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

**ORDINANCE NO. 325**

APPROVING A REQUEST BY WALLA WALLA COUNTY FOR A ZONING CODE TEXT AMENDMENTS TO WALLA WALLA COUNTY CODE CHAPTERS 17.08 AND 17.16 REGARDING RECREATIONAL AND CULTURAL LAND USES IN THE COUNTY'S RESOURCE ZONES IN RESPONSE TO THE EASTERN WASHINGTON GROWTH MANAGEMENT HEARINGS BOARD REMAND ORDER AND SUBSEQUENT SETTLEMENT AGREEMENT.

WHEREAS, application has been made by Walla Walla County to request a Zoning Code Text Amendments to Walla Walla County Code Chapters 17.08 and 17.16, and

WHEREAS, the Planning Commission held a public hearing on December 7, 2005 to consider the request and recommends to the Board of County Commissioners that the Code Text Amendments based on the following findings of fact and conclusions of law be approved:

Findings of Fact

1. On December 16, 2003, the Eastern Washington Growth Management Hearings Board directed Walla Walla County to provide standards and criteria within the Walla Walla County Code (WWCC): for proposed conversion of agricultural lands to recreational uses, and to protect agricultural lands from improper conversion to non-agricultural uses.
2. The Planning Commission has held three public workshops on May 12<sup>th</sup>, June 23<sup>rd</sup>, and September 22<sup>nd</sup> of 2004 to consider proposals to enable the County to comply with the Growth Management Hearings Board for Eastern Washington Case No. 02-1-0012c Order on Remand.
3. All oral testimony and correspondence provided by citizens has been considered during the preparation and review of proposed changes to the comprehensive plan and WWCC.
4. The Washington State Growth Management Act (GMA), RCW 36.70A, requires all GMA counties to conserve natural resource lands.
5. The proposed County code amendments were originally submitted to the Washington State Department of Community, Trade and Economic Development (CTED) on October 23, 2004.
6. The Walla Walla County SEPA responsible official has issued a Determination of Non-Significance on October 18, 2004.



7. Public notice of the hearing was published in the *Waitsburg Times* on November 24, 2005.

### Conclusions of Law

1. The amendments will implement and fulfill the settlement agreement dated November 7, 2005 with Furturewise and Citizens for Good Government.
2. The proposed changes to the County code will add greater predictability to the process of the conversion of agricultural lands to recreational uses, and will protect agricultural lands from improper conversion to non-agricultural uses.
3. The proposed amendments will result in fewer non-agricultural uses on lands designated as agricultural resource land of long-term commercial significance, resulting in the conservation and protection of designated agricultural resource lands.
4. The proposed development code amendments are consistent with the Countywide Planning Policies, Walla Walla County Comprehensive Plan and land use map.
5. The proposed amendments to the County development code are consistent with the following County comprehensive plan land use policies:
  - a. Policy RS-1: Land uses in agricultural areas that are related to farming, ranching, mining, outdoor recreation and other open space activities shall be the preferred uses in areas designated as agricultural.
  - b. Policy RS-3: Existing prime and unique agricultural lands should be protected by allowing only uses that are compatible with the agricultural industry within their limits. Lands of secondary importance, such as the vast stretches of non-irrigated land (primarily in grain production) that dominate most of the County, should also be offered protection, while existing patterns of development will be recognized.
  - c. Policy RS-9: Recreation/tourist and highway oriented commercial/tourist facilities may be located in designated districts within select agricultural districts—primarily rural activity centers. These are intended to be low-intensity uses compatible with the agrarian nature of the townsites they are located around. At a minimum, the following criteria should be met:
    - i. The location of the facility must not adversely impact the natural resource production of the area;
    - ii. The facility is of a size and scale that is compatible with the surrounding area.
    - iii. The use does not require extension of urban services and;



- iv. The business is dependent on the agrarian atmosphere of the general area.
  - d. Policy RS-11: Performance standards and mitigation measures may be developed in order to govern the intensity, siting, and design of any proposed on-site enterprise and support business to conserve resource lands and protect existing agricultural character. Such uses shall be directly related to natural resource enhancement, production or utilization. Such uses shall not require extension of urban or rural services. Performance standards may govern permitted uses regarding their impact on soils, drainage, critical areas, traffic generation, visual impact, noise, and any other relevant criteria.
- 6. The proposed standards and criteria to be included in the County code are adequate to guide the threshold determination regarding the conversion of agricultural lands to recreational and/or cultural uses.
  - 7. The proposed standards and criteria adequately conserve and protect the County's designated agricultural resource lands of long-term commercial significance.
  - 8. The proposed changes to the County code clearly guide the conversion of agricultural lands to non-agricultural uses with regard to:
    - a. The conversion of only those lands that consist of soils with severe to moderately severe restrictions or soils that are less suitable for agricultural use.
    - b. The protection of designated agricultural lands of long-term commercial value.
    - c. The need for the new land use to be compatible with the agricultural uses on the surrounding properties.
  - 9. The proposed changes to the County's development code criteria and standards give the landowner seeking conversion of designated agricultural lands of long-term commercial significance an understanding of its application and direction as to how a change of use could take place.

WHEREAS, the Board of County Commissioners held a public hearing on December 7, 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 Amendments, based on the findings of fact and conclusions of law, above. The amendments read as described in Exhibits 1 and 2.



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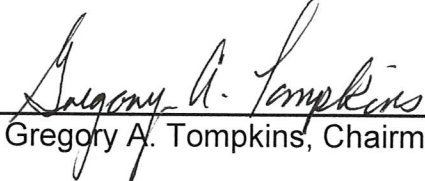
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See Exhibit 1  
Walla Walla County Code, Chapter 17.16: Recreational/Cultural Land Uses matrix

See Exhibit 2  
Walla Walla County Code, Chapter 17.16: Recreational/Cultural Land Uses  
Development Conditions

Approved this 7th day of December, 2005.


