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**ORDINANCE NO. 439 - ADOPTING A REQUEST BY RICHARD GRIZZELL TO  
AMEND WALLA WALLA COUNTY CODE 17.08.015, INCREASING THE  
MAXIMUM ALLOWABLE SIZE OF ACCESSORY DWELLING UNITS TO 1,100  
SQUARE FEET AND REMOVING A RESTRICTION ON THE USE OF  
MANUFACTURED HOMES AS ACCESSORY DWELLING UNITS**

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. 439**

**ADOPTING A REQUEST BY RICHARD GRIZZELL TO AMEND WALLA WALLA COUNTY CODE 17.08.015, INCREASING THE MAXIMUM ALLOWABLE SIZE OF ACCESSORY DWELLING UNITS TO 1,100 SQUARE FEET AND REMOVING A RESTRICTION ON THE USE OF MANUFACTURED HOMES AS ACCESSORY DWELLING UNITS.**

**WHEREAS**, the County encourages diversity in the type, size and density of housing in Walla Walla County; 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 Richard Grizzell.
2. The amendment applications would amend Walla Walla County Code 17.08.015 to allow for manufactured homes to be used as accessory dwelling units and allow the maximum allowable size of an accessory dwelling unit to be 1,100 square feet.
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. On July 1, 2015 the Planning Commission held a public hearing and recommended that the proposed zoning code text 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.
8. 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 this application.
9. On October 20, 2015 the Walla Walla County Community Development Department issued a SEPA Determination of Non-Significance. No appeal was filed.
10. On September 3, 2015 notice of this amendment 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.
11. 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.
12. On November 4, 2015 an Informational Public Meeting was held.
13. On November 4, 2015 the Planning Commission held a public hearing on the application. There was no public testimony.
14. 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.
15. 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.
16. 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.
17. A Notice of Public Hearing for the November 23 hearing was posted on the Community Development Department website on November 9, 2015.
18. A Notice of Public Hearing for the November 23 hearing was mailed to parties of record on November 9, 2015.
19. 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 14.15.070D(3):
  1. *The amendment is consistent with the comprehensive plan; and*  
Discussion: The Comprehensive Plan states that the County should “Encourage diversity in type, density and location of housing within the County, while protecting public health, safety, and quality of life” (Goal HS-3). It also states that the County should “Continue to permit mobile/manufactured homes throughout the County. (Policy HS-7)”
  2. *The amendment meets a definable public need; and*  
Discussion: The amendment meets a definable public need because there may be cases where a property owner wishes to have an ADU on their property but they are limited by the construction method and building type required by the current standard. There are no restrictions on the use of manufactured homes for primary residences or other accessory residential uses (e.g. medical hardship, farmworker dwellings) in the County; this amendment will extend that allowance to ADUs. The amendment will also result in a minimal increase in the maximum size of these dwelling units, which will provide additional flexibility to property owners.
  3. *The amendment is in the long term interest of the County.*  
Discussion: The amendment is in the long term interest of the County in that it will provide additional, minimal, flexibility to property owners in the location of housing, while not increasing density or changing the overall character of housing.
2. The proposed amendment is in compliance with Walla Walla County Code Sections 14.15.070D(3) as outlined above.
3. The proposed amendment is consistent with the Walla Walla County Comprehensive Plan.
4. As proposed, the amendment will not have a significant adverse impact on public welfare and safety.
5. The proposed amendments are in compliance with RCW 36.70A, RCW 36.70B and the Washington Administrative Code.

## **Section III. Adoption of the amendments to Chapter 17.08:**

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 amendments to Walla Walla County Code Chapter 17.08:

The amendments to Walla Walla County Code Section 17.08.015 as shown in 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 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

**17.08.015 - Accessory dwelling unit.** "Accessory dwelling unit" means a dwelling unit within a primary residence or an accessory building for occupancy by a person or family for living and sleeping purposes, or for the temporary use of guests of the occupants of the premises. "Accessory dwelling unit" includes "guesthouse." Any accessory dwelling unit used as a bed and breakfast guesthouse shall comply with all applicable bed and breakfast regulations. Accessory dwelling units are subject to the following conditions:

- A. No accessory building to be used for a dwelling unit shall be constructed upon a lot until the construction of the main building has commenced;
- B. Accessory dwelling units must meet all applicable building codes;
- C. The size of the primary residence must be at least eight hundred square feet to allow an accessory dwelling unit;
- D. The accessory dwelling unit, excluding any garage area and other nonliving areas, shall not exceed one thousand one hundred square feet, or fifty percent of the total square footage of the primary residence (excluding any garage area and other nonliving space), whichever is less;
- E. There shall be only one accessory dwelling unit per lot;
- F. 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;
- G. Accessory dwelling units shall meet all Walla Walla County health department requirements for water and septic/sewer requirements;
- H. Mobile homes, ~~manufactured homes~~ and recreational vehicles shall not be permitted as accessory dwelling units;
- I. Accessory dwelling units must be dependent upon the primary residence and must share at least four of the following criteria with the primary residence:
  - a. Road access;
  - b. Septic system;
  - c. Water system;
  - d. Utility meters;
  - e. Yard; and
  - f. Parking area.
- J. Either the primary residence or the accessory dwelling unit must be occupied by an owner of the property for at least six (6) months out of a year, and at no time can the owner receive rent for the owner-occupied dwelling;
- K. An accessory dwelling unit may be rented.
- L. One parking space must be provided for the accessory dwelling unit in addition to the parking required for a one family dwelling unit;
- M. Accessory dwelling units are allowed only on a lot with a one family dwelling unit;
- N. Accessory dwelling units are allowed within or accessory to a one family dwelling unit; and
- O. An accessory dwelling unit in an urban growth area is not allowed on the same lot that is utilized for a family day care and/or a home occupation.