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Ordinance No. 308 310 DC

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

ORDINANCE NO. 308 310 DC

APPROVING A REQUEST BY WALLA WALLA COUNTY FOR A ZONING CODE TEXT AMENDMENT TO WALLA WALLA COUNTY CODE SECTION 17.17 FOR ADMINISTRATIVE SITE PLAN PERMITS AND REVIEW.

WHEREAS, application has been made by Walla Walla County to request a Zoning Code Text Amendment to Walla Walla County Code section 17.17, and

WHEREAS, the Planning Commission held a public hearing on December 1, 2004 to consider the request and recommends to the Board of County Commissioners that the Zoning Code Text Amendment be approved based on the following findings of fact and conclusions of law:

Findings of fact:

1. Site plan review is a process to assure the physical elements of a proposed use are compatible with both the physical characteristics of the site, and with the existing and potential uses of the surrounding area.
2. Establishment of a site plan process will also enable the County to start transitioning away from the heavy reliance on conditional use permits, which are very process and staff time intensive.
3. A simultaneous review by the Planning, Building, Health and Public Works staff will result in better coordinated conditions of approval, fewer oversights, faster total review times by County staff and far less confusion by applicants.
4. The lack of a site plan process has resulted in very disjointed attempts by each department to independently administer and enforce their part of the County's code.
5. The Community Development Director issued a Determination of Non-Significance on the proposal, November 10, 2004.
6. Public notice of the hearing was posted at the Courthouse on November 15, 2004
7. Public notice of the hearing was published in the Waitsburg Times November 11, 2004.

Conclusions of law:

1. The proposed amendment is a public necessity to promote a coordinated permit reviewing process.
2. The proposed amendment benefits the general welfare of the County by better utilizing County resources for review of permitted land uses.
3. The proposed amendment constitutes good planning and zoning practices by enforcing the County Code.
4. Approval of this amendment is consistent with the following goals and policies of the Walla Walla County Comprehensive Plan 2001-2021: RL-32, Development regulations should set criteria which evaluate the following issues in the permit review process: historic use of the subject property and adjoining properties; availability of services such

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as public water and fire protection and volume of traffic and the level of service of the public road which serves the site. RL-4, Assure that the provision of public facilities, services, roads and utilities are consistent with rural character and lifestyle. BSAP-9.2, Development of commercial areas should, as part of an overall development, plan to ensure adequate access, parking, landscaping and architectural control. BSAP-9.3, Adequate sewer, water, fire protection, and utility service shall be available before commercial development begins.

WHEREAS, the Board of County Commissioners held a public hearing on January 4, 2005 for the purpose of receiving testimony for and/or against said request now therefore,

BE IT ORDAINED, by the Walla Walla County Board of Commissioners, that they uphold the Planning Commission and approve the zoning code text amendment, Docket Number, ZCA-04-12 based on the findings of fact and conclusions of law above. The amendment reads as follows:

CHAPTER 17.17 SITE PLAN PERMITS AND REVIEW

SECTION:

- 17.17.010 Purpose**
- 17.17.020 Applications For Permits**
- 17.17.030 Action**
- 17.17.040 Conditions Of Approval**
- 17.17.050 Compliance With Permits**
- 17.17.060 Term Of Permits**
- 17.17.070 Site Plan Permits**

17.17.010 Purpose: This chapter establishes an expeditious method for the administrative review and approval of various permitted land uses. It is intended to promote the development of land in a manner, which is not detrimental to the public health, safety or welfare or to adjacent properties.

17.17.020 Applications For Permits:

- A. Director Approval. All permits issued under this chapter are to the approval of the Director.
- B. Procedure.
 - 1. All applications for land use permits must be made on forms supplied by the Department. The owner or his representative must sign the application.
 - 2. The application must be accompanied by the following, when required:
 - i. A site plan application in accord with Section 17.17.070;
 - ii. An application fee in accord with the adopted fee schedules;
 - iii. An environmental checklist.
 - 3. Notification. Upon completing his review and in conjunction with applicable environmental reviews, the Director, when applicable, will refer the application to appropriate agencies and notify the public in accord with the requirements of Chapter 18.04

17.17.030 Action:

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The Director will make appropriate findings and either approve, conditionally approve, or deny the application. Should an application be approved or conditionally approved, the permit will not become effective until after the time for appealing the permit has expired.

17.17.040 Conditions of Approval:

A. Permits may be made subject to any condition, which the Director finds necessary to protect the public health, safety and welfare or otherwise bring a proposed development into compliance with the purpose and intent of this Title. Such conditions may include, but are not limited to, special setbacks and buffers, including landscaping, fences and walls; lighting; surfacing of parking and driveways; the installation of drainage facilities; the construction of service roads and alleys; the regulation of the time and type of various activities, points of vehicular ingress or egress, noise, vibration, odors and similar conditions, signs, and obstructions to visibility; and such other conditions as will make possible the development of the County in an orderly and efficient manner in conformity with the purpose and intent of this Title.

B. The Director may impose any condition he finds warranted in accord with the State Environmental Policy Act, RCW 43.21C. These conditions may be as the result of or in lieu of an environmental impact statement.

17.17.050 Compliance With Permits:

All premises must be developed and maintained in accord with an approved land use permit. The failure of the property to be so developed or maintained is grounds for the revocation of that permit. The Director may inspect any premises at reasonable times to determine that it is being so developed and maintained. A certificate of occupancy shall not be issued until all conditions of the permit have been complied with or adequate surety given that the conditions will be met. Surety can come in the form of a bond, a letter of credit, an escrow account, cash guarantee or other instrument acceptable to the Director.

17.17.060 Term of Permits:

Site plan permits expire two years from the date of approval if a certificate of occupancy is not issued. Site plans permits can be extended for not more than two additional years, provided that the applicant complies with any changes to the applicable development regulations that occur in the interim.

17.17.070 Site Plans:

A. No building permit will be issued nor may any use or change in use be made of land without a site plan permit. This requirement does not apply to single-family residences and their accessory structures, the cultivation of land for farming, growing of crops, or staging of equipment.

B. Each site plan or amendment submitted for approval must be accompanied by a scale drawing showing lot lines and dimensions, the location of existing structures intended to remain, proposed buildings or improvements, the heights of all structures, parking lot design and location including access and drainage, street right-of-way lines, setbacks, exterior lighting, garbage facilities, signs, landscaping, fences, and any other information deemed necessary by the Director to ensure compliance with the provisions of this Title. If known, the plan must indicate the proposed or probable use of the development and a brief statement of the type of construction contemplated.

C. The site plan will be conditioned or amended so that the development is consistent in all respects to this Title and other applicable laws and ordinances.

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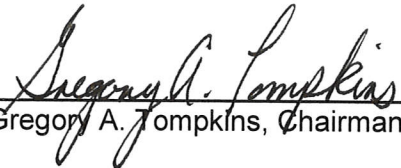
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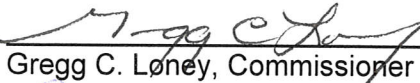
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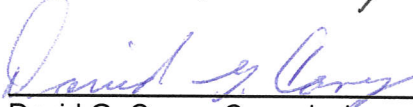
Approved this 4th day of January, 2004⁵

Gregory A. Tompkins, Chairman



Gregg C. Loney, Commissioner




David G. Carey, Commissioner

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

Attest:



Connie R. Vinti, Clerk of the Board



Approved as to form
Prosecuting Attorney

