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Walla Walla County, WA

ORD

2007-14399

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

ORDINANCE NO. 357

DENYING IN PART, MODIFYING IN PART AND APPROVING IN PART A REQUEST BY THE PORT OF WALLA WALLA FOR ZONING CODE TEXT AMENDMENTS TO WALLA WALLA COUNTY CODE TITLE 17; TO WIT: MODIFYING WALLA WALLA COUNTY CODE SECTIONS 17.16.040, 17.12.040 AND 17.18.020 TO RENAME THE AGRICULTURE INDUSTRIAL LIGHT ZONING DISTRICT THE INDUSTRIAL AGRICULTURE MIXED (IA-M) DISTRICT; TO RENAME THE AGRICULTURE INDUSTRIAL HEAVY DISTRICT THE INDUSTRIAL AGRICULTURE HEAVY (IA-H) DISTRICT; TO ALLOW CERTAIN HEAVY INDUSTRIAL USES IN THE IA-M DISTRICT; AND ELIMINATING CERTAIN USES FROM THE IA-M AND IA-H DISTRICTS.

WHEREAS, the County is updating the Walla Walla County Comprehensive Plan in accordance with RCW 36.70A.130; and

WHEREAS, application has been made by the Port of Walla Walla to request a Comprehensive Plan Land Use Map Amendment within the Attalia Industrial Urban Growth Area to redesignate land classified as Agriculture Industrial Light to Agriculture Industrial Heavy; and

WHEREAS, Walla Walla County Code 14.10.090A(3) allows for the concurrent review and update of development regulations with updates to the Comprehensive Plan; and

WHEREAS, application has been made by the Port of Walla Walla to request a concurrent rezoning of the Agricultural Industrial Light Zone to Agricultural Industrial Heavy Zone; and

WHEREAS, application has been made by the Port of Walla Walla for amendments to Title 17 to consolidate the Agriculture Industrial Heavy Zoning District and the Agriculture Industrial Light Zoning District into one zoning district; and

WHEREAS, on September 28, 2007, an Integrated Draft Comprehensive Plan/Draft Environmental Impact Statement document, which analyzed the changes to be made by the proposed zoning code text amendment, was issued and circulated in accordance with state law, and

WHEREAS, the Department of Community Development held public outreach meetings in Walla Walla and Burbank on October 16, 2007 and October 23, 2007, respectively; and



WHEREAS, the Board of County Commissioners and Planning Commission held joint workshops on October 17 and 24, 2007; and

WHEREAS, the Planning Commission held a public hearing on November 7, 2007 for the purposes of receiving testimony and to consider the request; and

WHEREAS, the Planning Commission recommended that the amendments to Title 17 be approved concurrently with the Comprehensive Plan Land Use Designation changes and the rezones; and

WHEREAS, the Board of County Commissioners held a public hearing on December 3, 2007, for the purpose of receiving testimony and to consider the request; and

WHEREAS, there is an increased demand for heavy industrial use sites adjacent to transportation networks. The area currently zoned Agriculture Industrial Heavy does not contain enough potential sites close to transportation corridors to meet the future needs of industrial businesses; and

WHEREAS, allowing certain uses via the conditional use permit process allows for more land use options in the Attalia Industrial UGA; and

WHEREAS, the Board received citizen comments expressing concern about the possibility of Stationary Thermal Power Plants being located within the area currently zoned Agriculture Industrial Light; and

WHEREAS, the Board received citizen comments expressing concern about the possibility of certain heavy industrial uses being allowed in the area currently zoned Agriculture Industrial Light; and

WHEREAS, on December 17, 2007, a Final Environmental Statement was approved by the SEPA Responsible Official; and

WHEREAS, the Final EIS analyzed and addressed the impacts and alternatives to the proposed zoning code text amendments; and

NOW THEREFORE,

BE IT ORDAINED, by the Walla Walla County Board of County Commissioners that they Ordain as follows:

Section 1. Based on the foregoing, the Board makes the following legislative conclusions:

1. It is unclear whether Stationary Thermal Power Plants are currently allowed in the current Agriculture Industrial Heavy District. Whether such uses are permitted in the current



Agriculture Industrial Heavy District is a question of administrative interpretation under Walla Walla County Code §14.03.020. Alternatively, the Board may direct staff to propose new development regulations to address this issue.

