

AGENDA

WALLA WALLA COUNTY BOARD OF COMMISSIONERS

MONDAY, JANUARY 27, 2014

(PLEASE NOTE SLIGHTLY EARLIER START TIME THIS DATE)

9:00

COUNTY COMMISSIONERS

Chairman Johnson

All matters listed within the Consent Agenda have been distributed to each County Commissioner for review and are considered routine. The Consent Agenda will be approved by one motion of the Board of County Commissioners with no separate discussion. If separate discussion is desired on a certain item, that item may be removed from the Consent Agenda at the request of a Commissioner, for action later.

- a) Roll call and establish a quorum
- b) Review warrant list

The county commissioners will take this time to review the list of warrants for approval under the consent agenda. This review time is open to the public. No other business will be transacted until the regular meeting start time of 9:30 a.m.

RECESS.

9:30

COUNTY COMMISSIONERS

- a) Declarations re: conflict of interest
- b) Pledge of Allegiance
- c) Public comment period (time limitations may be imposed)

PLEASE NOTE: *If you wish to address the Commission, please raise your hand to be recognized by the Chair. When you have been recognized, please step up to the microphone and give your name and address before your comments. The Walla Walla County Commissioners are committed to maintaining a meeting atmosphere of mutual respect and speakers are encouraged to honor this principle. (An individual may request to address the board at a later time on the agenda, if time permits, by contacting the Clerk of the Board at least 24 hours prior to the meeting.) Thank you.*

d) Action Agenda Items:

- 1) Review submitted Employee Payroll Action Forms

e) Consent Agenda Items:

- 1) Resolution _____ - Minutes of County Commissioners' sessions of January 21 and 22, 2014
- 2) County warrants as follows: 4148958 through 4149153, totaling \$627,650.70, and 4148957 in the amount of \$4,211.44 (elections postage)
- 2) Payroll action and other forms requiring Board approval

COUNTY COMMISSIONERS (continued)

f) Action Agenda Items:

- 1) Review of Washington State Liquor Control Board Marijuana License Application dated 1-15-2014 by Lagranja Farms, 2987 S Fork Coppei Rd, Ste A, Waitsburg, applicants Mary Hansen and Creston Rogerson

pg 3

- g) Miscellaneous business to come before the Board
- h) Review reports and correspondence; hear committee and meeting reports
- i) Review of constituent concerns/possible updates re: past concerns
- j) Introduction of new County Rural Library District Executive Director

COPY



NOTICE OF MARIJUANA LICENSE APPLICATION

RETURN TO:

WASHINGTON STATE LIQUOR CONTROL BOARD
License Division
3000 Pacific, PO Box 43075
Olympia, WA 98504-3075
Customer Service: (360) 664-1600
Fax: (360) 753-2710
Website: www.waig.wa.gov
DATE: 1/15/14

TO: WALLA WALLA COUNTY COMMISSIONERS
RE: NEW APPLICATION

UBI: 603-345-754-001-0001

JAN 21 2014
WALLA WALLA COUNTY
COMMISSIONERS

License: 412603 - County: 36
Tradename: LAGRANJA FARMS
Loc Addr: 2987 S FORK COPPEI RD STE A
WAITSBURG, WA 99361-7706
Mail Addr: 2987 S FORK COPPEI RD
WAITSBURG, WA 99361-7706
Phone No.: 509-337-0110 MARY HANSEN

APPLICANTS:

LAGRANJA FARMS, LLC
HANSEN, MARY 1960-10-05
ROGERSON, CRESTON 1955-04-22

Privileges Applied For:
MARIJUANA PRODUCER TIER 2
MARIJUANA PROCESSOR

As required by RCW 69.50.331(7) the Liquor Control Board is notifying you that the above has applied for a marijuana license. You have 20 days from the date of this notice to give your input on this application. If we do not receive this notice back within 20 days, we will assume you have no objection to the issuance of this license. If you need additional time to respond you must submit a written request for an extension of up to 20 days, with the reason(s) you need more time. If you need information on the SSN, contact our Marijuana CHRI Desk at (360) 664-1772.

- | | YES | NO |
|---|--------------------------|--------------------------|
| 1. Do you approve of applicant? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Do you approve of location? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. If you disapprove and the Board contemplates issuing a license, do you wish to request an adjudicative hearing before final action is taken (See WAC 314-55-160 for information about this process)? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. If you disapprove, per RCW 69.50.331(7)(c) you MUST attach a letter to the Board detailing the reason(s) for the objection and a statement of all the facts on which your objection(s) are based. | | |

DATE

L1BRIMS/C092057

SIGNATURE OF MAYOR, CITY MANAGER, COUNTY COMMISSIONERS
OR DESIGNEE

9:45

FACILITIES MAINTENANCE

Tom Byers

a) Department update and miscellaneous

no written update

10:00

COUNTY COMMISSIONERS

a) Public Hearing:

- 1) To consider an amendment to Walla Walla County Code to allow libraries as a permitted use within the Rural Residential 2 Zone (Burbank Rural Activity Center)

