

A G E N D A
WALLA WALLA COUNTY BOARD OF COMMISSIONERS
MONDAY, DECEMBER 19, 2016

9:30

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) Declarations re: conflict of interest
- c) Pledge of Allegiance
- d) 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.*

- e) **Action Agenda Items:**
 - 1) Review submitted Employee Payroll Action Forms
- f) **Consent Agenda Items:**
 - 1) Resolution _____ - Minutes of County Commissioners' proceedings for December 12 and 13, 2016
 - 2) Resolution _____ - Approving Local Burn Permitting Authority Cooperative Agreement
 - 3) Resolution _____ - Cancelling County Commissioners' sessions and setting a special meeting date
 - 4) Resolution _____ - Reappointment of Dan Aycock to the County Civil Service Commission
 - 5) Resolution _____ - Salary adjustments for certain Walla Walla County represented and non-represented personnel for year 2017
 - 6) Execute Agreement between Walla Walla County and Stalzer and Associates for Professional Services (for certain on-call professional services as requested by the county and outlined in a scope of planning services)

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF
APPROVING LOCAL BURN
PERMITTING AUTHORITY
COOPERATIVE AGREEMENT



RESOLUTION NO.

WHEREAS, Walla Walla County wishes to maintain local authority for the issuance of burn permits; and

WHEREAS, pursuant to an interlocal agreement, management of said program was transferred to the Walla Walla County Conservation District via a Local Burn Permitting Authority Cooperative Agreement, with the most recent agreement to terminate December 31, 2016; and

WHEREAS, the Walla Walla County Conservation District has submitted a Local Burn Permitting Authority Cooperative Agreement for consideration for years 2017-2018; and

WHEREAS, a slightly revised Agreement was submitted to the County and accepted, and all other terms had previously been reviewed and approved by the County Prosecuting Attorney and the County Risk Manager; now therefore

BE IT HEREBY RESOLVED that said Local Burn Permitting Authority Cooperative Agreement between Walla Walla County, Washington and Walla Walla County Conservation District shall be approved, and that the Board of County Commissioners shall sign same.

BE IT FURTHER RESOLVED that said Agreement shall be effective as of January 1, 2017 and terminate on December 31, 2018.

*"Passed this **19th day of December, 2016** 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

James L. Duncan, 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 CANCELLING
COUNTY COMMISSIONERS'
SESSIONS AND SETTING A
SPECIAL MEETING DATE**



RESOLUTION NO.

WHEREAS, it has been determined that there is no business to come before the Board of County Commissioners on December 27 and 28, 2016 (regular meeting days due to the Christmas holiday schedule); and

WHEREAS, to take action on certain financial matters, and in the event that other county-related business shall arise necessitating action by the Board prior to the end of the month, a special meeting will be held on Friday, December 23, 2016 at 9:30 a.m. to conduct said business; now therefore

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners that the regularly scheduled Board meetings on December 27 and 28, 2016 be cancelled.

BE IT FURTHER RESOLVED that a special meeting of the Board shall be set for December 23, 2016.

BE IT FURTHER RESOLVED that regular meetings of the Board will resume on January 3, 2017.

*"Passed this **19th day of December, 2016** 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

James L. Duncan, 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 THE
REAPPOINTMENT OF DAN
AYCOCK TO THE COUNTY CIVIL
SERVICE COMMISSION

RESOLUTION NO.

WHEREAS, RCW 41.14.030 provides for a Civil Service Commission for the Sheriff's office in each county, with three members appointed thereto to carry out the provisions of RCW Chapter 41.14; and

WHEREAS, pursuant to Walla Walla County Resolution 11 020 and RCW 41.14, appointments to the Civil Service Commission were made by the Board of County Commissioners and terms of service were established; and

WHEREAS, the term of service for appointee Dan Aycock shall expire on December 31, 2016; and

WHEREAS, Mr. Aycock wishes to be reappointed, and the other members of the Civil Service Commission have recommended and requested that he be reappointed; now therefore

BE IT HEREBY RESOLVED by this Board of County Commissioners that Dan Aycock shall be reappointed to serve as a member of the Civil Service Commission for the Sheriff's office, to serve a term of six years.

BE IT FURTHER RESOLVED that said term of appointment shall be January 1, 2017 through December 31, 2022.

*"Passed this **19th day of December, 2016** 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

James L. Duncan, 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 SALARY
ADJUSTMENTS FOR CERTAIN
WALLA WALLA COUNTY
REPRESENTED AND NON-
REPRESENTED PERSONNEL FOR
YEAR 2017

RESOLUTION NO.

WHEREAS, previous annual resolutions of the Board of County Commissioners have established salary adjustments for non-represented County personnel; and

WHEREAS, pursuant to previous discussions and a consensus, a determination was reached to establish the compensation level for non-represented employees to be consistent with provisions of the 2016 through 2018 Labor Agreement between Walla Walla County Board of Commissioners and the Washington State Council of County and City Employees, Local 1191-WC of the American Federation of State, County, and Municipal Employees, AFL-CIO, Current Expense Courthouse Employees; and

WHEREAS, said Agreement provides that covered employees receive compensation for the upcoming year based upon a scheduled increase equal to 80% (eighty percent) of the Consumer Price Index for All Urban Consumers (CPI-U) for Seattle-Bremerton for June of the current year, in this case 2016; and

WHEREAS, the CPI-U measure for June, 2016 is 1.8%, and 80% of that figure would be 1.4%; however, the Agreement provides that the minimum CPI-U shall be limited to 1.5%; and

WHEREAS, further, the Agreement provides that for 2017, an additional 1.0% general wage adjustment will be available if the following revenue milestone is reached: Sales and property tax receipts grow by 3% or more from the base period of July 2014 through June 2015, compared to July 2015 through June 2016; and

WHEREAS, depending on interpretations/formulas utilized, there was a question on whether or not said milestone was reached; however, the Board of County Commissioners, as a show of good faith, determined that the additional 1% increase should be applied to 2017 wages for the members of the Washington State Council of County and City Employees, Local 1191-WC of the American Federation of State, County, and Municipal Employees, AFL-CIO, Current Expense Courthouse Employees, as well as the members of the Federation of State, County and Municipal Employees, AFL-CIO, Road Crew, Public Works Department, and the members of Walla Walla County Corrections & Professionals Association 2016-2018, which three units agreements have the same provisions as outlined above; now therefore

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners that, in accordance with above referenced and effective January 1, 2017, the 2017 compensation schedule for the above named unit employees, certain below-named department heads, and other non-represented County employees shall be increased by two and five tenths percent (2.5%), as determined above and as based upon an employee's respective 2016 salary schedule in effect as of December 31, 2016.

BE IT FURTHER RESOLVED that it is the intent of the Board of Walla Walla County Commissioners that, as outlined on the attached Exhibit A, which is by this reference made a part hereof, 2017 salaries for the following shall be set as provided above: Chief deputies appointed by county elected officials pursuant to RCW 36.16.070; the chief deputy prosecuting attorney; administrative, unclassified, exempt employees appointed by the county sheriff; and certain employees who have entered into separate Employment Agreements with the County (Allison Barnett, Mike Bates, Tom Byers, Meaghan DeBolt, Randy Glaeser, Tom Glover, Kevin Gutierrez, Liz Jessee, Heather Lee, and Shelly Peters), effective as of January 1, 2017.

BE IT FURTHER RESOLVED by this Board of Walla Walla County Commissioners that 2017 salaries for employees whose collective bargaining agreement will terminate on December 31, 2016 shall be frozen at the 2016 level, as outlined on the attached Exhibit A.

*"Passed this **19th day of December, 2016** 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

James L. Duncan, Commissioner, District 3

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

EXHIBIT A

December 19, 2016

2017 SALARIES FOR WALLA WALLA COUNTY EMPLOYEES WHO ARE REPRESENTED BY A COLLECTIVE BARGAINING UNIT (effective January 1, 2017)

- Under the Current Expense Courthouse agreement, the schedule for 2017 wages shall reflect an increase equal of 2.5%, as outlined in the governing resolution approved by the Board of County Commissioners.
- For employees covered by the Road Crew Local 1191, (the "Public Works Contract"), the COLA shall reflect a 2.5% increase, as required by Article 17 of their Contract and the cover resolution.
- For members of the Corrections and Professionals Association, the COLA shall reflect a 2.5% increase, as required by Article 17 of their Contract and the cover resolution.
- For members of the Commissioned Deputies unit, which bargaining unit's contract will end on December 31, 2016 and which contract has not been agreed to for 2017, compensation will remain frozen at the 2016 wage schedule in place on December 31, 2016.

#####

2017 SALARIES FOR CERTAIN APPOINTED WALLA WALLA COUNTY EMPLOYEES WHO ARE NOT REPRESENTED BY A COLLECTIVE BARGAINING AGREEMENT (effective January 1, 2017)

Effective January 1, 2017 the compensation schedule for the following non-represented and/or named appointed positions shall be increased by two and five tenths percent (2.5%), consistent with the Current Expense Courthouse agreement now in place, and based on an employee's respective salary in effect as of December 31, 2016:

- All non-represented employees (those not covered by a collective bargaining agreement, to include those in the Public Works Department).
- chief deputies appointed by county elected officials (deputies appointed by the County Assessor, County Auditor, County Clerk, Board of County Commissioners, and County Treasurer, pursuant to RCW 36.16.070)
- administrative, exempt (unclassified under Civil Service) employees appointed by the county sheriff, pursuant to and authorized by RCW 41.14.070
- the chief deputy prosecuting attorney
- certain employees who have entered into separate Employment Agreements with Walla Walla County (Allison Barnett, Mike Bates, Tom Byers, Meaghan DeBolt, Randy Glaeser, Tom Glover, Kevin Gutierrez, Liz Jessee, Heather Lee, and Shelly Peters)

-end-

**AGREEMENT
for
PROFESSIONAL SERVICES**

THIS AGREEMENT FOR PROFESSIONAL SERVICES ("Agreement") is entered into this _____ day of December by and between Stalzer and Associates (hereinafter "Consultant"), a business organized under the laws of the State of Washington and the COUNTY OF WALLA WALLA, a Washington Municipal Corporation (hereinafter "County").

I. SERVICES

Consultant shall perform on-call professional planning services described in the Scope of Services attached hereto as Exhibit A ("Services"), effective January 1, 2017 in a manner consistent with the accepted practices for such services, performed to the County's satisfaction, within the time period prescribed by the County and pursuant to the direction of the Walla Walla Community Development Department or its designee. Planning services include providing project team leader services for the regional Shoreline Master Programs updates; conducting an analysis of the population growth targets for 2038 and land capacity; providing assistance with the 2018 update of the County comprehensive plan; conducting research on other requested topics; preparing related memoranda, reports; and presentations to the Planning Commission and Board of County Commissioners; and coordinating services with the Prosecuting Attorney's office as necessary.

II. PAYMENT

- A. County shall pay Consultant for services rendered under this Agreement as provided hereinafter. Such payment shall be full compensation for services rendered and for all labor, materials, expenses, equipment, and incidentals necessary to complete the services. All compensation shall be figured on the following basis:
1. For the period from January 1-June 30:
 - a. Monthly Retainer Hours: Consultant shall provide up to ten (10) hours of services each month for a fixed fee of \$1,200.
 - b. Additional Monthly Hours: If needed, after exhausting Monthly Retainer Hours, Consultant shall provide up to thirty (30) additional monthly hours of services.
 - c. Extra Hours: If needed, after exhausting Monthly Retainer Hours and Additional Monthly Hours, Consultant shall provide up to forty (40) extra hours of services with prior written approval of the County.
 2. For the period from July 1-December 31:
 - a. Monthly Hours: Consultant shall provide up to forty (40) hours of services each month.
 - b. Additional Monthly Hours: If needed, after exhausting Monthly Hours, Consultant shall provide up to forty (40) additional monthly hours of services with prior written approval of the County.
 3. Calculation of Fees: Compensation for Additional Monthly Hours, Extra Hours and Monthly Hours shall be calculated using the hourly rates in the "2017 Schedule of Standard Fees and Reimbursable Expenses" attached hereto as Exhibit B ("Fees and Expenses") unless agreed otherwise by the County and Consultant. Consultant shall show on its invoices whether Monthly Retainer Hours, Additional Monthly Hours, Extra Hours or Monthly Hours were used to provide services.
 4. Expenses: Compensation for expenses shall be in addition to the compensation for services and shall be figured using the rates in the "2017 Schedule of Standard Fees and Reimbursable Expenses" attached hereto as Exhibit B ("Fees and Expenses.")
- B. Consultant shall maintain time and expense records and provide monthly invoices in a format acceptable to the County for work performed and expenses incurred to the date of the invoice.

- C. All invoices shall be paid by the County within thirty (30) days of receipt of a proper invoice when submitted in accord with the County's regular payment cycle.
- D. Consultant shall keep cost records and accounts pertaining to this Agreement available for inspection by a County representative for three (3) years after final payment. Copies shall be made available on request.
- E. If the Services do not meet the requirements of the Agreement, the County shall so notify the Consultant of the same within fifteen (15) days from the date of receipt of an invoice and shall pay that portion of the invoice not in dispute, and the parties shall immediately make every effort to settle the disputed portion of the invoice.

III. DISCRIMINATION AND COMPLIANCE WITH LAWS

Consultant agrees not to discriminate against any employee or applicant for employment or any other person in the performance of this Agreement because of race, creed, color, national origin, marital status, sex, age, disability, or other circumstances prohibited by federal, state or local law or ordinance, except for a bona fide occupational qualification.

Consultant shall comply with and perform the Services in compliance with all federal, state and local laws and ordinances, as now existing or hereafter adopted or amended.

