



Walla Walla Joint Community Development Agency

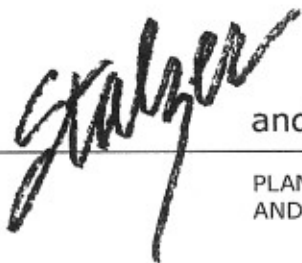
55 E. Moore Street, Walla Walla, WA 99362 / 509.524.4710 Main

WALLA WALLA COUNTY PLANNING COMMISSION AGENDA

Meeting Location: Board of County Commissioners (BoCC) Meeting Room
County Public Health and Legislative Building
314 W Main Street, 2nd Floor

**June 4, 2014
7:00 p.m.**

- A. CALL TO ORDER
- B. ROLL CALL
- C. ESTABLISH A QUORUM
- D. CONFLICT OF INTEREST / APPEARANCE OF FAIRNESS
- E. APPROVAL OF MINUTES – May 7, 2014
- F. APPROVAL OF AGENDA
- G. STAFF UPDATE / PUBLIC HEARINGS
 - 1. Review and discuss Recreational Marijuana Regulations as a result of I-502.
 - A. Follow-up on work items from May meeting
 - B. Update on status in other jurisdictions and legal situation
 - C. Public hearing on staff recommendations
 - 2. Public Hearing to determine the Planning Commission's recommendation on the 2014 Comprehensive Plan and Development Regulations Amendment Final Docket.
 - A. P14-010 – A Zoning Code Text Amendment from Bernardo Lopez to allow art production facilities in the Rural Residential zone.
 - B. P14-056 – A Zoning Code Text Amendment from Bernardo Lopez to establish a definition and the front property line for flag lots.
 - C. P14-058 – A Zoning Code Text Amendment from the Port of Walla Walla to amend the Light Industrial zoning district by allowing a wider range of uses and to eliminate size limitations.
- H. NEW BUSINESS
- I. ADJOURNMENT



and Associates

PLANNING, LAND USE
AND DEVELOPMENT SERVICES

Memorandum

Date: May 28, 2014
To: Walla Walla County Planning Commission
From: Bill Stalzer, county planning consultant *BS*
Cc: Jesse Nolte, Deputy Prosecuting Attorney, Jon Maland and Steve Donovan, Walla Walla Joint Community Development Agency
Re: Recreational Marijuana County Code Amendments

Background

At the May planning commission workshop meeting, the commission directed staff to determine how much heavy and light industrial land would be available for recreational marijuana facilities if either a 500 or 1,000 foot setback from residential areas was required.

Table 1 below summarizes the amount of land area that would be available for recreational marijuana facilities under the two setback scenarios. The total land area shown in the table is the amount of zoned land after deducting the amount of land area, if any, impacted by the 1,000 foot restriction imposed by the Washington State Liquor Control Board rules (WAC 314-55).

Table 1
Summary of Net Available Heavy and Light Industrial Zoned Land

Zones	Total Land Area	After deducting a 500 foot setback from residential properties	After deducting a 1,000 foot setback from residential properties
Heavy Industrial	277.87 acres	215.98 acres	134.66 acres
Light Industrial	342.77 acres	311.44 acres	280.76 acres
Both Heavy and Light Industrial	620.64 acres	527.42 acres	415.42 acres

Maps of each of the heavy and light industrial areas are included with this memorandum. Each map shows the location and amount of land area that would be impacted by either a 500 or a 1,000 foot setback from nearby urban residential zones (R-96, R-72, R-60, and RM.)

Heavy Industrial (Map Areas 1 and 2)

One of the four areas in county zoned for heavy industrial use, one is located in the Burbank urban growth area, and due to its distance from law enforcement facilities, it is not recommended for consideration. Of the three remaining areas the small HI zone along Woodland Avenue (Map Area 1) is eliminated if either setback is recommended. The two eligible areas are located along Dell Avenue (also Map Area 1) and adjacent to Route 125 north of the city of Walla Walla (Map Area 2).

Light Industrial (Map Areas 3-6)

Of the five light industrial areas in the county, one is completely within a WSLCB 1,000 foot restricted area, and is not included on any map. A second light industrial area along Wallula Avenue (Map Area 4) is eliminated if either setback is recommended. The three eligible light industrial areas are: along Heritage Road (Map Area 3); Martin Field along West Whitman Drive (Map Area 5); and along Isaacs Avenue by the airport (Map Area 6).

Proposed Amendments to the Table of Permitted Uses (WWCC 17.16.014)

At the May meeting the planning commission agreed that standards for recreational marijuana should include the following provisions:

- all recreational marijuana facilities are to be conditional uses;
- the production, processing, and retail sale of recreational marijuana should be allowed only within a secure indoor facility; and
- recreational marijuana production facilities should be limited to the size necessary to produce up to one thousand four hundred square feet of plant canopy, the smallest category (Tier 1) of production facilities allowed by the Washington State Liquor Control Board; and

Code Amendments reflecting the above provisions have been prepared for the following options:

Attachment 2, Option 1A: Allow the production, processing, storage, and sale of recreational marijuana in the heavy industrial zone subject to a 500 foot setback from property zoned for residential use.

Attachment 3, Option 1B: Allow the production, processing, storage, and sale of recreational marijuana in the heavy industrial zone subject to a 1,000 foot setback from property zoned for residential use.

Attachment 4, Option 2A: Allow the production, storage, and sale of recreational marijuana in the heavy industrial and light industrial zones and the processing of recreational marijuana in the heavy industrial zone subject to a 500 foot setback from property zoned for residential use.

Attachment 5, Option 2B: Allow the production, storage, and sale of recreational marijuana in the heavy industrial and light industrial zones and the processing of recreational marijuana in the heavy industrial zone subject to a 500 foot setback from property zoned for residential use.

The commission also agreed that the standards in Title 17 should be consistent with federal requirements. See the memorandum from Jesse Nolte (Attachment 6) regarding county code amendment options for addressing consistency.

Written Public Comments

Numerous comments have been received since the last planning commission meeting and are included with this memorandum.

Enclosures:

Attachment 1: Walla Walla County Recreational Marijuana- Restricted Areas, Zoning, Distinct Ownership, Residential Zone Setback (500 or 1,000 feet), Area Maps 1-6

Attachment 2: Option 1A Marijuana Production, Processing, Warehousing, Storage, Packing and Retail Sales Permitted in Heavy Industrial (HI) zone; 500 foot setback from Urban Residential Zones WWCC 17.16.014 Permitted Uses Table

Attachment 3: Option 1B Marijuana Production, Processing, Warehousing, Storage, Packing and Retail Sales Permitted in Heavy Industrial (HI) zone; 1,000 foot setback from Urban Residential Zones WWCC 17.16.014 Permitted Uses Table

Attachment 4: Option 2A Marijuana Production, Warehousing, Storage, Packing and Retail Sales Permitted in Heavy Industrial (HI) and Light Industrial (LI) zones; Marijuana Processing Permitted in Heavy Industrial (HI) zone; 500 foot setback from Urban Residential Zones WWCC 17.16.014 Permitted Uses Table

Attachment 5: Option 2B Marijuana Production, Warehousing, Storage, Packing and Retail Sales Permitted in Heavy Industrial (HI) and Light Industrial (LI) zones; Marijuana Processing Permitted in Heavy Industrial (HI) zone; 1,000 foot setback from Urban Residential Zones WWCC 17.16.014 Permitted Uses Table

Attachment 6: May 27, 2014 Memo to Bill Stalzer from Jesse Nolte regarding Language in current code 17.16.010 as it relates to recreational marijuana uses.

Residential Zone Setback

500'

1000'

UGA and City Boundaries

WALLA WALLA UGA

COLLEGE PLACE UGA

WALLA WALLA CITY LIMIT

COLLEGE PLACE CITY LIMIT

Points of Interest

DAY CARE

LIBRARY

PARK

PLAYGROUND

SCHOOL

RESTRICTED AREAS

W
E
S
E

0

110

220

440

Feet

Print Date: 05/28/2014

Walla Walla Joint Community Development Agency (WWJCDA)
55 E. Moore Street, Walla Walla WA 99362 - (509) 524-4710