Backup pgs 6-14

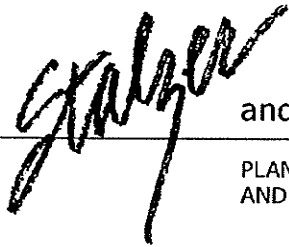
- b)** Discussion and possible action/direction from the Board of County Commissioners regarding above

c) Action Agenda Items:

- 1) Ordinance No. 423 - Adopting a request by Walla Walla County to amend the permitted uses table in Chapter 17.16 of the Walla Walla County Code, allowing libraries as a permitted use in the Rural Residential 2 Zone

Ordinance pgs 15-18

From Workshop held
October 29, 2013



and Associates

PLANNING, LAND USE
AND DEVELOPMENT SERVICES

Memorandum

Date: October 22, 2013
To: Board of County Commissioners
From: Bill Stalzer, Planning Consultant
Re: County Zoning Code Amendment for Libraries

Proposal

The Walla Walla County Rural Library District has plans to expand its 3,640 square foot Burbank Heights library by 2,124 square feet; however, libraries are not an allowed use in the Rural Residential 2 zoning district (its current location) in the county zoning code (Title 17) thereby making the library a nonconforming use. Additionally, the county zoning code does not allow expansion of a nonconforming use. To resolve the situation, the county zoning code should be amended to allow libraries as a permitted use in the rural residential 2 zoning district.

Background

The Burbank library is located at 875 South Lake Road in the Burbank Heights portion of the Burbank Rural Activity Center (Attachment A). In 1995 the site of the current library was rezoned to PR, Public Reserve (Planning Commission File No. PC-95-05). The purpose of the PR zoning district in 1995 was:

"Exclusively a district reserved for public and semi-public uses in order to preserve and provide lands for those community facilities which serve the public health, safety and general welfare of the County" [WWCC Chapter V, Section 5.01 Establishment of Districts; emphasis added]

Libraries were a permitted use in the Public Reserve zoning district in 1995 (Attachment B.)

On February 6, 1996 the county building department issued a building permit for a library on the site (Attachment C) and construction began that same year (Attachment D.)

Currently the Comprehensive Plan land use designation of the library site is Rural Residential 2-5 (Burbank Rural Activity Center) and the zoning is RR-2, Rural Residential 2. It is unclear at what time after 1996 or why the zoning of the property was changed from Public Reserve to Rural Residential 2.

Discussion

Walla Walla County Zoning

Rural Activity Centers

The Walla Walla County zoning code contains the following purpose statement for Rural Activity Centers:

Rural Activity Center. The purpose of this zone is to recognize the historic, unincorporated rural communities in the county. Rural activity centers are generally small, compact, isolated rural centers that primarily exist to provide housing, convenience goods, and services to residents in and around the area. They may also provide limited services to travelers and some tourist attractions. This zone is intended to allow a mixture of uses. Permitted uses in this zone include single-family residences, small-scale industries and businesses, and public facilities such as post offices, schools, and fire departments. [WWCC 17.12.040.J; emphasis added]

To implement this purpose statement, the permitted uses table in WWCC Section 17.16.014 lists libraries as a permitted recreational/cultural land use in Rural Activity Centers.

Rural Residential Zoning District

As mentioned above, the present zoning for the library site is RR-2. This zone is one of the implementing zones for the Rural Residential zoning district. The county zoning code contains the following general purpose statement for the Rural Residential zoning district:

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. [WWCC 17.12.040.H; emphasis added]

Despite the above purpose statement and the fact that the library has been at its current location for 17 years, the county zoning code does not list libraries as one of the allowed uses in the RR-2 zone. However, the following more intensive non-residential land uses are allowed in the RR-2 zone:

- Agricultural produce, storage/packing
- Animal hospital
- Assembly hall
- College or universities, public or private
- Colleges, business colleges, trade schools, and similar organizations
- Fire station
- Gun/archery range, indoor
- Horticultural nursery, retail
- Railroad terminal
- Recreational facility, public and private
- School, public and private
- Wedding and Event Center
- Wineries, Type I and II

Nonconforming Use

The library is considered a legal nonconforming use since it was a permitted use prior to the current zoning code but is not a permitted use today. The County Code does not allow a legal nonconforming use to be enlarged or increased:

Where, at the effective date of adoption or amendment of the ordinance codified in this title, lawful use of land exists that is made no longer permissible under the terms of this title as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

A. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of the ordinance codified in this title. [WWCC17.36.030 - Nonconforming uses of land].

Summary

- A library use is consistent with the purposes of both the Rural Activity Center and the Rural Residential zoning districts
- A library is a permitted use in a Rural Activity Center zone
- A library is not a permitted use in the RR-2 zone, which is an implementing zone of the Rural Residential zoning district
- Other more intensive land uses than libraries are allowed in the RR-2 zone
- A fire station, an allowed use in the RR-2 zone, is located on South Lake Road within ¼ mile of the existing library
- The nonconforming uses standards preclude any expansion of the current library
- Libraries were a permitted use in this area when the current library was constructed

Walla Walla County Code Criteria for Amending Development Regulations

WWCC Section 14.15 contains the following requirements for amendments to development regulations. As noted after each criteria, the proposed amendment meets all criteria.

