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ORDINANCE NO. 460 - ADOPTING AMENDMENTS TO COMPREHENSIVE PLAN MAPS LU-1 AND LU-3 AND THE WALLA WALLA COUNTY ZONING MAP TO ASSIGN ZONING AND LAND USE DESIGNATIONS TO TWO PARCELS RECENTLY DE-ANNEXED FROM THE CITY OF COLLEGE PLACE, IN UNINCORPORATED WALLA WALLA COUNTY.

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. 460

ADOPTING AMENDMENTS TO COMPREHENSIVE PLAN MAPS LU-1 AND LU-3 AND THE WALLA WALLA COUNTY ZONING MAP TO ASSIGN ZONING AND LAND USE DESIGNATIONS TO TWO PARCELS RECENTLY DE-ANNEXED FROM THE CITY OF COLLEGE PLACE, IN UNINCORPORATED WALLA WALLA COUNTY.

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 Comprehensive Plan amendment (CPA16-002) and rezone (REZ16-001) applications were submitted by the Community Development Department on March 31, 2016.
2. The proposals would amend Comprehensive Plan land use maps LU-1 and LU-3 to assign the Medium Density Residential (MDR) land use designation to two parcels owned by Terry Brown at the intersection of Grandview Avenue and Valley Street (APN 350735430057 and 350735430052) within the City of College Place Urban Growth Area. These lots were recently de-annexed from the City of College Place and have no zoning or land use designation. Prior to de-annexation, these properties were zoned R-60 by the city.
3. On May 4, 2016, the Planning Commission reviewed the proposed amendments in a workshop meeting.



4. On May 19, 2016, a Notice of Public Hearing was published in the Waitsburg Times, Walla Walla Union Bulletin and Tri-City Herald for a June 1, 2016 public hearing. This notice was also published on the Community Development Department website on the same day and mailed to property owners within 500-feet of the subject property on May 16, 2016.
5. On June 1, 2016, the Planning Commission held a public hearing as required by Walla Walla County Code (WWCC) 14.15.060D(2). Six members of the public spoke in opposition to the proposal.
6. On June 1, 2016, after closing the public hearing the Planning Commission voted 3-2 to concur with the recommendations of staff and recommend that the Board of County Commissioners place the applications on the 2016 Comprehensive Plan and Development Regulations Amendment Final Docket. This recommendation was documented in Planning Commission Resolution 16-03, signed by the Planning Commission Chairman on July 1, 2016.
7. On September 6, 2016, the Board of County Commissioners (BOCC) concurred with the Planning Commission and placed these applications on the 2016 Final Docket by Resolution 16-246.
8. On September 7, 2016, the Planning Commission reviewed the proposed amendments in a workshop meeting.
9. On September 9, 2016, a copy of the proposed amendments was sent to the Washington State Department of Commerce as required by RCW 36.70A.106. The 60-day review period ended on November 8. No comments from State agencies have been submitted.
10. On September 15, 2016, a SEPA Determination of Non-Significance was issued for this proposal with a comment period ending on September 29. The SEPA DNS notice was mailed to the property owner and individuals who submitted written comments on the application or provided oral testimony at the preliminary docket public hearing.
11. On September 15, 2016, the SEPA DNS notice was published in the Walla Walla Union Bulletin and Waitsburg Times and posted on the Community Development Department website.
12. On September 15, 2016, the SEPA DNS was sent to various state and local consulting agencies and the Department of Ecology SEPA register. City of College Place City Planner Jonathan Rickard responded to the DNS to state that the City had no comments. No other agencies responded to the DNS.
13. On October 13, 2016, the appeal period on the SEPA DNS ended; no appeals were filed. No public comment was received on the DNS.
14. On October 21, 2016, a Notice of Public Hearing for a November 2 Planning Commission hearing was mailed to property owners within 500-feet of the property and people who submitted written comments or oral testimony during the preliminary docket public hearing.