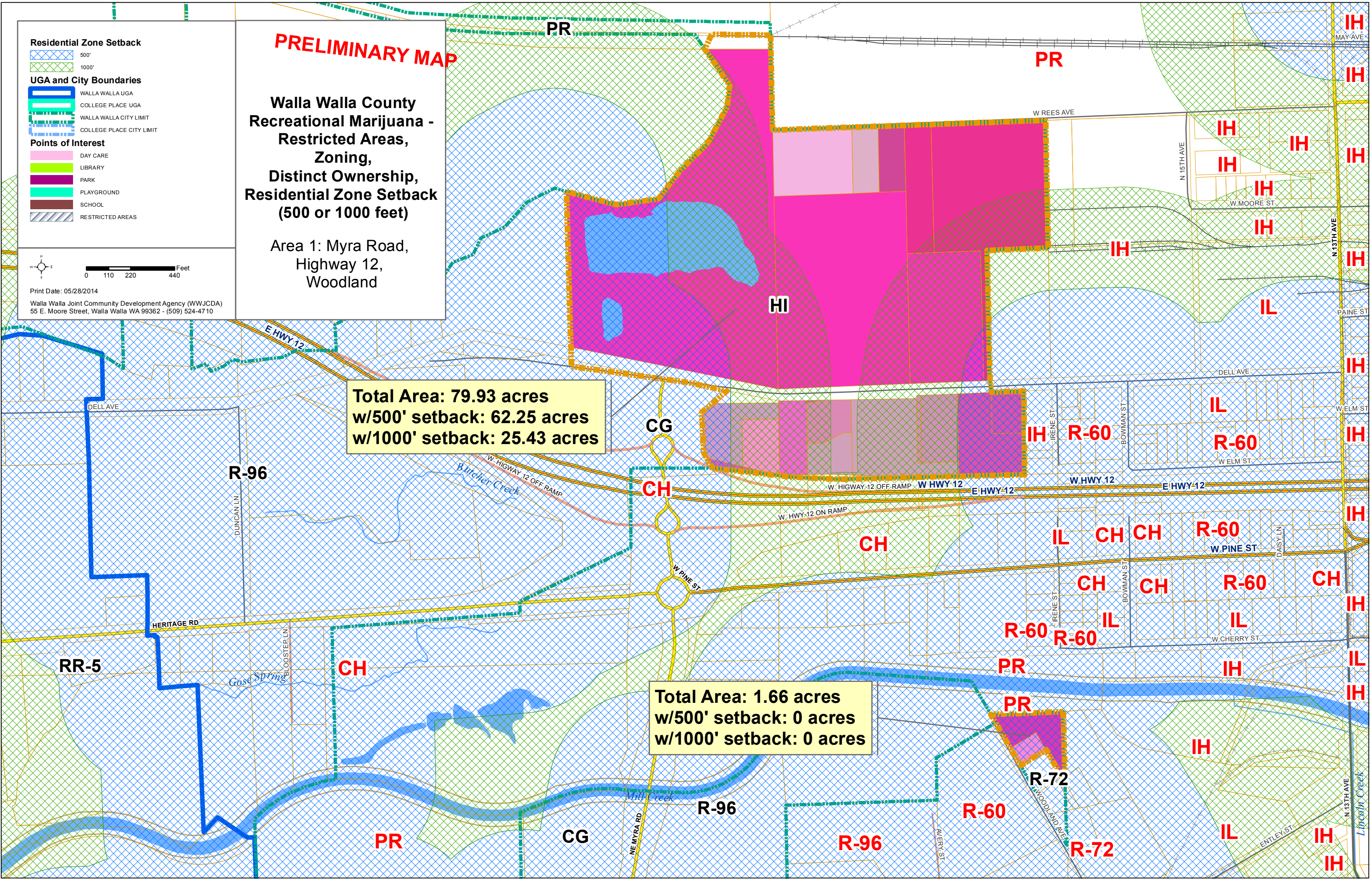
PRELIMINARY MAP

Walla Walla County
Recreational Marijuana -
Restricted Areas,
Zoning,
Distinct Ownership,
Residential Zone Setback
(500 or 1000 feet)

Area 1: Myra Road,
Highway 12,
Woodland

Total Area: 79.93 acres
w/500' setback: 62.25 acres
w/1000' setback: 25.43 acres

Total Area: 1.66 acres
w/500' setback: 0 acres
w/1000' setback: 0 acres



500'

1000'

WALLA WALLA UGA

COLLEGE PLACE UGA

WALLA WALLA CITY LIMIT

COLLEGE PLACE CITY LIMIT

DAY CARE

LIBRARY

PARK

PLAYGROUND

SCHOOL

RESTRICTED AREAS

0150300600

Feet

Print Date: 05/28/2014

Walla Walla Joint Community Development Agency (WWJCDA)

55 E. Moore Street, Walla Walla WA 99362 - (509) 524-4710

WALLA WALLA COUNTY
RECREATIONAL MARIJUANA -
RESTRICTED AREAS,
ZONING,
DISTINCT OWNERSHIP,
RESIDENTIAL ZONE SETBACK
(500 or 1000 feet)

Area 2: Robison
Ranch Road

WALLA WALLA UGA

COLLEGE PLACE UGA

WALLA WALLA CITY LIMIT

COLLEGE PLACE CITY LIMIT

DAY CARE

LIBRARY

PARK

PLAYGROUND

SCHOOL

RESTRICTED AREAS

Total Area: 196.28 acres
w/500' setback: 153.73 acres
w/1000' setback: 109.32 acres

This preliminary map illustrates the zoning and setback requirements for recreational marijuana restricted areas in Walla Walla County. The map features several key elements:

- Residential Zone Setback:** Indicated by blue cross-hatching for 500' and green cross-hatching for 1000' setbacks.
- UGA and City Boundaries:** Walla Walla UGA is shown in blue, College Place UGA in green, Walla Walla City Limit in orange, and College Place City Limit in yellow.
- Points of Interest:** Day Care (pink), Library (yellow), Park (purple), Playground (red), School (brown), and Restricted Areas (blue cross-hatching).
- Area 2: Robison Ranch Road** is the primary focus, showing a large pink area labeled 'HI' and a purple area labeled 'R-96'.
- Other Zoning Areas:** Various other zoning districts are labeled, including 'PR' (Residential Single-Family), 'R-60', 'R-96', 'IH' (Intermediate Density Residential), and 'IL' (Light Industrial).
- Infrastructure:** Major roads like N HWY 125, N 13th Ave, N 9th Ave, N 4th Ave, and W HWY 12 are shown. Other streets include Carrie Ave, E George St, and W George St.
- Scale and Orientation:** A scale bar indicates distances up to 600 feet, and a north arrow is provided.
- Print Date:** 05/28/2014.
- Contact Information:** Walla Walla Joint Community Development Agency (WWJCDA), 55 E. Moore Street, Walla Walla WA 99362 - (509) 524-4710.

500'

1000'

WALLA WALLA UGA

COLLEGE PLACE UGA

WALLA WALLA CITY LIMIT

COLLEGE PLACE CITY LIMIT

DAY CARE

LIBRARY

PARK

PLAYGROUND

SCHOOL

RESTRICTED AREAS

PRELIMINARY MAP

Walla Walla County
Recreational Marijuana -
Restricted Areas,
Zoning,
Distinct Ownership,
Residential Zone Setback
(500 or 1000 feet)

Area 3: Heritage Road

0

87.5

175

350

Feet

Print Date: 05/28/2014

Walla Walla Joint Community Development Agency (WWJCDA)
55 E. Moore Street, Walla Walla WA 99362 - (509) 524-4710

The map displays the following features:

- Legend:**
 - Residential Zone Setback:** 500' (blue cross-hatch), 1000' (green cross-hatch).
 - UGA and City Boundaries:** Walla Walla UGA (blue line), College Place UGA (green line), Walla Walla City Limit (dashed blue line), College Place City Limit (dashed green line).
 - Points of Interest:** Day Care (pink), Library (yellow), Park (purple), Playground (cyan), School (brown), Restricted Areas (blue diagonal lines).
- Title Block:** PRELIMINARY MAP, Walla Walla County Recreational Marijuana - Restricted Areas, Zoning, Distinct Ownership, Residential Zone Setback (500 or 1000 feet), Area 3: Heritage Road.
- Scale and Orientation:** Scale bar (0 to 350 feet), North arrow.
- Map Labels:** PA-40, AR-10, RR-5, PR, LI LI, E HWY 12, W HWY 12, N CAMPBELL RD, BALDWIN INT, HERITAGE RD, NEWTOWN RD, BALDWIN RD, N HUSSEY ST.
- Setback Areas:** A large green cross-hatched area on the right side of the map, and a smaller blue cross-hatched area near the top right.
- Points of Interest:** A pink area labeled "LI LI" is located near the center of the map.

Total Area: 5.45 acres
w/500' setback: no change
w/1000' setback: no change

500'

1000'

WALLA WALLA UGA

COLLEGE PLACE UGA

WALLA WALLA CITY LIMIT

COLLEGE PLACE CITY LIMIT

DAY CARE

LIBRARY

PARK

PLAYGROUND

SCHOOL

RESTRICTED AREAS

W

E

S

N

0

20

40

80

Feet

Print Date: 05/28/2014

Walla Walla Joint Community Development Agency (WWJCDA)
55 E. Moore Street, Walla Walla WA 99362 - (509) 524-4710

PRELIMINARY MAP

Walla Walla County
Recreational Marijuana -
Restricted Areas,
Zoning,
Distinct Ownership,
Residential Zone Setback
(500 or 1000 feet)

Area 4: Wallula Avenue

Total Area: 0.66 acres
w/500' setback: 0.66 acres
w/1000' setback: 0 acres

Residential Zone Setback

500'

1000'

UGA and City Boundaries

WALLA WALLA UGA

COLLEGE PLACE UGA

WALLA WALLA CITY LIMIT

COLLEGE PLACE CITY LIMIT

Points of Interest

DAY CARE

LIBRARY

PARK

PLAYGROUND

SCHOOL

RESTRICTED AREAS

H

W

E

S

0

145

290

580

Feet

Print Date: 05/28/2014

Walla Walla Joint Community Development Agency (WWJCDA)