WWCC 14.15.060.C.1 The amendment is consistent with the comprehensive plan

Response: The proposed addition of libraries as a permitted use in the RR-2 zoning district is consistent with the following sections, goals, and policies of the Walla Walla County Comprehensive Plan:

Walla Walla County Comprehensive Plan

Rural Activity Centers

The Burbank Heights area of Burbank lies within the Burbank Rural Activity Center (Walla Walla County Comprehensive Plan, Chapter 5, Land Use Element, Map LU-1) The purposes of Rural Activity Centers are described in the Comprehensive Plan Rural and Resource Lands Element as:

"Rural Activity Centers are generally not self sufficient, but may offer some urban services such as community water or sewer, limited commercial and public uses, and fire protection. The centers may include a wide variety of uses, including single-family residences, small-scale industries, and businesses, public facilities such as post offices, schools, and fire departments, and open space." [Walla Walla County Comprehensive Plan, page 6-21; emphasis added]

The Rural and Resource Lands Element contains the following goal and policy related to Rural Activity Centers:

Goal RL 15. Promote the continuation and enhancement of the existing rural communities in order to preserve their multi-use function. [Walla Walla County Comprehensive Plan, pages 6-15,16; emphasis added]

Policy RL-30 Support mixed use areas comprised of residential uses, small-scale industries and businesses, and public facilities in rural areas where historic, unincorporated communities with an existing mix of higher density land uses already exists, and where some limited new residential, commercial, and industrial development is expected to continue to occur. Non-residential uses may be evaluated based on performance standards. [Walla Walla County Comprehensive Plan, page 6-21; emphasis added]

Rural Residential 2-5 (Burbank Rural Activity Center)

A large portion of the Burbank Rural Activity Center has a land use designation of Rural Residential 2-5 (Burbank Rural Activity Center) (Walla Walla County Comprehensive Plan, Chapter 12, Burbank Subarea Plan, Map BSA-1). The purpose of the Rural Residential 2-5 (Burbank Rural Activity Center) land use designation is described as:

"These lands are intended to maintain the rural aspects of the county and to provide buffering or transitions between existing rural developments and areas of higher or lower densities and have 2-5 acre minimum lot sizes. Certain limited recreational and community-oriented cultural land uses are allowed in this land use designation." [Walla Walla County Comprehensive Plan, Chapter 12, Burbank Subarea Plan, page 12-7; emphasis added]

The Burbank Subarea Plan contains the following general land use goal:

Goal BSA 2. Provide the public policy framework for orderly development of the area while maintaining the rural character and lifestyle of the community outside the Burbank UGA. [Walla Walla County Comprehensive Plan, Chapter 12, Burbank Subarea Plan, page 12-13]

WWCC 14.15.060.C.2 The amendment is consistent with other development regulations, unless accompanied by amendments to such other development regulations

Response:

Allowing libraries as a permitted use in the RR-2 zoning district is consistent with the other types of uses allowed in the RR-2 zone. It is a public use such as a public school or a fire station and it is a less

intensive use than most of the other uses allowed in the zone. The amendment would not cause any inconsistency with other development regulations.

WWCC 14.15.060.C.3 The amendment is appropriate for consideration at this time.

Response:

The Library District completed preliminary plans for expansion of the Burbank Heights branch earlier this year and it was not until they contacted the county about a building permit that they learned that the existing library was not an allowed use in the RR-2 zone. Their schedule called for construction to begin in late 2012 or early 2013. Until the permitted use situation is resolved, plans remain on hold and the lack of sufficient space to serve the surrounding community remains a serious problem (see below).

WWCC 14.15.030 provides that the board of county commissioners may amend development regulations more often than once a year if, by a majority vote, the board determines that it is in the long term interests of the county to do so. Given that the Library District began the process of obtaining a building permit and is prepared to begin construction early next year, it is appropriate to consider a zoning code amendment at this time.

WWCC 14.15.070(B)(3)(a) The amendment is consistent with the comprehensive plan.

Response:

See response to WWCC 14.15.060.C.1 above.

WWCC 14.15.070(B)(3)(b) The amendment meets a definable public need

Response

The current library is too small to meet the needs of the library users in the Burbank, Wallula, and Snake River areas. The Walla Walla County Rural Library District board of trustees held five public forums and library users expressed that existing library facilities were not meeting their library needs due to their small size - which limited available services and library collection sizes.

Specifically, citizens identified the following reasons that expansion of the Burbank Heights library is needed:

- Library programs must take place in the middle of the only public space in the library - or are taken outside to accommodate large crowds.
- A meeting room is needed for use by the community as well as the library whether the library is open or closed.
- The six public use computers are in constant use. More computers cannot be added without removing public seating areas or books.
- Library users are frequently required to park along Lake Road as even the library's parking lot is too small to accommodate those who would like to use the library.
- Library shelves are so full that there isn't enough room for new materials while maintaining existing popular materials on the shelves.

WWCC 14.15.070(B)(3)(c) The amendment is in the long term interest of the county.