2. It is not the Board's intent by this ordinance to prohibit any currently allowed use in the Agricultural Industrial Heavy Zone, except as explicitly noted in Section 2 of this Ordinance. With the exceptions below, the Board wishes to retain uses currently permitted in the Agriculture Industrial Heavy Zone but rename that zone the Industrial Agriculture Heavy Zone.

3. Based on public comment, the Board does not wish to allow Stationary Thermal Power Plants in the area currently zoned Agriculture Industrial Light at this time.

4. Based on public comment, the Board does not find that consolidating the current Agriculture Industrial Light and Agriculture Industrial Heavy Zones constitutes good planning and zoning at this time.

5. The Board does find that certain uses proposed by the Port of Walla Walla to be permitted outright in the area currently designated Agriculture Industrial Light Zone should instead be allowed by conditional use permit in order to address potential land use conflicts or impacts to public facilities.

6. The Board finds that two zoning classifications should be retained within the Attalia Urban Growth Area.

7. The Board finds that the current Agriculture Industrial Light Zone should be renamed the Industrial Agriculture Mixed Zone.

8. The Board finds that allowing additional uses in the Industrial Agriculture Mixed Zone will allow for the creation of more potential industrial sites near the transportation corridors in the Attalia UGA.

9. The Board finds that by allowing additional uses in the Industrial Agriculture Mixed Zone via conditional use permit encourages economic development.

10. The Board finds that the amendments shown below are consistent with the Comprehensive Plan as concurrently updated.

11. The Board finds that the Port of Walla Walla's proposal for zoning text amendments and the Planning Commission's Recommendation should be modified as set forth below.

Section 2. Amendment to Walla Walla County Code Section 17.12.040

17.12.040 Establishment of districts--Designated--General purposes.

The county of Walla Walla is divided by this section into twenty-one classes of districts with the designations and general purposes listed in this section and the specifically permitted uses tabulated in Section 17.16.014 of this title. See Chapter 17.14 for the development regulations specific to the UPC zone.

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 noncompatible uses; and limit the creation of nonfarm 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 may also 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~~ Industrial Agriculture 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~~ Industrial Agriculture Mixed. The purpose of ~~t~~ This district is to for establish a mix of agricultural activities and light and heavy industrial uses, excluding power plants, such as assembly, storage and manufacture of prefabricated materials, and agricultural land uses in addition to processing, warehousing, and rail transportation facilities.

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

P. 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 aviational facilities, and enhance the potential for future industrial development.

Q. 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.

R. Industrial/Business Park District. This district allows for light industrial uses such as assembly, fabrication, and processing as well as compatible commercial, office, and recreation uses to serve the surrounding community.

S. Heavy Industrial District. This district is primarily for manufacturing, processing, fabrication and assembling of products or materials, warehousing and storage, and transportation facilities.

T. 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.

U. Urban Planned Community. The purpose of the urban planned communities (UPC) zone is to provide greater flexibility and encourage more creative land planning solutions on large parcels of land than would be achieved by traditional lot by lot development using the other zoning districts in this title, while at the same time insuring substantial compliance with the goals and policies of the comprehensive plan and permitting more advantageous and efficient use of sites and infrastructure through the location and arrangement of structures, circulation, parking, and open spaces. The purposes of this district also are to provide flexibility to achieve public benefits and to respond to changing community needs. (Ord. 287, Part B, §§1, 2, 2003; Ord. 269 (part), 2002: Ord. 322 Attach. F (part), 2005)

Section 3. Amendment to Walla Walla County Code Section 17.16.014

Residential Land Uses

Key
P = Permitted use
C = Conditional use permit required
AC = Administrative conditional use permit required
* = Definition of this specific land use see Chapter 17.08
AI-L = Agriculture Industrial Light



IA-M = Industrial Agriculture Mixed
AI-H = Agriculture Industrial Heavy
IA-H = Industrial Agriculture Heavy
HI = Heavy Industrial
LI = Light Industrial
I/BP = Industrial/Business Park
NC = Neighborhood Commercial
BC = Burbank Commercial
BR = Burbank Residential
PR = Public Reserve

SPECIFIC USE	Zone							Misc.	
	Industrial & Commercial							BR	PR
	AI-L IA-M	AI-H IA-H	HI	LI	I/BP	NC	BC		
DWELLING UNITS									
* One Family	AC							P	
* Two Family (duplex)								P	
* Multi Family								P6	
* Townhouse								P6	
* Condominiums								P6	
* Mobile Home, single AC wide									
* Mobile Home, double AC wide								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	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

17.16.014

A. 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 square feet to allow an accessory dwelling unit;
- e. The accessory dwelling unit, excluding any garage area and other nonliving 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 nonliving space), whichever 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 setback 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:
 - i. Road access;
 - ii. Septic system;
 - iii. Water system;
 - iv. Utility meters;



- v. Yard; and
- vi. 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 two hundred 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 four 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 (246-3 58 WAC Temporary Housing Rules).

