

A G E N D A

WALLA WALLA COUNTY BOARD OF COMMISSIONERS

TUESDAY, OCTOBER 31, 2017

PLEASE NOTE START TIME OF WORK SESSION HAS MOVED TO THE AFTERNOON DUE TO PREVIOUSLY SCHEDULED BUDGET MEETINGS IN THE MORNING

1:30 COUNTY COMMISSIONERS Chairman Duncan

- a) Roll call and establish a quorum
- b) Pledge of Allegiance


1:30 COMMUNITY DEVELOPMENT DEPARTMENT Tom Glover

- a) Presentation of the County Planning Commission's recommendations for the 2017 final docket of County Comprehensive Plan and Development Regulations amendments
- b) Board discussion and possible action to approve the 2017 Final Docket as recommended by the County Planning Commission or to set a public hearing to consider addition or subtraction of proposed amendments (**Note:** This is not a public hearing and no public testimony will be taken.)
- c) Miscellaneous or unfinished business to come before the Board

- A D J O U R N -

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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.



Walla Walla County Community Development Department

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

Date: October 31, 2017
To: Board of County Commissioners
From: Tom Glover, Director
Lauren Prentice, Principal Planner
RE: Final Docket for the 2017 Comprehensive Plan and Development Regulations Cycle
– workshop to review Planning Commission recommendations

At the October 4, 2017 Planning Commission meeting, the Commission held a public hearing for each item, and allowed input from the public before deliberation, and making a recommendation to be considered by the Board of County Commissioners.

Attachments and background materials:

Attachments 4-7 were reviewed by the Planning Commission at the October 4 meeting; attachments 1-3 were submitted after Planning Commission review.

1. Letter from Jared Hawkins, representing the applicant Brent Knowles, dated October 26
2. Letter from Steve Morasch, representing Randy Buchanan, dated October 11
3. Letter from William Simpson, Growth Management Services Senior Planner, dated October 9
4. Soil maps and table presented by J.R. Simplot Company to the Planning Commission on October 4
5. Letter from Stuart Turner received on October 3
6. Letter from Steven Morasch, representing Randy Buchanan, dated September 29
7. Notebooks containing application materials, staff reports provided to the Planning Commission on October 4

Planning Commission's Recommendations

- CPA17-001/REZ17-001 Cavalli
Site-specific application by Roberta Cavalli to change the land use designation from Agriculture Residential to Rural Residential 5 and rezone an 18.27-acre parcel at the intersection of Wallula Avenue and McKinney Road from AR-10 to RR-5 (APN 350727420010).

After hearing testimony from the applicant's representative, Greg Flowers, and no other members of the public during the public hearing, the Planning Commission voted 4-3, to recommend that the Board of County Commissioners:
 - Deny the Roberta Cavalli Comprehensive Plan amendment and rezone applications (CPA17-002, REZ17-002).
- ZCA16-002 Brent Knowles
Application by Brent Knowles to amend WWCC Chapter 17.31, Development Standards – Cluster Developments on Resource Lands. The amendments would increase the allowed average lot size for residential lots in a cluster subdivision; increase the maximum allowed lot size of cluster lots; allow the creation of 20-acre lots in the AR-10 zone; and revise the code as it pertains to density transfers.

After hearing testimony from the applicant's representative, Jared Hawkins and two members of the public, one opposed and one neutral, the Planning Commission voted 5-2, to recommend that the Board of County Commissioners:

- *Deny the zoning code text amendment application (ZCA17-002) by Brent Knowles.*
- **CPA17-002/REZ17-002 J. R. Simplot Company**
Site-specific Comprehensive Plan amendment and rezone applications to add a 160-acre property (Parcel A) to the Attalia Industrial Urban Growth Area, change the land use and zoning designations from Primary Agriculture/PA-40 to Industrial Agriculture/IA-M, and remove the Unique Lands designation shown on Comprehensive Plan Map RL-10. This property is located north of the existing UGA boundary and north of Dodd Road. Secondly, the applications would remove a 160-acre property (Parcel B) on Dodd Road from the Attalia Urban Growth Area and change the land use and zoning from Industrial Agriculture/IA-M to Primary Agriculture/PA-40. (APN 310822110002, 310826410004)

After hearing testimony from the applicant and their representative and the Port of Walla Walla in favor of the proposal, and hearing oral testimony from one member of the public who was opposed and considering two written comment letters from members of the public who were opposed, the Planning Commission voted 5-1, with one member abstaining, to recommend that the Board of County Commissioners:

- *Approve the J.R. Simplot Company Comprehensive Plan amendment and rezone applications (CPA17-002, REZ17-002).*

Review criteria

Review criteria for Comprehensive Plan and development regulations amendments is established in WWCC Chapters 14.10 and 14.15. These sections are listed in the October 4 staff reports to the Planning Commission, which are in the notebook.

Process to review the Final Docket

According to WWCC 14.10.070C2 and 14.15.070C2, prior to making a decision on each amendment proposal, the Board of County Commissioners shall consider the proposed amendments at a regularly scheduled meeting and conduct a public hearing.

The next step in the process would be to schedule a public hearing, unless there were issues the Board wishes to ask staff or the applicants to investigate or review, or the Board wants to have another workshop meeting pursuant to WWCC 14.10.070C1 and 14.15.070C1.



October 26, 2017

Tom Glover
Walla Walla County Community Development Department
310 West Poplar, Suite 200
Walla Walla, WA 99362

SENT VIA E-MAIL ONLY

Re: Zoning Text Amendment, Docket No. ZCA 17-002

Mr. Glover:

I represent Brent Knowles with regards to his application for certain zoning text amendments (Docket No. ZCA 17-002). I request that the information contained herein be considered as the Knowles application is further evaluated by the Board of County Commissioners.

The Knowles application was considered recently at a public hearing before the Planning Commission. I took the opportunity throughout the review process (*i.e.*, during the preliminary docket and the final docket) to explain the proposed amendments to the Planning Commission and to supplement the file with information that I thought addressed the Planning Commission's questions and concerns. I also took the limited time allotted at the public hearing to speak to the issues that concerned the Planning Commission.

I then listened intently as the Planning Commission discussed the application. As you know, the Knowles application seeks to amend five different paragraphs in the zoning code related to cluster developments on resource lands (*i.e.*, Section 17.31). The five amendments each stand on their own, so the Planning Commission was at liberty to approve some, all, or none of the amendments. I was disappointed at the direction the Planning Commission took as they discussed the application. Rather than discuss the merits of each of the five amendments, some of the Planning Commission members focused their comments on their overall opinion about the particular zone at issue (*i.e.*, the Agriculture Residential 10 zone) and their desire to avoid changes to the zone. One member made comments about her concerns that the application would increase development density in the Agriculture Residential 10 zone—the application does not attempt to do that and could not do that. One member expressed his dislike for cluster zoning in general (cluster zoning is already allowed under the Code and encouraged by state law) and appeared to vote against the application because he simply doesn't like cluster zoning. The members that did talk about the application specifically focused on only one of the five amendments and their concerns that that particular amendment would lead to loss of agricultural land. I can't remember the members even commenting on the remaining four amendments. The Planning Commission then voted to recommend to the Board of County Commissioners that none of the amendments be approved.

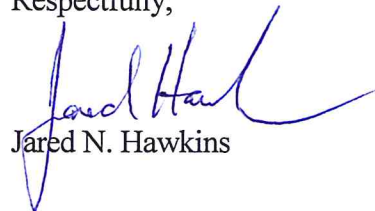
The Planning Commission's discussion and vote at the public hearing left me confused and discouraged. From the comments made during their discussion, it appeared to me that some of the members either hadn't reviewed the application and supplemental materials presented or we had simply failed to clearly explain the amendments and their impact.

Cluster zoning is not a commonly known subject and can be confusing. My client and I have spent hours meeting with you and your staff as we considered how to draft the proposed amendments in a way that would allow for more flexibility and diversity for local farming, while also meeting County interests and legal requirements. I think you would agree that it can be hard to discuss this topic without some visual images, drawings, and a fair bit of open dialogue. After the Planning Commission hearing I realized that the discussion at the public hearing may have resulted from an unclear understanding of cluster zoning and how the Knowles application proposes to improve cluster zoning.

I understand that the Board of County Commissioners will meet soon in a workshop to discuss the Knowles application. I recognize that the County Commissioners do not have to take public comment at the workshop. However, I respectfully request the opportunity to present a brief and concise slide show about the application to the Commissioners at the work shop. I believe sharing such information at the workshop would present a valuable opportunity for me to explain the intent, purpose, and impacts of the proposed applications in a less formal setting that can lead to a better understanding of the application. I recognize that in the end the County Commissioners may still disagree with our proposals, but if they do, I want their decision to be made based on a clear understanding of the application and its intent.

In addition, Mr. Knowles would like the Board of County Commissioners to consider an alternative to one of the amendments he proposed. I have enclosed an exhibit that depicts proposed changes to the proposed amendment to Section 17.31.060(H). Mr. Knowles and I heard loud and clear the Planning Commission's concerns that the proposed amendments would lead to a reduction of agricultural land. As that was never Mr. Knowle's intention, we propose the modified language in response. We are hopeful that this modified language will appease the County's concerns and allow for the passage of all proposed amendments.

Respectfully,



Jared N. Hawkins

Enclosure

EXHIBIT A

Applicant proposes modifying his proposed amendment as follow:

Changes to Section 17.31.060(H) currently proposed as follows:

~~“H. With the exception of developments within the Agriculture Residential-10 zone, a~~At least seventy percent of the overall development site shall be maintained and preserved for a resource use through a recorded instrument approved by the director. ~~In the Agriculture Residential-10 zone, at least eighty-five percent of the overall development site will be maintained and preserved for a resource use through a recorded instrument approved by the director. Resource use shall include all permitted and conditional uses and buffer requirements in the Agriculture Residential-10 applicable zone other than adding density to residential lots.”~~

Current language in the Code:

H. With the exception of developments within the Agriculture Residential-10 zone, at least seventy percent of the overall development site shall be maintained and preserved for a resource use through a recorded instrument approved by the director. In the Agriculture Residential-10 zone, at least eighty-five percent of the overall development site will be maintained and preserved for a resource use through a recorded instrument approved by the director. Resource use shall include all permitted and conditional uses and buffer requirements in the Agriculture Residential-10 zone other than residential lots.

Proposed modified amendment, withdrawing reduction of resource parcel to 70%:

H. With the exception of developments within the Agriculture Residential-10 zone, at least seventy percent of the overall development site shall be maintained and preserved for a resource use through a recorded instrument approved by the director. In the Agriculture Residential-10 zone, at least eighty-five percent of the overall development site will be maintained and preserved for a resource use through a recorded instrument approved by the director. In addition, a property owner may elect to impose conditions and restrictions (through a recorded instrument approved by the director) on residential parcels within a proposed cluster development in order to maintain and preserve a portion of such residential parcels for resource use. The percentage of the overall development site set aside for resource use shall be calculated to include any portion of the residential parcels maintained and preserved for resource use. Resource use shall include all permitted and conditional uses and buffer requirements in the Agriculture Residential-10 zone other than residential lots.



LANDERHOLM

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VIA UPS OVERNIGHT MAIL

October 11, 2017

Walla Walla Board of County Commissioners
c/o Lauren Prentice, Principal Planner
310 W. Poplar Street, Suite 200
Walla Walla, WA 99362

Re: J.R. Simplot Company applications: CPA17-002 Application; REZ17-002 Application; SEPA17-014 Environmental Checklist; SEPA17-014 DNS

Dear Commissioners:

We represent Buchanan Farms and Randy Buchanan (referred to herein collectively as “Buchanan”), who own property located at 35032 W Highway 12, Burbank, WA 99323. We object to the above-referenced applications. Please include a copy of this letter in the record.

We disagree with the Planning Commission recommendation, but before delving into the Planning Commission’s misapplication of the approval criteria, we wanted to point out that the evidence relied on by the Planning Commission was flawed since the maps submitted by the applicant at the Planning Commission hearing are inaccurate. We are including with this letter a copy of the map from the United States Department of Agriculture Natural Resources Conservation Service (NRCS) showing that Parcel A has roughly 75 acres of Hezel-Quincy complex, eroded, which is a prime farm soil of statewide importance. This is the official map from the NRCS website. The applicant submitted a map that appears to have been altered and does not accurately reflect the soils on Parcel A as mapped by the NRCS, an independent federal agency providing farmers with assistance and a variety of tools for conserving America’s farmland.

It was misleading for the applicant to state or imply that Parcel A does not contain prime farm soils of statewide importance.¹ The NRCS maps for this site have not changed, nor have the prime farm soils on Parcel A – they have always been mapped by the NRCS as prime farmland of statewide importance, which is why the County has designated the property as having “Unique Lands” designation. Soils take many, many years to form and the loss of prime farm soils cannot be replaced, at least not in our lifetimes. The County should not allow this irreplaceable prime farmland of statewide significance to be lost when there are alternative sites for the proposed industrial processing facility within the existing UGB.

¹ It was also misleading for the applicant to say that the same crops have always been grown on Parcel A and B since Parcel A has previously grown asparagus which has never been grown on Parcel B. In any event, the applicant’s choice in farm crops cannot drive UGB decisions.

There are alternative sites within the UGB for a proposed industrial processing facility that would not require de-designation of farmland, including rail served parcels in the vicinity that are already within the UGB, as well as land at the Port. These applications to convert a piece of prime farmland containing approximately 75 acres of prime farm soils of statewide importance (Parcel A) into an industrial use and replace it with a parcel that has no prime farm soils (Parcel B) does not meet the GMA criteria for de-designating farm land. Therefore these applications should be denied.

In addition to not meeting the GMA criteria for de-designating farmland (discussed in more detail below), there are procedural problems with these applications. Under Section 14.10.015(C)(5), the only changes to the UGB that are allowed through an annual review process are “to correct a mapping error as provided in Section 14.10.015(C)(2).” Since this application is not to correct a mapping error, it cannot proceed and must be denied since this type of application to amend the UGB cannot be entertained through the annual review process.² Under Section 14.10.150(E), the UGB may only be amended one every five years, or once every ten years under Section 14.10.015 (G). This application cannot be considered until one of those five or ten year reviews. See also Comprehensive Plan Policy LU-16.

The applicant attempts to avoid this problem by structuring the application to provide “no net gain” to the UGB, but the County’s GMA compliant code and comprehensive plan do not allow that type of analysis to be considered in a process where only mapping errors may be corrected. Further, the GMA requires that “Site-specific proposals to expand the urban growth area should be deferred until the next comprehensive review of the urban growth area.” WAC 365-196-310(E)(i). Issues such as how a UGB amendment would affect transportation, capital facilities, utilities, etc. must be analyzed in the broader context of the comprehensive review of the urban growth area. *Id.* The application contains virtually no analysis of these issues, particularly transportation. There is no traffic study discussing whether the existing network of farm roads would be adequate to support a major industrial processing plant or how traffic conflicts from all the trucks might affect nearby farm operations, including Buchanan Farms to the south.

Additionally the proposal creates a gerrymandered UGB with a narrow peninsula of UGB extending deep into the farm land, which is contrary to the GMA and creates undue impacts on surrounding farmland due to the protrusion of industrial uses in the middle of farmland. See WAC 365-196-310(4)(c)(v) (“Urban growth areas should not be expanded into designated agricultural, forest or resource lands unless no other option is available. Prior to expansion of the urban growth area, counties and cities must first review the natural resource lands designation and conclude the lands no longer meet the designation criteria for resource lands of long-term commercial significance.”).

Policy LU-25 applies in the Attila Industrial Urban Growth Area and states: “Locate industrial uses where environmental impacts such as noise, odors, and other hazards can be controlled and separated from incompatible land uses.” Applicant has not demonstrated how this criterion would be met by such a gerrymandered UGB. Applicant’s impacts analysis is limited to a recitation the surrounding lands are all farm lands, but applicant has not analyzed how the odors, noises and traffic of an industrial processing facility would impact surrounding farmlands, including the Buchanan Farms property to the south.

² Additionally, the application is dated May 24, 2017 and was submitted well past the March 31, 2017 deadline, so even if it were the type of application that could be heard, it should not be heard until the next annual review cycle.

The applicant's traffic analysis is limited to the statement that Parcel A is closer, as the crow flies, to Highway 12 than Parcel B. However, Parcel B is adjacent to an existing transportation network (Dodd Road), whereas Parcel A is served only by farm roads. There is no analysis of how or where a new industrial road would be built to construct and operate a major industrial processing facility or how those transportation impacts might affect nearby farming uses.

In addition to failing to analyze transportation impacts on surrounding farmlands from building a major industrial processing plant in the middle of an actively farmed area with no apparent plan for extending the urban infrastructure that would be required to support the development or how that might impact farm uses on nearby farmlands, the application does not analyze impacts from noise and odor of a processing plant on surrounding farm uses.

More importantly, as mentioned above, the application does not meet the test for de-designating farmland set forth in *Lewis County v. Western Washington Growth Management Hearings Board*, 157 Wn.2d 488 (2006)(County must apply factors enumerated in WAC 365-190-050 in determining which lands have long-term commercial significance) or *Clark County v. West. Wash. Growth Mgmt. Hearings Bd.* 161 Wn. App. 204 (2011), vacated in part, 177 Wn.2d 136 (2013)(Absent a showing that the original designation was erroneous and improperly confirmed by the hearings board or that a substantial change in the land area has occurred since the original designation, the original designation should remain). There has been no showing that the original designation of Parcel A was erroneous.

Nor have the factors from WAC 365-190-050 for de-designation been met. Here the applicant has indicated an intent to devote Parcel A to non-farm use, but "The intent of a landowner to use land for agriculture or to cease such use is not the controlling factor in determining if land is used or capable of being used for agricultural production." WAC 365-190-050(3)(a)(i). In determining whether to de-designate land, counties must use the NRCS soils classifications. WAC 365-190-050(3)(a)(ii).

Classification as prime farm soils is the first factor in the de-designation analysis. WAC 365-190-050(3)(c)(i). Using the NRCS soils classifications, Parcel A has over 40% prime farm soils that are ranked as unique soils of statewide significance, whereas Parcel B has no prime farm soils. For this reason, Parcel B is not an adequate substitute for Parcel A in the de-designation analysis.

Under the second factor, availability of public services, there is inadequate evidence that public services are more available to Parcel A than Parcel B, which is adjacent to an existing road (Dodd Road) and in close proximity to other developed industrial lands, unlike Parcel A. Similarly, there is inadequate evidence to conclude that Parcel A would be easier to serve with utilities or other public services under WAC 365-190-050(3)(c)(iv).

Factors WAC 365-190-050(3)(c)(v, vii, and viii) all weigh against de-designation. Parcel A is surrounded by large lot farming parcels that are zoned for farming and in active farm production. Parcel B is in the UGB, and much closer to smaller parcels used for industrial uses than Parcel A.

Parcel A and B are equally close to markets under factor WAC 365-190-050(3)(c)(xi). Although the applicant argues that Parcel A is on the rail line, Parcel B is close to the rail line and there are also other large undeveloped parcels located in the existing UGB that are on the rail line, as well as available property at the Port. Therefore, Parcel A's location on the rail line is not sufficient to support de-designation.

Finally, the applicant argues that Parcel A is not suitable for farming because it is rectangular in shape rather than square, thus requiring two half circle irrigation systems, rather than a single circle. This is a specious argument. There are numerous actively farmed parcels in the area that have less than a full circle irrigations system. Parcel A has been historically farmed with two half circle irrigation systems. Whatever "mechanical advantages" there may be of having a square parcel with a single circle irrigation system, those "mechanical advantages" do not outweigh the vastly superior soils on Parcel A. Parcel B has no prime farm soils and is not an adequate replacement for Parcel A and does not justify de-designating Parcel A's unique prime farm soils that are of statewide significance.

For all of the above reasons, the application does not meet the criteria for approval and must be denied.

Sincerely,

LANDERHOLM, P.S.

A handwritten signature in dark ink, appearing to read 'STEVE C. MORASCH', with a long, sweeping horizontal line extending to the right.

STEVE C. MORASCH
Attorney at Law

SCM/jsd

cc: Clients

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View Soil Information By Use: All Uses

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Building Site Development

Construction Materials

Disaster Recovery Planning

Land Classifications

Conservation Tree and Shrub Group

Ecological Site ID

Ecological Site Name

Farmland Classification

[View Description](#) [View Rating](#)

View Options

- Map ☒
- Table ☒
- Description of Rating ☒
- Rating Options ☒ ☐ Detailed Description

Advanced Options

[View Description](#) [View Rating](#)

Hydric Rating by Map Unit

Irrigated Capability Class

Irrigated Capability Subclass

National Commodity Crop Productivity Index

NH Forest Soil Group

Nonirrigated Capability Class

Nonirrigated Capability Subclass

Soil Taxonomy Classification

Land Management

Military Operations

Recreational Development

Sanitary Facilities

Vegetative Productivity

Waste Management

Water Management

Map — Farmland Classification

[Map](#) [Table](#) [Description of Rating](#) [Rating Options](#) [Detailed Description](#) [Scale](#) (not to scale)



Warning: Soil Ratings Map may not be valid at this scale.

You have zoomed in beyond the scale at which the soil map for this area is intended to be used. Map design of map units and the level of detail shown in the resulting soil map are dependent on that map. Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping shown at a more detailed scale.

Soil Data Available

To see a description of the soil data available for a specific point on the map:

1. Click anywhere in the map. The soil data availability for that point will be shown here.
2. The point you clicked is marked with the Identified point icon:
3. To see a map showing soil data availability for all locations in the U.S. and territories, click the **Soil Survey Status** link in the Navigation Bar above.