Violation of this Paragraph III shall be a material breach of this Agreement and may result in ineligibility for further work for the County.

IV. TERM AND TERMINATION OF AGREEMENT

This Agreement shall commence on the effective date of this Agreement and shall remain in effect until completion of the Services and final payment, but in any event, no later than December 31, 2017 unless extended in writing by mutual agreement of both parties.

This Agreement may be terminated immediately by either Party with or without cause, in which event all finished or unfinished documents, reports, or other material or work of Consultant pursuant to this Agreement shall be submitted to the County, and Consultant shall be entitled to just and equitable compensation at the rate set forth in Paragraph II for work completed prior to the date of termination.

V. OWNERSHIP OF WORK PRODUCT

All data, materials, reports, memoranda and other documents developed under this Agreement whether finished or not shall become the property of the County, shall be forwarded to the County at its request and may be used by the County as it sees fit.

VI. GENERAL ADMINISTRATION AND MANAGEMENT

The Community Development Director of the County shall be the County's representative and shall oversee and approve all Services to be performed, coordinate all communications, and review and approve all invoices under this Agreement.

VII. HOLD HARMLESS

Consultant shall protect, indemnify and save harmless the County, its officers, elected officials, agents, volunteers and employees from any and all costs, claims, judgments or awards of damages arising out of or in any way resulting from the sole negligent acts of Consultant, its officers, employees or agents in performing this Agreement.

County shall protect, defend, indemnify and save harmless Consultant, its officers, employees and agents from any and all costs, claims, judgments or awards of damages arising out of or in any way resulting from the sole negligent acts of the County, its officers, employees or agents in performing this Agreement.

The provisions of this Section shall survive the expiration or termination of this Agreement.

VIII. INSURANCE

- A. The County shall be named as additional insured on all such insurance policies, with the exception of workers' compensation coverage. The County, its departments, elected and appointed officials, employees, agents and volunteers shall be named as additional insureds on Consultant's and Consultant's subcontractors' insurance policies by way of endorsement for the full available limits of insurance maintained by Consultant and subcontractor. A statement of additional insured status on a Certificate of Insurance shall not satisfy these requirements.
- B. Consultant shall obtain insurance of the types described below:
 - 1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles.
 - 2. Commercial General Liability insurance shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury.
 - 3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
- C. Minimum Amounts of Insurance. Consultant shall maintain the following insurance limits:
 - 1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
 - 2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
- D. The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability and Commercial General Liability insurance:
 - 1. The Consultant's insurance coverage shall be primary insurance as respect the County. Any insurance, self-insurance, or insurance pool coverage maintained by the County shall be excess of the Consultant's insurance and shall not contribute with it.
 - 2. The County will not waive its right to subrogation against the Consultant. The Consultant's insurance shall be endorsed acknowledging that the County will not waive their right to subrogation. The Consultant's insurance shall be endorsed to waive the right of subrogation against the County, or any self-insurance, or insurance pool coverage maintained by the County.
 - 3. The Consultant's insurance shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the County.
 - 4. If any coverage is written on a "claims made: bases, then a minimum of a three (3) year extended reporting period shall be included with the claims made policy, and proof of this extended reporting period provided to the County.
- E. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.
- F. Consultant shall furnish the County with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the services.

IX. SUBLETTING

Neither the County nor the Consultant shall assign, transfer, or encumber any rights, duties or interests accruing from this Agreement without the express prior written consent of the other Party.

X. FUTURE SUPPORT

The County makes no commitment and assumes no obligations for the support of Consultant's activities except as set forth in this Agreement.

XI. INDEPENDENT CONSULTANT

Consultant is and shall be at all times during the term of this Agreement an independent contractor and the County shall be neither liable nor obligated to pay Consultant sick leave, vacation pay, insurance, retirement or any other benefit of employment nor to pay any social security or other tax which may arise as an incident of employment. The Consultant shall pay all income and other taxes as due.

XII. NON-APPLICATION OF FUNDS

If sufficient funds are not appropriated or allocated for payment under this Agreement for any future fiscal period, the County will not be obligated to make payment for Services or amounts after the end of the current fiscal periods, and this Agreement will terminate upon the completion of all remaining Services for which funds are allocated. No penalty or expense shall accrue to the County in the event this provision applies.

XIII. NOTICE

All communications, notices and demands of any kind which a Party under this Agreement requires or desires to give the other Party shall be in writing and either (i) delivered personally or (ii) deposited in the U.S. Mail, certified mail postage prepaid, return receipt requested, and sent to the Parties at the addresses listed below:

If to Consultant: Bill Stalzer
Stalzer and Associates
603 Stewart Street
Suite 512
Seattle, WA 98101

If to County: Tom Glover, Director
Walla Walla County Community Development
Department
310 West Poplar Street, Suite 200
Walla Walla, Washington 99362

Notice by hand delivery shall be effective upon receipt. If deposited in the U.S. Mail, notice shall be deemed delivered 48 hours after deposited. Either Party at any time by notice to the other Party may designate a different address where communications, notices or demands shall be given.

XIV. GENERAL PROVISIONS

This Agreement contains all of the agreements of the Parties with respect to any matter covered or mentioned in this Agreement. No provision of the Agreement may be amended or modified except by written agreement signed by the Parties and such amendments or modifications shall become part of this Agreement. This Agreement shall be binding upon and inure to the benefit of the Parties' successors in interest, heirs and assigns. Any provision of this Agreement which is declared invalid or illegal shall in no way affect or invalidate any other provision. In the event either of the Parties defaults on the performance of any terms of this Agreement or either Party places the enforcement of this Agreement in the hands of an attorney, or files a lawsuit, each Party shall pay all its own attorney fees, costs and expenses. The venue for any dispute related to this Agreement shall be Walla Walla County, Washington. Failure of the County to declare any breach

or default immediately upon the occurrence thereof, or delay in taking any action in connection with, shall not waive such breach or default. Time is of the essence of this Agreement and each and all of its provisions in which performance is a factor.

The Parties have executed this Agreement on the _____ day of December, 2016.

CONSULTANT:

COUNTY:

STALZER AND ASSOCIATES
Bill Stalzer, Owner

COUNTY OF WALLA WALLA

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Tax ID No. 91-1653606

Exhibit A

WALLA WALLA COUNTY 2017 SCOPE OF PLANNING SERVICES

A. Planning Services

1. Provide project team leader services for the regional updates of the Shoreline Master Program.
2. Provide analyses for updating the 2038 population growth targets and land capacities of the urban growth areas for the county and the cities of College Place, Prescott, Waitsburg, and Walla Walla.
3. Provide assistance for the 2018 update of the county comprehensive plan;
4. Conduct research and prepare memoranda on designated topics;
5. Prepare memoranda for workshop meetings as requested;
6. Prepare memoranda for public hearings as requested;
7. Attend meetings and make presentations to the County Planning Commission and the Board of County Commissioners (BOCC) as requested;
8. Coordinate services with the Community Development Department and Prosecuting Attorney's Office as needed; and
9. Provide such other planning services as requested by the Community Development Department or the BOCC.

B. County Responsibilities:

1. Provide the following documents when needed to perform requested services:
 - a. Paper and digital copies of the current versions of individual Titles of the County Code.
 - b. Paper and digital copies of ordinances not yet incorporated into the County Code.
 - c. Paper and digital copy of the current Comprehensive Plan, including large scale land use maps.
 - d. Paper and digital copies of such other documents, maps, forms, etc.
2. To the extent possible provide advance notice when presence is needed for a conference call or meeting.

Exhibit B

STALZER AND ASSOCIATES 2017 SCHEDULE of STANDARD FEES and REIMBURSABLE EXPENSES

Standard Fees: Compensation to Stalzer and Associates for all services provided will be billed on the following schedule:

	Hourly Rate
Bill Stalzer	\$150/hour
Senior Planner	\$125/hour
Planner	\$95/hour
Administrative Assistant	\$45/hour

Reimbursable Expenses for Outside Services:

Outside services including, but not limited to, word processing, printing, photocopying, delivery, graphic materials, and similar project-related expenses will be billed at actual cost plus ten per cent. Subconsultant services will be billed at actual cost plus five percent.

Reimbursable Expenses for Travel:

Travel expenses including airplane fare, private vehicle mileage, lodging, automobile rental, meals, gas and parking expenses will be billed at actual charges. Private vehicle mileage will be billed at the mileage rate established by the Washington State Office of Financial Management in effect when the mileage is incurred. Per Diem expenses for lodging and meals shall not exceed the rates published by the Washington State Office of Financial Management.

COUNTY COMMISSIONERS (continued)

f) Consent Agenda Items (continued):

- 7) County voucher/warrants/electronic payments as follows: 4181414 in the amount of \$25,237.05 (draw taxes) and 4181415 in the amount of \$4,395.31
- 8) Payroll action and other forms requiring Board approval

g) Action Agenda items:

- 1) Proposal 2016 12-19 TSD -
Approval to upgrade from
LibertyNet to OnBase
- 2) Proposal 2016 12-19 CORR -
Bid award for Walla Walla County
TV Security Project - Corrections

**h) Selection of 2017 Chairman of
the Board**

**i) Miscellaneous business to come
before the Board**

**j) Review reports and correspondence;
hear committee and meeting reports**

**k) Review of constituent concerns/possible
updates re: past concerns**



MEMO

Date: December 19, 2016

Proposal ID. 2016 12-19 TSD

To: BOCC

From: Kevin Gutierrez

Intent – Decision

Topic – Upgrade from LibertyNET to OnBase

Summary

Currently the county uses LibertyNET as a limited use DMS (document management system) It is limited because the functionality is less than we would desire for an enterprise wide solution. LibertyNET software was sold to Hyland Software, which owns OnBase. Hyland would like to sunset the LibertyNET Software and is offering a free update for the current licenses. I would like to migrate to OnBase and expand the licensing across the county and migrate to this DMS which allows for searching and processing public records as well as redaction and retention.

The County Clerk will be paying for the upgrade of the current server to accommodate the new software, which needs be done anyway since the old server is end of life. She will also pay for her office's migration.

Administrative training will come from next year's budget and will take place in 2017.

Cost

Total planned cost is \$75,000 (tax included)

Yearly maintenance Est. \$10,000 (tax included)

Funding

Because the expansion of OnBase across the county would aid in our public records efforts I would like to use the money set aside for public records software. Because this software will be configured to track requests, I would not purchase GovQA as previously requested.

Alternatives Considered

Have searched extensively for products to help with public records management and searching. The attached document explains the rationale of using OnBase.

Acquisition Method

Already own the product. Expanding licensing and purchasing services for the migration.

Security

Standard county security

Access

As granted by elected officials and department heads to their own documents

Benefits

Allows public records requests searching, tracking, redaction and management

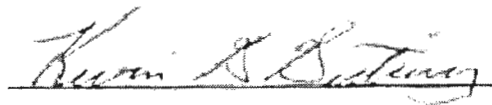
***** Authority to Execute Related Agreements Sought**

Yes.

Conclusion/Recommendation

Recommend approval so that we can move ahead scheduling the installation and configuration.

Submitted By



Kevin Gutierrez Technology Services 12/15/16

Disposition

☐ Approved

☐ Approved with modifications

☐ Needs follow up information

☐ Denied

***** Authority to Execute Related Agreements**

☐ Approved

☐ Denied

BOCC Chairman

Date

Additional Requirements to Proposal

☐ Modification

☐ Follow Up



MEMO

Date: December 15, 2016

Proposal ID. 2016 12-19 CORR

To: BOCC

From: Mike West, Corrections Adult Division Commander

Intent – Decision

Topic – Approval of Bid award for the Walla Walla County TV Security Project for the Corrections Department.

Summary

Walla Walla County requested quotes utilizing the small works procedures (Resolution 16-221) for the Walla Walla County TV Security Project at the Walla Walla County Jail Building located at 300 W. Alder Street, Walla Walla WA 99362.

On December 15, 2016 at 10:00 a.m. one qualified bid was received for this project:

Hays Electric, LLC \$20,175.00 Includes Tax

Scope of Work

- Install wiring for (12) LED Flat Screen Televisions and enclosures supplied by the customer.
 - (7) 39-42" TV's
 - (5) 48"-52" TV's
 - A 110v dual power receptacle and connection to the existing coaxial cable network connections contained within the enclosure to limit tampering by the inmates. Connection to the existing power and coaxial network to be run through rigid conduit from the existing outlets.
 - A power switch to turn off the TV will be run to the exterior of the housing unit utilizing rigid conduit to allow staff to turn power off to the TV without entering the housing unit.
 - Install Auxiliary input into coaxial network
1. Inspect and repair existing coaxial network to allow for free digital television signal at a suitable strength throughout the coaxial network to function allow the televisions to receive current open air broadcasts.
 2. Install digital television antennae if necessary.
- The price is to include wire, cabling, adaptors, conduit, switches and any other components required for successful installation.

Costs

Includes all materials, labor, equipment, permits, state sales tax and all other related costs.

Project Time Schedule

Project to be completed by January 31, 2017 and all work is to be completed in 2017.

Funding

Jail Inmate Welfare Fund

Conclusion/Recommendation

Recommend that the Board of County Commissioner approve the bid of \$ \$20,175.00 to Hays Electric, LLC.

