residential uses may be permitted in any zoning district classification allowing residential uses.
- B. Mixed Residential and Commercial. A planned unit development consisting of a mix of residential and limited commercial uses may be permitted in any zoning district allowing residential and commercial uses.
- C. Commercial. A planned unit development consisting of commercial uses may be permitted in any zoning district allowing for commercial uses.
- D. Industrial. A planned unit development consisting of industrial uses may be permitted in any zoning district allowing for industrial uses. (Ord. 70 §6.06, 1967; Amd. 1 (part), 4-23-68)

17.37.190 Application of regulations. Individual uses and structures in a planned unit development need not comply with the specific building height or locations, building size or bulk, lot size or lot dimensions, or land coverage of the underlying use district provided the underlying zoning's spirit and intent are consistent with the overall planned development and the County's Comprehensive Plan. (Ord. 70 §6.07, 1967; Amd. 1 (part), 4-23-68)

17.37.200 Classifications. For the purpose of identifying land areas for a planned unit development they shall be classified as follows and limited to parcels of not less than the size indicated:

17.37.240 General conditions. All Planned Unit Development projects shall demonstrate that there is a public benefit to be gained by a permitted degree of deviation from the underlying zoning district such as:

- A. Additional or better related open space;
- B. Better or more convenient services;
- C. Preservation of a natural asset;
- D. Additional public use facilities;
- E. Other public benefit features. (Ord. 70 §6.09.3, 1967; Amd. 1 (part), 4-23-68)

17.37.250 Administrative conditions of approval.

- A. A project which plats or subdivides land for sale and individual ownership shall properly record the plat with the Walla Walla County auditor prior to the issuance of any building permits or authorization to commence construction.
- B. A project proposing multiple land uses in a residentially zoned area shall complete construction of fifty percent of the residential part of the project prior to the issuance of building permits for any nonresidential constructions.
- C. Prior to the application for a building permit or other authorization to commence work on the project shall be accompanied by:
- D. Any bond required by the commission guaranteeing completion of a specific defined portion of the project as authorized and approved, and/or a standard plat bond if subdivision and sale of lots is a part of the project;
- E. Deeds to any land or properties intended for public ownership and use in the completed project;
- F. A complete project site plan and construction plans and specifications for the initial buildings. (Ord. 70 §6.10, 1967; Amd. 1 (part), 4-23-68)

17.37.260 Termination. Failure to actively pursue an authorized project shall subject the project to review by the commission to determine whether a time extension should be granted or whether the following actions should be initiated. If no construction permits have been issued within twelve months of authorization by the county commissioners, the commission shall terminate project and cancel all conditional grants. County administrative departments shall void all permits. (Ord. 70 §6.11, 1967; Amd. 1 (part), 4-23-68)

Chapter 17.40

CONDITIONAL USES

Sections:

- 17.40.010 Purpose.**
- 17.40.020 Conditional Use Permit Decision Criteria.**
- 17.40.030 List of Conditional Uses.**
- 17.40.040 Permit Exemption Shoreline Management Permit.**

17.40.010 Purpose. It is the purpose of this chapter to establish decision criteria for those uses listed as conditional in the Tale of Permitted Uses (17.16.014 WWCC). It is recognized that these uses which, because of their unique characteristics, cannot be properly addressed without consideration in each case of the impact of those uses upon neighboring land and of the public need for the particular use at the particular location. (Ord. 70 §8.00, 1967)

17.40.020 Conditional Use Permit Decision Criteria.

- A. A conditional use shall be granted by the County only if the applicant demonstrates
 1. That the use will not endanger the public health or safety, and that the use will not generate significant nuisance conditions such as noise, dust, glare, vibration;
 2. That the use meets all required conditions and standards set forth in the district where it proposes to locate;
 3. That the location and character of the use, is compatible and consistent with the character of the area in which it is to be located and in conformance with the comprehensive plan.
 4. That the use will be supported by adequate public facilities or services.
- B. To ensure the above conditions, the County may require and approve specific plans to increase requirements of this title. Any decrease in the dimensional standards of this title shall only be granted by a variance (WWCC 17.44).
- C. The action for which the conditional use permit is required shall be begun or completed, or both within one year of approval, unless extended by the Planning Commission. Failure to begin or complete, or both, such action within the time limit set shall void the conditional use permit. (Ord. 70 §8.01(part), 1967)

17.40.030 List of Conditional Uses. The conditional uses identified in the Table of Permitted Uses (WWCC 17.16.014), will be considered by the County.

17.40.040 Permit Exemption Shoreline Management Permit. Shoreline and land use conditional use permits for the same action may be combined into one conditional use application and processed under the shoreline management procedures set forth in Title 14.

properties permit the erection of a private garage within twelve inches of a side or rear property line provided the following are complied with.

- A. The garage will be located to front on the rear one-third of the lot or seventy-five feet, whichever is less.
- B. Such garage will not be unduly detrimental to adjacent and surrounding property, nor to the zone in which approval is requested.
- C. All other provisions of the zoning ordinance are complied with. (Ord. 70 §8.02.1, 1967; Amd. 33 §1, 12-27-71)

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

An Ordinance Relating to Adoption of Amendments to Development Regulations and Zoning to implement the Comprehensive Plan, amending Titles 14, 16, 17 and 18 of the Walla Walla County Code and the Zoning Map to comply with the Order of the Eastern Washington Growth Management Hearings Board and the Washington State Growth Management Act (GMA).

WHEREAS, the Walla Walla County Board of County Commissioners adopted the Walla Walla County Draft Comprehensive Plan 2001-2021, on May 15, 2001, pursuant to and consistent with the goals and requirements of the GMA; and

WHEREAS, the GMA in RCW 36.70A.040(4)(d) requires Walla Walla County to adopt development regulations that are consistent with and implement the Comprehensive Plan; and

WHEREAS, the Board of County Commissioners adopted interim regulations to implement the Comprehensive Plan; and

WHEREAS, the Eastern Washington Growth Management Hearings Board ordered the County to adopt development regulations to implement the Comprehensive Plan; and

WHEREAS, the Walla Walla County Planning Commission initiated a review and update of the County's development regulations to comply with the adopted Walla Walla County Comprehensive Plan; and

WHEREAS, the draft preliminary development regulations were available for public review on November 30, 2001, and were subject to a public participation process which included a public workshop, three public open houses, and public hearings by the Planning Commission and Board of County Commissioners; and

WHEREAS, the proposed amendments consist of updates and changes to the County's Zoning Regulations (Title 17), Subdivision Regulations (Title 16), Administrative Procedures for the Development Code (Title 14), Environment (Title 18), and County Zoning Map to implement and ensure consistency with the Comprehensive Plan and also to provide clarity and reduce duplication and inconsistencies between code provisions; and

WHEREAS, following public hearings on the proposed amendments to the development regulations, the Planning Commission made and adopted recommendations to the Board of County Commissioners; and

WHEREAS, the County's Responsible Official under the State Environmental Policy Act (SEPA) issued a threshold determination of nonsignificance (DNS) which incorporated by reference the combined Environmental Impact Statement and Walla Walla County Comprehensive Plan 2001 – 2021, adopted May 15, 2001; and

WHEREAS, following an appeal of the DNS for the proposed amendments to the development regulations, the Planning Commission determined that the DNS complied with SEPA; and

WHEREAS, upon public notice, the Board of County Commissioners conducted public hearings on the proposed development regulations; and

WHEREAS, the Board of County Commissioners considered the entire hearing record including the Planning Commission's recommendations, and written and oral testimony submitted during the Commissioner's hearings; and

WHEREAS, the Board of County Commissioners' approval of development regulations herein is intended to achieve compliance with the Board's Order and the GMA; and

WHEREAS, the development regulations approved herein are consistent with and implement the Walla Walla County Comprehensive Plan;

NOW THEREFORE, the Walla Walla County Board of County Commissioners do hereby ordain as follows:

Section 1. Adoption of Amendments. The Planning Commission's recommendations for adoption of amendments to the development regulations (attached as Exhibit A hereto), as revised by the Board of County Commissioners in open session on March 5, 2002 (attached as Exhibit B hereto), are hereby adopted;

Section 2. Preparation of Supplemental Findings and an Approved Draft of the Adopted Amendments. The Director of the Walla Walla County Planning Department is directed to prepare and present to the Board of County Commissioners at their regular meeting on March 26, 2002, an approved draft of the development regulations adopted in Section 1 herein, supported by supplemental written findings.

Section 3. 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.

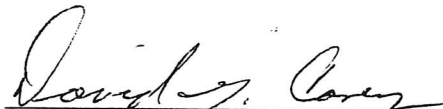
Section 4. Effective Date. This ordinance shall take effect five (5) days after its passage and publication of an approved summary thereof consisting of the title.

PASSED by the Walla Walla County 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 5th day of March, 2002.

Two YEA; One NAY; None ABSTAIN; and
None ABSENT

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


Chairman


Commissioner

Commissioner

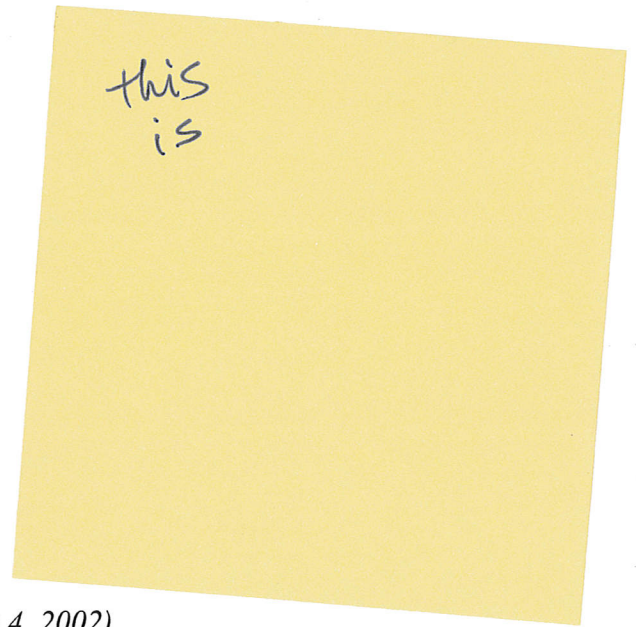
Attest:


Clerk of the Board

WALLA WALLA COUNTY TITLE 17 ZONING

NON CODIFIED VERSION

*Original rewrite to comply w/ Comprehensive Plan 2001 – 2021 (adopted May 15, 2001)
adopted through Ordn. 269 & Resolution No. 02118 (April, 1, 2002).*



Subsequent revisions/corrections:

- 1. Ordn. 274 & Resolution No. 02197 (June 4, 2002)*

Title 17

ZONING

Chapters:

17.04	General Provisions
17.06	Establishment of Zoning Maps
17.08	Definitions
17.12	Establishment of Districts
17.16	Permitted Uses
17.18	DEVELOPMENT STANDARDS – Density and Dimensions
17.20	DEVELOPMENT STANDARDS – Off-street Parking and Loading Areas
17.22	DEVELOPMENT STANDARDS – Wineries
17.23	DEVELOPMENT STANDARDS – Essential Public Facilities
17.24	DEVELOPMENT STANDARDS – Fences
17.26	DEVELOPMENT STANDARDS – Animals
17.28	DEVELOPMENT STANDARDS – Signs
17.30	DEVELOPMENT STANDARDS – Rural Farmworker Communities
17.32	DEVELOPMENT STANDARDS – Recreational Vehicle Parks
17.33	DEVELOPMENT STANDARDS – Landscaping (place holder)
17.34	DEVELOPMENT STANDARDS – Wireless Communication Facilities
17.36	GENERAL PROVISIONS – Nonconforming Uses, Lots and Structures
17.37	GENERAL PROVISIONS – Planned Unit Developments
17.40	Conditional Uses
17.44	Variances
17.60	Enforcement and Penalty

Chapter 17.04

GENERAL PROVISIONS

Sections:

17.04.010	Title
17.04.020	Purpose
17.04.030	Interpretation and applicability
17.04.080	Severability

17.04.010 Title. This title and maps shall be known as, and may be cited as "the comprehensive zoning ordinance for Walla Walla County" in accordance with and exercising the authority of the Planning Enabling Act (RCW 36.70) and the Growth Management Act (RCW 36.70A), and among others to:

- A. Regulate and restrict the location and use of buildings, structures and land for residence, agriculture, trade, commerce, recreation, industry and other purposes;
- B. Regulate the height, number of stories, size and placement of buildings and other structures; and
- C. Divide the county or any portion thereof into districts of such size, shape and area, and to establish such official maps as may be deemed best suited to carry out the regulations and provide for their enforcement. (Ord. 70 §1.00, 1967)

17.04.020 Purpose. Such regulations are deemed necessary in order:

- A. To promote the general public health, safety and welfare;
- B. To conserve and stabilize property values;
- C. To preserve forest, recreation, mineral, rural and agricultural lands;
- D. To facilitate the economic provision of adequate transportation, water, sewerage, schools, parks and other public requirements; and
- E. To implement and be consistent with the goals and policies of Walla Walla County's Comprehensive Plan in accordance with RCW 36.70 (Planning Enabling Act) and RCW 36.70A (Growth Management Act). (Ord. 70 §1.01, 1967)
- F. To facilitate rural economic development.

17.04.030 Interpretation and applicability. In their interpretation and application, the provisions of this title shall be held to be minimum requirements, adopted for the promotion of the public health, safety, or general welfare. Wherever the requirements of this title are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, the most restrictive or that imposing the higher standards, shall govern. (Ord. 70 §12.00, 1967)

17.04.80 Severability. If any section, subsection, clause or phrase of this title is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity of the remaining portions of this title, and each section, subsection, sentence, clause, and phrase of this title would have been prepared, proposed, adopted, approved and ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional. (Ord. 70 §16.00, 1967)

Chapter 17.06

ESTABLISHMENT OF ZONING MAPS

Sections:

17.06.010 Official zoning map.

17.06.020 Rules for interpretation of districts.

17.06.010 Official zoning map.

- A. The county is divided into zones, or districts, as shown on the official zoning map which, together with all explanatory matter thereon, is adopted by reference in this chapter and declared to be a part of this title.
- B. The official zoning map shall be identified by the signature of the chairman of the board of county commissioners attested by the clerk of the board, and shall bear the county seal.
- C. Any changes to the official zoning map shall be made on the official zoning map promptly after the amendment has been approved by the board of county commissioners. The amending resolution shall provide that such changes or amendments shall not become effective until they have been duly entered upon the official zoning map. No amendment to this title which involves matter portrayed on the official zoning map shall become effective until after such change and entry has been made on said map.
- D. The official zoning map shall be located in the office of the director of planning and shall be the final authority as the current zoning status of land and water areas, buildings, and other structures in the county. (Ord. 70 §1.02 (part), 1967)

17.06.020 Rules for interpretation of districts. Where uncertainty exists as to the boundaries of districts as shown on the official zoning map, the following rules shall apply:

- A. Boundaries indicated as appearing to follow the centerlines of streets, highways or alleys shall be construed to follow such centerlines;
- B. Boundaries indicated as appearing to follow platted lot lines shall be construed as following such lot lines;
- C. Boundaries indicated as appearing to follow city limits shall be construed as following city limits;
- D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
- E. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centerlines, and in the event of change in the location of streams, rivers, canals, lakes or other bodies of water, shall be construed as moving with the actual body of water and following the centerline;
- F. Boundaries indicated as parallel to or extensions of features indicated in subsections A through E above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map. (Ord. 70 §2.00, 1967).

Chapter 17.08

DEFINITIONS

Sections:

17.08.005	General.
17.08.010	Accessory use.
17.08.015	Accessory dwelling unit.
17.08.017	Adult family home.
17.08.020	Airport.
17.08.023	Airport & aircraft landing field.
17.08.025	Alley.
17.08.030	All-terrain vehicle areas or parks.
17.08.035	Alterations.
17.08.051	Apiary.
17.08.051A	Apparel and accessory stores.
17.08.051B	Apparel and other textile products manufacturing.
17.08.052	Appliances.
17.08.054	Assembly hall.
17.08.056	Automobile parking
17.08.060	Automobile wrecker.
17.08.065	Automobile wrecking.
17.08.070	Automobile wrecking yard.
17.08.072	Automotive dealers.
17.08.073	Automotive repair and services.
17.08.074A	Bed & breakfast guesthouse type I.
17.08.074B	Bed & breakfast guesthouse type II.
17.08.075	Billboard.
17.08.085	Board.
17.08.105	Building.
17.08.110	Building height.
17.08.115	Building, main.
17.08.117	Building materials, hardware and garden supply stores.
17.08.120	Business or commerce.
17.08.122	Business services.
17.08.125	Campground.
17.08.130	Campground space.
17.08.135	Camp, public.
17.08.137	Caretakers quarters.
17.08.140	Carport.
17.08.141	Car wash.
17.08.142	Chemicals and allied products manufacture.
17.08.145	Clinic.
17.08.151	Colony or colonies.
17.08.153	Computer and office equipment manufacture.
17.08.155	Conditional use.
17.08.160	Conditional use permit.
17.08.165	Condominium.
17.08.170	Court.
17.08.177	Dairy products processing.

17.08.180	Daycare center.
17.08.185	Day-use area.
17.08.190	Dependent space, campground.
17.08.195	District.
17.08.197	Durable goods, wholesale.
17.08.205	Dwellings, types of.
17.08.210	Dwelling unit.
17.08.212	Eating and drinking establishments.
17.08.213	Electronic and other electric equipment manufacture.
17.08.214	Fabricated metal products industries.
17.08.215	Family.
17.08.217	Farmworker dwellings.
17.08.220	Fence.
17.08.230	Finance, insurance and real estate services.
17.08.232	Food and kindred products manufacture.
17.08.235	Food stores.
17.08.237	Funeral service and crematories.
17.08.240	Furniture and fixtures manufacture.
17.08.245	Garage, private.
17.08.251	General merchandise stores.
17.08.252	Golf facility.
17.08.255	Health officer.
17.08.256	Hive.
17.08.258	Home furniture, furnishings and equipment stores.
17.08.260	Home occupation.
17.08.261	Honey bees.
17.08.265	Hospital.
17.08.270	Hospital, animal.
17.08.280	Hotel.
17.08.285	Independent space, campground.
17.08.287	Industrial machinery and equipment manufacture.
17.08.290	Instruments and related products manufacture.
17.08.300	Junk yard.
17.08.305	Kennel, commercial.
17.08.307	Leather and leather goods manufacture.
17.08.310	Livestock.
17.08.317	Long-term care facility.
17.08.320	Lot.
17.08.325	Lot frontage.
17.08.330	Lot types.
17.08.331	Lumber and wood products manufacture.
17.08.332	Manufactured home.
17.08.333	Meat processing and packing.
17.08.335	Mobile home, double-wide.
17.08.340	Mobile home lot.
17.08.345	Mobile home park.
17.08.348	Mobile home, single-wide.
17.08.349	Mobile home subdivision.
17.08.355	Motel.
17.08.360	Nonconforming use.
17.08.362	Nondurable goods, wholesale.

17.08.363	Office.
17.08.365	Outdoor advertising display.
17.08.367	Paper and allied products manufacture.
17.08.370	Park.
17.08.375	Pasture.
17.08.380	Person.
17.08.382	Personal services.
17.08.383	Petroleum and coal products manufacture.
17.08.385	Planning commission.
17.08.386	Power Plant, Stationary Thermal.
17.08.387	Primary metal industries.
17.08.390	Principal use.
17.08.392	Printing, publishing, and allied industries.
17.08.393	Produce market.
17.08.395	Produce stand.
17.09.407	Recreational facility.
17.08.410	Recreational vehicle.
17.08.412	Repair shops and related services (non-automotive).
17.08.413	Retail, miscellaneous.
17.08.427	Rubber and miscellaneous plastics products manufacture.
17.08.428	Rural farmworker community.
17.08.440	School, elementary, junior or senior high.
17.08.445	Senior citizen assisted housing.
17.08.450	Service building.
17.08.455	Service station & convenience market, automobile.
17.08.460	Sewage dumping station.
17.08.470	Sign.
17.08.482	Stone, clay, glass and concrete products manufacture.
17.08.483	Storage, self-service.
17.08.485	Street.
17.08.490	Structure.
17.08.492	Textile mill products manufacture.
17.08.493	Townhouse.
17.08.501	Transient labor camp.
17.08.502	Transportation equipment manufacture.
17.08.503	Truck stop.
17.08.504	Utility facilities.
17.08.505	Variance.
17.08.507	Warehousing and storage.
17.08.515	Winery.
17.08.518	Wireless communication facility.
17.08.518A	Wireless communication facility, attached.
17.08.519	Wireless communication support structure.
17.08.520	Yard.

17.08.005 General. For the purpose of this title, certain terms or words used in this title are defined as set out in this chapter. The word "person" shall include a firm, association, organization, partnership, trust, company, or corporation as well as an individual; the present tense shall include the future tense, the singular number includes the plural, and the plural number includes the singular; the word "shall" is mandatory; the word "may" is permissive; the words "used" or "occupied" include the

words "intended," "designed," or "arranged to be used or occupied"; and the word "lot" includes the words "plot or parcel." (Ord. 70 §3.00, 1967)

17.08.010 Accessory use. "Accessory use" means a use, a building or structure, part of a building or other structure, which is subordinate to, and the use of which, is incidental to that of the main building, structure or use on the same lot, including a private garage. If an accessory building is attached to the main building by a common wall or roof, such accessory building shall be considered a part of the main building. (Ord. 70 §3.01, 1967)

17.08.015 Accessory dwelling unit. "Accessory dwelling unit" means living quarters within an accessory building for the sole use of the family or of persons employed on the premises, or for the temporary use of guests of the occupants of the premises. Such quarters may have kitchen facilities but are not rented or otherwise used as a separate dwelling unit. "Accessory dwelling unit" includes "guesthouse." (Ord. 70 §3.02, 1967)

17.08.017 Adult family home. "Adult family home" means a regular family abode in which a person or persons provides personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services.

17.08.020 Airport. "Airport" means a place where aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair, and various accommodations for passengers.

17.08.023 Airport and aircraft landing field. "Airport, and aircraft landing field" means any runway, landing area or other facility which is designed, used or intended to be used in relation to agricultural uses for landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tiedown areas, hangars and other necessary buildings and open space. (Ord. 70 §3.03, 1967)

17.08.025 Alley. "Alley" means a passage or way, other than a public street open to public travel and dedicated to public use, affording generally a secondary means of vehicular access to abutting lots and not intended for general traffic circulation. (Ord. 70 §3.04, 1967)

17.08.030 All-terrain vehicle areas or parks. "All-terrain vehicle areas or parks" means an area or park where a minimum level of permanent improvements are required, designed for use by all-terrain vehicles, including motorcycles, minibikes, dunebuggies, snowmobiles and four-wheel drive vehicles. (Ord. 70 §3.04.1, 1967; Amd. 129 (part), 8-5-80)

17.08.035 Alterations. "Alterations" means a change or rearrangement of the structural parts of existing facilities, or an enlargement by extending the sides or increasing the height or depth, or the moving from one location to another on the same site. (Ord. 70 §3.05, 1967)

17.08.051 Apiary. "Apiary" includes bees, hives and appliances wherever they are kept, located or found. (Ord. 188 (part), 6-19-89)

17.08.051A Apparel and accessory stores. "Apparel and accessory stores" means retail stores primarily engaged in selling clothing of all kinds and related articles for personal wear and adornment.

17.08.051B Apparel and other textile products manufacture. "Apparel and other textile products manufacture" means establishments producing clothing and fabricating products by cutting and sewing purchased woven or knit textile fabrics and related materials, such as leather, rubberized fabrics, plastics, and furs. Also included are establishments that manufacture clothing by cutting and joining (for example, by adhesives) materials such as paper and nonwoven textiles.

