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ORDINANCE NO. 446 AMENDING WALLA WALLA COUNTY CODE CHAPTER 17.08 AND SECTION 17.16.014, AND ADDING NEW CHAPTER 17.21 TO ESTABLISH DEFINITIONS AND DEVELOPMENT STANDARDS FOR TWO TYPES OF WEDDING AND EVENT CENTERS

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# BOARD OF COUNTY COMMISSIONERS WALLA WALLA COUNTY, WASHINGTON

#### **ORDINANCE NO. 446**

AMENDING WALLA WALLA COUNTY CODE CHAPTER 17.08 AND SECTION 17.16.014, AND ADDING NEW CHAPTER 17.21 TO ESTABLISH DEFINITIONS AND DEVELOPMENT STANDARDS FOR TWO TYPES OF WEDDING AND EVENT CENTERS.

**WHEREAS**, it is desirable for the County to utilize innovative land use management techniques permitted by RCW 36.70A; 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. On March 27, 2015 the County received a zoning code text amendment application (ZCA15-002) from Armando Pimentel which proposed that wedding and event centers should be permitted outright in the Rural Residential 5 (RR-5) zoning district.
- 2. On March 30, 2015 the County received a zoning code text amendment application (ZCA15-004) from Nathanael Small proposing that wedding and event centers be allowed by conditional use permit, subject to certain conditions, in the Primary Agriculture 40 (PA-40) zoning district.
- 3. On March 31, 2015 the County received a zoning code text amendment application (ZCA15-006) from Kenney Farms proposing that event facilities should be permitted outright in the Agriculture Residential 10 (AR-10) zoning district.
- 4. The Planning Commission held a public workshop on the applications submitted by Pimentel (ZCA15-002), Small (ZCA15-004), and Kenney Farms (ZCA15-006) on May 6, 2015.
- 5. The Board of County Commissioners held a public workshop on the applications submitted by Pimentel (ZCA15-002), Small (ZCA15-004), and Kenney Farms (ZCA15-006) on May 26, 2015.

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- 6. A Notice of Public Hearing was posted on the Community Development Department website on June 17, 2015 for a July 1 public hearing on the 2015 preliminary docket.
- 7. A Notice of Public Hearing was published in the Waitsburg Times, the Walla Walla Union Bulletin and the Tri-City Herald on June 18, 2015 for a July 1 public hearing on the 2015 preliminary docket.
- 8. On July 1, 2015 the Planning Commission held a public hearing and recommended that the proposed amendments by Pimentel (ZCA15-002), Small (ZCA15-004), and Kenney Farms (ZCA15-006) be included on the County's 2015 final docket if the County also considers adopting development standards for these facilities.
- 9. On July 20, 2015 the Board of County Commissioners held a public workshop to discuss the Planning Commission's recommended final docket and concurred with the Planning Commission's recommendation. The final docket was adopted by the Board of County Commissioners via Resolution No. 15-274.
- 10. The Planning Commission held a public workshop on October 7, 2015 to discuss possible amendments relating to wedding and event centers.
- 11. The Planning Commission held a public workshop on November 4, 2015 to discuss possible amendments relating to wedding and event centers.
- 12. A SEPA Threshold Determination of Non-Significance was issued by the Community Development Department Director on November 17, 2015.
- 13. On November 18, 2015 a Notice of Informational Public Meeting and Public Hearing for meetings on December 2 was mailed to parties of record.
- 14. On November 19, 2015 a Notice of Informational Public Meeting and Public Hearing for meetings on December 2 was published on the Community Development Department website and in the Waitsburg Times, Walla Walla Union Bulletin and Tri-City Herald.
- 15. On November 24, 2015 notice of this amendment was sent to the Department of Commerce with an expedited review request. No comments were received from the Department of Commerce or any public agency and the expedited review request was granted on December 9.
- 16. On December 2, 2015 an Informational Public Meeting was held.
- 17. On December 2, 2015 the Planning Commission held a public hearing.
- 18. After the close of the public hearing on December 2, the Planning Commission voted to recommend that the Board of County Commissioners replace the applications submitted by Pimentel (ZCA15-002), Small (ZCA15-004), and Kenney Farms (ZCA15-006) with the proposed code amendments prepared by the County and presented in the December 2 staff report (ZCA15-009). On December 22, 2015, the Planning Commission Chairman issued Resolution 15-03, documenting this recommendation.