Submitted By

Disposition

____ Approved

Mike West, Corrections Adult Division Commander
12-15-16

____ Approved with modifications

____ Needs follow up information

Name	Department	Date
------	------------	------

BOCC Chairman

Date

Additional Requirements to Proposal

____ Modification

____ Follow Up

Hays

ELECTRIC, LLC

620 n 13TH Ave • Walla Walla, WA 99362 • Tel (509) 522-0342 • Fax (509) 876-4487 • www.hayselectric.com
lic # HAYSEEL883D1

To: Walla Walla County Commissioners Office
County Annex 314 West Main Street
Walla Walla WA 99362

Date: 12/15/16

Quote: WALLA WALLA COUNTY TV SECURITY PROJECT

Hays Electric LLC to provide all labor, materials (unless otherwise noted), permit and prevailing wages for the following. Install 12 owner provided TV's and TV enclosures. All wire, cabling, adaptors, conduit, fittings, boxes, switches, etc. provided by Hays Electric.

TOTAL \$ 20,175.00 Includes Tax

REFERENCES:

Walla Walla General Hospital – Will Mackin – 15093862395

S&K Const. – Sean Mountain – 15095203627

Whitman College – Jeff Donahue – 15095200821

Whitman College – John Hopkins – 15095407782

Walla Walla University – Glenn Maxstad - 15095272933

Thank You,
Les Witwer
Project Manager/Estimator
Les@hayselectric.com

review and approval of all work listed within this request. All paperwork required by the State of Washington in regards to submitting intent to pay prevailing wages, submission of the actual payroll reports, and all other permits and/or plan fees must be completed and provided to the County prior to payment for this project. Walla Walla County reserves the right to reject any, and all bids received for these projects.

Quote must include at least five references, with contact information, for work done of equal or larger size and scope with similar equipment and network video recorder software. Successful vendor must be able to demonstrate previously awarded contract in an institutional corrections type of environment. Successful vendor must be able to provide an onsite support solution 24/7/365 with a one hour minimum response time. All qualifications must be of the quoting contractor and not of any sub-contractor.

Successful vendor will be required to enter into a binding Small Works Contract with Walla Walla County and must abide by the terms thereof. All work must be performed by individuals who pass Criminal Background Checks to the satisfaction of the Walla Walla County Corrections Department.

Vendor must sign the certification below and submit this document along with the detailed quote and references in a sealed envelope.

Upon award, the successful bidder will execute a standard form small public works contract with Walla Walla County. No deviation from the terms of the agreement shall be allowed, and samples of the standard form agreement are available by contacting the County Commissioners Office at 509-524-2505.

All bids must be delivered to the Commissioners' Office located in the County Annex at 314 West Main Street, Walla Walla, WA 99362, located on the second floor of the building prior to 10:00 am on Thursday December 15th, 2016. Bids may be delivered via fax at 509-524-2512 or by e-mail at wccocommissioners@co.walla-walla.wa.us. After an award is made, the bids shall be open to public inspection and available by electronic request. Please mark on the front of the envelope, the cover page of the fax or the subject line of the e-mail as WALLA WALLA COUNTY TV SECURITY PROJECT.

For more information and to schedule a site visit call Mike West at the Walla Walla County Jail at (509) 524-5434(desk);(509)386-1777 (cell); or email at mwest@co.walla-walla.wa.us

I hereby certify that I have read the above information in its entirety and that I can and will meet all requirements as explained.

Les Witwer Les Witwer 12/15/16
Signature: Authorized Vendor or agent Printed: Date

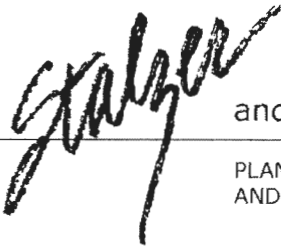
Vendor Name: HAYS ELECTRIC LLC

Vendor Address: 620 N 13th Ave. Walla Walla WA 99362

a) Public Hearings:

- 1) To consider Ordinance No. 457: an ordinance adopting an interim ordinance regarding the regulation of nonconforming use provisions in the event of acquisition of right-of-way by eminent domain or potential eminent domain in unincorporated Walla Walla County, temporarily modifying Walla Walla County Code Chapter 17.36
- 2) To consider changes to Walla Walla County Code Title 17 in response to new state laws relating to medical marijuana; prohibiting cooperative, marijuana producers, marijuana processors, marijuana retailers, and the sale of marijuana and/or marijuana products within unincorporated Walla Walla County

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



and Associates

PLANNING, LAND USE
AND DEVELOPMENT SERVICES

Date: December 16, 2016
To: Board of County Commissioners
From: Bill Stalzer, county planning consultant
Cc: Jesse Nolte, Deputy Prosecuting Attorney; Tom Glover, Director, Walla Walla County Community Development Department
Re: Zoning Code Text Amendments to Walla Walla County Code Title 17 by Walla Walla County in response to new state laws relating to medical marijuana; prohibiting cooperatives, marijuana producers, marijuana processors, marijuana retailers, and the sale of marijuana and/or marijuana products within unincorporated Walla Walla County and adding definitions related to marijuana. Docket No. ZCA16-010

Background

On June 30, 2016 the Board of County Commissioners adopted Ordinance 448 which imposed a moratorium until December 30, 2016 on the production, processing, and retail sale of all types of marijuana to provide the County with additional time to review the effects of new State laws related to medical marijuana and study, draft, hold public hearings, and adopt the appropriate regulations to address any new uses allowed by the revised State laws related to medical marijuana.

The proposal is to amend Walla Walla County Code (WWCC) Section 17.16.010 Permitted Uses to prohibit marijuana cooperatives, marijuana producers, marijuana processor, marijuana retailer, and the sale of marijuana and/or marijuana products as land uses in unincorporated Walla Walla County. The proposal also would amend WWCC Chapter 17.08 Definitions to add definitions for marijuana, marijuana cooperative, marijuana processors, marijuana producer, marijuana products, and marijuana retailer, and re-number the definition of a marina.

The August 3rd meeting of the Planning Commission included a presentation that summarized the provisions of Ordinance 448, the provisions of RCW 69.51A Medical Cannabis relating to cooperatives, and general considerations for the locations of cooperatives and all other marijuana land uses. The commission discussion focused on cooperative issues including: distance from an existing marijuana retailer; appropriateness of cooperatives in remote areas, rural areas of intensive development, urban growth areas, and only in single family residences; and the prohibition of cooperatives in all zoning districts. Three members of the public offered comments.

Prior to the October 5th Walla Walla County Planning Commission workshop meeting, Community Development Department staff and this consultant held a public information meeting on options relating to the location of marijuana land uses in the unincorporated areas of the county.

On October 5th the Planning Commission held a workshop on marijuana that centered on two options for preparing amendments to WWCC Section 17.16.010 Permitted Uses: prohibiting all marijuana land uses in all zoning districts or prohibiting all marijuana land uses except allowing cooperatives under certain conditions. County Sheriff John Turner and Sergeant Good responded to questions from Planning Commission members. Two members of the public offered comments. At the conclusion of the discussion, the Planning Commission directed staff and me to prepare code amendments prohibiting all marijuana land uses including cooperatives for a public hearing in November.

At the November 2nd public hearing the Planning Commission heard public testimony from three individuals. All three spoke in opposition to the proposed amendments, citing: the need for

cooperatives so patients can easily access medical marijuana; that cooperatives will be registered with the state; that more time is needed to allow for the study of the impacts on economic development; and that information in the memorandum presented to the Planning Commission was incorrect.

Planning Commission Recommendation

At the public hearing held by the Planning Commission on November 2nd the Commission concluded that application ZCA16-010 meets the review criteria in WWCC 14.15.070 and voted 3-1 with three members absent, to recommend approval by the Board of County Commissioners. Planning Commission Resolution 16-06, which is included as Attachment 1, documents this recommendation.

Recommended Motion

"I move that the Board of County Commissioners concur with the findings of fact and conclusions of law in docket ZCA16-010 and approve the amendments to WWCC Title 17 Zoning and the Community Development Department and Prosecuting Attorney prepare an ordinance for approval."

Attachments

1. Planning Commission Resolution No. 16-06
2. Notice of Public Hearing
3. October 27, 2016 Staff Report to the Planning Commission

Analysis

The October 27, 2016 Staff Report to the Planning Commission provides the consultant's analysis to the below decision criteria, as well as draft findings of fact and conclusions of law. WWCC14.15.070(B)(3) lists the criteria the Board of County Commissioners shall base its decision on:

- 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.

WALLA WALLA COUNTY PLANNING COMMISSION RESOLUTION NUMBER 16-06

Project: ZCA16-010

WHEREAS, the following application was made to request amendments to the Walla Walla County Development Regulations during the 2016 amendment cycle:

ZCA16-010 – Walla Walla County

Zoning Code Text Amendments to Walla Walla County Code Title 17 by Walla Walla County in response to new state laws relating to medical marijuana; prohibiting cooperatives, marijuana producers, marijuana processors, marijuana retailers, and the sale of marijuana and/or marijuana products within unincorporated Walla Walla County and adding definitions related to marijuana.

WHEREAS, on June 30, 2016 the Board of County Commissioners adopted Ordinance 448 which imposed a moratorium until December 30, 2016 on the production, processing, and retail sale of all types of marijuana to provide the County with additional time to review the effects of new State laws related to medical marijuana and study, draft, hold public hearings, and adopt the appropriate regulations to address any new uses allowed by the revised State laws related to medical marijuana; and

WHEREAS, the Planning Commission discussed provisions of RCW 69.51A Medical Cannabis relating to cooperatives and general considerations for the locations of cooperatives and all other marijuana land uses at a meeting on August 3, 2016; and

WHEREAS, the Walla Walla County Community Development Department staff and county planning consultant Bill Stalzer held a public information meeting on options relating to the location of marijuana land uses in the unincorporated areas of the county on October 5, 2016; and

WHEREAS, members of the general public were notified of the public information meeting and had the opportunity to ask questions of Community Development Department staff and Mr. Stalzer; and

WHEREAS, the Planning Commission conducted a workshop meeting on October 5th, 2016 to discuss two options for marijuana land uses in the unincorporated areas of the county: one prohibiting all marijuana land uses and one prohibiting all marijuana land uses except cooperatives; and

WHEREAS, members of the general public were notified of the workshop meeting and had the opportunity to offer comments at the meeting; and

WHEREAS, the Planning Commission held a public hearing on November 2, 2016 to consider the proposed amendments listed above; and

WHEREAS, members of the general public were notified of the public hearing and had the opportunity to submit testimony; and

WHEREAS, the Planning Commission considered the zoning code text amendments proposed by Walla Walla County (ZCA16-010) based on the applicable criteria listed in Title 14 of Walla Walla County Code:

Development Regulations Amendment Review Criteria - WWCC 14.15.070B.3

- a. *Whether or not the amendment application is consistent with the comprehensive plan;*
- b. *Whether or not the amendment meets a definable public need, and*
- c. *Whether or not the amendment is in the long term interest of the county.*

WHEREAS, after hearing testimony from members of the public during the public hearing, the Planning Commission voted 3-1, with three members absent, to recommend that the Board of County Commissioners:


Approve zoning code text amendments as shown in the October 27, 2016 memorandum prepared by county planning consultant Bill Stalzer (ZCA 16-010).

BE IT RESOLVED, by the Walla Walla County Planning Commission that it makes the following conclusions:

The application by Walla Walla County (ZCA16-010) should be approved, as it: (1) is consistent with the comprehensive plan which prioritizes in policies LU-5 and LU-6 land use regulations that provide for the efficient use of public funds and protect the public health safety and welfare; (2) meets a definable public need by protecting the safety of the general public by protecting the safety of the general public while insuring that qualifying patients and designated providers have access to medical marijuana because they can grow it within their own domicile or obtain it from a retailer within the City of Walla Walla with a medical endorsement; and (3) is in the long term interest of the County by avoiding the negative impacts of marijuana in the unincorporated areas of the county (WWCC 14.15.070B.3). The Planning Commission concurred with the analysis and conclusions in October 27, 2016 memorandum by Bill Stalzer. In 2014, when the Board of County Commissioners adopted Ordinance 425 which prohibited all recreational marijuana land uses in the County, they found that "land uses related to marijuana will likely have a negative impact on County law enforcement services" (Conditional No. 7). The Planning Commission concluded that prohibiting all marijuana land uses, including cooperatives, is consistent with the BOCC's earlier decision that recreational marijuana will have a negative impact on the unincorporated areas of the county.

BE IT FURTHER RESOLVED, by the Walla Walla County Planning Commission that the Planning Commission recommends to the Board of County Commissioners the following:

Approval of proposal ZCA16-010 based on the amendments' consistency with Walla Walla County Code 14.15.070B.3.



Bruce McCaw, Chairman
Walla Walla County Planning Commission

Dated: 11-09-2016

Walla Walla County Community Development Department

310 W. Poplar Street, Suite 200, Walla Walla, WA 99362 / 509-524-2610 Main

NOTICE OF PUBLIC HEARINGS BOARD OF COUNTY COMMISSIONERS WALLA WALLA COUNTY, WA

Notice is hereby given that the Board of County Commissioners will hold a public hearing at 9:45 AM, or as close thereto as possible, on Monday, December 19, 2016 in Commissioners' Chambers, Walla Walla County Public Health and Legislative Building, 314 West Main Street, Walla Walla, Washington to receive public testimony and consider, pursuant to Walla Walla County Code Chapter 14.15, action or decision on the following amendments.

1. **ZCA16-010 – Marijuana – Walla Walla County**

Considering changes to Walla Walla County Code Title 17 in response to new state laws relating to medical marijuana; prohibiting cooperatives, marijuana producers, marijuana processors, marijuana retailers, and the sale of marijuana and/or marijuana products within unincorporated Walla Walla County.