55 E. Moore Street, Walla Walla WA 99362 - (509) 524-4710

PRELIMINARY MAP

Walla Walla County

Recreational Marijuana -

Restricted Areas,

Zoning,

Distinct Ownership,

Residential Zone Setback

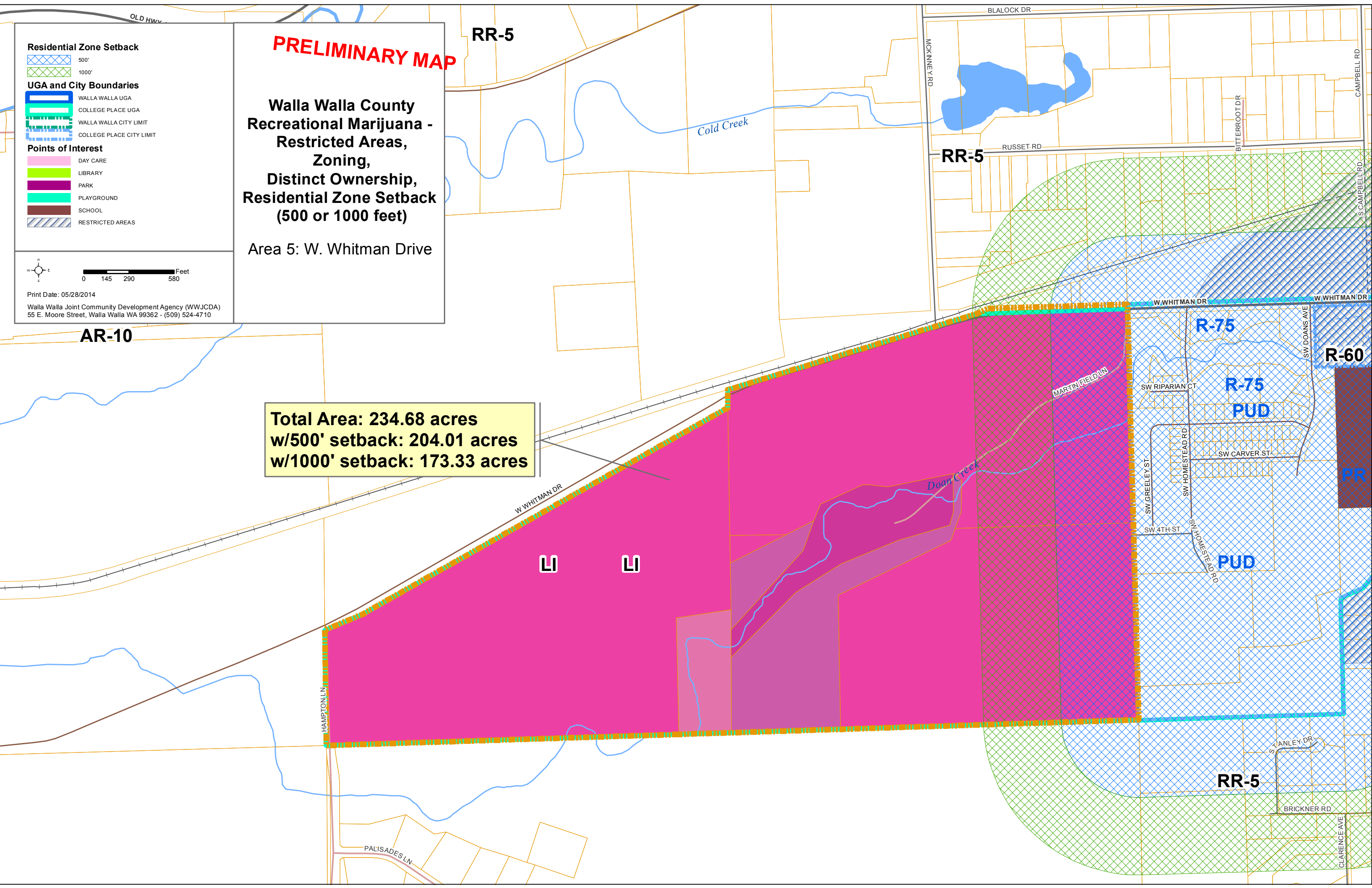
(500 or 1000 feet)

Area 5: W. Whitman Drive

Total Area: 234.68 acres

w/500' setback: 204.01 acres

w/1000' setback: 173.33 acres



500'

1000'

WALLA WALLA UGA

COLLEGE PLACE UGA

WALLA WALLA CITY LIMIT

COLLEGE PLACE CITY LIMIT

DAY CARE

LIBRARY

PARK

PLAYGROUND

SCHOOL

RESTRICTED AREAS

W

E

S

N

0

150

300

600

Feet

Print Date: 05/28/2014

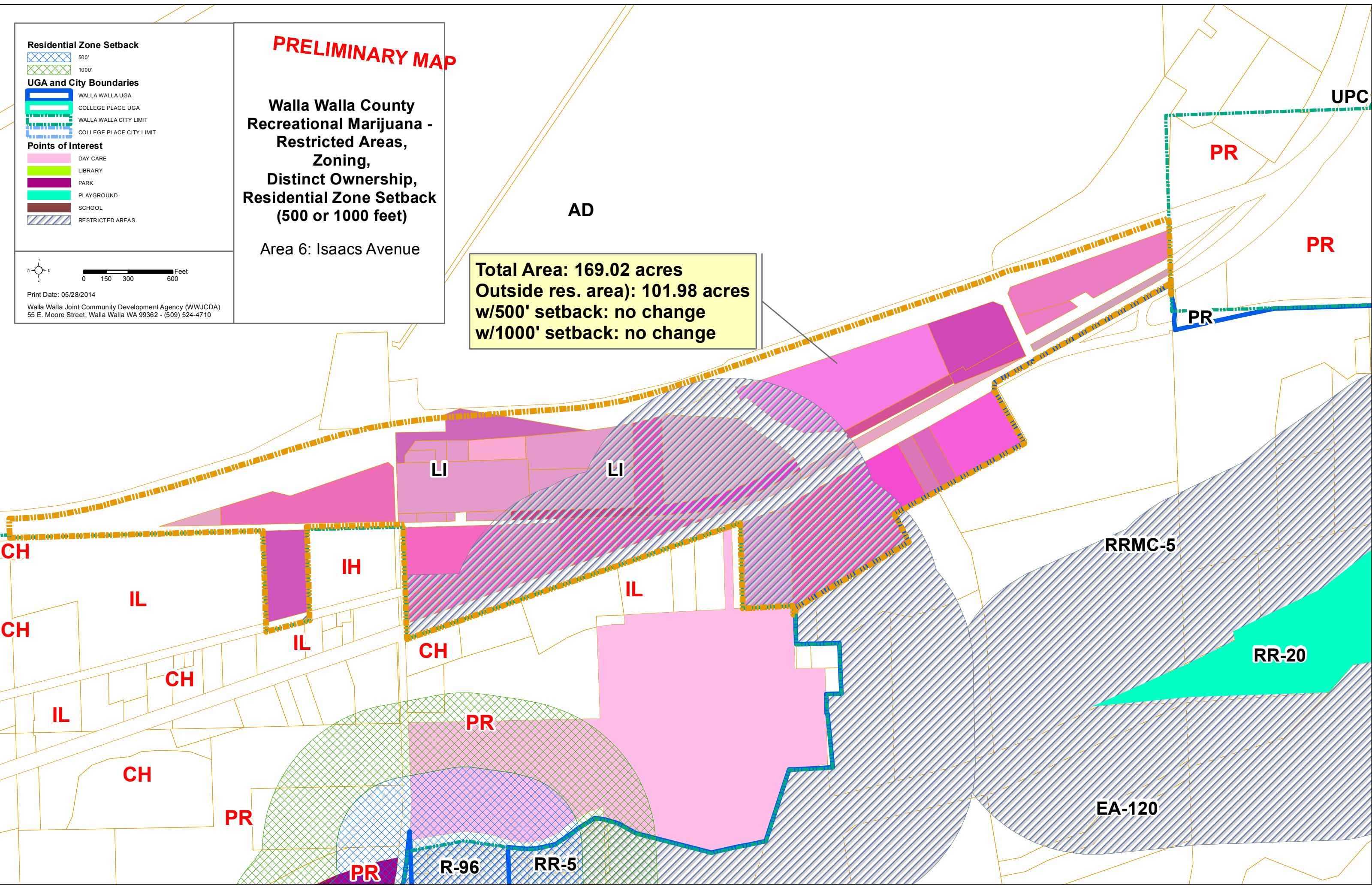
Walla Walla Joint Community Development Agency (WWJCDA)
55 E. Moore Street, Walla Walla WA 99362 - (509) 524-4710

PRELIMINARY MAP

**Walla Walla County
Recreational Marijuana -
Restricted Areas,
Zoning,
Distinct Ownership,
Residential Zone Setback
(500 or 1000 feet)**

Area 6: Isaacs Avenue

**Total Area: 169.02 acres
Outside res. area): 101.98 acres
w/500' setback: no change
w/1000' setback: no change**



Attachment 2

**Option 1A
Marijuana Production, Processing, Warehousing, Storage, Packing and Retail Sales
Permitted in Heavy Industrial (HI) zone;
500 foot setback from Urban Residential Zones**

**WWCC 17.16.014 Permitted Uses Table
Resource 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											
AGRICULTURE											
* Growing of Crops ²	P	P	P, C3,4	P	P	P	P	P	P	P	
Raising Livestock, Large Scale Commercial	P	P									
Processor for Animal Killing and Dressing (large scale processing greater than 1,500 square feet of gross floor area)	C	C	C								
Processor for Animal Killing and Dressing (equal to or less than 1,500 square feet of gross floor area)	P	P	P	P							
FISH/WILDLIFE											
Hatcheries	P	P									

