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ORDINANCE NO. 479 AMENDING WALLA WALLA COUNTY COMPREHENSIVE PLAN LAND USE MAPS LU-1 AND LU-3 TO ADD 27-ACRES OWNED BY KENNETH AND SHERYL COX AND THE WALLA WALLA COMMUNITY COLLEGE, LOCATED DIRECTLY EAST OF THE COLLEGE, TO THE WALLA WALLA URBAN GROWTH AREA; ASSIGNING THE PUBLIC RESERVE LAND USE DESIGNATION; AND CHANGING THE ZONING FROM RURAL RESIDENTIAL MILL CREEK 5 TO PUBLIC RESERVE (DOCKET NO. CPA17-004/REZ17-004)

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BOARD OF COUNTY COMMISSIONERS WALLA WALLA COUNTY, WASHINGTON

ORDINANCE NO. 479

AMENDING WALLA WALLA COUNTY COMPREHENSIVE PLAN LAND USE MAPS LU-1 AND LU-3 TO ADD 27-ACRES OWNED BY KENNETH AND SHERYL COX AND THE WALLA WALLA COMMUNITY COLLEGE, LOCATED DIRECTLY EAST OF THE COLLEGE, TO THE WALLA WALLA URBAN GROWTH AREA; ASSIGNING THE PUBLIC RESERVE LAND USE DESIGNATION; AND CHANGING THE ZONING FROM RURAL RESIDENTIAL MILL CREEK 5 TO PUBLIC RESERVE (DOCKET NO. CPA17-004/REZ17-004).

WHEREAS, Revised Code of Washington (RCW) 36.70A.130 requires that the County review and, if needed, revise its Comprehensive Plan and development regulations to ensure the plan and regulations comply with its requirements; and

WHEREAS, RCW 36.70A.470 requires that the County include a procedure for any interested person to suggest amendments to the Comprehensive Plan or development regulations, and that the amendments must be docketed and considered on at least an annual basis; and

WHEREAS, Walla Walla County Code (WWCC) Title 14 allows for applications to be accepted one time a year during a time period established by the Board of County Commissioners; and

WHEREAS, pursuant to Walla Walla County Code (WWCC) 14.10.015, the County has committed to conduct review of Urban Growth Area (UGA) boundaries not more than once every five years in conjunction with review by affected cities, and no county-wide UGA review has been conducted since the adoption of the 2007 Comprehensive Plan; and

WHEREAS, the County last reviewed the Urban Growth Area boundaries for the cities of College Place and Walla Walla in 2012-2013; and

WHEREAS, pursuant to Board of County Commissioners Resolution No. 18-068 the County's Comprehensive Plan and Development Regulations 2018 Final Docket was established; and

WHEREAS, the Walla Walla County Planning Commission adopted Resolution No. 18-03, after a public hearing was held on December 5, 2018, recommending that the Board of County Commissioners approve this application, docket No. CPA17-004/REZ17-004; and

WHEREAS, the Board of County Commissioners adopted Resolution No. 18-303 setting a date of public hearing to consider the draft Comprehensive Plan and development regulations 2018 Periodic Update, plus four non-county UGA amendment applications including the proposal by Sheryl Cox; and

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WHEREAS, the Board of County Commissioners held a public hearing on December 18, 2018 to consider the request and to receive public comment pursuant to WWCC 14.09.010(B), 14.10.070(C)(2) and 14.15.070(C)(2); and

WHEREAS, the Board of County Commissioners continued the hearing to June 24, 2019.

NOW THEREFORE,

BE IT ORDAINED, by the Walla Walla County Board of County Commissioners that:

Section I. The Board of County Commissioners Makes the Following Findings of Fact:

- 1. On October 2, 2017 pursuant to WWCC Title 14, the Board of County Commissioners established the criteria and deadline (November 30, 2017) for applications to be included on the 2018 Preliminary Docket of Comprehensive Plan and development regulations amendments.
- 2. On October 2, 2017 the Walla Walla County Community Development Department issued a press release notifying the public of the 2018 application cycle for non-county sponsored Comprehensive Plan and development regulations amendment applications, including UGA boundary amendments.
- 3. On November 28, 2017 the Walla Walla County Community Development Department received an application from Sheryl Cox to amend the Walla Walla County Comprehensive Plan Land Use Maps LU-1 and LU-3 to assign Public Reserve land use designation to 27-acres owned by Kenneth and Sheryl Cox and the Walla Walla Community College, located directly east of the college, and change the zoning from Rural Residential Mill Creek 5 (RRMC-5) to Public Reserve (PR).
- 4. The subject property is described in the legal description provided by the applicant in their application packet (Exhibit D) and includes two tax parcels (APN 360714430005 and 360714430006). The amendments are shown on the maps in Exhibit A of this Ordinance.
- 5. Throughout the 2018 Periodic Update and annual Comprehensive Plan and development regulations amendment process, Community Development staff maintained an email list of citizens and local and state agencies in order to provide meeting notification and updates on the County's update process. The applicant and their representatives were included in the email distribution list.
- 6. On January 3, 2018 the Walla Walla County Planning Commission reviewed the amendment application and background materials in an open public meeting.
- 7. On January 25, 2018 a Notice of Public Hearing for Planning Commission hearings was emailed to applicants and interested parties. On January 26, 2018 this notice was mailed to applicants, property owners, and property owners located within 500-feet of the subject property.
- 8. On January 25, 2018 the Notice of Public Hearing was published in The Times (Waitsburg) and the Tri-City Herald, and on January 26, 2018 the same notice was published in the Walla Walla Union Bulletin.

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- 9. On January 25, 2018 the Notice of Public Hearing was posted on the Community Development Department website.
- On January 26, 2018 the Notice of Public Hearing was posted near the subject property. 10.
- 11. On February 7, 2018 the County received a letter from the City of Walla Walla stating that the City would not object to the UGA amendment as long as the zoning was Public Reserve.
- 12. On February 7, 2018 the Planning Commission held a public hearing to consider the proposed amendments and whether they should be included on the 2018 Final Docket: there was no public comment on this proposal.
- 13. On February 7, 2018 after conducting a public hearing the Planning Commission voted unanimously, with two members absent, to recommend to the Board of County Commissioners that the application be placed on the 2018 Final Docket.
- 14. On February 13, 2018 the Chairman of the Planning Commission signed Planning Commission Resolution 18-01, which documented the Planning Commission's recommendation from February 7, 2018.
- On February 15, 2018 the Department of Commerce provided a letter with comments on 15. some of the Preliminary Docket proposals; no comments were included regarding this application.
- On February 20, 2018 the Board of County Commissioners reviewed the amendment 16. application and the Planning Commission's recommendation regarding this application in an open public meeting.
- 17. On March 19, 2018 the Board of County Commissioners unanimously approved a motion to include the application by Sheryl Cox (CPA17-004/REZ17-004) on the 2018 Final Docket.
- 18. On March 20, 2018 the Board of County Commissioners signed Resolution No. 18-068 establishing the 2018 Final Docket of Comprehensive Plan and development regulations amendments, to include the application made by Sheryl Cox (CPA17-004/REZ17-004).
- On May 23, 2018 the Planning Commission held a public workshop to consider the 19. County's draft Development Regulations amendments, the County's draft Land Capacity Analysis and the five non-County UGA applications on the 2018 Final Docket.
- 20. On June 1, 2018 the Community Development Department issued a press release notifying the public of public outreach meetings scheduled for June 19, 2018 at the Walla Walla Regional Airport and June 20, 2018 in Burbank at Columbia Middle School.
- On June 4, 2018 the Board of County Commissioners reviewed the application, along 21. with other items on the 2018 Final Docket, in a workshop meeting.
- On June 6, 2018 the Planning Commission reviewed the application, along with other 22. items on the 2018 Final Docket, in a workshop meeting.
- Community Development Department staff along with Public Works staff and the 23. County's consultant team from The Watershed Company and Creative Community Solutions held public outreach meetings on June 19 and June 20, 2018, at the Walla Walla Regional Airport and in Burbank respectively. According to the sign-in sheets, 20 citizens attended the Walla Walla open house and 60 citizens attended the Burbank open house. Both of these open houses followed the same general format. Each open house began with a presentation by County staff and the consultants. The presentation covered the draft Periodic Update as well as the non-County UGA amendment applications. Staff