Written comments regarding these amendments may be submitted prior to and at the hearing on December 19. This is the final opportunity to comment; written comments cannot be accepted after the public hearing is closed on December 19. Send written comments to the following address:

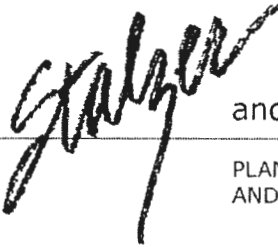
**Board of County Commissioners
c/o Walla Walla County Community Development Department
310 W. Poplar Street, Suite 200
Walla Walla, WA 99362
commdev@co.walla-walla.wa.us**

PUBLIC HEARING INFORMATION

County Public Health and Legislative Building
314 West Main Street
2nd floor – Commissioners' Chambers
Walla Walla, WA
December 19, 2016 at 9:45 AM

FOR MORE INFORMATION: For more information regarding this meeting, please contact Lauren Prentice, Principal Planner at 509-524-2620 or commdev@co.walla-walla.wa.us.

Walla Walla County complies with ADA; reasonable accommodation provided with 3 days notice.



and Associates

PLANNING, LAND USE
AND DEVELOPMENT SERVICES

Memorandum

Date: October 27, 2016
To: Tom Glover, Director, Walla Walla County Community Development Department
From: Bill Stalzer, planning consultant
Cc: Jesse Nolte, Deputy Prosecuting Attorney;
RE: Public Hearing Agenda Item No. 3 –Zoning Code Text Amendments by Walla Walla County Walla Walla County Code Title 17 in response to new state laws relating to medical marijuana; prohibiting cooperatives, marijuana producers, marijuana processors, marijuana retailers, and the sale of marijuana and/or marijuana products within unincorporated Walla Walla County and adding definitions related to marijuana. Docket No. ZCA16-010

Background

As of July 1st of this year RCW 69.51A Medical Cannabis allows marijuana for medical purposes to be:

- grown by a qualifying patient, a designated provider, a state-licensed marijuana producer (produced) or a cooperative;
- processed by a state-licensed marijuana processor or a cooperative; and
- sold by a state-licensed marijuana retailer with a medical endorsement

The major changes affecting medical marijuana land uses in the state legislation effective July 1st were the elimination of collective gardens and medical dispensaries and the creation of cooperatives as entities that can grow or process marijuana for use by the members of a cooperative (membership is limited to four individuals). Additionally, retail establishments with medical endorsements can sell marijuana under different rules to qualifying medical patients or designated providers.

On June 30th the Board of County Commissioners (BOCC) adopted Ordinance 448 which imposed a moratorium until December 30th of this year on the acceptance of permits connected with the production, processing, and retail sale of all types of marijuana and adopted interim zoning prohibiting all such uses, including cooperatives, during the moratorium and interim zoning ordinance.

The August 3rd meeting of the planning commission included a presentation that summarized the land use aspects of RCW 69.51A Medical Cannabis, the provisions of Ordinance 448, and locational considerations for cooperatives. Three members of the public offered comments. The commission discussion focused on general considerations for cooperative locations including: distance from an existing marijuana retailer; appropriateness of cooperatives in remote areas, rural areas of intensive development, urban growth areas, and only single family residences; and prohibition of cooperatives in all zoning districts.

The October 5th planning commission workshop on marijuana centered on two options for preparing amendments to the county zoning code: prohibiting all marijuana land uses including cooperatives; and prohibiting the production, processing, and retail sale of marijuana in all zoning districts but allowing cooperatives under certain conditions. County Sheriff John Turner and Sergeant Good responded to questions from planning commission members, and two members of the public offered comments. Primarily in response to the County Sheriff's concerns regarding potential impacts on County law enforcement services, the planning commission directed staff and me to prepare code amendments prohibiting all marijuana land uses including cooperatives

Conclusion

The proposed amendments meet the review criteria in WWCC 14.15.070(B)(3).

Recommendation

The amendments prohibiting all marijuana land uses in the county and adding certain definitions related to marijuana are recommended for approval.

Recommended Motion

"I move that the Planning Commission concur with the findings of fact and conclusions of law and recommend to the Board of County Commissioners that the proposed amendments prohibiting marijuana land uses including, but not limited to, cooperatives, production, processing, storage, and retail sale of marijuana and marijuana products in unincorporated Walla Walla County and adding definitions related to these marijuana land uses be approved."

Attachments

1. Development Regulations Amendment Process – Walla Walla County Code Section 14.15.070 Final docket -- Review and recommendation.
2. Definitions from RCW 69.51A and WAC 314-55-010 related to marijuana.

Analysis

The proposed amendment would amend WWCC 17.16.010 Establishment of uses to prohibit all marijuana land uses, including marijuana cooperatives, and amend WWCC 17.08 Definitions to add six definitions related to marijuana land uses.

17.16.010 Establishment of uses.

The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied or maintained. All applicable requirements of this code, or other applicable state or federal requirements, shall govern a use located in unincorporated Walla Walla County. ~~Any recreational marijuana land use including, but not limited to, production, processing, storage, and retail sale of recreational marijuana and marijuana products are prohibited land uses in unincorporated Walla Walla County. Marijuana cooperatives, marijuana producers, marijuana processors, marijuana retailers, and the sale of marijuana and/or marijuana products are prohibited land uses in unincorporated Walla Walla County.~~

17.08.332A – Marijuana

See the definition in RCW 69.50.101 as it exists or is hereafter amended.

17.08.332B – Marijuana cooperative

Those entities authorized pursuant to RCW 69.51A.250 as it exists or is hereafter amended.
See the definition of "cooperative" in WAC 314-55-010 as it exists or is hereafter amended.

17.08.332C – Marijuana processor

See the definition in RCW 69.50.101 as it exists or is hereafter amended.

17.08.332D – Marijuana producer

See the definition in RCW 69.50.101 as it exists or is hereafter amended.

17.08.332E – Marijuana products

See the definition in RCW 69.50.101 as it exists or is hereafter amended.

17.08.332F – Marijuana retailer

See the definition in RCW 69.50.101 as it exists or is hereafter amended.

17.08.332AG – Marina

See the definition in Section V of the Walla Walla County Shoreline Management Plan.

Zoning Code Text Amendment Final Docket Review Criteria

WWCC Section 14.15.070(B)(3) lists the following criteria upon which the Community Development Department and Planning Commission shall base their recommendation to the Board of County Commissioners:

- **Criteria:** The amendment is consistent with the comprehensive plan.

Discussion: Comments by County Sheriff Turner and Sgt. Good at the planning commission workshop last month indicated that the department currently has limited resources to address the variety of public safety events and complaints they respond to every day. Even though the state may have the legal responsibility for enforcing marijuana laws, Sheriff Turner pointed out that county citizens typically call the Sheriff's Department if they believe someone is breaking the law, regardless of whether or not the county is responsible for enforcing it. He also stated that since cooperatives must be located in a cooperative member's house, the potential for break-ins is substantial regardless of the state requirement for extensive security measures. This likelihood is further increased because many houses are located in sparsely populated, remote areas of the county.

The potential for break-ins and the recent seizure of a large number of marijuana plants in Columbia County, both mentioned by Sheriff Turner at the October 5th workshop meeting, are examples of public safety issues related to marijuana. Allowing medical marijuana cooperatives, regardless of zoning district limitations or special conditions, would place an additional burden on the department. In addition, staff has located a recent news story from Chelan County, involving a theft from a commercial marijuana operation, which indicates that these types of issues have occurred in other counties.

In response to a question of staff from the planning commission at its August meeting, Sheriff Turner also discussed the cost of adding another deputy to his staff as an effort to provide more resources to respond to the increased need for law enforcement services if cooperatives were allowed in the unincorporated areas of the county. Without these additional resources, Sheriff Turner felt that either he would not have adequate staff to pursue marijuana-related issues or that the department's ability to respond to other issues affecting public safety could be compromised.

The planning commission, in its decision earlier this year recommending denial of a code amendment to allow marijuana production and processing uses in the county and referencing Ordinance 425, concluded that such uses would conflict with goals and policies in the Comprehensive Plan.

The Walla Walla County Comprehensive Plan includes the following relevant policies:

- Land Use Policy LU-5: Encourage land use patterns that provide for the efficient use of public funds.
- Land Use Policy LU-6: Support land use development patterns which protect the public health, safety, and welfare.

Allowing medical marijuana cooperatives conflicts with policies in the county's Comprehensive Plan.

- **Criteria:** The amendment meets a definable public need.

Discussion: During discussion of medical marijuana cooperatives at the planning commission meeting in August, it was pointed out that at least one marijuana retailer in the City of Walla Walla has received a medical endorsement from the state to sell medical marijuana. Consequently, if a person has a medical marijuana authorization form, he or she can obtain it from an existing approved marijuana retailer in the area. Alternatively, RCW 69.51A allows qualifying patients and designated providers to grow and possess a limited amount of marijuana in their own domicile if they need it for medical reasons.

Given both the public safety and resource concerns discussed in the preceding criteria and the ability of residents in the unincorporated parts of the county who have an authorization form to obtain or grow marijuana for medical purposes, prohibiting marijuana cooperatives meets a definable public need by protecting the safety of the general public while insuring that qualifying patients and designated providers have access to medical marijuana.

- **Criteria:** The amendment is in the long term interest of the county.

Discussion: Unlike the state laws and regulations for marijuana producers, processors, and retailers, there is no state limit on the number of medical marijuana cooperatives in a city or county. Consequently, if cooperatives were an allowed marijuana land use, an unlimited number of cooperatives could be located throughout the unincorporated parts of the county. The size of the unincorporated parts of the county makes it impractical to ensure that cooperatives comply with the requirements of RCW 69.51A much less any zoning conditions imposed by the county. Prohibiting the potential proliferation of cooperatives in the county is in the long term interest of the county.

The planning commission, in its recommendation in June of this year on the application mentioned previously, determined that allowing marijuana production and processing land uses was not appropriate for consideration at that time. One of the reasons cited was the commission's 2014 recommendation that only industrial zones near the City of Walla Walla were appropriate for marijuana land uses. Since cooperatives must be located in a domicile and since residential uses are not allowed in industrial zones, cooperatives could not be located in industrial zones. Prohibiting cooperatives in all land use districts is consistent with the commission's earlier decision and is in the long term interest of the county.

Additionally, Conclusion 2 in Ordinance 425, which prohibited all recreational marijuana uses in the county, states: "The Board is of the opinion that allowing recreational marijuana land uses will have a negative impact on the unincorporated areas of Walla Walla County and the agencies of Walla Walla County." Furthermore, Conclusion 7 of Ordinance 425 noted that "Land uses related to Marijuana will likely have a negative impact on County law enforcement services. Public spending priorities for County services within rural areas are to maintain or upgrade services at rural level standards to existing, not new, development (Comprehensive Plan Policy RL-13)." Prohibiting cooperatives in all land use districts is consistent with the BOCC's earlier decision that recreational marijuana will have a negative impact on the unincorporated areas of the county and is in the long term interest of the county.

Findings of Fact

1. On June 30, 2016 the Board of County Commissioners adopted Ordinance 448 which imposed a moratorium until December 30, 2016 on the production, processing, and retail sale of all types of marijuana. This ordinance was intended to provide the County with additional time to review the effects of new State laws related to medical marijuana and study, draft, hold public hearings, and adopt the appropriate regulations to address any new uses allowed by the revised State laws related to medical marijuana.
2. The Planning Commission held a meeting on August 3, 2016 to discuss the changes in RCW 69.51A related to medical marijuana.
3. The Planning Commission held a public informational meeting on October 5, 2016.
4. The Planning Commission held a public workshop on October 5, 2016.
5. A Notice of Public Hearing was published in the Waitsburg Times on October 27, 2016, in the Walla Walla Union Bulletin on October 23, 2016 and in the Tri-City Herald on October 24, 2016.
6. A Notice of Public Hearing was posted on the Community Development Department website on October 21, 2016.

Conclusion of Law

The proposed amendments have been reviewed pursuant to Walla Walla County Code Section 14.15.070(B).

Attachment 1

WWCC 14.15.070 - Final docket—Review and recommendation.

- A. Community Development Department Review. The final docket as adopted by the board of county commissioners shall first be reviewed and assessed by the community development department, and the director shall prepare a staff report and recommendation on each proposed amendment based on the criteria in Section 14.15.070 (B)(3). The Community Development Department shall also be responsible for conducting the environmental review of all items on the final docket. The director shall provide notice and opportunity for comment from the public and/or other agencies.
 - 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.
 - C. Board of County Commissioners Decision.
 - 1. Workshop Meeting. The board of county commissioners may first review the recommendations of the planning commission in a workshop meeting(s).
 - 2. Public Hearing. The board of county commissioners shall consider the proposed amendments to the development regulations at a regularly scheduled meeting and conduct a public hearing, as set forth in Sections 14.09.065 and 14.09.070 of this title.
 - 3. Criteria for Evaluation of Proposed Amendments. The board of county commissioners shall apply the criteria set forth in Section 14.15.070B.3.
 - 4. Adoption by Ordinance. The board of county commissioners shall adopt any amendments to the development regulations by ordinance.
 - D. Transmittal to State. The director shall transmit a copy of any proposed amendment of the development regulations to the appropriate Washington State agency at least sixty days prior to the expected date of final action by the board of county commissioners, consistent with Chapter 36.70A RCW. The director shall transmit a copy of any adopted development regulation amendment to the appropriate Washington State agency within ten days after adoption by the board.
 - E. Appeals. All appeals to the adoption of an amendment to the development regulations shall be filed with and processed by the Eastern Washington Growth Management Hearings Board in accordance with the provisions of Chapter 36.70A RCW. (Res. 02118 (part), 2002)
- (Ord. No. 370, § 1(Exh. A, Pt. E), 7-20-2009; Ord. No. 389, § III(Exh. A, § 52, 53)

Attachment 2

"Cooperative" means a group of more than one, but no more than four qualified medical marijuana patients and/or designated providers who share responsibility for growing and processing marijuana only for the medical use of the members of the cooperative. WAC 314-55-010(6)

Marijuana

"Marijuana" or "marihuana" means all parts of the plant *Cannabis*, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. RCW 69.50.101(v)

Marijuana Cooperatives

Cooperatives—Qualifying patients or designated providers may form—Requirements—Restrictions on locations—State liquor and cannabis board may adopt rules.