17.08.052 Appliances. "Appliances" means any implements or devices used in the manipulating of bees, or their brood, or hives, which may be used in any apiary or any extracting or packing equipment. (Ord. 188 (part), 6-19-89)

17.08.054 Assembly hall. "Assembly hall" means a meeting hall such as, but not limited to, grange halls and lodges.

17.08.056 Automobile parking. "Automobile parking" means establishments primarily engaged in the temporary parking of automobiles, usually on an hourly, daily, or monthly contract or fee basis as the principal use on the property.

17.08.060 Automobile wrecker. "Automobile wrecker" means any person, corporation or enterprise engaged in automobile wrecking. (Ord. 70 53.10, 1967)

17.08.065 Automobile wrecking. "Automobile wrecking" means the dismantling or wrecking of motor vehicles or trailers; or the storage, sale, or dumping of dismantled or partially dismantled, obsolete, or wrecked vehicles or their parts. (Ord. 70 §3.11, 1967)

17.08.070 Automobile wrecking yard. "Automobile wrecking yard" means any premises devoted to automobile wrecking as the term is defined in Section 17.08.065. (Ord. 70 §3.12, 1967)

17.08.072 Automotive dealers. "Automotive dealers" means establishments primarily engaged in selling new and used automobiles, boats, recreational vehicles and utility trailers, and motorcycles and mopeds; dealers selling new automobile parts and accessories. Automobile repair shops maintained by establishments engaged in the sale of new automobiles also are included.

17.08.073 Automotive repair and services. "Automotive repair and services" means establishments primarily engaged in furnishing automotive repair and other services. Automotive repair shops operated by establishments engaged in the sale of new automobiles are classified in Retail Trade, as are those operated by gasoline service stations.

17.08.074A Bed & breakfast guesthouse type I. "Bed & Breakfast guesthouse type I" means overnight accommodations and food services located in a primary dwelling unit provided to transients for compensation.

17.08.074B Bed & breakfast guesthouse type II. "Bed & Breakfast guesthouse type II" means overnight accommodations and food services located in an accessory building provided to transients for compensation.

17.08.075 Billboard. "Billboard" means an outdoor advertising display directing attention to a product service or commodity not sold on the premises, except as otherwise would be permitted for identification directing signs (see Sections 17.08.365 and 17.08.470). (Ord. 70 53.13, 1967)

17.08.085 Board. "Board" means the Board of County Commissioners of the County of Walla Walla, Washington. (Ord. 70 §3.14; 1967).

17.08.105 Building. "Building" means any structure having a roof but excluding all forms of vehicles even though immobilized. When a use is required to be within a building, or where special authority granted pursuant to this title requires that a use shall be within an entirely enclosed building, then "building" means one so designed and constructed that all exterior walls of the structure shall be

solid from the ground to the roofline, and shall contain no openings except for windows and doors which are designed so that they may be closed. (Ord. 70 §3.18, 1967)

17.08.110 Building height. "Building height" means the vertical distance measured from the average elevation of the finished grade around the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof. (Ord. 70 §3.19, 1967)

17.08.115 Building, main. "Main building" means the principal building or other structure on a lot or building site designed or used to accommodate the primary use to which the premises are devoted. (Ord. 70 §3.20, 1967)

17.08.117 Building materials, hardware and garden supply stores. "Building materials, hardware and garden supply stores" means retail establishments primarily engaged in selling lumber and other building materials; paint, glass, and wallpaper; hardware; nursery stock; and lawn and garden supplies.

17.08.120 Business or commerce. "Business or commerce" means the purchase, sale, offering for sale, or other transaction involving the handling or disposition of any article, service, substance, or commodity for livelihood or profit; or the management or occupancy of the office buildings, offices, recreational and amusement enterprises; or the maintenance and the use of buildings, or persons rendering services. (Ord. 70 §3.21, 1967)

17.08.122 Business services. "Business services" means establishments primarily engaged in providing services, to business establishments on a contract or fee basis.

17.08.125 Campground. "Campground" means a parcel of land in which two or more spaces are occupied on a temporary basis or intended for temporary occupancy by recreational vehicles or tents for travel, recreational or vacation uses and which is designated as being open to the general public. For the purpose of this regulation, "campground" includes camping clubs as defined in RCW Chapter 19.105, and Sections 17.08.185, 17.08.190, 17.08.255, 17.08.285 and 17.08.370. (Ord. 70 §3.22.1, 1967; Amd. 145 (part), 3-30-82)

17.08.130 Campground space. "Campground space" means a portion of a campground for the placement of a single recreational vehicle or tent and the exclusive use of its occupants. (Ord. 70 §3.22A, 1967; Amd. 145 (part), 3-30-82)

17.08.135 Camp, public. "Public camp" means any area or tract of land used or designed to accommodate two or more camping parties, including cabins, tents, camping trailers or other camping outfits. (Ord. 70 §3.22, 1967)

17.08.137 Caretakers quarters. "Caretakers quarters" means a residential use accessory to a nonresidential use consisting of a dwelling unit and occupied by a caretaker or watchperson.

17.08.140 Carport. "Carport" means a structure to house or protect motor vehicles owned or operated by the occupants of the main building which is open to the weather for at least forty percent of the total area of its sides. (Ord. 70 §3.23, 1967)

17.08.141 Car wash. "Car wash" means any building or premises or portions thereof used for washing automobiles.

17.08.142 Chemicals and allied products manufacture. "Chemicals and allied products manufacture" means establishments producing basic chemicals, and establishments manufacturing products by predominantly chemical processes consisting of three general classes of products: (1) basic chemicals, such as acids, alkalies, salts, and organic chemicals; (2) chemical products to be used in further manufacture, such as synthetic fibers, plastics materials, dry colors, and pigments; and (3) finished chemical products to be used for ultimate consumption, such as drugs, cosmetics, and soaps; or to be used as materials or supplies in other industries, such as paints, fertilizers, and explosives

17.08.145 Clinic. "Clinic" means a building designed and used for the medical, dental, and surgical diagnosis and treatment of patients under the care of doctors and nurses where patients are not usually lodged overnight. (Ord. 70 §3.24, 1967)

17.08.151 Colony or colonies. "Colony" or "colonies" of bees refers to any natural group of bees having a queen. (Ord. 188 (part), 6-19-89)

17.08.153 Computer and office equipment manufacture. "Computer and office equipment manufacture" means establishments primarily engaged in manufacturing electronic computers; computer storage devices; computer terminals; computer peripheral equipment; computer components, calculating and accounting machines.

17.08.155 Conditional use. "Conditional use" means a use permitted in one or more districts as defined by this title, but which, because of characteristics peculiar to it, or because of size, technological processes or equipment, or because of the exact location with reference to surroundings, streets, and existing improvements or demands upon public facilities, requires a special degree of control to make such uses consistent with and compatible to other existing or permissible uses in the same district, and to assure that such use shall not be in conflict with the public interest. (Ord. 70 §3.26, 1967)

17.08.160 Conditional use permit. "Conditional use permit" means the documented evidence of authority granted by the planning commission to locate a conditional use at a particular location. (Ord. 70 §3.27, 1967)

17.08.165 Condominium. "Condominium" means ownership in common with others of a parcel of land and certain parts of a building, together with individual ownership in fee of a particular unit in such building. Each individual owns a fee title to their unit which may be sold or mortgaged as with a single-family dwelling. (Ord. 70 §3.28, 1967)

17.08.170 Court. "Court" means an open, unoccupied space, bounded on two or more sides by the walls of the building. An inner court is a court entirely within the exterior walls of a building. All other courts are outer courts. (Ord. 70 §3.29, 1967)

17.08.177 Dairy products processing. "Dairy products processing" means establishments primarily engaged in: (1) manufacturing creamery butter; natural, processed, and imitation cheese; dry, condensed, and evaporated milk; ice cream and frozen dairy desserts; and special dairy products, such as yogurt and malted milk; and (2) processing (pasteurizing, homogenizing, vitaminizing, bottling) fluid milk and cream for wholesale or retail distribution.

17.08.180 Daycare center. "Day care center" means an establishment providing for the care, supervision and protection of children; provided, any such "day care center" is licensed by the state or county and conducted in accordance with state and county requirements. (Ord. 70 §3.31, 1967)

17.08.185 Day-use area. "Day-use area" means an area established or maintained for use by the public as a place for picnicking and other day-use activities and at which overnight use is prohibited. (Ord. 70 §3.31.1, 1967; Amd. 145 (part), 3-30-82)

17.08.190 Dependent space, campground. "Campground dependent space" means a campground space at which there is no sanitary sewage connection provided. (Ord. 70 §3.31.2, 1967; Amd. 145 (part), 3-30-82)

17.08.195 District. "District" means an area accurately defined as to boundaries and location on an official zoning map and within which area only certain types of land uses are permitted and within which other types of land uses are excluded, as set forth in this title. (Ord. 70 §3.32, 1967)

17.08.197 Durable goods, wholesale. "Wholesale durable goods" means establishments primarily engaged in the wholesale distribution of motor vehicles and motor vehicle parts and supplies, furniture and home furnishings; lumber and other construction materials; professional and commercial equipment and supplies; metals and minerals, except petroleum; electrical goods; hardware, and plumbing and heating equipment and supplies; machinery, equipment, and supplies; and miscellaneous durable goods.

17.08.205 Dwellings, types of. "Types of dwellings" means:

- A. Dwelling, One-family. "One-family dwelling" means a detached building designed exclusively for occupancy by one family and containing one dwelling unit.
- B. Dwelling, Two-family (Duplex). "Two-family dwelling or duplex" means a building designed exclusively for occupancy by two families living independently of each other, and containing two dwelling units.
- C. Dwelling, Multiple. "Multiple dwelling" means a building designed exclusively for occupancy by three or more families living independently of each other, and containing three or more dwelling units. (Ord. 70 §3.34, 1967)

17.08.210 Dwelling unit. "Dwelling unit" means one or more rooms designed for or occupied by one family for living or sleeping purposes and containing kitchen facilities for use solely by one family. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit. A studio apartment constitutes a dwelling unit within the meaning of this title. (Ord. 70 §3.35, 1967)

17.08.212 Eating and drinking establishments. "Eating and drinking establishments" mean establishments engaged in selling prepared food and drinks for consumption on the premises. Also included are caterers which serve prepared food other than at the place of business and lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption. In-plant food contractors are included here as well as leased eating and drinking concessions in hotels, motels, sports arenas, and other amusement places.

17.08.213 Electronic and other electric equipment manufacture. "Electronic and other electric equipment manufacture" means establishments engaged in manufacturing machinery, apparatus, and supplies for the generation, storage, transmission, transformation, and utilization of electrical energy. Included are the manufacturing of electricity distribution equipment; electrical industrial apparatus; household appliances; electrical lighting and wiring equipment; radio and television receiving equipment; communications equipment; electronic components and accessories; and other electrical equipment and supplies. The manufacture of household appliances is included.

17.08.214 Fabricated metal products industries. "Fabricated metal products industries" means establishments engaged in fabricating ferrous and nonferrous metal products, such as metal cans, tinware, hand tools, cutlery, general hardware, nonelectric heating apparatus, fabricated structural metal products, metal forgings, metal stampings, ordnance (except vehicles and guided missiles), and a variety of metal and wire products.

17.08.215 Family. "Family" means a group of individuals, not necessarily related by blood, marriage, adoption, or guardianship living together in a dwelling unit as a single housekeeping unit. (Ord. 70 §3.36, 1967)

17.08.217 Farmworker dwellings. "Farmworker dwellings" means housing for accommodating agricultural employees and their families employed by the owner of the premises.

17.08.220 Fence. "Fence" means a masonry wall or a barrier composed of posts connected by boards, rails, panels, or wire for the purpose of enclosing space or separating parcels of land. "Fence" does not include retaining walls. (Ord. 70 §3.37, 1967)

17.08.230 Finance, insurance and real estate services. "Finance, insurance and real estate services" means establishments operating primarily in the fields of finance, insurance, and real estate. Finance includes depository institutions, nondepository credit institutions, holding companies, other investment companies, brokers and dealers in securities and commodity contracts, and security and commodity exchanges. Insurance covers carriers of all types of insurance, and insurance agents and brokers. Real Estate includes owners, lessors, lessees, buyers, sellers, agents, and developers of real estate

17.08.232 Food and kindred products manufacture. "Food and kindred products manufacture" means establishments manufacturing or processing foods and beverages for human consumption, and certain related products, such as manufactured ice, chewing gum, vegetable oils, and prepared feeds for animals and fowls.

17.08.235 Food stores. "Food stores" means retail establishments primarily engaged in selling food for home preparation and consumption.

17.08.237 Funeral service and crematories. "Funeral service and crematories" means establishments primarily engaged in preparing the dead for burial, conducting funerals and cremating the dead.

17.08.240 Furniture and fixtures manufacture. "Furniture and fixtures manufacture" means establishments engaged in manufacturing household, office, public building, and restaurant furniture; and office and store fixtures.

17.08.245 Garage, private. "Private garage" means an accessory building or an accessory portion of the main building, enclosed on not less than three sides and designed or used only for the shelter or storage of vehicles owned or operated only by the occupants of the main building or buildings. (Ord. 70 §3.38, 1967)

17.08.251 General merchandise stores. "General merchandise stores" means retail stores which sell a variety of merchandise, such as dry goods, apparel and accessories, furniture and home furnishings, small wares, hardware, and food. The stores included in this group are known as department stores, variety stores, general merchandise stores, catalog showrooms, warehouse clubs, and general stores.

17.08.252 Golf facility. "Golf facility" means a recreational facility designed and developed for golf activities such as golf courses, driving ranges and putting greens.

17.08.255 Health officer. "Health officer" means the legally designated health officer as defined in RCW 70.25.010(2) or the authorized representative of Walla Walla County/City Health Department. (Ord. 70 §3.39.1, 1967; Amd. 145 (part), 3-30-82)

17.08.256 Hive. "Hive" means any receptacle or container made or prepared for the use of bees, or box, or similar container taken possession of by bees. (Ord. 188 (part), 6-19-89)

17.08.258 Home furniture, furnishings and equipment stores. "Home furniture, furnishings and equipments stores" means retail stores selling goods used for furnishing the home such as furniture, floor coverings, draperies, glass and chinaware, domestic stoves, refrigerators, and other household electric and gas appliances. Establishments selling electric and gas appliances are included in this if the major part of their sales consists of articles for home use. These stores also may perform repair work on household appliances, radios, televisions, and stereo equipment as an accessory use.

17.08.260 Home occupation. "Home occupation" means an occupation customarily conducted entirely within a dwelling or out building and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the dwelling for dwelling purposes and does not change the character thereof. (Ord. 70 §3.40, 1967)

17.08.261 Honey bees. "Honey bees" means honey producing insects of the species apias mellifera, and includes the adults, eggs, larvae, pupae or other immature stages thereof, together with such materials as are deposited into hives by their adults, except honey and beeswax in rendered form. (Ord. 188 (part), 6-19-89)

17.08.265 Hospital. "Hospital" means an institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences.

17.08.270 Hospital, animal. "Animal hospital" means a place where animals are given medical care and the boarding of animals is limited to short-term care incidental to the hospital use.

17.08.280 Hotel. A facility offering transient lodging accommodations to the general public and may provide additional services, such as restaurants and meeting rooms.

17.08.285 Independent space, campground. "Campground independent space" means a campground space at which sewer and water services are provided for connection to a recreational vehicle. (Ord. 70 53.44.1, 1967; Amd. 145 (part), 3-30-82)

17.08.287 Industrial machinery and equipment manufacture. "Industrial machinery and equipment manufacture" means establishments engaged in manufacturing industrial and commercial machinery and equipment. Included are the manufacture of engines and turbines; farm and garden machinery; construction, mining, and oil field machinery; elevators and conveying equipment; hoists, cranes, monorails, and industrial trucks and tractors; metalworking machinery; special industry machinery; general industrial machinery; computer and peripheral equipment and office machinery; and refrigeration and service industry machinery. Machines powered by built-in or detachable motors

ordinarily are included, with the exception of electrical household appliances. Power-driven hand tools are included, whether electric or otherwise driven.

17.08.290 Instruments and related products manufacture. "Instruments and related products manufacture" means establishments engaged in manufacturing instruments (including professional and scientific) for measuring, testing, analyzing, and controlling, and their associated sensors and accessories; optical instruments and lenses; surveying and drafting instruments; hydrological, hydrographic, meteorological, and geophysical equipment; search, detection, navigation, and guidance systems and equipment; surgical, medical, and dental instruments, equipment, and supplies; ophthalmic goods; photographic equipment and supplies; and watches and clocks.

17.08.300 Junk yard. "Junk yard" means any premises devoted wholly or in part to the storage, buying, or selling or otherwise handling or dealing in old rags, sacks, bottles, cans, papers, metal, rubber or other articles commonly known as junk. (Ord. 70 §3.46, 1967)

17.08.305 Kennel, commercial. "Commercial kennel." means any structure or premises in which animals are boarded, groomed, bred, or trained for commercial gain.

17.08.307 Leather and leather goods manufacture. "Leather and leather goods manufacture" means establishments engaged in tanning, currying, and finishing hides and skins, leather converters, and establishments manufacturing finished leather and artificial leather products and some similar products made of other materials

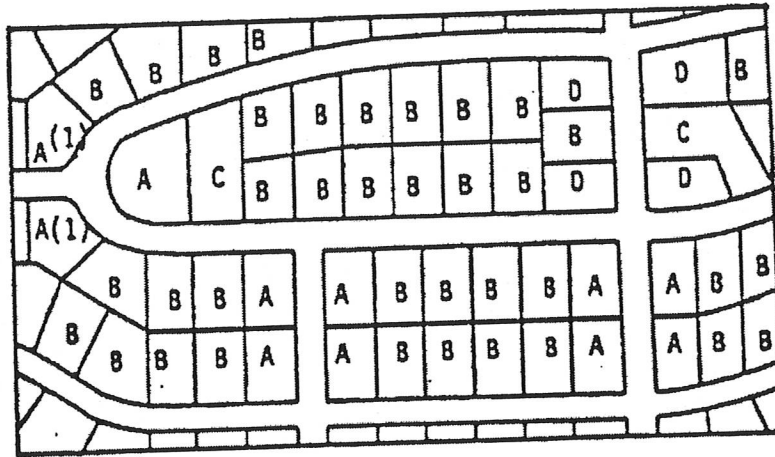
17.08.310 Livestock. "Livestock" means animals kept in open fields or structures for training, boarding, home use, sales, or breeding and production, including but not limited to: cattle, horses, hogs, sheep, goats, llama, and ostriches. (Ord. 70 §3.48, 1967)

17.08.317 Long-term care facility. "Long term care facility" means an institution or a distinct part of an institution that is licensed or approved to provide health care under medical supervision for twenty-four or more consecutive hours to two or more patients who are not related to the facility owner(s) by marriage, blood, or adoption.

17.08.320 Lot. "Lot" means divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term includes tracts or parcels.

17.08.325 Lot frontage. "Lot frontage" means that portion of the lot adjacent to any public or private access street or road. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage. (Ord. 70 §3.51, 1967)

17.08.330 Lot types. The following diagram illustrates terminology used in this title with reference to "corner lots," "interior lots," reversed frontage lots," and "through lots":



- A. "Corner lot" means a lot located at the intersection of two or more streets (see A in diagram) A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet an interior angle of less than one hundred thirty-five degrees (see lots marked A (1) in the diagram).
- B. "Interior lot" means a lot other than a corner lot with only one frontage on a street other than an alley (see B in diagram).
- C. "Through lot" means a lot other than a corner lot with only one street other than an alley. Through lots with frontage on two streets, may be referred to as "double frontage lots" (see C in diagram)
- D. "Reversed frontage lots" means a lot in which the frontage is at right angles, or approximately right angles, to the general pattern in the area involved. A reversed frontage lot may also be a corner lot or an interior lot (see D in diagram).(Ord. 70 §3.52, 1967)

17.08.331 Lumber and wood products manufacture. "Lumber and wood products manufacture" means establishments engaged in cutting timber and pulpwood; merchant sawmills, lath mills, shingle mills, cooperage stock mills, planing mills, and plywood mills and veneer mills engaged in producing lumber and wood basic materials; and establishments engaged in manufacturing finished articles made entirely or mainly of wood or related materials.

17.08.332 Manufactured home. "Manufactured home" means a residential dwelling built in accordance with the Federal Manufactured Home Construction and Safety Standards Act of 1974 which became effective June 15, 1976.

17.08.333 Meat processing and packing. "Meat processing and packing" means establishments primarily engaged in the operation of meat packing plants; manufacturing sausages and other prepared meat products; and poultry slaughtering and processing.

17.08.335 Mobile home, double-wide. "Double-wide mobile home" means a one-family dwelling thirty-two feet or more in length and more than fourteen body feet in width as measured along the total body length when assembled, constructed in accordance with state of Washington or federal standards as evidenced by the attachment of an insignia, designed for transportation after fabrication in

two or more sections on public streets and highways on its own chassis and wheels, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or permanent foundation, and connection to utilities. (Ord. 70 §3.52.1, 1967; Amd. 109 (part), 9-6-77)

17.08.340 Mobile home lot. "Mobile home lot" means a plot of ground within a mobile home park designated to accommodate one mobile home. (Ord. 70 §3.52.1A, 1967; Amd. 148 (part), 6-8-82)

17.08.345 Mobile home park. "Mobile home park" means a tract of land under single ownership or control upon which two or more mobile homes occupied as dwellings may be located. (Ord. 70 §3.52.2A, 1967; Amd. 148 §3.76, 6-8-82)

17.08.348 Mobile home, single-wide. "Single-wide mobile home" means a structure thirty-two body feet or more in length and eight body feet but not more than fourteen body feet in width, constructed in accordance with state of Washington or federal standards as evidenced by the attachment of an insignia, designed for transportation after fabrication on public streets and highways on its own chassis and wheels, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or permanent foundation, and connection to utilities. (Ord. 70 §3.52.2, 1967; Amd. 109 (part), 9-6-77)

17.08.349 Mobile home subdivision. "Mobile home subdivision" means a subdivision designed and intended for residential use where residence is in mobile homes exclusively, and where the lot is generally sold but may be rented to the occupant. (Ord. 70 §3.77, 1967)

17.08.355 Motel. See Hotel.

17.08.360 Nonconforming use. "Nonconforming use" means a use which lawfully occupied a building or land at the time this title becomes effective and which does not conform with the use regulations of the district in which it is located (Ord. 70 §3.54,, 1967).

17.08.362 Nondurable goods, wholesale. "Wholesale nondurable goods" means establishments primarily engaged in the wholesale distribution of paper and paper products; drugs, drug proprietaries, and druggists' sundries; apparel, piece goods, and notions; groceries and related products; farm-product raw materials; chemicals and allied products; petroleum and petroleum products; beer, wine, and distilled alcoholic beverages; and miscellaneous nondurable goods.

17.08.363 Office. "Office" means a room or group of rooms used for conducting the affairs of a business, profession, service, industry, or government and generally furnished with desks, tables, files, and communication equipment.

17.08.365 Outdoor advertising display. "Outdoor advertising display" means any card, cloth, paper, metal painted signs, wooden, plaster, stone or other sign of any kind or character whatsoever placed for outdoor advertising purposes on the ground or on any tree, wall, bush, rock, post, fence, building, structure or thing whatsoever. "Placed," as used in the definition of "outdoor advertising display" and "outdoor advertising structure" includes erecting, construction, posting, painting, tacking, nailing, gluing, sticking, carving or otherwise fastening, affixing or making visible in any manner whatsoever. (Ord. 70 §3.55, 1967)

17.08.367 Paper and allied products manufacture. "Paper and allied products manufacture" means establishments primarily engaged in the manufacture of pulps from wood and other cellulose fibers, and from rags; the manufacture of paper and paperboard; and the manufacture of paper and

paperboard into converted products, such as paper coated off the paper machine, paper bags, paper boxes, and envelopes.