Retail/Wholesale Land Uses

<u>Key</u>
P = Permitted use
C = Conditional use permit required
AC = Administrative conditional use permit required
* = Definition of this specific land use see Chapter 17.08
AI-L = Agriculture Industrial Light IA-M = Industrial Agriculture Mixed
AI-H = Agriculture Industrial Heavy IA-H = Industrial Agriculture Heavy
HI = Heavy Industrial
LI = Light Industrial
I/BP = Industrial/Business Park
NC = Neighborhood Commercial
BC = Burbank Commercial
BR = Burbank Residential
PR = Public Reserve



	Zone								
	Industrial & Commercial							Misc.	
	AI-L IA-M	AI-H IA-H	HI	LI	I/BP	NC	BC	BR	PR
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			P	P1	P4	P1	P		
Automobile Leasing/Rental			P	P1	P4	P1	P		
* Building Material, Hardware, & Garden Supply			P	P1	P4	P1	P		
* Eating & Drinking Establishments					P5	P1	P		
* Food Stores					P5	P1	P		
* General Merchandise Stores					P5	P1	P		
Heavy Equipment Sales & Rental			P	P1	P				
* Home Furniture, Furnishings, and Equipment Stores					P	P1	P		
Horticultural Nurseries, Retail			P	P1	P	P1	P		
Irrigation Systems/Equipment, Sales Service & Storage	P	P	P	P1	P				
* Produce Stand					P4	P			
* Produce Market					P4	P1	P		
* Retail, Miscellaneous					P4		P		
WHOLESALE									
* Durable Goods	P	P	P	P1	P				
* Non Durable Goods	P	P	P	P1	P				
Commercial Greenhouses	P		P	P1	P	P1			



ACCESSORY USES									
* Accessory Use	P3	P3	P3	P3	P3	P3	P3		

B. Retail/Wholesale Land Uses--Development Conditions.

1. The primary building cannot exceed twenty thousand square feet per establishment.
2. No gasoline or oil pump or appliance may be located within twelve feet of any street or property line unless within a building.
3. Any accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
4. Permitted only within the Burbank UGA. The total area dedicated to retail land uses subject to this condition shall not exceed thirty contiguous acres.
5. Permitted only if located in a building that is also occupied by a permitted noncommercial use. Alternatively, in the Burbank UGA, retail uses subject to this condition are also permitted as stand-alone establishments, subject to geographic and acreage limitation in subsection (B)(4) of this section.

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 Chapter 17.08
AI-L = Agriculture Industrial Light IA-M = Industrial Agriculture Mixed
AI-H = Agriculture Industrial Heavy IA-H = Industrial Agriculture Heavy
HI = Heavy Industrial
LI = Light Industrial
I/BP = Industrial/Business Park
NC = Neighborhood Commercial
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PR = Public Reserve

	Zone								
	Industrial & Commercial							Misc.	
	AI-L IA-M	AI-H IA-H	HI	LI	I/BP	NC	BC	BR	PR
<u>SPECIFIC USE</u>									
EDUCATION SERVICES									
* Schools, public and private							P	P	P



GOVERNMENT SERVICES									
Fire Station	C	C	P	P	P	P	P	C	P
GENERAL SERVICES									
* Animal Hospital					P	P1	P1		
* Automotive Repair & Services	P	P	P	P1	P		P1		
* Automotive Parking					P		P		
Automobile Wrecking Yard	C	C	C	C					
* Business Services					P	P1	P1		
Catering Establishments					P	P1	P1		
Cemeteries, Mausoleums									C
Churches & Places of Worship				C		P1	P1	C	
* Clinic					P	P1	P1		
* Day Care Center					P	P1	P1	C	
Dog Pound			P	C1					
* Finance, Insurance, Real Estate					P	P1	P1		
* Funeral Services & Crematories									
* Hospitals					P	C1	P		
* Kennel, Commercial	C5			C1,5		C1,5			
Laboratories, Research & Testing	P	P	P	P1	P				
* Offices			P		P	P1	P1		
Orphanage/Charitable Institutions					P	P1	P1,3		
* Personal Services					P	P1	P1		
* Repair Shops & related services	P	P	P	P1	P		P1		
Storage, Self Service	P		P	P1			P1		
* Utility Facilities	C	C	C	C1	C	C1	C	C	C
* Warehousing & Storage	P	P	P	P1	P				
ACCESSORY USE									
* Accessory Use	P4	P4	P4	P4	P4	P4	P4	P4	P4