(1) Qualifying patients or designated providers may form a cooperative and share responsibility for acquiring and supplying the resources needed to produce and process marijuana only for the medical use of members of the cooperative. No more than four qualifying patients or designated providers may become members of a cooperative under this section and all members must hold valid recognition cards. All members of the cooperative must be at least twenty-one years old. The designated provider of a qualifying patient who is under twenty-one years old may be a member of a cooperative on the qualifying patient's behalf. All plants grown in the cooperative must be purchased or cloned from a plant purchased from a licensed marijuana producer as defined in RCW 69.50.101.

(2) Qualifying patients and designated providers who wish to form a cooperative must register the location with the state liquor and cannabis board and this is the only location where cooperative members may grow or process marijuana. This registration must include the names of all participating members and copies of each participant's recognition card. Only qualifying patients or designated providers registered with the state liquor and cannabis board in association with the location may participate in growing or receive useable marijuana or marijuana-infused products grown at that location.

(3) No cooperative may be located in any of the following areas:

(a) Within one mile of a marijuana retailer;

(b) Within the smaller of either:

(i) One thousand feet of the perimeter of the grounds of any elementary or secondary school, playground, recreation center or facility, child care center, public park, public transit center, library, or any game arcade that admission to which is not restricted to persons aged twenty-one years or older; or

(ii) The area restricted by ordinance, if the cooperative is located in a city, county, or town that has passed an ordinance pursuant to RCW 69.50.331(8); or

(c) Where prohibited by a city, town, or county zoning provision.

(4) The state liquor and cannabis board must deny the registration of any cooperative if the location does not comply with the requirements set forth in subsection (3) of this section.

(5) If a qualifying patient or designated provider no longer participates in growing at the location, he or she must notify the state liquor and cannabis board within fifteen days of the date the qualifying patient or designated provider ceases participation. The state liquor and cannabis board must remove his or her name from connection to the cooperative. Additional qualifying patients or designated providers may not join the cooperative until sixty days have passed since the date on which the last qualifying patient or designated provider notifies the state liquor and cannabis board that he or she no longer participates in that cooperative.

(6) Qualifying patients or designated providers who participate in a cooperative under this section:

(a) May grow up to the total amount of plants for which each participating member is authorized on their recognition cards, up to a maximum of sixty plants. At the location, the qualifying patients or designated providers may possess the amount of useable marijuana that can be produced with the number of plants permitted under this subsection, but no more than seventy-two ounces;

(b) May only participate in one cooperative;

(c) May only grow plants in the cooperative and if he or she grows plants in the cooperative may not grow plants elsewhere;

(d) Must provide assistance in growing plants. A monetary contribution or donation is not to be considered assistance under this section. Participants must provide nonmonetary resources and labor in order to participate; and

(e) May not sell, donate, or otherwise provide marijuana, marijuana concentrates, useable marijuana, or marijuana-infused products to a person who is not participating under this section.

(7) The location of the cooperative must be the domicile of one of the participants. Only one cooperative may be located per property tax parcel. A copy of each participant's recognition card must be kept at the location at all times.

(8) The state liquor and cannabis board may adopt rules to implement this section including:

(a) Any security requirements necessary to ensure the safety of the cooperative and to reduce the risk of diversion from the cooperative;

(b) A seed to sale traceability model that is similar to the seed to sale traceability model used by licensees that will allow the state liquor and cannabis board to track all marijuana grown in a cooperative.

(9) The state liquor and cannabis board or law enforcement may inspect a cooperative registered under this section to ensure members are in compliance with this section. The state liquor and cannabis board must adopt rules on reasonable inspection hours and reasons for inspections. RCW 69.51A.250

Marijuana processor

"Marijuana processor" means a person licensed by the state liquor and cannabis board to process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers. RCW 69.50.101(x)

Marijuana producer

"Marijuana producer" means a person licensed by the state liquor and cannabis board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers. RCW 69.50.101(y).

Marijuana products

"Marijuana products" means useable marijuana, marijuana concentrates, and marijuana-infused products as defined in this section. RCW 69.50.101(z).

Marijuana retailer

"Marijuana retailer" means a person licensed by the state liquor and cannabis board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet. RCW 69.50.101(bb)

10:30

PUBLIC WORKS DEPARTMENT

Randy Glaeser

a) Action Agenda Items:

1) Resolution _____ - Bid award
for the Dodd Road Project

b) Department update and miscellaneous

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF A BID
AWARD FOR THE DODD
ROAD PROJECT

}

RESOLUTION NO.

WHEREAS, as advertised, a bid opening was held on Monday, December 12, 2016 for the Dodd Road MP 0.00 to MP 6.34 project, and the following bids were opened and read publicly:

- | | | |
|----|--|----------------|
| 1) | Inland Asphalt Company
Richland, Washington | \$ 906,906.90 |
| 2) | Central Washington Asphalt, Inc
Moses, Washington | \$ 924,193.40 |
| 3) | Granite Washington Company
Pasco, Washington | \$1,059,329.10 |

WHEREAS, Inland Asphalt Company submitted the lowest responsive, responsible bid, now therefore

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners that the Dodd Road project bid is awarded to Inland Asphalt Company for \$906,906.90.

Passed this 19th day of December, 2016 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

James L. Duncan, 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: 15 December 2016

Re: Director's Report for the Week of 12 December 2016

Board Action: 19 December 2016

Resolutions:

In the Matter of a Bid Award – Dodd Road Project

ENGINEERING:

- Mill Creek FH: Ordinance signed. Attempting to complete negotiations with property owners.
- Pflugrad Bridge: Cultural survey complete; waiting for report.
- Mill Creek Road MP 1.1 to MP 3.96: Acquisition will begin as time allows.
- Blue Creek Bridge: Staked ROW for property owners.
- Pemberton Bridge on Barney Road: Construction postponed until 2018.
- Second Avenue(Burbank): In design. Meeting scheduled with Port of Walla Walla in January.

MAINTENANCE:

- Crews addressed snow & ice issues across the County.

ADMINISTRATION:

- Completed position description questionnaires.
- Casey Paul started work Monday, December 12 with South District as a Maintenance Tech I.

10:45

PROSECUTING ATTORNEY

Jim Nagle/Jesse Nolte

- a)** Miscellaneous business for the Board
- b)** Possible executive session re:
litigation or pending or potential
litigation (pursuant to RCW 42.30.110(i))

11:00

HUMAN RESOURCES/RISK MANAGER

Shelly Peters

- a) Department update and miscellaneous
- b) **Active Agenda Items:**
 - 1) Possible discussion/decision re: any pending claims against the County
- c) **Consent Agenda Items:**
 - 1) Approving a Request for Defense (Turner)
- d) 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))

11:15

DEPARTMENT OF COMMUNITY HEALTH

Meghan DeBolt

- a)** Department update and miscellaneous

- a) Presentation re: 2017 Walla Walla County Comprehensive Plan and Development Regulations annual amendment process
- b) Discussion and direction regarding the 2017 Walla Walla County Comprehensive Plan and Development Regulations annual amendment process
- c) **Action Agenda Items:**
 - 1) Resolution _____ - Establishing the time frame and criteria for acceptance of applications for amendments to the Walla Walla County Comprehensive Plan
 - 2) Resolution _____ - Establishing the time frame and criteria for acceptance of applications for amendments to the Walla Walla County Code pertaining to development regulations
 - 3) Ordinance No. 460 – Adopting amendments to Comprehensive Plan Maps LU-1 and LU-3 and the Walla Walla County Zoning Map to assign zoning and land use designations to two parcels recently de-annexed from the City of College Place, in unincorporated Walla Walla County
- d) Department update and miscellaneous

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

**IN THE MATTER OF ESTABLISHING
THE TIME FRAME AND CRITERIA FOR
ACCEPTANCE OF APPLICATIONS FOR
AMENDMENTS TO THE WALLA WALLA
COUNTY COMPREHENSIVE PLAN**



RESOLUTION NO.

WHEREAS, pursuant to RCW 36.70A.130(2) amendments to the Walla Walla County Comprehensive Plan are considered by the Board of County Commissioners no more frequently than once a year except as provided by RCW 36.70A.130(2); and

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

WHEREAS, the Board wishes to establish the time period and criteria for accepting applications for amendments to the Comprehensive Plan for the year 2017; and

WHEREAS, upon recommendation from Walla Walla County Community Development Department Director Tom Glover, and pursuant to attached Exhibit A, memo dated December 13, 2016 from Tom Glover, Director, Walla Walla County Community Development Department, which is by this reference made a part hereof, the Board of County Commissioners approved the establishment of the time period and criteria; and

WHEREAS, this amendment process is designed to solicit from the public and outside agencies suggested amendments to the Walla Walla County Comprehensive Plan for consideration; and

WHEREAS, proposals for amendments may also originate internally, from County Departments and/or the Board of County Commissioners; and

WHEREAS, applications for the 2017 Comprehensive Plan amendment cycle will include:

1. Technical amendments to correct errors in policies or text; and
2. Technical amendments to correct mapping errors that do not require interpretation of the criteria for the various land use designations; and
3. Text or policy changes to resolve inconsistencies or unnecessary duplication among policies; and
4. Changes to comprehensive plan appendices; and
5. Site-specific land use map amendments that do not require substantive changes to existing policy language and that do not alter the urban growth area boundary except to correct a mapping error as provided in Section 14.10.015(C) (2); and
6. Changes required by amendments to countywide planning policies; and
7. Other types of amendments as allowed by WWCC 14.10.030 including resolution of an emergency condition or situation that involves the public health, safety or welfare and when adherence to the amendment process set forth in the Code would be detrimental to the public health, safety or welfare, and amendments due to actions from the State legislature, and/or courts, and/or Growth Management Hearings Board; and

WHEREAS, every odd-number year, the Board may limit its review to consideration of only the following proposed Comprehensive Plan amendments:

1. Annual review amendments as provided in Section 14.10.015(C); and
2. Updates to a subarea plan; and
3. County proposed substantive changes to existing text or policy language including the introduction of new text or policy language; and
4. Non-county proposed substantive changes to existing text or policy language necessary due to the demonstrated consequences of adopted text or policy language not anticipated or contemplated when the text or policy language was last adopted; and
5. Land use map changes related to a proposed text or policy as provided in Sections 14.10.015D.3 and 14.10.015D.4; and
6. Land use map changes necessary due to changed conditions on the subject property or its surrounding area not anticipated or contemplated when the land use map designation for the property 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.

Now therefore,

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners that, pursuant to Exhibit A, the criteria for the 2017 Comprehensive Plan amendment process is established as follows:

1. Technical amendments to correct errors in policies or text; and
2. Technical amendments to correct mapping errors that do not require interpretation of the criteria for the various land use designations; and
3. Text or policy changes to resolve inconsistencies or unnecessary duplication among policies; and
4. Changes to comprehensive plan appendices; and
5. Site-specific land use map amendments that do not require substantive changes to existing policy language and that do not alter the urban growth area boundary except to correct a mapping error as provided in Section 14.10.015(C) (2); and
6. Changes required by amendments to countywide planning policies; and
7. Other types of amendments as allowed by WWCC 14.10.030 including resolution of an emergency condition or situation that involves the public health, safety or welfare and when adherence to the amendment process set forth in the Code would be detrimental to the public health, safety or welfare, and amendments due to actions from the State legislature, and/or courts, and/or Growth Management Hearings Board; and
8. Annual review amendments as provided in Section 14.10.015(C); and
9. Updates to a subarea plan; and
10. County proposed substantive changes to existing text or policy language including the introduction of new text or policy language; and
11. Non-county proposed substantive changes to existing text or policy language necessary due to the demonstrated consequences of adopted text or policy language not anticipated or contemplated when the text or policy language was last adopted; and
12. Land use map changes related to a proposed text or policy as provided in Sections 14.10.015D.3 and 14.10.015D.4; and
13. Land use map changes necessary due to changed conditions on the subject property or its surrounding area not anticipated or contemplated when the land use map designation for the property 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.

The time period for acceptance of Comprehensive Plan Amendment Applications for consideration shall begin with official publication notice, and shall be open until 4:00 p.m., March 31, 2017. Applications shall be submitted to the Walla Walla County Community Development Department by that time.

Passed this 19th day of **December, 2016** 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

James L. Duncan, Commissioner, District 3



Walla Walla County Community Development Department



Exhibit A

Memorandum

To: Board of County Commissioners
From: Tom Glover, Director
Date: December 13, 2016
Subj: 2017 Comprehensive Plan Amendment Cycle

Intent

To open the annual comprehensive plan amendment cycle.

Background/Summary

The Growth Management Act, at RCW 36.70A.130 (1), directs that: “Each comprehensive land use plan and development regulations shall be subject to continuing review and evaluation by the county or city that adopted them.”

RCW 36.70A.130 (2) directs: “Each county and city shall establish and broadly disseminate to the public a public participation program... that identifies procedures and schedules whereby updates, proposed amendments, or revisions of the comprehensive plan are considered by the governing body of the county or city no more frequently than once every year.”