Tables — Farmland Classification — Summary By Map Unit

Summary by Map Unit — Walla Walla County, Washington (WA071)

Summary by Map Unit — Walla Walla County, Washington (WA071)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
Ac	Active dune land	Not prime farmland	17.6	9.1%
Hp2	Hezel-Quincy complex, eroded	Farmland of statewide importance	74.8	38.6%
Qd	Quincy-Duneland complex	Not prime farmland	6.2	3.2%
QuB2	Quincy loamy fine sand, 0 to 8 percent slopes, eroded	Not prime farmland	95.0	49.0%
Totals for Area of Interest			193.7	100.0%

Description — Farmland Classification

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Rating Options — Farmland Classification

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower



STATE OF WASHINGTON
 DEPARTMENT OF COMMERCE
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October 9, 2017

Ms. Lauren Prentice
 Principal Planner
 Walla Walla County Community Development Department
 310 W Poplar Street Suite 200
 Walla Walla, Washington 99362

RE: 2017 Comprehensive Plan Amendments

Dear Ms. Prentice:

Thank you for sending Growth Management Services the proposed amendments to Walla Walla County's comprehensive plan. We received the materials you submitted on August 30, 2017 and September 14, 2017. We processed the submittals associated with each application with the following Material ID Numbers: 24071, 24072, and 24120.

After reviewing the proposed changes regarding designated resource lands of long-term commercial significance, we have concerns about the following that we encourage you, the Planning Commission, and the Board of County Commissioners to consider.

- The proposed amendments to the Walla Walla County development regulations in application ZCA 17-002 do not appear to comply with the requirements for conserving natural resource lands outlined in WAC 365-196-815. The County's development regulations must assure the conservation of designated resource lands of long-term commercial significance. Specifically, the County's regulations must prevent the conversion of resource lands from a use that removes land from resource production.¹

The proposed changes to Section 17.31.060(O) WWCC and 17.31.060(P) WWCC would increase the allowable size of a parcel in a cluster development on resource lands from three acres to five acres and two acres to three acres respectively. The net impact of this would reduce the land available for agricultural production in large block sizes. This undermines the purpose of innovative zoning techniques described in WAC 365-196-815(3), such as cluster developments, which is the conservation of agricultural lands on long-term commercial significance.

¹ WAC 365-196-815(1)(b)(i)

In addition, other proposed changes in application ZCA 17-002 to the cluster development provisions of the Walla Walla County Code appear to conflict with the goal of protecting and enhancing natural resource based industries and productive agricultural lands.² The amendments to WWCC 17.31.060(H) would decrease the amount of land required for the preservation of a resource use from 85% to 70% in one of the four zones designed to protect resource lands of long-term commercial significance.

The application also proposes new provisions for the transfer of density for cluster divisions on designated resource lands described in 17.31.060(X). The County's existing regulations already make use of innovative zoning techniques to encourage the conservation of designated resource lands. The proposed amendments seem to focus on further encouraging rural development patterns on or adjacent to resource lands, rather than conserving agricultural resource lands as required under the Growth Management Act (GMA).

The County will likely be reviewing issues regarding resource lands as part of the periodic review and update of the Walla Walla County comprehensive plan and development regulations next year.³ A review of innovative zoning techniques to ensure the conservation of resource lands would be more appropriate as part of that process.

- Application CPA 17-001 proposes to amend the County's land use map by de-designating 18.26 acres of agricultural lands of long-term commercial significance. Counties should not review natural resource lands designations in an isolated fashion. We recognize that this review is based upon a specific application received by the County; however, the request is inconsistent with the recommended process to review designated natural resource lands under the GMA.

In classifying and designating natural resource lands, counties must approach the effort as a county-wide or regional process. In accordance with WAC 365-190-040(10), counties and cities should not review natural resource lands designations solely on a parcel-by-parcel basis. The County has an opportunity to conduct a review of its natural resource lands designations as part of the periodic review required by the GMA.

Protecting and enhancing the agricultural industry in Walla Walla County is a priority reflected in both the GMA and the County's comprehensive plan. According to the County's comprehensive plan, agricultural production in 2002 was valued at \$339,093,000.⁴ Considering the significant impact this industry has on the state, regional, and municipal economies, we strongly encourage the County to carefully consider any actions that may jeopardize the long-term viability of the industry.

If the County conducts a regional review of designated resource lands during the periodic review process, we encourage you to conserve productive natural resource lands, or those capable of productivity, and to discourage incompatible uses that could affect natural resource industries. This is

² RCW 36.70A.020(8)

³ RCW 36.70A.130(5)(d)

⁴ Walla Walla County Comprehensive Plan 6-25

Ms. Lauren Prentice

October 9, 2017

Page 3

consistent with the County's recognition of the importance that resource lands play in providing for the health, welfare, and economic well-being of its residents.⁵

Thank you for the opportunity to comment on the proposed amendments to your comprehensive plan and development regulations. If you have any questions or concerns about our comments or any other growth management issues, please contact me at 509-280-3602. We extend our continued support to Walla Walla County in achieving the goals of your community and the Growth Management Act.

Sincerely,

A handwritten signature in cursive script, appearing to read "Will Simpson", is written in dark ink on a light-colored background.

William Simpson, AICP
Senior Planner
Growth Management Services

WS:lw

cc: Tom Glover, AICP, Director, Walla Walla County Community Development
Mark McCaskill, AICP, Managing Director, Growth Management Services
David Andersen, AICP, Eastern Region Manager, Growth Management Services
Ike Nwankwo, Western Region Manager, Growth Management Services

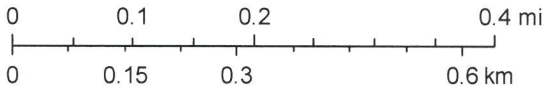
⁵ Walla Walla County Comprehensive Plan 6-24

Soils on Parcel A and Adjacent Land



October 4, 2017

1:9,028



Soils on
Parcel A

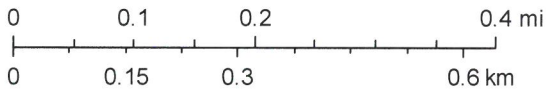
Source: USDA Natural Resources Conservation Service
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Soils on Parcel B and Adjacent Land



October 4, 2017

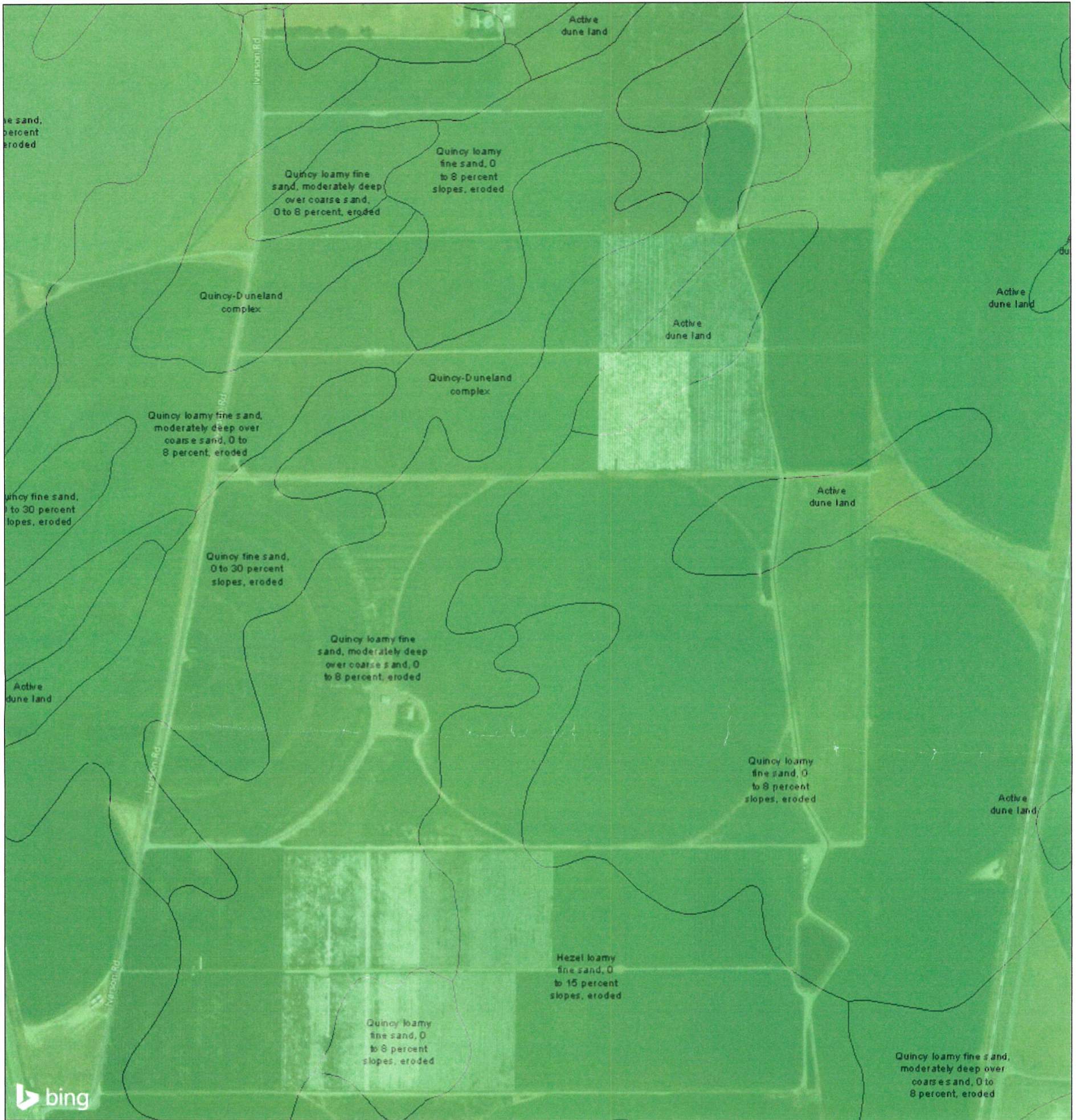
1:9,028



Soils on
Parcel B

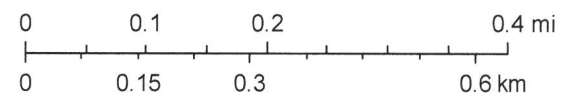
Source: USDA Natural Resources Conservation Service
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Microsoft Corporation © 2017 HERE

Soils on "Unique Lands"



October 4, 2017

1:9,028



Soils on Unique Lands

Source: USDA Natural Resources Conservation Service
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		FIELD #	Pump Station	ACRES	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
		11	A-1	76	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Potato	Sw Corn	Aspar	Aspar	Aspar	Aspar
		12	A-1	47	Alfalfa	Alfalfa	Alfalfa	Alfalfa	Potato	Sw Corn	Aspar	Aspar	Aspar	Aspar
2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Aspar	Aspar	Aspar	Tenant-Aspar	Asparagus	Timothy	Sweet Corn	Shepody	Wheat - D	New Hay	Alfalfa	Alfalfa	Timothy/S	Shepody	Timothy/S
Aspar	Aspar	Aspar	Tenant-Aspar	Shepody	Wheat-DNS	Smith Peas/SWC	Wheat - H	Shepody	New Hay	Alfalfa	Alfalfa	Wheat	Shepody	Timothy/S
	2015	2016	2017											
	Peas/SWC	Shepody	Tenant-Gauntt											
	Peas/SWC	Shepody	Tenant-Gauntt											

Copy of Crops
Raise on
Farm

Turner & Co., Inc.

STUART A. TURNER

5903 Kilawea Dr.
West Richland, WA 99353

Phone: (509) 967-0460

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Mobile: (509) 539-5524

E-mail: agforensic@aol.com

RECEIVED

OCT 03 2017

October 1, 2017

Walla Walla County Community Development Department
c/o Lauren Prentice, Principal Planner
310 W. Poplar Street, Suite 200
Walla Walla, WA 99362

Re: J.R. Simplot Company applications: CPA17-002 Application; REZ17-002 Application; SEPA17-014 Environmental Checklist; SEPA17-014 DNS

Walla Walla County Planning Commission Members,

My name is Stuart A. Turner, I am a board certified (#02575) Agronomist and Certified Crop Advisor with an independent consulting practice providing agricultural producers in the Pacific Northwest with technical advice and services. I have been doing this for the past 32 years, and follow my father, Stuart W. Turner, who did so for 53 years. In Walla Walla County I have producers with irrigated tree fruit, row crop, alfalfa seed and other crops, and dryland small grain and seed producers with over 30,000 acres currently in production.

I have some prior local experience with development and conversion of ag lands to commercial use, in 1997 I assisted a client who purchased land North of the Boise-Cascade mill site from Nedrow Farms, and with local contractors built an ag chemical plant for my client, Sundance Resources. The subject land was dry, and had never been leveled or tilled, and was split by the UP-rail line, providing important rail access. During that process I was helped in many ways by the staff at the Planning Department, and the necessary rezone and SEPA and building permits were issued expeditiously, an important factor in the decision to site this facility within Walla Walla County.

I have provided technical consulting services to at least four producers who have farmed (either owned or leased) ground adjacent to Parcel "A" subject of this comment letter over the past 30 years, and am very familiar with the soils, irrigation district, farming and productivity. In fact, in 2007 I partnered with a Yakima County grower and attempted to purchase a farm located just to the east of this site, but we were outbid. Because of my professional work in the area, I am on average on or very near this site every ten days to two weeks, year around. There are two adjoining orchard complexes, Flat Top/Borton & Sons to the South, and Buchanan Farms to the East. These are very high value lands, due to the local micro climate and soils these are some of the highest productive potential ag lands in the entire State of Washington. I would estimate developed, full production orchard is work on the order of \$40K+ per acre currently. The very long frost-free season and frequent light to moderate winds



provide frost protection and allow growing long season varieties at low risk. On the row crop side, the long season allows for the highest yield potential for potatoes, onions, hay and the other frequently grown crops in this area.

The large portion of Parcel "A" which is proposed as the new site of a Simplot processing plant is quite unique in that it is designated as "Prime" farmland under USDA/NRCS classification, based on soils present. Zero of Parcel "B" is so classified, so this is not, other than by raw acreage, an equal swap. The thing about "Prime" farmland is that there is no way to create or manufacture more of it. We live in a world of rapidly expanding population, and the demand for raw food production dictates that we will need to feed several Billion more hungry people in just the next 15-20 years. Once this highly productive ground is lost, and converted to industrial use, it's gone forever. The "swap" is an illusion, because Parcel "B" is a circle pivot, and has been continuously farmed for decades, despite its inclusion in the Attilia Industrial Urban Growth Area. The result of the proposed swap is the net loss of 160 acres of productive, substantially prime farmland.

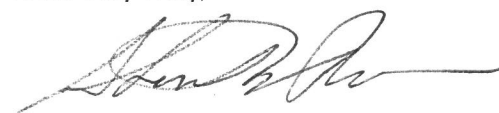
I want to be very clear that I very strongly support the applicant's desire to find and develop successfully a site for a new, automated, efficient and environmentally friendly vegetable processing plant, certainly in the Columbia Basin, preferably in Walla Walla County. There are of course other available alternatives, and the cost of acquisition of 160+ or – acres would be less than a percent of the project total costs. There are many sites which have other desirable attributes, including closer access to power and paved secondary roads or highways. It is my suggestion that Simplot work with the local economic development council and Port to explore a site which does not require the sacrifice of such highly productive farmland. Indeed, if I could assist Simplot in any way in this manner, I would be pleased to assist them at no cost.

I would like to add that the Anderson-Perry SEPA checklist was in several obvious instances far blow their usual level of accuracy. I note that they failed to clearly note the very close proximity to the USFW Burbank Refuge; did not list the White Pelican as a threatened species (announcement expected momentarily by WDFW) frequently on or near the site; failed to list Elk as a commonly occurring species (WDFW data shows a harvest of 12+ elk within 10 miles annually); Lists under site "plants" pasture (this is tilled row crop, circle pivot ground, not pasture); omitted hawks and other raptors, and blue herons, very common to this specific parcel.

This plant, whether constructed nearby or in the Tri-Cities, would provide a lot of economic benefits to agricultural producers, specifically a market and contracts to grow produce. We need this, now, in this time of depressed commodity prices, more than ever. The secondary jobs relating to plant construction are temporary, but welcome. More permanent jobs relating to transport of raw product to the plant and finished product from the plant provide more economic positives. My point is that we have rules in place for specific, long term objectives relating to growth management and preservation of limited, high value farm lands. Let's encourage Simplot to reconsider this specific site, while assisting them in identifying and procuring a more appropriate site. The rules were put in place for a reason, and the arguments advance now by Simplot to bend them are less persuasive than necessary to make the requested change.

These comments are mine alone, and do not reflect the positions or opinions of any of my existing or past clients. Thank you for the opportunity to provide input on this important decision.

Yours Very Truly,

A handwritten signature in black ink, appearing to read "Stuart A. Turner", with a long horizontal flourish extending to the right.

Stuart A. Turner, CPAg, CCA
Turner & Co., Inc.



LANDERHOLM

Legal advisors. Trusted advocates.

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VIA UPS OVERNIGHT MAIL

September 29, 2017

Walla Walla County Community Development Department
c/o Lauren Prentice, Principal Planner
310 W. Poplar Street, Suite 200
Walla Walla, WA 99362

Re: J.R. Simplot Company applications: CPA17-002 Application; REZ17-002 Application; SEPA17-014 Environmental Checklist; SEPA17-014 DNS

Dear Planning Commission:

We represent Buchanan Farms and Randy Buchanan (referred to herein collectively as “Buchanan”), who own property located at 35032 W Highway 12, Burbank, WA 99323. We object to the above-referenced applications. Please include a copy of this letter in the record.

There are alternative sites within the UGB for a proposed industrial processing facility that would not require de-designation of farmland, including rail served parcels in the vicinity that are already within the UGB, as well as land at the Port. These applications to convert a piece of prime farmland containing unique soils of statewide significance (Parcel A) into an industrial use and replace it with a parcel that has no prime farm soils (Parcel B) does not meet the GMA criteria for de-designating farm land. Therefore these applications should be denied.

In addition to not meeting the GMA criteria for de-designating farmland (discussed in more detail below), there are procedural problems with these applications. First, the application is dated May 24, 2017 and was submitted well past the March 31, 2017 deadline, so it should not be heard until the next annual review cycle. Second, and more importantly, under Section 14.10.015(C)(5), the only changes to the UGB that are allowed through an annual review process are “to correct a mapping error as provided in Section 14.10.015(C)(2).” Since this application is not to correct a mapping error, it cannot proceed and must be denied since this type of application to amend the UGB cannot be entertained through the annual review process. Under Section 14.10.150(E), the UGB may only be amended one every five years, or once every ten years under Section 14.10.015 (G). This application cannot be considered until one of those five or ten year reviews. See also Comprehensive Plan Policy LU-16.

The applicant attempts to avoid this problem by structuring the application to provide “no net gain” to the UGB, but the County’s GMA compliant code and comprehensive plan do not allow that type of analysis to be considered in a process where only mapping errors may be corrected. Further, the GMA requires that “Site-specific proposals to expand the urban growth area should be deferred until the next comprehensive review of the urban growth area.” WAC 365-196-

310(E)(i). Issues such as how a UGB amendment would affect transportation, capital facilities, utilities, etc. must be analyzed in the broader context of the comprehensive review of the urban growth area. *Id.* The application contains virtually no analysis of these issues, particularly transportation. There is no traffic study discussing whether the existing network of farm roads would be adequate to support a major industrial processing plant or how traffic conflicts from all the trucks might affect nearby farm operations, including Buchanan Farms to the south.

Additionally the proposal creates a gerrymandered UGB with a narrow peninsula of UGB extending deep into the farm land, which is contrary to the GMA and creates undue impacts on surrounding farmland due to the protrusion of industrial uses in the middle of farmland. See WAC 365-196-310(4)(c)(v) (“Urban growth areas should not be expanded into designated agricultural, forest or resource lands unless no other option is available. Prior to expansion of the urban growth area, counties and cities must first review the natural resource lands designation and conclude the lands no longer meet the designation criteria for resource lands of long-term commercial significance.”).

Policy LU-25 applies in the Attila Industrial Urban Growth Area and states: “Locate industrial uses where environmental impacts such as noise, odors, and other hazards can be controlled and separated from incompatible land uses.” Applicant has not demonstrated how this criterion would be met by such a gerrymandered UGB. Applicant’s impacts analysis is limited to a recitation the surrounding lands are all farm lands, but applicant has not analyzed how the odors, noises and traffic of an industrial processing facility would impact surrounding farmlands, including the Buchanan Farms property to the south.

The applicant’s traffic analysis is limited to the statement that Parcel A is closer, as the crow flies, to Highway 12 than Parcel B. However, Parcel B is adjacent to an existing transportation network (Dodd Road), whereas Parcel A is served only by farm roads. There is no analysis of how or where a new industrial road would be built to construct and operate a major industrial processing facility or how those transportation impacts might affect nearby farming uses.

In addition to failing to analyze transportation impacts on surrounding farmlands from building a major industrial processing plant in the middle of an actively farmed area with no apparent plan for extending the urban infrastructure that would be required to support the development or how that might impact farm uses on nearby farmlands, the application does not analyze impacts from noise and odor of a processing plant on surrounding farm uses.

More importantly, as mentioned above, the application does not meet the test for de-designating farmland set forth in *Lewis County v. Western Washington Growth Management Hearings Board*, 157 Wn.2d 488 (2006)(County must apply factors enumerated in WAC 365-190-050 in determining which lands have long-term commercial significance) or *Clark County v. West. Wash. Growth Mgmt. Hearings Bd.* 161 Wn. App. 204 (2011), vacated in part, 177 Wn.2d 136 (2013)(Absent a showing that the original designation was erroneous and improperly confirmed by the hearings board or that a substantial change in the land area has occurred since the original designation, the original designation should remain). There has been no showing that the original designation of Parcel A was erroneous.

Nor have the factors from WAC 365-190-050 for de-designation been met. Here the applicant has indicated an intent to devote Parcel A to non-farm use, but “The intent of a landowner to use land for agriculture or to cease such use is not the controlling factor in determining if land is used or capable of being used for agricultural production.” WAC 365-190-050(3)(a)(i). In

determining whether to de-designate land, counties must use the NRCS soils classifications. WAC 365-190-050(3)(a)(ii).

