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ORDINANCE NO. 440 ADOPTING A REQUEST BY THE PORT OF WALLA WALLA (ZCA15-005) TO AMEND WALLA WALLA COUNTY CODE SECTION 17.16.014, CHAPTER 17.08, AND 17.20.100 TO PROVIDE ADDITIONAL ALLOWANCES FOR ACCESSORY RESIDENTIAL USES IN THE LIGHT INDUSTRIAL AND INDUSTRIAL BUSINESS PARK ZONING DISTRICTS

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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

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

ORDINANCE NO. 440

ADOPTING A REQUEST BY THE PORT OF WALLA WALLA (ZCA15-005) TO AMEND WALLA WALLA COUNTY CODE SECTION 17.16.014, CHAPTER 17.08, AND 17.20.100 TO PROVIDE ADDITIONAL ALLOWANCES FOR ACCESSORY RESIDENTIAL USES IN THE LIGHT INDUSTRIAL AND INDUSTRIAL BUSINESS PARK ZONING DISTRICTS.

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 31, 2015 by the Port of Walla Walla.
2. The amendment applications would: amend Walla Walla County Code Chapter 17.08 to establish a new definition for “accessory dwelling units, industrial and business park”; amend WWCC 17.16.014, Permitted Uses, to allow this new category of use in the Industrial Business Park zone via the administrative conditional use permit process; and allow “caretaker’s quarters” as a permitted use in the Light Industrial and Industrial Business Park zones. The amendments would also establish a new requirement in Section 17.20.100 with a minimum parking requirement for all accessory residential uses.
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). The Comprehensive Plan also states in the definition of the Industrial land use designation that “For industrial lands outside of the Attalia Industrial UGA, residential development is limited to uses such as single-family dwellings including mobile and manufactured homes, accessory dwelling units, caretaker’s quarters, and home occupations.”
 2. *The amendment meets a definable public need; and*
Discussion: The two residential land uses proposed, ‘Accessory Dwelling Units, Industrial and Business Park’ and ‘Caretakers Quarters’ would only be allowed where a primary industrial use is in operation. The Comprehensive Plan is clear that accessory dwelling units are an appropriate land use in these zones, but the current ADU definition is not applicable to industrial and business park uses. The proposed amendments will help ensure additional flexibility in housing in the County and provide additional security, while requiring that these uses are subordinate to the primary uses allowed in these zones, thereby facilitating economic development.
 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 is consistent with the policies of the Comprehensive Plan and will promote economic development in the County.
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, Section 17.16.014 and Section 17.200.100:

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:

The amendments to Walla Walla County Code Chapter 17.08 to add Section 17.08.016, amendments to Section 17.16.014, Permitted Uses, and amendments to Section 17.20.100, Table of Minimum Standards.

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 14th day of December, 2015.

Attest:




Connie R. Vinti, Clerk of the Board



Perry L. Dozier, Chairman, District 2

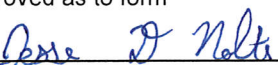


James K. Johnson, Commissioner, District 1



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

Section I. Add new definition in Chapter 17.08.

17.08.016 - Accessory dwelling unit, industrial and business park.

“Accessory dwelling unit, industrial and business park” means a dwelling unit with a primary industrial or business park building for occupancy by a person or family for living or sleeping purposes.

Section II. Amend Section 17.16.014 to allow Caretaker’s Quarters as a permitted use in the I/BP and LI districts; allow new category Accessory Dwelling Unit, Industrial and Business Park as a conditional use in the I/BP district and add a new footnote (8).

17.16.014 - Permitted uses table.

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

	Zone										
	Industrial and Commercial									Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR	
SPECIFIC USE											
ACCESSORY USES											
* Accessory Dwelling Units	P2								P2		
<u>*Accessory Dwelling Units, Industrial and Business Park</u>					<u>AC8</u>						
* Accessory Use	P3						P3	P3	P3		
* Home Occupation Type I	P4								P4		
* Home Occupation Type II	AC4								AC4		
* Caretakers Quarters	P	P	P	<u>P</u>	<u>P</u>		P	P			

A. Residential Land Uses—Development Conditions.

- ...
8. The accessory dwelling unit, excluding any garage area and other non-living areas, is prohibited on the first floor of the primary building.

Section III. Amend Section 17.20.100 to establish a minimum parking standard for all residential accessory uses of one per dwelling unit.

17.20.100 - Table of minimum standards.

Required off-street parking spaces shall be in conformance with the following table and where alternative standards prevail, the greater applies in conflicting computations:

Use	Spaces Required
Residential, all types except for those noted below	2 per dwelling unit
Residential, duplex or multifamily	2 per dwelling unit
<u>Residential, accessory use</u>	<u>1 per dwelling unit</u>