Response

Allowing libraries as a permitted use in the RR-2 zoning district will provide a needed public service facility to serve the rural population in small lot rural residential zoning districts in and around rural activity centers, especially as that population increases in size and the demand for services provided by libraries grows. In the case of the Burbank Heights library, including libraries as a permitted use in the RR-2 zone will allow the library to expand which is in the long term interest of the county in the following ways:

- The current library site meets the minimum lot size for the RR-2 zone.
- The site is large enough to accommodate a larger facility.
- A meeting room will be added that will include a kitchenette and an outdoor patio area. It will be built so it may be reserved and used even when the library is closed.
- A new larger Children's Room and an area for teenagers will be added.
- Two private study rooms will be included - perfect for tutoring, scheduling one-on-one meetings, or for a quiet study area.

- An Adult Reading Area will be added near the Children's Area allowing parents and caregivers to relax with a book, a magazine, or use the free WiFi while still easily monitoring their children's enjoyment of the library.
- A redesigned checkout area will be added allowing for much easier interactions with the library.
- A larger and more convenient area for the public copy machine and community bulletin boards will be added.
- For library staff there will be a staff bathroom added, as well as a small break room, and work areas for up to five employees. Dedicated offices for the Burbank Librarian, and the Collection Development Librarian will be added as well.

Recommendation

The permitted uses table for the RR-2 zone in WWCC Section 17.16.014 should be amended to include libraries as a permitted use for the following reasons:

- A library use is consistent with the purposes of the Rural Activity Center and Rural Residential Zoning districts
- Libraries are a less intensive land use than other non-residential uses allowed in the RR-2 zone
- Libraries were a permitted use in this area when the Burbank Heights library was constructed 17 years ago
- The code amendment meets all of the county code criteria for amendment of a development regulation at this time

Attachment A
Burbank Area Map Showing Location of Burbank Heights Library



<https://www.google.com/maps/place/Burbank+Library/@32.1870146,-118.308221,11z/data=!3m1!1e3!1d32.1870146!1d-118.308221!1s32.1870146,-118.308221,11z>

Attachment B
1996 Walla Walla County Zoning Code Permitted Uses Table

LIST OF USES	Permitted													
	LA	PR	PH	IL	CO	CH	AO	AG	AR	FR	RM	R-50	R-72	
Laundry pick-up stations.					X	X								
Leather goods, manufacture.			X	X										
Libraries, museums, and art galleries.		X			X	X			X		X			
Light manufacturing or processing not otherwise named herein, provided no operations are carried on, or are likely to be carried on, which will create smoke, fumes, noise, odor or dust, which will be detrimental to the health, safety or general welfare of the area.				X										
Linseed oil, shellac, turpentine manufacture or refining.			X											
Livestock feed yards.	X		X				X	X						
Livestock auction yards.	X		X					X						
Lock and gunsmiths.				X	X									
Log storage and moorage.			X											
Lodges, fraternal and social organizations, provided that any such establishments shall not be conducted primarily for gain.					X	X		X	X	X	X			
Lubrication grease manufacture or oil compounding.			X											
Lumber mills, saw mills, plywood mills or shingle mills.			X											
Lumber yards, building materials storage and sale.			X	X	X									
Machine shops.			X	X										
Machine tool manufacture.			X											
Meat processing and packing to include slaughter when part of a complete meat packing industry.			X					X						
Medical and dental clinics. (By Conditional Use in Districts RM & FR)						X	X		X	X	X			

*Walla Walla
County Library*

Walla Walla County Library

Attachment D
Burbank Heights Library Under Construction in 1996



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

ORDINANCE NO. 423

Draft

ADOPTING A REQUEST BY WALLA WALLA COUNTY TO AMEND THE PERMITTED USES TABLE IN CHAPTER 17.16 OF THE WALLA WALLA COUNTY CODE, ALLOWING LIBRARIES AS A PERMITTED USE IN THE RURAL RESIDENTIAL 2 ZONE.

WHEREAS, the Growth Management Act requires that the County take legislative action to review and revise, if necessary, its comprehensive land use plan to ensure that it complies with the requirements of the Growth Management Act, as described in RCW 36.70A.130; and

WHEREAS, the Growth Management Act requires that updates, amendments, or revisions to the Comprehensive Plan may not be considered more frequently than once a year except for certain limited circumstances; and

WHEREAS, RCW 36.70A.470 requires that the County include a procedure that 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, pursuant to Walla Walla County Code 14.15.030, the Board of County Commissioners may amend development regulations more often than once a year, outside of the docketing process, as determined by a majority vote of the Board of County Commissioners to be in the long term interests of the County.

WHEREAS, on November 4, 2013 the Board of County Commissioners approved Resolution 13-271, which authorized County planning consultant Bill Stalzer to draft regulations and apply to the Walla Walla Joint Community Development Agency for a County sponsored zoning code text amendment permitting libraries in the Rural Residential 2 zone.

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. Bill Stalzer, on behalf of Walla Walla County, applied for the code amendment to the Walla Walla Joint Community Development Agency on November 8, 2013.
2. On November 14, 2013, Notice of an Informational Public Meeting, workshop and Public Hearing were published in the Waitsburg Times, Tri-City Herald and Walla Walla Union-Bulletin.

