



Walla Walla County Community Development Department

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To: Walla Walla County Planning Commission
From: Lauren Prentice, Community Development Director
Prepared: March 17, 2023
Meeting Date: March 21, 2023
RE: **Public Hearing Agenda Item No. 1** – Landram Hanson Loop Rural Rezone.
Docket No. CPA22-001/REZ22-001

Background

This application would amend Comprehensive Plan and Zoning map designations of two properties located generally at 3296 Hanson Loop Road, totaling 10-acres, from Rural Agriculture 5-acres to land use designation Rural Residential 2-5-acres (Burbank RAC). Zoning proposed is Rural Residential 2-acres (RR-2). APN 310817510092, 310817510093.

No public comment on this application has been received.

Staff Conclusion

If the Planning Commission finds that the proposed amendments are consistent with the criteria in WWCC 14.090.010(B), 14.10.070(B), and 14.15.070(B), Staff would recommend that the applications submitted be recommended for approval by the Planning Commission to the Board of County Commissioners. If the Planning Commission does not find that the amendments are consistent with those criteria, then the Planning Commission may recommend denial or that the amendment be modified.

Sample Motion 1 – approval

“I move that the Planning Commission concur with the findings of fact and conclusions of law in docket CPA22-001 and REZ22-001 and recommend to the Board of County Commissioners that the application submitted by Andrew Landram be **approved as presented**.”

Sample Motion 2 - denial

“I move that the Planning Commission concur with the findings of fact and conclusions of law in docket number CPA22-001 and REZ22-001 and recommend to the Board of County Commissioners that the application submitted by Andrew Landram be **denied**.”

Attachments and Documents

Application materials and other documents available online and in prior meeting packets.

- A. Walla Walla County Code (WWCC) 14.10.070(B) – Comprehensive Plan Amendment Planning Commission Final Docket Review Criteria.
- B. WWCC 14.15.070(B) – Development Regulations Final docket—Planning Commission Review and recommendation.
- C. WWCC 14.09.010(B) - Rezone Not of General Applicability Review Criteria.

Analysis and Summary of the Proposal

The proposal would amend the land use and zoning for parcels 310817510092 and 310817510093 at 3296 Hanson Loop Road. These parcels are currently zoned Rural Agriculture 5-acres (RA-5) and they are primarily surrounded by rural land zoned RR-2 (yellow) as well as Public Reserve and Agricultural Residential 10-acres. The proposed Comprehensive Plan amendments would affect maps LU-1, LU-2, and BSA-1.



Criteria for Review

Below is WWCC Sections 14.09.010(B), 14.10.070(B), and 14.10.070(B) which lists the criteria the Community Development Department and Planning Commission shall base their recommendations. Many of the criteria in these various sections are similar so they have been grouped below.

- Criteria: Need.
- Criteria: Is warranted:
 - a. To achieve consistency with the comprehensive plan; or
 - b. To meet county population and/or employment projections because of a need for additional property in the proposed zoning district; or
 - c. Because there are changed conditions since the zoning in the area was adopted to warrant the proposed rezone. "Changed conditions" include public improvements, permitted private development or other conditions or circumstances affecting the subject property that have undergone substantial and material changes not anticipated or contemplated when the zoning and/or subarea plan was last adopted. "Changed conditions" do not include actions taken by the current or former property owners to facilitate a more intense development of the property.
- Criteria: The public need was not recognized in the existing comprehensive plan due to:
 - (1) A change in circumstances in the community not anticipated or contemplated when the applicable section(s) of the comprehensive plan was last adopted; or
 - (2) An error in development of the comprehensive plan as it currently exists; and
- Criteria: The defined need conforms to the policy directives of the comprehensive plan and countywide planning policies; and
- Criteria: The proposed amendment does not require amendment of policies in other areas of the comprehensive plan except to resolve inconsistencies or unnecessary duplication among policies; and

- Criteria: The proposed amendment is consistent with the Growth Management Act (Chapter 36.70A RCW), any other applicable inter-jurisdictional policies or agreements, and any other state or federal laws.

Staff Discussion: The application states that this rezone is needed to provide additional housing capacity. The application states that it is appropriate to move this application to the consider the rezone because the lots are adjacent to the Westbourne Acres housing development and the proposed rezone would allow for rural development consistent with these existing uses. Per the applicant: “This proposed amendment is also in line with the county wide goals and planning policies of promoting: development while maintaining rural character, a variety of rural densities and housing choices, buffering uses, infrastructure and services consistent with rural goals, and rural economic vitality.”

