

Return Address

Walla Walla County Commissioners

Document Titles (ie: type of document)

Ordinance No 281

Auditor File Number(s) of document being assigned or released:

Grantor

1. Walla Walla County Commissioners
- 2.
- 3.

Additional names on page \_\_\_\_ of document.

Grantee

1. Public The
- 2.
- 3.

Additional names on page \_\_\_\_ of document.

Legal description (ie: lot and block or section township and range)

Additional legal is on page \_\_\_\_ of document.

Assessors Parcel Number

Additional parcel number is on page \_\_\_\_ of document

The Auditor/Recorder will rely on the information provided on this form.  
The staff will not read the document to verify the accuracy or  
completeness of the indexing information provided herein. Please  
Type or print the information. This page becomes part of the document.



Walla Walla County, WA

ORD

2003-02601

Page: 1 of 6

02/27/2003 03:38P

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

***An Ordinance relating to the adoption of interim zoning controls temporarily amending Title 17 of the Walla Walla County Code by amending the development densities, minimum lot sizes, and other related land use matters properly relating to the Rural Floating 2-3 zone (Mill Creek area), to ensure compliance with Order of the Eastern Washington Growth Management Hearings Board.***

**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 Growth Management Act ("GMA") and after a substantial public participation process; and

**WHEREAS**, the current zoning for the Mill Creek Area (RF2-3) was adopted on November 15, 1993, pursuant to an extensive public process (ten committee meetings, two public Planning Commission meetings, and one public hearing before the Board of County Commissioners); and

**WHEREAS**, subsequent to said Comprehensive Plan adoption, petitions were filed challenging certain Comprehensive Plan provisions; and

**WHEREAS**, the Eastern Washington Growth Management Hearings Board ("EWGMHB") issued a Final Decision and Order on May 1, 2002 holding that the Mill Creek Rural Floating 2-3 designation in the Comprehensive Plan does not comply with the Growth Management Act ("GMA"), and requiring that the County provide a schedule to come into compliance; and

**WHEREAS**, the County has submitted to the EWGMHB a schedule for coming into compliance with the EWGMHB's Final Decision and Order; and

**WHEREAS**, pursuant to the schedule for compliance, the County must adopt interim zoning controls for the Rural Floating 2-3 acre zone by January 31, 2003 while it evaluates permanent compliance options for the Rural Floating 2-3 acre designation; and

**WHEREAS**, the Board of County Commissioners of Walla Walla County, Washington, intends to fully comply with the final Decision and Order of the Eastern Washington Growth Management Hearings Board issued in Case No. 01-1-0015c and 01-1-0014cz on May 1, 2002 and the scheduling directives contained therein; and

**WHEREAS**, RCW 36.70A.390 and state law authorize the emergency adoption of interim zoning controls; and



**WHEREAS**, the Board of County Commissioners has determined that adoption of interim zoning controls for the Rural Floating 2-3 zone is necessary for compliance with the EWGMHB's Final Decision and Order and for the protection of the public health, safety and general welfare; and

**WHEREAS**, the Board of County Commissioners find that as a result of the schedule for complying with the EWGMHB's Final Decision and Order, an emergency exists requiring immediate imposition of interim zoning controls and exempting said controls from the procedural requirements of the State Environmental Policy Act, ch. 43.21C RCW; and

**WHEREAS**, on January 14, 2003, the Board of County Commissioners adopted Resolution No. 03014 setting a public hearing to consider the adoption of interim zoning controls in the Rural Floating (RF2-3, Mill Creek area) zone for Monday, January 27, 2003 at the hour of 10:00 a.m. or as close thereto as possible, in Commissioner' Chambers, County Courthouse, 315 West Main, Walla Walla, Washington; and

**WHEREAS**, on January 27, 2003, the Board of County Commissioners held said public hearing to consider interim zoning for the Rural Floating (RF2-3, Mill Creek) zone; and

**WHEREAS**, this interim zoning for the Rural Floating 2-3 zone shall take effect immediately upon passage of this ordinance;

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

**Section 1. Emergency.** The Board of County Commissioners declares that an emergency exists requiring the immediate adoption of this Interim Zoning Ordinance.

