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**ORDINANCE NO. 437 - ADOPTING A REQUEST BY BLUE MOUNTAIN  
COMMERCIAL LLC (CPA15-001, REZ15-001) TO REMOVE 2.33 ACRES  
FROM THE CITY OF WALLA WALLA URBAN GROWTH AREA AND AMEND  
COMPREHENSIVE PLAN MAPS LU-1 AND LU-3 AND THE WALLA WALLA  
COUNTY ZONING MAP TO CHANGE THE PROPERTY FROM URBAN TO  
RURAL RESIDENTIAL ZONING AND LAND USE DESIGNATIONS**

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.

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

**ORDINANCE NO. 437**

**ADOPTING A REQUEST BY BLUE MOUNTAIN COMMERCIAL LLC (CPA15-001, REZ15-001) TO REMOVE 2.33 ACRES FROM THE CITY OF WALLA WALLA URBAN GROWTH AREA AND AMEND COMPREHENSIVE PLAN MAPS LU-1 AND LU-3 AND THE WALLA WALLA COUNTY ZONING MAP TO CHANGE THE PROPERTY FROM URBAN TO RURAL RESIDENTIAL ZONING AND LAND USE DESIGNATIONS.**

**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 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.

**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 Community Development Department on March 27, 2015 by Blue Mountain Commercial, LLC.
2. The amendment applications would amend Comprehensive Plan land use maps LU-1 and LU-3 to remove 2.33 acres from the City of Walla Walla Urban Growth Area. The subject property is located at 705 Berney Drive (APN 360727110016, 360727110019, 360727110018). The amendment would also assign a new land use designation of Rural Residential 5 and amend the County Zoning Map to assign a new zoning of Rural Residential 5.
3. The Planning Commission held a public workshop on May 6, 2015.
4. The Board of County Commissioners held a public workshop on May 26, 2015.

5. A Notice of Public Hearing for a July 1 Preliminary Docket Planning Commission hearing was published in the Waitsburg Times, the Walla Walla Union Bulletin and the Tri-City Herald on June 18, 2015.
6. A Notice of Public Hearing for a July 1 Preliminary Docket Planning Commission hearing was posted on the Community Development Department website on June 17, 2015.
7. A Notice of Public Hearing for a July 1 Preliminary Docket Planning Commission hearing was posted on site on June 17, 2015.
8. A Notice of Public Hearing for a July 1 Preliminary Docket Planning Commission hearing was mailed to property owners within 500-feet of the property on June 17, 2015.
9. On July 1, 2015 the Planning Commission held a public hearing and recommended that the proposed zoning and land use map amendments be included on the County's 2015 final docket. The recommendation was documented in Planning Commission Resolution No. 15-01, which was signed by the Chairman on July 15, 2015.
10. On July 20, 2015 the Board of County Commissioners reviewed the Planning Commission's recommendation on these applications and concurred. On November 2, 2015 the Board signed Resolution No. 15-274 setting the 2015 final docket, which includes these applications.
11. On October 20, 2015 the Walla Walla County Community Development Department issued a SEPA Determination of Non-Significance. No appeal was filed.
12. On September 3, 2015 notice of these amendments was sent to the Department of Commerce. No comments were received from the Department of Commerce or any public agency during the 60-day comment period, which ended on November 2, 2015.
13. On October 22, 2015 a Notice of Informational Public Meeting and Public Hearing for meetings on November 4 was published in the Waitsburg Times, Walla Walla Union Bulletin and Tri-City Herald.
14. On October 15, 2015 a Notice of Informational Public Meeting and Public Hearing for meetings on November 4 was mailed to property owners within 500-feet of the property.
15. As required by Walla Walla County Code 14.10.080, Amendments to urban growth areas – Joint review, on November 2, 2015 Elizabeth Chamberlain, Director of the City of Walla Walla Development Services Department, submitted a letter to the Community Development Department stating that the City did not object to the proposed amendments.
16. On November 4, 2015 an Informational Public Meeting was held.

17. On November 4, 2015 the Planning Commission held a public hearing on the application. Mike Corliss, representing the Applicant, spoke in favor of the application; there was no other public testimony.
18. After the close of the public hearing on November 4, 2015, the Planning Commission voted unanimously to recommend approval of the application by the Board of County Commissioners. On November 9, 2015, the Planning Commission Chairman issued Resolution 15-02, documenting this recommendation.
19. On November 9, 2015 the Board of County Commissioners adopted Resolution No. 15-282 setting a public hearing on this item for November 23, 2015.
20. A Notice of Public Hearing for the November 23 hearing was published in the Waitsburg Times, the Walla Walla Union Bulletin and the Tri-City Herald on November 12, 2015.
21. A Notice of Public Hearing for the November 23 hearing was posted on the Community Development Department website on November 9, 2015.
22. A Notice of Public Hearing for the November 23 hearing was mailed to property owners within 500-feet of the property and parties of record on November 9, 2015.
23. The Board of County Commissioners held the Final Docket Public Hearing on November 23, 2015. There was no public testimony.