Draft

3. On December 2, 2013, the Walla Walla Joint Community Development Agency issued a SEPA determination of non-significance. No appeal was filed.
4. On December 3, 2013, the State Department of Commerce granted expedited review.
5. On December 4, 2013 an Informational Public Meeting was held, but the Planning Commission did not hold a Public Hearing, as there was a lack of a quorum.
6. On December 19, 2013 a Notice of Public Hearing was published in the Waitsburg Times, Walla Walla Union-Bulletin and Tri-City Herald.
7. On January 8, 2014, the Planning Commission held a public hearing. Speakers at the hearing were in support of the amendment.
8. On January 13, 2014, the Planning Commission issued Resolution 14-01, recommending approval of the proposed amendment.
9. On January 16, 2014 a Notice of Public Hearing was published in the Waitsburg Times, Walla Walla Union-Bulletin and Tri-City Herald.
10. The Board of County Commissioners held a Public Hearing on January 27, 2014.
11. The proposed amendment would allow libraries as a permitted use in the RR-2 zone, which is located in the Burbank Rural Activity Center.
12. The proposed amendment will allow the existing library in the Burbank area to expand in order to better serve the area.

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

1. The proposed amendment is in compliance with Walla Walla County Code Sections 14.15.070(B)(3).
2. The proposed amendment is consistent with the Walla Walla County Comprehensive Plan.
3. As proposed, the amendment will not have a significant adverse impact on public welfare and safety.
4. The proposed amendments are in compliance with RCW 36.70A, RCW 36.70B and the Washington Administrative Code.

Section III. Adoption of the amendment to Chapter 17.16.

Based on its review of the requirements of RCW 36.70A, the proposed amendment and memorandums prepared by Bill Stalzer, staff analysis and the recommendation proposed by the Planning Commission, the Board of County Commissioners hereby adopts the following proposed amendment to Walla Walla County Code Chapter 17.16:

Libraries shall be shown as a permitted use within the RR-2 zone on the Permitted Uses Table, as shown on the attached Exhibit A.

Draft

Section IV. Effective Date and Savings.

This Ordinance is effective upon signing.

Section V. Severability.

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

Section VI. Publication.

This Ordinance will be published by an approved summary consisting of the title.

PASSED by the Walla Walla County Board of 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 ____, 2014.

Attest:

Connie R. Vinti, Clerk of the Board

~~_____
Perry L. Dozier, 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

Draft

Exhibit A

	Zone																		
	Resource				Rural								Urban Residential				Misc.		
	PA-40	EA-120	GA-20	AR-10	RR-40	RR-20	RA-10	RA-5	RRMC-5	RR-2	RR-5	R-96	R-72	R-60	RM	RD-R	RD-CI	RFC	RAC
Specific Use																			
Libraries										P					P			AC	P3

Draft

10:15

PERSONNEL/RISK MANAGER

Lucy Schwallie

no written update

- a) Department update and miscellaneous
- b) **Active Agenda Items:**
 - 1) Possible discussion/decision re: any pending claims against the County
- c) Possible executive session re: personnel (pursuant to RCW 42.30.110(g)), collective bargaining negotiations (pursuant to RCW 42.30.140(4)(b)), and/or litigation or pending or potential litigation (pursuant to RCW 42.30.110(i))

a) Consent Agenda Items:

- 1) Resolution _____ - Signing a resolution pg 21
Title VI Non Discrimination Agreement
between Washington State Department
of Transportation and Walla Walla
County
- 2) Resolution _____ - Annual resolution pg 22
certification to County Road
Administration Board
- 3) Resolution _____ - Revising resolution pgs 23-24
rental rates for equipment owned
by the Equipment Rental and
Revolving Fund
- 4) Resolution _____ - Exchange resolution pg 25
Club Ducky Derby

b) Department update and miscellaneous update pg 26

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF SIGNING A
TITLE VI NON DISCRIMINATION
AGREEMENT BETWEEN
WASHINGTON STATE
DEPARTMENT OF
TRANSPORTATION AND
WALLA WALLA COUNTY



RESOLUTION NO.

WHEREAS, Walla Walla County is a recipient of Washington State Department of Transportation (WSDOT) Federal Funds; and

WHEREAS, Federal Regulations 23 CFR 200.9(b) (7), 49 CFR 21.3, and 49 CFR 21.7 requires that WSDOT insure that all local agencies receiving United States Department of Transportation (USDOT) funds administered by WSDOT are in compliance with these regulations; and

WHEREAS, in compliance with said regulations, Walla Walla County is required to submit a Title VI Non-Discrimination Agreement by January 31 of each year; now therefore

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners that the Chair be authorized to sign said Title VI Non-Discrimination Agreement.

Passed this 27th day of January, 2014 by Board members as follows: Present or Participating via other means, and by the following vote: Aye Nay Abstained Absent.

Attest:

Connie R. Vinti, Clerk of the Board

James K. Johnson, Chairman, District 1

Perry L. Dozier, Commissioner, District 2

Gregory A. Tompkins, Commissioner, District 3

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

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF ANNUAL
CERTIFICATION TO COUNTY
ROAD ADMINISTRATION
BOARD

}

RESOLUTION NO.