Classification as prime farm soils is the first factor in the de-designation analysis. WAC 365-190-050(3)(c)(i). Using the NRCS soils classifications, Parcel A has over 40% prime farm soils that are ranked as unique soils of statewide significance, whereas Parcel B has no prime farm soils. For this reason, Parcel B is not an adequate substitute for Parcel A in the de-designation analysis.

Under the second factor, availability of public services, there is inadequate evidence that public services are more available to Parcel A than Parcel B, which is adjacent to an existing road (Dodd Road) and in close proximity to other developed industrial lands, unlike Parcel A. Similarly, there is inadequate evidence to conclude that Parcel A would be easier to serve with utilities or other public services under WAC 365-190-050(3)(c)(iv).

Factors WAC 365-190-050(3)(c)(v, vii, and viii) all weigh against de-designation. Parcel A is surrounded by large lot farming parcels that are zoned for farming and in active farm production. Parcel B is in the UGB, and much closer to smaller parcels used for industrial uses than Parcel A.

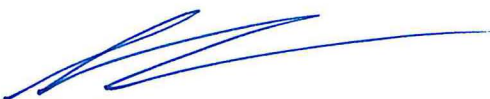
Parcel A and B are equally close to markets under factor WAC 365-190-050(3)(c)(xi). Although the applicant argues that Parcel A is on the rail line, Parcel B is close to the rail line and there are also other large undeveloped parcels located in the existing UGB that are on the rail line, as well as available property at the Port. Therefore, Parcel A's location on the rail line is not sufficient to support de-designation.

Finally, the applicant argues that Parcel A is not suitable for farming because it is rectangular in shape rather than square, thus requiring two half circle irrigation systems, rather than a single circle. This is a specious argument. There are numerous actively farmed parcels in the area that have less than a full circle irrigations system. Parcel A has been historically farmed with two half circle irrigation systems. Whatever "mechanical advantages" there may be of having a square parcel with a single circle irrigation system, those "mechanical advantages" do not outweigh the vastly superior soils on Parcel A. Parcel B has no prime farm soils and is not an adequate replacement for Parcel A and does not justify de-designating Parcel A's unique prime farm soils that are of statewide significance.

For all of the above reasons, the application does not meet the criteria for approval and must be denied.

Sincerely,

LANDERHOLM, P.S.


A handwritten signature in blue ink, appearing to read "STEVE C. MORASCH", with a long horizontal flourish extending to the right.

STEVE C. MORASCH
Attorney at Law

SCM/jsd

cc: Clients

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Walla Walla County Community Development Department

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

Date: October 4, 2017
To: Walla Walla County Planning Commission
From: Tom Glover, Director
Lauren Prentice, Principal Planner
RE: **Public Hearing** – Site-specific applications by Roberta Cavalli to change the land use designation from Agriculture Residential to Rural Residential 5 and rezone an 18.27-acre parcel at the intersection of Wallula Ave. and McKinney Rd. from AR-10 to RR-5 (APN 350727420010). Dockets No. CPA17-001, REZ17-001

Background

The application was received by the Community Development Department on March 30, 2017.

Staff Recommendation

If the Planning Commission finds that the proposed amendments are consistent with the criteria in WWCC 14.15.070D(3), 14.10.070D(3), and 14.09.010B, Staff would recommend that the applications submitted, docket number REZ17-001 and CPA17-0001, be recommended for approval by the Planning Commission to the Board of County Commissioners. If the Planning Commission does not find that the applications are consistent, then the Planning Commission may recommend denial.

Option 1:

Recommend approval of the applications submitted by Roberta Cavalli.

Option 2:

Recommend denial of the applications submitted by Roberta Cavalli.

Sample Motions

Option 1 (approval):

"I move that the Planning Commission concur with the findings of fact and conclusions of law in docket number CPA17-001 and REZ17-001, and recommend to the Board of County Commissioners that the applications submitted by Roberta Cavalli, be approved."

Option 2 (denial):

"I move that the Planning Commission concur with the findings of fact in docket number CPA17-001 and REZ17-001, but note that the applications do not meet a public need and that the change may create pressure on other properties to change land use designations from agricultural designations, and recommend to the Board of County Commissioners that the applications submitted by Roberta Cavalli, be denied."

Attachments

Please refer to Item 1 in the notebook to review the application materials and documents presented at past meetings.

1. Comprehensive Plan Amendment Process – Walla Walla County Code (WWCC) Section 14.10.070 – Final Docket – review and recommendation
2. Development Regulations Amendment Process – Walla Walla County Code (WWCC) Section 14.15.070 – Final docket – review and recommendation

3. WAC 365-190-050 – Conservation of natural resource lands.
4. Notice of Informational Public Meeting Public Hearing and Certificate of Notification
5. Department of Commerce Letter dated August 31, 2017
6. SEPA Determination of Non-Significance dated September 19, 2017
7. Vicinity Map

Summary of Proposal

The proposal is to amend Comprehensive Plan land use maps LU-1 and LU-3 to assign the Rural Residential 5 land use designation 18.27-acres owned by Roberta Cavalli at the intersection of Wallula Avenue and McKinney Road (APN 350727420010), and change the zoning from Agriculture Residential 10 to Rural Residential 5. According to the Comprehensive Plan, all lands located in an agricultural land use designation are considered to be “agricultural lands of long-term commercial significance.” The proposed amendments would de-designate these agricultural lands.

Current land use designation:	Agriculture Residential
Proposed land use designation:	Rural Residential 5
Current zoning:	Agriculture Residential 10-acres (AR-10)
Proposed Zoning:	Rural Residential 5-acres (RR-5)

As stated in the application, in the past the property has primarily been used for onion production, with other crops during rotation years. The property contains a 4,800-square foot warehouse building and a 3,200-square foot utility/equipment building. The property has a surface water irrigation right for 17.2-acres; an on-site well is the point of withdrawal authorized by the Department of Ecology.

Land to the north, east, and west is zoned Rural Residential 5. The 15-acre property on the west side is owned by Muro and was changed from AR-10 to RR-5 in 2010. Cold Creek bisects the Muro property. The 15-acre Muro property contains a home and has no water rights, which was one of the reasons for approval of the rezone. Since the Muro property was rezoned in 2010, there has been no additional development of the property.

Cold Creek borders the subject property on the south and public roads border the property on the north and east. The property to the south is zoned AR-10 but it is developed with three small rural lots that are between 1.5 and 3.5 acres. A map showing the subject property and surrounding land use designations is included as Attachment 7.

Comprehensive Plan Amendment Review Criteria - WWCC 14.10.070B.3

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. *Criteria: The amendment meets a definable public need; and*
Staff Discussion: The application states that the amendment meets a public need because it will provide an opportunity to create “small residential acreages with agricultural potential including irrigation for hobby farms and agricultural production of crops more suitable to small acreages for public consumption.” It is not really clear that this is a need that has not been addressed by the current Comprehensive Plan. The application also states that the proposal will help buffer between rural and resource lands and that it is consistent with surrounding land use designations and development patterns.

- b. Criteria: *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*

Staff Discussion: The applicant states in the application (Comprehensive Plan Amendment application, Exhibit B, Page 2) that this criterion is met under Item 1 due to the loss of water rights for other properties in the area, which they say resulted in the Muro amendment in 2010. It's not clearly explained how the 2010 rezone of the adjacent property would create a *public need* to rezone this property.

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

Staff Discussion: In the Comprehensive Plan Amendment application in Exhibit B on Page 2 the applicant responds to this criteria by citing the purpose of the Rural Residential 5 land use designation and some relevant policies. In the response on Page 3 of Exhibit B, the applicant states that the property is not "particularly suited to long-term, commercially viable agriculture because it is physical (sic) separated from the adjacent resource land and because it is a relatively small parcel in terms of commercial agricultural resource land and is surrounded on three sides by rural residential land and on the fourth side by residential land located in the Agriculture Residential 10 acre zone." The applicant also states that applying the Rural Residential 5 designation would recognize the existing development patterns and provide a buffer between urban use and rural use. One of the purposes of this designation, stated in the Comprehensive Plan, is to provide a buffer between agricultural lands and urban lands, but this property is not immediately adjacent to urban lands and it is not clear that the County needs a larger rural lands buffer.

- d. Criteria: *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*

Staff Discussion: The application would not require amendment of policies or other areas of the Comprehensive Plan.

- e. Criteria: *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.*

Staff Discussion: The applicant presents in the application (Exhibit B, Page 3) that the amendment is consistent with the Growth Management Act and Comprehensive Plan by referencing WAC 365-190-050, which gives counties direction in *classifying* agricultural lands. The applicant states that it doesn't meet these criteria due to "proximity to more intense density and land uses and its isolation from adjacent resource lands." By isolation, it would seem that they mean that adjacent lands on three sides is zoned Rural Residential 5, and smaller lots on the fourth side. It is also important to note that these are only two of the criteria for classifying agricultural lands and not all of them have to be met in order for a property or area to be classified as agricultural land.

Comprehensive Plan Amendment Review Criteria - WWCC 14.0.070B.4

For each site-specific proposal to amend the comprehensive plan land use map, the planning commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the review criteria set forth above and the following additional review criteria:

- a. ***Criteria:** 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*
Staff Discussion: The applicant states in the application in Exhibit B on Page 3 that the property is suitable for development under the proposed designation.
- b. ***Criteria:** The proposed site-specific amendment will not create pressure to change the land use designation of other properties in the area and*
Staff Discussion: The applicant presents in the application in Exhibit B on Page 3 that the proposal would not create pressure to change the land use designation of other properties in the area because adjacent properties on three sides are already designation as rural lands, and properties to south are smaller. However, it is worth considering whether this application would create pressure or interest for the property on the fourth side or nearby to be re-designated. One of the reasons stated in this application that this proposal should be approved is because the adjacent Muro property was rezoned in 2009. So, by that reasoning, it would seem that the Muro rezone created some pressure to rezone the Cavalli property, maybe the Cavalli rezone would do the same.
- c. ***Criteria:** 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.*
Staff Discussion: The proposed amendment is not likely to adversely affect the adequacy of existing or planned public facilities and services in the area.

Rezone Review Criteria - WWCC 14.15.070D.3

For each proposed amendment, the Planning Commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the review criteria set forth above and the following additional review criteria:

- a. ***Criteria:** The amendment is consistent with the comprehensive plan; and*
Staff Discussion: Assuming the proposed Comprehensive Plan land use map amendments were approved as proposed and the new land use designation was Rural Residential 5, then the proposed rezone would be consistent with the Comprehensive Plan.
- b. ***Criteria:** The amendment meets a definable public need; and*
Staff Discussion: As stated above, the application states that the amendment meets a public need because it will provide an opportunity to create “small residential acreages with agricultural potential including irrigation for hobby farms and agricultural production of crops more suitable to small acreages for public consumption.” Is not really clear that this is a need that has not been addressed by the current Comprehensive Plan. The application also states that the proposal will help buffer between rural and resource lands and that it is consistent with surrounding land use designations and development patterns.

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

Staff Discussion: In the rezone application on Page 1 of Exhibit B the applicant states that the proposal is in the long-term interest of the county because it would have “no impact on future growth projects and impacts to resource lands (AR-10) will be minimal to non-existent.” The application also says that the amendment would allow the Cavalli property to be “aligned with adjacent rural uses the land management and long term economic interest of Walla Walla County will be enhanced.”

Rezone Review Criteria - WWCC 14.09.010B

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.

1. Criteria: *Is consistent with the goals and policies in the land use, rural and resource lands, and/or Burbank subarea plan elements of the comprehensive plan including the land use maps; and*

Staff Discussion: The applicant references to the Comprehensive Plan Amendment application in response to this criteria in the application.

2. Criteria: *Is consistent with WWCC Title 16 Subdivisions, Title 17 Zoning, Title 18 Environment, the Walla Walla County Shoreline Master Program and other applicable land use laws and policies of Walla Walla County; and*

Staff Discussion: The applicant cites sections of Titles 16, 17, 18 in the application (Exhibit B, Pages 2-3) in response to this criteria in the application. The Community Development Director has issued a SEPA Determination of Non-significance on the proposal as required until Title 18. The property is not within jurisdiction of the Shoreline Master Program.

3. Criteria: *Is not materially detrimental to uses or property in the immediate vicinity of the proposed rezone and to the general public; and*

Staff Discussion: As the applicant presents in the application, the proposal would not be materially detrimental to uses or property in the immediate vicinity although the rezone would make it possible for the property to be developed with non-resource uses, which may be more intensive.

4. Criteria: *Does not create excessive additional requirements at public cost for public facilities and services; and*

Staff Discussion: As the applicant presents in the application, the proposal would create any immediate requirements for public facilities or services although the rezone would make it possible for the property to be developed with non-resource uses, which may be more intensive.

5. Criteria: *Is warranted:*

- a. *To achieve consistency with the comprehensive plan; or*
- b. *To meet county population and/or employment projections because of a need for additional property in the proposed zoning district; or*
- c. *Because there are changed conditions since the zoning in the area was adopted to warrant the proposed rezone. "Changed conditions" include public improvements, permitted private development or other conditions or circumstances affecting the subject property that have undergone substantial and material changes not anticipated or contemplated when the zoning and/or subarea plan 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.*

Staff Discussion: The applicant responds to this criteria in the rezone application in Exhibit B on Page 3 by again saying that there are changed circumstances (Muro rezone) and saying that the proposal will be consistent with policies of the Comprehensive Plan and allow for an opportunity for rural development which could include three houses if the property were divided.

Findings of Fact

1. On December 19, 2016, pursuant to WWCC Title 14, the Board of County Commissioners established the criteria and deadline (March 31, 2017) for applications to be included on the 2017 Preliminary Docket of Comprehensive Plan and development regulations amendments.
2. On March 30, 2017, the Walla Walla County Community Development Department received applications from Roberta Cavalli to amend the County's zoning map and the Comprehensive Plan land use map.
3. On May 3, 2017, the Planning Commission reviewed the amendment applications and background materials in an open public meeting.
4. On May 22, 2017, a Notice of Public Hearing was posted on the Community Development Department website.
5. On May 24, 2017, a Notice of Public Hearing was mailed to the applicant.
6. On May 25, 2017, a Notice of Public Hearing was published in the Waitsburg Times, the Walla Walla Union Bulletin and the Tri-City Herald.
7. On June 1, 2017, the Planning Commission held a public hearing to consider the proposed amendments and whether they should be included on the 2017 Final Docket; the only member of the public who provided testimony was the applicant's representative.
8. On June 1, 2017, after conducting a public hearing, the Planning Commission voted 3-2, with two members absent, to recommend to the Board of County Commissioners that the application be placed on the 2017 Final Docket.
9. On June 20, 2017, the Chairman of the Planning Commission signed Planning Commission Resolution 17-03, which documented the Planning Commission's recommendation from June 1, 2017.
10. On June 26, 2017, the Board of County Commissioners reviewed the amendment application and the Planning Commission's recommendation in an open public meeting.
11. On July 24, 2017, the Board of County Commissioners set the 2017 Final Docket of Comprehensive Plan and development regulations via Resolution 17-197 to include the Roberta Cavalli applications (CPA17-001 and REZ17-001).
12. On August 2, 2017, the Planning Commission reviewed and discussed the amendment applications and background materials in workshop meeting, which was open to the public.

13. On August 31, 2017, the Department of Commerce acknowledged receiving the proposed amendment.
14. On September 19, 2017, SEPA Determination of Non-significance was issued by the Community Development Director.
15. On September 19, 2017, a Notice of Informational Public Meeting and Public Hearing was published on the Community Development Department website.
16. On September 20, 2017 a Notice of Informational Public Meeting and Public Hearing was mailed to parties of record.
17. On September 21, 2017, a Notice of Informational Public Meeting and Public Hearing was published in the Waitsburg Times and Tri-City Herald.
18. On September 22, 2017, a Notice of Informational Public Meeting and Public Hearing was published in the Walla Walla Union Bulletin and Tri-City Herald.
19. On October 4, 2017, an Informational Public Meeting was held by Community Development Department staff.
20. On October 4, 2017, a public hearing was held by the Planning Commission.

Conclusions of Law

1. The proposed amendments have been reviewed pursuant to Walla Walla County Code Sections 14.10.070B(3), 14.15.070B(3), and 14.090.010B.
2. The proposed amendments are consistent with the Walla Walla County Comprehensive Plan.
3. As proposed, the amendments are not likely to have a significant adverse impact on public welfare and safety.

ATTACHMENT 1
Comprehensive Plan Amendment Process
14.10.070 - 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 applicable criteria in Sections 14.10.070B.3, 4, and 5. 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 proposal meets a definable public need; and
 - 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
 - c. The defined need conforms to the policy directives of the comprehensive plan and countywide planning policies; and
 - 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
 - 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.
 - 4. Additional Review Criteria—Site-Specific Amendments. For each site-specific proposal to amend the comprehensive plan land use map, the planning commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the review criteria set forth above and the following additional review criteria:
 - 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
 - b. The proposed site-specific amendment will not create pressure to change the land use designation of other properties in the area and
 - 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.
 - 5. Additional Review Criteria—Urban Growth Area Amendments. For each proposal to amend an urban growth area policy or land use map the planning commission shall consider certain additional information and review criteria.
 - a. For each proposed amendment to an urban growth area policy or land use map the planning commission shall consider the following information:

- (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.
- b. For each proposed amendment to an urban growth area the planning commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the review criteria in Section 14.10.070B.3 and Section 14.10.070B.4 if applicable, and the following additional criteria:
- (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.
- 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 comprehensive plan 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 Plan Amendments. The board of county commissioners shall apply the criteria set forth in Sections 14.10.070B.3, 4, and 5 above, as applicable.
 4. Adoption by Ordinance. The board of county commissioners shall adopt any amendments to the comprehensive plan by ordinance.
- D. Transmittal to State. The director shall transmit a copy of any proposed amendment of the comprehensive plan 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 comprehensive plan 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 comprehensive plan 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)

ATTACHMENT 2
Development Regulations Amendment Process

14.15.070 - Final docket—Review and recommendation.

- A. Required Information. The community development department shall compile a preliminary docket of proposed amendments. The preliminary docket shall include at least the following information for each proposed amendment:
 - 1. Docket number; and
 - 2. Name and address of the person or agency proposing the amendment; and
 - 3. Summary of the proposed amendment; and
 - 4. Date of application; and
 - 5. Address or section, township and range of the location of the amendment, if applicable.
- B. Available for Public Review. The community development department shall keep the preliminary docket available for public review during normal business hours.
- C. Community Development Department Review. After compiling the preliminary docket, the director shall review the suggested amendments and prepare a staff report to the planning commission recommending which proposed amendments should be placed on the final docket. The staff report shall address the following criteria:
 - 1. The amendment is consistent with the comprehensive plan; and
 - 2. The amendment is consistent with other development regulations, unless accompanied by amendments to such other development regulations; and
 - 3. The amendment is appropriate for consideration at this time.
- D. Planning Commission Review. All proposed amendments shall be reviewed and assessed by the planning commission, which shall make a recommendation 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 on the preliminary docket as set forth in Sections 14.09.065 and 14.09.070 of this title.
 - 3. Recommendations. Following the hearing, the planning commission shall make a recommendation to the board of county commissioners on each proposed amendment as to whether or not the amendment should be placed on the final docket. The planning commission's recommendation shall be based upon the following criteria:
 - a. The amendment is consistent with the comprehensive plan; and
 - b. The amendment is consistent with other development regulations, unless accompanied by amendments to such other development regulations; and
 - c. The amendment is appropriate for consideration at this time.
- E. Board of County Commissioner's Decision—Adoption of Final Docket.
 - 1. Review and Decision Process. The board of county commissioners shall review and consider the planning commission's report and recommended final docket at a regularly scheduled commissioner's meeting. The board of county commissioners may adopt the planning commission's recommended final docket without a public hearing; however, in the event that a majority of the board of county commissioners decides to add or subtract proposed amendments, it shall first conduct a public hearing as set forth in Sections 14.09.065 and 14.09.070 of this title.
 - 2. Effect of Final Adopted Docket. The decision of the board of county commissioners to adopt the final docket does not constitute a decision or recommendation that the substance of any recommended amendment should be adopted. No additional amendments shall be considered after adoption of the final docket for that year except for exceptions as set forth in Section 14.15.030

ATTACHMENT 3
WAC 365-190-050
Agricultural Resource Lands

(1) In classifying and designating agricultural resource lands, counties must approach the effort as a county-wide or area-wide process. Counties and cities should not review resource lands designations solely on a parcel-by-parcel process. Counties and cities must have a program for the transfer or purchase of development rights prior to designating agricultural resource lands in urban growth areas. Cities are encouraged to coordinate their agricultural resource lands designations with their county and any adjacent jurisdictions.

(2) Once lands are designated, counties and cities planning under the act must adopt development regulations that assure the conservation of agricultural resource lands. Recommendations for those regulations are found in WAC [365-196-815](#).

(3) Lands should be considered for designation as agricultural resource lands based on three factors:

(a) The land is not already characterized by urban growth. To evaluate this factor, counties and cities should use the criteria contained in WAC [365-196-310](#).

(b) The land is used or capable of being used for agricultural production. This factor evaluates whether lands are well suited to agricultural use based primarily on their physical and geographic characteristics. Some agricultural operations are less dependent on soil quality than others, including some livestock production operations.

(i) Lands that are currently used for agricultural production and lands that are capable of such use must be evaluated for designation. The intent of a landowner to use land for agriculture or to cease such use is not the controlling factor in determining if land is used or capable of being used for agricultural production. Land enrolled in federal conservation reserve programs is recommended for designation based on previous agricultural use, management requirements, and potential for reuse as agricultural land.