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

1. With regard to Walla Walla County Code Section 1410.070B(3):
  - a. *The amendment meets a definable public need; and*  
Discussion: The site has been the location of a commercial winery since 2002. These amendments would allow this business to continue to operate as a conforming use and allow for possible expansion.
  - b. *The public need was not recognized in the existing comprehensive plan due to:*
    1. *A change in circumstances in the community not anticipated or contemplated when the applicable section(s) of the comprehensive plan was last adopted; or*
    2. *An error in development of the comprehensive plan as it currently exists; and*  
Discussion: The amendments meet this criterion under item 2. At the time that the property was included in the UGA there was incorrect information about the location of the city limits boundary. Secondly, there is an existing nonconforming use on the property. The amendment is necessary for the winery to operate as a conforming use and allow for possible expansion.

- c. *The defined need conforms to the policy directives of the comprehensive plan and countywide planning policies; and*

Discussion: The amendment is consistent with the Comprehensive Plan in that it will not impact urban services or affect population growth targets. It is a minor amendment that will be more consistent with existing uses and surrounding development.

- d. *The proposed amendment does not require amendment of policies in other areas of the comprehensive plan except to resolve inconsistencies or unnecessary duplication among policies; and*

Discussion: No additional amendments to the Comprehensive Plan will be required.

- e. *The proposed amendment is consistent with the Growth Management Act (Chapter 36.70A RCW), any other applicable inter-jurisdictional policies or agreements, and any other state or federal laws.*

Discussion: The proposed amendment is consistent with the Growth Management Act and all applicable policies and state laws. The City of Walla Walla has reviewed the amendment. The existing use more closely meets the Rural Residential 5 designation than the current residential land use designation.

2. With regard to Walla Walla County Code 14.15.070B(4):

- a. *The subject parcel(s) is suitable for development under the requested land use designation and the zoning standards of one or more potential implementing zoning district(s); and*

Discussion: The parcel is actually more suitable for future development under the Rural Residential land use designation. The site already contains a winery, which is allowed in the RR-5 district, but not allowed under the current R-96 zoning.

- b. *The proposed site-specific amendment will not create pressure to change the land use designation of other properties in the area and*

Discussion: The amendments will not create pressure to change the land use designation of other properties. This is a unique application which addresses an old mapping inconsistency and an existing nonconforming use.

- c. *The proposed site-specific amendment does not adversely affect the adequacy of existing or planned public facilities and services in the immediate area or the applicable urban growth area.*

Discussion: The site is already developed with a winery. There will be no increase in demand for public facilities or services as a result of this application.

3. With regard to Walla Walla County Code 14.10.070B(5)(a):

- 1. *The 20-year population and/or employment projections for the county; and*

Discussion: The property that will be removed from the UGA is only 2.33 acres. Because it is already developed with a winery, it was unlikely to ever

be developed for residential units so it is not expected affect population growth. A 2013 analysis of 2012 20-year population growth targets and available capacity in the UGAs concluded that there is a 6,443 surplus population capacity in the Walla Walla UGA.

2. *The extent to which the urban growth occurring within the county has located within each city and the unincorporated urban growth areas; and*

Discussion: This is a minor amendment, affecting only 2.33 acres which was unlikely to be developed with urban uses, so it is not likely to result in an impact on patterns of urban growth.

3. *The allocation of projected county population and/or employment to the urban growth areas; and*

Discussion: The property that will be removed from the UGA is only 2.33 acres. Because it is already developed with a winery, it was unlikely to ever be developed for residential units so it is not expected to necessitate a reallocation of population.

4. *The buildable lands analysis for each urban growth area; and*

Discussion: A 2013 buildable lands analysis of 2012 20-year population growth targets and available capacity in the UGAs concluded that there is a 6,443 surplus population capacity in the Walla Walla UGA.

5. *Existing urban growth area boundaries; and*

Discussion: These amendments would also remove this property from the Walla Walla UGA.

6. *Other proposed changes affecting urban growth areas.*

Discussion: There are no other changes affecting urban growth areas area under consideration by the County at this time.

4. With regard to Walla Walla County Code 14.10.070B(5)(b):

1. *The proposed amendment necessitates:*

- a. *Reallocation of population and/or employment within the county; and*

- b. *Related map and/or boundary changes; or*

Discussion: The property that will be removed from the UGA is only 2.33 acres. Because it is already developed with a winery, it was unlikely to ever be developed for residential units so it is not expected to necessitate a reallocation of population or any other boundary changes.

2. *The proposed amendment requires modification of the map and/or boundary of one or more urban growth areas.*

Discussion: Removal from the UGA necessitates amendment of the land use map and zoning map. These requests are included with this amendment. The new land use designation is Rural Residential 5 and the new zoning will be Rural Residential 5, these are appropriate designations for properties outside, but directly adjacent to the UGA.