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- then answered questions from attendees as a group. After the group portion of the meeting, attendees were able to speak individually with County staff members and the consultants. No written comments on this proposal were received at the open houses.
- 24. On June 19, 2018 copies of the proposed amendments were sent to the Department of Commerce (Material ID# 25024) to begin the required 60-day review period.
- On June 19, 2018 the Washington State Department of Commerce sent a letter to Walla 25. Walla County acknowledging receipt of the proposed amendments. The Department of Commerce offered no comment at this time.
- 26. On November 16, 2018 Walla Walla County completed a SEPA (State Environmental Policy Act) Environmental Checklist for the 2018 Comprehensive Plan and Development Regulations Periodic Update and the four non-County amendment applications remaining on the Final Docket, including CPA17-004/REZ17-004.
- On November 21, 2018 a SEPA Determination of Non-Significance was issued by the 27. County's SEPA Responsible Official, the Community Development Department Director (Files SEPA18-028, SEPA17-028, SEPA17-029, SEPA17-030, SEPA17-032) for the Periodic Update and the non-County UGA amendment applications. This threshold determination was filed with the Washington State Department of Ecology; emailed to consulting local and state agencies; mailed to parties of record and the applicant; emailed to interested parties; published in the Walla Walla Union Bulletin, The Times (Waitsburg), and Tri-City Herald; and posted on the Community Development Department website. The SEPA DNS was appealed by the Martin Airfield Coalition on December 5, 2018, but the appeal was not related to CPA17-008/REZ17-008. After the City of College Place withdrew Application No. 1, the request to remove Martin Airfield from the UGA, the parties reached an agreement which resulted in the Coalition's withdrawal of their appeal and, finally, dismissal by the Board of County Commissioners with a stipulation that until and unless conditions change materially, the County has no intention of pursuing the goal of removing the airfield and surrounding property from the UGA within the next five years. (Order Signed January 22, 2019).
- 28. On September 25, 2018 the Community Development Department received a letter from the Washington State Department of Commerce acknowledging completion of its review of the County's Comprehensive Plan and development regulations Periodic Update and 2018 Final Docket, which included the four non-County sponsored UGA amendments, including this application. This letter did not include any comments concerning this proposal.
- 29. On November 16, 2018 a Notice of Public Hearing for Planning Commission public hearings was published on the County website and sent by email to the applicant and interested parties.
- 30. On November 21, 2018 a Notice of Public Hearing for the Planning Commission hearings was mailed to the applicant, property owners, and other interested parties. This notice was also mailed to the property owners of record within 500-feet adjacent to the property.
- On November 22, 2018 the Notice of Public Hearing for the Planning Commission 31. hearings was published in the Official Gazette, the Walla Walla Union Bulletin, and one paper of general circulation, The Times (Waitsburg).

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- 32. On November 23, 2018 the Notice of Public Hearing for the Planning Commission hearings was published in another paper of general circulation, the Tri-City Herald.
- 33. On December 3, 2018 the Board of County Commissioners adopted Resolution No. 18-303 setting a date of public hearing to consider the proposed Comprehensive Plan and Development Regulations Periodic Update, plus the four non-county amendment applications remaining on the 2018 Final Docket, including the proposal by Sheryl Cox.
- 34. On December 5, 2018 the Walla Walla County Planning Commission held a public hearing to receive comment on this application. The applicant, Sheryl Cox, spoke in support of the application. A City of Walla Walla planner also spoke in favor of the proposal. There was no other public testimony.
- 35. On December 5, 2018 the Walla Walla County Planning Commission, after closing the public hearing, voted unanimously to recommend approval of the application as presented pursuant to the criteria in WWCC 14.09.010(B), 14.10.070(B)(3), and 14.15.070(B)(3). This recommendation was documented in Planning Commission Resolution 18-03, signed on December 12, 2018 by the Planning Commission Chairman.
- 36. On December 6, 2018 a Notice of Public Hearing for the BOCC public hearings was mailed to the applicant, property owners, parties of record, and the owners of adjacent properties.
- 37. On December 6, 2018 the Notice of Public Hearing was published in the Walla Walla Union Bulletin, The Times (Waitsburg) and the Tri-City Herald.
- 38. On December 7, 2018 the Notice of Public Hearing was emailed to interested parties, including the applicants and posted on the County website.
- 39. On December 18, 2018 the Board of County Commissioners held a public hearing to consider the proposal by Sheryl Cox, and to receive comments from the general public. The Commissioners received testimony from Sheryl Cox; there was no other public comment. The Board of County Commissioners voted 3-0 to continue the hearings on the Final Docket amendment applications to a later date.
- 40. On May 28, 2019 the Board of County Commissioners held a workshop meeting to discuss the proposed amendments on the 2018 Final Docket and the County's Periodic Update. Community Development Department staff and the County's consultants specifically presented conclusions from a Revised County Land Capacity Analysis and summarized revised information and analyses provided by the City of College Place for their proposals. No new information was provided regarding CPA17-004/REZ17-004 (Sheryl Cox).
- 41. On May 28, 2019 the Board of County Commissioners adopted Resolution No. 19-141 setting a date for the continued public hearings to consider the proposed Comprehensive Plan and Development Regulations Periodic Update, plus the four non-county amendment applications on the 2018 Final Docket, including the proposal by Sheryl Cox.
- 42. On May 31, 2019 a Notice of Public Hearing for the continued BOCC hearings was published on the Community Development Department website.
- 43. On June 6, 2019 the Notice of Public Hearing for the continued BOCC hearings was published in the Walla Walla Union Bulletin, The Times (Waitsburg), and the Tri-City Herald.