WHEREAS, certain reporting forms are required to be submitted to the County Road Administration Board in order to maintain Walla Walla County's Certificate of Good Practice and eligibility for grants and state revenue; now therefore

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners that the Chair be authorized to sign the County Road Administration Board's Road Levy Certification for Calendar Year 2014.

Passed this 27th day of January, 2014 by Board members as follows: Present or Participating via other means, and by the following vote: Aye Nay Abstained Absent.

Attest:

Connie R. Vinti, Clerk of the Board

James K. Johnson, Chairman, District 1

Perry L. Dozier, Commissioner, District 2

Gregory A. Tompkins, Commissioner, District 3

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

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF REVISING
RENTAL RATES FOR
EQUIPMENT OWNED BY THE
EQUIPMENT RENTAL AND
REVOLVING FUND

}

RESOLUTION NO.

WHEREAS, the Equipment Rental and Revolving Fund (ER&R) was established according to the Revised Code of Washington (RCW) to provide a stable and dependable method of owning, maintaining, repairing and replacing County equipment; and

WHEREAS, the County Engineer has determined it is necessary to revise certain equipment usage rates for equipment owned by the Equipment Rental and Revolving Fund to operate the fund as designed; and

WHEREAS, the Board of Walla Walla County Commissioners has reviewed the rates as determined by the County Engineer; and

WHEREAS, the County Engineer will continue to monitor the ER&R Fund and equipment rental rates and recommend revisions as appropriate; now therefore

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners that rental rates for certain equipment owned by the Equipment Rental and Revolving Fund be set as shown on the attached list, effective immediately.

Passed this 27th day of **January, 2014** by Board members as follows: Present or Participating via other means, and by the following vote: Aye Nay Abstained Absent.

Attest:

Connie R. Vinti, Clerk of the Board

James K. Johnson, Chairman, District 1

Perry L. Dozier, Commissioner, District 2

Gregory A. Tompkins, Commissioner, District 3

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

Attachment "A"

Other Department Vehicle Monthly Rate	Old Rate	Proposed New Rate
Sheriff	\$35,530.47	\$17,830.07

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF THE
EXCHANGE CLUB ANNUAL
DUCKY DERBY

RESOLUTION NO.

WHEREAS, the Exchange Club of Walla Walla is sponsoring their annual Ducky Derby on Mill Creek on Saturday May 17, 2014, from 11:15 am to 3:30 pm; and

WHEREAS, the Exchange Club has requested permission to conduct the race on Mill Creek between the Yellowhawk/Garrison Creek diversion structure and the Tausick Way Bridge; and

WHEREAS, the event organizers have agreed to notify emergency services prior to the event for the necessary safety and emergency services information; and

WHEREAS, the Mill Creek Flood Control Zone District has been named as an additional insured on the liability coverage for this event; and

WHEREAS, the event organizers shall provide a news release to the local newspapers announcing the event date; now therefore

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners, acting as Directors of the Mill Creek Flood Control Zone District, that the Exchange Club of Walla Walla be granted permission to conduct their annual race on Saturday, May 17, 2014.

Passed this 27th day of January, 2014 by Board members as follows: Present or Participating via other means, and by the following vote: Aye Nay Abstained Absent.

Attest:

Connie R. Vinti, Clerk of the Board

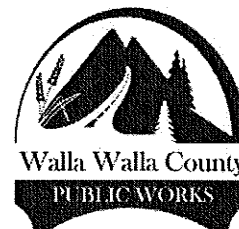
James K. Johnson, Chairman, District 1

Perry L. Dozier, Commissioner, District 2

Gregory A. Tompkins, Commissioner, District 3

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

**Walla Walla County Public Works
PO Box 813
Walla Walla, WA 99362**



To: Board of County Commissioners

From: Randy Glaeser, Public Works Director

Date: 23 January 2014

Re: Director's Report for the Week of 20 January 2014

Board Action: 27 January 2014

Resolutions:

In the Matter of Signing a Title VI Non Discrimination Agreement between Washington State Department of Transportation and Walla Walla County

In the Matter of Annual Certification to County Road Administration Board

In the Matter of the Rental Rates for Equipment Owned by the Equipment Rental and Revolving Fund

In the Matter of Exchange Club Annual Duck Derby

ENGINEERING:

- Mill Creek Forest Highways Project: Consultant to begin work on biological assessment (BA). Consultant is working on ROW plans.
- Taumarson Road: Existing ROW determined. Designing stormwater and driveways.
- Bussell Road: Expect to begin road alignment by end of February.
- Petty Bone Bridge: Road and bridge design is complete.
- Miscellaneous: Reviewing possible projects for RAP submittals due March 1.

DEVELOPMENT:

- Reviewing Irongate subdivision plans.

MAINTENANCE:

- Conducted flagger safety review.
- Attended WSDOT chip seal training session.
- Crews conducting routine maintenance.

