

A G E N D A

WALLA WALLA COUNTY BOARD OF COMMISSIONERS

TUESDAY, JANUARY 12, 2016

9:00

COUNTY COMMISSIONERS

Chairman Johnson

- a) Roll call and establish a quorum
- b) Declarations re: conflict of interest
- c) Pledge of Allegiance

9:05

COMMUNITY DEVELOPMENT DEPARTMENT

Tom Glover

- a) Discussion and possible action on County Hearing Examiner's recommendation regarding a request by the Port of Walla Walla for approval of a development agreement (Burbank Business Park)
- b) **Action Agenda Items:**
 - 1) Resolution _____ - Request by the Port of Walla Walla for approval of a development agreement for the Burbank Business Park (DA15-001)
 - 2) Resolution _____ - Memorandum of Understanding associated with a request by the Port of Walla Walla for approval of a development agreement for the Burbank Business Park (DA15-001)
- c) Discussion re zoning designation process for property de-annexed from a city

BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON

IN THE MATTER OF A REQUEST BY
THE PORT OF WALLA WALLA FOR
APPROVAL OF A DEVELOPMENT
AGREEMENT FOR THE BURBANK
BUSINESS PARK (DA15-001)

RESOLUTION NO.

WHEREAS, a development agreement has been proposed by the Port of Walla Walla for the Burbank Business Park; and

WHEREAS, Walla Walla County may enter into a development agreement with the person(s) owning real property within the County's jurisdiction, which agreement shall set forth the development standards that shall apply to govern and vest the development, use and mitigation of the development for the duration specified in the agreement (RCW 36.70B.170); and

WHEREAS, RCW 36.70B.200 states that: "A county or city shall only approve a development agreement by ordinance or resolution after a public hearing. The county or city legislative body or a planning commission, hearing examiner, or other body designated by the legislative body to conduct the public hearing may conduct the hearing;" and

WHEREAS, Walla Walla County Code (WWCC) 17.50.040 provides that "The board of county commissioners shall approve a development agreement by ordinance or resolution only after a public hearing before the board of county commissioners or, at the election of the board of county commissioners, before the hearing examiner. If the hearing is to be held before the hearing examiner, the hearing examiner's determination shall be in the form of a recommendation to the board of county commissioners. No motion for reconsideration may be made from the hearing examiner's recommendation. Notice of the public hearing shall be issued pursuant WWCC 14.07.090;" and

WHEREAS, the Board of County Commissioners has referred hearings on all development agreements to the Hearing Examiner by enactment of Resolution 09-167; and

WHEREAS, the Hearing Examiner held a public hearing on October 12, 2015 and on November 2, 2015 issued Findings, Conclusion and a Recommendation to the Board of County Commissioners that the development agreement request be approved, subject to certain revisions; and

WHEREAS, the Board of County Commissioners has reviewed the Findings, Conclusion and Recommendation of the Hearing Examiner, and revisions have been made to the Development Agreement to address the suggestions of the Hearing Examiner; and

WHEREAS, all owners of property listed and/or encumbered and benefitted by the Development Agreement have signed the Development Agreement; now therefore

BE IT HEREBY RESOLVED that the Board of Walla Walla County Commissioners concurs with the findings, conclusions, and recommendation of the Hearing Examiner and hereby approves the Development Agreement Between the Port of Walla Walla and Walla Walla County for the Burbank Business Park, effective as of this date. The Board hereby adopts the Hearing Examiner's findings, conclusions and recommendation and incorporates them into this resolution as though fully set forth herein.

BE IT FURTHER RESOLVED that the Chairman of the Board is authorized to sign the Development Agreement on the Board's behalf.

NOTICE OF FINAL DECISION. This land use decision is **final**. Pursuant to RCW 36.70B.130 and Walla Walla County Code 14.11.040, an appeal to Superior Court may be made within 21 days pursuant to RCW 36.70C. The complete case file, including findings, conclusions and conditions of approval, if any, is available for inspection between the hours of 8 a.m. and 5 p.m. at the Walla Walla County Department of Community Development, 310 West Poplar Street, Suite 200, Walla Walla, Washington 99362 (509) 524-2610.

*"Passed this **12th day of January, 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 A
MEMORANDUM OF
UNDERSTANDING ASSOCIATED
WITH A REQUEST BY THE PORT OF
WALLA WALLA FOR APPROVAL
OF A DEVELOPMENT AGREEMENT
FOR THE BURBANK BUSINESS
PARK (DA15-001)

RESOLUTION NO.

WHEREAS, the Port of Walla Walla has requested that Walla Walla County sign a development agreement for the Burbank Business Park; and

WHEREAS, Walla Walla County may enter into a development agreement with the person(s) owning real property within the County's jurisdiction, which agreement shall set forth the development standards that shall apply to govern and vest the development, use and mitigation of the development for the duration specified in the agreement (RCW 36.70B.170); and

WHEREAS, RCW 36.70B.200 states that: "A county or city shall only approve a development agreement by ordinance or resolution after a public hearing. The county or city legislative body or a planning commission, hearing examiner, or other body designated by the legislative body to conduct the public hearing may conduct the hearing;" and

WHEREAS, the Board of County Commissioners has referred hearings on all development agreements to the Hearing Examiner by enactment of Resolution 09-167; and

WHEREAS, the Hearing Examiner held a public hearing on October 12, 2015 and on November 2, 2015 issued Findings, Conclusion and a Recommendation to the Board of County Commissioners that the development agreement request be approved, subject to certain revisions and conditions; and

WHEREAS, a condition of the Hearing Examiner's Recommendation to the Board of County Commissioners was that "Prior to presentation to the Board of County Commissioners, the parties shall prepare and agree to a memorandum of understanding (MOU) addressing cost recovery provisions and timelines for the processing of implementing land development and construction permits and other permits and approvals, as required by WWCC 17.50.030.A.5"; and

WHEREAS, said memorandum of agreement has been prepared and reviewed by the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has approved the development agreement requested by the Port of Walla Walla; now therefore

BE IT HEREBY RESOLVED that the Board of Walla Walla County Commissioners hereby approves the Memorandum of Understanding Between Walla Walla County and the Port of Walla Walla for Reimbursement of Costs and Fees for Professional Services and for Timelines for the Processing of Permits Related to the Burbank Business Park.

BE IT FURTHER RESOLVED that the Chairman of the Board shall sign the memorandum of understanding on the Board's behalf.

Page 2
Memorandum of Understanding
Port of Walla Walla and Walla Walla County

*"Passed this **12th day of January, 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*

a) **Action Agenda Items:**

- 1) New position approval form -
Code Compliance/Burn Control
Officer II for the Community
Development Department
- 2) Proposal 2016 01-12 HR/RM
Position reclassification request
from Community Development
Department

- b) 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))

9:30

COUNTY COMMISSIONERS

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

- A D J O U R N -

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

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