15. On October 23, 2016, a Notice of Public Hearing was published in the Walla Walla Union Bulletin for a Planning Commission public hearing on November 2. This notice was also published in the Waitsburg Times on October 27, 2016 and in the Tri-City Herald on October 24, 2016. The notice was published on the Community Development Department website on October 21, 2016.
16. On October 27, 2016, an Informational Public Meeting was held per WWCC 14.15.050B(2). Notice of this meeting was published on the Community Development Department website on October 20, 2016, in the Walla Walla Union Bulletin on October 21, 2016, and in the Tri-City Herald on October 23, 2016. No one attended this meeting.
17. On November 2, 2016, a public hearing was held by the Planning Commission as required by WWCC 14.15.070B(2). One member of the public provided oral testimony during the hearing, speaking in opposition to the proposal.
18. On November 2, 2016, after closing the public hearing, the Planning Commission voted unanimously to recommend approval of the application by the Board of County Commissioners. This recommendation was documented in Planning Commission Resolution No. 16-05 which was signed by the Planning Commission Chairman on November 4, 2016.
19. On November 7, 2016, the Board of County Commissioners adopted Resolution 16-296, setting a public hearing on this application for November 21, 2016.
20. On November 10, 2016, a Notice of Public Hearing for the November 21 public hearing was published in the Walla Walla Union Bulletin and Waitsburg Times. This notice was also mailed to the applicant, to individuals who submitted written comments or provided oral testimony at previous hearings, and published on the Community Development Department website on November 8 and in the Tri-City Herald on November 11.
21. On November 21, 2016, the Board of County Commissioners held a Public Hearing as required by WWCC 14.15.070D(2). Staff presented the Planning Commission's recommendation that the Board of County Commissioners approve the amendments as presented. One member of the public had questions. There was no other public testimony.
22. On November 21, 2016, after closing the public hearing, the Board of County Commissioners voted unanimously to concur with the Planning Commission's recommendation to approve the amendments as presented and to direct staff to prepare an ordinance for adoption.
23. The proposed amendments are supported by the Walla Walla County Comprehensive Plan as identified in the Conclusions of Law in Section II.



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 subject property currently has no land use designation or zoning assigned to it due to its recent de-annexation by the City of College Place. It is believed to be the only property within Walla Walla County that has no zoning and so there is a definable public need to assign Comprehensive Plan land use designation, consistent with the goals and policies of the Comprehensive Plan, in order to regulate development and use of the property.

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: This need was not recognized in the existing Comprehensive Plan under provision (1), a change of circumstances. Under the Walla Walla County Comprehensive Plan, and the Washington State Growth Management Act, land within the City of College Place Urban Growth Area (UGA) is planned for growth for the City of College Place. The expectation is that all land within the UGA will be annexed into the City at some point in the future; we do not expect the opposite to occur. The County does not plan for areas that are not currently within County jurisdiction. But now that circumstances have changed, the County must begin planning for this property which is now within the unincorporated County jurisdiction.

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

Discussion: Below is the description of the Medium Density Residential (MDR) land use designation as provided on pages 5-11 and 5-12 of the Comprehensive Plan; this is the proposed classification for the property. This is one of the County urban residential land use designations and it is further consistent with the Comprehensive Plan and Countywide Planning Policies because the County is required to assign land use and development regulations compatible with the City of College Place. To meet this goal the County typically assigns only the Medium Density Residential land use designation within the College Place UGA because it most compatible with the land use designation assigned by the City of College Place. As stated in this description, the MDR designation can be located next to residential and rural lands, which are what surround these properties.



Medium Density Residential lands are those lands designated for small and medium-size urban lots in residential neighborhoods. The primary housing types are single-family detached dwellings and small scale ground-related attached dwelling units such as duplexes and townhouses. The Medium Density Residential land use designation can be located adjacent to any other residential land use designation, commercial lands, rural lands, or public reserve lands. Non-residential uses are discouraged except for certain public facilities and institutions, provided their nature and location are not detrimental to the Medium Density Residential environment. The implementing zoning districts for the Medium Density Residential land use designation are R-72 Residential Single Family and R-60 Residential Single Family.

- 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: This does not apply. This is a site-specific land use map amendment, consistent with current goals and policies of the Comprehensive Plan.

- 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: This is a site-specific land use map amendment, consistent with current goals and policies of the County's current Comprehensive Plan, which is compliant with the Growth Management Act.

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 property is located within the College Place Urban Growth Area which means that it is within the area expected to accommodate growth for the City over the next twenty years. Surrounding uses are residential, rural, and agricultural. The property is more appropriate for development of residential uses than any other urban classification (industrial, commercial, or public).

- 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 amendment will simply assign a land use designation to a property that does not have one. This will not result in pressure to change the designation of properties in the area. Properties in the area that are within the UGA are either within the City or already have been assigned the Medium Density Residential land use designation.



- 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 property is located within the UGA and had similar land use and zoning applied to it when it was within City jurisdiction. There should be no adverse impact to planned or existing public facilities. Any future development will be subject to review to ensure that it is consistent with development regulations.