5. With regard to Walla Walla County Code 14.15.070D(3):

- a. *The amendment is consistent with the comprehensive plan; and*  
Discussion: With the Comprehensive Plan amendments, the only appropriate zoning would be Rural Residential 5, which is the only implementing zoning district identified in the Comprehensive Plan for the Rural Residential 5 land use designation.
  - b. *The amendment meets a definable public need; and*  
Discussion: The zoning map amendment meets a definable public need because it ensures consistency with the Comprehensive Plan amendment and assigns zoning that is more compatible with the existing land uses, allowing Tranche Winery to become a conforming use under zoning.
  - c. *The amendment is in the long term interest of the County.*  
Discussion: The amendment is in the long term interest of the County for same reasons stated above. This amendment will address a mapping inconsistency and provide for future expansion of the existing use.
6. The proposed amendment is in compliance with Walla Walla County Code Sections 14.10.070B(3), 14.10.070B(4), 14.10.070B(5), and 14.15.070D(3), as outlined above.
7. The proposed amendment is consistent with the Walla Walla County Comprehensive Plan.
8. As proposed, the amendment will not have a significant adverse impact on public welfare and safety.
9. The proposed amendments are in compliance with RCW 36.70A, RCW 36.70B and the Washington Administrative Code.
10. The site has been the location of a commercial winery since 2002. The proposed change would allow this business to operate as a conforming use and allow for possible expansion. The application will not create pressure to change the land use designation of other properties. This is a unique application which addresses an old mapping inconsistency and an existing nonconforming use; there will be no impact to growth targets.

### **Section III. Adoption of the Proposed Walla Walla Urban Growth Area Adjustment and Amended Land Use and Zoning Maps:**

Based on its review of the requirements of RCW 36.70A and the Washington Administrative Code, the proposed amendments prepared by the applicant, staff analysis and the recommendation proposed by the Planning Commission, the Board of County Commissioners hereby adopts the following proposed Comprehensive Plan and Zoning Map amendments:

The adjustment of the Urban Growth Area and amendment to Walla Walla County Comprehensive Land Use Map LU-1 and LU-3 and applicable County zoning maps, as presented to the Board of County Commissioners on this date is



adopted as shown in Exhibit A. The Director of the Walla Walla County Community Development Department is directed to replace the existing maps with the amended maps.

**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.**

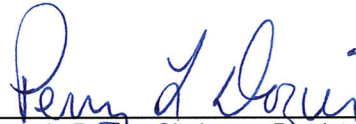
This Ordinance will be published by an approved summary consisting of the title.

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 14<sup>th</sup> day of December, 2015.

Attest:



Connie R. Vinti, Clerk of the Board



Perry L. Dozier, Chairman, District 2




James K. Johnson, Commissioner, District 1



James L. Duncan, Commissioner, District 3

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

Approved as to form

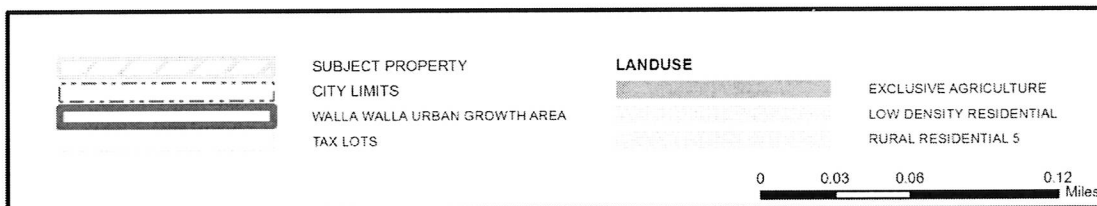
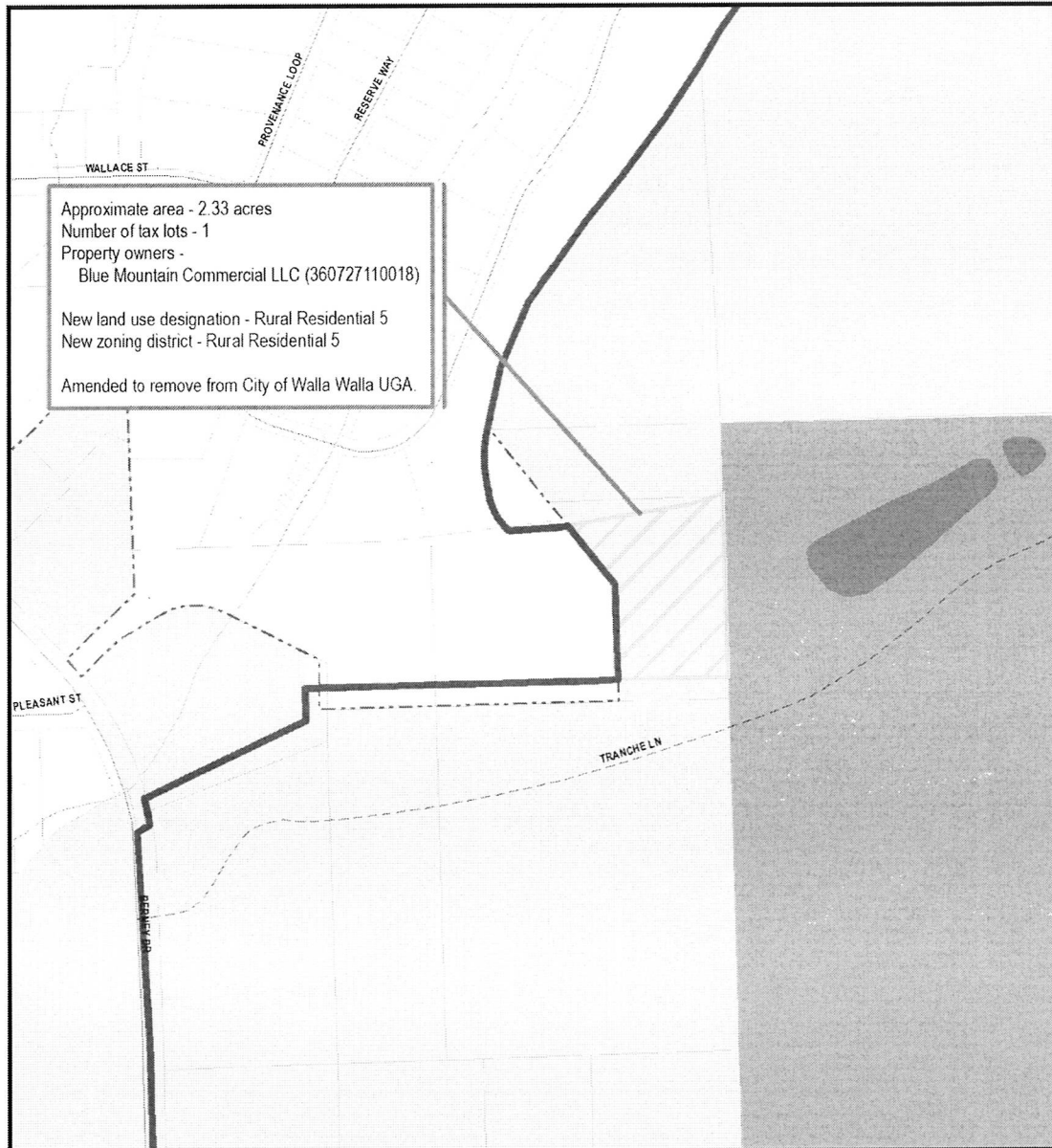