(ii) In determining whether lands are used or capable of being used for agricultural production, counties and cities shall use the land-capability classification system of the United States Department of Agriculture Natural Resources Conservation Service as defined in relevant Field Office Technical Guides. These eight classes are incorporated by the United States Department of Agriculture into map units described in published soil surveys, and are based on the growing capacity, productivity and soil composition of the land.

(c) The land has long-term commercial significance for agriculture. In determining this factor, counties and cities should consider the following nonexclusive criteria, as applicable:

(i) The classification of prime and unique farmland soils as mapped by the Natural Resources Conservation Service;

(ii) The availability of public facilities, including roads used in transporting agricultural products;

(iii) Tax status, including whether lands are enrolled under the current use tax assessment under chapter [84.34](#) RCW and whether the optional public benefit rating system is used locally, and whether there is the ability to purchase or transfer land development rights;

(iv) The availability of public services;

(v) Relationship or proximity to urban growth areas;

(vi) Predominant parcel size;

(vii) Land use settlement patterns and their compatibility with agricultural practices;

(viii) Intensity of nearby land uses;

(ix) History of land development permits issued nearby;

(x) Land values under alternative uses; and

(xi) Proximity to markets.

(4) When designating agricultural resource lands, counties and cities may consider food security issues, which may include providing local food supplies for food banks, schools and institutions, vocational training opportunities in agricultural operations, and preserving heritage or artisanal foods.

(5) When applying the criteria in subsection (3)(c) of this section, the process should result in designating an amount of agricultural resource lands sufficient to maintain and enhance the economic viability of the agricultural industry in the county over the long term; and to retain supporting agricultural businesses, such as processors, farm suppliers, and equipment maintenance and repair facilities.

(6) Counties and cities may further classify additional agricultural lands of local importance. Classifying additional agricultural lands of local importance should include, in addition to general public involvement, consultation with the board of the local conservation district and the local committee of the farm service agency. It may also be useful to consult with any existing local organizations marketing or using local produce, including the boards of local farmers markets, school districts, other large institutions, such as hospitals, correctional facilities, or existing food cooperatives.

These additional lands may include designated critical areas, such as bogs used to grow cranberries or farmed wetlands. Where these lands are also designated critical areas, counties and cities planning under the act must weigh the compatibility of adjacent land uses and development with the continuing need to protect the functions and values of critical areas and ecosystems.

Walla Walla County Community Development Department

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

NOTICE OF INFORMATIONAL PUBLIC MEETING AND WALLA WALLA COUNTY PLANNING COMMISSION PUBLIC HEARING

Informational Public Meeting

The Walla Walla County Community Development Department will be holding an informational public meeting for the following Comprehensive Plan and development regulation amendment applications, which are on the 2017 Final Docket.

- **CPA17-001/REZ17-001 –Cavalli**
Site-specific Comprehensive Plan and Zoning Map amendment applications by Roberta Cavalli for an 18.27-acre parcel. The proposal would change the land use designation from Agriculture Residential to Rural Residential 5 and similarly rezone the property from Agriculture Residential 10-acres (AR-10) to Rural Residential 5-acres (RR-5). The subject property is located at the southwest corner of the intersection of Wallula Avenue and McKinney Road (APN 350727420010).
- **ZCA17-002 – Brent Knowles**
Application by Brent Knowles to amend WWCC Chapter 17.31, Development Standards – Cluster Developments on Resource Lands. The amendments would increase the allowed average lot size for residential lots in a cluster subdivision; increase the maximum allowed lot size of cluster lots; allow for the creation of 20-acre lots in the Agriculture Residential 10-acre (AR-10) zone, which is currently prohibited; revise the code as it pertains to density transfers; and make other minor amendments.
- **CPA17-002/REZ17-002 – J. R. Simplot Company**
Site-specific Comprehensive Plan amendment and rezone applications to add a 160-acre property (Parcel A) to the Attalia Industrial Urban Growth Area, change the land use and zoning designations from Primary Agriculture/PA-40 to Industrial Agriculture/IA-M, and remove the Unique Lands designation shown on Comprehensive Plan Map RL-10. This property is located north of the existing UGA boundary and north of Dodd Road. Secondly, the applications would remove a 160-acre property (Parcel B) on Dodd Road from the Attalia Urban Growth Area and change the land use and zoning from Industrial Agriculture/IA-M to Primary Agriculture/PA-40. (APN 310822110002, 310826410004)

This meeting is open to the public and is a question and answer session; it is not a public hearing. No oral testimony will be taken, and no decisions will be made at this meeting. Staff will be available to answer questions; this is for public informational purposes only.

INFORMATIONAL MEETING INFORMATION

County Public Health and Legislative Building
314 West Main Street
2nd floor - Room 213
Walla Walla, WA

October 4, 2017 from 6:00- 6:45 PM

Public Hearing

The Planning Commission will be conducting public hearings on the following Comprehensive Plan and development regulation amendment applications, which are on the 2017 Final Docket (same items as listed above for informational public meeting).

- **CPA17-001/REZ17-001 –Cavalli**
- **ZCA17-002 – Brent Knowles**
- **CPA17-002/REZ17-002 – J. R. Simplot Company**

The Planning Commission, following the public hearings, will make a recommendation for each of the proposed amendments above to the Board of County Commissioners (BOCC) at the same meeting or on a date not yet determined. The Planning Commission will be asked to recommend that a proposed amendment be approved, approved with modifications, or denied. The process for review and recommendation of the final docket is described in Walla Walla County Code (WWCC) Sections 14.15.070 and 14.10.070 which outline the criteria for consideration. The BOCC will then review the recommendation at a public hearing, on a date not yet determined, pursuant to WWCC 14.15.070C(2) and 14.10.070C(2).

Any interested person may comment on this application, receive notice, and participate in any hearings. Persons submitting testimony may participate in the public hearing, request a copy of the final decision, and have rights to appeal the final decision. You can obtain a copy of the staff report from the Community Development Department by contacting the person listed below; the staff report will be available about one week prior to the hearing date.

Written comments regarding the above applications may be submitted prior to and at the hearing on October 4, 2017 for Planning Commission consideration. Send written comments to one of the following addresses:

Walla Walla County Community Development Department
c/o Lauren Prentice, Principal Planner
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 - Room 213
Walla Walla, WA
October 4, 2017 7:00 PM

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.



Walla Walla County Community Development Department

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

Certificate of Notification

(publishing and mailing)

File Number: 2017 Final Docket

Site Address: Varied

Type of Notice: Notice of Public Hearing – Planning Commission 10/4/2017

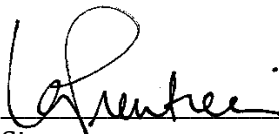
Review Level/Type: Level 5

Proof of Mailing

I certify under penalty of perjury under the laws of the State of Washington that the content of the above form of notice was

- ☒ Mailed to the property owners of record 500' adjacent to the Cavalli property (REZ17-001, CPA17-001) and Simplot properties (CPA17-002, REZ17-002 on the following date: 9/20/2017 (see attached lists)
- ☒ Mailed/e-mailed to applicant(s) or representative on: 9/20/2017
- ☒ Mailed/e-mailed to all parties of record on: 9/20/2017

Lauren Prentice
Printed Name


Signature


9/27/2017
Date

Proof of Publishing

I certify under penalty of perjury under the laws of the State of Washington that the content of the above form of notice was

- ☒ Published in the official gazette (Union Bulletin) and Tri-City Herald (paper of general circulation) on: 9/22/2017
- ☒ Published in a paper(s) of general circulation (Waitsburg Times and Tri-City Herald) on: 9/21/2017
- ☒ on the CDD website on the following date: 9/19/2017

Lauren Prentice
Printed Name


Signature

9/27/2017
Date

OWNER NAME	IN CARE OF	ADDRESS1	CITY	STATE	ZIPCODE
BILES ROBERT	CHOOJIT NAULPETCH	1982 WALLULA AVE	WALLA WALLA	WA	99362
BS FARMS LLC		PO BOX 686	WALLA WALLA	WA	99362
CUNEO GINO R & PAMELA A		1932 WALLULA AVE	WALLA WALLA	WA	99362
D & M YEEND FAMILY LLC		1603 SPRING VALLEY RD	WALLA WALLA	WA	99362
ENRIQUEZ FERNANDO & LOURDES	KENNETH LEROY HEADLEY	580 CREEKSIDE LN	WALLA WALLA	WA	99362
GRASSI LEONA G BUGHI		296 MCKINNEY RD	WALLA WALLA	WA	99362
HEADLEY EVERETT D & JANET		1223 BLALOCK DR	WALLA WALLA	WA	99362
MC CORMMACH TERRY L		PO BOX 2888	WALLA WALLA	WA	99362
MUNNS ANTHONY G	SHARON R SCHMATT TRUSTEE	PO BOX 522	CONNELL	WA	99326
MURO ISAIAS J & SONIA E		2041 WALLULA AVE	WALLA WALLA	WA	99362
RAHN HAROLD D		530 RUSSET RD	WALLA WALLA	WA	99362
SCHMATT CREDIT TRUST		1437 WALLULA AVE	WALLA WALLA	WA	99362
SCHNORR GREGORY S	DEWAYNE & KAREN SCHNORR LIVING T	1956 WALLULA AVE	WALLA WALLA	WA	99362
SHOLTIS ALBERT A		172 MC KINNEY RD	WALLA WALLA	WA	99362
TATARYN LONDA R		1906 WALLULA AVE	WALLA WALLA	WA	99362
WALL ROBERT F & KAREN		41 QUAIL VIEW LN	WALLA WALLA	WA	99362
WILLIAMS BRIAN & JENNY	PBS	PO BOX 125	COLLEGE PLACE	WA	99324
ZUGER ROBERT LEE & KATHLEEN MARIE		302 MCKINNEY RD	WALLA WALLA	WA	99362
FLOWERS GREG		5 N. COLVILLE	WALLA WALLA	WA	99362
CAVALLI ROBERTA		1278 WALLULA AVE	WALLA WALLA	WA	99362

OWNER NAME	IN CARE OF	ADDRESS1	CITY	STATE	ZIPCODE
ART MORTGAGE BORROWER PROPCO	% MARVIN F POER & CO	18818 TELLER AVE STE 277	IRVINE	CA	92612
BUCHANAN RANDY W		35032 W HIGHWAY 12	BURBANK	WA	99323
BUCHANAN VERNON W & ALPHA D	RANDY W BUCHANAN	35032 W HIGHWAY 12	BURBANK	WA	99323
BUCHANAN WAYNE V & DONNA		35032 W HIGHWAY 12	BURBANK	WA	99323
CFG VENTURES LLC		341 SUNNYBANK RD	PASCO	WA	99301
FLAT TOP RANCH LLC		2521 FISHOOK PK RD	PRESCOTT	WA	99348
I B P INC	C/O TYSON FOODS INC	PO BOX 2020 TAX DEPT	SPRINGDALE	AR	72765
J R SIMPLOT COMPANY		PO BOX 27	BOISE	ID	83707
LILLY & LUCY LOICHINGER FARM LLC	COMPARTMENT 44 SITE 16 RR 1	FORT SAINT JOHN BC V1J4M6 CANADA			
SIMPLOT FEEDERS LLC		PO BOX 27	BOISE	ID	83707
WALLA WALLA COUNTY OF		315 W MAIN ST	WALLA WALLA	WA	99362
WASHINGTON STATE OF	DEPT OF NATURAL RES	P O BOX 47041	OLYMPIA	WA	98504
WALLA WALLA PORT OF		310 A ST	WALLA WALLA	WA	99362
Anderson Perry & Associates, Inc.	c/o Dana Kurtz	PO Box 1107	La Grande	OR	97850

OWNER NAME	CO	ADDRESS1	CITY	STATE	ZIPCODE
KNOWLES, BRENT		1010B VALLEY CHAPEL RD	WALLA WALLA	WA	99362
HAWKINS, JARED		2225 ISAACS AVE, SUITE B	WALLA WALLA	WA	99362
VANDIVER, ELAINE	OLD HOMESTEAD ALPACAS	5260 STATELINE RD	WALLA WALLA	WA	99362
FUTUREWISE	STATEWIDE HEADQUARTERS	816 SECOND AVE, SUITE 200	SEATTLE	WA	98104
FUTUREWISE	EASTERN WA	35 W MAIN STREET	SPOKANE	WA	99201
NANCY BALL		213 FULTON STREET	WALLA WALLA	WA	99362



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

August 31, 2017

Lauren Prentice
Principal Planner
Walla Walla Joint Community Development Agency
310 W Poplar Suite 200
Walla Walla, Washington 99362

Dear Ms. Prentice:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

County of Walla Walla - Proposed Site-specific amendment applications by Roberta Cavalli to change the land use designation in the Comprehensive Plan from Agriculture Residential to Rural Residential 5 and rezone an 18.27-acre parcel at the intersection of Wallula Ave. and McKinney Rd. from AR-10 to RR-5. CPA17-001, REZ17-001 These materials were received on August 30, 2017 and processed with the Material ID # 24071.

County of Walla Walla - Proposed amendment to WWCC Chapter 17.31, Development Standards - Cluster Developments on Resource Lands. The amendments would increase the allowed average lot size for residential lots in a cluster subdivision; increase the maximum allowed lot size of cluster lots; allow the creation of 20-acre lots in the AR-10 zone; and revise the code as it pertains to density transfers. ZCA17-002 These materials were received on August 30, 2017 and processed with the Material ID # 24072.

We have forwarded a copy of this notice to other state agencies.

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment, then final adoption may occur no earlier than sixty days following the date of receipt by Commerce. Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Dave Andersen (509) 434-4491 or Paul Johnson (360) 725-3048.

Sincerely,

Review Team
Growth Management Services

Walla Walla County Community Development Department

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

SEPA17-008

DETERMINATION OF NON-SIGNIFICANCE (DNS)

Description of Proposal: Site-specific Comprehensive Plan and Zoning Map amendment applications for an 18.27-acre parcel. The proposal would change the land use designation from Agriculture Residential to Rural Residential 5 and similarly rezone the property from Agriculture Residential 10-acres (AR-10) to Rural Residential 5-acres (RR-5).

Proponent(s): Roberta Cavalli
1278 Wallula Avenue
Walla Walla, WA 99362

Location of Proposal: The southwest corner of the intersection of Wallula Avenue and McKinney Road (APN 350727420010).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

The Determination of Non-Significance (DNS) is based on the applications as proposed and reflected in the following:

- Applications CPA17-001, REZ17-001 and SEPA Checklist SEPA17-008

This DNS is issued under WAC 197-11-340 (2); the lead agency will not act on this proposal for fourteen (14) days from the date below. **Comments must be submitted by October 3, 2017.**

The lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA.

This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); if there is significant new information indicating, or on, a proposal's probable significant adverse environmental impacts; or if the DNS was procured by misrepresentation or lack of material disclosure.

Lead Agency: Walla Walla Community Development Department (CDD)

Responsible official: Thomas Glover, AICP; Director

Address: 310 W Poplar St., Suite 200; Walla Walla, WA 99362
Phone: 509-524-2610; Email: commdev@co.walla-walla.wa.us

Issue Date: 09/19/2017

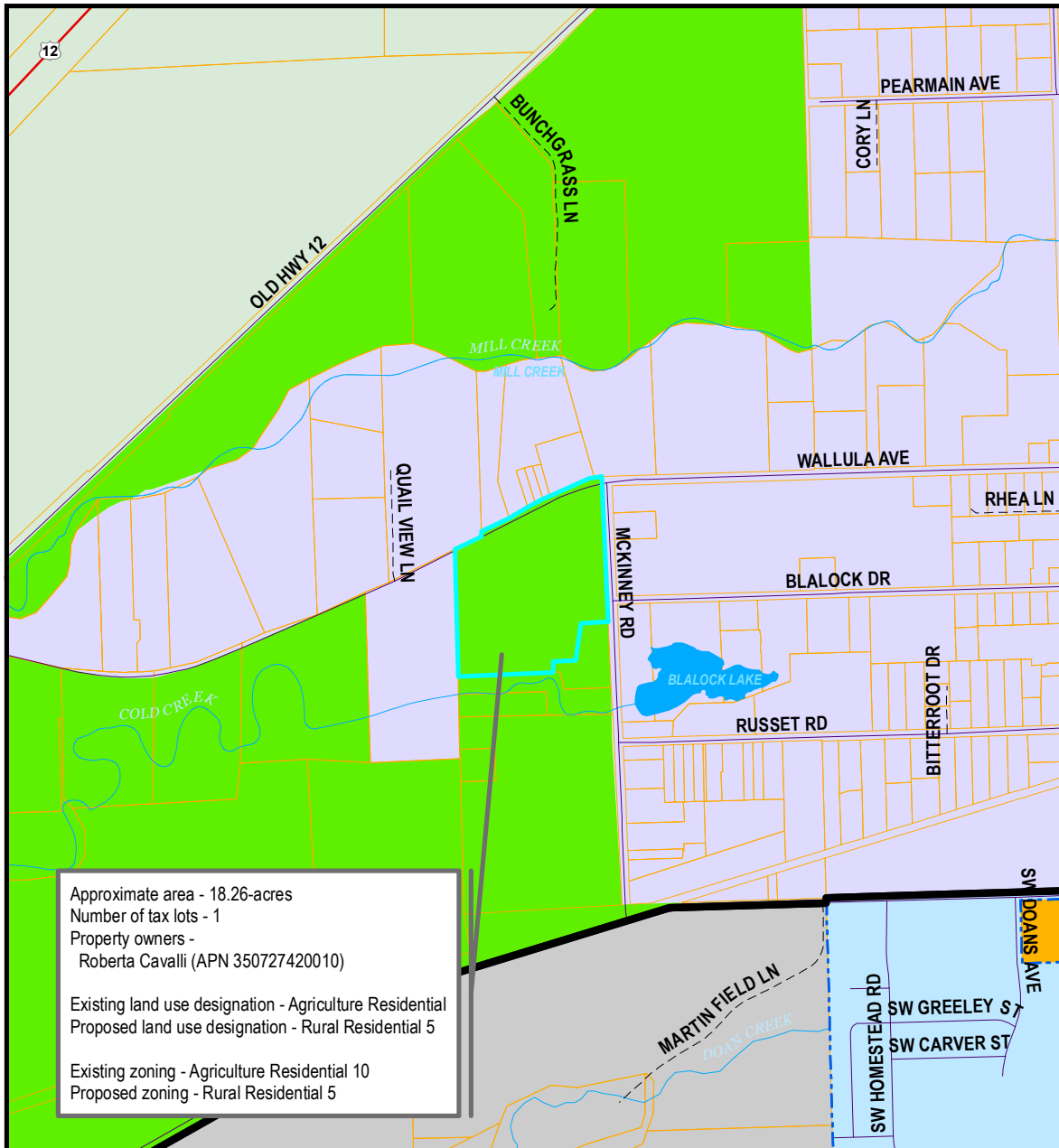
Signature:  **Date:** 9-19-17

Staff Contact: Lauren Prentice, Principal Planner, 509-524-2620

You may appeal this determination, in writing, to the CDD no later than fourteen days from the date of issue. You should be prepared to make specific factual objections. Contact the CDD to read or ask about the procedures for SEPA appeals and obtain details regarding submittals for appeals (including application forms and fees). Walla Walla County Code (WWCC) Chapter 14.11 outlines the County's appeal procedure.

CPA17-001, REZ17-001

Roberta Cavalli




CITY LIMITS
 TAX LOTS
 URBAN GROWTH AREA



LIGHT INDUSTRIAL
 AGRICULTURE RESIDENTIAL 10
 PRIMARY AGRICULTURE 40
 R-60 SINGLE-FAMILY RESIDENTIAL
 RURAL RESIDENTIAL 5

0 0.075 0.15 0.3
 Miles



Walla Walla County Community Development Department

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

Date: October 4, 2017
To: Walla Walla County Planning Commission
From: Tom Glover, Director
Lauren Prentice, Principal Planner
RE: **Public Hearing** – Application by Brent Knowles to amend WWCC Chapter 17.31, Development Standards – Cluster Developments on Resource Lands. The amendments would increase the allowed average lot size for residential lots in a cluster subdivision; increase the maximum allowed lot size of cluster lots; allow the creation of 20-acre lots in the AR-10 zone; and revise the code as it pertains to density transfers. Docket No. ZCA17-002

Background

The application was received by the Community Development Department on March 31, 2017.

Staff Recommendation

If the Planning Commission finds that the proposed amendments are consistent with the criteria in WWCC 14.15.070D(3), Staff would recommend that the application submitted, docket number ZCA17-002, be recommended for approval by the Planning Commission to the Board of County Commissioners (Option 1). If not, see option 2 or 3 below.

Option 1:

Recommend approval of the application submitted by Brent Knowles.

Option 2:

Recommend denial of the application submitted by Brent Knowles.

Option 3:

Recommend approval of the application submitted by Brent Knowles, with certain exceptions.

Sample Motions

Option 1. Approval

"I move that the Planning Commission concur with the findings of fact and conclusions of law in docket number ZCA17-002 and recommend to the Board of County Commissioners that the application submitted by Brent Knowles, be approved."

Option 2. Denial

"I move that the Planning Commission concur with the findings of fact in docket number ZCA17-002 but recommend to the Board of County Commissioners that the application submitted by Brent Knowles, be denied."

Option 3. Approval with certain exceptions

"I move that the Planning Commission concur with the findings of fact in docket number ZCA17-002 and recommend to the Board of County Commissioners that the application submitted by Brent Knowles, be approved except for the following items:"

Attachments

Please refer to Item 2 in the notebook to review the application materials and documents presented at past meetings.