- Criteria: The amendment is consistent with the comprehensive plan; and
- Criteria: Is consistent with the goals and policies in the land use, rural and resource lands, and/or Burbank subarea plan elements of the comprehensive plan including the land use maps; and

Staff Discussion: The proposed rezone is consistent with the Comprehensive Plan amendment application that it accompanies. The proposed zoning (RR-2) is one of the implementing zoning districts listed in the Comprehensive Plan for the proposed land use designation (Rural Residential 2-5-acres – Burbank RAC).

- Criteria: The amendment is consistent with other development regulations, unless accompanied by amendments to such other development regulations; and
- Criteria: Is consistent with WWCC Title 16 Subdivisions, Title 17 Zoning, Title 18 Environment, the Walla Walla County Shoreline Master Program and other applicable land use laws and policies of Walla Walla County; and

Staff Discussion: The purposes of the current and proposed zoning districts are set in WWCC 17.12.040; it does not appear that the proposal is inconsistent with the purpose of the Rural Residential district, which is very similar to the Rural Agriculture purpose.

F. Rural Agriculture. *The primary purpose of this district is to accommodate smaller scale farming activity, and limited agricultural production on medium-sized rural lots. Limited residential and recreational uses also should be accommodated. In determining the appropriate implementing zoning district, factors such as the following should be considered; historic platting patterns, road access, floodplain locations, land availability, and the surrounding built densities.*

H. Rural Residential. *The purpose of this district is to provide a transition or a buffer between existing rural developments and areas of higher densities and higher or lower densities in the Burbank Rural Activity Center. Land in this district typically is too far from an urban area to enable cost-effective provision of public services at this time. Typical uses include small-scale farms, dispersed single-family homes, recreation, and other uses that do not require urban services. Within the Burbank Rural Activity Center limited recreational and community-oriented cultural uses are allowed.*

- Criteria: Is not materially detrimental to uses or property in the immediate vicinity of the proposed rezone and to the general public; and
- Criteria: The subject parcel(s) is suitable for development under the requested land use designation and the zoning standards of one or more potential implementing zoning district(s);
- Criteria: The proposed site-specific amendment will not create pressure to change the land use designation of other properties in the area and
- Criteria: The proposed site-specific amendment does not adversely affect the adequacy of existing or planned public facilities and services in the immediate area or the applicable urban growth area.

Staff Discussion: The level of development that would be allowed on this site if rezoned is very small and similar to existing rural development in the area, it would allow for up to four rural residential lots to be created, this level of development is generally classified as “minor” and would be exempt from environmental review under the State Environmental Policy Act (SEPA). Development would have to meet developments standards (e.g. setbacks, access requirements, platting standards). The development is consistent with adjacent zoning. There are two additional lots adjacent to the subject property that are zoned RA-10, but it is not expected that the level of development that could result from this rezone will result in pressure to rezone the adjacent property, although it may be appropriate to do so.

- Criteria: Does not create excessive additional requirements at public cost for public facilities and services; and

Staff Discussion: The level of development that would be allowed would not trigger new requirements for public facilities and services, it would still be rural development.

Findings of Fact and Conclusions of Law (Option 1)

1. On March 29, 2022, a Comprehensive Plan amendment application (CPA22-001), a rezone application (REZ22-001), and a SEPA Environmental Checklist (SEPA22-011) were submitted to the Community Development Department by the property owner.
2. The proposed amendments have been reviewed pursuant to Walla Walla County Code Sections 14.10.070(B), 14.15.070(B), and 14.09.010(B).
3. The proposed amendments are consistent with the Walla Walla County Comprehensive Plan.
4. The amendment meets a definable public need; and
5. The amendment is in the long-term interest of the county.

Findings of Fact and Conclusions of Law (Option 2)

1. On March 29, 2022, a Comprehensive Plan amendment application (CPA22-001), a rezone application (REZ22-001), and a SEPA Environmental Checklist (SEPA22-011) were submitted to the Community Development Department by the property owner.
2. The proposed amendments have been reviewed pursuant to Walla Walla County Code Sections 14.10.070(B), 14.15.070(B), and 14.09.010(B).
3. The proposed amendments are not consistent with the Walla Walla County Comprehensive Plan.
4. The amendment does not meet a definable public need; and
5. The amendment is not in the long-term interest of the county.