C. Government/General Services Land Uses--Development Conditions.

1. The primary building cannot exceed twenty thousand square feet per establishment.
 2. Permitted if conducted within an enclosure not less than eight feet in height with a solidity of not less than sixty percent and setback fifty feet 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 twenty-five 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 6 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 -- Development Conditions

<u>Key</u>
P = Permitted use
C = Conditional use permit required
AC = Administrative conditional use permit required
* = Definition of this specific land use see Chapter 17.08
AI-L = Agriculture Industrial Light
IA-M = Industrial Agriculture Mixed
AI-H = Agriculture Industrial Heavy
IA-H = Industrial Agriculture Heavy
HI = Heavy Industrial
LI = Light Industrial
I/BP = Industrial/Business Park
NC = Neighborhood Commercial
BC = Burbank Commercial
BR = Burbank Residential
PR = Public Reserve

	Zone								
	Industrial & Commercial							Misc.	
	<u>AI-L</u> <u>IA-M</u>	<u>AI-H</u> <u>IA-H</u>	HI	LI	I/BP	NC	BC	BR	PR
<u>SPECIFIC USE</u>									
* Apparel & Other Textile Products	P	P	P	P4	P				
Acid, manufacture of sulphurous, sulfuric, nitric, hydrochloric, and other similar acids	<u>C</u>	C	C						
Arsenals	<u>C</u>	C							
* Chemicals & Allied Products	<u>C</u>	P	P						



* Computer & Office Equipment	P	P	P	P4	P				
* Dairy Products Processing	P	P	P	P4	P				
* Electronic & Other Electric Equipment	P	P	P	P4	P				
Explosives, Manufacture & Storage	<u>C</u>	C							
* Fabricated Metal Products	P	P	P						
Fat rendering	<u>C</u>	C							
* Food & Kindred Products	P	P	P		P				
* Furniture & Fixtures	P	P	P	P4					
* Industrial Machinery & Equipment	<u>C</u>	P	P						
* Instruments & Related Products	P	P		P4					
* Leather & Leather Goods	P	P	P	P4	P				
* Lumber & Wood Products, Except Furniture	<u>C</u>	P	P		P				
* Meat Processing & Packing	<u>C</u>	P	P						
Offal & Animal Reduction or Processing	<u>C</u>	C							
* Paper & Allied Products	P	P	P	P4					
* Petroleum Refining Related Industries	<u>C</u>	P	P						
Petroleum Refining	<u>C</u>	C	P						
* Primary Metal Industries	<u>C</u>	P	P						
* Printing & Publishing	P	P	P	P4	P	P			
* Rubber & Miscellaneous Plastics	<u>C</u>	P	P		P				
* Stone, Clay, Glass & Concrete Products	P	P	P	P4					
Smelting or Refining Aluminum, Copper, Tin or Zinc	<u>C</u>	C							
Storage/Packing Agricultural Produce	P	P	P	P4	P				
* Textile Mill Products	P	P	P	P4	P				
* Transportation Equipment	<u>C</u>	P	P						
* Truck Stop	P	P	P						
* Winery	P3	P3	P3		P3				
Miscellaneous Light Manufacturing	P	P	P	P	P				
ACCESSORY USES	P	P							
* Accessory Use	P1	P1	P1	P1, 4	P1	P1			

D. 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 for winery development standards.
4. The primary building not to exceed thirty thousand square feet per establishment.