ADMINISTRATION:

- Conducted monthly Leadership meeting.
- Conducted monthly crew meetings.
- Attended WWVMPO TAC meeting.
- Conducted financial meeting with CRAB (Jeff Monsen)

10:45

PROSECUTING ATTORNEY

Jim Nagle/Jesse Nolte

- a) Possible executive session re:
litigation or pending or potential
litigation (pursuant to RCW 42.30.110(i))

11:00

COUNTY COMMISSIONERS

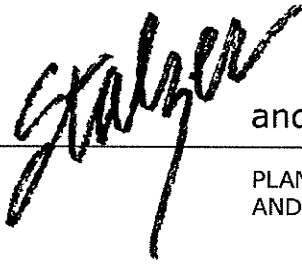
- a) Miscellaneous or unfinished business to come before the Board

- b) **Action Agenda Items:**

- 1) Discussion of "Initiative 502 Proposed Work Plan and Process" memorandum dated January 10, 2014 (continued from January 21, 2014), and memorandum dated January 23, 2014 regarding draft project principles and status of recreational marijuana regulations, both from Bill Stalzer, Stalzer and Associates, county planning consultant, relative to County Ordinance No. 415

memo pgs 29-34

- b) Possible direction to Bill Stalzer regarding above



and Associates

PLANNING, LAND USE
AND DEVELOPMENT SERVICES

Memorandum

Date: January 23, 2014
To: Board of County Commissioners
From: Bill Stalzer, planning consultant
Cc: Jesse Nolte, Deputy Prosecuting Attorney, Tom Glover, Director, Walla Walla Joint Community Development Agency
Re: Draft Project Principles and Status of recreational marijuana regulations in selected jurisdictions

This memorandum includes three attachments related to the work plan for the regulation of the production, processing, and retail sale of recreational marijuana.

Attachment 1 is a draft of Project Principles for the planning commission's work on the regulation of recreational marijuana.

Attachment 2 is a table summarizing the status of the regulation of recreational marijuana in some other jurisdictions around the state. The source of the information is the Municipal Services Resource Center. Given the State Attorney General's opinion last week, many of the jurisdictions listed are revisiting the issue, and there are jurisdictions not listed that have either imposed moratoriums or adopted zoning. During the course of the planning commission's review, I will provide more current information regarding regulations in selected jurisdictions.

Attachment 3 is a summary of the regulations in three counties related to the production, processing, and retail sale of recreational marijuana. This summary will be expanded to include numerous other jurisdictions during the planning commission's work.

Attachment 1
DRAFT Principles for Recreational Marijuana

The following project principles apply only to the land use regulation of recreational marijuana as permitted under the rules promulgated by the WSLCB in WAC 314-55. The planning commission shall provide a recommendation to the Board of County Commissioners that addresses the regulation of the production, processing, and retail sale of recreational marijuana and that meets all of the following principles. The recommendation should be consistent with the policies in the County Comprehensive Plan. The recommendation should also recognize that recreational marijuana facilities are a new, untested land use in the county and state, with uncertain potential impacts.

After reviewing the following principles, the Planning Commission should make a recommendation as to:

1. What zones recreational marijuana uses should be located in.
2. Whether additional regulations are necessary for recreational marijuana uses (i.e. Conditional Use Permits, use specific regulations, similar to the County's winery standards, etc), .
3. Whether an outright ban, or prohibition on recreational marijuana land uses until the uses are allowed by Federal Law, is a preferred option to the options set forth above.

Rural and Resource Areas are Protected

Agricultural and rural uses define the character of Walla Walla County. Recreational marijuana production and processing facilities, if allowed, should not jeopardize the continuation of uses already allowed in agricultural and rural areas or the character of those areas. Retail sales facilities should not be allowed.

Rural Activity Centers are Protected

Rural activity centers are important small communities in the county. While limited in size, they contain a mix of residential, commercial, and industrial uses thereby providing a variety of functions for area residents that should be protected. Recreational marijuana facilities, if allowed, should not adversely impact the character of rural activity centers.

Residential Urban Growth Areas are Protected

Residential urban growth areas are zoned for urban-density residential uses to accommodate the planned population growth of the cities. Ensuring that these areas remain available for future urban residential uses is a requirement of both the comprehensive plan and the growth management Act. Recreational marijuana facilities are inconsistent with residential uses and should not be allowed in residential urban growth areas.

Adjacent City Uses are Protected

City boundaries that adjoin county lands contain a wide variety of uses. Recreational marijuana facilities, if allowed, should not adversely impact the continuation of the uses allowed in city zoning districts adjacent to county lands.

Security Measures are Required

Security measures to protect both a property owner's investment and the general public should be required. Measures to prevent theft or the destruction of recreational marijuana facilities should be required.

Regulations are Specific

Recommended regulations should be specific enough that applicants, owners and the general public clearly understand what is expected for a production, processing, or retail sale facility to be allowed. Conditions, if imposed, should be easily understood and specific.

Administration and Law Enforcement Should Not be Negatively Impacted

Recommended regulations should be capable of being administered and enforced within the existing resources of the county. Public spending priorities for County services, including law enforcement, within rural areas are to maintain or upgrade services at rural level standards to existing, not new, development. Recreational marijuana facilities should not cause unmitigated impacts or otherwise encumber public services.