ATTACHMENT A

Comprehensive Plan Amendment Process

14.10.070(B) - Final docket review and recommendation

14.10.070 Final docket review and recommendation.

- B. Planning Commission Review. All proposed amendments on the final docket shall be reviewed and assessed by the planning commission, which shall make recommendations to the board of county commissioners after considering the staff report prepared by the director.
1. Workshop Meeting. The planning commission may first review the recommendations of the director in a workshop meeting(s).
 2. Public Hearing. The planning commission shall conduct a public hearing on the proposed amendments as set forth in Sections 14.09.065 and 14.09.070 of this title.
 3. Recommendations. For each proposed amendment, the planning commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the following criteria:
 - a. The proposal meets a definable public need; and
 - b. The public need was not recognized in the existing comprehensive plan due to:
 - (1) A change in circumstances in the community not anticipated or contemplated when the applicable section(s) of the comprehensive plan was last adopted; or
 - (2) An error in development of the comprehensive plan as it currently exists; and
 - c. The defined need conforms to the policy directives of the comprehensive plan and countywide planning policies; and
 - d. The proposed amendment does not require amendment of policies in other areas of the comprehensive plan except to resolve inconsistencies or unnecessary duplication among policies; and
 - e. The proposed amendment is consistent with the Growth Management Act (Chapter 36.70A RCW), any other applicable inter-jurisdictional policies or agreements, and any other state or federal laws.
 4. Additional Review Criteria—Site-Specific Amendments. For each site-specific proposal to amend the comprehensive plan land use map, the planning commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the review criteria set forth above and the following additional review criteria:
 - a. The subject parcel(s) is suitable for development under the requested land use designation and the zoning standards of one or more potential implementing zoning district(s); and
 - b. The proposed site-specific amendment will not create pressure to change the land use designation of other properties in the area and
 - c. The proposed site-specific amendment does not adversely affect the adequacy of existing or planned public facilities and services in the immediate area or the applicable urban growth area.

ATTACHMENT B

Development Regulations Amendment Process

14.15.070(B) - Final docket—Review and recommendation

- B. Planning Commission Review. All proposed amendments on the final docket shall be reviewed and assessed by the planning commission, which shall make recommendations to the board of county commissioners after considering the staff report prepared by the director.
1. Workshop Meeting. The planning commission may first review the recommendations of the director in a workshop meeting(s).
 2. Public Hearing. The planning commission shall conduct a public hearing on the proposed amendments as set forth in Sections 14.09.065 and 14.09.070 of this title.
 3. Recommendations. For each proposed amendment, the planning commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the following criteria:
 - a. The amendment is consistent with the comprehensive plan; and
 - b. The amendment meets a definable public need; and
 - c. The amendment is in the long term interest of the county.

ATTACHMENT C
Additional rezone application criteria
14.09.010(B)

- B. Rezone Not of General Applicability Review Criteria. An application for a rezone not of general applicability shall be approved, approved with conditions, or denied based upon a determination that the rezone meets the following criteria:
1. Is consistent with the goals and policies in the land use, rural and resource lands, and/or Burbank subarea plan elements of the comprehensive plan including the land use maps; and
 2. Is consistent with WWCC Title 16 Subdivisions, Title 17 Zoning, Title 18 Environment, the Walla Walla County Shoreline Master Program and other applicable land use laws and policies of Walla Walla County; and
 3. Is not materially detrimental to uses or property in the immediate vicinity of the proposed rezone and to the general public; and
 4. Does not create excessive additional requirements at public cost for public facilities and services; and
 5. Is warranted:
 - a. To achieve consistency with the comprehensive plan; or
 - b. To meet county population and/or employment projections because of a need for additional property in the proposed zoning district; or
 - c. Because there are changed conditions since the zoning in the area was adopted to warrant the proposed rezone. "Changed conditions" include public improvements, permitted private development or other conditions or circumstances affecting the subject property that have undergone substantial and material changes not anticipated or contemplated when the zoning and/or subarea plan was last adopted. "Changed conditions" do not include actions taken by the current or former property owners to facilitate a more intense development of the property. (Ord. 317 §3(part), 2005)