Attachment 2, Option 1A

	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR
MINERAL										
Rock Crushers										
Quarries, gravel/rock extractions (designated mineral lands)	AC	AC								
Quarries, gravel/rock extractions (nondesignated mineral lands)	C	C								
Timber harvesting										
ACCESSORY USES										
* Accessory Use	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1

F. Resource Land Uses—Development Conditions.

1. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
2. [Marijuana production permitted only in the Heavy Industrial \(HI\) zoning district. Conditional use permit is required and approval by the Liquor Control Board is required.](#)
3. [Marijuana production permitted only within a fully enclosed secure indoor facility. The size of the indoor facility shall be limited to that necessary to produce up to one thousand four hundred square feet of plant canopy.](#)
4. [A marijuana production facility is not permitted within 500 feet of property zoned for single family \(R-96, R-72, R-60\) or multiple family residential use \(RM\). The distance shall be measured as the shortest straight line between the property line of the processing location to the property line of property zoned for single family \(R-96, R-72, R-60\) or multiple family residential use \(RM\).](#)

Industrial/Manufacturing Land Uses

	Zone									
	Industrial and Commercial								Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR
SPECIFIC USE										
* Apparel and Other Textile Products	P	P	P	P4	P					
Acid, manufacture of sulphurous, sulfuric, nitric, hydrochloric, and other similar acids	C	C	C							
Arsenals	C	C								
Asphalt Plant	P	P	P							
* Chemicals and Allied Products	C	P	P							
* Computer and Office Equipment	P	P	P	P4	P					
Concrete Batch Plant	P	P	P							

Attachment 2, Option 1A

	Zone									
	Industrial and Commercial								Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR
* Dairy Products Processing	P	P	P	P4	P					
* Electronic and Other Electric Equipment	P	P	P	P4	P					
Explosives, Manufacture and Storage	C	C								
* Fabricated Metal Products	P	P	P	P						
Fat rendering	C	C								
* Food and Kindred Products ^a	P	P	P,C6,7		P					
* Furniture and Fixtures	P	P	P	P4						
* Industrial Machinery and Equipment	C	P	P							
* Instruments and Related Products	P	P		P4						
* Leather and Leather Goods	P	P	P	P4	P					
* Lumber and Wood Products, Except Furniture	C	P	P	P	P					
* Meat Processing and Packing	C	P	P							
Offal and Animal Reduction or Processing	C	C								
* Paper and Allied Products	P	P	P	P4						
* Petroleum Refining Related Industries	C	P	P							
Petroleum Refining	C	C	P							
* Primary Metal Industries	C	P	P							
* Printing and Publishing	P	P	P	P4	P	P				
* Rubber and Miscellaneous Plastics	C	P	P		P					
* Stone, Clay, Glass and Concrete Products	P	P	P	P4						
Smelting or Refining Aluminum, Copper, Tin or Zinc	C	C								
Storage/Packing Agricultural Produce ^a	P	P	P,C6,7	P4	P					
* Textile Mill Products	P	P	P	P4	P					
* Transportation Equipment	C	P	P							
* Truck Stop	P	P	P	P			P	P		
* Winery Type I	P3	P3	P3	P3	P3	P3	P3	P3		
* Winery Type II	P3	P3	P3	P3	P3	P3	P3	P3		
Miscellaneous Light Manufacturing	P	P	P	P	P		C	C		
ACCESSORY USES	P	P								
* Accessory Use	P1	P1	P1	P1, 4	P1	P1	P1	P1		

Attachment 2, Option 1A

D. Industrial/Manufacturing Land Uses—Development Conditions.

1. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
2. Industrial Uses Limits. Industrial uses shall be subject to the following conditions:
 - a. The noise emanating from industrial activities shall be controlled so as not to become objectionable due to intermittent beat, frequency, volume and duration.
 - b. Industrial and exterior lighting shall not produce glare on public highways and neighboring property. Arc welding, acetylene torch cutting or similar processes shall be screened from any point outside of the property.
 - c. The storage and handling of inflammable liquids, liquefied petroleum gases, and explosives shall comply with rules and regulations of the state and other county regulations, the Uniform Building Code, and the Uniform Fire Code.
 - d. Provisions shall be made for shielding or other preventive measures against electromagnetic interferences occasioned by mechanical, electrical and nuclear equipment, uses, or processes.
 - e. The emission of odors shall be minimized and the emission of any toxic or corrosive fumes or gases shall be prohibited. Dust, smoke and other types of air pollution shall be minimized.
 - f. Liquid and solid wastes, and storage of animal or vegetable waste which attracts insects or rodents or otherwise creates a health hazard shall be prohibited. No waste products shall be exposed to view from eye level from any property line in an industrial district.
 - g. All storage shall be located within an area not closer than twenty feet from the street right-of-way line and shall be enclosed with a heavy wire fence or of a similar type, with the top of said fence not to be less than eight feet above the adjoining street level, or by an attractive hedge or board fence at least eight feet high. In the case of the open storage of lumber, coal, or other combustible material, a roadway shall be provided, graded, surfaced and maintained from the street to the rear of the property to permit access of fire trucks.
3. See [Chapter 17.22](#) for winery development standards.
4. The primary building not to exceed thirty thousand square feet per establishment
5. [Marijuana processing, storage, or packing permitted only in the Heavy Industrial \(HI\) zoning district. Conditional use permit is required and approval by the Liquor Control Board is required.](#)
6. [Marijuana processing, storage, or packing permitted only within a fully enclosed secure indoor facility.](#)
7. [A marijuana processing, storage, or packing facility is not permitted within 500 feet of property zoned for single family \(R-96, R-72, R-60\) or multiple family residential use \(RM\). The distance shall be measured as the shortest straight line between the property line of the processing location to the property line of property zoned for single family \(R-96, R-72, R-60\) or multiple family residential use \(RM\).](#)

Attachment 2, Option 1A

Government/General Services Land Uses

	Zone									
	Industrial and Commercial								Misc.	
	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	C	C	C	C						
* 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	C	
* Clinic					P	P1	P	P		
* Day Care, Family									P	
* Day Care Center					P	P1	P	P		
* Finance, Insurance, Real Estate					P	P1	P1	P1		
* Funeral Services and Crematories							C	C		
* Hospitals					P	C1	C	C		
* Kennel, Commercial	C4			C1, 4		C1, 4				
Laboratories, Research and Testing	P	P	P	P1	P					
* Offices			P	P	P	P1	P	P		
Orphanage/Charitable Institutions					P	P1	P	P		
* Personal Services					P	P1	P	P		
* 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	C	C	C	C	C	C

Attachment 2, Option 1A

	Zone									
	Industrial and Commercial								Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR
* Warehousing and Storage ⁶	P	P	P, C7.8	P1	P					
* Wedding and Event Center							P	P		
ACCESSORY USE										
* Accessory Use	P3	P3	P3	P3	P3	P3	P3	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 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.

[6. Marijuana warehousing and storage permitted only in the Heavy Industrial \(HI\) zoning district. Conditional use permit is required and approval by the Liquor Control Board is required.](#)

Attachment 2, Option 1A

7. Marijuana warehousing and storage permitted only within a fully enclosed secure indoor facility. The size of the indoor facility shall be limited to that necessary to produce up to one thousand four hundred square feet of plant canopy.

8. A marijuana warehousing and storage facility is not permitted within 500 feet of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM). The distance shall be measured as the shortest straight line between the property line of the processing location to the property line of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM).

Retail/Wholesale Land Uses

	Zone										
	Industrial and Commercial									Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR	
SPECIFIC USE											
RETAIL											
* Apparel and Accessory Stores						P1	P	P			
Auction Houses, except livestock						P1	P	P			
Auction Houses/Yards, Livestock	P										
* Automobile Service Station and Convenience Market			P	P		P1	P2	P2			
* Automotive Dealers			P	P1	P	P1	P	P			
Automobile Leasing/Rental			P	P1	P	P1		P			
* Building Material, Hardware, and Garden Supply			P	P1	P	P1	P	P			
* Eating and Drinking Establishments					P	P1	P	P			
* Food Stores					P	P1	P	P			
* General Merchandise Stores					P	P1	P	P			
Heavy Equipment Sales and Rental			P	P1	P						
* Home Furniture, Furnishings, and Equipment Stores					P	P1	P	P			
Horticultural Nurseries, Retail			P	P1	P	P1	P	P			
Irrigation Systems/Equipment, Sales Service & Storage	P	P	P	P1	P		P	P			
<u>Marijuana, Retail Sales</u>				^{C5,6}							
* Produce Stand					P	P					
* Produce Market					P	P1	P	P			
* Retail, Miscellaneous					P		P	P			
WHOLESALE											
* Durable Goods	P	P	P	P1	P						
* Non Durable Goods	P	P	P	P1	P						

Formatted: Underline, Highlight

Formatted: Font color: Blue, Superscript

Formatted: Font color: Blue

Formatted: Underline, Font color: Blue

Formatted: Font color: Blue

Attachment 2, Option 1A

	Zone									
	Industrial and Commercial								Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR
Commercial Greenhouses	P	P	P	P1	P	P1	P	P		
ACCESSORY USES										
* Accessory Use	P3	P3	P3	P3	P3	P3	P3	P3		

B. Retail/Wholesale Land Uses—Development Conditions.

1. The primary building cannot exceed twenty thousand square feet per establishment.
2. No gasoline or oil pump or appliance may be located within twelve feet of any street or property line unless within a building.
3. Any accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.