This is supported in Walla Walla County Code, Title 14, Development Code Administration, Section 14.10.015 (A): “The Walla Walla County Comprehensive Plan shall be amended pursuant to this chapter, whereby, in compliance with RCW36.70A.130 (2), amendments are considered by the board of county commissioners no more frequently than once a year except as provided in Section 14.10.030...” (special situations where an amendment is needed outside the amendment process).

Purpose

Compliance with the requirements of the Growth Management Act as noted above. The comprehensive plan changes as circumstances in the community change. Walla Walla County Code (WWCC), Title 14, Section 14.10.010 states: “Amendments to the comprehensive plan are the means by which the county may modify its twenty-year plan in response to changing county needs or circumstances.” And that: “All amendments will be reviewed in accordance with the Growth Management Act (GMA) and other applicable state laws, the adopted Walla Walla County Comprehensive Plan, and the county-wide planning policies.”

Review schedule and types of annual review

WWCC 14.10.015 (C) directs that: "Every year the Board may limit its review to consideration of only the following proposed Comprehensive Plan amendments:

1. Technical amendments to correct errors in policies or text; and
2. Technical amendments to correct mapping errors that do not require interpretation of the criteria for the various land use designations; and
3. Text or policy changes to resolve inconsistencies or unnecessary duplication among policies; and
4. Changes to comprehensive plan appendices; and
5. Site-specific land use map amendments that do not require substantive changes to existing policy language and that do not alter the urban growth area boundary except to correct a mapping error as provided in Section 14.10.015 (C) (2); and
6. Changes required by amendments to countywide planning policies; and
7. Other amendments placed on the final docket by the Board of County Commissioners.

Every odd-number year, the Board may limit its review to consideration of only the following proposed Comprehensive Plan amendments:

1. Annual review amendments as provided in Section 14.10.015(C); and
2. Updates to a subarea plan; and
3. County proposed substantive changes to existing text or policy language including the introduction of new text or policy language; and
4. Non-county proposed substantive changes to existing text or policy language necessary due to the demonstrated consequences of adopted text or policy language not anticipated or contemplated when the text or policy language was last adopted; and
5. Land use map changes related to a proposed text or policy as provided in Sections 14.10.015D.3 and 14.10.015D.4; and
6. Land use map changes necessary due to changed conditions on the subject property or its surrounding area not anticipated or contemplated when the land use map designation for the property 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.

Schedule:

WWCC Title 14 directs that all applications shall be submitted on or before March 31st of each year.

There is no absolute calendar deadline date mentioned in Title 14 for when the cycle should conclude. The 2017 cycle must open with a resolution signed by the Board of County Commissioners.

In order to allow enough time for the public process, public workshops to review any amendment applications should be scheduled for May, with public hearings to set the final docket in June. The process needs to be headed toward conclusion around November 1st to provide enough time to prepare a memo to the Board of County Commissioners regarding the next year's amendment cycle.

Staff recommends the Board approve a Resolution similar to the attached draft and direct Staff to proceed with the placement of official notice of the 2017 Comprehensive Plan amendment application process.

Approval would be in compliance with the Growth Management Act and Title 14 of the Walla Walla County Code.

Cost will match or exceed revenue, depending on the number and type of applications received. Cost includes staff time for reviewing, processing, and researching applications and supporting documentation, preparing staff reports and recommendations to the Planning Commission and Board of County Commissioners, and placing public notices for hearings and workshops.

Expected revenue from application fees is budgeted at approximately \$5,000; more if more applications are received.

1. No annual process this year. This would be inconsistent with County code.

Public notice in local newspapers (press release), and on the Walla Walla County Community Development Department website.

All applications for proposed amendments are public records.

Compliance with State requirements.

Tom Glover, Director
Walla Walla Joint Community Development Agency
Date prepared: December 13, 2016

☐ Approved
☐ Approved with modifications
☐ Needs follow up information
☐ Denied

BoCC Chairman Date

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF ESTABLISHING
THE TIME FRAME AND CRITERIA FOR
ACCEPTANCE OF APPLICATIONS FOR
AMENDMENTS TO THE WALLA WALLA
COUNTY CODE PERTAINING TO
DEVELOPMENT REGULATIONS



RESOLUTION NO.

WHEREAS, pursuant to the Growth Management Act, RCW 36.70A.130(1), development regulations shall be subject to continuing review and evaluation by the county or city that adopted them; and

WHEREAS, the Growth Management Act, RCW 36.70A.470, requires that the County include a procedure for any interested person to suggest amendments to the development regulations, and that the amendments must be docketed and considered at least once per year; and

WHEREAS, Walla Walla County Code Title 14 allows for applications to amend the County's development regulations be accepted one time a year at a date established by the Board of County Commissioners; and

WHEREAS, exceptions to the once a year limitation are allowed by Title 14:

1. To resolve an emergency condition or situation that involves the public health, safety or welfare and when adherence to the amendment process set forth in the Code would be detrimental to the public health, safety or welfare; or
2. As determined by a majority vote of the Board of County Commissioners to be in the long term interests of the County; and

WHEREAS, development regulations are the controls placed on development or land use activities, including, but not limited to, Title 16 Subdivisions, Title 17 Zoning, Title 18 Environment, the Walla Walla County Shoreline Master Program, and any other official controls required to implement the comprehensive plan; and

WHEREAS, amendments to development regulations are the means by which the County ensures that development regulations are consistent with the comprehensive plan and circumstances within the County; and

WHEREAS, there may be additional amendments that may be considered by the County outside the regular docketing process; and

WHEREAS, the Board wishes to establish the time period and criteria for accepting applications for amendments to the County's development regulations for the year 2017; and

WHEREAS, upon recommendation from Walla Walla County Community Development Department Director Tom Glover, and pursuant to attached Exhibit A, memo dated December 13, 2016 from Tom Glover, Director, Walla Walla County Community Development Department, which is by this reference made a part hereof, the Board of County Commissioners approved the establishment of the time period and criteria; and

WHEREAS, this amendment process is designed to solicit from the public and outside agencies suggested amendments to the Walla Walla County development regulations for consideration; and

WHEREAS, proposals for amendments may also originate internally, from County staff, County Departments, and/or the Board of County Commissioners; and

WHEREAS, applications may also be submitted by any interested person including applicants, citizens, hearing examiners, and staff of other agencies; and

WHEREAS, only a property owner or an authorized agent of the property owner may submit a site-specific amendment application unless such amendment is necessary for consistency between the comprehensive plan and development regulations; now therefore

BE IT HEREBY RESOLVED by this Board of Walla Walla County Commissioners that, pursuant to Exhibit A, the criteria for the 2017 development regulations amendment process is established as outlined above, and that the time period for acceptance of development regulations amendment applications for consideration shall begin with official publication notice, and shall be open until 4:00 p.m. on March 31, 2017. Applications shall be made to the Walla Walla County Community Development Department.

IT IS FURTHER RESOLVED that any other amendment proposals received prior to March 31, 2017 shall be reviewed on the preliminary docket to determine whether they should proceed to the final docket for development regulations.

Passed this 19th day of December, 2016 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

James L. Duncan, Commissioner, District 3



Walla Walla County Community Development Department



Exhibit A

Memorandum

To: Board of County Commissioners
From: Tom Glover, Director
Date: December 13, 2016
Subj: 2017 County Development Regulations Amendment Cycle

Intent

To open the annual development regulations amendment cycle.

Background/Summary

The Growth Management Act, at RCW 36.70A.130 (1), directs that: "Each comprehensive land use plan and development regulations shall be subject to continuing review and evaluation by the county or city that adopted them."

RCW 36.70A.470 requires that the County include a procedure for any interested person (including staff of other agencies) 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.

This is supported in Walla Walla County Code, Title 14, Development Code Administration, Section 14.15.015: "The board of county commissioners shall consider amendments to the Walla Walla County development regulations once a year pursuant to the provisions of this chapter."

Development Regulations are defined by the Growth Management Act at RCW 36.70A.030 (7) as: "Development regulations" or "regulation" means the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city."

Walla Walla County Code (WWCC), Title 14, Section 14.15.010 states: "Development regulations are the controls placed on development or land use activities, including, but not limited to, Title 16 Subdivisions, Title 17 Zoning, Title 18 Environment, the Walla Walla County Shoreline Master Program, and any other official controls required to implement the comprehensive plan."

“Official Controls” are defined by RCW 36.70.20(11) as: “Official controls means legislatively defined and enacted policies, standards, precise detailed maps and other criteria, all of which control the physical development of a county or any part thereof or any detail thereof, and are the means of translating into regulations and ordinances all or any part of the general objectives of the comprehensive plan. Such official controls may include, but are not limited to, ordinances establishing zoning, subdivision control, platting, and adoption of detailed maps.”

Procedural regulations, such as amendments to the County’s Title 14 or Chapter 18.04 (SEPA), are not development regulations governed by RCW 36.70A, nor official controls as defined by RCW 36.70. Amendments to Title 14 and Chapter 18.04 do not have to follow the procedural requirements for the amendment of development regulations, although they are subject to a public hearing before adoption. Chapter 18.04 is, of course, included in Title 18, but it is adopted pursuant to RCW 42.21C, the State Environmental Policy Act. Other chapters within Title 18, such as the County Critical Areas Chapter, 18.08, are development regulations adopted pursuant to the Growth Management Act.

Purpose

Compliance with the requirements of the Growth Management Act as noted above. The County’s development regulations change as circumstances in the community change. WWCC 14.15.010 states: “Amendments to development regulations are the means by which the county ensures that development regulations are consistent with the comprehensive plan and circumstances within the county.”

Review schedule and types of annual review

WWCC 14.15.020 requires that all proposals for development regulations amendments be considered concurrently so that the cumulative effect of all items on the final docket will be ascertained.

WWCC 14.15.040 states that: “All applications may be submitted by any interested person, including applicants, citizens, hearing examiners, staff of other agencies, county staff, and the board of county commissioners.” And that “Only a property owner or an authorized agent of the property owner may submit a site-specific amendment application unless such amendment is necessary for consistency between the comprehensive plan and development regulations.”

There is no limit on the types of development regulations amendment requests that can be submitted, other than those pertaining to the chapters, and portions of chapters, of the Walla Walla County Code, including but not limited to, Titles 16, 17 and 18 (excluding, as noted above, Chapter 18.04).

Exception to the once per year policy:

WWCC 14.15.030 gives discretion to the Board to amend development regulations more often than once a year as determined by a majority vote of the board of county commissioners to be in the long term interests of the county.

Schedule:

WWCC Title 14 directs that all applications for amendment of development regulations shall be submitted on or before March 31st of each year.

There is no absolute calendar deadline date mentioned in Title 14 for when the cycle should conclude. The 2017 cycle must *open* with a resolution signed by the Board of County Commissioners.

In order to allow enough time for the public process, public workshops to review any amendment applications should be scheduled for May, with public hearings to set the final docket in June. The process needs to be headed toward conclusion around November 1st to provide enough time to prepare a memo to the Board of County Commissioners regarding the next year's amendment cycle.

Recommendation

Staff recommends the Board approve a Resolution similar to the attached draft and direct staff to proceed with the placement of official notice of the 2017 development regulations amendment application process.

Policy Impact

Approval would be in compliance with the Growth Management Act and Title 14 of the Walla Walla County Code.

Cost

Cost will match or exceed revenue, depending on the number and type of applications received.

Funding

Expected revenue from application fees is estimated to be approximately \$4,000.

Alternatives Considered

No annual process this year. This would be inconsistent with County code.

Acquisition Method

Public notice in local newspapers (press release) and on the Walla Walla County Community Development Department website.

Access

All applications for proposed amendments are public records.

Benefits

Compliance with State requirements.

Submitted by:

Tom Glover, Director
Walla Walla County Community Development Dept.
Date prepared: December 13, 2016

Disposition:

☐ Approved
☐ Approved with modifications
☐ Needs follow up information
☐ Denied

BoCC Chairman Date

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

ORDINANCE NO. 460

Draft

ADOPTING AMENDMENTS TO COMPREHENSIVE PLAN MAPS LU-1 AND LU-3 AND THE WALLA WALLA COUNTY ZONING MAP TO ASSIGN ZONING AND LAND USE DESIGNATIONS TO TWO PARCELS RECENTLY DE-ANNEXED FROM THE CITY OF COLLEGE PLACE, IN UNINCORPORATED WALLA WALLA COUNTY.

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 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.

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. The Comprehensive Plan amendment (CPA16-002) and rezone (REZ16-001) applications were submitted by the Community Development Department on March 31, 2016.
2. The proposals would amend Comprehensive Plan land use maps LU-1 and LU-3 to assign the Medium Density Residential (MDR) land use designation to two parcels owned by Terry Brown at the intersection of Grandview Avenue and Valley Street (APN 350735430057 and 350735430052) within the City of College Place Urban Growth Area. These lots were recently de-annexed from the City of College Place and have no zoning or land use designation. Prior to de-annexation, these properties were zoned R-60 by the city.
3. On May 4, 2016, the Planning Commission reviewed the proposed amendments in a workshop meeting.