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- 44. On June 12, 2019 the Notice of Public Hearing for the continued BOCC hearings was mailed to the applicants, property owners, parties of record, adjacent property owners, and other interested parties.
- 45. On June 14, 2019 the Notice of Public Hearing for the continued BOCC hearings was emailed to the applicant and other interested parties.
- 46. On June 24, 2019 the Board of County Commissioners continued the public hearing; there was no public comment on the Sheryl Cox proposal.
- 47. On July 8, 2019 the Board of County Commissioners voted unanimously to approve the amendments as presented and directed staff to prepare an ordinance for approval.

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

- 1. The proposed amendments have been reviewed pursuant to Walla Walla County Code Sections 14.10.070, 14.15.070, and 14.09.010(B). The December 5, 2018 Staff Report to the Walla Walla County Planning Commission, presented at the BOCC public hearing on December 18, 2018, analyzed the code requirements for the Comprehensive Plan and zoning map amendments on pages 2 through 6.
- 2. As presented in the December 5, 2018 Staff Report, the amendments are in the long-term interest of the County. The Walla Walla Community College has been ranked as one of the top ten community colleges in the nation, and it continues to thrive, but it is out of space for expansion. As stated in the application on Page 1 of Exhibit B, future growth or addition of instructional buildings, student housing, or recreational facilities would be limited to areas that are not contiguous to the existing campus. This amendment would allow for future development on property contiguous to the campus which is likely to have a lesser impact on transportation and public services. The City of Walla Walla has reviewed the application and recommended approval of the proposed addition of these properties to the Walla Walla UGA.
- 3. As presented in the December 5, 2018 Staff Report, the proposed amendments are consistent with the Public Reserve land use designation (Chapter 5, Section 5.2.6.9), which include lands dedicated to "institutions such as schools." The amendments will not necessitate the reallocation of population or employment to Walla Walla UGA because the zoning will be Public Reserve, not residential, commercial or industrial. Instead, the amendments are consistent with the following stated goal and policy the Comprehensive Plan:

Countywide Land Use Goal LU-3

"To recognize public institutions, essential public facilities and open space as important parts of the County land use pattern."

Countywide Land Use Policy LU 3.1

"Designate sufficient land to accommodate present and planned public or semipublic institutions, essential public facilities, and recreation areas."

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- 4. As presented in the December 5, 2018 Staff Report, the amendments meet a definable public need as stated in the application in Exhibit B, Page 1:
 - "...because [they] will provide an opportunity for private and public facilities to be developed in support of the continued success of the Walla Walla Community College."
- 5. As presented in the December 5, 2018 Staff Report, the amendments would not require amendment of policies or other areas of the Comprehensive Plan.
- 6. As presented in the December 5, 2018 Staff Report, the subject property is suitable for development under the Public Reserve designation. The property is adjacent to the existing college and undeveloped. It is bounded on the south by land under the jurisdiction of the U.S. Army Corps of Engineers, on the north and east by land zoned Rural Residential Mill Creek 5 (rural zoning). It is not expected that the amendments will create pressure to change the land use designation of other properties in the area.

Section III. Adoption of the Proposed Walla Walla Urban Growth Area Amendment and Amended Land Use and Zoning Maps:

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

The addition of 27-acres to the Walla Walla Urban Growth Area east of the Walla Walla Community College by the adoption of amendments to Comprehensive Plan Land Use Maps LU-1 and LU-3 and applicable County zoning maps as shown on the attached maps. The Director of the Walla Walla County Community Development Department is directed to replace the existing maps with amended maps. The zoning and land use designation will be Public Reserve (PR).

Pursuant to WWCC 17.06.010(B), a final Countywide official zoning map reflecting these changes will be signed by the Chair of the Board of County Commissioners.

Section IV. Effective Date and Savings.