1. Development Regulations Amendment Process – Walla Walla County Code Section 14.15.070 – Final docket – review and recommendation
2. WAC 365-196-815 – Conservation of natural resource lands.
3. Walla Walla County Comprehensive Plan Section 6.3.5 – Resource Lands Goals and Policies
4. Letter from Jared Hawkins dated September 20, 2017 with the following attachments:
 - a. *Minimum Parcel Size for Viable Adaptive Farms in Umatilla County: An Economic Analysis* by Oregon State University Extension Service dated October 22, 2009
 - b. *Costco Is Selling So Much Organic Produce, Farms Can't Keep Up* by Ryan Grenoble, Huffington Post, dated April 13, 2016
5. Notice of Public Hearing and Certificate of Notification
6. Department of Commerce Letter dated August 31, 2017
7. SEPA Determination of Non-Significance dated September 19, 2017

Summary of Proposal

The application includes several significant amendments to Walla Walla County Code Chapter 17.31, Development Standards – Cluster Developments on Resource Lands.

1. Amend Section 17.31.020F to allow for the creation of 20-acre lots in the AR-10 district. Currently, with an exception for the creation of 160-acre lots, all subdivisions in the AR-10 zone must be cluster developments.
2. Amend Section 17.31.060H to reduce the amount of land in a cluster subdivision in the AR-10 zone that must be reserved for resource uses from 85% to 70%.
3. Amend Section 17.31.060O to increase maximum allowable size of cluster/residential lots in a cluster subdivision from 3-acres to 5-acres.
4. Amend Section 17.31.060P to increase the maximum allowable average of cluster/residential lots in a cluster subdivision from 2-acres to 3-acres.
5. Amend Section 17.31.060X to correct a scrivener's error in the name of the AR-10 zone and add new provisions for the transfer of cluster lot density and resource land reservations. Secondly, this section already contains provisions for the transfer of cluster lot density between contiguous parcels in common ownership. The proposed amendments would clarify the existing provisions for transferring density and add provisions to allow for reservations of resource land in a cluster subdivision that includes a density transfer that could count toward a cluster development on the receiving (separated) parcel **(Staff is concerned that these provisions are ambiguous and may be difficult to implement without additional revisions and clarification.)**

Attachment 4 is a new letter from Jared Hawkins, the applicant's representative, which addresses some of the issues raised in 2010, the last time the County considered amendments to the clustering code. This letter also provides additional argument for how the proposal is consistent with the criteria for approval in WWCC 14.15.070D(3).

This letter also provides an alternative on Page 3 in Item ii(3). As stated in the application, one of the reasons Mr. Knowles presents for increasing the maximum lot size and average lot size for non-resource parcels in a cluster development is to encourage agricultural uses on non-resource lots (e.g. gardens, agricultural accessory uses). Recognizing that not all developers or future owners of cluster lots may not have the same intention as Mr. Knowles, Mr. Hawkins states that "the County could establish a maximum area within each of these lots that could be used for residential

purposes (e.g. an average of 1.5 acres per residential lot) and mandate that the remainder be preserved for agricultural purposes.” This provision is not included in the application, but could be considered by the County.

Analysis

Growth Management Act

The proposed amendments would affect land in the Agricultural Residential, General Agriculture, and Primary Agriculture land use designations from the Comprehensive Plan, with some changes only affecting the Agriculture Residential designation. The amendments would not affect the County’s Exclusive Agriculture designation, where clustering is not allowed.

All lands designated Agricultural Residential, General Agriculture, and Primary Agriculture are lands of long-term commercial significance. Policies for these resource lands are provided in Chapter 6 of the Walla Walla County Comprehensive Plan and the Washington State Growth Management Act.

WAC 365-196-815(3)(a) states that when the County uses innovative land techniques it must achieve the following. See Attachment 2.

When adopting development regulations to assure the conservation of agricultural lands, counties should consider use of innovative zoning techniques. These techniques should be designed to conserve agricultural lands and encourage the agricultural economy. Any nonagricultural uses allowed should be limited to lands with poor soils or lands otherwise not suitable for agricultural purposes.

So, one of the primary considerations should be how the proposed amendments to the clustering code help the County “conserve agricultural lands” AND “encourage the agricultural economy.”

Zoning Code Text Amendment Review Criteria

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 from WWCC 14.15.070D(3).

- **Criteria:** *The amendment is consistent with the comprehensive plan; and*
Staff Discussion: The applicant has provided several general arguments in their application and in Attachment 4, which is a new letter from Mr. Hawkins, for how the application is consistent with and supported by the Comprehensive Plan. Cluster developments are a type of innovative zoning technique supported by the Comprehensive Plan and Growth Management Act to allow for efficient development and use of agricultural land which provides flexibility to land owners and supports the agricultural economy. Specifically, the applicant has presented that the proposed amendments would provide additional flexibility to agricultural property owners in (1) creating opportunities for small farms in the AR-10 zone and (2) increasing opportunities for resource and non-resource uses on cluster lots by increasing the allowable size of these lots and (3) creating opportunities for agriculture uses to be mixed with residential uses within the cluster lots (e.g. orchards, gardens). The amendments could reduce the overall amount of resource land reserved in cluster developments for resource uses in the AR-10 zone by amending 17.31.060H. Additionally, the change to (H) broadens the uses which are considered “resource” uses, which could now include residential uses.

The Comprehensive Plan states the following: “Agricultural accessory uses and non-agricultural accessory uses and activities that support, promote or sustain agricultural operations and production are permitted consistent with the provisions of Chapter 36.70.A.177 of the GMA.”

The purpose of the Agriculture Residential land use designation is included on Page 6-31 of the Comprehensive Plan. It states the following regarding land divisions:

Outside of those lands designated by the Resource Lands Committee as agriculture lands of primary significance or unique lands, as shown on Maps RL-9 and RL-10, land divisions that comply with the minimum lot size of 10 acres will be allowed, provided that adequate provision of public facilities, utilities, and services such as water, wastewater disposal and access to public roads is available concurrent with the final approval of the short plat. The maximum number of lots will continue to be determined at the rate of one unit per ten acres.

Cluster developments that seek to preserve large tracts of resource land while still allowing residential development on smaller lot sizes are the preferred method of residential development, provided the overall density of the development does not exceed one dwelling unit per ten acres. All cluster developments shall be implemented by development regulations that address the minimum provisions identified in the goals and policies of this sub-element to ensure the resource use is preserved and protected through the development process.

The purpose statement for the Agriculture Residential 10 district in WWCC 17.12.040D, also states that cluster developments should be the “preferred” type of development.

Based on staff’s review, the changes to 17.16.060(H) do not appear to preserve and protect the resource use as required by the Comprehensive Plan. In particular, the proposed change would eliminate the 85 percent protection requirement from the AR-10 zone. Additionally, the change would allow any use, including residential uses, to be considered a resource use. The only use that would not be considered a resource use would be “adding density” to residential lots. Staff does not believe that the September 20th proposal to maintain small portions of the 3-acre residential lots would be workable from an enforcement perspective. Staff would not have the ability to ensure that 1-2-acre gardens are being maintained on the residential lots.

Attachment 3 contains the resource lands policies from the Comprehensive Plan.

- *Criteria: The amendment meets a definable public need; and*
Staff Discussion: The applicant has provided several general arguments in their application and in Attachment 4, which is a new letter from Mr. Hawkins, for how the proposal meets a definable public need. In the September 20 letter, Mr. Hawkins states that “the current lot size restrictions for cluster lots limit a landowner’s flexibility in designing a cluster development while also designing non-resource parcels that are also large enough for residences, farm-related uses (e.g. gardens, small orchards, etc.), and other permitted uses within the zone. Also, currently landowners in the AR-10 zone cannot divide their land into parcels smaller than 160-acres.”

The applicant presented in the application that the amendments would result in more consistency in the cluster development standards between the different agricultural zones. One of the stated purposes of Chapter 17.31 is to “prevent to the division of very large tracts to maximize their development potential” (WWCC 17.31.010F). The proposed amendments to WWCC 17.31.020F would create a new opportunity for smaller tracts (20-acres or larger) to be created in the AR-10 zone, although the amendments would require a reservation of land for resource use.

- **Criteria:** The amendment is in the long term interest of the County.
Staff Discussion: The applicant presented in the application and in the September 20 letter from Mr. Hawkins that the proposal is in the long-term interest of the County in that it will increase opportunities for County farmers to implement diverse farming operations and enhance the agricultural economy.

Findings of Fact

1. On December 19, 2016, pursuant to WWCC Title 14, the Board of County Commissioners established the criteria and deadline (March 31, 2017) for applications to be included on the 2017 Preliminary Docket of Comprehensive Plan and development regulations amendments.
2. On March 31, 2017, the Walla Walla County Community Development Department received an application from Brent Knowles to amend Walla Walla County Code Chapter 17. 31 – Cluster Developments on Resource Lands.
3. On May 3, 2017, the Planning Commission reviewed the amendment application and background materials in an open public meeting.
4. On May 22, 2017, a Notice of Public Hearing was posted on the Community Development Department website.
5. On May 24, 2017, a Notice of Public Hearing was mailed to the applicant.
6. On May 25, 2017, a Notice of Public Hearing was published in the Waitsburg Times, the Walla Walla Union Bulletin and the Tri-City Herald.
7. On June 1, 2017, the Planning Commission held a public hearing to consider the proposed amendments and whether they should be included on the 2017 Final Docket; the only members of the public who provided testimony was the applicant and his representative.
8. On June 1, 2017, after conducting a public hearing, the Planning Commission voted unanimously to recommend to the Board of County Commissioners that the application be placed on the 2017 Final Docket.
9. On June 20, 2017, the Chairman of the Planning Commission signed Planning Commission Resolution 17-03, which documented the Planning Commission’s recommendation from June 1, 2017.
10. On June 26, 2017, the Board of County Commissioners reviewed the amendment application and the Planning Commission’s recommendation in an open public meeting.
11. On July 24, 2017, the Board of County Commissioners set the 2017 Final Docket of Comprehensive Plan and development regulations via Resolution 17-197 to include the Brent Knowles application (ZCA17-002).
12. On August 2, 2017, the Planning Commission reviewed and discussed the amendment applications and background materials in workshop meeting, which was open to the public.
13. On August 31, 2017, the Department of Commerce acknowledged receiving the proposed amendment.
14. On September 6, 2017, the Planning Commission reviewed and discussed the amendment applications and background materials in workshop meeting, which was open to the public.

15. On September 19, 2017, SEPA Determination of Non-significance was issued by the Community Development Director.
16. On September 19, 2017, a Notice of Informational Public Meeting and Public Hearing was published on the Community Development Department website.
17. On September 20, 2017 a Notice of Informational Public Meeting and Public Hearing was mailed to parties of record.
18. On September 21, 2017, a Notice of Informational Public Meeting and Public Hearing was published in the Waitsburg Times and Tri-City Herald.
19. On September 22, 2017, a Notice of Informational Public Meeting and Public Hearing was published in the Walla Walla Union Bulletin and Tri-City Herald.
20. On October 4, 2017 an Informational Public Meeting was held by Community Development Department staff.
21. On October 4, 2017 a public hearing was held by the Planning Commission.

Conclusions of Law

1. The proposed amendments have been reviewed pursuant to Walla Walla County Code Sections 14.15.070B(3).
2. The proposed amendments are consistent with the Walla Walla County Comprehensive Plan.
3. As proposed, the amendments is not likely to have a significant adverse impact on public welfare and safety.

ATTACHMENT 1
Development Regulations Amendment Process

14.15.070 - Final docket—Review and recommendation.

- A. Required Information. The community development department shall compile a preliminary docket of proposed amendments. The preliminary docket shall include at least the following information for each proposed amendment:
 - 1. Docket number; and
 - 2. Name and address of the person or agency proposing the amendment; and
 - 3. Summary of the proposed amendment; and
 - 4. Date of application; and
 - 5. Address or section, township and range of the location of the amendment, if applicable.
- B. Available for Public Review. The community development department shall keep the preliminary docket available for public review during normal business hours.
- C. Community Development Department Review. After compiling the preliminary docket, the director shall review the suggested amendments and prepare a staff report to the planning commission recommending which proposed amendments should be placed on the final docket. The staff report shall address the following criteria:
 - 1. The amendment is consistent with the comprehensive plan; and
 - 2. The amendment is consistent with other development regulations, unless accompanied by amendments to such other development regulations; and
 - 3. The amendment is appropriate for consideration at this time.
- D. Planning Commission Review. All proposed amendments shall be reviewed and assessed by the planning commission, which shall make a recommendation 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 on the preliminary docket as set forth in Sections 14.09.065 and 14.09.070 of this title.
 - 3. Recommendations. Following the hearing, the planning commission shall make a recommendation to the board of county commissioners on each proposed amendment as to whether or not the amendment should be placed on the final docket. The planning commission's recommendation shall be based upon the following criteria:
 - a. The amendment is consistent with the comprehensive plan; and
 - b. The amendment is consistent with other development regulations, unless accompanied by amendments to such other development regulations; and
 - c. The amendment is appropriate for consideration at this time.
- E. Board of County Commissioner's Decision—Adoption of Final Docket.
 - 1. Review and Decision Process. The board of county commissioners shall review and consider the planning commission's report and recommended final docket at a regularly scheduled commissioner's meeting. The board of county commissioners may adopt the planning commission's recommended final docket without a public hearing; however, in the event that a majority of the board of county commissioners decides to add or subtract proposed amendments, it shall first conduct a public hearing as set forth in Sections 14.09.065 and 14.09.070 of this title.
 - 2. Effect of Final Adopted Docket. The decision of the board of county commissioners to adopt the final docket does not constitute a decision or recommendation that the substance of any recommended amendment should be adopted. No additional amendments shall be considered after adoption of the final docket for that year except for exceptions as set forth in Section 14.15.030

ATTACHMENT 2

WAC 365-196-815 - Conservation of natural resource lands.

emphasis added

(1) Requirements.

- (a) Counties and cities planning under RCW 36.70A.040 must adopt development regulations that assure the conservation of designated agricultural, forest, and mineral lands of long-term commercial significance. If counties and cities designate agricultural or forest resource lands within any urban growth area, they must also establish a program for the purchase or transfer of development rights.
- (b) "Conservation" means measures designed to assure that the natural resource lands will remain available to be used for commercial production of the natural resources designated. Counties and cities should address two components to conservation:
 - (i) Development regulations must prevent conversion to a use that removes land from resource production. Development regulations must not allow a primary use of agricultural resource lands that would convert those lands to nonresource purposes. Accessory uses may be allowed, consistent with subsection (3)(b) of this section.
 - (ii) Development regulations must assure that the use of lands adjacent to designated natural resource lands does not interfere with the continued use, in the accustomed manner and in accordance with the best management practices, of these designated lands for the production of food, agricultural products, or timber, or for the extraction of minerals.
- (c) Classification, designation and designation amendment. The department adopted minimum guidelines in chapter 365-190 WAC, detailing the process involved in establishing a natural resource lands conservation program. Included are criteria to be considered before any designation change should be approved.
- (d) Prior uses. Regulations for the conservation of natural resource lands may not prohibit uses legally existing on any parcel prior to their adoption.
- (e) Plats and permits. Counties and cities shall require that all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet, of designated natural resource lands contain a notice that the subject property is within or near designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration.

(2) Relationship to other programs. In designing development regulations and nonregulatory programs to conserve designated natural resource lands, counties and cities should endeavor to make development regulations and programs fit together with regional, state and federal resource management programs applicable to the same lands. Comprehensive plans and policies may in some respects be adequately implemented by adopting the provisions of such other programs as part of the local regulations.

(3) Innovative zoning techniques.

- (a) When adopting development regulations to assure the conservation of agricultural lands, counties should consider use of innovative zoning techniques. These techniques should be designed to conserve agricultural lands and encourage the agricultural economy. Any nonagricultural uses allowed should be limited to lands with poor soils or lands otherwise not suitable for agricultural purposes.

- (b) Examples of innovative zoning techniques include:
- (i) Agricultural zoning, which limits the density of development and restricts or prohibits nonfarm uses of agricultural land and may allow accessory uses, including nonagricultural accessory uses and activities, that support, promote, or sustain agricultural operations and production, as provided in this subsection;
 - (ii) Cluster zoning, which allows new development on one portion of the land, leaving the remainder in agricultural or open space uses;
 - (iii) Large lot zoning, which establishes as a minimum lot size the amount of land necessary to achieve a successful farming practice;
 - (iv) Quarter/quarter zoning, which permits one residential dwelling on a one-acre minimum lot for each one-sixteenth of a section of land;
 - (v) Sliding scale zoning, which allows the number of lots for single-family residential purposes, with a minimum lot size of one acre, to increase inversely as the size of the total acreage increases; and
 - (vi) The transfer or purchase of development rights from agricultural lands, which can be used through cooperative agreements with cities, or counties with nonmunicipal urban growth areas, as receiving areas for the use of these development rights.
- (c) Accessory uses on agricultural lands of long-term commercial significance:
- (i) Counties may allow certain accessory uses on agricultural lands of long-term commercial significance. Accessory uses can promote the continued use of agricultural lands by allowing accessory uses that add value to agricultural products. Accessory uses can also promote the continued use of agricultural lands by allowing farming operations to generate supplemental income through unrelated uses, provided they are compatible with the continued use of agricultural land of resource production;
 - (ii) Development regulations must require accessory uses to be located, designed, and operated so as to not interfere with, and to support the continuation of, the overall agricultural use of the property and neighboring properties, and must comply with the requirements of the act;
 - (iii) Accessory uses may include:
 - (A) Agricultural accessory uses and activities, including but not limited to the storage, distribution, and marketing of regional agricultural products from one or more producers, agriculturally related experiences, or the production, marketing, and distribution of value-added agricultural products, including support services that facilitate these activities; and
 - (B) Nonagricultural accessory uses and activities as long as they are consistent with the size, scale, and intensity of the existing agricultural use of the property and the existing buildings on the site. Nonagricultural accessory uses and activities, including new buildings, parking, or supportive uses, shall not be located outside the general area already developed for buildings and residential uses and shall not otherwise convert more than one acre of agricultural land to nonagricultural uses; and
 - (C) Counties and cities have the authority to limit or exclude accessory uses otherwise authorized in this subsection in areas designated as agricultural lands of long-term commercial significance.
 - (iv) Any innovative zoning techniques must not limit agricultural production on designated agricultural resource lands.

ATTACHMENT 3

Resource Lands Goals and Policies
Walla Walla County Comprehensive Plan
excerpt – Chapter 6, Section 6.3.5, Pages 6-34 through 6-36

Goal RL 21. Protect and conserve long-term, commercially viable forest, agricultural and mineral natural resource lands.

- Policy RL-43 Conserve and protect from conflicts productive farmland that is located outside an Urban Growth Area.
- Policy RL-44 Ensure that preferred land uses in agricultural areas are related to farming, ranching, and open space activities in areas designated as agricultural. Limited outdoor recreation uses are allowed, and mining is allowed with certain restrictions. Zoning standards shall limit non-agricultural accessory uses on designated agricultural lands.
- Policy RL-45 Protect existing prime and unique agriculture lands, as identified by the resource lands committee and shown on Maps RL-9 and RL-10, to a greater extent than other agricultural lands of long-term commercial significance by allowing within their limits only uses that are compatible with the agricultural industry.
- Policy RL-46 Do not allow agricultural resource lands to be developed solely for residential use.
- Policy RL-47 Allow residential uses near agricultural lands and designated mineral resource lands to be developed only in a manner that minimizes conflicts and discourages the unnecessary conversion of resource land.
- Policy RL-48 Promote the arrangement of agricultural lands that provide landowners and their employees a means of residing on their property, while at the same time providing protection to resource land from encroachment of more intensive residential activity.
- Policy RL-49 Recognize that changing technologies and other circumstances can drastically alter farming practices and reflect these changes in agricultural practices in future code revisions.
- Policy RL-50 Ensure that natural resource support services or on-site enterprises that are proposed within the agricultural land designations maintain the agricultural character of the area and are permitted only through the conditional use permit process if strong nuisance potential or need for mitigation exists.
- Policy RL-51 Encourage the use of Best Management Practices (BMPs) for all resource activities.
- Policy RL-52 Revise the County Zoning Code to include zoning districts more appropriate for resource-based lands including timber harvesting, mining, and grazing, and from which incompatible uses are removed.

- Policy RL-53 Develop an ordinance to comply with the “Forest Practices Act.”
- Policy RL-54 Consider implementing development regulations to protect long-term mineral source sites that have not undergone a designation process.

Goal RL 22. Maintain the current quality of life for County residents, while maximizing on the opportunity to make efficient use of resource land and improve the economic base of the County.

- Policy RL-55 Require that land use activities within or adjacent to resource lands are sited and designed to minimize conflicts with and impacts on resource lands. Minimization of impacts may be accomplished through the use of setbacks, buffers and other requirements.
- Policy RL-56 Certain limited recreational and community-oriented cultural land uses should be allowed in three of the zones comprising the designated agricultural resource lands: Agriculture Residential-10, General Agriculture-20, and Primary Agriculture-40.
- Policy RL-57 Recreation/tourist and highway-oriented commercial/tourist facilities may be located in designated districts within select agricultural districts – primarily rural activity centers. These are intended to be low-intensity uses compatible with the agrarian nature of the town sites in and around which they are located. At a minimum, the following criteria should be met to permit recreation/tourist and highway-oriented commercial/tourist facilities in select agricultural districts:
- The location of the facility must not adversely impact the natural resource production of the area
 - The facility is of a size and scale that is compatible with the surrounding area
 - The use does not require extension of urban services and
 - The business is dependent on the agrarian atmosphere of the general area.
- Policy RL-58 Work with State agencies responsible for reclamation to ensure that adequate reclamation standards are included as a “condition” when issuing conditional use permits on mineral resource sites.

Goal RL 23. Adopt lower level of service standards in resource lands to minimize the expense to county taxpayers of providing these services.

- Policy RL-59 In agriculturally designated areas where subdivisions are allowed, require community water systems unless an acceptable alternative is proposed.



