

Return Address
Walla Walla County Commissioners
PO BOX 1506
Walla Walla, WA 99362

Document Titles (i.e.: type of document)

ORDINANCE NO. 428 - ADOPTING A REQUEST BY THE PORT OF WALLA WALLA TO AMEND THE PERMITTED USES TABLE IN CHAPTER 17.16 OF THE WALLA WALLA COUNTY CODE, ALLOWING A WIDER RANGE OF USES AND THE ELIMINATION OF CERTAIN SIZE LIMITATIONS IN THE LIGHT INDUSTRIAL ZONING DISTRICT.

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. **The Public**
- 2.
- 3.

Additional names on page ____ of document.

Legal description (i.e.: lot and block or section township and range)

n/a

Additional legal is on page ____ of document.

Assessors Parcel Numbers

n/a

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 document.



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

ORDINANCE NO. 428

ADOPTING A REQUEST BY THE PORT OF WALLA WALLA TO AMEND THE PERMITTED USES TABLE IN CHAPTER 17.16 OF THE WALLA WALLA COUNTY CODE, ALLOWING A WIDER RANGE OF USES AND THE ELIMINATION OF CERTAIN SIZE LIMITATIONS IN THE LIGHT INDUSTRIAL ZONING DISTRICT.

WHEREAS, the Growth Management Act requires that the County take legislative action to review and revise, if necessary, its comprehensive land use plan to ensure that it complies with the requirements of the Growth Management Act, as described in RCW 36.70A.130; and

WHEREAS, the Growth Management Act requires that updates, amendments, or revisions to the Comprehensive Plan may not be considered more frequently than once a year except for certain limited circumstances; and

WHEREAS, RCW 36.70A.470 requires that the County include a procedure that for any interested person to suggest amendments to the Comprehensive Plan or development regulations, and that the amendments must be docketed and considered on at least an annual basis; and

NOW THEREFORE,

BE IT ORDAINED, by the Walla Walla County Board of County Commissioners that:

Section I. The Board of County Commissioners Makes the Following Findings of Fact:

1. The application was submitted to the Walla Walla Joint Community Development Agency on March 31, 2014.
2. On April 24, 2014 a Notice of Public Meeting was published in the Waitsburg Times, Walla Walla Union Bulletin and Tri-City Herald.
3. The Planning Commission held a public meeting on May 7, 2014.
4. On May 22, 2014 a Notice of Public Hearing was published in the Waitsburg Times, Walla Walla Union Bulletin and Tri-City Herald.
5. On May 29, 2014 a Notice of Public Workshop was published in the Waitsburg Times, Walla Walla Union Bulletin and Tri-City Herald.
6. On June 4, 2014 the Planning Commission held a public hearing and recommended the proposed amendments be included on the County's 2014 final docket.
7. On June 9, 2014 the Board of County Commissioners held a public workshop and concurred with the recommendation of the Planning Commission.



8. On June 16, 2014 the Department of Commerce acknowledged receiving the proposed amendment.
9. No comments were received from the Department of Commerce or any other public entity during the 60 day comment period.
10. On August 21, 2014 a Notice of Informational Public Meeting and Public Hearing was published in the Waitsburg Times, Walla Walla Union Bulletin, and Tri-City Herald.
11. On September 3, 2014 an Informational Public Meeting and Planning Commission Public Hearing were held. On September 9, 2014, the Planning Commission issued Resolution 14-03, recommending approval of the proposed amendment.
12. On December 4, 2014 a Notice of Public Hearing was published in the Waitsburg Times, Walla Walla Union Bulletin, and Tri-City Herald.
13. The Board of County Commissioners held a Public Hearing on December 15, 2014.
14. The proposed amendment would establish allow a wider range of uses and the elimination of certain size limitations in the Light Industrial zoning district.

Section II. The Board of County Commissioners Makes the Following Conclusions of Law:

1. The proposed amendment is in compliance with Walla Walla County Code Sections 14.15.070(B)(3).
2. The proposed amendment is consistent with the Walla Walla County Comprehensive Plan.
3. As proposed, the amendment will not have a significant adverse impact on public welfare and safety.
4. The proposed amendments are in compliance with RCW 36.70A, RCW 36.70B and the Washington Administrative Code.

Section III. Adoption of the amendment to Chapter 17.16.014

Based on its review of the requirements of RCW 36.70A, the proposed amendment, staff analysis, and the recommendation proposed by the Planning Commission, the Board of County Commissioners hereby adopts the following proposed amendment to Walla Walla County Code Chapter 17.16:

Amendments to the Permitted Uses Table regarding uses in the light industrial zoning district, as shown on the attached Exhibit A.

Section IV. Effective Date and Savings.

This Ordinance is effective upon signing.

Section V. 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 VI. 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 15th day of December, 2014.

Attest:

Connie R. Vinti
Connie R. Vinti, Clerk of the Board

James K. Johnson
James K. Johnson, Chairman, District 1

Perry L. Dozier
Perry L. Dozier, Commissioner, District 2

Gregory A. Tompkins
Gregory A. Tompkins, Commissioner, District 3

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



Approved as to form

Jesse D. Nolte
Jesse D. Nolte, Deputy Prosecuting Attorney



Exhibit A
Excerpts of WWCC 17.16.014 related to Light Industrial Zoning District

Retail/Wholesale Land Uses

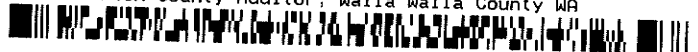
SPECIFIC USE	LI
RETAIL	
* Apparel and Accessory Stores	
Auction Houses, except livestock	
Auction Houses/Yards, Livestock	
* Automobile Service Station and Convenience Market	P
* Automotive Dealers	P+
Automobile Leasing/Rental	P+
* Building Material, Hardware, and Garden Supply	P+
* Eating and Drinking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



	LI
ACCESSORY USES	
* Accessory Use	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.