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*
 2. *The extent to which the urban growth occurring within the county has located within each city and the unincorporated urban growth areas; and*
 3. *The allocation of projected county population and/or employment to the urban growth areas; and*
 4. *The buildable lands analysis for each urban growth area; and*
 5. *Existing urban growth area boundaries; and*
 6. *Other proposed changes affecting urban growth areas.*

Discussion: While located within the City of College Place, the city Comprehensive Plan land use designation for this property was “Urban Residential” which anticipates 4-7 dwelling units per acre. This is a density similar to what is planned for under the proposed County land use designation Medium Density Residential (MDR). The proposed zoning classification is R-60, which generally is up to 7 units per acre. Because the density being assigned with the MDR land use designation is the same as the College Place classification a year ago, it is not anticipated that the proposal will have any effect on growth allocations, buildable lands analysis, or other properties within the College Place UGA. The City of College Place has not objected to the proposed amendments.

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

Discussion: The proposed land use map amendment would assign a land use designation within a similar residential density as the prior City of College Place designation so there is no need for reallocation or other map or boundary changes. The property is already within 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: The property is located within the City of College Place Urban Growth Area (UGA). The County has also proposed a Comprehensive Plan amendment that would assign the Medium Density Residential (MDR) land

use designation to this property. The proposed zoning would be R-60 Single Family Residential, which is identified in Table 5-4 of the Comprehensive Plan as one of the implementing zoning districts of the MDR designation.

b. The amendment meets a definable public need; and

Discussion: The subject property currently has no land use designation or zoning assigned to it due to its recent de-annexation by the City of College Place. It is believed to be the only property within Walla Walla County that has no zoning and so there is a definable public need to assign zoning, consistent with the Comprehensive Plan to regulate development and use of the property.

c. The amendment is in the long term interest of the County.

Discussion: It is in the long-term interest of the County to define development standards that will apply to the property by assigning a zoning classification consistent with the Comprehensive Plan.

6. The proposed amendments are 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 amendments are consistent with the Walla Walla County Comprehensive Plan.
8. As proposed, the amendments will not have a significant adverse impact on public welfare and safety.
9. The proposed amendments are compliant with RCW 36.70A, RCW 36.70B and the Washington Administrative Code.

Section III. Adoption of the Proposed Zoning and Land Use Map Amendments:

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:

Amendments 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, are 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 VI. Effective Date and Savings.

This Ordinance is effective upon signing.

Section VII. 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 19th day of December, 2016.