4. On May 19, 2016, a Notice of Public Hearing was published in the Waitsburg Times, Walla Walla Union Bulletin and Tri-City Herald for a June 1, 2016 public hearing. This notice was also published on the Community Development Department website on the same day and mailed to property owners within 500-feet of the subject property on May 16, 2016.
5. On June 1, 2016, the Planning Commission held a public hearing as required by Walla Walla County Code (WWCC) 14.15.060D(2). Six members of the public spoke in opposition to the proposal.
6. On June 1, 2016, after closing the public hearing the Planning Commission voted 3-2 to concur with the recommendations of staff and recommend that the Board of County Commissioners place the applications on the 2016 Comprehensive Plan and Development Regulations Amendment Final Docket. This recommendation was documented in Planning Commission Resolution 16-03, signed by the Planning Commission Chairman on July 1, 2016.
7. On September 6, 2016, the Board of County Commissioners (BOCC) concurred with the Planning Commission and placed these applications on the 2016 Final Docket by Resolution 16-246.
8. On September 7, 2016, the Planning Commission reviewed the proposed amendments in a workshop meeting.
9. On September 9, 2016, a copy of the proposed amendments was sent to the Washington State Department of Commerce as required by RCW 36.70A.106. The 60-day review period ended on November 8. No comments from State agencies have been submitted.
10. On September 15, 2016, a SEPA Determination of Non-Significance was issued for this proposal with a comment period ending on September 29. The SEPA DNS notice was mailed to the property owner and individuals who submitted written comments on the application or provided oral testimony at the preliminary docket public hearing.
11. On September 15, 2016, the SEPA DNS notice was published in the Walla Walla Union Bulletin and Waitsburg Times and posted on the Community Development Department website.
12. On September 15, 2016, the SEPA DNS was sent to various state and local consulting agencies and the Department of Ecology SEPA register. City of College Place City Planner Jonathan Rickard responded to the DNS to state that the City had no comments. No other agencies responded to the DNS.
13. On October 13, 2016, the appeal period on the SEPA DNS ended; no appeals were filed. No public comment was received on the DNS.
14. On October 21, 2016, a Notice of Public Hearing for a November 2 Planning Commission hearing was mailed to property owners within 500-feet of the property and people who submitted written comments or oral testimony during the preliminary docket public hearing.

draft

15. On October 23, 2016, a Notice of Public Hearing was published in the Walla Walla Union Bulletin for a Planning Commission public hearing on November 2. This notice was also published in the Waitsburg Times on October 27, 2016 and in the Tri-City Herald on October 24, 2016. The notice was published on the Community Development Department website on October 21, 2016.
16. On October 27, 2016, an Informational Public Meeting was held per WWC 14.15.050B(2). Notice of this meeting was published on the Community Development Department website on October 20, 2016, in the Walla Walla Union Bulletin on October 21, 2016, and in the Tri-City Herald on October 23, 2016. No one attended this meeting.
17. On November 2, 2016, a public hearing was held by the Planning Commission as required by WWC 14.15.070B(2). One member of the public provided oral testimony during the hearing, speaking in opposition to the proposal.
18. On November 2, 2016, after closing the public hearing, the Planning Commission voted unanimously to recommend approval of the application by the Board of County Commissioners. This recommendation was documented in Planning Commission Resolution No. 16-05 which was signed by the Planning Commission Chairman on November 4, 2016.
19. On November 7, 2016, the Board of County Commissioners adopted Resolution 16-296, setting a public hearing on this application for November 21, 2016.
20. On November 10, 2016, a Notice of Public Hearing for the November 21 public hearing was published in the Walla Walla Union Bulletin and Waitsburg Times. This notice was also mailed to the applicant, to individuals who submitted written comments or provided oral testimony at previous hearings, and published on the Community Development Department website on November 8 and in the Tri-City Herald on November 11.
21. On November 21, 2016, the Board of County Commissioners held a Public Hearing as required by WWC 14.15.070D(2). Staff presented the Planning Commission's recommendation that the Board of County Commissioners approve the amendments as presented. One member of the public had questions. There was no other public testimony.
22. On November 21, 2016, after closing the public hearing, the Board of County Commissioners voted unanimously to concur with the Planning Commission's recommendation to approve the amendments as presented and to direct staff to prepare an ordinance for adoption.
23. The proposed amendments are supported by the Walla Walla County Comprehensive Plan as identified in the Conclusions of Law in Section II.

Staff

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

1. With regard to Walla Walla County Code Section 1410.070B(3):

a. The amendment meets a definable public need; and

Discussion: The subject property currently has no land use designation or zoning assigned to it due to its recent de-annexation by the City of College Place. It is believed to be the only property within Walla Walla County that has no zoning and so there is a definable public need to assign Comprehensive Plan land use designation, consistent with the goals and policies of the Comprehensive Plan, in order to regulate development and use of the property.

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*

Discussion: This need was not recognized in the existing Comprehensive Plan under provision (1), a change of circumstances. Under the Walla Walla County Comprehensive Plan, and the Washington State Growth Management Act, land within the City of College Place Urban Growth Area (UGA) is planned for growth for the City of College Place. The expectation is that all land within the UGA will be annexed into the City at some point in the future; we do not expect the opposite to occur. The County does not plan for areas that are not currently within County jurisdiction. But now that circumstances have changed, the County must begin planning for this property which is now within the unincorporated County jurisdiction.

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c. The defined need conforms to the policy directives of the comprehensive plan and countywide planning policies; and

Discussion: Below is the description of the Medium Density Residential (MDR) land use designation as provided on pages 5-11 and 5-12 of the Comprehensive Plan; this is the proposed classification for the property. This is one of the County urban residential land use designations and it is further consistent with the Comprehensive Plan and Countywide Planning Policies because the County is required to assign land use and development regulations compatible with the City of College Place. To meet this goal the County typically assigns only the Medium Density Residential land use designation within the College Place UGA because it most compatible with the land use designation assigned by the City of College Place. As stated in this description, the MDR designation can be located next to residential and rural lands, which are what surround these properties.

Medium Density Residential lands are those lands designated for small and medium-size urban lots in residential neighborhoods. The primary

housing types are single-family detached dwellings and small scale ground-related attached dwelling units such as duplexes and townhouses. The Medium Density Residential land use designation can be located adjacent to any other residential land use designation, commercial lands, rural lands, or public reserve lands. Non-residential uses are discouraged except for certain public facilities and institutions, provided their nature and location are not detrimental to the Medium Density Residential environment. The implementing zoning districts for the Medium Density Residential land use designation are R-72 Residential Single Family and R-60 Residential Single Family.

- 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*

Discussion: This does not apply. This is a site-specific land use map amendment, consistent with current goals and policies of the Comprehensive Plan.

- 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.*

Discussion: This is a site-specific land use map amendment, consistent with current goals and policies of the County's current Comprehensive Plan, which is compliant with the Growth Management Act.

2. With regard to Walla Walla County Code 14.15.070B(4):

- 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*

Discussion: The property is located within the College Place Urban Growth Area which means that it is within the area expected to accommodate growth for the City over the next twenty years. Surrounding uses are residential, rural, and agricultural. The property is more appropriate for development of residential uses than any other urban classification (industrial, commercial, or public).

- b. *The proposed site-specific amendment will not create pressure to change the land use designation of other properties in the area; and*

Discussion: The amendment will simply assign a land use designation to a property that does not have one. This will not result in pressure to change the designation of properties in the area. Properties in the area that are within the UGA are either within the City or already have been assigned the Medium Density Residential land use designation.

- 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.*

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Discussion: The property is located within the UGA and had similar land use and zoning applied to it when it was within City jurisdiction. There should be no adverse impact to planned or existing public facilities. Any future development will be subject to review to ensure that it is consistent with development regulations.

3. With regard to Walla Walla County Code 14.10.070B(5)(a):

1. *The 20-year population and/or employment projections for the county; and*
2. *The extent to which the urban growth occurring within the county has located within each city and the unincorporated urban growth areas; and*
3. *The allocation of projected county population and/or employment to the urban growth areas; and*
4. *The buildable lands analysis for each urban growth area; and*
5. *Existing urban growth area boundaries; and*
6. *Other proposed changes affecting urban growth areas.*

Discussion: While located within the City of College Place, the city Comprehensive Plan land use designation for this property was “Urban Residential” which anticipates 4-7 dwelling units per acre. This is a density similar to what is planned for under the proposed County land use designation Medium Density Residential (MDR). The proposed zoning classification is R-60, which generally is up to 7 units per acre. Because the density being assigned with the MDR land use designation is the same as the College Place classification a year ago, it is not anticipated that the proposal will have any effect on growth allocations, buildable lands analysis, or other properties within the College Place UGA. The City of College Place has not objected to the proposed amendments.

Staff

4. With regard to Walla Walla County Code 14.10.070B(5)(b):

1. *The proposed amendment necessitates:*
 - a. *Reallocation of population and/or employment within the county; and*
 - b. *Related map and/or boundary changes; or*
2. *The proposed amendment requires modification of the map and/or boundary of one or more urban growth areas.*

Discussion: The proposed land use map amendment would assign a land use designation within a similar residential density as the prior City of College Place designation so there is no need for reallocation or other map or boundary changes. The property is already within the UGA.

5. With regard to Walla Walla County Code 14.15.070D(3):

- a. *The amendment is consistent with the comprehensive plan; and*

Discussion: The property is located within the City of College Place Urban Growth Area (UGA). The County has also proposed a Comprehensive Plan amendment that would assign the Medium Density Residential (MDR) land use designation to this property. The proposed zoning would be R-60 Single

Family Residential, which is identified in Table 5-4 of the Comprehensive Plan as one of the implementing zoning districts of the MDR designation.

b. The amendment meets a definable public need; and

Discussion: The subject property currently has no land use designation or zoning assigned to it due to its recent de-annexation by the City of College Place. It is believed to be the only property within Walla Walla County that has no zoning and so there is a definable public need to assign zoning, consistent with the Comprehensive Plan to regulate development and use of the property.

c. The amendment is in the long term interest of the County.

Discussion: It is in the long-term interest of the County to define development standards that will apply to the property by assigning a zoning classification consistent with the Comprehensive Plan.

6. The proposed amendments are in compliance with Walla Walla County Code Sections 14.10.070B(3), 14.10.070B(4), 14.10.070B(5), and 14.15.070D(3), as outlined above.
7. The proposed amendments are consistent with the Walla Walla County Comprehensive Plan.
8. As proposed, the amendments will not have a significant adverse impact on public welfare and safety.
9. The proposed amendments are compliant with RCW 36.70A, RCW 36.70B and the Washington Administrative Code.

Section III. Adoption of the Proposed Zoning and Land Use Map Amendments:

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

Amendments to Walla Walla County Comprehensive Land Use Map LU-1 and LU-3 and applicable County zoning maps, as presented to the Board of County Commissioners on this date, are adopted as shown in Exhibit A. The Director of the Walla Walla County Community Development Department is directed to replace the existing maps with the amended maps.

Section VI. Effective Date and Savings.

This Ordinance is effective upon signing.

Section VII. 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.

Staff

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 19th day of December, 2016.

Attest:

Connie R. Vinti, Clerk of the Board

James K. Johnson, Chairman, District 1

Perry L. Dozier, Commissioner, District 2

James L. Duncan, Commissioner, District 3

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

Approved as to form

Jesse D. Nolte, Deputy Prosecuting Attorney

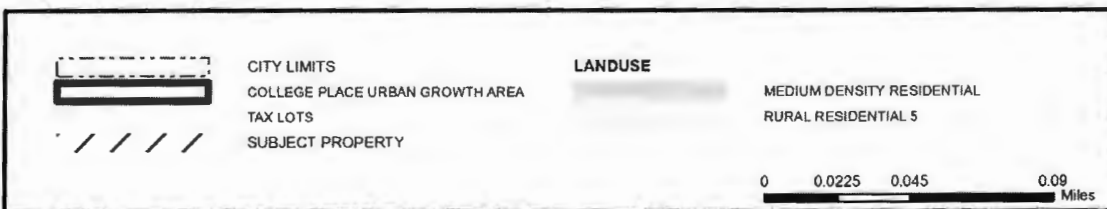


Exhibit A

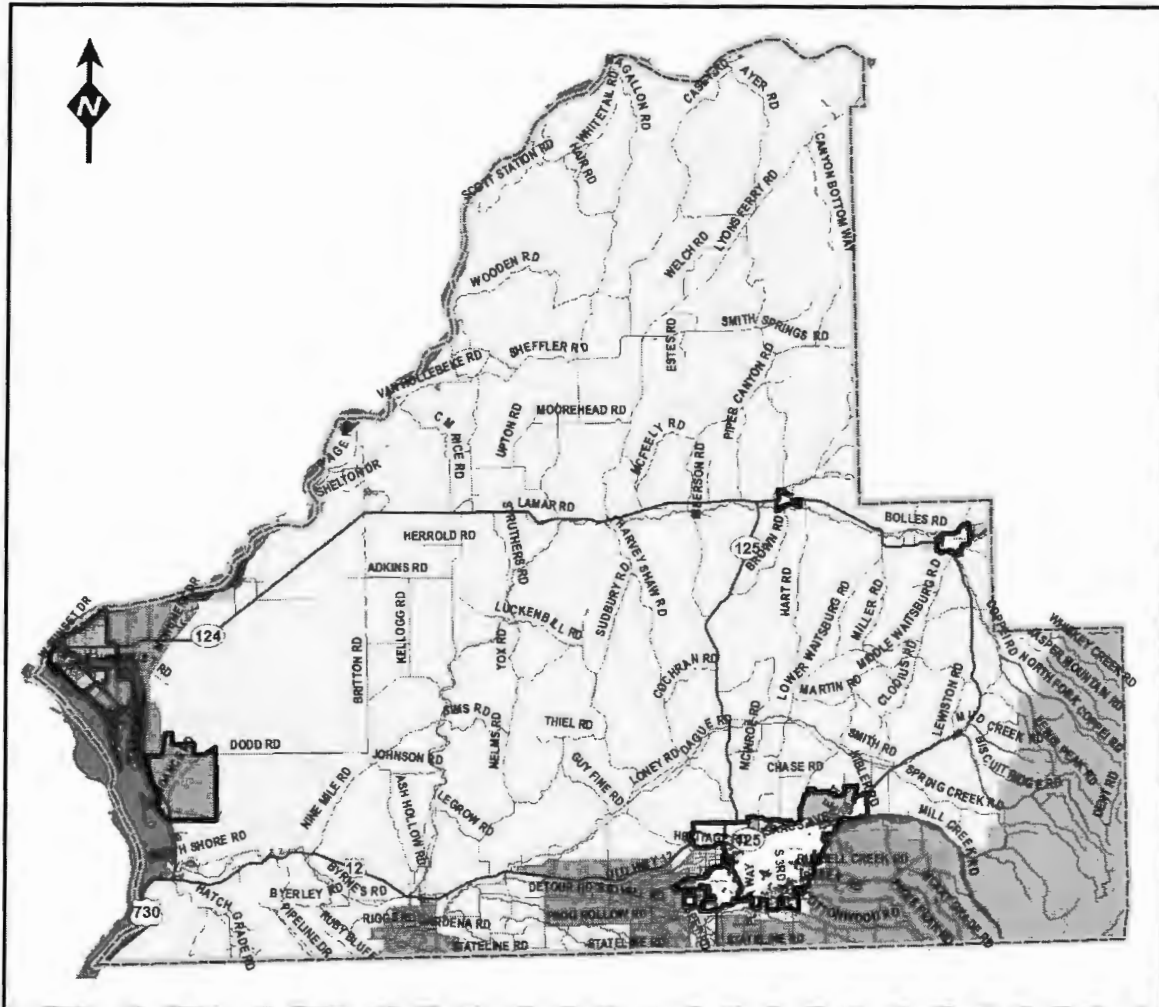
Walla Walla County Land Use Map Amendment (CPA16-002)