Jesse D. Nolte, Deputy Prosecuting Attorney



## Exhibit A

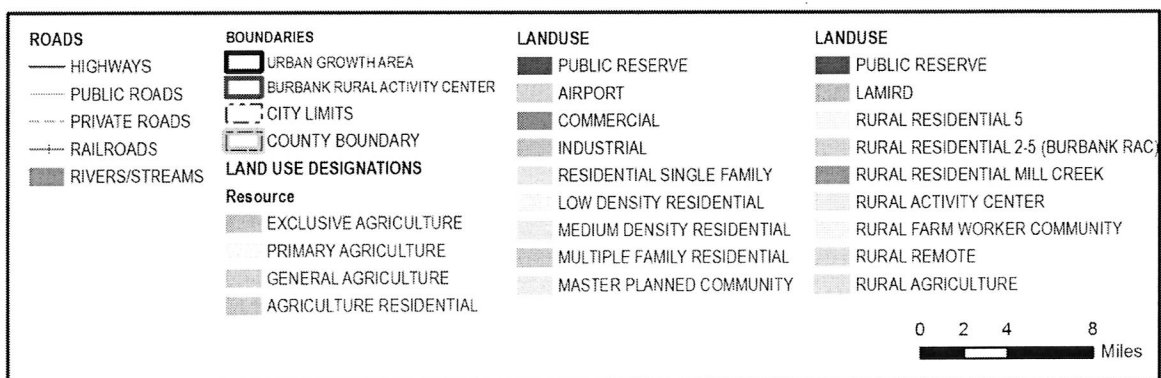
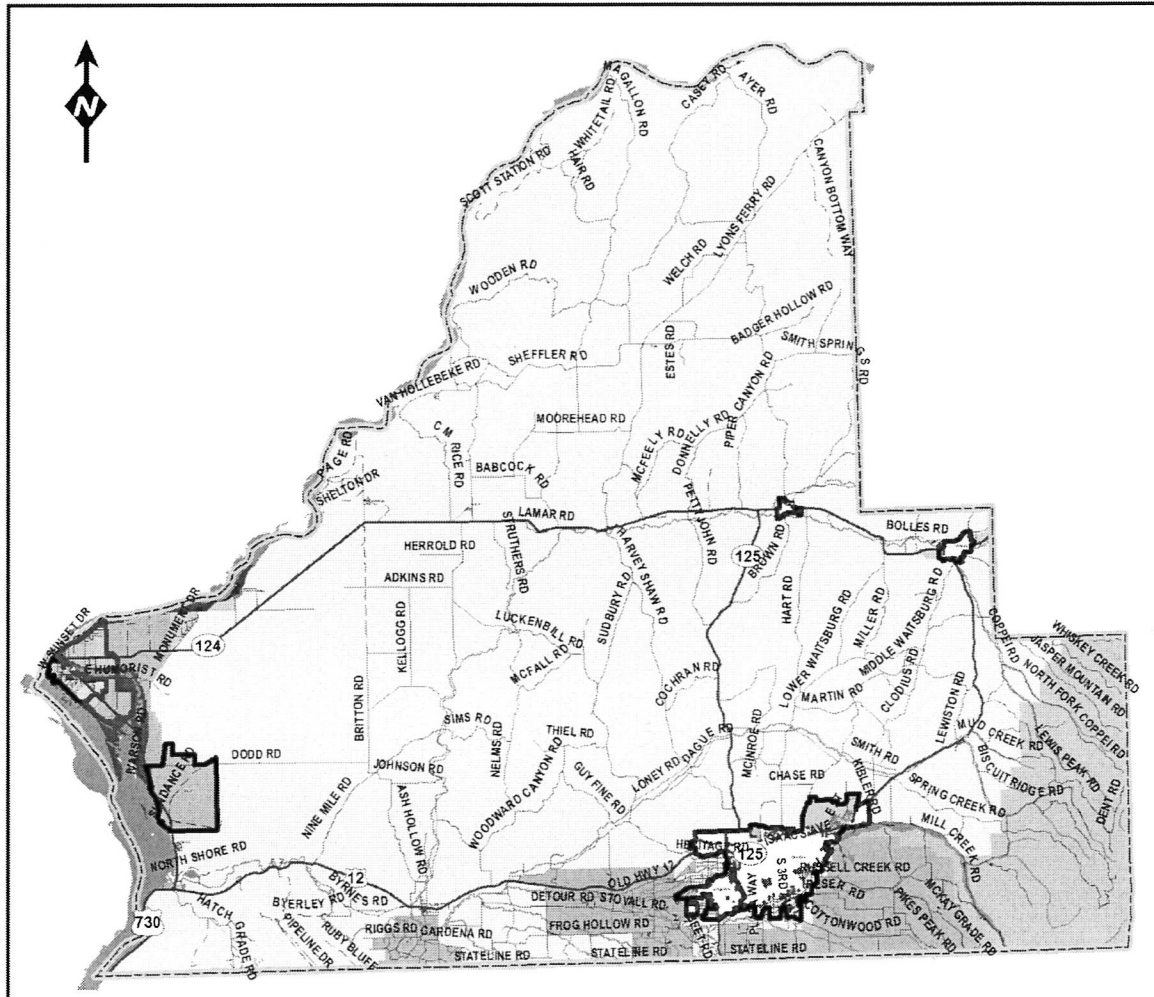
### Blue Mountain Commercial LLC Land Use Map Amendment (CPA15-001)



