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**ORDINANCE NO. 475 APPROVING A REQUEST BY WALLA WALLA COUNTY FOR THE ADOPTION OF NEW LAND DEVELOPMENT APPLICATION FEES, RESULTING IN AN AMENDMENT REPLACING WALLA WALLA COUNTY CODE SECTION 3.08.010, A NEW SECTION 3.08.065, AND REPEAL OF SECTION 17.31.040**

Auditor File Number(s) of document being assigned or released:

Grantor

1. **Walla Walla County Commissioners**
- 2.
- 3.

Additional names on page \_\_\_\_ of document.

Grantee

1. **The Public**
- 2.
- 3.

Additional names on page \_\_\_\_ of document.

Legal description (i.e.: lot and block or section township and range)

n/a

Additional legal is on page \_\_\_\_ of document.

Assessors Parcel Numbers

n/a

Additional parcel number is on page \_\_\_\_ of document.

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**BOARD OF COUNTY COMMISSIONERS  
WALLA WALLA COUNTY, WASHINGTON**

**ORDINANCE NO. 475**

APPROVING A REQUEST BY WALLA WALLA COUNTY FOR THE ADOPTION OF NEW LAND DEVELOPMENT APPLICATION FEES, RESULTING IN AN AMENDMENT REPLACING WALLA WALLA COUNTY CODE SECTION 3.08.010, A NEW SECTION 3.08.065, AND A REPEAL OF SECTION 17.31.040.

**WHEREAS**, land use applications have become increasingly complicated and contentious, requiring more County staff time to perform duties required by State Law and the Walla Walla County Code; and

**WHEREAS**, County Community Development Department staff salaries have increased in order to retain and attract qualified individuals to serve Walla Walla County residents; and

**WHEREAS**, the Walla Walla County Land Development fees do not currently compensate the County for its costs of processing applications, inspecting and reviewing plans, or preparing detailed statements as required by chapter 43.21C RCW; and

**WHEREAS**, the following findings of fact and conclusions of law are hereby made:

**Findings of Fact**

1. The land development fees have not been updated since 2007.
2. The current land development fees do not adequately compensate the County for its processing of applications.
3. The analysis is based on current staff costs (Schedule A), the cost of overhead (Schedule B), and the cost for processing each type of land use application (Land Development Application Processing Costs) prepared and presented by staff to the County Commissioners.
4. The Board of County Commissioners held three public workshops on this proposal:
  - a. February 11, 2019
  - b. April 2, 2019
  - c. April 15, 2019
5. Resolution No. 19-140 signed by the Board of County Commissioners on May 28, 2019 set the date and time of the Public Hearing for June 17, 2019 beginning at 1:30 p.m.
6. A Notice of Public Hearing was issued May 30, 2019:
  - a. Copy sent by e-mail to interested parties on May 30, 2019;
  - b. Published in the Tri-City Herald on May 31, 2019;
  - c. Published on the Community Development Department webpage on May 31, 2019;
  - d. Published in the Walla Walla Union Bulletin on June 2, 2019; and published in The Waitsburg Times on June 6, 2019.

### **Conclusions of Law**

1. The proposed fee schedule assures that the County is recapping a percentage of its costs associated with land use development application review by increasing land development application fees established in Ordinance 340, adopted in 2007.
2. The proposed fees are not charging applicants more than the costs of reviewing and processing applications and preparing detailed statements as required by Chapter 43.21C RCW.

**WHEREAS**, the Board of County Commissioners held a public hearing on June 17, 2019 for the purpose of receiving testimony for and/or against the proposed fees; and

**WHEREAS**, the Board of County Commissioners closed the public hearing on June 17, 2019;

**NOW THEREFORE**,

**BE IT ORDAINED**, by the Walla Walla County Board of County Commissioners that, based on findings of fact and conclusions of law above, the following amendments are made to the Walla Walla County Code:

#### **Section 1. Amendment to Walla Walla County Code Section 3.08.010**

##### **3.08.010 - Applicability.**

The planning department shall require filing fees in the amount established below for the following applications:

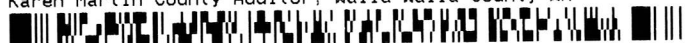
Application	Fee
Binding site plan: 1-4 lots	\$475.00
Short plat/short plat amendment*	475.00
One time cluster segregation*	475.00
Administrative CUP amendment/extension	190.00
Forest practices moratorium	190.00



Changes in nonconforming uses	190.00
Large lot subdivision	380.00
Quarry in designated mineral lands	285.00
Administrative variance	285.00
Site plan review	235.00
Critical areas permit	95.00
Boundary line adjustment	190.00
Shoreline exemption	95.00
Accessory living quarters	95.00
Temporary mobile home placement	95.00
Home occupation	95.00
SEPA checklist—Non-exempt single-family residence/short plat	190.00
All other development applications	380.00
Environmental impact statement	Actual cost
Conditional use permit	950.00
Conditional use permit amendment/extension	950.00
Variance	950.00
Shoreline management substantial development permit	950.00



Preliminary plat/planned unit development: more than 50 lots*	More than 50 lots— Enter into a Memorandum of Understanding with Walla Walla County that includes cost recovery provisions and timelines for the processing of implementing land development and construction permits and other permits and approvals
Planned unit development	950.00
Preliminary plat/: 15 lots or less*	\$ 950.00
Preliminary plat/: 16 to 50 lots*	\$950.00 + \$25.00 per lot
Binding site plan: 5 or more lots	1,425.00
Final plat	380.00
Innocent purchaser	190.00
Development agreement	475.00
Preliminary Docket Review Final Docket Review, Comp. Plan (\$2,000.00 will be returned if application does not continue to final docket)	2,500.00
Rezone	950.00
Zoning code text amendment	950.00
Legal lot determination	45.00/hr
Zoning affirmation	N/C
Appeal of administrative decisions	665.00
Appeal of hearing examiner decisions	380.00



\* ~~Cluster fee established by Walla Walla County Code Section 17.31.040 shall not be applicable. (Ord. 340 § 1, 2007)~~

<u>Accessory Dwelling Unit</u>	<u>\$285</u>
<u>Appeal of Administrative Decision</u>	<u>\$998</u>
<u>Appeal of Hearing Examiner Decision</u>	<u>\$532</u>
<u>Reconsideration of Hearing Examiner Decision</u>	<u>\$745</u>
<u>Binding Site Plan: 4 lots or less</u>	<u>\$713</u>
<u>Binding Site Plan Alteration</u>	<u>\$482</u>
<u>Binding Site Plan, Minor Revision</u>	<u>\$367</u>
<u>Binding Site Plan: 5 or more lots</u>	<u>\$1,425</u>
<u>Boundary Line Adjustment</u>	<u>\$285</u>
<u>Code Interpretation</u>	<u>No Fee</u>
<u>Comprehensive Plan Amendment: (\$3,250 will be returned if application does not continue to final docket)</u>	<u>\$3,750</u>
<u>Conditional Use Permit</u>	<u>\$1,425</u>
<u>Administrative Conditional Use Permit Amendment/Extension</u>	<u>\$190</u>
<u>Conditional Use Permit – Amendment/Extension - Hearing Examiner</u>	<u>\$1,425</u>
<u>Coordinated Water System Plan Amendment</u>	<u>No Fee</u>
<u>Critical Areas Permit</u>	<u>\$143</u>
<u>Development Agreement</u>	<u>\$713</u>
<u>Environmental Impact Statement</u>	<u>Actual Cost</u>
<u>Final Plat</u>	<u>\$570</u>
<u>Final Plat Alteration</u>	<u>\$1,343</u>
<u>Flood Plain Permit</u>	<u>\$313</u>
<u>Forest Practices Moratorium</u>	<u>\$190</u>
<u>Home Occupation - Type 1</u>	<u>\$143</u>
<u>Home Occupation - Type 2</u>	<u>\$330</u>
<u>Innocent Purchaser</u>	<u>\$285</u>
<u>Large Lot Subdivision</u>	<u>\$713</u>
<u>Legal Lot Determination</u>	<u>\$283</u>
<u>Pre-Application Meeting</u>	<u>No Fee</u>
<u>Preliminary Plat: 15 lots or less</u>	<u>\$1,425</u>
<u>Preliminary Plat: 16 to 50 lots</u>	<u>\$1,705</u>