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

absent
James L. Duncan, Commissioner, District 3

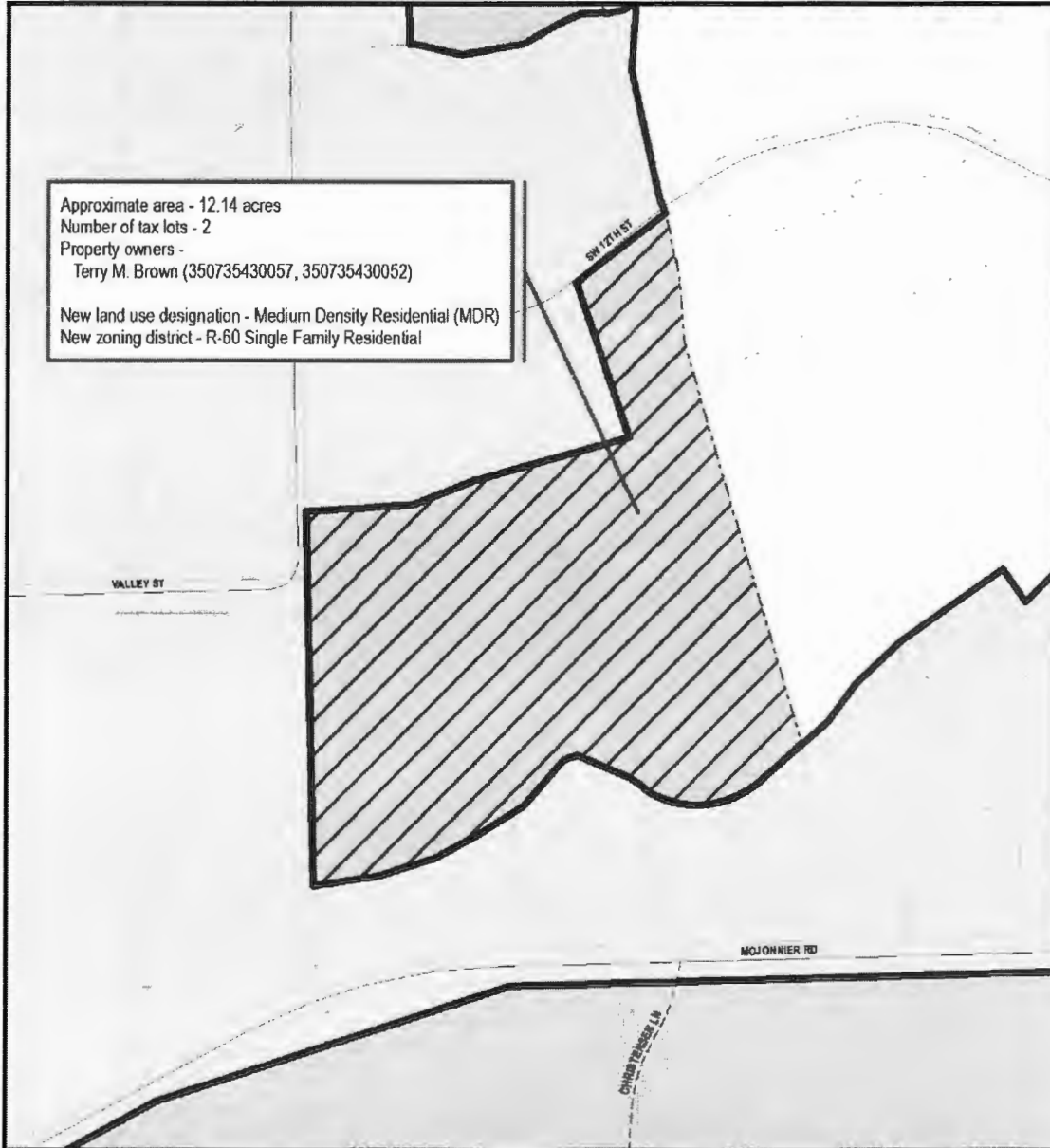
*Constituting the Board of County Commissioners
of Walla Walla County, Washington*

Approved as to form

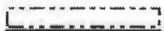


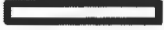



Jesse D. Nolte
Jesse D. Nolte, Deputy Prosecuting Attorney

Exhibit A

Walla Walla County Land Use Map Amendment (CPA16-002)

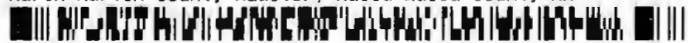


Approximate area - 12.14 acres
Number of tax lots - 2
Property owners -
Terry M. Brown (350735430057, 350735430052)
New land use designation - Medium Density Residential (MDR)
New zoning district - R-60 Single Family Residential