17.08.370 Park. "Park" means an area established or maintained for use by the public as a place for outdoor recreational activities including, but not limited to, picnic areas, marine parks, fishing access areas and campgrounds. (Ord. 70 §3.55.1, 1967; Amd. 145 (part), 3-30-82)

17.08.375 Pasture. "Pasture" means an area confined within a fence or other physical barrier and which area is used for grazing or roaming of livestock. (Ord. 70 §3.56, 1967)

17.08.380 Person. "Person" means any individual, firm, corporation, partnership, association, or agency of the state, county or municipal government. (Ord. 70 §3.56.1, 1967; Amd. 145 (part), 3-30-82)

17.08.382 Personal services. "Personal services" means establishments primarily engaged in providing services generally to individuals, such as barber and beauty shops, drycleaners, laundries, and photographic studios.

17.08.383 Petroleum and coal products manufacture. "Petroleum and coal products manufacture" means establishments primarily engaged in petroleum refining, paving and roofing materials, and compounding lubricating oils and greases from purchased materials.

17.08.385 Planning commission. "Planning commission" means the planning commission of the County of Walla Walla.

17.08.386 Power Plant, Stationary Thermal. "Any stationary thermal power plant with generating capacity of two hundred fifty thousand kilowatts or more, measured using maximum continuous electric generating capacity, less minimum auxiliary load, at average ambient temperature and pressure, and floating thermal power plants of fifty thousand kilowatts or more, including associated facilities (Ord. 274, June 4, 2002).

17.08.387 Primary metal industries. "Primary metal industries" means establishments engaged in smelting and refining ferrous and nonferrous metals from ore, pig, or scrap; in rolling, drawing, and alloying metals; in manufacturing castings and other basic metal products; and in manufacturing nails, spikes, and insulated wire and cable. Including the production of coke.

17.08.390 Principal use. "Principal use" means the primary or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory. (Ord. 70 §3.58, 1967)

17.08.392 Printing, publishing and allied industries. "Printing, publishing and allied industries" means establishments engaged in printing by one or more common processes, such as letterpress; lithography (including offset), gravure, or screen; and those establishments which perform services for the printing trade, such as bookbinding and platemaking. Including establishments engaged in publishing newspapers, books, and periodicals, regardless of whether or not they do their own printing

17.08.393 Produce market. "Produce market" means a market specifically for the display and sale of fresh fruits and vegetables where at least 50% of the produce for sale is produced on-site.

17.08.395 Produce stand. "Produce stand" means a roadside stand of less than 120 sq. ft. specifically for the display and sale of fresh fruits and vegetables where at least 50% of the produce for sale is produced on-site.

17.08.407 Recreational facility. "Recreational facility" means facilities and equipment for recreation purposes such as swimming pools, tennis courts and community centers.

17.08.410 Recreational vehicle. "Recreational vehicle" means a vehicular type unit, as defined by the Department of Labor and Industries, designed for temporary living quarters for recreational, camping or travel use, which either has its own motor power or is mounted on or drawn by another vehicle. (Ord. 70 §3.60.1, 1967; Amd. 145 (part), 3-30-82)

17.08.412 Repair shops and related services (non-automotive). "Repair shops and related services (non-automotive)" means establishments primarily engaged in non-automotive specialized repair services, not elsewhere classified, such as bicycle repair; leather goods repair; lock and gun repair, musical instrument repair; septic tank cleaning; furnace cleaning; and typewriter repair.

17.08.414 Retail, miscellaneous. "Retail, miscellaneous" means retail establishments not elsewhere classified. Including, but not limited to, liquor stores, used merchandise stores, florists, news dealers and newsstands.

17.08.427 Rubber and miscellaneous plastics products manufacture. "Rubber and miscellaneous plastics products manufacture" means establishments manufacturing products from plastics, resins and from natural, synthetic, or reclaimed rubber, gutta percha, balata, or gutta siak. Including establishments primarily manufacturing tires.

17.08.428 Rural farmworker community. "Rural farmworker community" means a planned development providing permanent and/or temporary housing to farmworkers and their family members. The housing units are grouped on a single lot and may be either single family or multifamily or a combination. Rural Farmworker Communities may also provide housing related service facilities such as day care, meeting rooms, laundry rooms, offices, recreation facilities, health services, convenience retail and storage facilities.

17.08.440 School, elementary, junior or senior high (including public, private and parochial). "Elementary school," "junior high school" or "senior high school," (including public, private and parochial) means an institution of learning which offers instruction in the several branches of learning and study required by the Education Code of the state of Washington to be taught in the public and parochial schools. (Ord. 70 §3.66, 1967)

17.08.445 Senior citizen assisted housing. "Senior citizen assisted housing" means a place of residence for several families or individuals in apartment like quarters, rented or condominium which may feature services to retired persons such as limited nursing facilities, minimum maintenance living accommodations, and recreation programs and facilities.

17.08.450 Service building. "Service building" means a building within a park which contains toilet, lavatory and/or bathing facilities and/or laundry facilities. (Ord. 70 §3.67.1, 1967; Amd. 145 (part), 3-30-82)

17.08.455 Service station & convenience market, automobile. "Automobile service station & convenience market" means an occupancy which provides for:

- A. The servicing of motor vehicles and operations incidental thereto limited to the retail sale of petroleum products and automotive accessories; automobile washing by hand; waxing and polishing of automobiles; tire changing and repairing (excluding recapping); battery service, charging and replacement, excluding repair and rebuilding; radiator cleaning and flushing, excluding steam cleaning and repair; and installation of accessories;
- B. The following operations if conducted within a building: lubrication of motor vehicles; brake servicing limited to servicing and replacement of brake cylinders, lines and brake shoes; wheel balancing; the testing, adjustment, and replacement or servicing of carburetors, coils, condensers, distributor caps, fan belts, filters, generators, points, rotors, spark plugs, voltage regulators, water and fuel pumps, water hoses and wiring; Convenience markets and fast food services. (Ord. 70 §3.68, 1967)

17.08.460 Sewage dumping station. "Sewage dumping station" means a facility used for removing and disposing of sewage from recreational vehicle holding tanks. (Ord. 70 §3.68.1, 1967; Amd. 145 (part), 3-30-82)

17.08.470 Sign. "Sign" means any device for visual communications that is used for the purpose of bringing the subject thereof to the attention of the public

17.08.482 Stone, clay, glass and concrete products manufacture. "Stone, clay and concrete products manufacture" means establishments manufacturing flat glass and other glass products, cement, structural clay products, pottery, concrete and gypsum products, cut stone, abrasive and asbestos products, and other products from materials taken principally from the earth in the form of stone, clay, and sand.

17.08.483 Storage, self service. "self service storage" means a structure containing separate, individual, and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time.

17.08.485 Street. "Street" means a dedicated public or recorded private thoroughfare which affords primary means of access to abutting property, intended for general traffic circulations. "Street" does not include an alley. (Ord. 70 53.73, 1967)

17.08.490 Structure. "Structure" means a combination of materials to form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water. (Ord. 70 §3.74, 1967)

17.09.492 Textile mill products manufacture. "Textile mill products manufacture" means establishments engaged in performing any of the following operations: (1) preparation of fiber and subsequent manufacturing of yarn, thread, braids, twine, and cordage; (2) manufacturing broad woven fabrics, narrow woven fabrics, knit fabrics, and carpets and rugs from yarn; (3) dyeing and finishing fiber, yarn, fabrics, and knit apparel; (4) coating, waterproofing, or otherwise treating fabrics; (5) the integrated manufacture of knit apparel and other finished articles from yarn; and (6) the manufacture of felt goods, lace goods, nonwoven fabrics, and miscellaneous textiles.

17.09.493 Townhouse. "Townhouse" means a building containing one dwelling unit that occupies space from the ground to the roof, and is attached to one or more other townhouse dwellings by common walls.

17.08.501 Transient labor camp. "Transient labor camp" means a place, area, or piece of land where sleeping places or housing sites are provided by an agricultural employer for his or her

agricultural employees or by another person, including a temporary worker housing operator, who is providing such accommodations for employees for temporary, seasonal occupancy.

17.08.502 Transportation equipment manufacture. "Transportation equipment manufacture" means establishments engaged in manufacturing equipment for transportation of passengers and cargo by land, air, and water. Products produced by these establishments include motor vehicles, aircraft, ships, boats, railroad equipment, and miscellaneous transportation equipment, such as motorcycles, bicycles, and snowmobiles.

17.08.503 Truck stop. "Truck stop" means any building, premises, or land in which or upon which a business, service, or industry involving the maintenance, servicing, storage, or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sale of accessories or equipment for trucks and similar commercial vehicles. A truck stop also may include overnight accommodations and restaurant facilities primarily for the use of truck crews.

17.08.504 Utility facilities. "Utility facilities" means facilities for the distribution or transmission of services to an area; including, but not limited to: telephone exchanges, water or sewage pumping or treatment stations, electrical substations, and water storage reservoirs or tanks.

17.08.505 Variance. "Variance" means a departure from the provisions of a zoning ordinance relating to setbacks, side yards, frontage requirements, and lot size that, if applied to a specific lot, would significantly interfere with the use of the property. (Ord. 70 §3.78, 1967)

17.08.507 Warehousing and storage. "Warehousing and storage" means establishments primarily engaged in farm products warehousing and storage, refrigerated warehousing and storage, and general warehousing and storage.

17.08.515 Winery. "Winery" means a facility specifically designed for the crushing, fermentation, barrel aging, bottling, case goods storage and/or wholesale sales of wine.

17.08.518 Wireless communication facility. "Wireless communication facility" means an unstaffed facility for the transmission and/or reception of radio frequency (RF) signals usually consisting of an equipment shelter or cabinet, a support structure and/or other transmission and reception devices. This definition does not include ancillary antennas such as are usual to individual businesses and residences and which conform to height limits and other development standards in the zone in which such antennas would be located.

17.08.518A Wireless communication facility, attached. "Attached wireless communication facility" means a wireless facility that is affixed to an existing structure, for example, an existing building, tower, water tank, utility pole, etc., which does not include an additional wireless communication support structure.

17.08.519 Wireless communication support structure. "Wireless communication support structure" means the structure erected to support wireless communication antennas and connecting appurtenances. Support structure types include, but are not limited to, monopoles, lattice towers, wood poles, and guyed towers.

17.08.520 Yard. "Yard" means an open space unoccupied and unobstructed from the ground upward unless specifically otherwise permitted in this title. (Ord. 70 §3.79, 1967)

Chapter 17.12

ESTABLISHMENT OF DISTRICTS

Sections:

- 17.12.020** **Application of district regulations.**
- 17.12.030** **Establishment of districts – Intent.**
- 17.12.040** **Establishment of districts – Designated – General purposes.**
- 17.12.050** **Unincorporated Urban Growth Areas – zoning.**

17.12.020 Application of district regulations. The regulations set by this title within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as provided in chapter 17.36 WWCC (Nonconforming Uses, Lots and Structures):

- A. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered unless in conformity with all of the regulations specified in this title for the district in which it is located.
- B. No building or other structure shall hereafter be erected or altered:
 - 1. To exceed the height;
 - 2. To accommodate or house a greater number of families;
 - 3. To occupy a greater percentage of lot area;
 - 4. To have narrower or smaller rear yards, front yards, side yards, or other open spaces than required in this title; or in any other manner contrary to the provisions of this title.
- C. No part of a yard, or other open space, or off street parking or loading space required about or in connection with any building for the purpose of complying with this title, shall be included as a part of a yard, open space, or off-street parking or loading space similarly required for any other building.
- D. No yard or lot existing at the time of passage of the ordinance codified in this title shall be reduced in dimension or area below the minimum requirements set forth in this title. Yards or lots created after the effective date of the ordinance codified in this title shall meet at least the minimum requirements established by this title. (Ord. 70 §4.00, 1967; Amd. 82, 12-30-75; Amd. 198, 6-2-92)

17.12.030 Establishment of districts--Intent.

- A. It is the purpose of this chapter to establish districts that are consistent with the Walla Walla Comprehensive Plan and wherein compatible uses of land may be located and grouped to create, protect or maintain a mutually satisfying environment for the citizens of Walla Walla County.
- B. It is the intent of this title to promote orderly growth, resource conservation, protect critical areas, and contribute to the economy and general welfare of the county. It is also the purpose of this classification to make it possible to more efficiently and economically design and install all physical public service facilities to adequately and permanently meet needs resulting from defined intensity of land use and to provide for health, safety, prosperity and well being of the county. (Ord. 70 §5.00, 1967)

17.12.040 Establishment of districts--Designated-General purposes. The county of Walla Walla is divided by this section into nineteen classes of districts with the designations and general purposes listed in this section and the specifically permitted uses tabulated in Section 17.16.014:

- A. Primary Agriculture. The purpose of this zoning district is to perpetuate the viability of resource lands of long-term commercial significance. Land in this district is designated as primary and secondary agricultural lands marked to some degree with limited irrigation. Uses in this district are distinctive of the agricultural sector. Residences are an allowed use in this district with limited home occupations that are clearly incidental to the agricultural nature of the district. Limited commercial and agri-tourist uses serving to support agriculture and natural resource-related industries are permitted uses.
- B. Exclusive Agriculture. This district is intended to preserve agricultural lands; protect and preserve agriculture land for agricultural use in areas of large holdings with a minimum of roads and other utilities and services; discourage the scattering of commercial, industrial and other urban uses into outlying areas, resulting in excessive costs for public services; recognize the desire of owners of large commercial agricultural operations to maintain those operations and protect them from the intrusion of non-compatible uses; and limit the creation of non-farm parcels.
- C. General Agriculture. The purpose of this zoning district is to perpetuate the viability of resource lands of long-term commercial significance. Land in this district is designated as primary and secondary agricultural lands with a mix of semi-populated irrigated lands, within close proximity to existing transportation corridors and populated areas. This district permits natural-resource related industry, low density residential, limited commercial and agri-tourist uses serving to support agriculture and limited home occupations that are clearly incidental to the agricultural nature of this zone.
- D. Agriculture Residential. This zoning district is intended for agricultural uses that are located adjacent to existing rural lands, rural service areas, and urban growth areas and that are in smaller land ownerships with denser development than other agricultural areas of the County. This district permits agricultural, low to medium density residential, commercial businesses serving to support agricultural and limited commercial tourism uses. Limited home occupations that are clearly incidental to the agricultural nature of these areas are also permitted.
- E. Rural Remote. This district is intended for areas that are not suitable for intensive farming and are generally not attractive for residential development. Permitted land uses include resource-oriented activities such as farming, grazing, timber and mineral extraction, open space, recreation and residential.
- F. Rural Agriculture. This district is intended for smaller scale farming activity, residential and limited agricultural production uses. It is primarily located adjacent to resource lands and areas of encroaching residential development or expansion.
- G. Rural Floating. This district is intended to recognize and preserve the unique physical and visual characteristics of the land within the district and provide for flexibility in requirements depending upon the environmental constraints present on individual properties and streamlining of the review process, while maintaining the opportunity for public input.
- H. Rural Residential. The purpose of this district is to maintain the rural aspects of the county, recognize historic development patterns and provide a transition between existing rural developments and areas of higher or lower densities. Uses in the Rural Residential zone are characterized by small-scale farms, dispersed single-family homes, open space, and other uses that typically do not require urban services.
- I. Rural Transition. The purpose of this zoning district is to recognize that there are areas where some platting to smaller lots already exists in subdivisions and along arterials and where some services and infrastructure may be located. These are previously platted neighborhoods where the development patterns are not consistent with a resource lands designation, yet the lands do not fit within the definition of "urban", even though these areas may be adjacent to urban growth areas or there may be components of urban level

services available to these lands, most frequently public water systems with fire hydrants. This zone includes areas characterized by land uses which include small-scale farms, single-family homes, limited commercial uses and open space.

- J. Rural Activity Center. The purpose of this zone is to recognize the historic, unincorporated rural communities in the County. Rural Activity Centers are generally small, compact, isolated rural centers that primarily exist to provide housing, convenience goods, and services to residents in and around the area. They also may provide limited services to travelers and some tourist attractions. This zone is intended to allow a mixture of uses. Permitted uses in this zone include single-family residences, small-scale industries and businesses, and public facilities such as post offices, schools, and fire departments.
 - K. Agriculture Industrial Heavy. This district is primarily for manufacturing, processing, fabrication and assembling of products or materials, warehousing and storage, rail and water borne transportation facilities and agricultural activities.
 - L. Agriculture Industrial Light. The purpose of this district is to establish a mix of light industrial uses, such as assembly, storage and manufacture of prefabricated materials, and agricultural land uses.
 - M. Burbank Residential. This district is primarily a single family residential district with provisions for multifamily dwelling units that are consistent with the height, bulk, and scale of adjacent development.
 - N. Burbank Commercial. This district is a general commercial designation that allows for commercial uses that serve the local retail needs of the community as well as passing travelers.
 - O. Burbank/Port Light Industrial. This district allows for light industrial uses, including a broad range of distribution, wholesale, assembly and manufacturing uses, including farm equipment and auto sales.
 - P. Public Reserve. This district is intended for public uses such as parks, playgrounds, federal and state wildlife habitats, open spaces, and greenbelts.
 - Q. Airport Development District. The purpose of the airport development district is to provide a zoning classification to regulate the use and development of land within the boundaries of the City-County Airport, to insure compatibility with aviation facilities and adjacent properties, protection of runway safety and clear zones and aviation facilities, and enhance the potential for future industrial development.
 - R. Light Industrial District. This district is exclusively for limited assembly, fabrication, processing and service facilities involving small or portable machinery and regulated with regards to dissemination of atmosphere, pollutants, noise, vibration, odors and the creation of physical hazards to adjacent uses.
 - S. Neighborhood Commercial District. This district is exclusively a neighborhood business district for the provision of convenience shopping for limited residential area and which involves retail enterprises dispensing commodities, and providing personal services to the individual.
- (Ord. 70 §§5.01, 506.B.2, 1967; Amd. 2 (part), 4-21-69; Amd. 7, 9-29-69; Amd. 19 §2, 11-9-70; Amd. 25 §1, 3-22-71; Ord. 187 (Exh. A(part)), 1986; Amd. 158 (part), 1983; Amd. 205 (Exh. A(part), 11-15-93)

17.12.50 Unincorporated Urban Growth Areas -- Zoning. A. The County's zoning districts and dimensional requirements in place before January 30, 2001 shall continue to apply to those unincorporated areas within the County's Urban Growth Boundaries until such time as joint zoning and development regulations are adopted.

Chapter 17.16

PERMITTED USES

Sections:

- 17.16.010** **Establishment of uses.**
- 17.16.012** **Interpretation of land use tables.**
- 17.16.013** **Interpretation of land use types.**
- 17.16.014** **Permitted uses tables.**

17.16.010 Establishment of uses. The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied or maintained. All applicable requirements of this code, or other applicable state or federal requirements, shall govern a use located in unincorporated Walla Walla County.

17.16.012 Interpretation of land use tables.

- A. The land use tables in this chapter determine whether a specific use is allowed in a zone district. The zone district is located on the vertical column and the specific use is located on the horizontal row of these tables.
- B. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district.
- C. If the letter "P" appears in the box at the intersection of the column and the row, the use is allowed in that district subject to the review procedures and general requirements of the code.
- D. If the letter "C" appears in the box at the intersection of the column and the row, the use is allowed subject to the conditional use review process specified in WWCC 17.40.
- E. If the letters "AC" appear in the box at the intersection of the column and the row, the use is allowed subject to the administrative conditional use review process specified in WWCC 17.40.
- F. If a number appears in the box at the intersection of the column and the row, the use may be allowed subject to the specific conditions indicated in the development condition with the corresponding number immediately following the land use table.

17.16.013 Interpretation of land use types. The Director or her/his designee shall determine whether a proposed land use not specifically listed in a land use table is allowed in a zone. The Director's determination shall be based on whether or not permitting the proposed use in a particular zone is consistent with the purposes of this title and the zone's purpose as set forth in WWCC 17.12.040, by considering the following factors:

- A. The physical characteristics of the use and its supporting structures, including but not limited to scale, traffic and other impacts, and hours of operation; and
- B. Whether or not the use complements or is compatible with other uses permitted in the zone.
- C. Whether the location of the use in a particular zone is consistent with the goals and policies of the Comprehensive Plan.
- D. If the use would require a zoning code text amendment.

RESIDENTIAL LAND USES

KEY	ZONE	RESOURCE				RURAL								
		Primary Agriculture-40	Exclusive Agriculture-120	General Agriculture-20	Agriculture Residential-10	Rural Remote-40	Rural Remote-20	Rural Agriculture -10	Rural Agriculture-5	Rural Floating-2-3	Rural Residential-2	Rural Residential-5	Rural Transition-1/2	Rural Activity Center

KEY

P = Permitted Use

C = Conditional Use permit required

AC = Administrative Conditional Use permit required

* = Definition of this specific land use see WWCC 17.08

SPECIFIC USE														
DWELLING UNITS														
* One Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P
* Two Family (duplex)				P				P	P	P	P	P	P	P
* Multi Family														P
* Townhouse														P
* Condominiums														P
* Mobile Home, single wide	P	P	P	P	P	P	P	P	P		AC	P	P	P
* Mobile Home, double wide	P	P	P	P	P	P	P	P	P	P	P	P	P	P
* Manufactured Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P
* MOBILE/MANUFACTURED HOME PARK								AC	C	C	C	C	C	C
* RURAL FARMWORKER COMMUNITIES	C		C	C	C	C	C	C						
GROUP RESIDENCES														
* Adult Family Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P
* Long Term Care Facility									C	C	C	C	C	C
* Senior Citizen Asst. Housing									AC	AC	AC	AC	AC	AC
TEMPORARY LODGING														
* Bed & Breakfast Type I	P		P	P	P	P	P	P	P	P	P	P	P	P
* Bed & Breakfast Type II	C		C	C	C	C	C	C	C	C	C	C	C	C
* Hotels/motels														P
* Mobile/Manufactured Home	AC 1	AC 1	AC 1	AC 1	AC 1	AC 1	AC 1	AC 1	AC 1	AC 1	AC 1	AC 1	AC 1	AC 1
* Transient Labor Camps	C7		C7	C7	C7	C7	C7	C7	C7	C7	C7	C7	C7	C7
ACCESSORY USES														
* Accessory Dwelling Units	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2
* Accessory Use	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3
* Home Occupation	AC 4	AC 4	AC 4	AC 4	AC 4	AC 4	AC 4	AC 4	AC 4	AC 4	AC 4	AC 4	AC 4	AC 4
* Caretakers Quarters														
* Farmworker Dwellings	AC 5	AC 5	AC 5	AC 5	AC 5	AC 5	AC 5	AC 5	AC 5	AC 5	AC 5	AC 5	AC 5	AC 5

RESIDENTIAL LAND USES - Continued

		INDUSTRIAL & COMMERCIAL						MISC.	
		ZONE	Agriculture Industrial Light	Agriculture Industrial Heavy	Light Industrial	Neighborhood Commercial	Burbank Commercial	Burbank/Port Light Industrial	Burbank Residential Public Reserve

KEY

P = Permitted Use

C = Conditional Use permit required

AC = Administrative Conditional Use permit required

* = Definition of this specific land use see WWCC 17.08

SPECIFIC USE									
DWELLING UNITS									
* One Family	AC								P
* Two Family (duplex)									P
* Multi Family									P6
* Townhouse									P6
* Condominiums									P6
* Mobile Home, single wide	AC								
* Mobile Home, double wide	AC								P
* Manufactured Home	AC								P
* MOBILE/MANUFACTURED HOME PARK									C
* RURAL FARMWORKER COMMUNITIES									
GROUP RESIDENCES									
* Adult Family Home						P			P
* Long Term Care Facility									C
* Senior Citizen Asst. Housing									AC
TEMPORARY LODGING									
* Bed & Breakfast Type I									P
* Bed & Breakfast Type II									C
* Hotels/Motels							P		
* Mobile/Manufactured Home									AC 1
* Transient Labor Camps									
ACCESSORY USES									
* Accessory Dwelling Units	P2								P2
* Accessory Use	P3								P3
* Home Occupation	AC 4								AC 4
* Caretakers Quarters	P	P						P	
* Farmworker Dwellings	AC 5								

RESIDENTIAL LAND USES - Development Conditions

1. The temporary placement of mobile/manufactured homes only applies to situations where there exists a personal hardship related to the aged, infirm or to persons incapable of maintaining a separate residence, whereby it is necessary to have someone living on the same premises. The following provisions are also required:
 - a. A signed doctor's statement indicating the need for care shall be submitted with the application;
 - b. The permit shall be issued for a specific person(s) and for a period of one year, requiring annual review and renewal. No change in occupancy shall take place without review of the planning commission. The mobile/manufactured home shall be removed within ninety days after the original need has ceased.
 - c. The county health department shall approve the provisions of water and sewer service to the temporary dwelling unit.
 - d. Each granting does not constitute an approval to divide land. The location of a temporary dwelling unit on a parcel of land shall not be considered the creation of a separate dwelling site and the lot area, frontage and access requirements of the applicable zoning district shall not apply.
2. Accessory Dwelling units are permitted; provided, that
 - a. None shall be inhabited by other than employees of the owner or tenant of the premises;
 - b. No accessory building to be used for a dwelling unit shall be constructed upon a plot until the construction of the main building has commenced;
 - c. Accessory dwelling units must meet all applicable uniform building codes;
 - d. The size of the primary residence must be at least eight hundred sq. ft. to allow an accessory dwelling unit;
 - e. The accessory dwelling unit, excluding any garage area and other non-living areas, shall not exceed one thousand square feet, or fifty percent of the total square footage of the main residence (excluding any garage area and other non-living space), which ever is less;
 - f. There shall be only one accessory dwelling unit per single family lot;
 - g. The accessory dwelling unit and the primary residence must meet all lot coverage and set back requirements of the applicable zone as defined herein the Walla Walla County Zoning Code;
 - h. Accessory dwelling units shall meet all Walla Walla County health department requirements for water and septic/sewer requirements;
 - i. Mobile homes and recreational vehicles shall not be permitted as accessory dwelling units, except as in development condition 1 above;
 - j. Accessory dwelling units must be dependent upon the primary residence and must share at least four of the following criteria with the primary residence:
 - Road access;
 - Septic System;
 - Water System;
 - Utility meters;
 - Yard; and
 - Parking Area
 - k. Either the Primary residence or the accessory dwelling unit is occupied by an owner of the property; and
 - l. None shall be rented.