Print Date: 12/03/2015

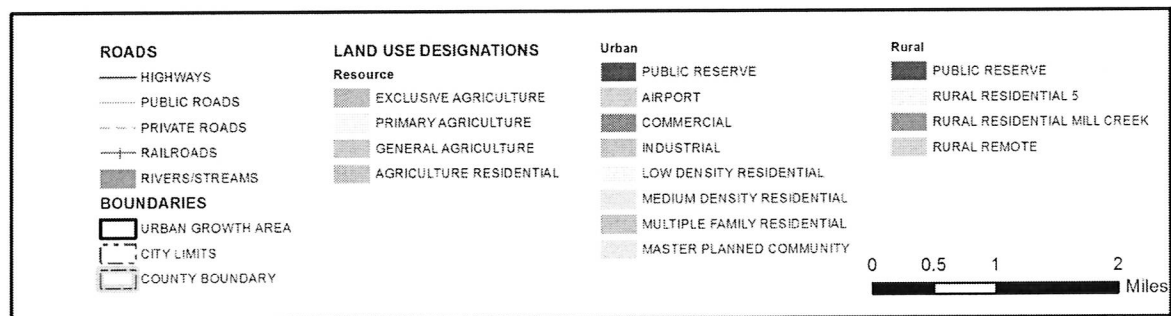
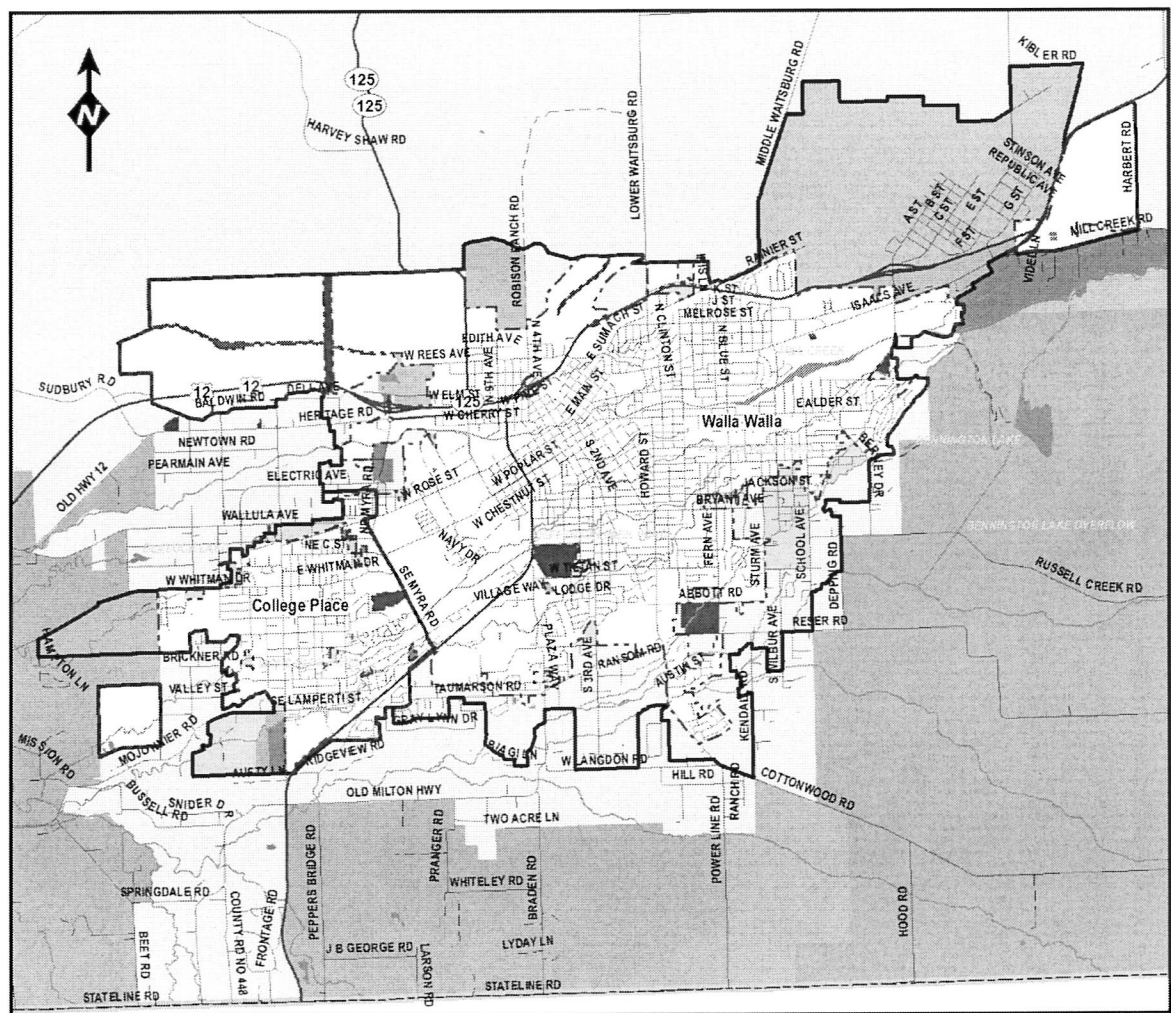
Walla Walla County Community Development Dept. - 310 W. Poplar Street, Suite 200, Walla Walla WA 99362 - (509) 524-2610