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- 19. On December 21, 2015 the Board of County Commissioners adopted Resolution 15-330 setting a public hearing on this item for January 4, 2016.
- 20. A Notice of Public Hearing for the January 4 public hearing was published in the Waitsburg Times, the Walla Walla Union Bulletin and the Tri-City Herald on December 24, 2015. This notice was also published on the Walla Walla County website and emailed to interested citizens.
- 21. The Board of County Commissioners held a public hearing on January 4, 2016. Staff presented the Planning Commission's recommendation that the Board of County Commissioners approve the proposed amendments. Two members of the public commented during the public hearing.
- 22. On January 4, 2016, after closing the public hearing, the Board of County Commissioners voted unanimously to concur with the recommendation of staff and the Planning Commission to substitute and replace the applications submitted by Pimentel (ZCA15-002), Small (ZCA15-004), and Kenney Farms (ZCA15-006) with the proposed amendments set forth in Attachment 1 to the January 4 staff report, and direct staff to prepare an ordinance for adoption.

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

- 1. The proposed amendments are compliant with Walla Walla County Code Section 14.15.070B(3) as outlined below.
  - 1. The amendment is consistent with the comprehensive plan; and <u>Discussion</u>: The amendments are consistent with the following goals and policies of the Comprehensive Plan. The amendments relate to lands in the County's rural, commercial, and resource zoning districts.

## Economic Development Goals and Policies, Chapter 11

Goal ED-1. Support sustainable business and industrial development

that:

- Strengthens and diversifies the economic base and associated tax base to support essential government services:
- Operates in a manner that maintains a high quality of life and environment.

Goal ED-4.

Recognize and support traditional agriculture and other natural resource-based industries, and also support developing nontraditional agricultural and resource-based businesses.

Goal ED-6.

Support existing and new businesses by ensuring that requirements and timelines are clearly defined and communicated, and permit decisions are made in a timely manner.

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These amendments will provide an opportunity for additional wedding and event facilities to be located in the County. Currently these facilities are only allowed in limited areas in the County so these amendments represent an economic development opportunity for more property owners in the County. Based on compliance issues with existing facilities, there is a concern that these facilities could generate nuisance conditions from noise, lighting or traffic, which is why development standards have been drafted to minimize these issues and maintain a high quality of life in the County. The standards will support new event center businesses by providing clear standards that will apply to all facilities, ensuring fair and consistent permit decisions. Allowing these facilities in agricultural zones, subject to specific conditions, represents a new business opportunity for agricultural operations and property owners.

## Rural Lands Goals and Policies, Chapter 6

Goal RL-2. Plan rural areas for a diversity of living and working

situations that will provide residents with an opportunity to

make economic and lifestyle choices.

Goal RL-5. Provide opportunities to strengthen the economic well-

being of rural areas through home-based occupations;

home-based and small resource-based industry; commercial and public facilities designed to serve the communities in which they are located; and traveler and tourist attractions provided that they are rural in character

and can be supported by rural-level services.

As noted above, the proposed amendments will provide an additional business opportunity for rural property owners. These facilities are already an allowed use in three of the County's rural zones: Rural Residential Mill Creek 5, Rural Activity Center, and Rural Residential 2. These amendments will provide the same opportunity for property owners in the Rural Residential 5, Rural Agricultural 5, and Rural Agriculture 10 zoning districts. The application of the new wedding and event center development standards, as well as review of individual permits through the conditional use permit process, will help ensure that these facilities are compatible with the rural character of these areas.

## Resource Lands Goals and Policies, Chapter 6

Goal RL-22. Maintain the current quality of life for County residents,

while maximizing on the opportunity to make efficient use of resource land and improve the economic base of the

County.

Policy RL-55. Require that land use activities within or adjacent to

resource lands are sited and designated to minimize conflicts with and impacts on resource lands. Minimization of impacts may be accomplished through the use of

setbacks, buffers and other requirements.

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Policy RL-56.

Certain limited recreational and community-oriented cultural land uses should be allowed in three of the zones comprising the designated agricultural resource lands: Agricultural Residential-10, General Agriculture-20, and Primary Agirculture-40.

Currently wedding event centers are allowed in the Agriculture Residential 10 zoning district at golf courses. These amendments would expand opportunities for property owners in these zoning districts; consistent with Policy RL-56, these amendments would only allow event centers to be located in the Agriculture Residential 10, General Agriculture 20, and Primary Agriculture 40 zoning districts, <u>not</u> in the Exclusive Agriculture 120 district. The new chapter for wedding and event centers includes specific standards for facilities located within agricultural lands.