The Process should meet County Code Requirements and Include Public Participation

The process should be consistent with county code requirements for amendments to the comprehensive plan and development regulations, as applicable, and provide ample opportunity for public review and comment.

Recommendations Conform to Applicable Laws and Federal Law Enforcement Priorities

Recommendations must comply with WAC 314-55 and the following Federal law enforcement priorities in the August 29, 2013 U.S. Attorney memo:

- Preventing the distribution of marijuana to minors;
- Preventing revenue from the sale of marijuana from going to criminal enterprises, gangs and cartels;
- Preventing the diversion of marijuana from states where it is legal under state law in some form to other states;
- Preventing state-authorized marijuana activity from being used as a cover or pretext for the trafficking of other illegal drugs or other illegal activity;
- Preventing violence and the use of firearms in the cultivation and distribution of marijuana;
- Preventing drugged driving and the exacerbation of other adverse public health consequences associated with marijuana use;
- Preventing the growing of marijuana on public lands and the attendant public safety and environmental dangers posed by marijuana production on public lands; and
- Preventing marijuana possession or use on federal property

Attachment 2
Status of the Regulation of Recreational Marijuana

Jurisdiction	Allow Under Existing Laws	Moratorium	Interim Zoning	Permanent Zoning	Prohibition
<u>Aberdeen</u>			X		
<u>Anacortes</u>		X			
<u>Arlington</u>		X			
<u>Blaine</u>				X	
<u>Bellevue</u>			X		
<u>Bellingham</u>			X		
<u>Burien</u>			X		
<u>Des Moines</u>				X	
<u>Douglas County</u>				X	
<u>Edgewood</u>			X		
<u>Grays Harbor County</u>		X			
<u>Island County</u>		X			
<u>Kennewick</u>		X			
<u>Kent</u>		X			
<u>Kirkland</u>	X				
<u>Lacey</u>	X				
<u>Mason County</u>				X	
<u>Millwood</u>		X			
<u>Milton</u>				X	
<u>Monroe</u>			X		
<u>Moses Lake</u>				X	
<u>Mossyrock</u>					X
<u>Mountlake Terrace</u>				X	
<u>Mukilteo</u>				X	
<u>Normandy Park</u>			X		
<u>Olympia</u>		X			
<u>Pasco</u>		X			
<u>Pierce County</u>					X
<u>Puyallup</u>		X			
<u>Redmond</u>		X			
<u>Richland</u>		X			
<u>San Juan County</u> ¹	X				
<u>Seattle</u>				X	
<u>Skamania County</u>		X			

Jurisdiction	Allow Under Existing Laws	Moratorium	Interim Zoning	Permanent Zoning	Prohibition
<u>Skagit County</u> ²	X				
<u>Snohomish County</u>				X	
<u>Spokane (city)</u>			X		
<u>Sunnyside</u> ³		X			
<u>Tacoma</u>			X		
<u>Thurston County</u>			X		
<u>Tukwila</u>				X	
<u>University Place</u>		X			
<u>Wenatchee</u> ⁴					X
<u>Yakima (city)</u>		X			

1. **San Juan county** will accommodate state licensed marijuana businesses under its existing zoning regulations.

2. In **Skagit county**, licensed marijuana businesses are permitted in established county zones, in accordance with the Guidance Memo. See also the county's Press Release from December 5th, 2013.

3. On September 30, 2013, the Sunnyside city council voted to extend the city's moratorium on the producing, processing and selling of recreational marijuana within city limits to 12 months from its original six months.

4. On October 24, 2013, the Wenatchee city council voted against an ordinance that would have exempted marijuana businesses from the city requirement that all businesses comply with federal laws, so marijuana businesses are now prohibited from siting in the city.

Attachment 3
Summary of Regulations in Selected Jurisdictions

Douglas County

Production:

- Allowed in agricultural and rural agricultural zones (Outdoor growing requires an 8 foot high wall or fence that is allowed only in industrial districts)
- Allowed in industrial districts if in a greenhouse.

Processing:

- Allowed in any zone that allows the agricultural processing use

Retail Sales:

- Allowed in commercial districts that allow retail sales
- Allowed as a conditional use in rural service centers

Pierce County

No applications shall be approved for a marijuana business until marijuana is removed from the federal schedule of controlled substances.

Mason County

Production:

- Allowed in all rural residential, commercial, mixed use and industrial zones subject to 5 acre minimum lot size, square footage used for production, and enclosure standards (secure indoor facility or greenhouse; outdoor enclosed by 8 foot high wall or fence)

Processing:

- Allowed in all rural residential, commercial, mixed use and industrial zones subject to 5 acre minimum lot size

Retail Sales:

- Allowed in all rural commercial, mixed use and industrial zones

12:00

Recess

1:30

COUNTY COMMISSIONERS

- a) Miscellaneous or unfinished business
to come before the Board

- A D J O U R N -

Walla Walla County is ADA compliant. Please contact TTY: (800) 833-6384 or 7-1-1 or the Commissioners' Office at 509/524-2505 three (3) days in advance if you need any language, hearing, or physical accommodation.

Please note that the agenda is tentative only. The Board may add, delete, or postpone items and may take action on an item not on the agenda.