# County Land Use

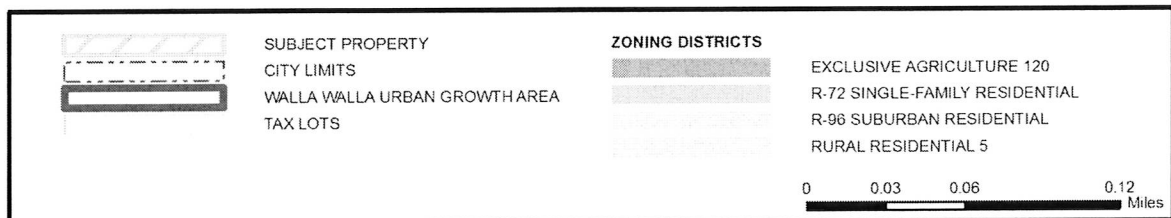
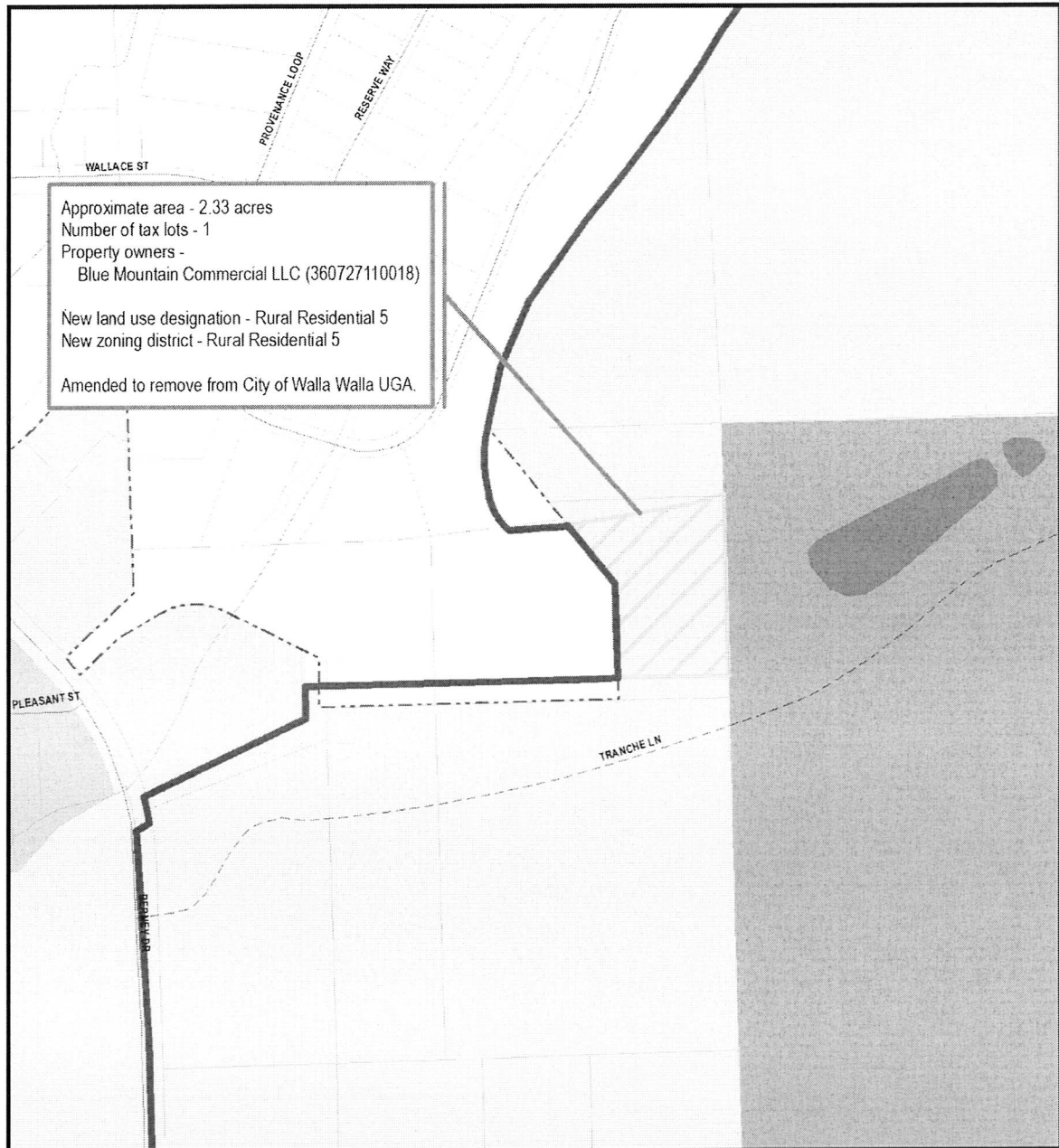