  
  
\_\_\_\_\_  
Gregory A. Tompkins, Chairman

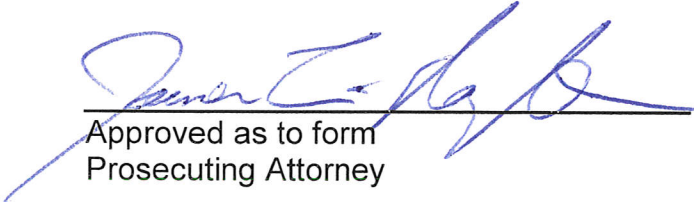
  
\_\_\_\_\_  
Gregg Loney, Commissioner

  
\_\_\_\_\_  
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



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## Chapter 17.16: RECREATIONAL/CULTURAL LAND USES

	RESOURCE			
	Primary Agriculture-40	Exclusive Agriculture-120	General Agriculture-20	Agriculture Residential-10
<b>KEY</b> P = Permitted Use C = Conditional Use permit required AC = Administrative Conditional Use permit required * = Definition of this specific land use see WWCC 17.08	<b>ZONE</b>			

	SPECIFIC USE				
	<b>PARKS/RECREATION</b>				
*	Crop maze	P		P	P
*	Equestrian Park	P5		P5	P5
*	Golf facility	<del>P5,7</del>		<del>P5,7</del>	P7
	Gun/Archery Ranges (Outdoor)	P5,8			P8
*	Hunting/Fishing Lodges	P9	P9	P9	P9
*	Park	P5	P5	P5	P
*	Riding academy	P5,12		P5,12	P5,12
*	Stables, private	P4,12	P4,12	P4,12	P4,12
*	Stables, public	P4,12		P4,12	P4,12
*	All-terrain Vehicle Park	P5,10			
	<b>ENTERTAINMENT</b>				
	Drive-in Theaters				
	Theaters				
	<b>CULTURAL</b>				
	Art Galleries				
	Art Studio				
*	Assembly Halls	P11		P11	P11
	Outdoor Concert Amphitheaters, Coliseums, Stadiums				
	Libraries				
	Museums				
	<b>ACCESSORY USES</b>				
*	Accessory Use	P2	P2	P2	P2

**NOTE:** Land uses with ~~strikethrough~~ text will be deleted.



### Chapter 17.16: 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.
  - A. Buildings associated with accessory uses must be in or adjacent to a farm center if one is present.
  - B. Buildings associated with accessory uses shall not exceed 50,000 square feet in cumulative area, excluding dwellings.
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.
7. Golf facility-Golf facilities with vested development rights from applications submitted before July 11, 2005 (the effective date of Ordinance No. 307) are allowed as conforming uses if constructed in accordance with an approved development permit.
  - A. Applicant must meet two of the following criteria:
    - Located on lands with slopes in excess of 5% on at least one third of the development parcel or parcels.
    - Located on lands with an adequate water supply for irrigation.
    - On those lands receiving less than 18 inches average annual rainfall, as shown on the map in Exhibit 7, a property owner may substitute a certification of rainfall contrary to the map in Exhibit 7 when supported with historical documentation.
    - Located entirely within two miles of Urban Growth Area (UGA) or Rural Activity Center (RAC).
  - B. Tees, fairways, greens, cart paths, driving ranges and tees, practice greens, parking, and clubhouse must be set back a minimum of 75 feet from any abutting farmland property line.
  - C. The County will permit a maximum of three (3) new golf facilities, as defined in WWCC Chapter 17.08.
8. Gun/Archery Ranges (Outdoor)
  - A. Permitted only as a private use not open commercially to the public.
  - B. Club-type ranges are allowed as part of this permitted use.
9. Hunting/Fishing Lodges
  - A. Must be accessory to an existing farm.
  - B. May include a shooting range for lodge guests.
  - D. Lodging is permitted as an accessory use to a hunting club and the lodging is limited to 12 persons at one time.
  - E. Each guest will be allowed to stay a maximum of thirty (30) days per year.
  - F. Ten (10) recreational vehicle spaces are allowed in conjunction with a lodge.
  - G. Must be sited on a parcel that conforms to the minimum lot size in the zoning district assigned to the property.
  - H. May be sited on unfarmed lands or on land with poorer soils.





## Exhibit 2

10. All-terrain Vehicle Park
  - A. ~~Shall be located on lands with slopes in excess of 5% on at least one third of the development parcel or parcels.~~
  - B. ~~Shall be located on lands receiving less than 18 inches average annual rainfall.~~
  - A. No more than 5 ATV parks are permitted at any one time in the Primary Agricultural -40 zoning district
  - B. ATV parks are prohibited on lands in current crop production. ATV parks can be established on rangelands and/or on fallow lands and/or during post harvest conditions such as stubble during crop rotation cycles.
  - C. May include mountain bicycles.
  - D. Shall not include grandstands or any other temporary or permanent structures.
  - E. Shall not include any permanent vendors or concession stands, temporary or permanent.
  - F. ATV parks cannot be sited in critical areas.
  - G. All sanitary facilities must satisfy health department regulations.
11. All existing assembly halls established before May 15, 2001 will remain as nonconforming uses.
12. Equestrian parks and riding facilities are limited in size and scale as follows:
  - A. A maximum of 100 visitors may be on the site for an event at any one time.
  - B. The footprint of the operation may not exceed five acres of land including but not limited to arenas, buildings, parking. This limitation does not include trails.
  - C. Buildings or portions of buildings associated with a facility shall not exceed a cumulative maximum of 30,000 sq. ft. per establishment.



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