3. An accessory use, structure or activity clearly incidental to the permitted use and which will not create a nuisance or hazard if permitted.
4. Home occupations are permitted provided:
 - a. That not more than one person outside the family shall be employed in the home occupation;
 - b. There shall be no exterior display, no exterior sign, no exterior storage of materials and no other exterior indication of the home occupation or variation from the residential character of the principal building and that no special equipment different from the normal residential equipment shall be installed, and no offensive noise, vibration, smoke, dust, odors, heat or glare shall be produced as a result thereof.
 - c. The maximum amount of square footage used by the home occupation is 200 square feet
 - d. The home owner submits a letter acknowledging the above conditions.
5. Farmworker Dwellings to accommodate agriculture employees and their families employed by the owner of the premises are permitted, provided that only three accessory farmworker dwelling units are permitted on a lot in addition to the owner's single-family residence and that each lot has a minimum of twenty acres and; provided further that such housing facilities shall be considered accessory to the main dwelling and shall conform to the provisions of the district pertaining to required yards and open spaces for dwellings. Verification of half time or greater employment is required before issuance of building permit.
6. Permitted at densities not to exceed 4 dwelling units per acre. Height, bulk and scale to be consistent with existing adjacent development.
7. Transient Labor Camps are permitted provided they meet the State's minimum health and safety requirements for temporary worker housing (246-358 WAC Temporary Housing Rules).

RETAIL/WHOLESALE LAND USES

KEY
P = Permitted Use
C = Conditional Use permit required
AC = Administrative Conditional Use permit required
* = Definition of this specific land use see WWCC 17.08

ZONE	RESOURCE				RURAL								
	Primary Agriculture-40	Exclusive Agriculture-120	General Agriculture-20	Agriculture Residential-10	Rural Remote-40	Rural Remote-20	Rural Agriculture -10	Rural Agriculture-5	Rural Floating-2-3	Rural Residential-2	Rural Residential-5	Rural Transition-1/2	Rural Activity Center

SPECIFIC USE													
RETAIL													P1
* Apparel & Accessory Stores													P1
Auction Houses, except livestock													
Auction Houses/Yards, Livestock	P		P	P									C2
* Automobile Service Station & Convenience Market													C
* Automotive Dealers													P1
Automobile Leasing/Rental													P1
* Building Material, Hardware, & Garden Supply													P1
* Eating & Drinking Establishments													P1
* Food Stores													P1
* General Merchandise Stores													P1
Heavy Equipment Sales & Rental													P1
* Home Furniture, Furnishings, and Equipment Stores													P1
Horticultural Nurseries, Retail	P		P	P		P	P	P	P	P	P		P1
Irrigation Systems & Equipment, Sales Service & Storage													
* Produce Stand	P	P	P	P	P	P	P	P	P	P	P	P	P
* Produce Market	C		C	C		C	C	C					C
* Retail, Miscellaneous													P1
WHOLESALE													
* Durable Goods													
* Non Durable Goods													
Commercial Greenhouses	P		P	P		P	P	P	P	P	P	C	C
ACCESSORY USES													
* Accessory Use	P3		P3	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3

RETAIL/WHOLESALE LAND USES - Continued

KEY	
P = Permitted Use	
C = Conditional Use permit required	
AC = Administrative Conditional Use permit required	
* = Definition of this specific land use see WWCC 17.08	

ZONE	INDUSTRIAL & COMMERCIAL						MISC.	
	Agriculture Industrial Light	Agriculture Industrial Heavy	Light Industrial	Neighborhood Commercial	Burbank Commercial	Burbank/Port Light Industrial	Burbank Residential	Public Reserve

	SPECIFIC USE							
	RETAIL							
*	Apparel & Accessory Stores				P1	P		
	Auction Houses, except livestock				P1	P		
	Auction Houses/Yards, Livestock	P						
*	Automobile Service Station & Convenience Market				P1	C2		
*	Automotive Dealers			P1	P1	P	P	
	Automobile Leasing/Rental			P1	P1	P	P	
*	Building Material, Hardware, & Garden Supply			P1	P1	P		
*	Eating & Drinking Establishments				P1	P		
*	Food Stores				P1	P		
*	General Merchandise Stores			P1			P	
	Heavy Equipment Sales & Rental				P1	P		
*	Home Furniture, Furnishings, and Equipment Stores			P1	P1	P	P	
	Horticultural Nurseries, Retail			P1			P	
	Irrigation Systems/ Equipment, Sales Service & Storage				P			
*	Produce Stand				P1	P		
*	Produce Market					P		
*	Retail, Miscellaneous							
	WHOLESALE						P	
*	Durable Goods	P	P	P1			P	
*	Non Durable Goods	P	P	P1			P	
	Commercial Greenhouses	P		P1	P1			
	ACCESSORY USES						P3	
*	Accessory Use	P3	P3	P3	P3	P3	P3	

RETAIL/WHOLESALE LAND USES - Development Conditions

1. The primary building cannot exceed 20,000 sq. ft. per establishment.
2. No gasoline or oil pump or appliance may be located within 12 ft. of any street or property line unless within a building.
3. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.

GOVERNMENT/GENERAL SERVICES LAND USES

KEY
P = Permitted Use
C = Conditional Use permit required
AC = Administrative Conditional Use permit required
* = Definition of this specific land use see WWCC 17.08

ZONE	RESOURCE				RURAL								
	Primary Agriculture-40	Exclusive Agriculture-120	General Agriculture-20	Agriculture Residential-10	Rural Remote-40	Rural Remote-20	Rural Agriculture -10	Rural Agriculture-5	Rural Floating-2-3	Rural Residential-2	Rural Residential-5	Rural Transition-1/2	Rural Activity Center

SPECIFIC USE													
EDUCATION SERVICES										P	C	C	C
* Schools, public and private													
GOVERNMENT SERVICES													
Fire Station	C		C	C	C	C	C	C	C	C	C	C	C
GENERAL SERVICES									C	C	C	C	P1
* Animal Hospital													P1
* Automotive Repair and Services													P1
* Automobile Parking													P1
* Automobile Wrecking Yard													P1
* Business Services													C
Catering Establishments					P	P	P						C
Cemeteries, Mausoleums					C	C	C	C	P	C	C	C	P1
Churches & Places of Worship	C		C	C									P1
* Clinic													AC
* Day Care Center													P1
Dog Pound													C
* Finance, Insurance, Real Estate													C
* Funeral Service & Crematories													C5
* Hospitals								C5					P1
* Kennel, Commercial	C5		C5	C5									P1
Laboratories, Research & Testing													P1
* Offices										P1	P1	P1	P1, 3
Orphanage/Charitable Institutions													P1
* Personal Services													P1
* Repair Shops & related services													P1
Storage, Self Service													C
* Utility Facilities	C		C	C	C	C	C	C	C	C	C	C	P1
* Warehousing & Storage													
ACCESSORY USE													
* Accessory Use	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4

GOVERNMENT/GENERAL SERVICES LAND USES – Continued

KEY
P = Permitted Use
C = Conditional Use permit required
AC = Administrative Conditional Use permit required
* = Definition of this specific land use see WWCC 17.08

ZONE	INDUSTRIAL & COMMERCIAL						MISC.	
	Agriculture Industrial Light	Agriculture Industrial Heavy	Light Industrial	Neighborhood Commercial	Burbank Commercial	Burbank/Port Light Industrial	Burbank Residential	Public Reserve

SPECIFIC USE								
EDUCATION SERVICES					P		P	P
* Schools, public and private								
GOVERNMENT SERVICES								
Fire Station	C	C	P	P	P	P	C	P
GENERAL SERVICES								
* Animal Hospital				P1	P1			
* Automotive Repair & Services	P	P	P1		P1	P		
* Automobile Parking					P			
Automobile Wrecking Yard	C	C	C			C2		
* Business Services				P1	P1			
Catering Establishments				P1	P1			C
Cemeteries, Mausoleums				P1	P1		C	
Churches & Places of Worship			C	P1	P1			
* Clinic				P1	P1		C	
* Day Care Center						P		
Dog Pound			C1	P1	P1			
* Finance, Insurance, Real Estate								
* Funeral Services & Crematories				C1	P			
* Hospitals								
* Kennel, Commercial	C5		C1,5	C1,5		C5		
Laboratories, Research & Testing	P		P1			P		
* Offices				P1	P1			
Orphanage/Charitable Institutions				P1	P1,3			
* Personal Services				P1	P1			
* Repair Shops & related services	P	P	P1		P1	P		
Storage, Self Service	P		P1		P1	P		
* Utility Facilities	C	C	C1	C1	C	C	C	C
* Warehousing & Storage	P	P	P1			P		
ACCESSORY USE								
* Accessory Use	P4	P4	P4	P4	P4	P4	P4	P4

GOVERNMENT/GENERAL SERVICES LAND USES - Development Conditions

1. The primary building can not exceed 20,000 sq. ft. per establishment.
2. Permitted if conducted within an enclosure not less than 8 ft. in height with a solidity of not less than 60% and setback fifty ft. from any public street.
3. No building so used shall be within one hundred feet of any property line.
4. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
5. All cages, runs, pens or kennels used for holding animals shall be at least 25 feet from property lines and be kept in a clean and sanitary condition, and must be disinfected on a routine basis. All waste material must be disposed of daily in a sanitary method in accordance with regulations of the city/county health department. Cages and kennels must be of sufficient size to allow for exercise and maintenance of sanitary conditions.

Animals must be provided with adequate shelter to protect them from extremes of temperature and from rain and snow.

Fencing shall be adequate to contain all animals and to restrict the entry of animals not under the control of the kennel operator.

The kennel may be inspected during any reasonable hour by the Director, the Health Officer or by the Animal Control Officer, for compliance with these regulations, and/or the provisions of Title VI of the Walla Walla County Code.

The following shall be considered when a Conditional Use Permit is reviewed for a commercial kennel:

- a. Noise;
- b. Proximity to and compatibility with adjacent uses;
- c. Lot size and isolation;
- d. Location of kennel on the lot;
- e. Screening and buffering;
- f. Number of animal accommodations.

INDUSTRIAL/MANUFACTURING LAND USES

		RESOURCE				RURAL									
KEY		ZONE	Primary Agriculture-40	Exclusive Agriculture-120	General Agriculture-20	Agriculture Residential-10	Rural Remote-40	Rural Remote-20	Rural Agriculture -10	Rural Agriculture-5	Rural Floating-2-3	Rural Residential-2	Rural Residential-5	Rural Transition-1/2	Rural Activity Center
P = Permitted Use															
C = Conditional Use permit required															
AC = Administrative Conditional Use permit required															
* = Definition of this specific land use see WWCC 17.08															
	SPECIFIC USE														
*	Apparel & Other Textile Products														P4
	Acid, manufacture (sulphurous, sulfuric, nitric, hydrochloric, and other similar acids)														
	Arsenals														
*	Chemicals & Allied Products														
*	Computer & Office Equipment														
*	Dairy Products Processing	P		P											
*	Electronic & Other Electric Equipment														
	Explosives, Manufacture & Storage														
*	Fabricated Metal Products														
	Fat Rendering														
*	Food & Kindred Products														
*	Furniture & Fixtures														
*	Industrial Machinery & Equipment														
*	Instruments & Related Products														
*	Leather & Leather Goods														
*	Lumber & Wood Products, Except Furniture														
*	Meat Processing & Packing	C		C											
	Offal & Animal Reduction or Processing														
*	Paper & Allied Products														
*	Petroleum Refining Related Industries														
	Petroleum Refining														
*	Primary Metal Industries														
*	Printing & Publishing														
*	Rubber & Miscellaneous Plastics														

INDUSTRIAL/MANUFACTURING LAND USES - Continued

		RESOURCE				RURAL								
		Primary Agriculture-40	Exclusive Agriculture-120	General Agriculture-20	Agriculture Residential-10	Rural Remote-40	Rural Remote-20	Rural Agriculture -10	Rural Agriculture-5	Rural Floating-2-3	Rural Residential-2	Rural Residential-5	Rural Transition-1/2	Rural Activity Center
KEY		ZONE												
P = Permitted Use														
C = Conditional Use permit required														
AC = Administrative Conditional Use permit required														
* = Definition of this specific land use see WWCC 17.08														
*	Stone, Clay, Glass & Concrete Products													
	Smelting or Refining Aluminum, Copper, Tin or Zinc													
	Storage/Packing Agricultural Produce	P	P	P	P			P	P		P	P	P	P4
*	Textile Mill Products													
*	Transportation Equipment													
*	Truck Stop													
*	Winery	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3
*	Miscellaneous Light Manufacturing													
	ACCESSORY USES													
*	Accessory Use	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1

INDUSTRIAL/MANUFACTURING LAND USES -- Continued

	INDUSTRIAL & COMMERCIAL							MISC.	
	ZONE	Agriculture Industrial Light	Agriculture Industrial Heavy	Light Industrial	Neighborhood Commercial	Burbank Commercial	Burbank/Port Light Industrial	Burbank Residential	Public Reserve

KEY
P = Permitted Use
C = Conditional Use permit required
AC = Administrative Conditional Use permit required
*** = Definition of this specific land use see WWCC 17.08**

	SPECIFIC USE								
*	Apparel & Other Textile Products	P	P	P4			P		
	Acid, manufacture of sulphurous, sulfuric, nitric, hydrochloric, and other similar acids		C						
	Arsenals		C						
*	Chemicals & Allied Products		P						
*	Computer & Office Equipment	P	P	P4			P		
*	Dairy Products Processing	P	P	P4			P		
*	Electronic & Other Electric Equipment	P	P	P4			P		
	Explosives, Manufacture & Storage		C						
*	Fabricated Metal Products	P	P						
	Fat rendering		C						
*	Food & Kindred Products	P	P				P		
*	Furniture & Fixtures	P	P	P4			P		
*	Industrial Machinery & Equipment		P						
*	Instruments & Related Products	P	P	P4			P		
*	Leather & Leather Goods	P	P	P4			P		
*	Lumber & Wood Products, Except Furniture		P						
*	Meat Processing & Packing		P						
	Offal & Animal Reduction or Processing		C						
*	Paper & Allied Products		P	P4					
*	Petroleum Refining Related Industries		P						
	Petroleum Refining		C						
*	Power Plant, Stationary Thermal		P5						
*	Primary Metal Industries		P						
*	Printing & Publishing	P	P	P4	P		P		
*	Rubber & Miscellaneous Plastics		P						

INDUSTRIAL/MANUFACTURING LAND USES -- Continued

		INDUSTRIAL & COMMERCIAL							MISC.	
KEY		ZONE	Agriculture Industrial Light	Agriculture Industrial Heavy	Light Industrial	Neighborhood Commercial	Burbank Commercial	Burbank/Port Light Industrial	Burbank Residential	Public Reserve
P = Permitted Use										
C = Conditional Use permit required										
AC = Administrative Conditional Use permit required										
* = Definition of this specific land use see WWCC 17.08										
*	Stone, Clay, Glass & Concrete Products	P	P	P4						
	Smelting or Refining Aluminum, Copper, Tin or Zinc		C							
	Storage/Packing Agricultural Produce	P	P	P4				P		
*	Textile Mill Products	P	P	P4				P		
*	Transportation Equipment		P							
*	Truck Stop	P	P					P		
*	Winery	P3	P3					P3		
*	Miscellaneous Light Manufacturing	P	P					P		
	ACCESSORY USES	P	P							
*	Accessory Use	P1	P1	P1, 4	P1			P1		

INDUSTRIAL/MANUFACTURING LAND USES– Development Conditions

1. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
2. Industrial uses limits. Industrial uses shall be subject to the following conditions:
 - a. The noise emanating from industrial activities shall be controlled so as not to become objectionable due to intermittent beat, frequency, volume and duration .
 - b. Industrial and exterior lighting shall not produce glare on public highways and neighboring property. Arc welding, acetylene torch cutting or similar processes shall be screened from any point outside of the property.
 - c. The storage and handling of inflammable liquids, liquefied petroleum, gases, and explosives shall comply with rules and regulations of the State and other County regulations, the Uniform Building Code, and the Uniform Fire Code.
 - d. Provisions shall be made for shielding or other preventive measures against electromagnetic interferences occasioned by mechanical, electrical and nuclear equipment, uses, or processes.
 - e. The emission of odors shall be minimized and the emission of any toxic or corrosive fumes or gases shall be prohibited. Dust, smoke and other types of air pollution shall be minimized.
 - f. Liquid and solid wastes, and storage of animal or vegetable waste which attracts insects or rodents or otherwise creates a health hazard shall be prohibited. No waste products shall be exposed to view from eye level from any property line in an Industrial district.
 - g. All storage shall be located within an area not closer than twenty feet from the street right-of-way line and shall be enclosed with a heavy wire fence or of a similar type, with the top of said fence not to be less than eight feet above the adjoining street level, or by an attractive hedge or board fence at least eight feet high. In the case of the open storage of lumber, coal, or other combustible material, a roadway shall be provided, graded, surfaced and maintained from the street to the rear of the property to permit access of fire trucks.
3. See chapter 17.22 WWCC for winery development standards.
4. The primary building not to exceed 30,000 sq. ft. per establishment.
5. Stationary Thermal Power Plants shall be subject to the following conditions:
 - a. All applicants must enter into agreements with the County for the prepayment of taxes (e.g. property taxes) for mitigation of impacts on the County and its taxing districts;
 - b. All applicants must participate fully in the Energy Facility Site Evaluation Council (EFSEC) siting process including the Potential Site Study (PSS); Integrated Application for Site Certification/preliminary draft Environmental Impact Statement (ASC/pDEIS), and Final Environmental Impact Statement (FEIS).
 - c. The applicant shall enter into such Memoranda of Understanding with the County for studies identified as necessary by the County prior to the local compliance hearing held by EFSEC pursuant to RCW 80.50.090(1) and (2) as now or hereinafter amended.
 - d. Additional costs and impacts identified in the EFSEC/EIS process or in subsequent actions taken thereto, that financially affect the County and that are not mitigated adequately through taxing authorities, may be mitigated through impact fees, and/or cost sharing agreements.
 - e. The applicant shall pay additional staff salaries for those persons employed by Walla Walla County related to the EFSEC siting process together with such overhead and support costs

including wages and employee benefits, goods and services, travel expenses within the state and miscellaneous expenses as arise directly from application processing. (Ord. 274 June 4, 2002)

RECREATIONAL/CULTURAL LAND USES

		RESOURCE				RURAL								
		Primary Agriculture-40	Exclusive Agriculture-120	General Agriculture-20	Agriculture Residential-10	Rural Remote-40	Rural Remote-20	Rural Agriculture -10	Rural Agriculture-5	Rural Floating-2-3	Rural Residential-2	Rural Residential-5	Rural Transition-1/2	Rural Activity Center
KEY P = Permitted Use C = Conditional Use permit required AC = Administrative Conditional Use permit required * = Definition of this specific land use see WWCC 17.08		ZONE												
	SPECIFIC USE													
	PARKS/RECREATION													
*	Golf facility	C5		C5	C	C	C	C	C	C	C	C	C	C
	Gun/Archery Ranges (Outdoor)	C5	C5	C5	C	C	C			C				
	Gun/Archery Ranges (Indoor)	C5		C5	C	C	C	C	C	C	C	C	C	C
*	Park	P5	P5	P5	P	P	P	P	P	P	P	P	P	P
*	Recreational Facility (Public)	P5		P5		P	P	C	C	C	C	C	C	P
	Recreation Facility (Private when 50% or less is owned/partnered by a public agency)	C5		C5	C	C	C	C	C	C	C	C	C	C
	Recreational Vehicle Park & Campgrounds	C1,5		C1, 5	C1	C1	C1	C1						
*	Stables, private	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	C4
*	All-terrain Vehicle Park	C5		C5	C	C	C							
	ENTERTAINMENT													
	Drive-in Theaters													C
	Theaters													P3
	CULTURAL													
	Art Galleries													P3
	Art Studio													P3
*	Assembly Halls	AC		AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	P3
	Outdoor Concert Amphitheaters, Coliseums, Stadiums													C
	Libraries													P3
	Museums													P3
	ACCESSORY USES													
*	Accessory Use	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2

RECREATIONAL/CULTURAL LAND USES – Continued

KEY	INDUSTRIAL & COMMERCIAL						MISC.	
	ZONE	Agriculture Industrial Light	Agriculture Industrial Heavy	Light Industrial	Neighborhood Commercial	Burbank Commercial	Burbank/Port Light Industrial	Burbank Residential

P = Permitted Use C = Conditional Use permit required AC = Administrative Conditional Use permit required * = Definition of this specific land use see WWCC 17.08

KEY
P = Permitted Use
C = Conditional Use permit required
AC = Administrative Conditional Use permit required
* = Definition of this specific land use see WWCC 17.08

