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**ORDINANCE NO. 450 - ADOPTING A REQUEST BY THE PORT OF WALLA WALLA (ZCA16-007) TO AMEND WALLA WALLA COUNTY CODE SECTION 17.16.014 TO ALLOW AUTOMOBILE SERVICE STATIONS AND CONVENIENCE MARKETS TO BE LOCATED IN THE INDUSTRIAL BUSINESS PARK ZONING DISTRICT.**

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. 450**

**ADOPTING A REQUEST BY THE PORT OF WALLA WALLA (ZCA16-007) TO AMEND WALLA WALLA COUNTY CODE SECTION 17.16.014 TO ALLOW AUTOMOBILE SERVICE STATIONS AND CONVENIENCE MARKETS TO BE LOCATED IN THE INDUSTRIAL BUSINESS PARK ZONING DISTRICT.**

**WHEREAS**, it is desirable for Walla Walla County to utilize innovate land use management techniques permitted by RCW 36.70A; and

**WHEREAS**, it is desirable for Walla Walla County to ensure that development regulations are not established in a manner than hinders prospective compatible uses of property; and

**WHEREAS**, pursuant to Walla Walla County Section 14.50.030, the Board of County Commissioners may amend development regulations more often than once a year as determined by a majority vote of the Board of County Commissioners to be in the long term interests of the County.

**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:**

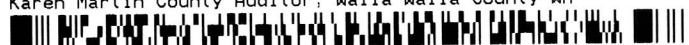
1. The Board of County Commissions approved, by Resolution 16-131, a written request by the Port of Walla Walla received on April 13, 2016, that the County proceed with consideration of this amendment outside of the regular docketing process, concluding that it is in the long-term interest of the County to do so.
2. The application was submitted to the Community Development Department on April 27, 2016 by the Port of Walla Walla.
3. The amendment would amend Walla Walla County Code Section 17.16.014 to make “automobile service station and convenience market” a permitted use in the Industrial Business Park (I/BP) zoning district.
4. The Planning Commission held a public workshop on May 4, 2016.
5. A Notice of Public Hearing for the June 1 Planning Commission public hearing and informational public meeting was published in the Waitsburg Times, the Walla Walla Union Bulletin and the Tri-City Herald on May 19, 2016.



6. On June 2, 2016 the Walla Walla County Community Development Department Director signed a SEPA Determination of Non-Significance (file SEPA16-022) for this application. This determination was sent to the SEPA Register and consulting agencies for review and comment on June 3, and published in the Walla Walla Union Bulletin on June 7. No appeal or comments on this determination were filed.
7. Pursuant to RCW 36.70A.106 and WWCC 14.15.070D, on June 1, 2016 the proposed amendment was sent, with an expedited review request, to the Department of Commerce. On June 2, 2016 the County received a letter acknowledging that the Department of Commerce had received this request and notice. On June 20, 2016 expedited review was granted by the Department. No comments were received from the Department of Commerce or any public agency during this expedited review period.
8. As required by WWCC 14.15.050B(2), on June 1, 2016 an Informational Public Meeting was held.
9. As required by WWCC 14.15.070B(2), on June 1, 2016 the Planning Commission held a public hearing on the application. The only public testimony was from the Port's Paul Gerola, who spoke in favor of the application.
10. After the close of the public hearing on June 1, 2016, 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. 16-04 which was signed by the Chairman on July 1, 2016.
11. On August 1, 2016 the Board of County Commissioners adopted Resolution 16-211 setting a public hearing on this application for August 15, 2016.
12. A Notice of Public Hearing for the August 15 public hearing was published in the Walla Walla Union Bulletin on August 4, 2016.
13. The Board of County Commissioners held a Public Hearing on August 15, 2016. Staff presented the Planning Commission's recommendation and recommended that the Board of County Commissioners approve the amendments as presented.
14. On August 15, 2016, after closing the public hearing, the Board of County Commissioners voted unanimously to concur with staff's recommendation to approve the amendments as presented herein.
15. 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 14.15.070B(3):
  1. *The amendment is consistent with the comprehensive plan; and*  
Discussion: The amendment is consistent with the Comprehensive Plan, which states that the Industrial/Business Park zone shall include "retail commercial uses intended to help meet future long-term needs of the community and the anticipated employees of the business park." (Burbank Subarea Plan, Page 12-5)



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

Discussion: The development of these uses within the Burbank Business Park has the potential to facilitate further economic development in helping the Port of Walla Walla to attract other retail and industrial development. As stated in the application, convenience markets and service stations in this area could serve anticipated employees of other businesses in the Burbank UGA.

3. *The amendment is in the long term interest of the County.*

Discussion: These amendments are in the long term interest of the County because they are consistent with Comprehensive Plan and will help support economic development in the Burbank Urban Growth Area.

2. The proposed amendment is in compliance with Walla Walla County Code Sections 14.15.070B(3) as outlined above.
3. Members of the general public were notified of the June 1 and August 15 public hearings and had the opportunity to submit testimony.
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 amendment to Section 17.16.014:**

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 amendment to Walla Walla County Code Section 17.16.014, Permitted uses table, shown in 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 Commissioners in regular session at Walla Walla, Washington, then signed by its membership and attested by its Clerk in authorization of such passage this 15<sup>th</sup> day of August, 2016.



Attest:

Connie R Vinti  
Connie R. Vinti, Clerk of the Board



Approved as to form

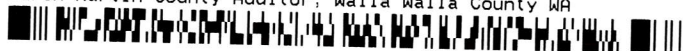
Jesse D Nolte  
Jesse D. Nolte, Deputy Prosecuting Attorney

absent  
James K. Johnson, Chairman, District 1

Perry L. Dozier  
Perry L. Dozier, Commissioner, District 2

James L. Duncan  
James L. Duncan, Commissioner, District 3

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



## **Exhibit A**

**Section I.** Amend Section 17.16.014 to allow “automobile service station and convenience market” as a permitted use in the Industrial Business Park (I/BP) district.

**17.16.014 - Permitted uses table.**  
**Retail/Wholesale 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										
RETAIL										
* Automobile Service Station and Convenience Market			P	P	<u>P</u>	P1	P2	P2		