Recreational/Cultural Land Uses

Key
P = Permitted use
C = Conditional use permit required
AC = Administrative conditional use permit required
* = Definition of this specific land use see Chapter 17.08
AI-L = Agriculture Industrial Light
IA-M = Industrial Agriculture Mixed
AI-H = Agriculture Industrial Heavy
IA-H = Industrial Agriculture Heavy
HI = Heavy Industrial
LI = Light Industrial
I/BP = Industrial/Business Park
NC = Neighborhood Commercial
BC = Burbank Commercial
BR = Burbank Residential
PR = Public Reserve

	Zone								
	Industrial & Commercial							Misc.	
	AI-L IA-M	AI-H IA-H	HI	LI	I/BP	NC	BC	BR	PR



SPECIFIC USE									
PARKS/RECREATION									
* Golf facility	C	C							
Gun/Archery Ranges (outdoor)									
Gun/Archery Ranges (indoor)	C			P6					
* Park	P	P	P	P	P	P	P	P	P
* Recreational Facility, public			P		P		P	C	P
* Recreational Facility (Private when 50% or less is owned/ partnered by a public agency)					P	P	C	C	
Recreational Vehicle Park & Campgrounds							P		
* Stables, private								P4	
* All-terrain Vehicle Park									
ENTERTAINMENT									
Drive-in Theaters				C					
Theaters					P	P3	P		
CULTURAL									
Art Galleries					P	P3	P3		
Art Studio	P					P3			
* Assembly Halls	AC				P	P3	P3	C3	
Outdoor Concert Amphitheaters, Coliseums, Stadiums				C					
Libraries	P3	P3			P	P3	P3	P3	P
Museums	P3	P3			P	P3	P3		P
ACCESSORY USES									
* Accessory Use	P2	P2	P2	P2	P2	P2	P2	P2	P2

E. Recreational/Cultural Land Uses--Development Conditions.

1. See Chapter 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 fifty thousand square feet in area.
3. Up to twenty thousand square feet per establishment.
4. See Chapter 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 twelve thousand square feet per establishment.
7. Golf Facility. Golf facilities with vested development rights before July 11, 2005 (the effective date of Ordinance No. 307) are grandfathered as conforming uses if constructed in accordance with an approved development permit.
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.
- c. Lodging is permitted as an accessory use to a hunting club and the lodging is limited to twelve persons at one time.
- d. Each guest will be allowed to stay a maximum of thirty days per year.
- e. Ten recreational vehicle spaces are allowed in conjunction with a lodge.
- f. Must be sited on a parcel that conforms to the minimum lot size in the zoning district assigned to the property.
- g. May be sited on unfarmed lands or on poorer soils.

10. All-Terrain Vehicle Park.

- a. No more than five 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 one hundred 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 thirty thousand square feet per establishment.

Resource Land Uses

Key
P = Permitted use
C = Conditional use permit required
AC = Administrative conditional use permit required
* = Definition of this specific land use see Chapter 17.08
AI-L = Agriculture Industrial Light
IA-M = Industrial Agriculture Mixed
AI-H = Agriculture Industrial Heavy
IA-H = Industrial Agriculture Heavy
HI = Heavy Industrial
LI = Light Industrial
I/BP = Industrial/Business Park
NC = Neighborhood Commercial
BC = Burbank Commercial
BR = Burbank Residential
PR = Public Reserve



	Zone								
	Industrial & Commercial							Misc.	
	AI-L IA-M	AI-H IA-H	HI	LI	I/BP	NC	BC	BR	PR
<u>SPECIFIC USE</u>									
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	C						
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	P						
Rock Crushers									
Quarries, gravel/rock extractions (designated mineral lands)	AC	AC							
Quarries, gravel/rock extractions (nondesignated mineral lands)	C	C							
ACCESSORY USES									
* Accessory Use	P1	P1	P1	P1					

F. 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

<u>Key</u>
P = Permitted use
C = Conditional use permit required
AC = Administrative conditional use permit required
* = Definition of this specific land use see Chapter 17.08
AI-L = Agriculture Industrial Light IA-M = Industrial Agriculture Mixed



AI-H = Agriculture Industrial Heavy
IA-H = Industrial Agriculture Heavy
HI = Heavy Industrial
LI = Light Industrial
I/BP = Industrial/Business Park
NC = Neighborhood Commercial
BC = Burbank Commercial
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PR = Public Reserve