	SPECIFIC USE								
	PARKS/RECREATION								
*	Golf facility	C							
	Gun/Archery Ranges (outdoor)								
	Gun/Archery Ranges (indoor)	C		P6					
*	Park	P	P	P	P	P	P	P	P
*	Recreational Facility, public					P		C	P
	Recreation Facility (Private when 50% or less is owned/partnered by a public agency)				P	C		C	
	Recreational Vehicle Park & Campgrounds					P			
*	Stables, private							P4	
*	All-terrain Vehicle Park								
	ENTERTAINMENT								
	Drive-in Theaters			C			C		
	Theaters				P3	P			
	CULTURAL								
	Art Galleries				P3	P3			
	Art Studio	P			P3				
*	Assembly Halls	AC			P3	P3		C3	
	Outdoor Concert Amphitheaters, Coliseums, Stadiums			C			C		
	Libraries	P3			P3	P3		P3	P
	Museums	P3			P3	P3			P
	ACCESSORY USES								
*	Accessory Use	P2	P2	P2	P2	P2	P2	P2	P2

RECREATIONAL/CULTURAL LAND USES – Development Conditions

1. See section 17.32 WWCC for RV Park and Campground development regulations.
2. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
3. Up to 20,000 sq. ft. per establishment
4. See section 17.26 WWCC for Animal Standards
5. This land use type shall not be permitted on lands identified as Primary Significance or Unique farmlands per the adopted maps of the Agricultural Lands Advisory Committee.
6. The primary building not to exceed 12,000 sq. ft. per establishment

RESOURCE LAND USES

	ZONE	RESOURCE				RURAL								
		Primary Agriculture-40	Exclusive Agriculture-120	General Agriculture-20	Agriculture Residential-10	Rural Remote-40	Rural Remote-20	Rural Agriculture -10	Rural Agriculture-5	Rural Floating-2-3	Rural Residential-2	Rural Residential-5	Rural Transition-1/2	Rural Activity Center

KEY

P = Permitted Use

C = Conditional Use permit required

AC = Administrative Conditional Use permit required

***** = Definition of this specific land use see WWCC 17.08

SPECIFIC USE														
AGRICULTURE														
Raising Livestock , Large Scale Commercial	P	P	P	C	P	P	C							
Processor for Animal Killing & Dressing (large scale processing greater than 1,500 square feet of gross floor area)														
Processor for Animal Killing & Dressing (equal to or less than 1,500 square feet of gross floor area)	P		P		P	P	AC							
FISH /WILDLIFE														
Hatcheries	P	P	P	P	P	P	P			P				
MINERAL														
Asphalt Plant														
Concrete Batch Plant														
Rock Crushers	P	P	P	P	P		P							
Quarries, gravel/rock extractions (designated mineral lands)	AC	AC	AC	AC	AC	AC	AC							
Quarries, gravel/rock extractions (non-designated mineral lands)	C	C	C	C	C	C	C	C	C					
ACCESSORY USES														
* Accessory Use	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1			

RESOURCE LAND USES - Continued

KEY P = Permitted Use C = Conditional Use permit required AC = Administrative Conditional Use permit required * = Definition of this specific land use see WWCC 17.08	INDUSTRIAL & COMMERCIAL						MISC.		
	ZONE	Agriculture Industrial Light	Agriculture Industrial Heavy	Light Industrial	Neighborhood Commercial	Burbank Commercial	Burbank/Port Light Industrial	Burbank Residential	Public Reserve

KEY
P = Permitted Use
C = Conditional Use permit required
AC = Administrative Conditional Use permit required
***** = Definition of this specific land use see WWCC 17.08

SPECIFIC USE									
AGRICULTURE									
Raising Livestock, Large Scale Commercial	P	P					P		
Processor for Animal Killing & Dressing (large scale processing greater than 1,500 square feet of gross floor area)	C	C					P		
Processor for Animal Killing & Dressing (equal to or less than 1,500 square feet of gross floor area)	P	P	P				P		
FISH /WILDLIFE									
Hatcheries	P	P							
MINERAL									
Asphalt Plant	P	P							
Concrete Batch Plant	P	P							
Rock Crushers									
Quarries, gravel/rock extractions (designated mineral lands)	AC	AC							
Quarries, gravel/rock extractions (non-designated mineral lands)	C	C							
ACCESSORY USES									
* Accessory Use	P1	P1	P1				P1		

RESOURCE LAND USES –Development Conditions

1. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.

REGIONAL LAND USES

	ZONE	RESOURCE				RURAL								
		Primary Agriculture-40	Exclusive Agriculture-120	General Agriculture-20	Agriculture Residential-10	Rural Remote-40	Rural Remote-20	Rural Agriculture -10	Rural Agriculture-5	Rural Floating-2-3	Rural Residential-2	Rural Residential-5	Rural Transition-1/2	Rural Activity Center

KEY

P = Permitted Use

C = Conditional Use permit required

AC = Administrative Conditional Use permit required

***** = Definition of this specific land use see WWCC 17.08

	SPECIFIC USE													
*	Airports & Accessory Uses													
*	Airports & Aircraft Landing Field	P	P	P	P									
	Bus Passenger Stations													C
	Colleges or Universities, public or private										C	C	C	C
	Colleges, business colleges, trade schools and similar organizations, all without students in residence offering training in specific fields										C	C	C	C
	Heliports and/or Helistops	C		C	C	C	C	C	C	C	C	C		C
	Jails and Penal Institutions													
*	Junkyards													
	Land fills													
	Microwave Relay Stations	P												
	Radio & Television Broadcasting Stations and Towers	P3		P3	P3	P3	P3	C3	C3	C3	C3	C3	C3	C3
	Railroad Freight Yards					P	P							
	Railroad Terminals	P		P	P	P	P	C	C	C	C	C	C	C
	Wind Farm Power Generators, Commercial	C		C		C	C							
*	Wireless Communication Facility	P4, 6	P4, 6	P4, 6	P6	P6	P6	P6	P6	P6	P6	P6	C5, 6	C5, 6
*	Wireless Communication Facility, Attached	P6	P6	P6	P6	P6	P6	P6	P6	P6	P6	P6	P6	P6
	ACCESSORY USES													
*	Accessory Use	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2

REGIONAL LAND USES - Continued

	INDUSTRIAL & COMMERCIAL							MISC.	
	ZONE	Agriculture Industrial Light	Agriculture Industrial Heavy	Light Industrial	Neighborhood Commercial	Burbank Commercial	Burbank/Port Light Industrial	Burbank Residential	Public Reserve

KEY

P = Permitted Use

C = Conditional Use permit required

AC = Administrative Conditional Use permit required

* = Definition of this specific land use see WWCC 17.08

	SPECIFIC USE								
*	Airports & Accessory Uses	C	C				C		
*	Airports & Aircraft Landing Field	P	P				P		
	Bus Passenger Stations					P	P		
	Colleges or Universities, public or private						P		
	Colleges, business colleges, trade schools and similar organizations, all without students in residence offering training in specific fields						P		
	Heliports and/or Helistops	C	C			C	C		
	Jails and Penal Institutions		P						
*	Junkyards		P1						
	Land fills		C						
	Microwave Relay Stations	P	P				P		
	Radio & Television Broadcasting Stations and Towers	P3	P3	P3		P3	P3		
	Railroad Freight Yards		P				P		
	Railroad Terminals					P	P		
	Wind Farm Power Generators, Commercial	C	C						
*	Wireless Communication Facility	P6	P6	P6,7	P6	P6,7	P6,7	C5,6	
*	Wireless Communication Facility, Attached	P6	P6	P6,7	P6	P6	P6	P6	
	ACCESSORY USES								
*	Accessory Use	P2	P2	P2	P2	P2	P2	P2	

REGIONAL LAND USES -- Development Conditions

1. Only permitted when conducted within an enclosure not less than eight feet in height with a solidity of not less than sixty percent and located at least fifty feet from any public street.
2. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
3.
 - A. The applicant shall demonstrate that the selected tower design is as visually unobtrusive as possible, considering technical, engineering, economic or other constraints.
 - B. The tower shall be painted silver or the galvanized finish be retained on towers less than two hundred feet or unless otherwise required by the FAA.
 - C. Appropriate landscaping may be required and/or fencing and signage for radiation.
 - D. No nighttime lighting of the tower may take place unless required by the FAA.
 - E. The tower shall meet the minimum front yard setback for the district in which it is located or twenty percent of its height, whichever is greater and be setback from the side and rear property lines equal to twenty percent of its height.
4. If located within one mile of another Wireless Communication Facility a Conditional Use Permit is required.
5. A conditional use permit for a Wireless Communication Facility shall be subject to the following additional standards:
 - A. Such facilities shall not be injurious to the neighborhood or otherwise detrimental to the public welfare;
 - B. The applicant shall demonstrate the need for the proposed tower (wireless communication support structure) to be located near a residential area, the procedures involved in the site selection and an evaluation of alternative sites and existing facilities on which the proposed facility could be located or co-located;
 - C. A site development plan shall be submitted showing the location, size, screening, and design of all buildings and structures, including fences, the location, size and nature of outdoor equipment, and the location, number, and species of all proposed landscaping;
 - D. The facility shall be designed to be aesthetically and architecturally compatible with the natural and built environment. This includes, but is not necessarily limited to, building design and the use of exterior materials harmonious with the character of the surrounding neighborhood and the use of landscaping and privacy screening to buffer the facilities and activities on the site from surrounding properties. Any equipment or facilities not enclosed within a building (e.g., towers, transformers, tanks, etc.) shall be designed and located on the site to minimize adverse impacts on surrounding properties.
 - E. The applicant shall demonstrate a justification for the proposed height of the structures and an evaluation of alternative designs which might result in lower heights. If additional height over that allowed in the zone is justified it may be approved by the Planning Commission.
 - F. The applicant shall include an analysis of the feasibility of future consolidated use of the proposed facility with other utility facilities.

These requirements shall not apply to utility facilities located on a property which are accessory to the property or to the transmission, distribution or collection lines and equipment necessary to provide a direct utility connection to the property or neighboring properties, or to those utility facilities located on public right-of-way.

6. See Development Standards for Wireless Communication Facilities 17.34 WWCC.
7. If located within one-half mile of another Wireless Communication Facility a Conditional Use Permit is required.

17.16.015 Permitted uses--Airport development district.

- A. The airport development district permits the full range of agricultural, aviation, industrial, office and commercial, public and quasi-public uses and incidental accessory uses.
- B. Specific use or uses of buildings and sites will be permitted by approval of the airport board, based on its land use and development plan. (Ord. 187 (Exhibit A (part)), 1986)

Chapter 17.18

DEVELOPMENT STANDARDS – DENSITY AND DIMENSIONS

Sections:

- 17.18.010 Density and Dimensional Requirements Purpose.**
- 17.18.020 Table of Density and Dimensional Requirements.**
- 17.18.030 Measurement Methods.**

17.18.010 Density and Dimensional Requirements Purpose. The purpose of this chapter is to establish basic dimensional standards for development as well as specific rules for their general application. The standards are established to guide project design, and maintain compatibility and privacy between adjacent uses.

Minimum Lot Area Requirements ¹¹			Minimum Yard Requirements (in feet)			Maximum Impervious Surface Lot Coverage (in percent)	Maximum Height (in feet)
Zone	Acres	Width (in feet)	Front	Side	Rear		
Exclusive Agriculture	120	330	30 (2)	10 (2)	(2)(7)	--	35 (1)
Primary Agriculture	40	330	30 (2)	10 (2)	(2)(7)	--	35 (1)
General Agriculture	20	330	30 (2)	10 (2)	(2)(7)	--	35 (1)
Agriculture Residential	10	330	30 (2)	10 (2)	(2)(7)	--	35 (1)
Rural Remote-20	20 (12)	330	30 (2)	10 (2)	(2)(7)	--	35 (1)
Rural Remote-40	40	330	30 (2)	10 (2)	(2)(7)	--	35 (1)
Rural Agriculture -5	5	200	30 (2)	10 (2)	(2)(7)	--	35 (1)
Rural Agriculture-10	10	330	30 (2)	10 (2)	(2)(7)	--	35 (1)
Rural Floating-2	2 (3)	2-5 acres: 200' >5acres: 300'	30	10	(7)	35	35 (1)
Rural Residential-2	2	200	30	10	(7)	--	35 (1)
Rural Residential-5	5	200	30	10	(7)	--	35 (1)
Rural Transition -½	½	100	30	10	(7)	35	35 (1)
Rural Activity Centers (residential uses) (6)	(4)	(4)	20	10	20	60 (5)	35
Rural Activity Centers (other uses) (6)	(4)	(4)	20	10	(7)	60 (5)	35

1. No limit for barns or other agricultural structures.
2. Buildings housing domestic animals or any use that produces offensive noise, vibration, smoke, dust, odors, heat or glare shall maintain a 75 ft. front yard setback and 50 ft. side and rear yard setbacks.
3. If the proposed lot contains areas within a floodway and/or 100 year floodplain and/or slopes over 15%, area equal to that must be included in the lot up to a total of 3 acres.
4. Lot sizes shall be sufficient to meet public health and environmental protection standards established by the Walla Walla County Health Department. Subdivision of land shall be subject to the density provisions of adjacent zones.
5. An additional 15% may be covered if at least 20% of the lot is landscaped.
6. The dimensional standards in this zone may be administratively modified during site plan review.
7. Rear yard setbacks will be in compliance with the Unified Building Code.

17.18.020 Table of Density¹⁰ and Dimensional Requirements (Continued from previous page)

Minimum Lot Area Requirements ¹¹			Minimum Yard Requirements (in feet)			Maximum Impervious Surface Lot Coverage (in percent)	Maximum Height (in feet)
Zone	Acres	Width (in feet)	Front	Side	Rear		
Agriculture Light Industrial	--	--	(8)	(8)	(8)	75	--
Agriculture Heavy Industrial	--	--	(8)	(8)	(8)	75	35
Neighborhood Commercial	--	--	15	5	15	75	35
Light Industrial	--	--	(8)	(8)	(8)	75	--
Burbank Residential	(9)	(9)	20	10	25	35	35
Burbank Commercial	--	--	15	5	15	75	35
Burbank/Port Light Industrial	--	--	(8)	(8)	(8)	75	--

8. No restrictions, except 50ft. yard setbacks are required where abutting a residential district.

9. Lot sizes shall be sufficient to meet public health and environmental protection standards established by the Walla Walla County Health Department.

10. Density Calculation. To calculate allowed density for any given site in the County, the gross area of the site is multiplied by the allowed density per acre that applies to the zone where the site is located. The result is the maximum number of units that may occupy that site. For the purposes of this calculation, fractional values shall be rounded to the nearest whole number (0.5 and above, round up; below 0.5, round down).

Example:

$$90 \text{ (gross site area in acres)} \times \frac{1/40 \text{ Primary Agriculture allowed density is 1 dwelling unit per 40 acres}}{2 \text{ maximum allowed dwelling units}} =$$

11. Dedicated right of way shall not be calculated into meeting the minimum required lot size of the respective zone.

12. The buildable area shall not include lands with slopes greater than 15%, geologically unstable slopes and lands which lie within the 100-year floodplain

17.18.040 Measurement Methods.

- A. Yard, front. "Front yard" means a yard extending between side lot lines across the front of a lot. In any required front yard, no fence or wall shall be permitted which materially impedes vision across such yard above the height of forty-two inches. No hedge or other vegetation shall be permitted which impedes vision across such yard greater than forty-two inches, and no fall-out shelter shall be permitted, either aboveground or underground.
1. In the case of "through lots," unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the director of planning may waive the requirement for the normal front yard and substitute therefore a special yard requirement which shall not exceed the average of the yards provided on adjacent lots.
 2. In the case of "corner lots," which do not have reversed frontage, a front yard of the required depth shall be provided in accordance with the prevailing yard pattern and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.
 3. In the case of "reversed frontage lots," a front yard of the required depth shall be provided on either frontage, and a second front yard of half the depth required generally for front yards in the district shall be provided on the other frontage.
 4. In the case of "corner lots" with more than two frontages, the director of planning shall determine the front yard requirements, subject to the following limitations:
 - a. At least one front yard shall be provided having the full depth required generally in the district.
 - b. No other front yard on such lot shall have less than half the full depth required generally. (Ord. 70 53.80, 1967)
- B. Yard, rear. "Rear yard" means a yard extending across the rear of the lot between inner side yard lines. In the case of "through and reversed frontage corner lots," there will be no rear yard. In the case of "corner lots" with normal frontage, the rear shall extend from the inner side yard line of the side yard adjacent to the interior lot to the rear line of the half-depth front yard. (Ord. 70 §3.82, 1967)
- C. Yard, side. "Side yard" means a yard extending from the rear line of the required front yard to the rear lot line. In the case of "through lots," side yards shall extend from the rear lines of the front yards required. In the case of "corner lots" with normal frontage, there will be only one side yard, adjacent to the interior lot. In the case of "corner lots" with "reversed frontage," the yards remaining after the full and half-depth front yards have been established shall be considered the side yards. (Ord. 70 §3.81, 1967).

Chapter 17.20

DEVELOPMENT STANDARDS- OFF-STREET PARKING AND LOADING AREAS

Sections:

ARTICLE I. INTRODUCTION

17.20.010 Intent.

ARTICLE II. OFF-STREET PARKING

17.20.020 General requirements.
17.20.030 Location.
17.20.040 Expansion and enlargement.
17.20.060 Mixed occupancies.
17.20.070 Uses not specified.
17.20.080 Joint use.
17.20.090 Conditions required for joint use.
17.20.100 Table of minimum standards.
17.20.110 Plans.

ARTICLE III. LOADING AREAS

17.20.120 General requirements.

ARTICLE I. INTRODUCTION

17.20.010 Intent. Provisions of this chapter are of a general application to the zoning districts described in Sections 17.12.030 and in Chapter 17.16. It is the intent of this chapter to set down provisions for off-street parking and loading areas, to prevent congestion in the streets, promote and protect property values and to provide for the health, safety and welfare of the citizenry. (Ord. 70 §6.00, 1967)

ARTICLE II. OFF-STREET PARKING

17.20.020 General requirements. Each off-street parking space shall have a net area of not less than two hundred square feet exclusive of driveways or aisles, and shall be of usable shape and condition; to determine on a gross area basis, three hundred square feet shall be allowed per vehicle. If the required parking space for a one-family or two-family dwelling is not provided in a covered garage, then such space shall be not less than two hundred square feet, and shall be so located and/or constructed that it may later be covered by a garage structure in accordance with the provisions of this title and the building code, where applicable. (Ord. 70 §6.01(part), 1967)

17.20.030 Location. Off-street parking facilities shall be located as specified in this chapter. Where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facilities to the nearest point of the building that such facility is required to serve.

- A. For one-family and two-family dwellings off-street parking facilities shall be located on the same lot with the building they are required to serve;
- B. For multiple dwellings, off-street parking facilities shall be located not more than one hundred feet from the building they are required to serve;
- C. For hospitals, convalescent homes, nursing homes, rest homes, homes for the aged, retirement homes, off-street parking facilities shall be located not more than three hundred feet from the building they are required to serve;
- D. For uses other than those specified above; off-street parking facilities shall be located not more than five hundred feet from the building they are required to serve. (Ord. 70 §6.01(A), 1967)

17.20.040 Expansion and enlargement.

- A. Whenever the gross usable area of any building is enlarged, off-street parking shall be provided for said expansion or enlargement in accordance with the requirements of the schedule; provided, however, that no parking space need be provided in the case of enlargement or expansion where the number of parking spaces required for such expansion or enlargement is less than ten percent of the parking spaces, specified in the schedule for the building.
- B. Nothing in this provision shall be construed to require off-street parking spaces for the portion of such building existing at the time of passage of the ordinance codified in this title. (Ord. 70 §6.01(B), 1967)

17.20.060 Mixed occupancies. In the case of mixed uses, the total requirements for the various uses shall be computed separately. Off-street parking facilities for one use shall not be considered as specified in this title for joint use. (Ord. 70 §6.01(D), 1967)

17.20.070 Uses not specified. In the case of a use not specifically mentioned in this title, the requirements for off-street parking facilities shall be determined by the Director of Regional Planning. Such determination shall be based upon the requirements for the most comparable use listed. (Ord. 70 §6.01 (E), 1967)

17.20.080 Joint use. The Director of Regional Planning may authorize the joint use of parking facilities for the following uses or activities under conditions specified:

- A. Up to fifty percent of the parking facilities required by this chapter for primarily "night time" uses such as theaters, bowling alleys, bars, restaurants and related uses, may be supplied by certain other types of buildings or uses referred to in this title as "daytime" uses, such as banks, offices, retail, personal service, or wholesale and related uses.
- B. Up to fifty percent of the parking facilities required by this chapter for primarily "daytime" uses may be supplied by primarily "night time" uses.
- C. Up to one hundred percent of the parking facilities required by this chapter for a church or for an auditorium incidental to a public or parochial school, may be supplied by the off-street parking facilities provided by uses primarily of a "daytime" nature. (Ord. 70 §6.01(F), 1967)

17.20.090 Conditions required for joint use. The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use, shall be located within five hundred feet of such parking facilities, in addition to which:

- A. The applicant shall show that there is not substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed; and
- B. The applicant shall present a properly drawn legal instrument, recorded with the county auditor, executed by the parties concerned for joint use of off-street parking facilities. (Ord. 70 §6.01(G), 1967)

17.20.100 Table of minimum standards. Required off-street parking spaces shall be in conformance with the following table and where alternative standards prevail, the greater applies in conflicting computations:

Use	Spaces Required
Residential, all types except for those noted below	2 per dwelling unit
Residential, duplex or multifamily	2 per dwelling unit
Adult Family Homes and Long Term Care Facilities	1 per 6 beds plus 1 per each permanent staff employee
Retirement homes	.50 per dwelling unit
Motels/Hotels	1 per sleeping room
Hospitals and Health Care institutions	1 per 3 beds
Theaters	1 per 3 seats
Churches, auditoriums and similar enclosed places of assembly	1 per 3 seats or 60 lineal inches of pew or 40 square feet of gross floor area used for assembly purposes, whichever is greater.
Stadiums, sport arenas and similar open assemblies	1 per 8 seats and/or 1 per 100 square feet of assembly space without fixed seats, whichever is greater.

Use	Spaces Required
Medical and dental clinics	1 per 250 square feet of gross floor area
Banks, business and professional offices	1 per 400 square feet of gross floor area
Offices not providing on-site services	1 per 4 employees or 1 per 800 square feet of gross floor area
Mortuaries	1 per 75 square feet of gross floor area used for assembly
Warehouses, storage and wholesale business and freight terminals	1 per 2 employees on maximum working shift
Food and beverage places with sale and consumption on premises	
a. If less than or equal to 5,000 square ft. of gross floor area	1 per 75 square feet of gross floor area
b. If over 5,000 square feet of floor area	20 plus 1 per 100 square feet of gross floor area in excess of 5,000 square feet
Retail Store	1 per 300 square feet of gross floor area
Auto parts, machinery, plumbing, heating, ventilating, building supplies stores and services	1 per 1,000 square feet of floor area or 1 per 3 employees, whichever is greater.
Other Retail:	
a. If equal to or less than 5,000 square feet of floor area	1 per 300 square feet of gross floor area
b. If over 5,000 square feet of floor area	17 plus 1 per 100 square feet in excess of 5,000 square feet
Manufacturing uses, research testing and processing, assembling all industries	1 per 2 employees on maximum shift and not less than 1 per each 800 square feet of gross floor area
Libraries and museums	1 per 250 square feet of gross floor area
Schools, elementary and junior high, public, private or parochial	1 per each employee and each faculty member
Schools, high, public, parochial, private	1 per 8 students plus 1 per each employee and each faculty member
Service stations, and drive-in restaurants	1 per 80 square feet gross floor area with 10 spaces minimum requirement
Parking requirements for other uses not specified here to be determined by the Director of Planning or his/her designee.	

(Ord. 70 56.01 (H), 1967)

17.20.110 Plans. The plan of the proposed parking area shall be reviewed by the County at the time of the application for the building permit for which the parking area is required unless otherwise

reviewed as part of another permit. The plan shall clearly indicate the proposed development, including location, size, shape, design, curbcuts, lighting, landscaping, construction details, and other features, and appurtenances proposed.