September 20, 2017

Ms. Lauren Prentice
 Walla Walla Community Development Department
 310 W. Poplar Street, Suite 200
 Walla Walla, WA 99362

RE: Zoning Text Amendment, ZCA17-002 (Knowles)

Ms. Prentice,

The Planning Commission will soon be considering the merits of zoning text amendment ZCA17-002. Thank you for sharing with me and Mr. Knowles the letter from December 2010 from Futurewise, in which Futurewise argued against the zoning text amendments being presented in 2010. I would like to address concerns that Futurewise raises in that letter in the context of Mr. Knowles' application. I would then like to share additional information regarding how the Knowles application meets the requirements of WWCC 14.15.070.

First, please consider that the issues that Futurewise addresses in its December 2010 letter are vastly different from the Knowles application. In 2010, County consultant Bill Stalzer recommended 10 areas in which the County Code should be amended, many of which Futurewise opposed. Mr. Knowles' application requests much less dramatic changes than did the 2010 amendments. By way of example, consider below Futurewise's objections to the 2010 amendments and how the Knowles application compares:

1. Small Areas of Leftover Land:

a. The 2010 amendments proposed entirely removing the average lot size requirement. Having an average lot size requirement (with a limited number of development rights per parcel) generally results in a small area of left over land. In 2010, proponents of the amendments argued that the leftover land was unsuitable for farming and proposed getting rid of the average lot size requirement so that leftover land could be used for the residential lots. Futurewise opposed this amendment, and instead suggested that this land could be used as a buffer between the building/residential lots and the farm or ranch land.

b. Knowles Application: The amendments propose raising the maximum average lot size from 2 acres to an average of 3 acres per residential lot (so that agricultural related activities can occur on the residential lots (*e.g.*, gardens, orchards, etc.)). The application does not propose removing the average lot size requirement. The proposed Knowles amendments are consistent with the Futurewise proposal that leftover land can be used as an additional buffer between residential lots and farm land.

2. Creation of 10-Acre Lots in AR-10 Zone:

a. The 2010 amendments proposed that 10 acre lots should be allowed in the AR-10 zoning district as long as the potential for agricultural uses are preserved. Proponents of the amendments cited evidence from the Growth Management Board (from 2002) and from a 2009 Oregon State University study of Umatilla County that indicated that small agricultural lots are taking on an increased importance in the State and can be economically viable. The Oregon State University report in particular identified crops that could be grown in Umatilla County on 10 to 40 acre lots and that would yield sufficient income to make such farms economically viable. I have enclosed the Oregon State University study for your benefit.

b. Futurewise took issue with the Oregon State University report, contending that the buildings and buffers built on a 10-acre parcel would reduce the farmable land and would limit the viability of the farms. Notably, Futurewise provides no data, studies, or reports to refute the Oregon State University data and analysis, but instead relies on assumptions and conjecture.

c. Futurewise also contends that the proposed 10-acre parcels violated the 2006 settlement agreement between the County, Futurewise, and others; Futurewise alleges that the County agreed in the settlement agreement “to require that divisions of land in the Agricultural Residential 10 zone would be all done through the clustering process.” (Futurewise Letter, dated December 1, 2010, at 4.) In actuality, the settlement agreement only requires the County Director of Community Development to propose amendments to applicable ordinances for consideration by the Walla Walla County Commissioners, which the Director accomplished. The settlement agreement did not, and cannot, restrain elected legislative officials from revising the County Code to meet ongoing land use needs now or in the future. In other words, the 2006 settlement agreement does not prevent the County Commissioners from amending the cluster development code.

d. Knowles Application: Futurewise’s contentions are inapplicable to this application; the Knowles application proposes the creation of parcels no smaller than 20 acres, which were not addressed in the Futurewise letter.

3. Futurewise Additional Comments: Future wise also commented on allowed uses in the resource parcel, setbacks and buffers, and the right to farm covenant. These comments have no bearing or relevance on the Knowles application.

Second, I’d like comment briefly on how the Knowles application satisfies the requirements of WWCC 14.15.070 (Final docket—Review and recommendation).

1. The amendments are consistent with the comprehensive plan.

a. I direct you to Exhibit B, pages 1 through 3, of the Knowles application for specific examples from the Comprehensive Plan that are consistent with the Knowles application.

b. One difficult balance the County Code has to strike, to remain consistent with the Comprehensive Plan, is to encourage economical productive use of the land and enhance agricultural industries, while also preserving agricultural resource land. The Knowles application does just that.

i. Economic Productive Use: The proposed text amendments create an increased opportunity for economic productive use of smaller farm parcels and diversifies the types of crops and viable farming operations. The original application included hyperlinks to information about three farms (1 in California and 2 in Canada) that have been extremely successful with innovative farming techniques on small acreage farms (*i.e.*, 8-10 acres). The enclosed 2009 Oregon State University study also provides data relevant to nearby farms that supports Mr. Knowles' contention that smaller farm parcels can be economically viable and diverse. In addition, I have enclosed a recent Huffington Post article in which Costco representatives describe the rising demand for organic food produced from regenerative farming techniques. All of these sources provide examples of the types of farms that could be successful in Walla Walla County on smaller parcels in the AR-10 zone.

ii. Preserving Agricultural Resource Land:

1. It is important to remember the relatively small impact these amendments could have on agricultural land in Walla Walla County. The amendments are aimed at making changes within the AR-10 zone¹ which makes up only 3.7% of the County's agriculture land. (See Walla Walla County Comprehensive Plan, Table 5-3.)

2. I have stated repeatedly that Mr. Knowles' intention with the amendments is not to withdraw more resource land, but rather to encourage more opportunities to mix agricultural uses in with cluster zoning lots. The increased average lot size and maximum lot size all support this contention.

3. I acknowledge that not all developers may have the same intentions as Mr. Knowles. In that light, the County could include additional requirements within the amendments that would encourage agricultural use within the residential lots in a cluster zone. For example, while the Knowles application proposes an average residential lot size of 3 acres, and a maximum residential lot size of 5 acres, the County could establish a maximum area within each of these lots that could be used for residential purposes (*e.g.*, an average of 1.5 acres per residential lot) and mandate that the remainder be preserved for agricultural purposes.

2. The amendments meet a definable public need. Unfortunately, the current development code hampers the fulfilment of the goals of the Comprehensive Plan in the AR-10 zone. Specifically, the current lot size restrictions for the non-resource parcels in a cluster development limit a landowner's flexibility in designing a cluster development that makes best use of the resource parcel while also designing non-resource parcels that are also large enough for

¹ I recognize that the average lot size and maximum lot size changes will apply to other agriculture zones, but the development rights are spread out over such large areas in the larger agricultural zones that use of cluster zoning in such zones is much less likely, meaning that changes to the cluster development code is unlikely to have much impact on resource lands in the other agriculture zones.

residences, farm-related uses (*e.g.*, gardens, small orchards, etc.), and other permitted uses within the zone. Also, currently landowners in the AR-10 zone cannot divide their land into parcels smaller than 160-acres. This large parcel size in this particular zoning district prevents the creation of smaller farms and cluster developments that could make better use of the resource land and improve the economic base of the County. The proposed amendment addresses these issues and gives landowners additional options in the use of their lands, which benefits landowners and will likely benefit the economic base in the County at large.

3. The amendments are in the long-term interest of the county. As stated in the Comprehensive Plan, agriculture is of vital importance to the County, its communities, and residents. The future of the County's economy is inextricably tied to the fortunes of the agricultural sector. (*See* Comp. Plan pages 6-25, 6-26.) As foretold by County planners in the Comprehensive Plan, a diverse produce mix is critical to growth in the agriculture industry. While the desire for growth doesn't mandate that County farmers abandon current crops or current farming practices, increasing the opportunities for diverse farming operations will enhance the current agriculture industry and allow innovation in farming practices.

In conclusion, the Planning Commission should recommend approval of Mr. Knowles' proposed text amendments. The concerns raised in the Futurewise letter are not directly applicable to the Knowles application. Also, the Knowles application meets the requirements of WWCC 14.15.070. Thank you for considering this information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jared Hawkins", with a stylized flourish extending to the right.

Jared N. Hawkins
Attorney for Applicant

Minimum Parcel Size for Viable Adaptive Farms in Umatilla County: An Economic Analysis

Bruce Sorte, Mary Corp, Clive Kaiser, and Randall Mills
Extension Service
Oregon State University

Revision: October 22, 2009

Acknowledgements:

The authors would like to thank a number of folks. The Umatilla County Planning Department and the Oregon Department of Land Conservation and Development supported this project with funding and helpful ideas and perspectives. Farmers shared their knowledge of adaptive and conventional farming. Dr. Larry Lev, Professor in the Agricultural and Resource Economics Department, and Dr. Clint B. Reeder, Consulting Agricultural Economist and Farmer reviewed and offered suggestions that improved the theoretical integrity and clarity of the report. A number of people in Umatilla County attended public discussions of this report and provided ideas that were used to increase the accuracy and context of the information.

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Published December 2009

“With intelligence and persistence, it is possible to make money from a small farm.” Bubl & Stephenson 2001

Introduction

What is the minimum number of acres necessary for a farm to succeed over time? Embedded within this question are many other questions and more political agendas than we can imagine. Still, it is an important question for current farmers, potential farmers, the prosperity of many rural communities and all Oregonians. The answer to this question can help people as they study the likelihood that a small farm could provide reliable income for their families. In terms of existing land use regulations, the answer may be useful as Umatilla County tries to gain authority from the State of Oregon to “go below” the current parcel size requirements for farms in certain circumstances. Oregon Revised Statute 215.780 (Oregon Revised Statutes 2007) and Oregon Administrative Rule 660-33-100 (Oregon Administrative Rules 2009) set criteria for parcel sizes of farms within Exclusive Farm Use zones – 80 acres for land not designated as rangeland and 160 acres for rangeland. Umatilla County currently uses 160 acres for the minimum parcel size for both types of land. A county can adopt smaller minimum sizes for parcels with sufficient information about the current agricultural enterprises and to the extent that smaller parcel sizes “...maintain this commercial agricultural enterprise (Ibid.).” This report provides a portion of the information necessary to consider whether or not a “go below” request can be supported by the economic feasibility of farms in the 10-40 acre range and how those sizes of operations might affect the agricultural industry and economic vitality of Umatilla County.

For many years, farm size was determined by the quality of the soil, amount of rainfall and the number of people able to work the land. Scientific research, technological innovations and competition that eventually extended across the globe changed those constraints and the agricultural enterprise. Even if a person or family wanted to farm a modest number of acres, the discoveries and improvements in farming practices continually reduced the cost per unit of output for undifferentiated products. In mainstream markets, agribusiness could purchase the lowest priced agricultural commodities without worrying about differences in the quality of the commodities they purchased.

Since there are lots of farmers and farming is very competitive with no institutional barriers to entry into the farming business, as the costs of producing commodities declined farmers were offered lower prices for their crops. They had to lower their prices to keep up with their competition and sell their crops.

As farmers’ income per acre declined, they needed to farm more acres to survive. This was feasible because of rapid improvements in agricultural practices and equipment. On side effect of these changes was a rapid decline in the labor required per unit of output declined. The U.S. went from 39 percent of the population farming in 1900 to 1 percent farming in 2005 and the rural share of population declined from 60 percent in 1900 to 21 percent in 2005 (USDA Amber Waves 2005).

In some counties the percentage of farmers is much higher and certainly a few farmers can support a number of jobs in the local community. Even the remaining farmers have found it progressively more difficult to support themselves on the farm and have come to rely more and more on off-farm income. From national statistics, off-farm income provides all the income and more to cover farm losses for farms with less than \$10,000 in sales, the majority of income for farms with sales greater than \$10,000 and less than \$250,000 and 25% of the income for farms with sales greater than \$250,000. For all sizes of farms, off-farm income is very important and valuable. "Accordingly, diversification in earnings to include off-farm earnings by the operator and spouse as well as a diversification in agricultural production, were characteristic of those households that had income shocks but still managed to meet basic needs (Morehart et.al.2004)."

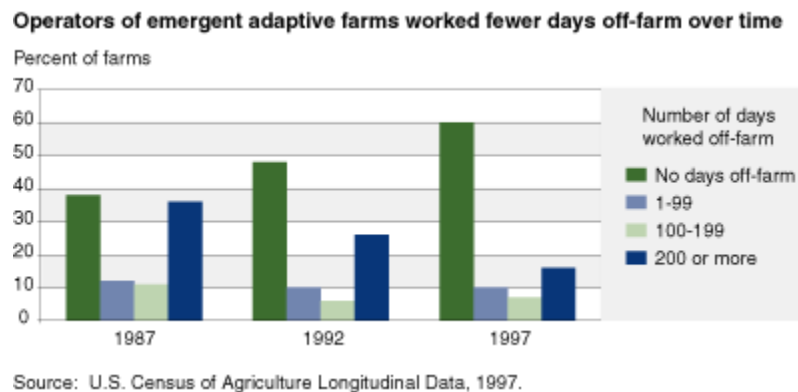
However, certain types of production enterprises are providing opportunities that directly conflict with the trends towards larger farms, smaller returns per acre and increasing dependence on off-farm income. Technological improvements have increased the ability of farmers to scale inputs more precisely to their operations and choose from a broader set of inputs. Communications systems have dramatically improved our ability to tell people about the differences between similar agricultural goods, to market goods and increase the consumers' knowledge of agricultural goods. Consumers can, in-person or electronically, meet the farmers who are producing their food. Consumers' preferences for locally grown or processed food are increasing and people are beginning to describe themselves as "locavores".

When agricultural products are differentiated in these ways, the farmers can regain some ability to set prices and thereby increase their income both overall and per unit of land. This is especially true when the farmers add value to their products by processing, marketing and/or distributing the agricultural products themselves. When they add value they can often receive retail rather than wholesale prices.

In many cases, modest and small size farms can take better advantage of these opportunities than larger farms that produce much more and then must rely on other businesses to market and distribute their products to distant consumers. Smaller farms can be more vertically integrated and capture the profits from each level of marketing, processing and even distributing their products. Technological improvements have increased small farmers ability to find just the right size of equipment for the number of acres they are farming (e.g. drip irrigation).

Research is emerging that supports the economic feasibility of small farms. These emergent adaptive farms tend to be more labor intensive and may produce a wider range of crops than conventional farms. Adaptive farmers tend to increase the time they spend working on the farm reversing the trend of farmers spending less time working on the farm. See Figure 1. from the Newton article.

Figure 1. Adaptive Farmers' Worksite by Days, 1987, 1992, and 1997



In the past, larger farmers and agricultural professionals have frequently used dismissive terms such as “hobby farm” or “lifestyle farm” to describe smaller farms. Research and personal visits to adaptive farms indicate, however that the vast majority of these farmers are quite serious about achieving a reasonable return on their investments of time and money.

Thus being big or getting bigger are not the sole pathways to farming success. In fact, maintaining a minimum acreage requirement for the development of the crops and facilities on agricultural land can limit the diversity of viable agricultural enterprises in terms of what is grown, where it is grown and how it is grown. To the extent that diversity within any industry allows portions of that industry to dodge or more quickly adjust to economic shocks, minimum acreage requirements can limit the economic resilience of the agricultural industry and the prosperity of rural counties and communities.

Approach

We address the question of parcel size for farms by:

- 1) Profiling current agricultural production in Umatilla County.
- 2) Determining the most likely types of agricultural production that could take place on the 40, 20, or 10 acre parcel types as specified in each of the three areas while retaining the commercial agricultural use of those parcels.
- 3) Estimating the financial feasibility and economic effects of each type of production to Umatilla County. These estimates are in total sales or output. The income portion of the sales, less outside inputs, is typically 40-50% of the total sales.
- 4) Summarizing the findings in a final report with an accompanying PowerPoint presentation.

Completing these tasks provides an idea of the current structure of the agricultural industry in Umatilla County, how that structure might change if more adaptive farms were created either with land that is now in agricultural production or land that could be converted to agricultural production, and the net economic effects, both at the producer and community levels, of an increase in adaptive farms.

Profile of Agricultural Production in Umatilla County

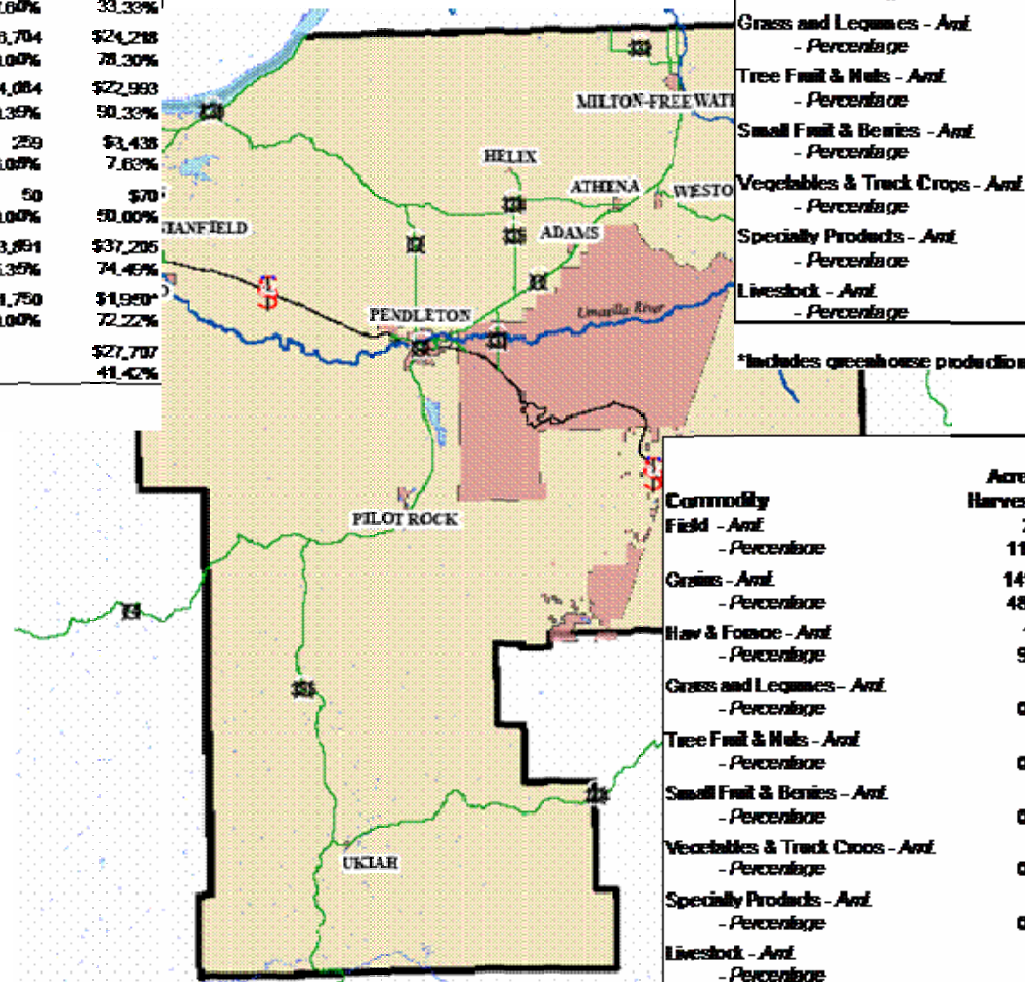
The three growing regions that we study in the County are shown in Figure 2. - working clockwise around the map from upper left; 1) Umatilla/Hermiston, 2) Milton-Freewater, and 3) Pilot Rock/Pendleton. Figure 2. provides a summary of the major crops grown in the three regions with the dollar sales, acres harvested, and the percentage each crop is of the total acres harvested and sales of that crop in Umatilla County. Figure 2. provides a general summary of what is grown in each region. In Appendix A, B, and C. maps are included for each region that give a more detailed picture of the parcel sizes in each region.

Figure 2. Umatilla County Agricultural Sales, Acres and Percentage of Umatilla County Total by Region

Umatilla County Agricultural Production by Region

Commodity	Acres Harvested	Value of Production (\$000)
Field - Amt.	17,152	\$95,332
- Percentage	71.65%	91.15%
Grains - Amt.	79,873	\$32,372
- Percentage	27.60%	31.33%
Hay & Forage - Amt.	10,704	\$24,218
- Percentage	80.00%	78.30%
Grass and Legumes - Amt.	14,084	\$22,983
- Percentage	90.35%	50.33%
Tree Fruit & Nuts - Amt.	259	\$3,438
- Percentage	6.05%	7.63%
Small Fruit & Berries - Amt.	50	\$70
- Percentage	50.00%	50.00%
Vegetables & Truck Crops - Amt.	13,891	\$37,205
- Percentage	45.35%	74.49%
Specialty Products - Amt.	1,750	\$1,950*
- Percentage	100.00%	72.22%
Livestock - Amt.		\$27,707
- Percentage		41.42%

*Includes greenhouse production



Commodity	Acres Harvested	Value of Production (\$000)
Field - Amt.	2,368	\$2,666
- Percentage	10.72%	4.54%
Grains - Amt.	68,373	\$21,332
- Percentage	23.63%	21.96%
Hay & Forage - Amt.	2,276	\$3,736
- Percentage	10.90%	12.08%
Grass and Legumes - Amt.	1,497	\$2,462
- Percentage	9.61%	9.67%
Tree Fruit & Nuts - Amt.	3,997	\$41,619
- Percentage	93.92%	92.37%
Small Fruit & Berries - Amt.	50	\$70
- Percentage	50.00%	50.00%
Vegetables & Truck Crops - Amt.	16,640	\$12,388
- Percentage	54.32%	24.82%
Specialty Products - Amt.	0	\$750*
- Percentage	0.00%	27.78%
Livestock - Amt.		\$10,055
- Percentage		15.03%

*Includes greenhouse production

Commodity	Acres Harvested	Value of Production (\$000)
Field - Amt.	2,568	\$772
- Percentage	11.63%	1.31%
Grains - Amt.	141,105	\$43,421
- Percentage	48.77%	44.71%
Hay & Forage - Amt.	1,900	\$2,975
- Percentage	9.10%	9.62%
Grass and Legumes - Amt.	0	\$0
- Percentage	0.00%	0.00%
Tree Fruit & Nuts - Amt.	0	\$0
- Percentage	0.00%	0.00%
Small Fruit & Berries - Amt.	0	\$0
- Percentage	0.00%	0.00%
Vegetables & Truck Crops - Amt.	102	\$341
- Percentage	0.33%	0.68%
Specialty Products - Amt.	0	\$0
- Percentage	0.00%	0.00%
Livestock - Amt.		\$29,129
- Percentage		43.55%

Umatilla County, established in 1862, has an area of 3,231 square miles (Umatilla County History 2009) and approximately 2,057,767 acres. Seventy percent of the land or 1,447,321 acres is divided among 1,658 farms (2007 Census of Agriculture). There are 804,065 acres of total cropland (Ibid.) with 357,529 (OAIN 2009) acres harvested and the products sold in 2008. The rest of the land was left fallow, grazed, or enrolled in the Conservation Reserve Program. In 2008, Umatilla County at \$378,961,000 had the second highest agricultural sales among the 36 Oregon counties, behind Marion County (Ibid.).