<u>Preliminary Plat: more than 50 lots</u>	<u>Enter into a Memorandum of Understanding with Walla Walla County that includes cost recovery provisions and timelines for review</u>
<u>Preliminary Plat - Major Revision</u>	<u>\$1,343</u>
<u>Preliminary Plat – Minor Revision</u>	<u>\$367</u>
<u>Planned Unit Development</u>	<u>\$1,425</u>
<u>Quarry in designated mineral lands</u>	<u>\$428</u>
<u>Rezone - Site Specific/Area-wide</u>	<u>\$1,425</u>
<u>Shoreline Exemption</u>	<u>\$143</u>
<u>Shoreline Management Substantial Development Permit</u>	<u>\$1,425</u>
<u>Shoreline C.U.P.</u>	<u>\$1,657</u>
<u>Shoreline Variance</u>	<u>\$1,657</u>
<u>Short Plat</u>	<u>\$713</u>
<u>SEPA Checklist –Non-Exempt Short Plat</u>	<u>\$267</u>
<u>Final Short Plat Alteration</u>	<u>\$482</u>
<u>Short Plat Affidavit of Correction</u>	<u>\$367</u>
<u>Site Development Permit</u>	<u>\$570</u>
<u>Temporary Mobile Home Placement (medical hardship)</u>	<u>See building fee table 9B in Title 15</u>
<u>Variance - Hearing Examiner</u>	<u>\$1,425</u>
<u>Variance - Administrative</u>	<u>\$428</u>
<u>Variance - Administrative - Side and Rear Yard Adjustment</u>	<u>\$277</u>
<u>Winery/Brewery Permit</u>	<u>\$315</u>
<u>Zoning Code Text Amendment</u>	<u>\$1,425</u>
<u>All Other Development Applications (example: SEPA)</u>	<u>\$570</u>
<u>Technology Fee</u>	<u>3.0%</u>
<u>Renewal Fee</u>	<u>\$35</u>

**Section 2. New Section 3.08.065:**

3.08.065 – Publication costs.

Publication costs for legal notices shall be borne by the applicant in addition to other costs and fees which apply. Failure to pay publication costs may result in a suspension of application processing.





**Section 3. Remove Section 17.31.040 – Fees, from Title 17 of the Walla Walla County Code:**  
~~17.31.040 – Fees.~~

~~A fee of five hundred dollars will be charged for a development proposed under the authority of this chapter, in addition to the normal fee required in Title 14 (Development Code Administration) of this code.~~

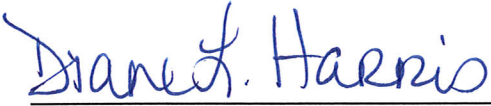
**Section 4. Effective Date.** This ordinance is effective immediately upon adoption.

**Section 5. Savings and Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

**Section 6. Publication.** This ordinance will be published by an approved summary consisting of the title.

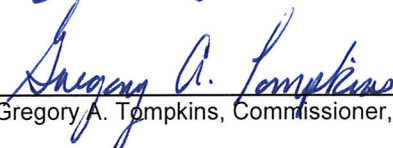
PASSED by the Walla Walla County Board of County Commissioners in regular session at Walla Walla, Washington, then signed by its membership and attested by its Clerk in authorization of such passage this 1<sup>st</sup> day of July, 2019.

Attest:

  
Diane L. Harris, Clerk of the Board

  
Todd L. Kimball, Chairman, District 2

  
James K. Johnson, Commissioner, District 1

  
Gregory A. Tompkins, Commissioner, District 3

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

Approved as to form:

  
Jesse D. Nolte, Deputy Prosecuting Attorney