- A. All traffic control devices such as parking stripes designating car stalls, directional arrows or signs, bull rails, curbs, and other developments, shall be installed and completed as shown on the approved plans. Hard-surfaced parking areas shall use paint or similar devices to delineate car stalls and directional arrows. Gravel parking areas shall use wood or concrete bull rails or wheelstops and posted signs to delineate car stalls and direction of traffic. Where pedestrian walks are used in parking lots they shall be curbed, or raised six inches above the lot surface. All driveways, off-street parking areas and public off-street areas immediately adjacent to a service driveway which leads to a hard-surfaced public street shall be hard-surfaced with a minimum of two inches of asphaltic concrete, and for a driving distance of at least fifty feet from said service driveways
- B. Minimum dimensions of off-street parking spaces shall be not less than two hundred square feet with minimum width of nine feet.
- C. Landscaping, screening and lighting shall be provided in accordance with the provisions in chapter 17.33.
- D. Maintenance of all areas for off-street parking shall include removal and replacement of dead and dying trees, grass and shrubs, removal of trash and weeds, and repair of traffic control devices, signs, light standards, fences, walls, surfacing material, curbs and railings. (Ord. 70 §6.01 (1), 1967)

ARTICLE III. LOADING AREAS

17.20.120 General requirements. Each off-street loading space shall measure not less than thirty feet by twelve feet and shall have an unobstructed height of fourteen feet, six inches and shall be made permanently available for such purposes, and shall be surfaced, improved and maintained as required in Section 17.20.110. (Ord. 70 §6.02, 1967)

Chapter 17.22

DEVELOPMENT STANDARDS-WINERIES

Sections:

17.22.010	Purpose.
17.22.020	Definition.
17.22.030	Accessory Uses.
17.22.040	Parking.
17.22.050	Building Occupancy.
17.22.060	Events.
17.22.065	Outdoor Entertainment Event
17.22.070	Access.
17.22.080	Landscaping.
17.22.090	Tasting Rooms.
17.22.100	Food Service.
17.22.110	Ancillary Retail Sales.
17.22.130	Conditional Use Permit Application.

17.22.010 Purpose. The regulations set out in this chapter set forth guidelines for winery development.

17.22.020 Definition. A winery is a facility specifically designed for the crushing, fermentation, barrel aging, bottling, case goods storage and retail and/or wholesale sales of wine.

17.22.030 Accessory Uses. Uses that are clearly related to and incidental to the production of wine are allowed accessory uses to a winery. These uses may include but are not limited to the following: administrative offices, laboratories, employee day care, tours and tasting, retail/wholesale wine sales, ancillary retail sales (see 17.22.110 wwcc), public display of art or wine-related items, picnic areas, recreation areas, and food preparation (see 17.22.100 wwcc).

17.22.040 Parking. The applicant must provide a copy of the parking site plan and also an overflow parking site plan at the time of Conditional Use Permit application. No event may cause the parking to exceed that which is permitted via the parking site plan(s). The only exception in which the number of people allowed at an event may exceed the number allowed by available parking is if alternative transportation to the event is arranged.

17.22.050 Building Occupancy. The applicant must provide detailed information about expected building occupancy at the time of Conditional Use Permit application.

17.22.060 Events.

- A. Public Event: A publicly advertised indoor or outdoor gathering of people wherein individuals remain on-site for a consecutive period of two or more hours. Capacity at events will be limited by building occupancy limitations and/or parking limitations, whichever is more appropriate to the setting of the event.
- B. Private Event: An event which is not advertised to the public-at-large, but which may be advertised to persons on a private mailing list. A winemaker dinner is an example of such an event.
- C. Special Event: An outdoor event wherein there is a scheduled performance that will accommodate more than 500 people. This event will require a "Special Event Permit" to be

issued by the Department of Regional Planning a minimum of three days prior to the event. This permit will take into account public health, safety, and welfare standards in addressing issues such as traffic control, sanitary waste disposal, adequate crowd control measures, etc.

- D. Exemptions: the following are considered exempt from the above definitions as they are part of the everyday operation of the winery and/or are regional events:
- E. Daily traffic related to the function of the winery and tasting room;
- F. Walla Walla Wine Alliance functions such as Holiday Barrel Tasting Weekend, Spring Release Weekend and Walla Walla Balloon Stampede Weekend.
- G. The County Planning Commission may place a limit on the number of or size of events allowed. This is to be based on findings of fact which specify the need to mitigate impacts via these limitations.

17.22.065 Outdoor Entertainment Event. A winery sponsored outdoor entertainment event is an outdoor event where there is a scheduled performance that will accommodate more than 500 people. Outdoor Entertainment Events require an "Entertainment Event Permit" to be issued by the Department of Regional Planning a minimum of three days prior to the event. This permit will take into account public health, safety, and welfare standards. The County Planning Commission may limit the number of permits issued as the need is established.

17.22.070 Access. The winery will have adequate access from a public road. If an on-site driveway is utilized, it must be 20' in width with a gravel surface. The radius return of the road must be asphalt surfaced. Emergency vehicle turn-arounds must be provided if the driveway is more than 150' in length. Wineries that share a private road must submit a road maintenance agreement at the time of CUP application, signed by all legal property owners or their legal designee(s). Without this agreement included as part of the application, the application will be incomplete and will not be considered for approval until the agreement is submitted. All legal property owners (those with legal access to the private road in question) must sign for the Conditional Use Permit to be approved. Upon approval of the Conditional Use Permit application, the road maintenance agreement will be legally recorded.

17.22.080 Landscaping. The applicant may utilize grapevines as a part of the landscaping requirements in proportionate share to the landscaping requirement per the Walla Walla County Code requirements.

17.22.090 Tasting Rooms. Tasting rooms, as an ancillary use to a winery, will be allowed in most zones unless prohibited via the Conditional Use Permit based on findings of fact identifying the specific impacts that cannot be satisfactorily mitigated. Due to the unique zoning within the Exclusive Agriculture zone, tasting rooms will be restricted in operation. For example, strict limitations on operating hours and number of events will be imposed as a condition of the Conditional Use Permit. Tasting rooms may also not be allowed as an ancillary use within the Exclusive Agriculture zone.

17.22.100 Food Service. Wineries will be allowed limited food services on-site. This food service is not to include restaurants, unless otherwise allowed in the zone, but may include the following:

- A. Deli-service of pre-packaged food
- B. Winemaker dinners
- C. Tasting room events with food
- D. On-site catering for events

The following criteria must be met:

- A. No interior seating will be dedicated solely to the purpose of meal service
- B. No food will be cooked to order, although a list of pre-packaged foods may be posted.

17.22.110 Ancillary Retail Sales. Ancillary retail sales will be confined to the tasting room area. If there is not a tasting room, retail sales of merchandise other than wine and winery-related equipment will not be allowed. Retail sales must be clearly accessory to the purpose of the winery and be detailed within the supplemental information sheet. These sales may include, but will not be limited to items such as: trademark items, items which promote the valley or the wine industry, art, pre-packaged foods and cheese.

17.22.130 Conditional Use Permit Application. A supplemental information sheet will be required for all winery Conditional Use Permits. A Conditional Use Permit application may be re-visited by the Walla Walla County Planning Commission if any of the above activities are deemed outside of the scope, purpose and/or use of a winery.

Chapter 17.23

DEVELOPMENT STANDARDS - ESSENTIAL PUBLIC FACILITIES

Sections:

17.23.010	Purpose.
17.23.020	Scope.
17.23.025	Definition.
17.23.030	Identification of Essential Public Facilities.
17.23.040	Advisory Committee.
17.23.050	Responsibilities of the Advisory Committee.
17.23.060	Conditional Use.
17.23.070	Timing.
17.23.080	Appeal.
17.23.090	Secure Community Transition Facilities.

17.23.010 Purpose. The purpose of this chapter is to provide a cooperative and structured siting process for essential public facilities which is intended to implement the County Wide Planning Policies.

17.23.020 Scope. This chapter applies to the siting of essential public facilities. These procedures do not displace the provisions of Chapter 17.40 Conditional Uses, which apply to particular locations after development of site selection criteria and identification, analysis, and ranking of potential project sites in accordance with this chapter. The provisions of this chapter are deemed to be prerequisite steps in the conditional use process for essential public facilities.

- A. Sections 17.23.050 and 17.23.060 do not apply to siting of essential public facilities for which a statutory siting process exists which preempts the siting process established by this chapter.

17.23.025 Definition. "Essential Public Facilities" mean those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes and secure community transition facilities as defined in RCW 71.09.020 and includes supporting facilities needed for such essential facilities. It is not necessary that the facilities be publicly owned.

17.23.030 Identification of Essential Public Facilities.

- A. Essential public facilities may be identified by state statute.
- B. State agencies may identify essential public facilities by including them on the list of essential state public facilities maintained by the state office of financial management.
- C. The County may identify essential public facilities to be located in the County by scheduling such facilities in its comprehensive plan.
- D. All other facilities offered for identification as essential public facilities shall be submitted by interpretation request in accordance with section 14.03.020 B WWCC. Such interpretation shall be made with an opportunity for public input, without public hearing, and with a right of appeal to the Planning Commission.

17.23.040 Advisory Committee. When an essential public facility is identified and proposed to be located within the County, the local government(s) involved will appoint an advisory committee composed of citizen members selected to represent a broad range of interest groups.

- A. The advisory committee shall consist of an odd number of members of no less than three (3) and no more than nine (9), unless membership is expanded as provided in this section. If the governing bodies cannot agree upon the method of appointment of committee members, the local government for the area in which the facility is initially proposed to be located shall be allowed to appoint a simple majority of the committee members and all other local governments involved shall be allowed to appoint at least one (1) member.

17.23.050 Responsibilities of the Advisory Committee. It will be the responsibility of the advisory committee to develop specific siting criteria for the proposed project and to identify, analyze, and rank the potential project sites. In considering potential project sites, the committee shall not be limited to the area in which the project is initially proposed.

- A. The committee shall consider the need for the particular facility in light of established level of service standards and planning assumptions.
- B. The committee shall consider such factors required by law to be considered for the type of facility proposed.
- C. The committee shall include an evaluation of feasible alternative sites and of equity in geographical distribution.
- D. The committee shall not consider sites in incorporated areas of Walla Walla County unless the governing body for such area(s) have either appointed or been given an opportunity to appoint committee member(s).
- E. Committee meetings shall be conducted in accordance with Washington's Open Public Meetings Act, RCW ch 42.30, as amended.

17.23.060 Conditional Use. Once siting criteria are developed and potential project sites are identified, analyzed and ranked, the conditional use process, chapter 17.40 WWCC, may be initiated for the highest ranked potential project site. If the highest ranked potential project site is unavailable or disapproved for a conditional use permit, the conditional use process may be initiated for the next highest ranked potential project site. The conditional use process may be initiated for lower ranked potential project sites in like manner if all higher ranked sites are either unavailable or disapproved for a conditional use permit. In addition to general review criteria and approval conditions considered during the conditional use process, such process shall also:

- A. Evaluate the extent to which design features or operational conditions can eliminate or reduce unwanted project impacts;
- B. Where appropriate, establish incentives or require amenities for siting in particular areas.
- C. Consider such criteria and conditions of approval required by law to be considered for the type of facility proposed.

17.23.070 Timing. The siting process and conditional use process shall each be concluded as soon as practicable; provided, however, that such processes shall be concluded no later than such period(s) required by law.

17.23.080 Appeal. Siting decisions may not be appealed until conclusion of the conditional use process. The time period for filing an appeal of a siting decision shall commence on the date the Planning Commission either grants or denies approval of a conditional use request. Appeal of siting decisions shall be consolidated with the appeal of conditional use decisions and may be made in accordance with WWCC 14.11.

17.23.090 Secure Community Transition Facilities. Only those secure community transition facilities proposed in accordance with subsections (6) and (7) of RCW 71.09.250, may be sited in Walla Walla County.

A. the maximum number of secure community transition facility beds that may be sited in Walla Walla County before June 30, 2008, shall be no greater than the total number of persons civilly committed to the special commitment center on McNeil Island from Walla Walla County under Chapter 71.09 of the Revised Code of Washington, or detained at the special commitment center under a pending civil commitment petition from Walla Walla County where a finding of probable cause had been made on April 1, 2001. The maximum number of additional secure community transition facility beds that may be sited in Walla Walla County between July 1, 2008 and June 30, 2015, shall be no greater than the total number of persons civilly committed from Walla Walla County, or detained at the special commitment center under a pending civil commitment petition from Walla Walla County where a finding of probable cause had been made, reduced by the number of unoccupied secure community transition beds already sited in Walla Walla County, as of July 1, 2008.

1. The maximum number of secure community transition facility beds that may be sited in Walla Walla County cannot be expanded by election to site additional secure community transition facility beds under the incentive program created by RCW 71.09.250 subsection 7(b), or by any other means, unless the Walla Walla County Board of County Commissioners approves such election by resolution. In the event that the Walla Walla County Board of County Commissioners elect site additional secure community transition facility beds in Walla Walla County under the incentive program created by RCW 71.09.250 subsection (7) (b), the maximum number of secure community transition facility beds that may be sited in Walla Walla County shall be established by resolution.

B. Sections 17.23.020, 17.23.030, 17.23.040, 17.23.050, 17.23.060, 17.23.070, 17.23.080, and 17.23.090 apply to siting of secure community transition facilities in addition to this section.

1. In addition to the requirements of section 17.23.060, the advisory committee established in accordance with section 17.23.050 shall consider, but not be bound or limited by, the policy guidelines adopted in accordance with subsection (6) (b) of RCW 71.09.250, and give great weight to, but not be bound or limited by, the equitable distribution factors established by subsection (8) and (9) of RCW 71.09.250.

2. In addition to the requirements of section 17.23.060 and subsection 17.23.100(B)(1), the advisory committee established in accordance with section 17.23.050 shall provide public notice and conduct public hearings similar to those required by subsections (1) and (2) of section RCW 71.09.315 (transition facilities -- Public notice, review, and comment).

Chapter 17.24

DEVELOPMENT STANDARDS- FENCES

17.26.010 General requirements.

- A. Solid fences a maximum of forty-two inches high are permitted in front yards to the front property lines including corner lots. Open rail fences a maximum of four feet six inches in height are permitted in front yards where the total fence height is not less than two-thirds open. Six-foot-high fences are permitted in side and rear yards.
- B. Fences which deprive adjacent properties of a natural view of the landscape which is a contributing factor in the value of the land, are prohibited.

Chapter 17.26

DEVELOPMENT STANDARDS—ANIMALS

Sections:

- 17.26.010** **General requirements.**
- 17.26.015** **Animals not addressed.**
- 17.26.020** **Table of minimum standards for animals.**
- 17.26.025** **Sanitation.**
- 17.26.030** **Open range area.**

17.26.010 General requirements. Animals and fowl kept for domestic purpose, not including commercial operations, shall be in conformance with the table set out in Section 17.26.020. (Ord. 70 §6.04, 1967)

17.26.015 Animals not Addressed. Minimum standards for any type of animal or fowl not addressed or not similar to those listed in this chapter as determined by the Planning Director shall be established by the Planning Commission.

17.26.020 Table of minimum standards for animals. Minimum standards for animals shall be as follows:

Type of Animal

Conditions

Horses – Mules - Cows -
llamas

20,000 square feet of open fenced area for a maximum of two horses or mules. Plus, 10,000 additional square feet for each additional animal. Barns used for the housing of animals and storage of hay should be accessory buildings. Fences in residential zones for animals may be wood or woven wire construction of not less than four (4) feet in height nor more than six (6) feet. A maximum of two (2) strands of either barbed wire or electric fence with proper signs is allowed, if constructed a minimum of 12 inches inside the regular fence. All animal fencing shall be located or constructed in such a manner as to prevent the animals from encroaching on the abutting premises or property in any manner to prevent the destruction of trees, shrubbery and bushes. An enclosure for animals which does not provide forage shall be constructed 25 feet from the nearest lot line.

Dogs, cats

Not more than a combined total of four dogs or cats over six months of age on a parcel containing 1/2 acre or less and no more than a combined total of six on a parcel greater than one-half acre.

All cages, pens, runs or kennels used for holding animals shall be kept a minimum of 10 feet from any property line and shall be in a clean and sanitary condition, and must be disinfected on a routine basis. All waste material must be removed daily and disposed of in a sanitary method in accordance with regulations of the city/county health department.

Type of Animal**Conditions**

Sheep, Goats and Pygmy Goats

2,500 square feet of open fenced area per sheep or goat. Fencing requirements shown for horses applied here.

Swine

Not permitted

Fowl, Poultry, Rabbits, Chinchillas, Nutrias

A maximum combined total of 50 animals are permitted per 6,000 sq. ft. of dedicated space or proportion thereof, and shall be housed in a pen or coop and further enclosed by a fence. Pens and coops shall be no closer than 45 feet from any residence and shall also observe minimum yard requirements, whichever is greater. No retail stand or building or killing or dressing of said animals for commercial purposes shall be permitted.

Bees

The number of colonies of bees shall be limited to one colony for each 2,000 square feet of open space-when permitted by Conditional Use Permit

1. During the period from June 1st until September 1st of each year the following regulations will be in effect in the area described below in (2).

A. Not more than one honey bee colony per acre of property cropped in commercial alfalfa for seed and/or commercial clover for seed that is blossoming is permitted.

B. Not more than 1/4 honey bee colony per acre of property with blossoming bee forage of other types is permitted.

C. Not more than 50 colonies are permitted in an apiary.

D. Apiaries must be setback from property lines a distance of four feet per colony.

E. Apiaries must be separated a distance of 400 feet and must be located within 400 feet of blossoms intended as forage.

2. Honey Bee Control Area (June 1st to September 1st)

Sections 1-3, 10-15, T6N, R32, EWM; Sections 13-15, 22-27, 34-36, T7N, R32, EWM; all of T6N, R33, EWM; Sections 13-36, T7N, R33, EWM; all of T6N, R34, EWM and Section 13-36 of T7N, R34, EWM, lying within Walla Walla County, Washington.

17.26.025 Sanitation. All animal enclosures including but not limited to pens, stalls, and corals shall be maintained in such a manner so as to prevent the enclosure from becoming a breeding place for insects or flies or from becoming unsanitary or a nuisance.

Bee hives shall be registered as per Chapter 15.60 RCW. (Ord. 70 §§6.04.01, 6.04.02, 1967; Amd. 19 §5, 11-9-70; Amd. 25 §4, 3-22-71; Amd. 111, 2-28-78; Amd. 85-388 (Exhibit A(part)), 12-10-85; Amd 188 (part), 6-19-89; Amd. 3, 7-25-95)

17.26.30 Open range area. See 6.08 WWCC

Chapter 17.28

DEVELOPMENT STANDARDS— SIGNS

Sections:

17.28.005	Purpose.
17.28.010	Sign standards.
17.28.020	Off premise signs.
17.28.030	Outdoor advertising display.
17.28.040	Billboards.
17.28.050	Sign setbacks.
17.28.060	Sign height.
17.28.070	Building permits required.
17.28.080	Exempt signs.
17.28.090	Prohibited signs.

17.28.005 Purpose. The purpose of this chapter is to enhance the visual environment of the county by regulating the location size and appearance of signs and outdoor advertising.

17.28.010 Sign Standards. A. The light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness will not be a nuisance to surrounding areas. Any externally illuminated sign shall be oriented away from the surrounding residences, and away from streets.

B. Signs projecting over an internal sidewalk or vehicular traffic area shall be at least 8 feet above internal walkways and at least 16 feet above any area used for vehicular traffic.

C. Signs are permitted in all zoning districts except for residential districts.

17.28.020 Off premise signs. Off premise signs are not allowed except for temporary events not to exceed 3 days unless documentation is provided that the temporary events exceed 3 days. In no case shall the temporary event signage exceed 30 days annually.

17.28.030 Outdoor advertising display. Outdoor advertising displays are permitted in all zones, except residential districts.

17.28.040 Billboards. A. Billboards are allowed in Industrial, Primary Agriculture and Agriculture Residential zones.

B. Billboards along state Routes are subject to permitting regulation by Washington State Department of Transportation.

C. Billboards along State Scenic/Historical Routes, outside of the jurisdiction of the Washington State Department of Transportation will be regulated for compatibility with the Scenic/Historical nature of the route.

17.28.050 Sign setbacks. A. For Industrial and Commercial districts a setback minimum of 5 feet from the leading edge of the sign to the street right of way or property line, which ever is greater, is required.

B. For all other districts a minimum of 30 feet from the leading edge of the sign to the street right of way or property line, which ever is greater, is required.

17.28.060 Sign height.

- A. For Industrial districts a maximum of 80 feet, measured from average grade to the highest point on the sign, is allowed.
- B. For Commercial districts a maximum of 50 feet, measured from average grade to the highest point on the sign, is allowed.
- C. For all other districts, a maximum of 35 feet, measured from the average grade to the highest point on the sign, is allowed.

17.28.070 Building permits required. A. Building permits are required for Billboards, Outdoor Advertising Displays and Signs.

17.28.080 Exempt signs.

- A. Signs exempt from the above standards include:
 - 1. Signs not exceeding two square feet in area and bearing only property numbers, post box numbers, names of occupants of premises, professional or announcement signs or other identification of premises not having commercial connotations;
 - 2. Real estate signs not exceeding six square feet in area, advertising the sale or rental of premises or land upon which they are erected.
 - 3. Flags and insignias of any government except when displayed in connection with commercial promotion.
 - 4. Legal notices identification, information, or directional signs erected or required by governmental bodies.
 - 5. Integral decorative or architectural features or buildings, except letters, trademarks, moving parts, or moving lights.
 - 6. Signs directing and guiding traffic and parking to private property, but bearing no advertising matter.
 - 7. Banners, streamers or emblems over or across any street, alley or part thereof that causes no nuisances or hazard to the vehicle or pedestrian traffic.

17.28.090 Prohibited signs.

- A. The following signs are prohibited:
 - 1. Signs on any vehicle or trailer that is parked on public or private property and visible from a public right-of-way for the purpose of circumventing the provisions of this Chapter. This provision shall not prohibit signs that are painted on or magnetically attached to any vehicle operating in the normal course of business.
 - 2. Signs that purport to be, are an imitation of, or resemble an official traffic sign or signal, could cause confusion with any official signs, or which obstruct the visibility of any traffic/street sign or signal;
 - 3. Signs attached to utility, street light, and traffic control standard poles;
 - 4. Signs attached to trees or rocks;
 - 5. Swinging projecting signs;
 - 6. Signs, together with their supports, braces, guys and anchors that are not maintained in a neat, clean and attractive condition, free from rust, corrosion, peeling paint or other surface deterioration;
 - 7. Abandoned signs;
 - 8. Flashing, blinking or fluttering parts of signs;
 - 9. Signs that are unsafe or hazardous;
 - 10. Signs on doors, windows, or fire escapes that restrict free ingress or egress;
 - 11. Unique signs unless specifically approved by the Regional Planning Director when deemed necessary. Approval of the sign is based on the effect of the proposed sign

not contributing to a cluttered, confusing or unsafe condition, or would not be in conflict with the character of the zoning district.

12. Signs on public property without prior approval.
13. Searchlights or beacons.
14. Changing message centers.
15. Any other sign not meeting the provisions of this Chapter.

Chapter 17.30

DEVELOPMENT STANDARDS- RURAL FARMWORKER COMMUNITIES

Sections:

17.30.010	Purpose
17.30.020	Definition
17.30.030	Applicability
17.30.040	Requirements for Rural Farmworker Communities
17.30.050	Design Guidelines

17.30.010 Purpose. The regulations set out in this chapter set forth guidelines for future Rural Farmworker Community developments.