4. Marijuana retail sales permitted only in the Heavy Industrial zoning district. Conditional use permit is required and approval by the Liquor Control Board is required.

Formatted: Font color: Blue

5. Marijuana retail sales permitted only within a fully enclosed secure indoor facility.

Formatted: Font color: Blue

6. Marijuana retail sales not permitted within 500 feet of a property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM). The distance shall be measured as the shortest straight line between the property line of the retail sales location to the property line of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM).

Formatted: Font color: Blue

Formatted: Font color: Blue

Formatted: Font color: Blue

Attachment 3

Option 1B
Marijuana Production, Processing, Warehousing, Storage, Packing and Retail Sales
Permitted in Heavy Industrial (HI) zone;
1,000 foot setback from Urban Residential Zones

WWCC 17.16.014 Permitted Uses Table
Resource 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											
AGRICULTURE											
* Growing of Crops ⁴	P	P	P, C3,4	P	P	P	P	P	P	P	
Raising Livestock, Large Scale Commercial	P	P									
Processor for Animal Killing and Dressing (large scale processing greater than 1,500 square feet of gross floor area)	C	C	C								
Processor for Animal Killing and Dressing (equal to or less than 1,500 square feet of gross floor area)	P	P	P	P							
FISH/WILDLIFE											
Hatcheries	P	P									

Attachment 3, Option 1B

	Zone										
	Industrial and Commercial										Misc.
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR	
MINERAL											
Rock Crushers											
Quarries, gravel/rock extractions (designated mineral lands)	AC	AC									
Quarries, gravel/rock extractions (nondesignated mineral lands)	C	C									
Timber harvesting											
ACCESSORY USES											
* Accessory Use	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	

F. Resource Land Uses—Development Conditions.

1. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
2. [Marijuana production permitted only in the Heavy Industrial \(HI\) zoning district. Conditional use permit is required and approval by the Liquor Control Board is required.](#)
3. [Marijuana production permitted only within a fully enclosed secure indoor facility. The size of the indoor facility shall be limited to that necessary to produce up to one thousand four hundred square feet of plant canopy.](#)
4. [A marijuana production facility is not permitted within 1,000 feet of property zoned for single family \(R-96, R-72, R-60\) or multiple family residential use \(RM\). The distance shall be measured as the shortest straight line between the property line of the processing location to the property line of property zoned for single family \(R-96, R-72, R-60\) or multiple family residential use\(RM\).](#)

Formatted: Font color: Blue

Industrial/Manufacturing Land Uses

	Zone										
	Industrial and Commercial										Misc.
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR	
SPECIFIC USE											
* Apparel and Other Textile Products	P	P	P	P4	P						
Acid, manufacture of sulphurous, sulfuric, nitric, hydrochloric, and other similar acids	C	C	C								
Arsenals	C	C									
Asphalt Plant	P	P	P								
* Chemicals and Allied Products	C	P	P								
* Computer and Office Equipment	P	P	P	P4	P						
Concrete Batch Plant	P	P	P								

Attachment 3, Option 1B

	Zone									
	Industrial and Commercial								Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR
* Dairy Products Processing	P	P	P	P4	P					
* Electronic and Other Electric Equipment	P	P	P	P4	P					
Explosives, Manufacture and Storage	C	C								
* Fabricated Metal Products	P	P	P	P						
Fat rendering	C	C								
* Food and Kindred Products ⁵	P	P	P, C6,7		P					
* Furniture and Fixtures	P	P	P	P4						
* Industrial Machinery and Equipment	C	P	P							
* Instruments and Related Products	P	P		P4						
* Leather and Leather Goods	P	P	P	P4	P					
* Lumber and Wood Products, Except Furniture	C	P	P	P	P					
* Meat Processing and Packing	C	P	P							
Offal and Animal Reduction or Processing	C	C								
* Paper and Allied Products	P	P	P	P4						
* Petroleum Refining Related Industries	C	P	P							
Petroleum Refining	C	C	P							
* Primary Metal Industries	C	P	P							
* Printing and Publishing	P	P	P	P4	P	P				
* Rubber and Miscellaneous Plastics	C	P	P		P					
* Stone, Clay, Glass and Concrete Products	P	P	P	P4						
Smelting or Refining Aluminum, Copper, Tin or Zinc	C	C								
Storage/Packing Agricultural Produce ⁵	P	P	P, C6,7	P4	P					
* Textile Mill Products	P	P	P	P4	P					
* Transportation Equipment	C	P	P							
* Truck Stop	P	P	P	P			P	P		
* Winery Type I	P3	P3	P3	P3	P3	P3	P3	P3		
* Winery Type II	P3	P3	P3	P3	P3	P3	P3	P3		
Miscellaneous Light Manufacturing	P	P	P	P	P		C	C		
ACCESSORY USES	P	P								
* Accessory Use	P1	P1	P1	P1, 4	P1	P1	P1	P1		

Attachment 3, Option 1B

D. Industrial/Manufacturing Land Uses—Development Conditions.

1. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
2. Industrial Uses Limits. Industrial uses shall be subject to the following conditions:
 - a. The noise emanating from industrial activities shall be controlled so as not to become objectionable due to intermittent beat, frequency, volume and duration.
 - b. Industrial and exterior lighting shall not produce glare on public highways and neighboring property. Arc welding, acetylene torch cutting or similar processes shall be screened from any point outside of the property.
 - c. The storage and handling of inflammable liquids, liquefied petroleum gases, and explosives shall comply with rules and regulations of the state and other county regulations, the Uniform Building Code, and the Uniform Fire Code.
 - d. Provisions shall be made for shielding or other preventive measures against electromagnetic interferences occasioned by mechanical, electrical and nuclear equipment, uses, or processes.
 - e. The emission of odors shall be minimized and the emission of any toxic or corrosive fumes or gases shall be prohibited. Dust, smoke and other types of air pollution shall be minimized.
 - f. Liquid and solid wastes, and storage of animal or vegetable waste which attracts insects or rodents or otherwise creates a health hazard shall be prohibited. No waste products shall be exposed to view from eye level from any property line in an industrial district.
 - g. All storage shall be located within an area not closer than twenty feet from the street right-of-way line and shall be enclosed with a heavy wire fence or of a similar type, with the top of said fence not to be less than eight feet above the adjoining street level, or by an attractive hedge or board fence at least eight feet high. In the case of the open storage of lumber, coal, or other combustible material, a roadway shall be provided, graded, surfaced and maintained from the street to the rear of the property to permit access of fire trucks.
3. See [Chapter 17.22](#) for winery development standards.
4. The primary building not to exceed thirty thousand square feet per establishment
5. [Marijuana processing, storage, or packing permitted only in the Heavy Industrial \(HI\) zoning district.](#)
[Conditional use permit is required and approval by the Liquor Control Board is required.](#)
6. [Marijuana processing, storage, or packing permitted only within a fully enclosed secure indoor facility.](#)
7. [A marijuana processing, storage, or packing facility is not permitted within 1,000 feet of property zoned for single family \(R-96, R-72, R-60\) or multiple family residential use \(RM\). The distance shall be measured as the shortest straight line between the property line of the processing location to the property line of property zoned for single family \(R-96, R-72, R-60\) or multiple family residential use\(RM\).](#)

Formatted: Font color: Blue

Attachment 3, Option 1B

Government/General Services Land Uses

	Zone									
	Industrial and Commercial								Misc.	
	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	C	C	C	C						
* 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	C	
* Clinic					P	P1	P	P		
* Day Care, Family									P	
* Day Care Center					P	P1	P	P		
* Finance, Insurance, Real Estate					P	P1	P1	P1		
* Funeral Services and Crematories							C	C		
* Hospitals					P	C1	C	C		
* Kennel, Commercial	C4			C1, 4		C1, 4				
Laboratories, Research and Testing	P	P	P	P1	P					
* Offices			P	P	P	P1	P	P		
Orphanage/Charitable Institutions					P	P1	P	P		
* Personal Services					P	P1	P	P		
* 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	C	C	C	C	C	C
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR
* Warehousing and Storage ⁶	P	P	P, C7.8	P1	P					
* Wedding and Event Center							P	P		
ACCESSORY USE										
* Accessory Use	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3

Attachment 3, Option 1B

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 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.
 6. [Marijuana warehousing and storage permitted only in the Heavy Industrial \(HI\) zoning district. Conditional use permit is required and approval by the Liquor Control Board is required.](#)
 7. [Marijuana warehousing and storage permitted only within a fully enclosed secure indoor facility. The size of the indoor facility shall be limited to that necessary to produce up to one thousand four hundred square feet of plant canopy.](#)
 8. [A marijuana warehousing and storage facility is not permitted within 1,000 feet of property zoned for single family \(R-96, R-72, R-60\) or multiple family residential use \(RM\). The distance shall be measured as the shortest straight line between the property line of the processing location to the property line of property zoned for single family \(R-96, R-72, R-60\) or multiple family residential use\(RM\).](#)