# County Land Use

## College Place / Walla Walla Area



# Blue Mountain Commercial LLC Zoning Map Amendment (REZ15-001)

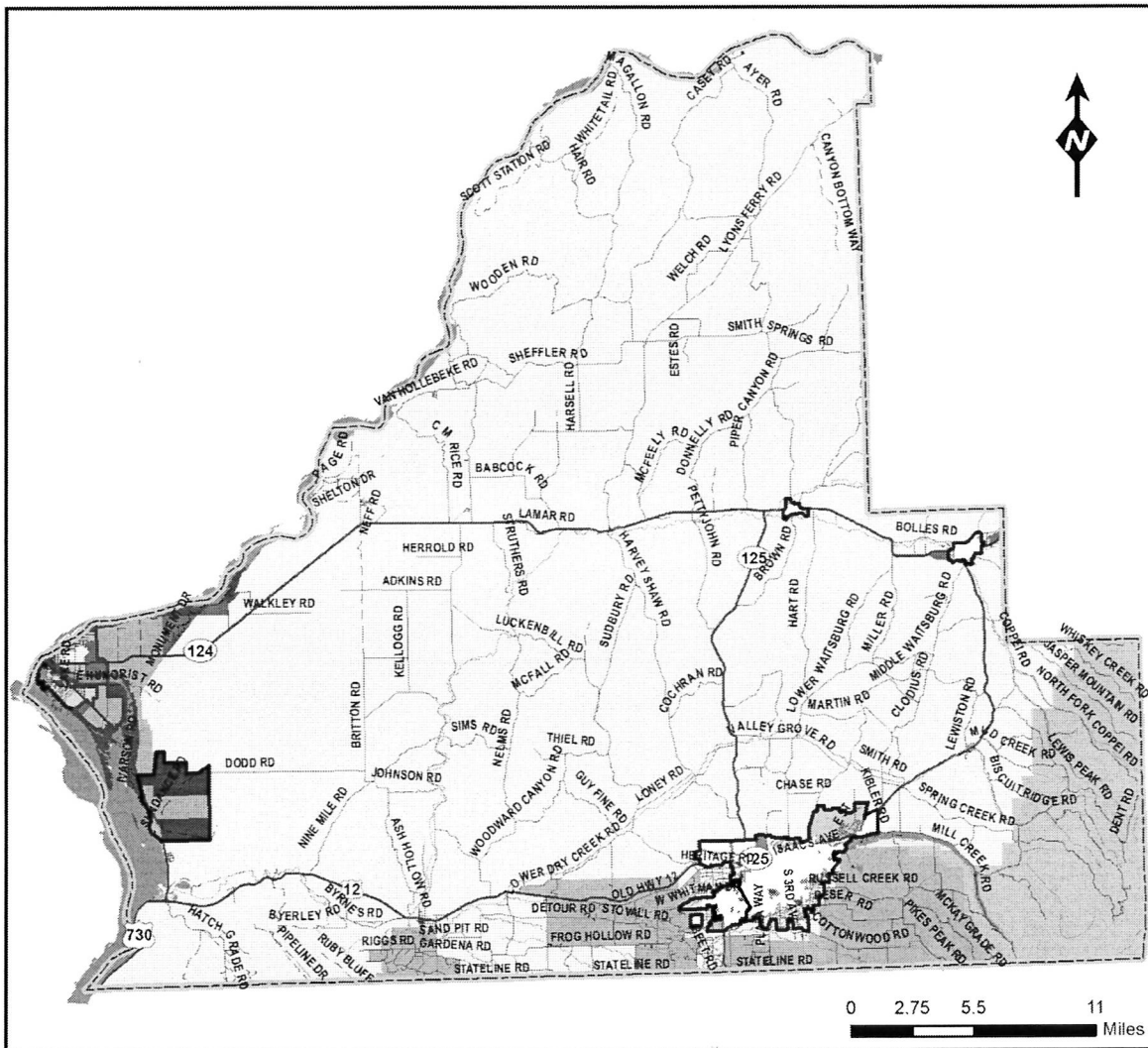


Print Date: 12/03/2015

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# County Zoning



## BASE MAP LAYERS

- RAILROADS
- HIGHWAYS
- PUBLIC ROADS
- PRIVATE ROADS
- RIVERS/STREAMS
- URBAN GROWTH AREA
- BURBANK RURAL ACTIVITY CENTER
- COUNTY BOUNDARY

## ZONING DISTRICTS

- AGRICULTURE RESIDENTIAL 10
- AIRPORT DEVELOPMENT
- BURBANK COMMERCIAL
- BURBANK RESIDENTIAL
- EXCLUSIVE AGRICULTURE 120
- GENERAL AGRICULTURE 20
- GENERAL COMMERCIAL
- HEAVY INDUSTRIAL
- INDUSTRIAL AGRICULTURE HEAVY
- INDUSTRIAL AGRICULTURE MIXED
- INDUSTRIAL/BUSINESS PARK
- LIGHT INDUSTRIAL
- MULTIPLE FAMILY RESIDENTIAL
- NEIGHBORHOOD COMMERCIAL
- PRIMARY AGRICULTURE 40

## PUBLIC RESERVE

- R-60 SINGLE-FAMILY RESIDENTIAL
- R-72 SINGLE-FAMILY RESIDENTIAL
- R-96 SUBURBAN RESIDENTIAL
- RURAL ACTIVITY CENTER
- RURAL AGRICULTURE 10
- RURAL AGRICULTURE 5
- RURAL DEVELOPMENT - COMMERCIAL/INDUSTRIAL
- RURAL DEVELOPMENT - RESIDENTIAL
- RURAL FARMWORKER COMMUNITY
- RURAL REMOTE 20
- RURAL REMOTE 40
- RURAL RESIDENTIAL 2
- RURAL RESIDENTIAL 5
- RURAL RESIDENTIAL MILL CREEK 5
- URBAN PLANNED COMMUNITY

Print Date: 12/03/2015

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