17.30.020 Definition. Rural Farmworker Communities are planned developments of four or more dwelling units providing permanent and/or temporary housing to farmworkers and their family members. The housing units are grouped on a single lot and may be either single family or multifamily or a combination. Rural Farmworker Communities may also provide housing related service facilities such as day care, meeting rooms, laundry rooms, offices, churches, recreation facilities, health services, convenience retail and storage facilities.

17.30.030 Applicability. Rural Farmworker Communities are allowed in the Exclusive Agriculture, Primary Agriculture, General Agriculture, and Agriculture Residential zones subject to a Conditional Use Permit. The Comprehensive Plan designates Vista Hermosa and Eureka as Rural Farmworker Communities. Additional proposed Rural Farmworker Communities may be approved if consistent with the intent of the Comprehensive Plan.

17.30.040 Requirements for Rural Farmworker Communities.

- A. Dwelling units within Rural Farmworker Communities must be used exclusively to house farmworkers and their family members. A covenant shall be recorded in a form acceptable to the County, stipulating that the farmworker communities are exclusively for use by farmworkers and their family members.
- B. Rural Farmworker Communities may include dwelling units for use by an on-site manager, caretaker or watchman and their family members.
- C. Rural Farmworker Communities must conform with applicable building and health regulations;
- D. Rural Farmworker Communities shall be owned and maintained by the owner or operator of an agricultural operation who employs farmworkers; or by an established non-profit organization, housing authority, growers co-op, or other corporate entity with a binding commitment to long-term maintenance and operation of the communities;
- E. The location of the dwelling units shall be consistent with the standards and guidelines for access, public safety considerations, and provisions for potable water and sewage disposal, with preference given to community systems;
- F. The dwelling units shall be sited with consideration to minimizing negative effects on agricultural productivity of the site and adjoining farm operations, and minimizing the appearance of urban density on any neighboring residences;

- G. Consideration for avoiding uniformity and repetitiveness in architectural design may use such techniques as contrasting building materials, covered entries and a variety of roof elevations consistent with the standards and guidelines;
- H. Vehicular flow shall be separated from walkways, active open space, and children's play areas;
- I. All open areas shall be landscaped and maintained in accordance with the standards and guidelines. Landscaping consists of the planting of some combination of trees, shrubs, vines, ground covers, flowers or lawns;
- J. Trash receptacles, utility facilities and maintenance buildings shall be screened;
- K. Housing related service facilities shall be reasonably related to the size of the population and the distance of the site from urban areas or Rural Activity Centers.
 - 1. A day care center is encouraged for communities with 10 or more dwelling units that are located over 20 miles from an urban area or Rural Activity Center;
 - 2. 200 sq. ft. of active recreation space is encouraged per dwelling unit. Recreation space shall be designed to suit the needs of the residents and may be in more than one location on the Rural Farmworker Community site. Recreation space such as play areas, tot lots and soccer play fields are encouraged.
 - 3. Convenience retail uses in Rural Farmworker Communities shall be no greater than 5,000sq.ft.

17.30.50 Design Guidelines. Review and approval of Rural Farmworker Communities shall be conditioned on the Rural Farmworker Communities Guidelines.

Chapter 17.32

DEVELOPMENT STANDARDS – RECREATIONAL VEHICLE PARKS

Sections:

17.32.010	Purpose and objectives.
17.32.020	Approval required.
17.32.030	Application contents.
17.32.040	Location and access.
17.32.050	Spaces for occupancy-uses permitted and length of stay.
17.32.060	Accessory uses.
17.32.070	General requirements.
17.32.080	Site planning and improvements.
17.32.090	Park management.

17.32.010 Purpose and objectives. The regulations set out in this chapter set forth the minimum requirements for development and operation of day-use parks and overnight campgrounds for recreational vehicles, tents and other camping outfits. (Ord. 70 8.01(F)(part), 1967; Amd. 145 Annex. A (1), 3-30-82)

17.32.020 Approval required. No person shall construct, establish or operate a recreational vehicle park unless a conditional use permit and binding site plan are approved by the county. (Ord. 70 §8.01(F)(part), 1967; Amd. 145 Annex. A (2), 3-30-82)

17.32.030 Application contents. In addition to the general information required for submitting an application under this section, the following information shall be included:

- A. The number, size and location of dependent and independent spaces;
- B. The location of service buildings, sewage dumping stations and other structures;
- C. Specifications of the water supply, sewage disposal, wastewater disposal, and solid waste management systems;
- D. Specifications of all service buildings to be constructed. (Ord. 70 §8.01(F)(part), 1967; Amd. 145 Annex. A (3), 3-30-82)

17.32.040 Location and access. In addition to the specific criteria of this chapter for conditional use permits, recreational vehicle park conditional permits shall meet the following additional criteria:

- A. Primary direct access to an arterial street with appropriate frontage thereon to permit appropriately designed entrances.
- B. No entrance or exit from a recreational vehicle park shall be through a residential neighborhood, nor require movement of traffic from the park through a residential district. (Ord. 70 §8.01 (F) (part), 1967; Amd. 145 Annex. A (4), 3-30-82)

17.32.050 Spaces for occupancy-uses permitted and length of stay. Spaces in recreational vehicle parks may be used by travel trailers, equivalent facilities constructed in or on automotive vehicles, tents, or other short-term housing or shelter arrangements or devices. Spaces shall be rented by the day or week only, and occupant of such space shall remain in the same trailer park not more than ninety consecutive days, unless otherwise permitted by the board. (Ord. 70 §8.01(F)(part), 1967; Amd. 145 Annex. A(5), 3-30-82)

17.32.060 Accessory uses. Management headquarters, recreational facilities, toilets, showers, coin-operated laundry facilities and other uses or structures customarily incidental to operation of a recreation vehicle park are permitted as accessory uses. (Ord. 70 §8.01(F)(part), 1967; Amd. 145 Annex. A(6), 3-30-82)

17.32.070 General requirements.

- A. All dependent and independent spaces shall be so spaced as to provide a minimum separation of ten feet between recreational vehicles.
- B. No RV space shall be so located that any part intended for occupancy for sleeping purposes shall be within fifty feet of the arterial right-of-way or within twenty-five feet of any minor street. Nor shall a park space or accessory use be located within fifteen feet of an adjoining property line. (Ord. 70 58.01(F)(part), 1967; Amd. 145 Annex. A(7), 3-30-82)

17.32.080 Site planning and improvements.

- A. Walls, fences, or vegetative screening may be required as internal buffers in or around the perimeter of the park site.
- B. All water, sewer and solid waste facilities shall be designed, constructed and operated in conformance with the requirements of Walla Walla County/city health department and department of social and health services. (Ord. 70 §8.01 (F) (part), 1967; Amd. 145 Annex. A (8), 3-30-82)

17.32.090 Park management.

- A. Parks shall be operated in compliance with the conditional-use permit and site plan approved for the park's development and all local and state regulations governing such parks. (Ord. 70 §8.01 (F) (part) , 1967; Amd. 145 Annex. A(9), 3-30-82)

Chapter 17.33

**DEVELOPMENT STANDARDS -
LANDSCAPING**

(place holder)

Chapter 17.34

DEVELOPMENT STANDARDS- WIRELESS COMMUNICATION FACILITIES

Sections:

17.34.010	Purpose
17.34.020	Exemptions
17.34.030	Location of Wireless Communication Facilities
17.34.040	Design Standards
17.34.050	Height Standards
17.34.060	Height Related to Existing Utility Poles
17.34.070	Noise
17.34.080	Co-location
17.34.090	Discontinuation of Use
17.34.100	Permit Submittal Requirements

17.34.010 purpose. The purpose of this chapter is to provide placement, design and screening criteria for all wireless communication facilities (WCFs) in the County in order to protect the public health, safety, general welfare, and quality of life in the County while preserving the rights of wireless communication providers.

17.34.020 Exemptions. In the event an emergency or disaster is declared for the area, the Director may exempt WCFs from the requirements of this chapter during the duration of such emergency or disaster.

17.34.030 Location of Wireless Communication Facilities.

- A. It is the policy of the County to locate WCFs in the County according to the following order of preference (highest to lowest preference):
 - 1. Attached on existing structure such as buildings (not residential structures), communication towers, and utility facilities. Preference is to the fascia of buildings or mechanical penthouses.
 - 2. Co-location (on one support structure) with other WCFs.
 - 3. In the industrial zones as permitted in the table of uses.
 - 4. In agricultural zones as permitted in the table of uses.
 - 5. In residential zones as permitted in the table of uses.
- B. WCFs shall be located where the existing topography, vegetation, buildings, or other structures provide the greatest amount of screening.
- C. WCFs shall not be located within 1 mile (measured from tower structure to tower structure) of any other WCF except when located on an existing building, structure or wireless facility (that is, without support structures) or by a conditional use permit as identified within the table of permitted uses. For the purposes of this section, all distances shall be measured in a straight line without regard to intervening structures, from the nearest point of the proposed wireless communication support structure to the nearest point of another wireless communication support structure.
- D. WCFs located in a right-of-way shall meet the requirements of the abutting or closest zone (as measured from the support structure or the attached facility).

17.34.040 Design Standards.

- A. Signs or advertising devices other than certification, warning, or other legally required seals or signs shall not be placed on or attached to WCFs.
- B. Accessory equipment shall meet the following standards:
 - 1. All accessory equipment associated with the operation of the SCF shall be located within a building, enclosure, or underground vault that complies with the development standards of the zoning district in which the accessory equipment is located.
 - 2. Accessory equipment enclosures shall be visually compatible with the surrounding buildings (such as, same construction material as primary building(s), same color, etc.) and include screening of the structure from view, and shall be subject to approval by the Regional Planning Director.
 - 3. Accessory equipment enclosures shall be limited to the housing of radio, electronic and related power equipment, and shall not be used for any other purpose, including storage.
- C. All WCFs shall employ concealment technology in their design, construction, and maintenance in order to reduce the WCFs aesthetic impacts to the maximum extent possible. Such concealment technology shall include, at a minimum, the following:
 - 1. All antenna support structures and antennas shall be painted a non-reflective color, subject to approval by the Regional Planning Director, which blends into the nearby surroundings of the WCF to minimize the visual impact of the support structure or antennas.
 - 2. To the maximum extent reasonably practical, WCFs shall be designed to resemble an object other than a WCF that is already present in the local environment, such as a tree, a street light, utility pole or traffic signal. It may include the use of colors or materials to blend into the building materials from which a structure is constructed. Examples of concealment technology include, but are not limited to, the use of innovative site design techniques, existing or new or new vegetation and landscaping, paint and other surface treatments, alternative antenna configuration and/or selection, utilization of antenna support structures designed to resemble features in the natural environment, i.e., trees, and any other practice which screens the WCF from observation from roadways, residences, and other properties or otherwise has the effect of reducing the aesthetic impacts associated with the WCF.
- D. All screening for attached WCFs shall be compatible with the existing architecture, color, texture, and or materials of the building and when located on roofs shall avoid the "porcupine effect" through camouflage or other technique acceptable to the Regional Planning Director.
- E. Foundations and structures upon which antenna are to be mounted shall be designed to accommodate at least tow carriers' antenna.
- F. Fencing, if permitted or required, shall conform to the following:
 - 1. No fence shall exceed the height permitted for the respective zone in which the facility is to be located. The fencing surrounding the WCF may be of a chain link material.
- G. Lighting for the WCF may be used for security reasons only and shall be shielded to prevent off site glare. All exterior lighting shall be subject to approval by the Regional Planning Director. In no case except when specifically required by the Federal Aviation Administration (FAA) or the Federal Communication Commission (FCC) or other state of federal agency will the WCF support structure be lighted.

17.34.050 Height Standards. A. The height of the WCF support structure is inclusive of any attachments.

- B. The maximum height of any WCF shall be 120 feet. For any height greater than the maximum, a variance shall be required.

17.34.060 Height Related To Existing Utility Poles. A. In the case of existing utility poles, light standards, etc., if the utility pole is unable to support the attachment (as verified by a structural engineer or other qualified professional) the existing utility pole maybe replaced. In no case shall the height of the replacement utility pole be greater than 105 percent of the original height. The diameter of the new utility pole shall not exceed 110 percent of the original utility pole diameter.

17.34.070 Noise. A. Noise from stand by power generators shall have mufflers and or other attenuation devices to avoid becoming a nuisance to adjacent residences.

17.34.080 Co-location.

- A. All applicants shall cooperate in good faith with existing WCF operators in co-locating additional antennas on support structures and/or on existing buildings provide the existing operator has received a permit for such use at said site from the County.
- B. All applicants shall exercise good faith in cooperating in co-locating with other providers and sharing the permitted site, provider such proposed shared use does not prevent or unreasonably interfere with the existing use (i.e., significant interference in broadcast or reception capabilities as opposed to competitive conflict or financial burden). Such good faith cooperation shall include sharing technical information necessary to evaluate the feasibility of co-location. In the event a dispute arises as to whether a provider has exercised good faith in accommodating other users, the County may require a third party technical study at the expense of either or both the applicant and the existing operator as to the feasibility of co-locating. Failure to comply with the co-location requirements of this chapter may result in the denial of a permit request or revocation of an existing permit.

17.34.090 Discontinuation of Use.

- A. Lawfully erected WCFs that are no longer being used shall be removed promptly from the premises, no late than six (6) months after the discontinuation of use, except as otherwise provided by law. A WCF is considered abandoned if it ceases to provide wireless communication services that are substantially consistent with the application and/or purposes for which the WCF was constructed for six (6) or more months (occasional use shall not affect the 6-month period). Such removal shall be in accordance with property health and safety requirements and all ordinances, rules and regulations of the County. The wireless communication provider shall send to the County a copy of the discontinuation notice required by the FCC at the time the notice is sent to the regulatory agency.
- B. All facilities determined to be abandoned and not removed within the required six (6) month period from the date of notice shall be in violation of this chapter and operators of the facility and the owners of the property shall be subject to penalties for violations under the enforcement provisions of the zoning code. The County may remove all abandoned facilities following the six (6) month removal period at the operators' expense. Facilities removed by the County shall be stored for no less than thirty (30) days and thereafter be disposed of by public auction, if deemed to be of value by the County, or otherwise as permitted by law.

17.34.100 Permit Submittal Requirement.

- A. In addition to the information required by any other part of the County Code, the following items shall be required for any application for land use, development or construction permit for a WCF:
 - 1. A statement providing the reasons for the location, design and height of the proposed tower or antennas.
 - 2. The contact name managing the facility. This will include the telephone number(s) and mailing address.

3. A map showing any existing, and/or approved WCF's within the vicinity (approx. 2 miles) of the proposed new facilities site (not required of co-located facility).
4. A current overall system plan for the County, showing facilities presently constructed or approved and propagation maps showing the before and after coverage with the new facility (not required of co-located facility).
5. Evidence satisfactory to the Regional Planning Director demonstrating that co-location is unfeasible on existing buildings and existing tower facility sites for reasons of structural support capabilities, safety, available space, or failing to meet service coverage area needs.
6. If visible from offsite, a site/landscaping plan showing the specific placement of existing structures, trees, and other significant site features; and indicating type and location of plant materials proposed to be used to screen WCF components and the proposed color(s) for the communication facility.
7. A statement that:
 - a. The applicant agrees to allow for the co-location of additional WCF equipment by other providers on the applicant's structure.
 - b. That the applicant agrees to remove the facility within six (6) months after the use of the site is discontinued.
8. Plans showing how connections to utilities will occur, the ownership of those utilities, and any proposed rights of way cuts or easements (not required for co-location facilities).
9. Documents demonstrating that any necessary easements or property rights have been obtained. At minimum the following should be provided:
 - a. Site plan indicating ownership adjacent to the subject site including full name, parcel number(s) and all parcel lines to a typical architectural or engineering scale.
 - b. The site plan shall include the access easement to a public right-of-way.

Chapter 17.36

GENERAL PROVISIONS - NONCONFORMING USES, LOTS AND STRUCTURES

Sections:

- 17.36.010 Intent.**
- 17.36.020 Nonconforming lots of record.**
- 17.36.030 Nonconforming uses of land.**
- 17.36.040 Nonconforming structures.**
- 17.36.060 Repairs and maintenance.**

17.36.010 Intent.

- A. The provisions of this chapter shall apply to buildings, structures, lands and uses which become nonconforming as a result of the application of this title to them, or from classification or reclassification of the property under this title or any subsequent amendments thereto.
- B. If a use originally authorized by a variance, conditional use permit or other valid use permit prior to the effective date of the ordinance codified in this title is located within a district in which such use is not permitted by the terms of this title, such use shall be a nonconforming use.

(Ord. 70 §7.00, 1967)

17.36.020 Nonconforming lots of record.

- A. In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this title, a single-family dwelling and customary accessory buildings may be erected, rebuilt or enlarged on any single lot of record at the effective date of adoption or amendment of the ordinance codified in this title. Such lot must be in separate ownership and not of contiguous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district; provided, that yard dimensions and other requirements not involving area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located. Variance of area, width, and yard requirements shall be obtained as required in Chapter 17.44 and Title 14 WWCC.
- B. If two or more vacant lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this title, and if all or part of the lots do not meet the requirements for lot width and area as established by this title, the lands involved shall be considered to be an undivided parcel for the purpose of this title, and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this title nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this title.(Ord. 70 §7.01, 1967)

17.36.030 Nonconforming uses of land. Where, at the effective date of adoption or amendment of the ordinance codified in this title, lawful use of land exists that is made no longer permissible under the terms of this title as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

- A. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of the ordinance codified in this title.

- B. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of the ordinance codified in this title.
- C. When a nonconforming use of a structure, or structure and premises in combination is discontinued or abandoned for one year, the structure, or structure and premises in combination, shall not thereafter be used except in conformance with the regulations of the district in which it is located. (Ord. 70 §7.02, 1967)

17.36.040 Nonconforming structures. Where a lawful structure exists at the effective date of adoption or amendment of this title that could not be built under the terms of this title by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may continue so long as it remains otherwise lawful, subject to the following provisions:

- A. No such structure may be enlarged or altered in a way which increases its nonconformity, unless an enlargement or structural alteration makes the building more conforming or is required by law.
- B. Should such structure be destroyed by any means to an extent of more than fifty percent of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this title.
- C. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.
- D. Structural alterations may be permitted if necessary to adapt a nonconforming building to new technologies or equipment pertaining to uses housed in such building. Any enlargement necessary to adopt to new technologies shall be authorized only by a variance. (Ord. 70 §7.03, 1967)

17.36.60 Repairs and maintenance. Nothing in this title shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety upon order of such official. (Ord. 70 §7.05, 1967)

Chapter 17.37

GENERAL PROVISIONS – PLANNED UNIT DEVELOPMENTS

Sections:

17.37.170	Purpose.
17.37.180	Types of projects.
17.37.190	Application of regulations.
17.37.200	Classifications.
17.37.210	Procedure requirements.
17.37.215	Submittal requirements.
17.37.220	Residential projects.
17.37.230	Mixed Residential and Commercial land use projects.
17.37.240	General conditions.
17.37.250	Administrative conditions of approval.
17.37.260	Termination.

17.37.170 Purpose

- A. The purpose of the Planned Unit Development option is to provide greater flexibility and encourage more design creativity than is generally done under traditional lot by lot development, while insuring substantial compliance with the goals and policies of the comprehensive plan; and permitting more advantageous use of sites through the arrangement of structures, circulation, parking and open spaces.
- B. The use of this provision superimposes the regulations of planned unit development upon the underlying zoning districts without changing the fundamental intent of the underlying district regulations while providing flexibility in the application of those requirements. (Ord. 70 §6.05, 1967; Amd. 1 (part), 4-23-68)

17.37.180 Types of projects.

- A. Residential. A planned unit development consisting of residential uses may be permitted in any zoning district classification allowing residential uses.
- B. Mixed Residential and Commercial. A planned unit development consisting of a mix of residential and limited commercial uses may be permitted in any zoning district allowing residential and commercial uses.
- C. Commercial. A planned unit development consisting of commercial uses may be permitted in any zoning district allowing for commercial uses.
- D. Industrial. A planned unit development consisting of industrial uses may be permitted in any zoning district allowing for industrial uses. (Ord. 70 §6.06, 1967; Amd. 1 (part), 4-23-68)

17.37.190 Application of regulations. Individual uses and structures in a planned unit development need not comply with the specific building height or locations, building size or bulk, lot size or lot dimensions, or land coverage of the underlying use district provided the underlying zoning's spirit and intent are consistent with the overall planned development and the County's Comprehensive Plan. (Ord. 70 §6.07, 1967; Amd. 1 (part), 4-23-68)

17.37.200 Classifications. For the purpose of identifying land areas for a planned unit development they shall be classified as follows and limited to parcels of not less than the size indicated:

- A. Residential, 5 acres (1 acre within a Rural Activity Center);
- B. Commercial, 1 acre;
- C. Mixed, residential and limited commercial, 5 acres (1 acre within a Rural Activity Center).
- D. Industrial, 1 acre (Ord. 70 §6.08, 1967; Amd. 1 (part), 4-23-68)

17.37.210 Procedure requirements. Applications for a Planned Unit Development are processed according to the procedures prescribed in Title 14.

17.37.215 Submittal requirements. A preliminary development plan shall be submitted to the planning department for review. The preliminary plan shall show the general intent and text describing the features of the plan. The planning department shall determine the plan to be in harmony and agreement with the development policies of the comprehensive plan.