Formatted: Font color: Blue

Attachment 3, Option 1B

Retail/Wholesale Land Uses

	Zone									
	Industrial and Commercial								Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR
SPECIFIC USE										
RETAIL										
* Apparel and Accessory Stores						P1	P	P		
Auction Houses, except livestock						P1	P	P		
Auction Houses/Yards, Livestock	P									
* Automobile Service Station and Convenience Market			P	P		P1	P2	P2		
* Automotive Dealers			P	P1	P	P1	P	P		
Automobile Leasing/Rental			P	P1	P	P1		P		
* Building Material, Hardware, and Garden Supply			P	P1	P	P1	P	P		
* Eating and Drinking Establishments					P	P1	P	P		
* Food Stores					P	P1	P	P		
* General Merchandise Stores					P	P1	P	P		
Heavy Equipment Sales and Rental			P	P1	P					
* Home Furniture, Furnishings, and Equipment Stores					P	P1	P	P		
Horticultural Nurseries, Retail			P	P1	P	P1	P	P		
Irrigation Systems/Equipment, Sales Service & Storage	P	P	P	P1	P		P	P		
Marijuana, Retail Sales ⁴			C5,6							
* Produce Stand					P	P				
* Produce Market					P	P1	P	P		
* Retail, Miscellaneous					P		P	P		
WHOLESALE										
* Durable Goods	P	P	P	P1	P					
* Non Durable Goods	P	P	P	P1	P					
Commercial Greenhouses	P	P	P	P1	P	P1	P	P		
ACCESSORY USES										
* Accessory Use	P3	P3	P3	P3	P3	P3	P3	P3		

B. Retail/Wholesale Land Uses—Development Conditions.

1. The primary building cannot exceed twenty thousand square feet per establishment.
2. No gasoline or oil pump or appliance may be located within twelve feet of any street or property line unless within a building.

Attachment 3, Option 1B

3. Any accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.

4. Marijuana retail sales are permitted only in the Heavy Industrial zoning district. Conditional use permit is required and approval by the Liquor Control Board is required.

5. Marijuana retail sales permitted only within a fully enclosed secure indoor facility.

6. Marijuana retail sales not permitted within 1,000 feet of a property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM). The distance shall be measured as the shortest straight line between the property line of the retail sales location to the property line of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM).

Formatted: Font color: Blue

Attachment 4

Option 2A
Marijuana Production, Warehousing, Storage, Packing and Retail Sales Permitted in
Heavy Industrial (HI) and Light Industrial (LI) zones;
Marijuana Processing Permitted in Heavy Industrial (HI) zone;
500 foot setback from Urban Residential Zones

WWCC 17.16.014 Permitted Uses Table
Resource 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

SPECIFIC USE	Zone										
	Industrial and Commercial										Misc.
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR	
AGRICULTURE											
* Growing of Crops	P	P	<u>P,C3,4</u>	<u>P,C3,4</u>	P	P	P	P	P	P	
Raising Livestock, Large Scale Commercial	P	P									
Processor for Animal Killing and Dressing (large scale processing greater than 1,500 square feet of gross floor area)	C	C	C								
Processor for Animal Killing and Dressing (equal to or less than 1,500 square feet of gross floor area)	P	P	P	P							
FISH/WILDLIFE											
Hatcheries	P	P									

Formatted: Font color: Blue

Formatted: Underline, Font color: Blue

Attachment 4, Option 2A

	Zone										
	Industrial and Commercial									Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR	
MINERAL											
Rock Crushers											
Quarries, gravel/rock extractions (designated mineral lands)	AC	AC									
Quarries, gravel/rock extractions (nondesignated mineral lands)	C	C									
Timber harvesting											
ACCESSORY USES											
* Accessory Use	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1

F. Resource Land Uses—Development Conditions.

1. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
2. Marijuana production permitted only as a conditional use in the Heavy Industrial (HI) and Light Industrial (LI) zoning districts. Conditional use permits are required and approval by the Liquor Control Board is required.
3. Marijuana production permitted only within a fully enclosed secure indoor facility. The size of the indoor facility shall be limited to that necessary to produce up to one thousand four hundred square feet of plant canopy.
4. A Marijuana production facility is not permitted within 500 feet of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM). The distance shall be measured as the shortest straight line between the property line of the processing location to the property line of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM).

Formatted: Font color: Blue

Formatted: Font color: Blue

Industrial/Manufacturing Land Uses

	Zone										
	Industrial and Commercial									Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR	
SPECIFIC USE											
* Apparel and Other Textile Products	P	P	P	P4	P						
Acid, manufacture of sulphurous, sulfuric, nitric, hydrochloric, and other similar acids	C	C	C								
Arsenals	C	C									
Asphalt Plant	P	P	P								
* Chemicals and Allied Products	C	P	P								
* Computer and Office Equipment	P	P	P	P4	P						

Attachment 4, Option 2A

Concrete Batch Plant	P	P	P							
* Dairy Products Processing	P	P	P	P4	P					
* Electronic and Other Electric Equipment	P	P	P	P4	P					
Explosives, Manufacture and Storage	C	C								
* Fabricated Metal Products	P	P	P	P						
Fat rendering	C	C								
* Food and Kindred Products ^a	P	P	P, C6, 7		P					
* Furniture and Fixtures	P	P	P	P4						
* Industrial Machinery and Equipment	C	P	P							
* Instruments and Related Products	P	P		P4						
* Leather and Leather Goods	P	P	P	P4	P					
* Lumber and Wood Products, Except Furniture	C	P	P	P	P					
* Meat Processing and Packing	C	P	P							
Offal and Animal Reduction or Processing	C	C								
* Paper and Allied Products	P	P	P	P4						
* Petroleum Refining Related Industries	C	P	P							
Petroleum Refining	C	C	P							
* Primary Metal Industries	C	P	P							
* Printing and Publishing	P	P	P	P4	P	P				
* Rubber and Miscellaneous Plastics	C	P	P		P					
* Stone, Clay, Glass and Concrete Products	P	P	P	P4						
Smelting or Refining Aluminum, Copper, Tin or Zinc	C	C								
Storage/Packing Agricultural Produce ^a	P	P	P, C6, 7	P4, C4, 6, 7	P					
* Textile Mill Products	P	P	P	P4	P					
* Transportation Equipment	C	P	P							
* Truck Stop	P	P	P	P			P	P		
* Winery Type I	P3	P3	P3	P3	P3	P3	P3	P3		
* Winery Type II	P3	P3	P3	P3	P3	P3	P3	P3		
Miscellaneous Light Manufacturing	P	P	P	P	P		C	C		
ACCESSORY USES	P	P								
* Accessory Use	P1	P1	P1	P1, 4	P1	P1	P1	P1		

D. Industrial/Manufacturing Land Uses—Development Conditions.

1. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.

Attachment 4, Option 2A

2. Industrial Uses Limits. Industrial uses shall be subject to the following conditions:

- a. The noise emanating from industrial activities shall be controlled so as not to become objectionable due to intermittent beat, frequency, volume and duration.
- b. Industrial and exterior lighting shall not produce glare on public highways and neighboring property. Arc welding, acetylene torch cutting or similar processes shall be screened from any point outside of the property.
- c. The storage and handling of inflammable liquids, liquefied petroleum gases, and explosives shall comply with rules and regulations of the state and other county regulations, the Uniform Building Code, and the Uniform Fire Code.
- d. Provisions shall be made for shielding or other preventive measures against electromagnetic interferences occasioned by mechanical, electrical and nuclear equipment, uses, or processes.
- e. The emission of odors shall be minimized and the emission of any toxic or corrosive fumes or gases shall be prohibited. Dust, smoke and other types of air pollution shall be minimized.
- f. Liquid and solid wastes, and storage of animal or vegetable waste which attracts insects or rodents or otherwise creates a health hazard shall be prohibited. No waste products shall be exposed to view from eye level from any property line in an industrial district.
- g. All storage shall be located within an area not closer than twenty feet from the street right-of-way line and shall be enclosed with a heavy wire fence or of a similar type, with the top of said fence not to be less than eight feet above the adjoining street level, or by an attractive hedge or board fence at least eight feet high. In the case of the open storage of lumber, coal, or other combustible material, a roadway shall be provided, graded, surfaced and maintained from the street to the rear of the property to permit access of fire trucks.

3. See [Chapter 17.22](#) for winery development standards.

4. The primary building not to exceed thirty thousand square feet per establishment

5. ~~Marijuana processing is permitted only as a conditional use in the Heavy Industrial (HI) zoning district.~~ Conditional use permit is required and approval by the Liquor Control Board is required.

6. Marijuana processing, storage, or packing permitted only within a fully enclosed secure indoor facility.

7. Marijuana processing, storage, or packing facility not permitted within 500 feet of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM). The distance shall be measured as the shortest straight line between the property line of the processing location to the property line of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM).

8. ~~Marijuana storage or packing is permitted only as a conditional use in the Heavy Industrial (HI) and Light Industrial (LI) zoning districts.~~ Conditional use permits are required and approval by the Liquor Control Board is required.