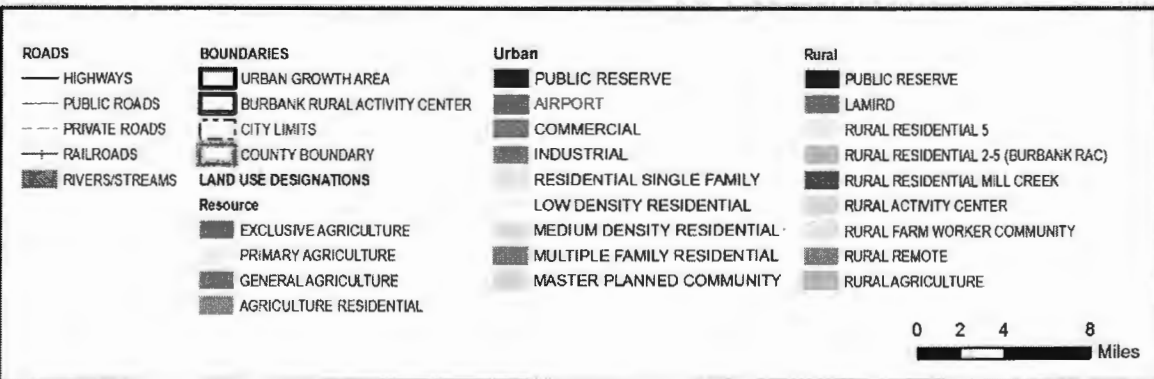
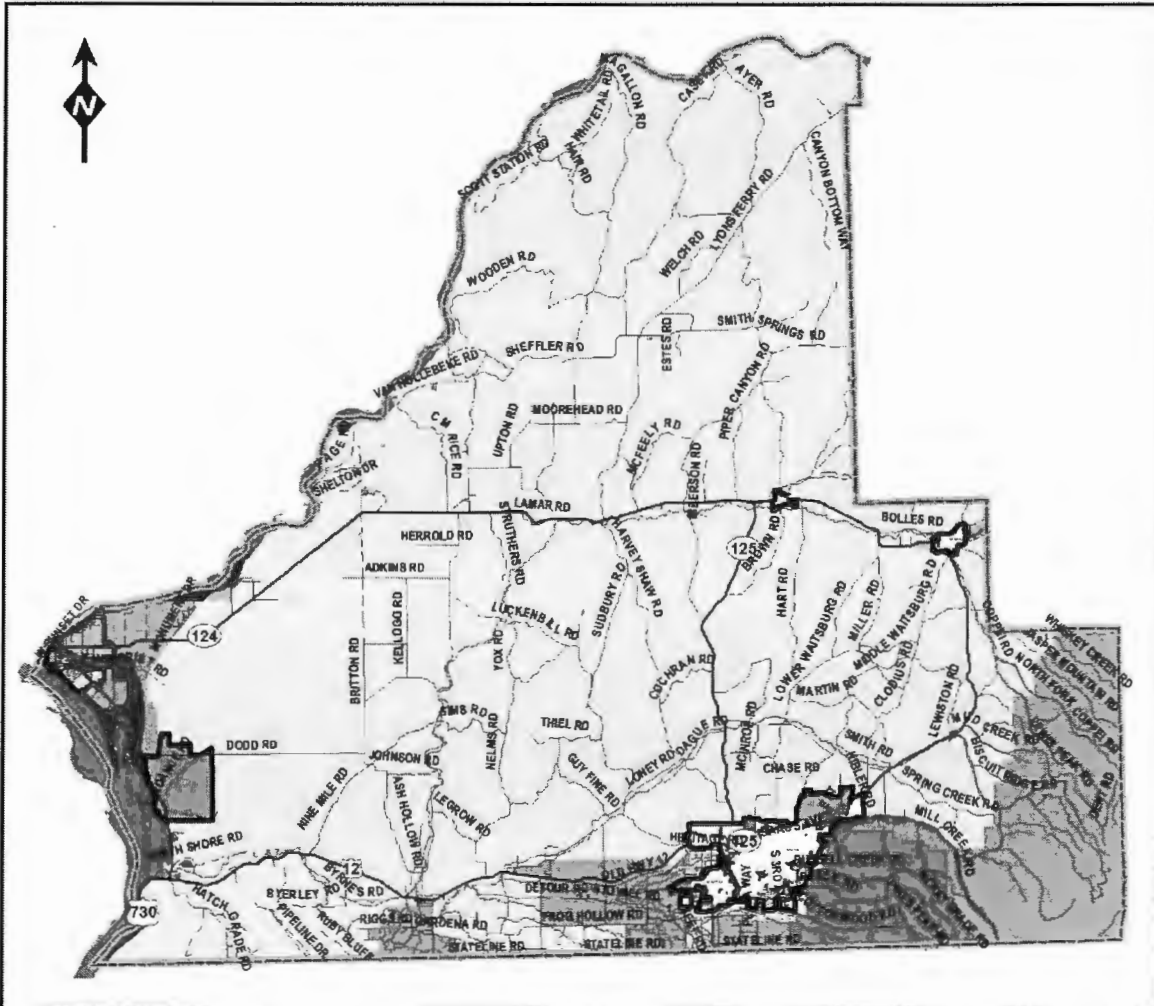
	CITY LIMITS		LANDUSE		MEDIUM DENSITY RESIDENTIAL
	COLLEGE PLACE URBAN GROWTH AREA				RURAL RESIDENTIAL 5
	TAX LOTS				
	SUBJECT PROPERTY				

0 0.0225 0.045 0.09 Miles

Print Date: 12/13/2016 Walla Walla County Community Development Dept. - 310 W. Poplar Street, Suite 200, Walla Walla WA 99362 - (509) 524-2610