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County Land Use



ROADS
 — HIGHWAYS
 — PUBLIC ROADS
 - - - PRIVATE ROADS
 + RAILROADS
 ■ RIVERS/STREAMS

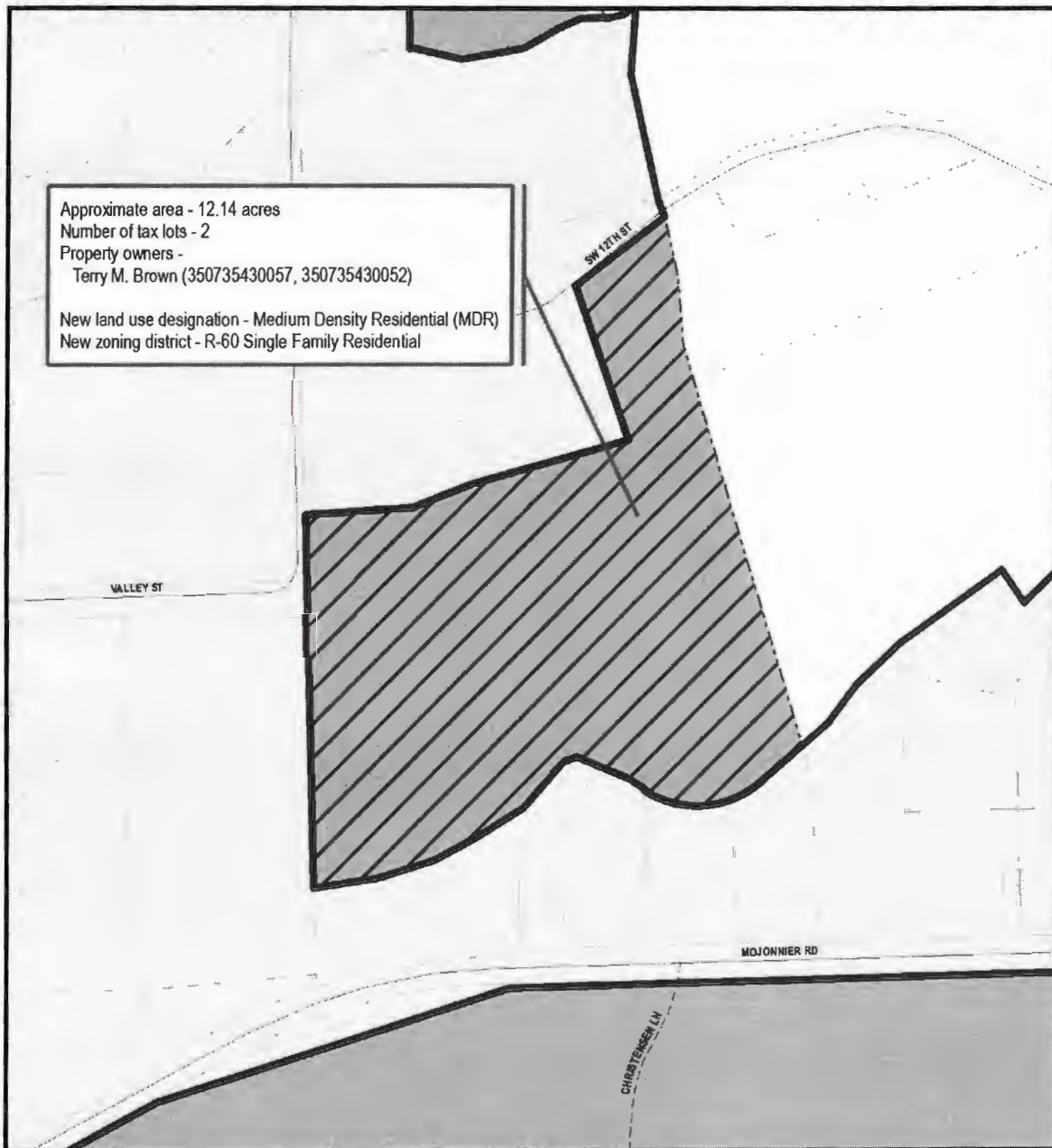
BOUNDARIES
 ■ URBAN GROWTH AREA
 ■ BURBANK RURAL ACTIVITY CENTER
 - - - CITY LIMITS
 ■ COUNTY BOUNDARY
LAND USE DESIGNATIONS
 Resource
 ■ EXCLUSIVE AGRICULTURE
 ■ PRIMARY AGRICULTURE
 ■ GENERAL AGRICULTURE
 ■ AGRICULTURE RESIDENTIAL

Urban
 ■ PUBLIC RESERVE
 ■ AIRPORT
 ■ COMMERCIAL
 ■ INDUSTRIAL
 ■ RESIDENTIAL SINGLE FAMILY
 ■ LOW DENSITY RESIDENTIAL
 ■ MEDIUM DENSITY RESIDENTIAL
 ■ MULTIPLE FAMILY RESIDENTIAL
 ■ MASTER PLANNED COMMUNITY

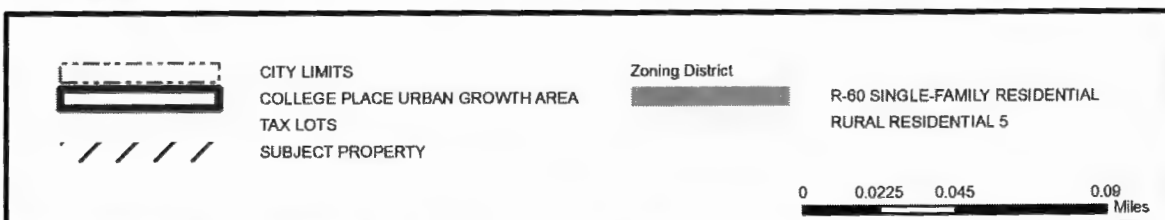
Rural
 ■ PUBLIC RESERVE
 ■ LAMIRD
 ■ RURAL RESIDENTIAL 5
 ■ RURAL RESIDENTIAL 2-5 (BURBANK RAC)
 ■ RURAL RESIDENTIAL MILL CREEK
 ■ RURAL ACTIVITY CENTER
 ■ RURAL FARM WORKER COMMUNITY
 ■ RURAL REMOTE
 ■ RURAL AGRICULTURE

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 Miles

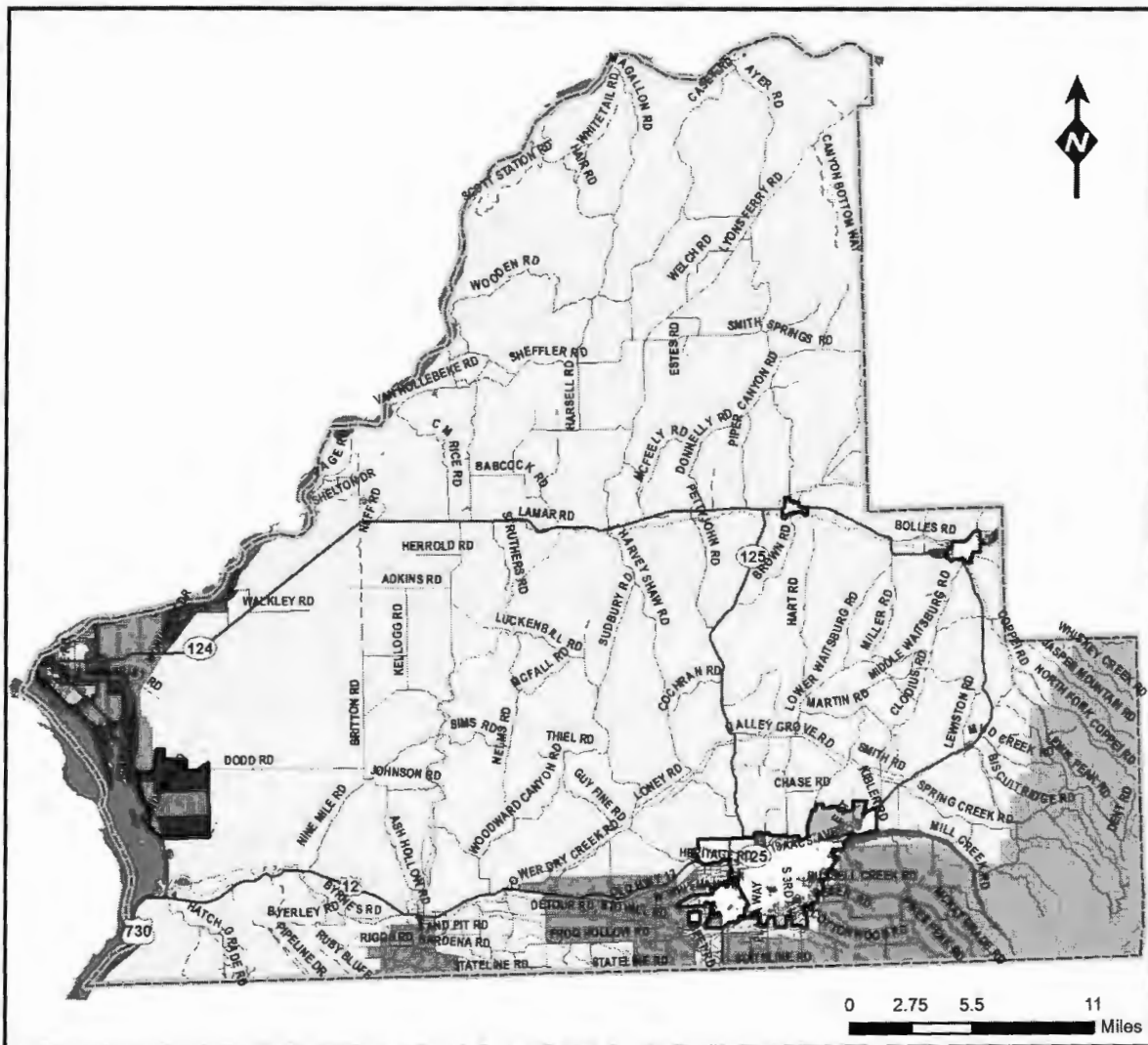
Walla Walla County Zoning Map Amendment (REZ16-001)



Draft



County Zoning



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BASE MAP LAYERS

- RAILROADS
- HIGHWAYS
- PUBLIC ROADS
- PRIVATE ROADS
- RIVERS/STREAMS
- URBAN GROWTH AREA
- BURBANK RURAL ACTIVITY CENTER
- COUNTY BOUNDARY

ZONING DISTRICTS

- AGRICULTURE RESIDENTIAL 10
- AIRPORT DEVELOPMENT
- BURBANK COMMERCIAL
- BURBANK RESIDENTIAL
- EXCLUSIVE AGRICULTURE 120
- GENERAL AGRICULTURE 20
- GENERAL COMMERCIAL
- HEAVY INDUSTRIAL
- INDUSTRIAL AGRICULTURE HEAVY
- INDUSTRIAL AGRICULTURE MIXED
- INDUSTRIAL/BUSINESS PARK
- LIGHT INDUSTRIAL
- MULTIPLE FAMILY RESIDENTIAL
- NEIGHBORHOOD COMMERCIAL
- PRIMARY AGRICULTURE 40

PUBLIC RESERVE

- R-60 SINGLE-FAMILY RESIDENTIAL
- R-72 SINGLE-FAMILY RESIDENTIAL
- R-96 SUBURBAN RESIDENTIAL
- RURAL ACTIVITY CENTER
- RURAL AGRICULTURE 10
- RURAL AGRICULTURE 5
- RURAL DEVELOPMENT - COMMERCIAL/INDUSTRIAL
- RURAL DEVELOPMENT - RESIDENTIAL
- RURAL FARMWORKER COMMUNITY
- RURAL REMOTE 20
- RURAL REMOTE 40
- RURAL RESIDENTIAL 2
- RURAL RESIDENTIAL 5
- RURAL RESIDENTIAL MILL CREEK 5
- URBAN PLANNED COMMUNITY