17.37.220 Residential projects. In projects exclusively residential, the land area and characteristics shall be such that:

- A. Residential dwelling unit density shall be determined by the density permitted in the underlying zoning classification. In planned unit developments, residential density may be exceeded by ten percent of the total number of dwelling units permitted, provided the proposal completely fulfills the review criteria and general conditions found in WWCC 17.37.240.
- B. Dwelling unit density is calculated by computing total gross square feet of land area proposed, subtracting from this total land area twenty percent normally allocated for streets to arrive at a net total land area for development. Dividing net total land area by land area requirements of the underlying district determines dwelling unit density. This total may be exceeded by ten percent.
- C. In planned development project areas where streets are already existing, gross land is net land area.
 - 1. Residential projects may propose concepts such as:
 - 2. Four unit single-family clusters with party walls, one side and one front yard for each unit;
 - 3. Single-family row houses with party side walls;
 - 4. Single-family double row houses with party side and rear walls;
 - 5. Condominium ownership;
 - 6. Public and private access lanes;
 - 7. Varied, lot size subdivisions;
 - 8. Establishment of green belts or other open areas, or community buildings or recreation facilities. (Ord. 70 §6.09.1, 1967; Amd. 1 (part), 4-23-68)

17.37.230 Mixed Residential and Commercial land use projects. In residential districts immediately abutting and adjoining nonresidential zoned property, mixed land use projects are permitted provided:

- A. The site shall abut, and the major internal street serving the planned unit development shall be functionally connected to, at least one primary or secondary arterial as defined in the comprehensive plan for Walla Walla.
- B. The size and type of nonresidential establishments to be integrated into the project are specifically and selectively authorized by the planning commission.
- C. Automobile circulation and parking for nonresidential uses are oriented towards the adjoining developed nonresidential district.
- D. Nonresidential uses are limited to ground floor locations, and fifty percent of the total ground floor building area. (Ord. 70 §6.09.2, 1967; Amd. 1 (part), 4-23-68)

17.37.240 General conditions. All Planned Unit Development projects shall demonstrate that there is a public benefit to be gained by a permitted degree of deviation from the underlying zoning district such as:

- A. Additional or better related open space;
- B. Better or more convenient services;
- C. Preservation of a natural asset;
- D. Additional public use facilities;
- E. Other public benefit features. (Ord. 70 §6.09.3, 1967; Amd. 1 (part), 4-23-68)

17.37.250 Administrative conditions of approval.

- A. A project which plats or subdivides land for sale and individual ownership shall properly record the plat with the Walla Walla County auditor prior to the issuance of any building permits or authorization to commence construction.
- B. A project proposing multiple land uses in a residentially zoned area shall complete construction of fifty percent of the residential part of the project prior to the issuance of building permits for any nonresidential constructions.
- C. Prior to the application for a building permit or other authorization to commence work on the project shall be accompanied by:
- D. Any bond required by the commission guaranteeing completion of a specific defined portion of the project as authorized and approved, and/or a standard plat bond if subdivision and sale of lots is a part of the project;
- E. Deeds to any land or properties intended for public ownership and use in the completed project;
- F. A complete project site plan and construction plans and specifications for the initial buildings. (Ord. 70 §6.10, 1967; Amd. 1 (part), 4-23-68)

17.37.260 Termination. Failure to actively pursue an authorized project shall subject the project to review by the commission to determine whether a time extension should be granted or whether the following actions should be initiated. If no construction permits have been issued within twelve months of authorization by the county commissioners, the commission shall terminate project and cancel all conditional grants. County administrative departments shall void all permits. (Ord. 70 §6.11, 1967; Amd. 1 (part), 4-23-68)

Chapter 17.38

GENERAL PROVISIONS –
BINDING SITE PLANS

(place holder)

Chapter 17.40

CONDITIONAL USES

Sections:

- 17.40.010 Purpose.**
- 17.40.020 Conditional Use Permit Decision Criteria.**
- 17.40.030 List of Conditional Uses.**
- 17.40.040 Permit Exemption Shoreline Management Permit.**

17.40.010 Purpose. It is the purpose of this chapter to establish decision criteria for those uses listed as conditional in the Tale of Permitted Uses (17.16.014 WWCC). It is recognized that these uses which, because of their unique characteristics, cannot be properly addressed without consideration in each case of the impact of those uses upon neighboring land and of the public need for the particular use at the particular location. (Ord. 70 §8.00, 1967)

17.40.020 Conditional Use Permit Decision Criteria.

- A. A conditional use shall be granted by the County only if the applicant demonstrates
 1. That the use will not endanger the public health or safety, and that the use will not generate significant nuisance conditions such as noise, dust, glare, vibration;
 2. That the use meets all required conditions and standards set forth in the district where it proposes to locate;
 3. That the location and character of the use, is compatible and consistent with the character of the area in which it is to be located and in conformance with the comprehensive plan.
 4. That the use will be supported by adequate public facilities or services.
- B. To ensure the above conditions, the County may require and approve specific plans to increase requirements of this title. Any decrease in the dimensional standards of this title shall only be granted by a variance (WWCC 17.44).
- C. The action for which the conditional use permit is required shall be begun or completed, or both within one year of approval, unless extended by the Planning Commission. Failure to begin or complete, or both, such action within the time limit set shall void the conditional use permit. (Ord. 70 §8.01(part), 1967)

17.40.030 List of Conditional Uses. The conditional uses identified in the Table of Permitted Uses (WWCC 17.16.014), will be considered by the County.

17.40.040 Permit Exemption Shoreline Management Permit. Shoreline and land use conditional use permits for the same action may be combined into one conditional use application and processed under the shoreline management procedures set forth in Title 14.

Chapter 17.44

VARIANCES

Sections:

17.44.010	Purpose.
17.44.015	Decision criteria.
17.44.017	Conditions on variances.
17.44.020	Side and rear yard adjustments.

17.44.010 Purpose. The purpose of this chapter is to provide a means of altering the dimensional standards of this title in specific cases where it is found that the variance if granted will not be contrary to the public interest and where, because of special existing conditions with respect to the lot shape or topography, a literal enforcement of the provisions of this title would result in unnecessary hardship.

17.44.015 Decision criteria.

A. Before any variance is granted by the County it shall be shown:

1. That special conditions and circumstances exist which are peculiar to the land, the location, topography, size or the shape of the lot or some such thing inherent in the land that causes the hardship, and which are not applicable to other lands in the same district;
2. That literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title; and
3. That the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands in the same district.
4. That the granting of the variance will not authorize a use not allowed in the zone in which the property is located.
5. That the granting of the variance will not create health and safety hazards, is not materially detrimental to the public welfare and is not unduly injurious to property or improvements in the vicinity and land use district in which the subject property is located.
6. That the variance will not conflict with the purpose and intent of this title and the comprehensive plan.

17.44.017 Conditions on variances.

- A. In any variance, the County may prescribe appropriate conditions and safeguards in conformity with this title;.
- B. The action for which the variance is required shall be begun or completed, or both, within one year of approval, unless extended by the Planning Director or his/her designee. Failure to begin or complete, or both such action within one year shall void the variance.
- C. Under no circumstances shall the planning commission consider a variance request to allow a use not permissible under the terms of this title in the district involved or any use expressly or by implication prohibited by the terms of this title in said district. (Ord. 70 §8.02, 1967)

17.44.020 Side and rear yard adjustments. Recognizing that the strict interpretation of the title with regards to the location of a detached garage or similar sized accessory building could be contrary to the public interest, the planning director may upon the joint request of the owners of adjoining

properties permit the erection of a private garage within twelve inches of a side or rear property line provided the following are complied with.

- A. The garage will be located to front on the rear one-third of the lot or seventy-five feet, whichever is less.
- B. Such garage will not be unduly detrimental to adjacent and surrounding property, nor to the zone in which approval is requested.
- C. All other provisions of the zoning ordinance are complied with. (Ord. 70 §8.02.1, 1967; Amd. 33 §1, 12-27-71)

Chapter 17.60

ENFORCEMENT AND PENALTY

Sections:

- 17.60.010** **Complaints regarding violations.**
- 17.60.020** **Violation-Penalty.**

17.60.010 Complaints regarding violations. Whenever a violation of this title occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the director of planning. The Director shall record properly such complaints, investigate and take action thereon as provided by this title. The record of complaint shall be available to Board of County Commissioners and Planning Commission members. (Ord. 70 §13.00, 1967)

17.60.020 Violation-Penalty.

- A. Violation of the provisions of this title or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this title or fails to comply with any of its requirements shall upon conviction thereof be fined or imprisoned for not more than thirty days, or both, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.
- B. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains such violations may each be found guilty of a separate offense and suffer the penalties provided in this section.
- C. Nothing contained in this title shall prevent the county from taking such other lawful action as is necessary to prevent or remedy any violation, or to bring an action to enjoin any violation of this title. (Ord. 70 §14.00, 1967)

Chapter 18.10
FLOOD DAMAGE PREVENTION

Sections:

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18.10.010	Statutory authorization.
18.10.020	Findings of fact.
18.10.030	Purpose of provisions.
18.10.040	Methods and provisions generally.
18.10.050	Definitions.
18.10.060	Applicability of provisions.
18.10.070	Special flood hazard area--Establishment.
18.10.080	Compliance required.
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18.10.300	Shallow flooding areas (AO zones).

IV. ENFORCEMENT

18.10.310	Enforcement--Violation--Penalties.
18.10.320	Severability.

I. GENERAL PROVISIONS

18.10.010 Statutory authorization. The Legislature of the state of Washington has in RCW 36.32.120(7) delegated the responsibility to local governmental units to adopt- regulations designed to promote the public health, safety and general welfare of its citizenry. (Ord. 70 \$500.B.1, 1967; Amd. 158 (part), 12-20-83)

18.10.020 Findings of fact. A. The flood hazard areas of Walla Walla County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

B. These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss. (Ord. 70 5500.B.2, 1967; Amd. 158 (part), 12=20-83)

18.10.030 Purpose of provisions. It is the purpose of this chapter to promote the public health, safety arid general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

A. To protect human life and health;

B.To minimize expenditure of public money and costly flood control projects;

C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

D. To minimize prolonged business interruptions;

E. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;

F. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;

G. To insure that potential buyers are notified that property is in an area of special flood hazard; and

H. To insure that those who occupy the areas of special flood hazard assume responsibility for their actions. (Ord. 70 S500.B.3, 1967; Amd. 158 (part),

18.10.040 Methods and provisions generally. In order to accomplish its purposes, this chapter includes methods and provisions for:

A. Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

C. Controlling the alteration of natural floodplains, stream channels and natural protective barriers, which help accommodate or channel floodwaters;

D. Controlling filling, grading, dredging and other development which may increase flood damage; and ,

E. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or which increase flood hazards in other areas. (Ord. 70 S500.B.4, 1967; Amd. 158 (part), 12-20-83)

18.10.050 Definitions. Unless specifically defined in this section, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application:

A. "Appeal" means a request for a review of the administrator's interpretation of any provision of this chapter or a request for a variance.

B. "Area of shallow flooding" means a designated AO or AH zone on the flood insurance rate map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.

C. "Area of special flood hazard" means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

D. "Base flood" means the flood having one percent chance of being equalled or exceeded in any given year.

E. "Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving excavation or drilling operations located within the area of special flood hazard.

F. "Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from: The unusual and rapid accumulation of runoff of surface waters from any source.

G. "Flood insurance rate map (FIRM)" means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

H. "Flood insurance study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the flood boundary-floodway map, and the water surface elevation of the base flood.

I. "Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

J: "Habitable floor" means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a habitable floor.

K. "Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than abasement area, is not considered a building's lowest floor, provided, that such enclosure is not built so as to render that structure in violation of the applicable nonelevation design requirements of this chapter found at Section 17.38.250.

L. "Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is-designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes "manufactured home" also includes park trailers, travel-trailers and other similar vehicles placed on a site for greater than one hundred eighty consecutive days. For insurance purposes, "manufactured home" does not include park trailers travel trailers and other similar vehicles.

M. "Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

N. "New construction" means structures for which the "start of construction" commenced on or after the effective date of the ordinance codified in this chapter.

O. "Obstruction" means any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, bridge conduit, culvert, building, wire, fence, rock travel, refuse, fill, structure or matter in, along, across, or projecting into any channel, watercourse, or regulatory flood hazard area which may impede, retard or change the direction of flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the flow of water might carry the same downstream to damage of life or property.

P. "Start of construction" means the first placement of permanent construction of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure (other than a mobile home) without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For mobile homes not within a mobile home park or mobile home subdivision, "start of construction" means the affixing of the mobile home to its permanent site. For mobile homes within mobile home parks or mobile home subdivisions, "start of construction" is the date on which the construction of facilities for servicing the site on which the mobile home is to be affixed (including at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of ' utilities) is completed.

Q. "Structure" means a walled and roofed building or mobile home that is principally above ground.

R. "Substantial improvement" means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either:

1. Before the improvement or repair is started; or

2. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

1. Any project for improvement of a structure to

comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or

2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

' (Ord. 70 §501.B, 1967; Amd. 158 (part), 12-20-83; Amd. 189 (Exhibit A(part)), 8-15-89)

18.10.060 Applicability of provisions. This chapter shall apply to all areas of special flood hazards within the unincorporated areas of Walla Walla County, Washington. (Ord. 70 §502.B.1, 1967; Amd. 158 (part), 12-20-83)

18.10.070 Special flood hazard area--Establishment. The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for the unincorporated areas in Walla Walla County," dated January 18, 2002, with accompanying flood insurance maps is adopted by reference and declared to be a part of this chapter. The flood insurance study is on file at the Walla Walla County Regional Planning Department, 310 W. Poplar, Room 117, Walla Walla, Washington. (Ord. 70 §502.B.2, 1967; Amd. 158 (part), 12-20-83)

18.10.080 Compliance required. No structure or land shall be constructed, located, extended, converted or altered without full compliance with the terms of this chapter and other applicable regulations. (Ord. 70 §502.B.3, 1967; Amd. 158 (part), 12-20-83)

18.10.090 Greater restrictions to apply. This chapter is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this chapter and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail. (Ord. 70 §502.B.4, 1967; Amd. 158 (part), 12-20-83)

18.10.100 Interpretation of provisions. In the interpretation and application of this chapter, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed neither to limit nor repeal any other powers granted under state statutes. (Ord. 70 §502.B.5, 1967; Amd. 158 (part), 12-20-83)

18.10.110 Liability disclaimer. The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Floor heights may be increased by man-made or natural causes. This chapter shall not create liability on the part of Walla Walla County, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder. (Ord. 70 §502.B.6, 1967; Amd. 158 (part), 12-20-83)

II. ADMINISTRATION

18.10.120 Development permit--Establishment. A. A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 17.38.070.

B. The permit shall be for all structures including mobile homes, as set forth in the "definitions," and for all other developments including fill and other activities, also set forth in the "definitions." Application for a development permit shall be made on forms furnished by the administrator and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

1. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
2. Elevation in relation to mean sea level to which any structure has been floodproofed;
3. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 17.38.260;

4. Description of the extent to which any watercourse will be altered or relocated as result of proposed development. (Ord. 70 §503.8.1, 1967; Amd. 158 (part), 12-20-83)

18.10.130 Administrator--Designated. The Walla Walla County Planning Director is appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions. (Ord. 70 §503.8.2, 1967; Amd. 158 (part), 12-20-83)

18.10.140 Administrator--Duties. Duties shall include, but not be limited to:

A. Permit Review.

1. Review all development permits to determine that the permit requirements of this chapter have been satisfied,

2. Review all development permits to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required,

3. Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway assure that the encroachment provisions of Section 17.28.290(A) are met;

B. Use of Other Base Flood Data. When base flood elevation data has not been provided in accordance with Section 17.38.070, the administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer Sections 17.38.250 and 17.38.290;

C. Information to be Obtained and Maintained.

1. Obtain and record the actual elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement,

2. For all new or substantially improved floodproofed structures:

a. Verify and record the actual elevation (in relation to mean sea level), and

b. Maintain the floodproofing certifications required in Section 17.38.120(C),

3. Maintain for public inspection all records pertaining to the provisions of this chapter;

D. Alteration of Watercourses.

1. Notify adjacent communities and the Washington State Department of Ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration,

2. Require that maintenance is provided within the altered or relocated portion of the watercourse so that the flood-carrying capacity is not diminished;

E. Interpretation of FIRM Boundaries. Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Sections 17.38.150 and 17.38.160. (Ord. 70 9503.B.3., 1967; Amd. 158 (part), 12-20.-83; Amd. 189 (Exhibit A(part)), 8-15-89)

18.10.150 Appeals board--Variance review. A. The Walla Walla County Planning Commission shall hear and decide appeals and requests for variances from the requirements of this chapter.

B. The Walla Walla County Planning Commission shall hear and decide appeal when it is alleged there is an error in any requirement, decision, or determination made by the administrator in the enforcement or administration of this chapter.

C. Any person or persons, or any board, taxpayer, department, board or bureau of the county aggrieved by any recommendation of the planning commission regarding variances may seek review from the board of -county commissioners. Following review by the board of county commissioners, any person or persons, taxpayer, board or bureau, aggrieved by the decision, may seek review by the Superior Court of the State of Washington for Walla Walla County. Such appeal shall be by certiorari and shall be initiated by serving and filing a petition for the writ within thirty days after the planning commission's decision has become final.

D. In passing upon such applications, the planning commission shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and:

1. The danger that materials may be swept or to other lands to the injury of others;
2. The danger of life and property due to flooding or erosion damage;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. The importance of the services provided by the proposed facility to the community;
5. The necessity to the facility of a waterfront location, where applicable;
6. The availability of alternative locations, for the proposed use which are not subject to flooding or erosion damage;
7. The compatibility of the proposed use with existing and anticipated development;
8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
10. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action. If applicable, expected at the site; and
11. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

E. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items 1 through 11 in subsection D have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

F. Upon consideration of the factors of subsection D and the purposes of this chapter the planning commission may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.

G. The administrator shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request. (Ord. 70 §503.B.4-1, 1967; Amd. 158 (part), 12-20-83)

18.10.160 Variance issuance. A. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.

B. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

C. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

D. Variances shall only be issued upon:

1. A showing of good and sufficient cause;

2. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

3. A determination that the *granting of* a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in Section 17.38.150(B), or conflict with existing local laws or ordinances.

E. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. (Ord. 70 §503.B.4-2, 1967; Amd. 158 (part), 12-20-83)

18.10.170 Variance--Issuance procedure. A. Any person holding an equitable interest in any tract of land affected by this chapter may apply for a variance. Decisions of the administrator in the enforcement of this chapter may also be by the same method by any aggrieved party.

B. Application is made by submitting application forms as provided by the administrator.

C. A nonrefundable fee of fifty dollars is payable to cover the cost of posting, the publication of notices of the necessary public hearings, and other expenses.

D. Such application and fees must be reviewed on or before five p.m. of the thirtieth day prior to the regular meeting of the planning commission at which time the applications will be heard.

E. No application shall be accepted unless all necessary information for the notice of public hearing is provided.

F. Upon receipt of any valid application, the administrator shall cause to be published in the official journal of Walla Walla County a legal notice of the public hearing necessitated by the valid application. The legal notice shall be published at least one time, not more than fourteen days prior to the date of public hearing, and adjoining property owners may be notified by mail. The legal notice shall include the following:

1. The name (s) and addresses) of the applicants) and of the owners) of the property;
2. A true and correct legal description of the property;
3. The address of the property, if one exists;
4. The proposed use of the property and the reason for the public hearing;
5. The time and the place of the public hearing.

G. Public hearing under the provisions of this chapter shall be held at regular meetings of the planning commission or at special meetings called by the planning commission provided that public notice of the meeting has been given as in subsection F of this section. (Ord. 70 §503.B.4-'3, 1967; Amd. 158 (part), 12-20-83)

III. FLOOD PROTECTION STANDARDS

18.10.180 Generally. In all areas of special flood hazards the standards set out in Sections 17.38.190 through

18.10.230 are required. (Ord. 70 §504.B.1, 1967; Amd. 158 (part), 12-20-83)

18.10.190 Anchoring. A. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

B. All mobile homes shall be anchored to resist flotation, collapse or lateral movement by providing over-the-top

and frame ties to ground anchors. Specific requirements shall be that:

1. Over-the-top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations, with mobile homes less than fifty feet long requiring one additional tie per side;

2. Frame ties be provided at each corner of the home with five additional ties per side at intermediate points, with mobile homes less than fifty feet long requiring four additional ties per side;

3. All components of the anchoring system be capable of carrying a force of four thousand eight hundred pounds; and

4. Any additions to the mobile home be similarly anchored.

C. An alternative method of anchoring may involve a system designed to withstand a wind force of ninety miles per hour or greater. Certification must be provided to the administrator, that this standard has been met. (Ord. 70 §504.B.1-1, 1967; Amd. 158 (part), 12-20-83)

18.10.200 Construction material and methods. A. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

B. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

C. Electrical, heating, ventilation, plumbing and/or air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding. (Ord. 70 §504.B.1-2, 1967; Amd. 158 (part), 12-20-83; Amd. 189 (Exhibit A(part)), 8-15-89)

18.10.210 Utilities. A. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.

B. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and

C. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding. (Ord. 70 §504.B.1-3, 1967; Amd. 158 (part), 12-20-83)

18.10.220 Subdivision proposals. A. All subdivision proposals shall be consistent with the need to minimize flood damage.

B. All subdivision proposals shall have public utilities and facilities such as sewer; gas, electrical and water systems located and constructed to minimize flood damage.

C. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

D. Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least fifty lots or five acres (whichever is less). (Ord. 70 §504.B.1-4, 1967; Amd. 158 (part), 12-2083)

18.10.230 Building permit review. Where elevation data is not available, applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc. where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates. (Ord. 70 §504.B.1-5, 1967; Amd. 158 (part), 12-20-83; Amd. 189 (Exhibit A (part)) , 8-15-89)

18.10.240 Specific standards. In all areas of special flood hazards where base flood elevation data has been provided as set forth in Sections 17.38.070 or 17.38.140(B), the provisions set out in Sections 17.38.250 through 17.38.300 are required. (Ord. 70 §504.B.2, 1967; Amd. 158 (part), 12-20-83)

18.10.250 Residential construction. A. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above one foot above base flood elevation.

B. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

1. A minimum of two openings have a total area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

2. The bottom of all openings shall be no higher than one foot above grade.

3. Openings may be equipped with screens, louvers. or other coverings or devices provided that they permit the automatic entry and exit of floodwaters. (Ord. 70 5504.B.2-1, 1967; Amd. 158 (part), 12-20-83; Amd. 189 (Exhibit A(part)), 8-15-89)

18.10.260 Nonresidential construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of one foot above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

A. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;

B. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

C. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in Section 17.38.140(C) (2).

D. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in Section 17.38.250(B).

E. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g., a building floodproofed to one foot above the base flood level will be rated as at the base flood level). (Ord. 70 \$504.B.2-2, 1967; Amd. 158 (part), 12-20-83; Amd. 189 (Exhibit A(part)), 8-15-89)

18.10.270 Mobile homes. A. Mobile homes shall be anchored in accordance with Section 17.38.190.

B. For new mobile home parks and mobile home subdivisions; for expansions to existing mobile home parks and mobile home subdivisions; for existing mobile home parks and mobile home subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds fifty percent of value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced; and for mobile homes not placed in a mobile home park or mobile home subdivision, require that:

1. Stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level;

2. Adequate surface drainage and access for a hauler are provided; and

3. In the instance of elevation on pilings, that:

a. Lots are larger enough to permit steps;

b. Piling foundations are placed in stable soil no more than ten feet apart; and

c. Reinforcement is provided for pilings more than six feet above the ground level.

d. No mobile home shall be placed in a floodway, except in an existing mobile home park or existing mobile home subdivision. (Ord. 70 5504.B.2-3, 1967; Amd. 158 (part), 12-20-83)

18.10.280 Manufactured homes. All manufactured homes to be placed or substantially improved within zones A1-30, AH and AE on the community's FIRM shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is one foot or more above the base flood elevation; and be securely anchored to an adequately anchored foundation system in accordance with the provisions of Section 17.38.190. This section applies to manufactured homes to be placed or substantially improved in an expansion to an existing manufactured home park or subdivision. This section does not apply to manufactured homes to be placed or substantially improved in an existing manufactured home park or subdivision except where the repair, reconstruction, or improvement of the streets, utilities, and pads equals or exceeds fifty percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced. (Ord. 70 5504.B.2-4, 1967; Amd. 158 (part), 12-20-83; Amd. 189 (Exhibit A(part)), 8-15-89)

18.10.290 Floodways. Located within areas of special flood hazard established in Section 17.38.070 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions apply:

A. Prohibit encroachments and obstructions, including fill, new construction, substantial improvement and other uses unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

B. If subsection A of this section is satisfied, all new construction and substantial improvements shall comply with all

applicable flood hazard reduction provisions of Section 17.28.180 through 17.28.300.

C. Prohibit the placement of any mobile homes, except in an existing mobile home park or existing mobile home subdivision.

D. Construction or reconstruction of residential structures is prohibited within designated floodways, except for (1) repairs, reconstruction, or improvements to a structure which do not increase the ground floor area; and (2) repairs, reconstruction or improvements to a structure, the cost of which does not exceed fifty percent of the market value of the structure either (a) before the repair or reconstruction is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. Work done on structures to comply with existing health, sanitary, or safety codes or to structures identified as historic places shall not be included in the fifty percent. (Ord. 70 §504.B.3, 1967; Amd. 158 (part), 12-20-83; Amd. 189 (Exhibit A(part)), 8-15-89)

18.10.300 Shallow flooding areas (AO zones). Shallow flooding areas appear on FIRM's as AO zones with depth designations. The base flood depths in these zones range from one to three feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply: ,

A. New construction and substantial improvements of residential structures within AO zones shall have the lowest floor (including basement) elevated above the highest grade adjacent to the building, one foot or more above the depth number specified on the FIRM (at least two feet if no depth number is specified).

B. New construction and substantial improvements of nonresidential structures within AO zones shall either:

1. Have the lowest floor (including basement) elevated above the highest adjacent. grade of the building site