**Section 2. Findings of Fact.** The Recitals set forth herein constitute the Findings of Fact of the Board of County Commissioners.

**Section 3. Adoption of Interim Zoning amending the Rural Floating 2-3 acre zone.** Those areas delineated on the Walla Walla County Official Zoning Map and identified within Title 17 (Zoning) as Rural Floating 2-3 acres shall be amended to Rural Floating 5 acres.

**Section 4. Development standards.** Section 17.18.020, (Table of Density and Dimensional Requirements) of the Walla Walla County Zoning Code is amended as found in attachment A which is by this reference made a part hereof.

**Section 5. Permitted Uses.** Section 17.16.014 (Permitted Uses Table) of the Walla Walla County Zoning Code is amended as prescribed under Section 3 above.



**Section 6. Duration.** This ordinance shall be in effect for six months or until amended by the adoption of Comprehensive Plan amendments and implementing permanent development regulations to comply with the Final Decision and Order of the EWGMHB, whichever first occurs.

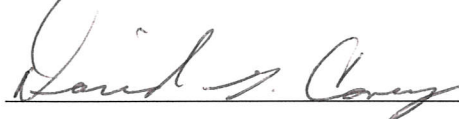
**Section 7. Controlling Language.** If any section, subsection, paragraph, sentence, clause or phrase of this ordinance conflicts with any existing provision of the Walla Walla County Code or previously enacted ordinances, the terms and provisions of this ordinance shall be controlling.

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

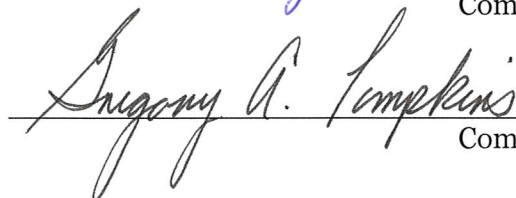
Passed by the Walla Walla Board of County Commissioners in regular session at Walla Walla, Washington, by the following vote, then signed by its membership and attested by its Clerk in authorization of such passage this 27th day of January 2003.

Three YEA; 0 NAY; 0 ABSTAIN;  
and 0 ABSENT.

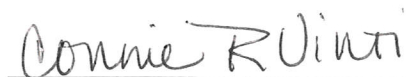
**BOARD OF WALLA WALLA COUNTY COMMISSIONERS,  
WALLA WALLA COUNTY, WASHINGTON**

  
Chairman

  
Commissioner

  
Commissioner

Attest:

  
Clerk of the Board



Walla Walla County, WA

ORD

2003-02601

Page: 4 of 6

02/27/2003 03:38P

# ATTACHMENT A (INTERIM ZONING – RURAL FLOATING)

17.18.020 Table of Density<sup>10</sup> and Dimensional Requirements

Minimum Lot Area Requirements <sup>11</sup>			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-2-5	<del>2-3</del> 5	<del>2-5 acres: 200'</del> <del>&gt;5 acres: 300'</del> 200'	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 -1/2	1/2	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

- No limit for barns or other agricultural structures.
- 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.
- 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.
- 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.
- An additional 15% may be covered if at least 20% of the lot is landscaped.
- The dimensional standards in this zone may be administratively modified during site plan review.
- Rear yard setbacks will be in compliance with the Unified Building Code.

Rural Activity Centers (other uses) (6)

(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.





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 Bauer FROM: Connie R. Vinti, Clerk of the Board

DEPT: \_\_\_\_\_ FAXED BY: \_\_\_\_\_

FAX: \_\_\_\_\_ PHONE: \_\_\_\_\_

DATE: 2-2-04 PAGES (including cover page): 7

RE: ORD 281 (per my email this AM)

COMMENTS:

---

---

---

---

---

---

---

---

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

**NOTICE TO RECIPIENT**

The information contained in this facsimile is intended only for the use of the individual or entity named above and may contain attorney privileged or confidential information. If the reader(s) of this message is not the intended recipient, you are hereby notified any dissemination, distribution, or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Post Office.