- 2. The amendment meets a definable public need; and

  Discussion: The County received three separate amendment applications on the
  2015 docket from individuals wanting to operate wedding and event centers in
  rural and agricultural lands, showing that there may be a specific demand for
  these types of businesses in the County. These amendments meet a definable
  public need by addressing these three applications and providing an additional
  business opportunity for County property owners, while providing clear standards
  that will minimize the possibility that these facilities are incompatible with the
  rural character of the County or generate nuisance conditions.
- 3. The amendment is in the long term interest of the County.

  <u>Discussion:</u> These amendments are in the long term interest of the County because they will provide new opportunities for County property owners to make economic choices. The proposed development standards will limit potential conflicts between these facilities and adjacent land uses.
- 2. As proposed, the amendment will not have a significant adverse impact on public welfare and safety.
- 3. 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, staff analysis and recommendations, and the recommendation submitted 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 17.08.508 and addition of Sections 17.08.509 and 17.08.019 as shown in attached Exhibit A. These

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amendments will result in the establishment of new definitions for agricultural activity, Type I Wedding and Event Center, and Type II Wedding and Event Center.

## Section IV. Adoption of the amendments to Section 17.16.014:

Based on its review of the requirements of RCW 36.70A and the Washington Administrative Code, the proposed amendments, staff analysis and recommendations, and the recommendation submitted by the Planning Commission, the Board of County Commissioners hereby adopts the following proposed amendments to Walla Walla County Code Section 17.16.014:

The amendments to Walla Walla County Code Section 17.16.014 as shown in attached Exhibit B, to modify the Government/General Services Land Uses tables to establish which zones wedding and event centers can be located in and amend Development Condition C(5).

Section V. Adoption of the amendments to Title 17 to add new Chapter 17.21:

Based on its review of the requirements of RCW 36.70A and the Washington Administrative Code, the proposed amendments, staff analysis and recommendations, and the recommendation submitted by the Planning Commission, the Board of County Commissioners hereby adopts the following proposed amendments to Walla Walla County Code Title 17 to add a new chapter:

Amendment to add new chapter 17.21 and establish development standards for wedding and event centers as shown in Exhibit C.

#### 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 VIII. 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 27th day of June, 2016.

Attest:

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Connie R. Vinti, Clerk of the Board

James K. Johnson, Chairman, District 1

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2016

W6/29/2016 11:32:41 HM Page / of 18 Fees: 90.00 Karen Martin County Auditor, Walla Walla County WA



Approved as to form

Jesse D. Nolte, Deputy Prosecuting Attorney

Perry L. Dozier Commissioned District 2

James L. Duncan, Commissioner, District 3

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

## Exhibit A

## **Amendments to Chapter 17.08**

17.08.019 - Agricultural Activity
See the definition in RCW 90.58.065.

17.08.508 - Wedding and event center, <u>Type I.</u>
<u>See the definition in Chapter 17.21.</u> "Wedding and event center" means a facility where private parties may hold weddings, receptions, reunions and other special gatherings.

17.08.509 - Wedding and event center, Type II. See the definition in Chapter 17.21.

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## Exhibit B

## **Amendments to Section 17.16.014**

## 17.16.014 - Permitted uses table. Government/General Services Land Uses

Government/General Services 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
PA = Primary Agriculture
EA = Exclusive Agriculture
GA = General Agriculture
AR = Agriculture Residential
RR = Rural Remote
RA = Rural Agriculture
RRMC-5 = Rural Residential Mill Creek-5
RR = Rural Residential
R-96 = Suburban Residential
R-72 = Single Family Residential
R-60 = Single Family Residential
RM = Multiple Family Residential
RD-R = Rural Development-Residential
RD-CI = Rural Development- Commercial/Industrial
RFC = Rural Farmworker Community
RAC = Rural Activity Center