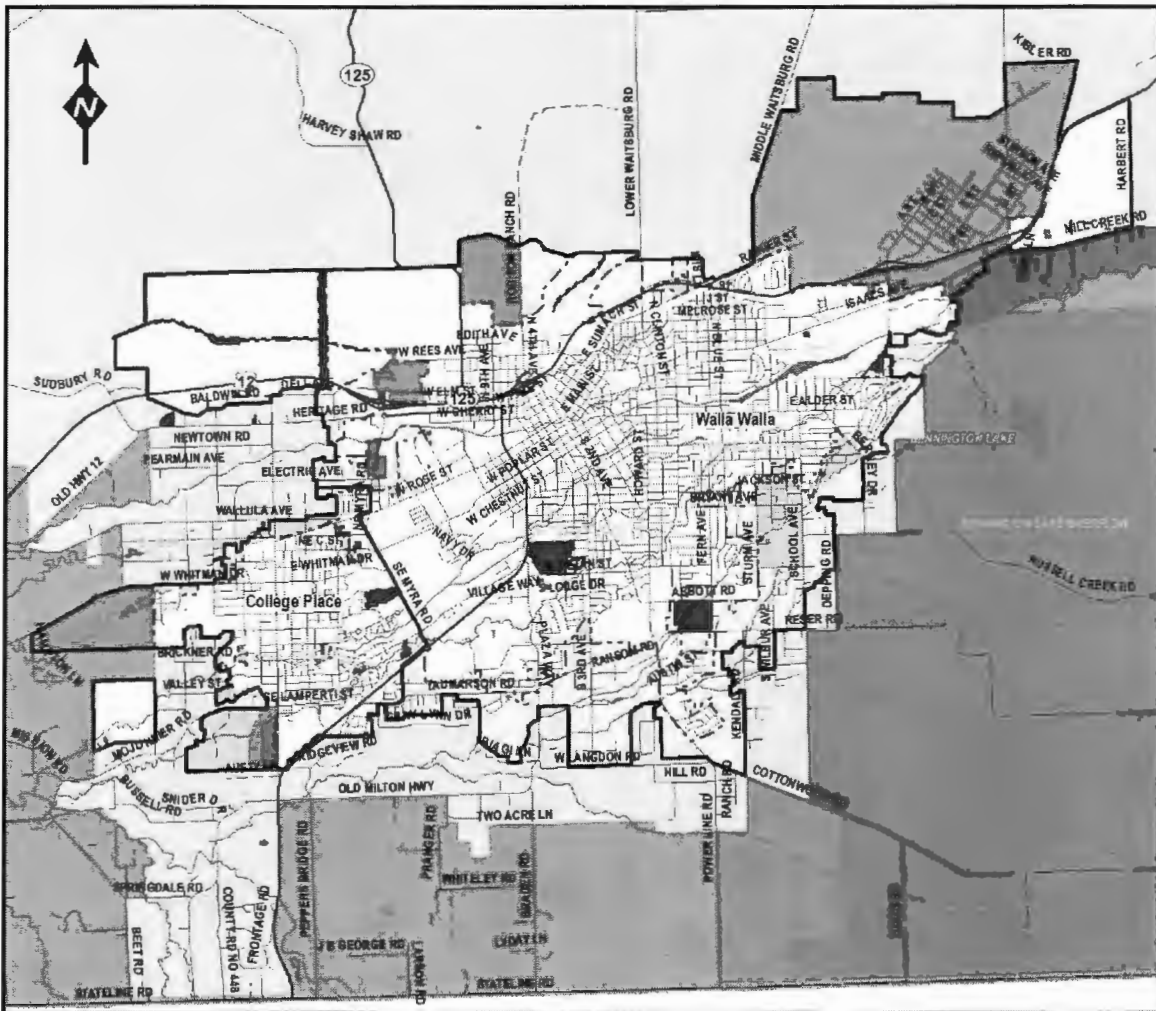


County Land Use



County Land Use

College Place / Walla Walla Area

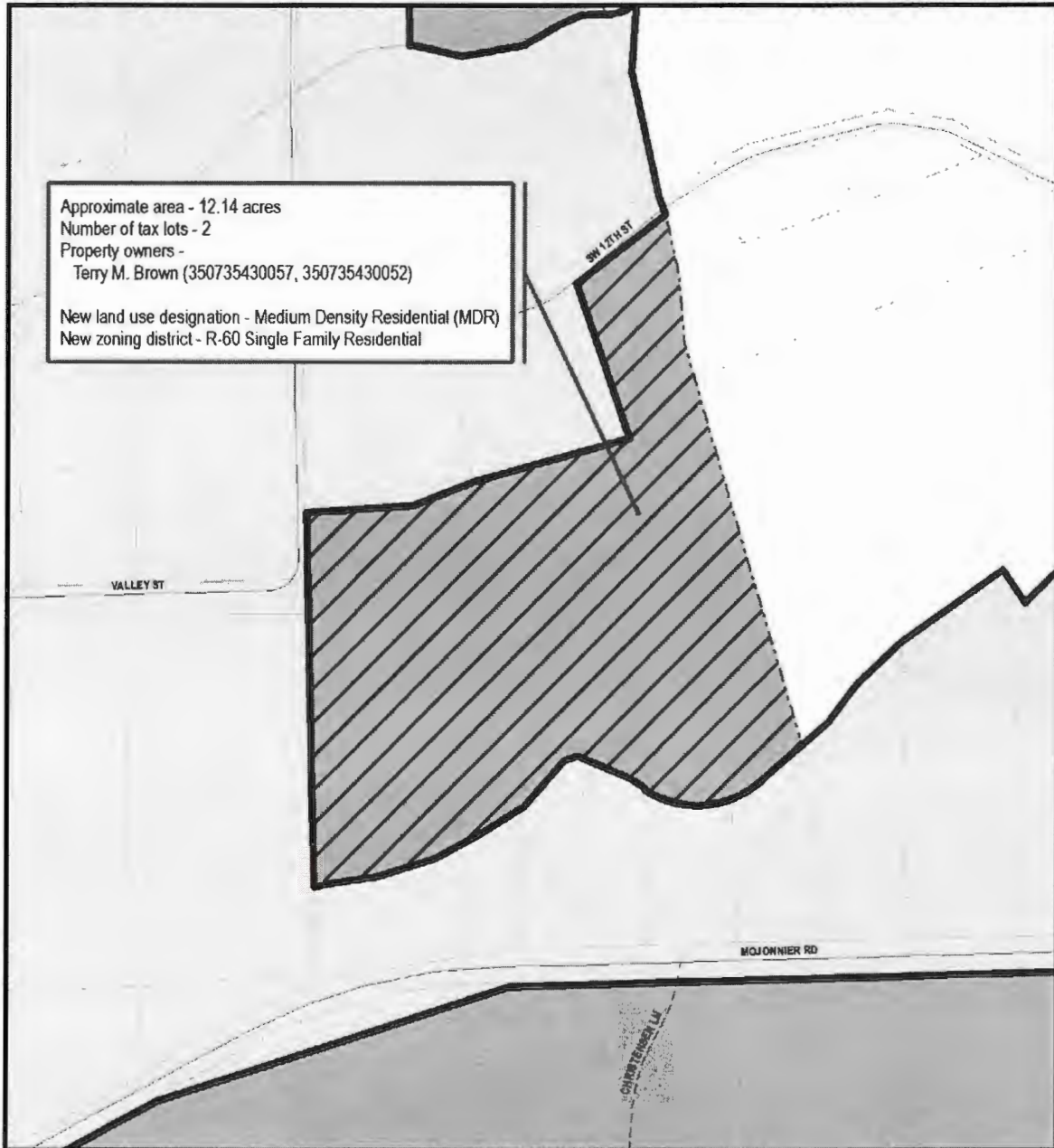


ROADS	LAND USE DESIGNATIONS	Urban	Rural
— HIGHWAYS	Resource	■ PUBLIC RESERVE	■ PUBLIC RESERVE
— PUBLIC ROADS	■ EXCLUSIVE AGRICULTURE	■ AIRPORT	■ RURAL RESIDENTIAL 5
- - - PRIVATE ROADS	■ PRIMARY AGRICULTURE	■ COMMERCIAL	■ RURAL RESIDENTIAL MILL CREEK
+ RAILROADS	■ GENERAL AGRICULTURE	■ INDUSTRIAL	■ RURAL REMOTE
■ RIVERS/STREAMS	■ AGRICULTURE RESIDENTIAL	■ LOW DENSITY RESIDENTIAL	
BOUNDARIES		■ MEDIUM DENSITY RESIDENTIAL	
□ URBAN GROWTH AREA		■ MULTIPLE FAMILY RESIDENTIAL	
□ CITY LIMITS		■ MASTER PLANNED COMMUNITY	
□ COUNTY BOUNDARY			

0 0.5 1 2 Miles



Walla Walla County Zoning Map Amendment (REZ16-001)

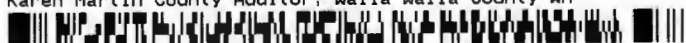


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 New land use designation - Medium Density Residential (MDR)
 New zoning district - R-60 Single Family Residential