This Ordinance is effective upon signing.

Section V. Severability.

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

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Section VI. 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 day of August, 2019.

Attest:

Jil Munns, Assistant Clerk of the Board

Approved as to form:

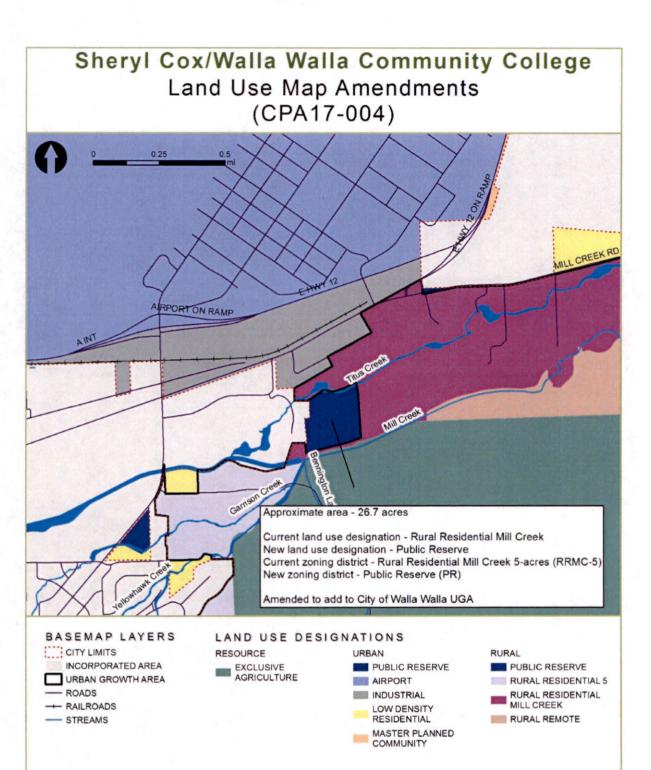
Jesse D. Nolte, Deputy Prosecuting Attorney

Todd L. Kimball, Chairman, District 2

James K. Johnson, Commissioner, District 1

Gregory A. Fompkins, Commissioner, District 3

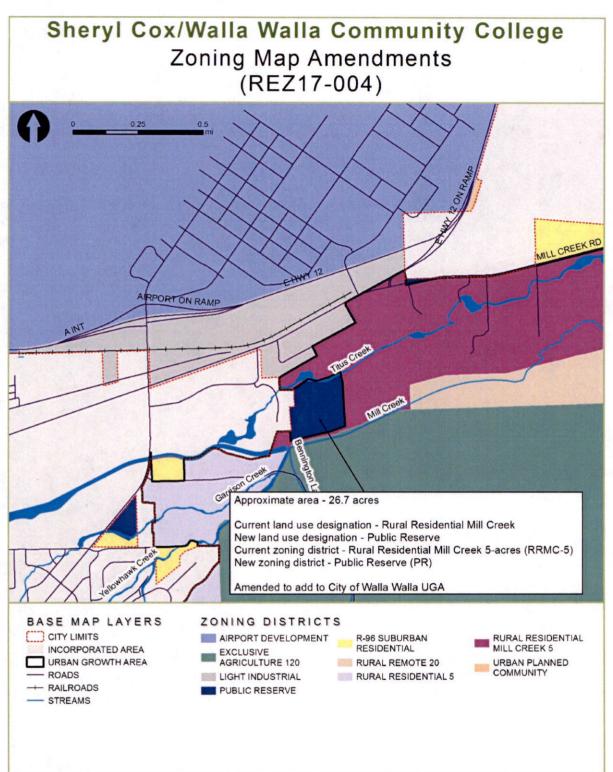
Constituting the Board of County Commissioners of Walla Walla County, Washington



Walla Walla Community Development Department - Suite 200, 310 West Poplar, Walla Walla, WA 99362 - (509) 524-2610