Zone			
Resource	Rural	Urban	Misc.
		Residential	

	P A - 4 0	E A - 12 0	G A - 20	A R- 10	R R- 40		R A - 10	R A - 5	R R M C-	R R- 2	R R- 5	R- 96	R- 72		R M	R D - R	R D - CI	R F C	R A C
Specific Use	-				•						-								
EDUCATION SERVICES																			
* Schools, public and private									P	С	С	P	P	P	P	С		С	С
GOVERNMENT SERVICES																			
Fire Station	C		C	С	С	С	С	С	C	C	С	С	С	С	С	C	P	С	С
GENERAL SERVICES																			
* Animal Hospital								С	С	С	С								P 1
Animal Shelter																			A C
* Automotive Repair and Services																			P 1
* Automobile Parking																			P 1
* Automobile Wrecking Yard																			
* Business Services																			P 1
Catering Establishments																			P 1
Cemeteries, Mausoleums					P	P	P												С
Churches & Places of Worship	С		С	С	С	С	С	С	P	С	С	P	P	P	P	С		С	С
* Clinic																		С	P 1
* Day Care, Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P

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	Zo	ne																	
	Re	sou	rce			Rur	al			- 1	Urb Res	an iden	tial		M				
	P A - 4 0	E A - 12 0	G A - 20	A R- 10	R R- 40	R R- 20	R A - 10	R A - 5	R R M C- 5	R R- 2	R - R- 5		R- 72		1	R D - R	R D - CI	R F C	R A C
Specific Use	-	1	-	-	1				1		-	-			-	1	-		
* Day Care Center																		C	P 1
* Finance, Insurance, Real Estate																			P 1
* Funeral Service & Crematories																			C
* Hospitals											İ	Ì							C
* Kennel, Commercial	C 4		C 4	C 4			C 4												C 4
Laboratories, Research and Testing																			
* Offices																		A C	P 1
Orphanage/Charita ble Institutions										P 1	P 1								P 1
* Personal Services																С		A C	P 1
* Repair Shops and related services																			P 1
Storage, Self Service																С		A C	P 1
* Utility Facilities	С	С	С	С	С	C	С	С	C	C	C	С	C	С	С	С	C	С	С
* Warehousing and Storage																	P		P 1
* Wedding and Event Center, Type I	<u>A</u> <u>C</u>		<u>A</u> <u>C</u>	5 <u>A</u> <u>C</u>			<u>A</u> <u>C</u>	<u>A</u> <u>C</u>	<u>A</u> <u>C</u>	<u>A</u> <u>C</u>	<u>A</u> <u>C</u>								<u>A</u> <u>C</u>

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	Zo	ne																		
	Res	Resource									Urban Residential				M	Misc.				
	P A - 4 0	E A - 12 0	G A - 20	A R- 10	R R- 40	R R- 20	R A - 10	R A - 5	R R M C- 5	R R- 2	R R- 5	R- 96	R- 72	R- 60	R M	R D - R	R D - CI	R F C	R A C	
Specific Use																				
* Wedding and Event Center, Type II	<u>C</u>		<u>C</u>	Р 5 5 <u>С</u>			С	С	С	С	<u>C</u>								A C	
ACCESSORY USE																				
* Accessory Use	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	P 3	

## **Government/General Services 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
BC = Burbank Commercial
CG = General Commercial
BR = Burbank Residential
PR = Public Reserve

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	Zone												
	Indu	strial a	and C	ommo	ercial				Mis	c.			
	IA- M	IA- H	HI	LI	I/BP	NC	CG	BC	BR	PR			
SPECIFIC USE													
EDUCATION SERVICES													
* Schools, public and private							P	P	P	P			
GOVERNMENT SERVICES													
Fire Station	C	C	P	P	P	P	P	P	C	P			
GENERAL SERVICES													
* Animal Hospital					P	P1	P1	P1					
Animal Shelter			P	C1			P	P					
* Automotive Repair and Services	P	P	P	P1	P		P1	P1					
* Automotive Parking					P		P	P					
Automobile Wrecking Yard	С	С	С	С									
* Business Services			P	P	P	P1	P	P					
Catering Establishments					P	P1	P1	P1					
Cemeteries, Mausoleums										C			
Churches and Places of Worship				C		P1	P	P	С				
* Clinic					P	P1	P	P					
* Day Care, Family			İ		İ				P				
* Day Care Center					P	P1	P	P					
* Finance, Insurance, Real Estate					P	P1	P1	P1					
* Funeral Services and Crematories							C	С	Ī				
* Hospitals					P	C1	C	С					
* Kennel, Commercial	C4			C1,		C1,							
Laboratories, Research and Testing	P	P	P	P1	P								
* Offices			P	P	P	P1	P	P					
Orphanage/Charitable Institutions	İ			İ	P	P1	P	P					
* Personal Services	Ì		İ		P	P1	P	P					