As can be seen in Figure 2. Umatilla/Hermiston and Milton-Freewater primarily produce irrigated agricultural crops. Umatilla/Hermiston produces more than ninety percent of the Field Crops (potatoes, mint, etc.) and Grasses and Legumes in the County. Milton-Freewater produces more than ninety percent of the Tree Fruit and Nuts in the County. Pilot Rock/Pendleton has the highest sales of Grains (44.71%) and Livestock (43.55%) in the County.

Figures 3, 4, and 5. note the dollar amounts and graphically show the proportion of the total regional production each crop represents. The colors for each crop are the same among the three charts, which allows the types of production in each region to be compared with the other regions. These are the current structures of agricultural production in each region. As we shall see in the next section of this report, there are opportunities to modify the regional structures with other crops grown on small farms that can increase the diversity of crops in each region and possibly increase the region's economic resilience.

Figure 3. Umatilla/Hermiston Agricultural Production 2008 (\$000)

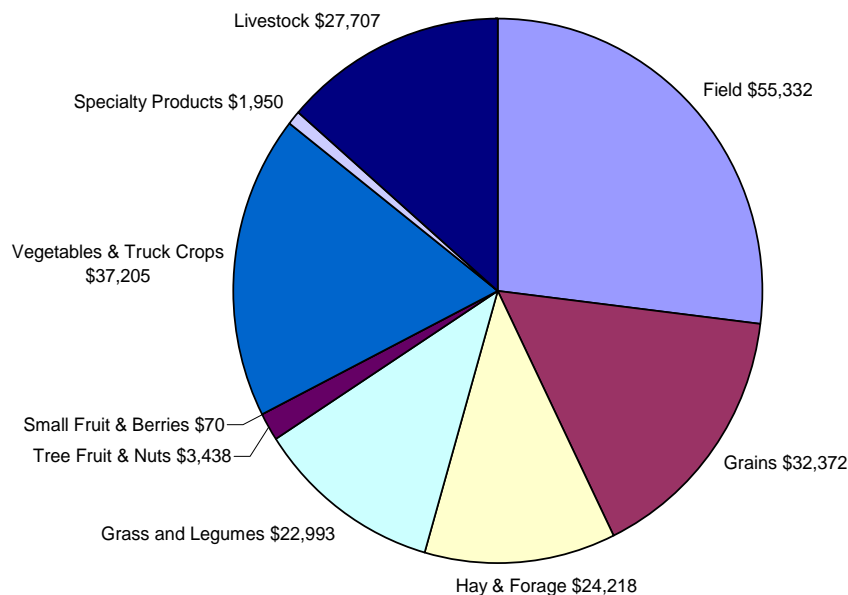


Figure 4. Milton-Freewater Agricultural Production 2008 (\$000)

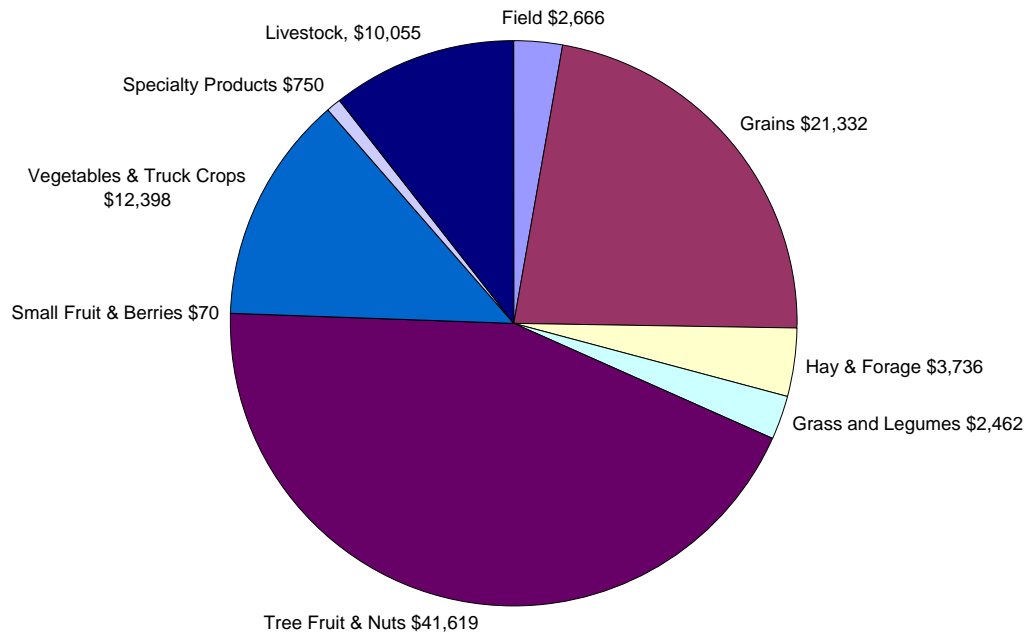
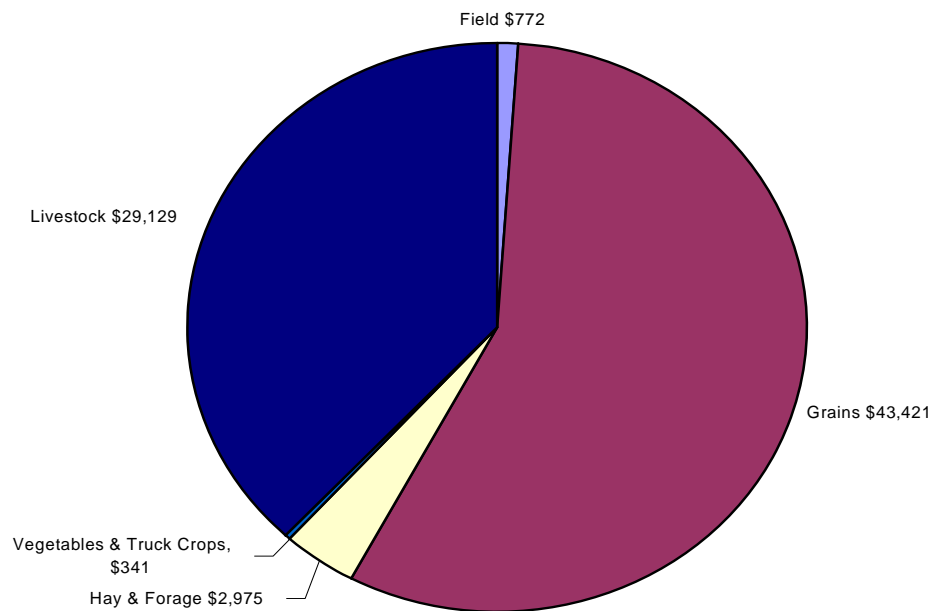


Figure 5. Pilot Rock/Pendleton Agricultural Production 2008 (\$000)



Small Farm Crops and Economic Feasibility

This section discusses the types of small farms that could be *successful over time* in each region. Determining what will be *successful over time* is a challenging task. There are a number of metrics used to define a farm. They range from the USDA's definition of a farm as an operation that generates or would normally generate \$1,000 of annual sales to the Oregon Department of Land Conservation and Development's criteria for a dwelling on farm land of \$80,000 annual sales for high-value land and \$40,000 annual sales for land not identified as high value. The USDA's definition sets the limit so low and that few believe the farms with only a few thousand dollars of sales should be considered farms. Oregon's land use definitions based on gross sales can be quite poor predictors of whether or not the farmer earns any net income after costs are subtracted and also provide a questionable definition of a farm.

Economists like to use the idea of opportunity cost to describe how much one is giving-up by choosing to do one thing over his/her next best alternative. If a person or family is considering starting a farm or remaining in farming, the farm enterprises need to be economically viable. Revenues need to exceed costs leaving a net stream of revenues that are larger than the next best use of the farmer's time and other resources. The purpose of this study is to search out and describe examples of crops when grown on 10-40 acres that could be economically viable for a family or household.

We used one half of the Umatilla Median Household Income, which is \$40,773, supplemented by off-farm income for the other half as the minimum amount that the farm enterprises would need to generate in net revenues to be economically feasible. To pass this test each small farm needs revenues net of costs, except for the owner's labor, that exceed \$20,387 per year. This would be a significant contribution to household income. Notice this is not a gross annual revenue criteria, as are those above, it is a net income test.

Returns per acre vary a great deal depending on farm attributes (e.g. water availability, soil type, access to markets, etc.) and the knowledge and experience of the operator(s). In Table 1. typical returns per acre are summarized for some common crops or livestock that can be grown or raised in Oregon (Bubl and Stephson 2001) and in many cases raised in Umatilla County. Note that these returns per acre do not, except in the case of nursery structures, include equipment costs or take into consideration uncertainty. They are calculated using wholesale output prices thus no returns are credited for any value-added processing, marketing or distribution.

Table 1. – Crop production costs and returns per acre

Table 1.—Crop production costs and returns per acre.			
	Establishment Costs	Annual Costs	Gross Returns/Year
Nursery stock**	\$3,000–20,000	\$3,000–10,000	\$10,000–30,000+
Flower bulbs	—	2,000–9,000	4,000–14,000
Fresh vegetables	—	1,500–5,000	2,000–7,000
Garlic (fresh)	—	1,800–4,500	3,500–9,000
Onions	—	2,500–3,000	1,600–5,000
Apples**	3,000–7,000	1,500–3,000	3,000–7,000
Wine grapes**	7,000	1,200–2,300	1,800–4,000
Strawberries (3-year life)	1,500–2,500	2,000–3,500	3,000–6,000
Raspberries (8-year life)*	3,000	1,700–2,800	2,000–6,000
Blueberries**	5,500	2,000–4,000	2,000–6,000
Christmas trees***	1,000–1,600	600–800	9,000–16,000
Wheat	—	200–300	200–400
Grass hay	—	70–150	100–180
Cow/calf	—	80–100	70–200
Sheep	—	100–500	275–650

*Might be 1–3 years before return.

**No return for 3–4 years after establishment. Costs vary with harvest requirements.

***No return until 6–8 years after planting. Most annual costs are concentrated in the last 3 years before harvest. “Annual costs” is an average per year over the production cycle. “Gross returns/year” is for the year of harvest.

Note: These figures represent a range of returns under normal conditions for commercial-quality crops. **They do not include expenditures for equipment except structures for nursery production.** They also don’t include weather-related crop loss or extreme price swings. These values are based on sales via wholesale markets and do not represent the higher gross receipts from direct marketing.

In the rest of this section, we return to some of the crops in Table 1. and discuss five examples of the types of farms that can provide the operators at least half of a Umatilla Median Household Income or \$20,387 annually. To identify examples for each region, we used enterprise budgets from Oregon State University’s Oregon Agricultural Information Network and enterprise budgets from other states when they were not available from Oregon. An ‘enterprise budget estimates the typical costs and returns of producing an agricultural crop given a set of assumptions about management practices and costs (Weber et. al. 2004).’ The budgets are specific about their assumptions, yet they need to be used with care because they describe what could, not what will happen financially even if all the assumptions are satisfied.

Two other features, which are mentioned in the individual sections, that make it difficult to directly apply information from these enterprise budgets to adaptive farms is that they are calculated on large operations, which benefit from significant economies of scale, and they typically use wholesale prices rather than prices that reflect the adaptive farmers value added efforts. So, particularly the overhead costs are underestimated and the revenues are probably underestimated, as well. These variables pull the analysis in opposite directions and can reasonably be expected to offset one another.

We also visited with agricultural scientists, OSU Small Farms Extension agents, farmers, and a farmers' market manager to ground-truth the extent to which the enterprise budgets were accurate for Umatilla County and/or discuss points that were not covered in the enterprise budgets. These visits were very valuable because while the enterprise budgets were often expressed on a per acre basis; they were built on information from acreages that typically were 100 acres or more.

Umatilla/Hermiston

In the last 20 years (LocalHarvest 2009), the growth of Farmers' Markets and Community Supported Agriculture (CSA) have encouraged the return of the few acre farm that sells produce to markets that are in close proximity to the farm and to local markets. We begin our discussion in the Umatilla/Hermiston region with an adaptive farm that grows vegetables.

Throughout this section we compare the different crops that could be grown by adaptive farms to the largest crop in Umatilla County, which is wheat. The comparisons are not close on a per acre basis. The comparisons are meant to give a sense of the high value per acre that can be achieved on adaptive farms. They are not meant to diminish wheat's contribution to the County which is critical to the economy. The total effects of the wheat harvest in Umatilla County are approximately \$133 million. It is important that as a County diversifies its agricultural production that it protects its primary or core production. We discuss the importance of compatibility between crops and large and small farms later in the analysis.

Vegetables

Many of the adaptive farms in the region are growing a variety of vegetable crops and selling them directly to customers at farmers' markets, roadside stands and/ or through a CSA enterprise. Since enterprise budgets focus on individual crops, and often are formulated based on production practices from larger farming operations, they do not accurately reflect this type of adaptive farm. However, there have been surveys of CSA's that summarize the net return per acre from CSAs. This net return per acre is revenue minus operating and capital expenses without opportunity costs for the operators and land, which is consistent with income information from the U.S. Census of

Agriculture (Tegtmeier and Duffy 2005). The median net return per acre for these adaptive produce farms was approximately \$2,000. If there is sufficient local demand through CSAs, farmers' markets, or institutional purchases, a ten acre vegetable farm could be capable of generating net revenue equal to half the median income in Umatilla County. To determine the per acre economic effects to the community or county of an adaptive vegetable farm, we also need to include the variable and capital costs. Using the individual enterprise budgets for carrots, broccoli, and lettuce we determined an average per acre cost for vegetables of \$2,670. Sales or gross revenue per acre would be \$4,670 (\$2,670+\$2,000).

The community economic effects can be estimated using an *ImpactPLANning* input-output model, which has been developed and refined over the last 30 years. This IMPLAN software, which is now proprietary, can provide a good sense of the magnitude of the economic effects and it is transparent or flexible enough to be modified and run by its users. The economic effects per acre of \$4,670 in vegetable sales plus the respending of by suppliers and service industry businesses like grocery stores totaling \$1,930 in Umatilla County related to the vegetable production or income earned by workers, would be lead to approximately \$6,600 in total community economic activity resulting from one acre of vegetable production. This compares to \$325 gross income or 57bu./acre * \$5.70(Oregon Wheat Growers League 2009) of direct effects and when \$125 of respending is added, \$450 total economic effects per acre of wheat.

Specialty Products

Examples of crops in the specialty products category include nursery crops, bulbs, and Christmas Trees. This wide variety of crops can be more risky in terms of crop failure and market disruptions (e.g. downturn in the construction industry, which reduces demand for nursery products). At the same time specialty products can be more responsive to efforts to market the products directly or indirectly (e.g. wedding receptions within the area where flowers are being grown).

Carrot seeds can be used as a "conservative" representative of the specialty products category. "Conservative" because we would expect an adaptive seed producer would usually grow a variety of seeds offering the consumer a type of one-stop shopping for seeds. The carrot seed enterprise budget was the closest of the available enterprise budgets to representing an adaptive farming operation for specialty crops. In our example, carrot seeds are relatively labor intensive to grow and utilize drip irrigation to conserve water.

Anticipated income (gross revenue) was estimated at \$3,164.80 per acre in this 2004 OSU OAIN enterprise budget for carrot seeds. When variable and fixed costs are deducted, net income (net revenue) is \$1,283.35. Twenty acres of carrot seed could generate \$63,296 in gross revenue and \$25,667 in net revenue.

Although we do not have a specific enterprise budget for carrot seed marketed on the internet and sold at retail prices, carrot seed is marketed on the internet. If a variety of seeds were grown, they were packaged on-farm and marketed on the internet, we would expect the net revenue per acre could increase to at least \$2,500 dollars and the acreage required to reach half of the Umatilla County median income could be reduced to ten acres.

Peonies are another example of a specialty crop and they are already grown in Umatilla County. A dated example of fresh-cut and dried flowers from North Dakota State University Extension Service, estimated net returns at \$4,000 for plots smaller than an acre (Sell and Aakre 1993). Although the North Dakota bulletin, warned potential growers to start small and increase scale with the market (Ibid.), which is variable for all specialty crops.

The community economic effects from the basic gross revenue of an acre of carrot seed production at \$3,164 is \$4,799 or \$95,980 from twenty acres. The total economic effects in Umatilla County from 20 acres of wheat are an estimated \$9,000.

Milton-Freewater

The Walla Walla River Subbasin is an excellent area for tree fruit and grape production. In this section we provide an overview of sweet cherry and grape/wine production.

Sweet Cherries

In 2008, Clark Seavert, Jenny Freeborn and Lynn Long updated the OSU enterprise budget for fresh market sweet cherries. The budget was for 15 acres, however the 15 acres were projected to be part of a 100 total acre farm. So, the production on these 15 acres had the benefit of larger and more equipment than a farm that was just 15 acres. Here again the increase in choices in both new and used smaller equipment means that while the equipment costs are underestimated, the difference may not be all that much. Those higher costs can be offset by the more extensive marketing efforts that we would expect to see in the smaller operations. Table 2. shows the budget and indicates gross revenue of \$11,900 per acre and net revenue of \$2,083.48. These high revenues reflect the higher risk of crop loss in cherries from the splitting of ripe cherries after a rain. Technological advances have steadily reduced those risks.

Table 2. Enterprise Budget – Sweet Cherries

Full Production, Sweet Cherries, High Density, \$/acre economic costs and returns							
GROSS INCOME		Quantity	Unit	\$/Unit	Total	Price/Lb	
Sweet Cherries		14,000	pounds	0.85	11,900.00	0.85	
Total gross income					11,900.00	0.85	
VARIABLE CASH COSTS		Description	Labor	Machinery	Materials	Total	Cost/Lb
Pruning trees		40.0 hours	\$460.00	\$0.00	\$0.00	\$460.00	\$0.0329
Tree Removal & Tree Replacement		1.0 hours	24.50	20.44	21.00	65.94	0.0047
Shredding Brush		1.0 x/acre	13.40	26.43	0.00	39.83	0.0028
Fertilizer (broadcast applied)		2.0 appl.	6.38	10.53	68.00	84.92	0.0061
Fertilizer (foliar applied)		1.0 x/acre	0.00	0.00	100.00	100.00	0.0071
Herbicide strip maintenance (.30x)		2.0 appl.	10.21	16.61	16.67	43.49	0.0031
ATV herbicide maintenance (.30x)		1.0 appl.	3.57	1.29	8.33	13.20	0.0009
Disease Control		5.0 appl.	41.89	112.13	120.00	274.02	0.0196
Insecticides, ground applied		1.0 appl.	8.38	22.43	127.50	158.30	0.0113
Insecticides, aerial applied		5.0 appl.	0.00	0.00	67.50	67.50	0.0048
Growth Regulators		1.0 x/acre	0.00	0.00	38.00	38.00	0.0027
Bee Rental		2.0 hives	0.00	0.00	72.00	72.00	0.0051
Mowing & Flailing Orchard Floor		4.0 times	45.47	90.16	0.00	135.63	0.0097
Rodent Control		1.0 hours	7.43	2.68	20.00	30.10	0.0022
Irrigation		3.5 hours	40.25	10.00	0.00	50.25	0.0036
Ladders, Pruning, & Picking Equip.		1.0 x/acre	0.00	18.38	0.00	18.38	0.0013
Harvesting Costs		7.0 ton	3,569.00	140.58	0.00	3,709.58	0.2650
General Labor		6.0 hours					
Pickup, Truck & ATV		1.0 x/acre	0.00	106.16	0.00	106.16	0.0076
Housing Facilities		1.0 x/acre	0.00	0.00	33.02	33.02	0.0024
Miscellaneous and Overhead		1.0 x/acre	0.00	0.00	75.00	75.00	0.0054
Interest: Operating Capital		6.0 mons	0.00	0.00	118.48	118.48	0.0085
Total variable costs			4,230.49	577.82	885.50	5,693.80	0.4067
FIXED CASH COSTS				Unit	Total	Cost/Lb	
Pickup, Truck & ATV Insurance				acre	20.57	0.0015	
Water Assessment				acre	175.00	0.0125	
Farm Foreman				acre	368.00	0.0263	
Helicopter - Remove water				acre	60.00	0.0043	
Property Insurance				acre	50.00	0.0036	
Property Taxes				acre	60.00	0.0043	
Total cash costs					733.57	0.0524	
FIXED NON-CASH COSTS				Unit	Total	Cost/Lb	
Machinery and Equip. Insurance, Depreciation & Interest				acre	322.60	0.0230	
Pickup, Truck & ATV Depreciation & Interest				acre	58.51	0.0042	
Housing Facilities				acre	91.67	0.0065	
Land Interest Charge				acre	400.00	0.0286	
Amortized Establishment Costs*				acre	2,516.37	0.1797	
Total non-cash costs					3,389.15	0.2421	
Total fixed costs					4,122.72	0.2945	
Total of all costs per acre					\$9,816.52	\$0.7012	
Net projected returns					\$2,083.48	\$0.1488	

*Based on "Orchard Economics: The Costs and Returns of Establishing and Producing High-Density Sweet Cherries in Wa EM 8802-E, Revised March 2008.