Attachment 4, Option 2A

Government/General Services Land Uses

	Zone									
	Industrial and Commercial								Misc.	
	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	C	C	C	C						
* 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	C	
* Clinic					P	P1	P	P		
* Day Care, Family									P	
* Day Care Center					P	P1	P	P		
* Finance, Insurance, Real Estate					P	P1	P1	P1		
* Funeral Services and Crematories							C	C		
* Hospitals					P	C1	C	C		
* Kennel, Commercial	C4			C1, 4		C1, 4				
Laboratories, Research and Testing	P	P	P	P1	P					
* Offices			P	P	P	P1	P	P		
Orphanage/Charitable Institutions					P	P1	P	P		
* Personal Services					P	P1	P	P		
* 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	C	C	C	C	C	C
* Warehousing and Storage ⁶	P	P	P,C7,8	P1,C7,8	P					

Attachment 4, Option 2A

* Wedding and Event Center							P	P		
ACCESSORY USE										
* Accessory Use	P3	P3	P3	P3	P3	P3	P3	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 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.
 6. [Marijuana warehousing and storage permitted only as a conditional use in the Heavy Industrial \(HI\) and Light Industrial \(LI\) zoning districts. Conditional use permits are required and approval by the Liquor Control Board is required.](#)

Formatted: Font color: Blue, Not Highlight

Attachment 4, Option 2A

7. Marijuana warehousing and storage permitted only within a fully enclosed secure indoor facility. The size of the indoor facility shall be limited to that necessary to produce up to one thousand four hundred square feet of plant canopy.

8. A marijuana warehousing and storage facility is not permitted within 500 feet of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM). The distance shall be measured as the shortest straight line between the property line of the processing location to the property line of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM).

Retail/Wholesale Land Uses

	Zone										
	Industrial and Commercial									Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR	
SPECIFIC USE											
RETAIL											
* Apparel and Accessory Stores						P1	P	P			
Auction Houses, except livestock						P1	P	P			
Auction Houses/Yards, Livestock	P										
* Automobile Service Station and Convenience Market			P	P		P1	P2	P2			
* Automotive Dealers			P	P1	P	P1	P	P			
Automobile Leasing/Rental			P	P1	P	P1		P			
* Building Material, Hardware, and Garden Supply			P	P1	P	P1	P	P			
* Eating and Drinking Establishments					P	P1	P	P			
* Food Stores					P	P1	P	P			
* General Merchandise Stores					P	P1	P	P			
Heavy Equipment Sales and Rental			P	P1	P						
* Home Furniture, Furnishings, and Equipment Stores					P	P1	P	P			
Horticultural Nurseries, Retail			P	P1	P	P1	P	P			
Irrigation Systems/Equipment, Sales Service & Storage	P	P	P	P1	P		P	P			
Marijuana, Retail Sales			C5,6	C5,6							
* Produce Stand					P	P					
* Produce Market					P	P1	P	P			
* Retail, Miscellaneous					P		P	P			
WHOLESALE											
	Zone										
	Industrial and Commercial									Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR	
* Durable Goods	P	P	P	P1	P						
* Non Durable Goods	P	P	P	P1	P						

Formatted: Highlight

Formatted: Font color: Blue, Highlight

Formatted: Highlight

Formatted: Font color: Blue

Formatted: Font color: Blue

Formatted: Font color: Blue

Formatted: Not Highlight

Attachment 4, Option 2A

Commercial Greenhouses	P	P	P	P1	P	P1	P	P		
ACCESSORY USES										
* Accessory Use	P3	P3	P3	P3	P3	P3	P3	P3		

B. Retail/Wholesale Land Uses—Development Conditions.

1. The primary building cannot exceed twenty thousand square feet per establishment.
2. No gasoline or oil pump or appliance may be located within twelve feet of any street or property line unless within a building.
3. Any accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
4. Marijuana retail sales are ~~only~~ permitted only in the Heavy Industrial and Light Industrial zoning districts. Conditional use permits are required and approval by the Liquor Control Board is required.
5. Marijuana retail sales permitted only within a fully enclosed secure indoor facility.
6. Marijuana retail sales not permitted within 500 feet of a property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM). The distance shall be measured as the shortest straight line between the property line of the retail sales location to the property line of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM).

Formatted: incr1, Line spacing: Exactly 15.6 pt

Attachment 5

Option 2B
Marijuana Production, Warehousing, Storage, Packing and Retail Sales Permitted in
Heavy Industrial (HI) and Light Industrial (LI) zones;
Marijuana Processing Permitted in Heavy Industrial (HI) zone;
1,000 foot setback from Urban Residential Zones

WWCC 17.16.014 Permitted Uses Table
Resource 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											
AGRICULTURE											
* Growing of Crops	P	P	<u>P,C3.4</u>	<u>P,C3.4</u>	P	P	P	P	P	P	
Raising Livestock, Large Scale Commercial	P	P									
Processor for Animal Killing and Dressing (large scale processing greater than 1,500 square feet of gross floor area)	C	C	C								
Processor for Animal Killing and Dressing (equal to or less than 1,500 square feet of gross floor area)	P	P	P	P							
FISH/WILDLIFE											
Hatcheries	P	P									

Formatted: Font color: Blue

Formatted: Underline, Font color: Blue

Attachment 5, Option 2B

	Zone										
	Industrial and Commercial									Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR	
MINERAL											
Rock Crushers											
Quarries, gravel/rock extractions (designated mineral lands)	AC	AC									
Quarries, gravel/rock extractions (nondesignated mineral lands)	C	C									
Timber harvesting											
ACCESSORY USES											
* Accessory Use	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1

F. Resource Land Uses—Development Conditions.

1. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
2. Marijuana production permitted only as a conditional use in the Heavy Industrial (HI) and Light Industrial (LI) zoning districts. Conditional use permits are required and approval by the Liquor Control Board is required.
3. Marijuana production permitted only within a fully enclosed secure indoor facility. The size of the indoor facility shall be limited to that necessary to produce up to one thousand four hundred square feet of plant canopy.
4. A Marijuana production facility is not permitted within 1,000 feet of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM). The distance shall be measured as the shortest straight line between the property line of the processing location to the property line of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM).

Formatted: Font color: Blue

Formatted: Font color: Blue

Industrial/Manufacturing Land Uses

	Zone										
	Industrial and Commercial									Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR	
SPECIFIC USE											
* Apparel and Other Textile Products	P	P	P	P4	P						
Acid, manufacture of sulphurous, sulfuric, nitric, hydrochloric, and other similar acids	C	C	C								
Arsenals	C	C									
Asphalt Plant	P	P	P								
* Chemicals and Allied Products	C	P	P								
* Computer and Office Equipment	P	P	P	P4	P						

Attachment 5, Option 2B

Concrete Batch Plant	P	P	P							
* Dairy Products Processing	P	P	P	P4	P					
* Electronic and Other Electric Equipment	P	P	P	P4	P					
Explosives, Manufacture and Storage	C	C								
* Fabricated Metal Products	P	P	P	P						
Fat rendering	C	C								
* Food and Kindred Products ^a	P	P	P,C6,7		P					
* Furniture and Fixtures	P	P	P	P4						
* Industrial Machinery and Equipment	C	P	P							
* Instruments and Related Products	P	P		P4						
* Leather and Leather Goods	P	P	P	P4	P					
* Lumber and Wood Products, Except Furniture	C	P	P	P	P					
* Meat Processing and Packing	C	P	P							
Offal and Animal Reduction or Processing	C	C								
* Paper and Allied Products	P	P	P	P4						
* Petroleum Refining Related Industries	C	P	P							
Petroleum Refining	C	C	P							
* Primary Metal Industries	C	P	P							
* Printing and Publishing	P	P	P	P4	P	P				
* Rubber and Miscellaneous Plastics	C	P	P		P					
* Stone, Clay, Glass and Concrete Products	P	P	P	P4						
Smelting or Refining Aluminum, Copper, Tin or Zinc	C	C								
Storage/Packing Agricultural Produce^a	P	P	P,C6,7	P4,C4,6,7	P					
* Textile Mill Products	P	P	P	P4	P					
* Transportation Equipment	C	P	P							
* Truck Stop	P	P	P	P			P	P		
* Winery Type I	P3	P3	P3	P3	P3	P3	P3	P3		
* Winery Type II	P3	P3	P3	P3	P3	P3	P3	P3		
Miscellaneous Light Manufacturing	P	P	P	P	P		C	C		
ACCESSORY USES	P	P								
* Accessory Use	P1	P1	P1	P1, 4	P1	P1	P1	P1		

D. Industrial/Manufacturing Land Uses—Development Conditions.

1. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.

Attachment 5, Option 2B

2. Industrial Uses Limits. Industrial uses shall be subject to the following conditions:

- a. The noise emanating from industrial activities shall be controlled so as not to become objectionable due to intermittent beat, frequency, volume and duration.
- b. Industrial and exterior lighting shall not produce glare on public highways and neighboring property. Arc welding, acetylene torch cutting or similar processes shall be screened from any point outside of the property.
- c. The storage and handling of inflammable liquids, liquefied petroleum gases, and explosives shall comply with rules and regulations of the state and other county regulations, the Uniform Building Code, and the Uniform Fire Code.
- d. Provisions shall be made for shielding or other preventive measures against electromagnetic interferences occasioned by mechanical, electrical and nuclear equipment, uses, or processes.
- e. The emission of odors shall be minimized and the emission of any toxic or corrosive fumes or gases shall be prohibited. Dust, smoke and other types of air pollution shall be minimized.
- f. Liquid and solid wastes, and storage of animal or vegetable waste which attracts insects or rodents or otherwise creates a health hazard shall be prohibited. No waste products shall be exposed to view from eye level from any property line in an industrial district.
- g. All storage shall be located within an area not closer than twenty feet from the street right-of-way line and shall be enclosed with a heavy wire fence or of a similar type, with the top of said fence not to be less than eight feet above the adjoining street level, or by an attractive hedge or board fence at least eight feet high. In the case of the open storage of lumber, coal, or other combustible material, a roadway shall be provided, graded, surfaced and maintained from the street to the rear of the property to permit access of fire trucks.