	Zone								
	Industrial and Commercial								
	AI-L IA-M	AI-H IA-H	HI	LI	I/BP	NC	BC	BR	PR
SPECIFIC USE									
* Airports and Accessory Uses	C	C							
* Airports and Aircraft Landing Field	P	P	P						
Bus Passenger Stations			P				P		
Colleges or Universities, public or private									
Colleges, business colleges, trade schools and similar organizations, all without students in residence offering training in specific fields			P		P				
Heliports and/or Helistops	C	C					C		
Jails and Penal Institutions	P	P							
* Junkyards	P1	P1							
Land fills	C	C							
Microwave Relay Stations	P	P	P		P				
* Organic Waste Processing Facility	P	P							
Radio and Television Broadcasting Stations	P3	P3		P3	P3		P3		



and Towers									
Railroad Freight Yards	P	P	P		P				
Railroad Terminals			P		P		P		
Wind Farm Power Generators, Commercial	C	C							
* Wireless Communication Facility	P6	P6	P6	P6,7	P6	P6	P6,7	C5,6	
* Wireless Communication Facility, Attached	P6	P6	P6	P6,7	P6	P6	P6	P6	
ACCESSORY USES									
* Accessory Use	P2	P2	P2	P2	P2	P2	P2	P2	

G. 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 set back 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, Chapter 17.34.

7. If located within one-half mile of another wireless communication facility, a conditional use permit is required. (Ord. 269 (part), 2002; Ord. 302, 2004; Ord. 307 (part), 2004; Ord. 322 Attach. F (part), 2005; Ord. 325 (Exhs. 1, 2), 2005; Ord. 339 § 2, 2007; Ord. 342 § 2, 2007)

Section 4. Amendment to Walla Walla County Code Section 17.18.020

17.18.020 Table of density and dimensional requirements.

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 Residential Mill Creek-5	5	330	30	10	(7)	35	35(1)
Rural Residential-2	2	125	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
Agriculture Light Industrial Industrial Agriculture Mixed	--	--	(8)	(8)	(8)	75	--
Agriculture Heavy Industrial Industrial Agriculture Heavy	--	--	(8)	(8)	(8)	75	--



Neighborhood Commercial	--	--	15	5	15	75	35
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Light Industrial	--	--	(8)	(8)	(8)	75	--
Burbank Residential	(9)	(9)	20	5	25	35	35
Burbank Commercial	--	--	15	5	15	75	35
Heavy Industrial	--	--	(8)	(8)	(8)	75	--
Industrial Business Park	--	--	(8)	(8)	(8)	75	--

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.
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.
8. No restrictions, except 50 ft. 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:

$$\begin{array}{rcl}
 90 & \times & 1/40 \text{ Primary Agriculture allowed} \\
 \text{(gross site area} & & \text{density is 1 dwelling unit per 40 acres} \\
 \text{in acres)} & & = 2 \text{ maximum allowed} \\
 & & \text{dwelling units}
 \end{array}$$

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.
13. The minimum parcel size requirement shall not apply to the creation of parcels for use as publicly owned quarries, material stockpiling, rock crushing, road construction, road maintenance and mining equipment storage within the Exclusive Agriculture, Primary Agriculture, General Agriculture, Rural Remote 40 acre, Rural Remote 20 acre, Rural Agriculture 10 acre and Rural Agriculture 5 zoning districts. A note will be placed on the face of the recorded land division instrument (e.g., short plat, subdivision, etc.) stating that the site is not a buildable parcel for residential or commercial purposes.

(Ord. 269 (part), 2002; Ord. 293, 2003; Ord. 299, 2004; Ord. 338 § 1, 2007)

Section 5. Effective Date and Savings. This ordinance is effective on December 21, 2007. Any previous ordinance amended by this Ordinance shall remain in force and effect until the effective date of this ordinance.




Section 6. 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.

Section 7. Publication. This ordinance will be published by an approved summary consisting of the title.

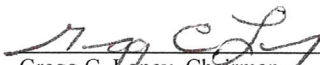
PASSED by the Walla Walla County Board of County Commissioners in regular session at Walla Walla, Washington, then signed by its membership and attested by its Clerk in authorization of such passage this 17th day of December, 2007.

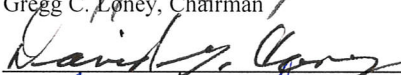
Approved this 17th day of December, 2007

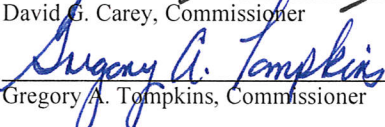
Attest:



Connie R. Vinti, Clerk of the Board



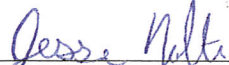
Gregg C. Loney, Chairman


David G. Carey, Commissioner


Gregory A. Tompkins, Commissioner

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

Approved as to form



Jesse D. Nolte
Deputy Prosecuting Attorney



Walla Walla County, WA

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