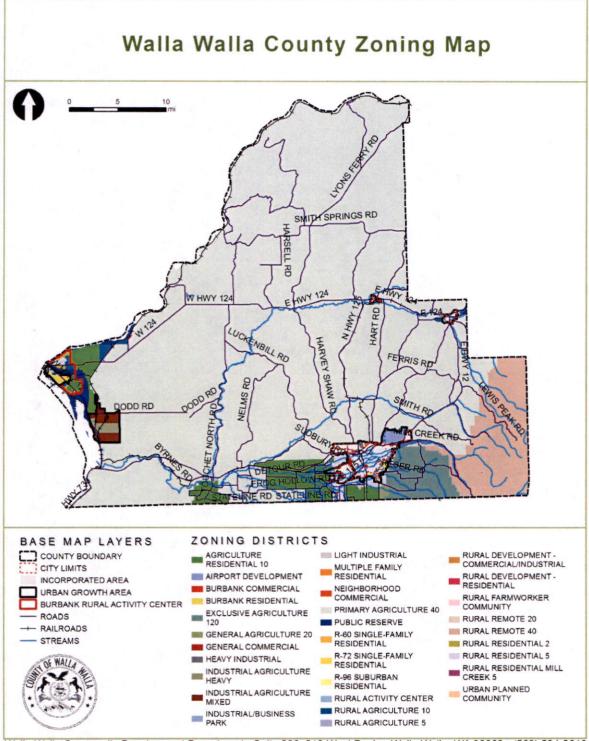
Print Date: 7/25/2019

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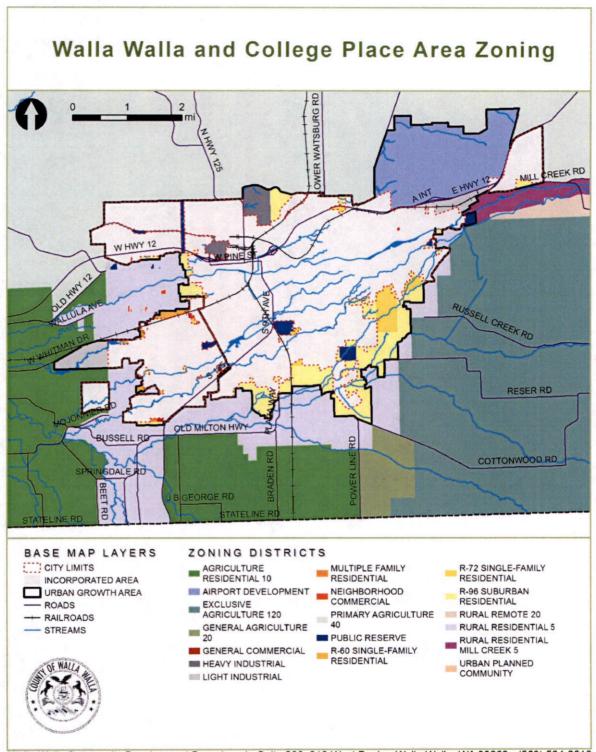
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Print Date: 7/25/2019



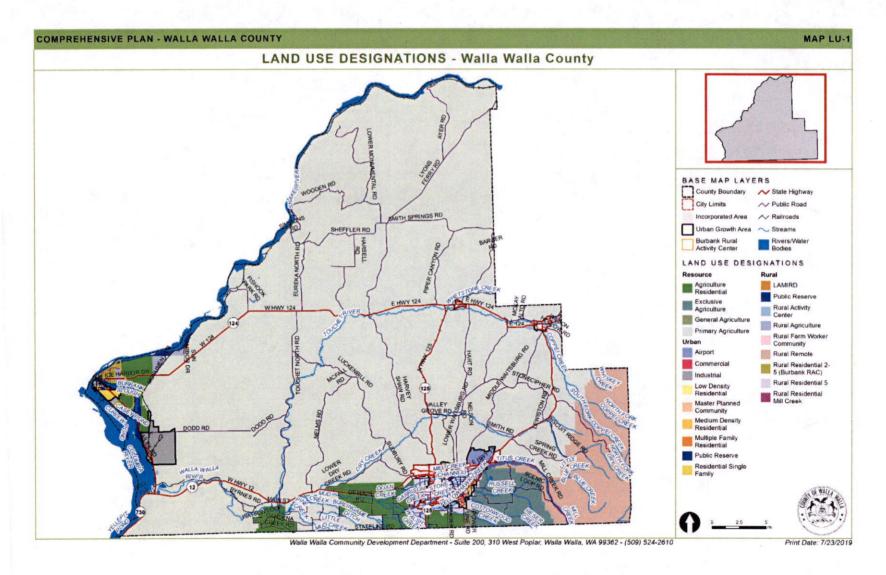
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Print Date: 7/23/2019



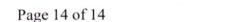
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Print Date: 7/23/2019



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LAND USE DESIGNATIONS - College Place / Walla Walla Area



COMPREHENSIVE PLAN - WALLA WALLA COUNTY

MAP LU-3

Rural Remote

Print Date: 7/23/2019