3. See [Chapter 17.22](#) for winery development standards.

4. The primary building not to exceed thirty thousand square feet per establishment

5. ~~Marijuana processing is permitted only as a conditional use in the Heavy Industrial (HI) zoning district.~~ Conditional use permit is required and approval by the Liquor Control Board is required.

6. Marijuana processing, storage, or packing permitted only within a fully enclosed secure indoor facility.

7. Marijuana processing, storage, or packing facility not permitted within 1,000 feet of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM). The distance shall be measured as the shortest straight line between the property line of the processing location to the property line of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM).

8. Marijuana storage or packing is permitted only as a conditional use in the Heavy Industrial (HI) and Light Industrial (LI) zoning districts. Conditional use permits are required and approval by the Liquor Control Board is required.

Attachment 5, Option 2B

Government/General Services Land Uses

	Zone									
	Industrial and Commercial								Misc.	
	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	C	C	C	C						
* 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	C	
* Clinic					P	P1	P	P		
* Day Care, Family									P	
* Day Care Center					P	P1	P	P		
* Finance, Insurance, Real Estate					P	P1	P1	P1		
* Funeral Services and Crematories							C	C		
* Hospitals					P	C1	C	C		
* Kennel, Commercial	C4			C1, 4		C1, 4				
Laboratories, Research and Testing	P	P	P	P1	P					
* Offices			P	P	P	P1	P	P		
Orphanage/Charitable Institutions					P	P1	P	P		
* Personal Services					P	P1	P	P		
* 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	C	C	C	C	C	C
* Warehousing and Storage ⁶	P	P	P,C7,8	P1,C7,8	P					

Attachment 5, Option 2B

* Wedding and Event Center							P	P		
ACCESSORY USE										
* Accessory Use	P3	P3	P3	P3	P3	P3	P3	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 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.
 6. [Marijuana warehousing and storage permitted only as a conditional use in the Heavy Industrial \(HI\) and Light Industrial \(LI\) zoning districts. Conditional use permits are required and approval by the Liquor Control Board is required.](#)

Formatted: Font color: Blue, Not Highlight

Attachment 5, Option 2B

7. Marijuana warehousing and storage permitted only within a fully enclosed secure indoor facility. The size of the indoor facility shall be limited to that necessary to produce up to one thousand four hundred square feet of plant canopy.

8. A marijuana warehousing and storage facility is not permitted within 1,000 feet of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM). The distance shall be measured as the shortest straight line between the property line of the processing location to the property line of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM).

Retail/Wholesale Land Uses

	Zone										
	Industrial and Commercial									Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR	
SPECIFIC USE											
RETAIL											
* Apparel and Accessory Stores						P1	P	P			
Auction Houses, except livestock						P1	P	P			
Auction Houses/Yards, Livestock	P										
* Automobile Service Station and Convenience Market			P	P		P1	P2	P2			
* Automotive Dealers			P	P1	P	P1	P	P			
Automobile Leasing/Rental			P	P1	P	P1		P			
* Building Material, Hardware, and Garden Supply			P	P1	P	P1	P	P			
* Eating and Drinking Establishments					P	P1	P	P			
* Food Stores					P	P1	P	P			
* General Merchandise Stores					P	P1	P	P			
Heavy Equipment Sales and Rental			P	P1	P						
* Home Furniture, Furnishings, and Equipment Stores					P	P1	P	P			
Horticultural Nurseries, Retail			P	P1	P	P1	P	P			
Irrigation Systems/Equipment, Sales Service & Storage	P	P	P	P1	P		P	P			
Marijuana, Retail Sales			C5,6	C5,6							
* Produce Stand					P	P					
* Produce Market					P	P1	P	P			
* Retail, Miscellaneous					P		P	P			
WHOLESALE											
	Zone										
	Industrial and Commercial									Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR	
* Durable Goods	P	P	P	P1	P						
* Non Durable Goods	P	P	P	P1	P						

Formatted: Highlight

Formatted: Font color: Blue, Highlight

Formatted: Highlight

Formatted: Font color: Blue

Formatted: Font color: Blue

Formatted: Font color: Blue

Formatted: Not Highlight

Attachment 5, Option 2B

Commercial Greenhouses	P	P	P	P1	P	P1	P	P		
ACCESSORY USES										
* Accessory Use	P3	P3	P3	P3	P3	P3	P3	P3		

B. Retail/Wholesale Land Uses—Development Conditions.

1. The primary building cannot exceed twenty thousand square feet per establishment.
2. No gasoline or oil pump or appliance may be located within twelve feet of any street or property line unless within a building.
3. Any accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
4. Marijuana retail sales are ~~only~~ permitted only in the Heavy Industrial and Light Industrial zoning districts. Conditional use permits are required and approval by the Liquor Control Board is required.
5. Marijuana retail sales permitted only within a fully enclosed secure indoor facility.
6. Marijuana retail sales not permitted within 1,000 feet of a property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM). The distance shall be measured as the shortest straight line between the property line of the retail sales location to the property line of property zoned for single family (R-96, R-72, R-60) or multiple family residential use (RM).

Formatted: incr1, Line spacing: Exactly 15.6 pt

Memo

To: Bill Stalzer

Cc: Board of County Commissioners

From: Jesse Nolte, Deputy Prosecuting Attorney

Re: Language in current code 17.16.010 as it relates to recreational marijuana uses

Date May 27, 2014

As I noted at the May 7, 2014 Planning Commission meeting, the current code language at 17.16.010 states that:

17.16.010 Establishment of uses.

The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied or maintained. All applicable requirements of this code, or other applicable state or federal requirements, shall govern a use located in unincorporated Walla Walla County. (Ord. 269 (part), 2002; Ord. 312 (part), 2005; Ord. 343 §§ 1, 2, 2007)

This language states that any land use is governed by county, state, and federal law. This language could conflict with any proposed changes to the County Code allowing recreational marijuana uses. As I noted at the Planning Commission meeting, it is best for the Code to be clear one way or the other. In addressing this code section, the Planning Commission is to some extent addressing the issue as to whether recreational marijuana uses should be prohibited until such time as they are allowed by Federal Law. Under the project principals set forth by the Board, this was a question that was originally to be preserved for consideration by the Board of County Commissioners. However, the current language in 17.16.010 will arguably conflict with regulations that the Planning Commission has been directed to consider; therefore, proposed changes to WWCC 17.16.010 are appropriate to address at this time.

The Planning Commission may consider either of the two options below, or choose to defer on this issue, with the Board considering the two options below. In any case, the Board will weigh in on this issue after the Planning Commission's recommendation is forwarded.

In order to clarify any ambiguity, I suggest the following two options for a code language change:

Option 1.

This language clarifies that, notwithstanding the language in 17.16.010, recreational marijuana land uses authorized by Initiative 502 are allowed land uses. I utilized language from the City of Walla Walla's interim ordinance 2013-30, section 8, new code section 20.173.010.

17.16.010 Establishment of uses.

The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied or maintained. All applicable requirements of this code, or other applicable state or federal requirements, shall govern a use located in unincorporated Walla Walla County. Notwithstanding the foregoing, recreational marijuana production, processing and retail uses allowed by Initiative 502 are permitted by this code. To the extent the recreational marijuana production, processing and retail uses allowed by Initiative 502 are permitted by this code, nothing herein shall be construed as authority to violate any United States law. Affirmative terminology used in this chapter regarding permitting, licensing, authorization and similar terms shall not be construed as approval, support, endorsement or encouragement of the activities allowed by Initiative 502. Walla Walla County does not hereby intend to aid, abet, counsel, command, induce or procure any offense against the United States, or otherwise conspire with anyone to commit such offense. Nothing herein shall be construed to supersede United States law prohibiting the possession, use, manufacture or sale of marijuana. (Ord. 269 (part), 2002; Ord. 312 (part), 2005; Ord. 343 §§ 1, 2, 2007)

Option 2:

This option clarifies that section 17.16.010 governs, and that until such time as marijuana is removed by Congress from the schedule of controlled substances, recreational marijuana uses will not be allowed. This language was copied from Pierce County's Ordinance 2013-111s, which was obtained from the MRSC website. Like Pierce County, in the event that marijuana is allowed by Congress, the zoning regulations currently being considered by the Planning Commission would govern those uses.

17.16.010 Establishment of uses.

The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied or maintained. All applicable requirements of this code, or other applicable state or federal requirements, shall govern a use located in unincorporated Walla Walla County. No application for a marijuana- licensed business shall be approved by Walla Walla County until such time as marijuana is removed from the schedule of controlled substances at 21 U.S.C. sec. 812(c) as evidenced by a slip law available from the Library of Congress.

Option 3:

Defer on this issue, with the Board of County Commissioners making the decision on this code change.