Government/General Services Land Uses

SPECIFIC USE	LI
EDUCATION SERVICES	
* Schools, public and private	
GOVERNMENT SERVICES	
Fire Station	P
GENERAL SERVICES	
* Animal Hospital	
Animal Shelter	C±
* Automotive Repair and Services	P±
* Automotive Parking	
Automobile Wrecking Yard	C
* Business Services	P
Catering Establishments	P
Cemeteries, Mausoleums	
Churches and Places of Worship	C
* Clinic	
* Day Care, Family	
* Day Care Center	
* Finance, Insurance, Real Estate	
* Funeral Services and Crematories	
* Hospitals	
* Kennel, Commercial	C±, 4
Laboratories, Research and Testing	P±
* Offices	P



	LI
Orphanage/Charitable Institutions	
* Personal Services	
* Repair Shops and related services	P4
Storage, Self Service	P4
* Utility Facilities	C
* Warehousing and Storage	P4
* Wedding and Event Center	
ACCESSORY USE	
* Accessory Use	P3

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. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.

4. 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.

5. Wedding and Event Centers are permitted only at golf courses located within county land zoned Agriculture Residential-10 acre where the golf course has both facilities and parking to accommodate the use.



Industrial/Manufacturing Land Uses

	LI
SPECIFIC USE	
* Apparel and Other Textile Products	P4
Acid, manufacture of sulphurous, sulfuric, nitric, hydrochloric, and other similar acids	
Arsenals	
Asphalt Plant	
* Chemicals and Allied Products	<u>C</u>
* Computer and Office Equipment	P4
Concrete Batch Plant	
* Dairy Products Processing	P4
* Electronic and Other Electric Equipment	P4
Explosives, Manufacture and Storage	
* Fabricated Metal Products	P
Fat rendering	
* Food and Kindred Products	<u>C</u>
* Furniture and Fixtures	P4
* Industrial Machinery and Equipment	<u>P</u>
* Instruments and Related Products	P4
* Leather and Leather Goods	P4
* Lumber and Wood Products, Except Furniture	P
* Meat Processing and Packing	<u>C</u>
Offal and Animal Reduction or Processing	
* Paper and Allied Products	P4
* Petroleum Refining Related Industries	
Petroleum Refining	
* Primary Metal Industries	<u>C</u>
* Printing and Publishing	P4

* Rubber and Miscellaneous Plastics	C
* Stone, Clay, Glass and Concrete Products	P4

	LI
SPECIFIC USE	
Smelting or Refining Aluminum, Copper, Tin or Zinc	
Storage/Packing Agricultural Produce	P4
* Textile Mill Products	P4
* Transportation Equipment	P
* Truck Stop	P
* Winery Type I	P3
* Winery Type II	P3
Miscellaneous Light Manufacturing	P
ACCESSORY USES	
* Accessory Use	P1, 4

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

SPECIFIC USE	LI
PARKS/RECREATION	
* Crop Maze	
* Equestrian Park	
* Golf facility	
Gun/Archery Ranges (outdoor)	
Gun/Archery Ranges (indoor)	P6
Hunting/Fishing Lodges	
Marina	
* Park	P
* Recreational Facility, public	
* Recreational Facility (Private when 50% or less is owned/partnered by a public agency)	
Recreational Vehicle Park and Campgrounds	
* Riding academy	
* Stables, public	
* All-terrain Vehicle Park	
ENTERTAINMENT	
Drive-in Theaters	C
Theaters	
CULTURAL	
Art Galleries	<u>P</u>
Art Studio	<u>P</u>
* Assembly Halls	
Outdoor Concert Amphitheaters, Coliseums, Stadiums	C
Libraries	
Museums	<u>P</u>
ACCESSORY USES	



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. Gun/Archery Ranges (Outdoor).
 - a. Permitted only as a private use not open commercial to the public.
 - b. Club-type ranges are allowed as part of this permitted use.
8. 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.
9. 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.
10. All existing assembly halls established be-fore May 15, 2001 will remain as nonconforming uses.
11. 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.
12. See the definition of Marina in ch. 17.08



Regional Land Uses

SPECIFIC USE	LI
* Aircraft Landing Field—Private	
* Airports and Accessory Uses	
* Airport and Aircraft Landing Field— Agricultural	
Bus Passenger Stations	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	
* Heliports	C
* Helistops	AC
Jails and Penal Institutions	
* Junkyards	
Land fills	
Microwave Relay Stations	<u>P</u>
* Organic Waste Processing Facility	
Radio and Television Broadcasting Stations and Towers	P3
Railroad Freight Yards	<u>C</u>
* Railroad Terminals	<u>C</u>
Wind Farm Power Generators, Commercial	
* Wireless Communication Facility	P6, 7
* Wireless Communication Facility, Attached	P6, 7
ACCESSORY USES	
* Accessory Use	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. Radio and television broadcasting towers must comply with the following conditions:
 - 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.