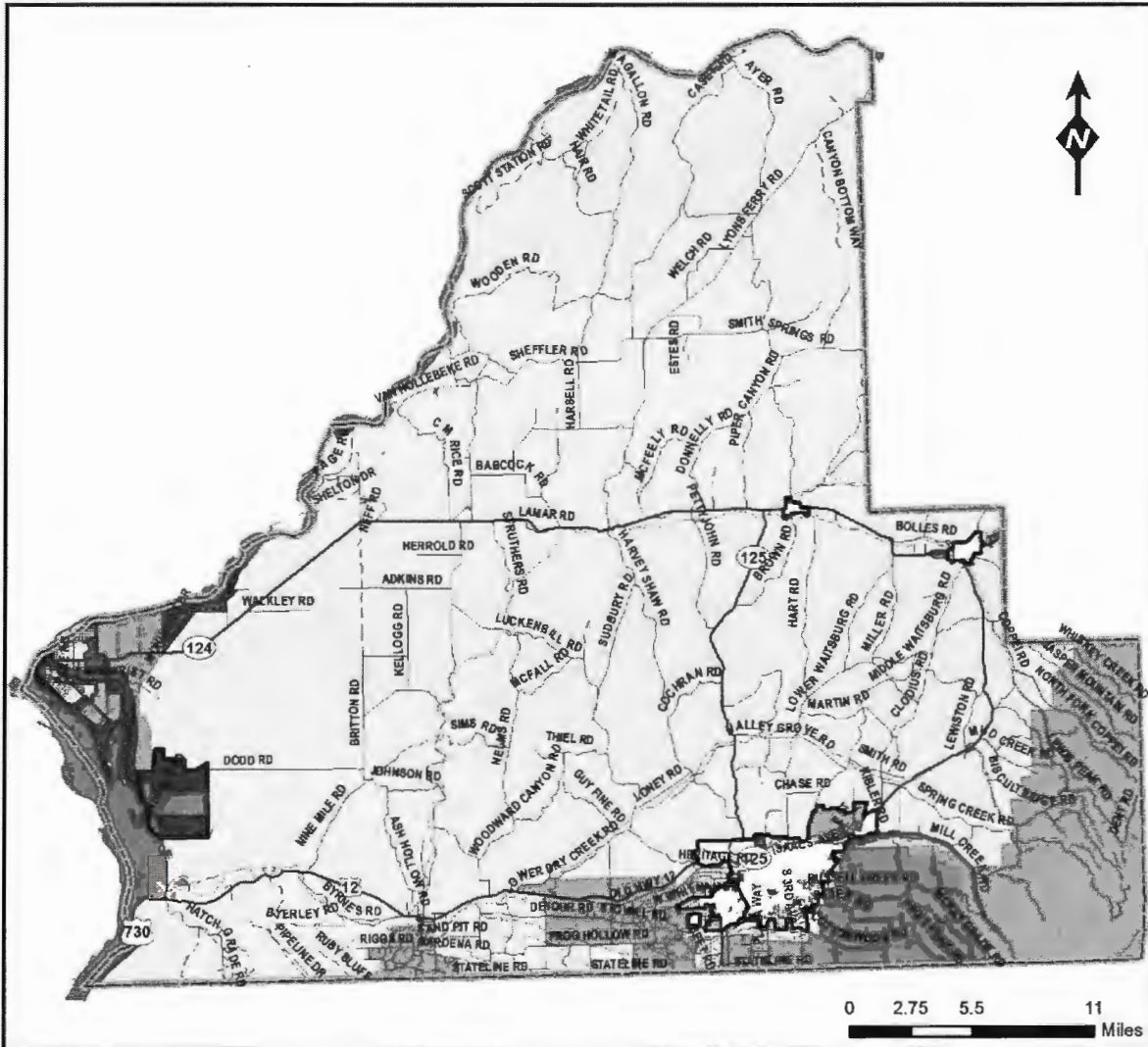
	<p>CITY LIMITS</p> <p>COLLEGE PLACE URBAN GROWTH AREA</p> <p>TAX LOTS</p> <p>SUBJECT PROPERTY</p>	<p>Zoning District</p> <p> R-60 SINGLE-FAMILY RESIDENTIAL</p> <p> RURAL RESIDENTIAL 5</p>	<p>0 0.0225 0.045 0.09 Miles</p>
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Print Date: 12/13/2016

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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-80 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: 12/13/2016

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12/30/2016 09:59:30 AM Page 14 of 14 Fees: 86.00

Karen Martin County Auditor, Walla Walla County WA