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	Zone	;								
	Indus	Mis	c.							
	IA- M	IA- H	HI	LI	I/BP	NC	CG	BC	BR	PR
SPECIFIC USE										
* Repair Shops and related services	P	P	P	P1	P		P	P		
Storage, Self Service	P		P	P1			P	P		
* Utility Facilities	C	C	C	C	С	C	C	C	C	C
* Warehousing and Storage	P	P	P	P1	P					
* Wedding and Event Center, Type <u>I</u>							<u>P</u>	<u>P</u>		
* Wedding and Event Center, Type II							P	P		
ACCESSORY USE										
* Accessory Use	P3	P3	Р3	P3	P3	P3	Р3	P3	P3	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 outright 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. Wedding and event centers not located at golf courses must be reviewed under either an administrative conditional use permit or conditional use permit, depending on the type.

## Exhibit A

## Amendments to Title 17, to add a new chapter.

### CHAPTER 17.21 – DEVELOPMENT STANDARDS – WEDDING AND EVENT CENTERS

## 17.21.010 - Purpose.

The regulations set out in this chapter set forth guidelines for development of wedding and event center facilities.

### 17.21.020 – Applicability.

All wedding and event center facilities shall be governed by this chapter unless the standards in this chapter are more restrictive than a permit issued prior to the effective date of the ordinance codified in this chapter. In such case, the previously issued permit shall govern.

#### 17.21.030 – Definition.

- A. "Wedding and event center" means a facility where private parties may hold weddings, receptions, reunions and other special gatherings. This does not include retail sales, concerts and amphitheaters, rodeos, circuses or other similar public events.
- B. Wedding and event center, Type I. A Type I Wedding and event center is one that has not more than 24 events per year per facility and not more than 100 guests/attendees per event. Hours of operation for a Type I wedding and events center shall be limited to the hours 10 a.m. to 10 p.m.
- C. Wedding and event center, Type II. A Type II Wedding and event center is one that would have more than 24 events per year and/or more than 100 guests/attendees per event, and/or have expanded hours different than between 10 a.m. and 10 p.m.

## 17.21.040 – Design Standards

Wedding and event centers in commercial zoning districts do not need to meet standards D-E, unless abutting a residential district.

- A. Occupancy. Occupancy at events is subject to parking and building occupancy limitations.
- B. Noise Noise originating from the site shall be buffered to the maximum extent possible and be minimized to serve the needs of the facility while limiting impacts to adjacent parcels. Noise levels must also comply with Chapter 9.20, Noise Regulations.
- C. Lighting. Exterior lighting shall be directed and shielded in a manner which minimizes its visibility at the site's boundaries. Exterior lighting shall not be used in such a manner that it produces glare on public streets and neighboring residential properties. Any temporary lighting associated with a specific event shall comply with these standards and shall be removed within 24 hours of the end of the event.
- D. Exterior Screening. A site-obscuring fence or wall shall be provided around the perimeter of either the entire parcel or the area proposed to accommodate outdoor events, parking areas and driveways. This requirement may be waived by the decision maker if adjoining parcels are at least 100 yards from the proposed area, or where topography or other conditions eliminate light impacts to other properties.
- E. <u>Setbacks</u>. All outdoor developed event areas, including stages, buildings, parking areas, and tents, shall maintain a minimum 50-foot setback from property lines.

17.21.050 – Additional Standards for Agricultural Zones

<u>In addition to the development standards in Section 17.21.040, wedding and event center facilities located in an agricultural zone shall meet the following requirements.</u>

- A. A wedding and event center is a non-agricultural accessory use. A wedding and event center shall be located only on parcels that are five acres or less and that are parcels with poor soils or otherwise not suited for agricultural purposes.
- B. If the parcel does not meet the criteria in (A), a wedding and event center may be permitted as a non-agricultural accessory use if it meets (1) (2) and (3) of this section.
  - 1. The facility shall support, promote, or sustain agricultural operations and production and meet the requirements of WAC 365-196-815(3)(c)(iii)(B).
  - 2. The facility must have no adverse effect upon the continued and compatible use of agricultural land either within or adjacent to the site.
  - 3. The wedding and event center must be accessory to agricultural activities occurring on site.