A ten acre orchard of sweet cherries can provide gross revenues of \$119,000 and net revenues of \$20,835. Just ten acres of sweet cherries could initiate approximately \$173,969 total or \$17,397 per acre of economic activity in the County from the gross revenue direct effects of \$119,000.

Grapes/Winery

“Eastern Oregon has the ideal climate, soils and edaphics [resulting from or influenced by the soil rather than the climate (Merriam-Webster 2009)] for producing wines of superlative quality. These have become the hallmark of the unique terroir [A "terroir" is a group of vineyards (or even vines) from the same region, belonging to a specific appellation, and sharing the same type of soil, weather conditions, grapes and wine making savoir-faire, which contribute to give its specific personality to the wine (Terroir-France, French Wine Guide 2008)] that is symbolic of the Walla Walla Valley American Viticultural Area (AVA) which spans the border of eastern Oregon and Washington. This region's unique soil and climatic characteristics play a role in producing high quality grapes with complex color, flavor, and aroma volatiles: sandy loess, rocky soils, long day length in summer, hot days and cool nights during late summer and early fall, and low rain all throughout the growing season.” (Julian et. al. 2009). Although the climate is “ideal” for raising grapes the prices are too low for the average 10 acre vineyard to be expected to make a profit. Gross revenue per acre is projected at \$7,000 and total costs are estimated at \$10,505.28 for an anticipated loss of \$3,505.28 (Ibid.). However a ten acre winery that is in full production can grow more than enough grapes to produce 2,000 cases of wine per year, which can generate a total net return, once the loss on the grapes is backed out, of \$79,921.02(Fickle et. al. 2005) or \$7,992 per acre.

As discussed earlier, we need to use the total output or gross revenue to determine the community impacts of a winery's expenditures for inputs as well as how the owners expend their net revenue. Table 3. shows the cash flow of the winery from year 1 to full production in year 10 to give the reader a sense of the different types of expenditures.

Table 3. Small Winery Cash Flow – Washington State University Extension

EXHIBIT C.1: Cash Flow Projection for the 2,000 Case Winery

CASH FLOW PROJECTIONS 2,000 Case Winery										
Assumptions										
Tasting Room Price	\$15 /Bottle		\$180 /Case							
Whsl. Price	\$10 /Bottle		\$120 /Case							
% of Sales	75 % TR		25 % WS							
Rate of Inflation	2 %									
Period	1	2	3	4	5	6	7	8	9	10
T.R. Price	\$180	\$184	\$187	\$191	\$195	\$199	\$203	\$207	\$211	\$215
Whsl. Price	\$120	\$122	\$125	\$127	\$130	\$132	\$135	\$138	\$141	\$143
REVENUE:										
Tasting Room Sales	\$0	\$165,240	\$280,908	\$286,526	\$292,257	\$298,102	\$304,064	\$310,145	\$316,348	\$322,675
Whsl Premium Sales	\$0	\$36,720	\$62,424	\$63,672	\$64,946	\$66,245	\$67,570	\$68,921	\$70,300	\$71,706
Total Revenue	\$0	\$201,960	\$343,332	\$350,199	\$357,203	\$364,347	\$371,634	\$379,066	\$386,648	\$394,381
EXPENSES:										
OPERATING COSTS										
Grapes	\$32,959	\$33,618	\$34,291	\$34,976	\$35,676	\$36,389	\$37,117	\$37,860	\$38,617	\$39,389
Cooperage	\$0	\$47,328	\$48,275	\$36,930	\$37,669	\$38,422	\$39,190	\$39,974	\$40,774	\$41,589
Packaging	\$44,951	\$45,850	\$46,767	\$47,703	\$48,657	\$49,630	\$50,623	\$51,635	\$52,668	\$53,721
Mobile Bottling	\$0	\$8,772	\$8,947	\$9,126	\$9,309	\$9,495	\$9,685	\$9,879	\$10,076	\$10,278
Excise Tax (Fed)	\$0	\$4,164	\$6,274	\$6,399	\$6,527	\$6,658	\$6,791	\$6,927	\$7,065	\$7,206
Excise Tax (State)	\$0	\$2,713	\$4,428	\$4,516	\$4,607	\$4,699	\$4,793	\$4,889	\$4,987	\$5,086
B & O Taxes	\$0	\$977	\$1,662	\$1,695	\$1,729	\$1,763	\$1,799	\$1,835	\$1,871	\$1,909
Wine Commission	\$169	\$173	\$176	\$179	\$183	\$187	\$190	\$194	\$198	\$202
Full-Time Labor	\$32,000	\$32,640	\$33,293	\$33,959	\$34,638	\$35,331	\$36,037	\$36,758	\$37,493	\$38,243
Part-Time Labor	\$9,360	\$9,547	\$9,738	\$9,933	\$10,132	\$10,334	\$10,541	\$10,752	\$10,967	\$11,186
Marketing	\$0	\$5,949	\$9,914	\$10,113	\$10,315	\$10,521	\$10,732	\$10,946	\$11,165	\$11,389
Utilities	\$2,700	\$2,754	\$2,809	\$2,865	\$2,923	\$2,981	\$3,041	\$3,101	\$3,163	\$3,227
Office Supplies	\$740	\$755	\$770	\$785	\$801	\$817	\$833	\$850	\$867	\$884
Miscellaneous	\$2,060	\$2,101	\$2,143	\$2,186	\$2,230	\$2,274	\$2,320	\$2,366	\$2,414	\$2,462
Total Operating Costs	\$124,940	\$197,341	\$209,487	\$201,367	\$205,394	\$209,502	\$213,692	\$217,966	\$222,325	\$226,771
FIXED COSTS										
Insurance	\$2,300	\$2,346	\$2,393	\$2,441	\$2,490	\$2,539	\$2,590	\$2,642	\$2,695	\$2,749
Maintenance	\$1,000	\$1,020	\$1,040	\$1,061	\$1,082	\$1,104	\$1,126	\$1,149	\$1,172	\$1,195
Property Tax	\$7,095	\$7,032	\$6,756	\$6,353	\$6,077	\$5,863	\$6,053	\$6,246	\$6,451	\$6,653
Depreciation	\$28,064	\$64,016	\$79,949	\$85,883	\$82,161	\$76,559	\$72,944	\$59,720	\$45,993	\$47,302
Interest Payments	\$31,377	\$28,059	\$24,496	\$20,670	\$16,560	\$12,147	\$11,645	\$11,110	\$10,540	\$9,934
Total Fixed Costs	\$69,835	\$102,473	\$114,635	\$116,408	\$108,370	\$98,212	\$94,358	\$80,867	\$66,852	\$67,833
Total Expenses	\$194,775	\$299,814	\$324,122	\$317,774	\$313,764	\$307,714	\$308,050	\$298,832	\$289,176	\$294,604
Earnings Before Taxes	(\$194,775)	(\$97,854)	\$19,210	\$32,425	\$43,438	\$56,632	\$63,584	\$80,234	\$97,471	\$99,776
Carryover Loss	\$0	(\$194,775)	(\$292,629)	(\$273,419)	(\$240,994)	(\$197,556)	(\$140,924)	(\$77,340)	\$0	\$0
Taxable Income	(\$194,775)	(\$292,629)	(\$273,419)	(\$240,994)	(\$197,556)	(\$140,924)	(\$77,340)	\$2,894	\$97,471	\$99,776
Income Tax	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$434	\$21,390	\$22,163
Gross Cash-Flow	(\$194,775)	(\$97,854)	\$19,210	\$32,425	\$43,438	\$56,632	\$63,584	\$79,800	\$76,081	\$77,614
+Depreciation	\$28,064	\$64,016	\$79,949	\$85,883	\$82,161	\$76,559	\$72,944	\$59,720	\$45,993	\$47,302
-Principal Payments	(\$44,991)	(\$48,308)	(\$51,872)	(\$55,698)	(\$59,807)	(\$7,728)	(\$8,231)	(\$8,765)	(\$9,335)	(\$9,942)
NET CASH-FLOW	(\$211,702)	(\$82,147)	\$47,288	\$62,609	\$65,792	\$125,463	\$128,297	\$130,754	\$112,739	\$114,974

As you read with your magnifying glass, total gross revenue or cash flow in year 10 is \$394,381. The community economic activity in Umatilla County of those revenues is estimated at \$534,751, which include the direct expenditures of \$394,381, or \$53,475 per acre. If a multi-county or statewide estimate was made, it would be larger because the leakages from those economic areas would be less.

Pilot Rock/Pendleton

Umatilla County's southern and eastern portions grow thousands of acres of grain and thousands of head of cattle. It is a rich agriculturally based region. Over the last few years some of the farmers and ranchers have branched out a bit and considered other options.

Blueberries

While blueberries are grown in the Hermiston/Umatilla region, they are not currently grown in the Pilot Rock/Pendleton region, the soils are adequate and with access to water blueberries could be profitably produced on 10-40 acre farms. The enterprise budget in Table 4. Indicates an estimated gross revenue per acre of \$14,670 and net revenue of \$4,241.81 (Eleveld et. al. 2005). Community economic effects per acre could reach \$16,764.

For the last thirty years blueberry plantings have progressed at a fast pace. The acres harvested increased from 498 in 1978, to 1,300 in 1988, to 2,500 in 1998 and 4,777 in 2008. The increased supply has reduced prices statewide. However, plantings east of the Cascades have been very minimal. Blueberries grown in Umatilla County can mature before the Western Oregon blueberries and beat their western competition to market. There also appears to be additional demand u-pick berries in the area of Oregon and Washington.

Sticking with this report's focus on value added products that attain retail rather than wholesale prices, the enterprise budget in Table 4. assumes that the blueberries will be primarily harvested by hand. Hand harvesting relies on labor supply and/or a consistent demand for u-pick blueberries. Given the anticipated long term decline in prices before they stabilize, a potential grower would need to start small so he/she could avoid outpace the regional market and need to compete with the machine harvested berries. At the same time, this enterprise budget was completed for the Willamette Valley conditions. Umatilla County's longer growing season and better control of inputs, if the soil types are right (e.g. pH), may allow the producer to contend with market uncertainties.

Table 4. Enterprise Budget - Blueberries

Table 9.D Estimated costs and returns per acre
Blueberry Full Production (hand-harvested)
Full production years (hand-harvested), Oregon State University

ITEM	UNIT	PRICE	QUANTITY	AMOUNT	YOUR FARM
		dollars		dollars	
INCOME					
Blueberries Fresh	lb.	0.85	16,200.0000	13,770.00	_____
Blueberries Processed	lb.	0.50	1,800.0000	900.00	_____
TOTAL INCOME				14,670.00	_____
DIRECT EXPENSES					
Chemical Spray					
Bordeaux	appl.	6.80	4.0000	27.20	_____
Fungicide	appl.	3.90	4.0000	15.60	_____
Fungicide Type #2	appl.	7.90	1.0000	7.90	_____
Roundup® Appl.	appl.	4.80	1.0000	4.80	_____
Custom Charges					
Loader Rental #2	acre	700.00	0.3300	231.00	_____
Bird Control	acre	41.50	1.0000	41.50	_____
Picking Labor	lb.	0.40	16,200.0000	6,480.00	_____
Machine Harvest	lb.	0.10	1,800.0000	180.00	_____
Load and Ship	lb.	0.03	1,800.0000	54.00	_____
Supplies					
Beehives	hive	30.00	3.0000	90.00	_____
Irrigation Electrici	set	4.50	23.0000	103.50	_____
Tissue An. Lab	test	32.50	0.2000	6.50	_____
Buckets	bkt.	2.50	5.0000	12.50	_____
General Overhead	acre	20.00	1.0000	20.00	_____
Sawdust					
Sawdust	unit	40.00	3.6300	145.20	_____
Fertilizer					
Fertilizer (Sidedress)	ton	138.00	0.3750	51.75	_____
OPERATOR LABOR					
Tractors	hour	12.00	12.2585	147.10	_____
Pickup Truck	hour	12.00	8.3325	99.99	_____
Hand Labor					
Special Labor	hour	10.00	63.3000	633.00	_____
Overhead Irrigation	hour	10.00	3.0000	30.00	_____
DIESEL FUEL					
Tractors	gal.	1.10	17.1619	18.88	_____
GASOLINE					
Pickup Truck	gal.	1.40	16.6650	23.33	_____
REPAIR & MAINTENANCE					
Implements	acre	18.40	1.0000	18.40	_____
Tractors	acre	28.27	1.0000	28.27	_____
Pickup Truck	mile	0.12	250.0000	31.25	_____
Overhead Irrigation	acre	36.66	1.0000	36.67	_____
INTEREST ON OP. CAP.	acre	371.16	1.0000	371.16	_____
TOTAL DIRECT EXPENSES				8,909.50	_____
RETURNS ABOVE DIRECT EXPENSES				5,760.50	_____
FIXED EXPENSES					
Implements	acre	40.37	1.0000	40.37	_____
Tractors	acre	61.68	1.0000	61.68	_____
Pickup Truck	each	3,197.55	0.0250	79.94	_____
Overhead Irrigation	each	88.64	1.0000	88.65	_____
Trellis	each	56.41	1.0000	56.41	_____
Annual Rent	each	399.99	1.0000	400.00	_____
Am. Establishment	each	791.63	1.0000	791.64	_____
TOTAL FIXED EXPENSES				1,518.69	_____
TOTAL SPECIFIED EXPENSES				10,428.19	_____
RETURNS ABOVE TOTAL SPECIFIED EXPENSES				4,241.81	_____

The examples in this section illustrate how well-managed small farms in the 10-40 acre range can provide at least half of a median household income and usually more. Since the community total output effects are based on the gross revenue, the community effects per acre ranged from \$4,699 to \$53,475. These effects are significantly higher on a per acre basis than the estimated economic effects of an acre of wheat at \$450. However there is more to the story.

The estimates that we have made in this section are just that estimates. They are calculations of what might happen for an average operation based on lots of assumptions. To paraphrase Garrison Keillor, no farm is average. Still, the enterprise budgets were created by scientists who had nothing to gain from tipping the data in one direction or the other and can provide at least a general sense of what may happen.

Small Adaptive Farm Compatibility with Larger Farms

Umatilla County produces one-third of Oregon's farm gate value of wheat, which well exceeds any other Oregon county (Oregon Wheat Growers League 2009). Special care needs to be taken when wheat is grown in close proximity especially to broadleaf plants due to the potential for drifting herbicide spray from the wheat farm to, in the case of this report, smaller adaptive farms. Also, every one of the examples above relies on irrigation. Even if drip irrigation is used, the water will come from a County with critical ground water concerns.

If conflicting practices jeopardized the wheat industry, it is unlikely that even a very robust adaptive farming sector could offset those losses. As a separate concern, the vertically integrated adaptive farms described in preceding sections would require a significant expansion of local markets. The need to develop markets combined with possible water constraints for adaptive farms warrants a cautious approach that protects the economic contributions from the wheat and other conventional agricultural industries in the County and at the same time encourages a vibrant adaptive farming industry.

In many cases, it seems financially feasible for wheat growers to use spraying techniques (pull-tank vs. aerial) and sprays with low volatility that will reduce the probability of damage from drift. Larger farms can also spray with consideration of the growing cycle of the adaptive crops to minimize the probability of damage from their spray drifting. At the same time, this will be imposing a burden on existing farms that may have been contributing to the local economy for over a century. There are examples of spray drifting for miles so even with very careful practices by larger farms that are adjacent to adaptive farms additional preventative measures are in order and could reasonably be taken by the adaptive farmers. To protect the economic activity of wheat and other larger farms while still encouraging the diversified and high value adaptive farms, adaptive farms could be required to maintain a no-crop buffer maybe in the form of a public easement that surrounds the farm and plant a protective vegetative break or barrier. These steps could minimize private and public transaction costs (arguments and lawsuits) resulting from the establishment 10-40 acre farming operations in areas that have traditionally grown commodities on very large acreages.

While the dependence on the stability of water supply is apparent for irrigated agriculture in Umatilla County, even the dryland wheat farms and certainly the livestock operations are water dependent. All of the examples of crops that could be grown on adaptive farms in this report rely on irrigation. If the water is not available, the adaptive farm is not sustainable. While crops like wine grapes have evapotranspiration rates that are similar to spring grain, tree fruits and blueberries are significantly higher than the peas or grains that may have previously been grown on the land proposed as an adaptive farm. Even if rainfall would be sufficient for the adaptive farm, the crops discussed in this report would need the water during the summer when rainfall is minimal. Water rights in Umatilla County are established, yet, the Oregon Water Resources Commission can allow new wells to be drilled. Lower priority water users could currently be receiving sufficient water to farm their land and have that water supply disrupted by development of adaptive farms. While this could be consistent with current water rights and jurisdictional responsibilities of water management agencies, it could significantly affect the projected community benefits of developing adaptive farms. In addition, there may be insufficient knowledge of Umatilla County's groundwater capacity and use of Columbia River water resources may not remain unchanged. Again, so the growth of adaptive farms and their use of water do not diminish the options for existing farms, some quasi judicial body could be established at the County level to address existing producers' concerns about new adaptive farms affecting water resources. This County level review would be in addition to the Oregon Water Resources Commission review.

Conclusion

It is difficult to predict the future profitability and/or persistence of alternative farm types and sizes. Changes in inputs and market outlets over the last thirty years call into question the criteria that have been used in the past. Four out of the five crops discussed for adaptive farms in this report could provide net revenues equal to half of the Umatilla County median income on ten acres. Specialty Products required going up to twenty acres for net revenues to support half of a median household income. Our discussion of specialty products is probably too conservative. Even if the criteria is increased to require net revenues that exceed the Umatilla median income of \$40,773, specialty crops could meet the criteria on 40 acres, vegetables on 20 acres and the rest on ten acres. If Oregon's gross sales criteria for high value farm land of \$80,000 is used, three crops (sweet cherries, grapes/wine, and blueberries) could reach that amount on ten acres, one crop (vegetables) could meet that amount on twenty acres and the fifth crop (specialty products) could meet that amount on 30 acres. Ten to forty acre adaptive farms that capture much of their crops' retail prices can certainly be economically viable.

Careful expansion of Umatilla County's adaptive farming sector could diversify choices for producers and consumers while increasing the contributions of an already successful agricultural sector even more. If the expansion is haphazard and there is a high rate of adaptive farms that fail, the usefulness of their land to larger farmers is questionable and the land may end-up as a "weed patch" to the detriment of surrounding farms.

However, with skilful oversight of the approval process and monitoring of the development of adaptive farms, Umatilla County could foster the resurgence of the small farm, which most people thought was gone forever. Additionally, increasing the adaptive farms with their value added activities may allow Umatilla County to benefit more from the resident and visiting consumers in adjacent markets like Walla Walla and the Tri-Cities. The results will depend on the local energy and will necessary to balance all the competing needs of potential and existing farmers.

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BUSINESS 04/13/2016 04:21 pm ET

Costco Is Selling So Much Organic Produce, Farmers Can't Keep Up

Now the retailer is lending them cash directly to boost supply.



By Ryan Grenoble



RICHARD CLEMENT/REUTERS

Costco is seeking to increase its supply of organic produce.

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Costco has a voracious appetite for organic fruits and veggies — so much so that it can't get enough of them to sell.

The warehouse retailer recently passed \$4 billion in annual sales from organic produce, eclipsing Whole Foods for the title of organic heavyweight champion in the U.S. Now, organic farmers can't grow produce fast enough to supply the retailer.

To help nudge supply in the right direction, Costco is lending money to farmers, allowing them to buy land and equipment to grow more organic produce.



ASSOCIATED PRESS

A shopper buys organic lettuce at a Costco in Mountain View, California.

Costco CEO Craig Jelinek told investors about the effort at the company's annual shareholder meeting in Bellevue, Washington, earlier this year. "We cannot get enough organics to stay in business day in and day out," he said.

The company has only embarked on a pilot program so far, The Seattle Times reports. It helped San Diego-based Andrew and Williamson Fresh Produce purchase 1,200 acres in Mexico along with the requisite equipment to farm it.

In return, Costco has first dibs to purchase whatever Andrew and Williamson grows on the property.

“

We cannot get enough organics to stay in business day in and day out.

—Costco CEO Craig Jelinek

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The company hasn't confirmed possible expansion plans for the program. "There are lots of discussions going on," Jeff Lyons, Costco's senior vice president of fresh foods, told the Times. "The challenge for the farmer is: 'We may go down this road and what happens if something bad happens?' We have to make sure we don't get them in a position of financial trouble. We need to make sure the loans are totally secure."

Costco isn't the first retailer to try financing farmers directly to grow more organic produce, said Ronnie Cummins, the international director of the Organic Consumers Association, a nonprofit group that advocates for sustainable food production and consumption. Whole Foods lends money to organic farmers and Wegmans works directly with farmers to help them transition from conventional to organic techniques.

Costco's market share, however, makes the new program particularly encouraging for the expansion of organic farming in the U.S.



PAUL SAKUMA/ASSOCIATED PRESS

A shopper inspects organic brown eggs at Costco in Mountain View, California.

“As the largest U.S. retailer of organics, Costco is in a good position to address the supply shortage,” Cummins told The Huffington Post. “So as long as Costco’s program is helping farmers who will adhere to [USDA standards for organic produce], there’s no risk of diluting the meaning of ‘organic’ just because a corporation like Costco is involved.”

“Our preference would be that they employ regenerative farming practices that address global warming by restoring soil health,” he added. “But the project is a step in the right direction.”

Ultimately, said Cummins, the move to sustainably grown organic agriculture will be driven by consumers. He added that it’s “a transition we have to make if we’re going to address the multiple crises of declining health, declining local economies, declining biodiversity and global warming.”

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National Reporter, HuffPost

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'It' Had A Scene So Creepy, Bill Skarsgård Said It Was Cut From The Film

6 Women Wore The Same Dress To A Wedding And No, They Weren't Bridesmaids

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Walla Walla County Community Development Department

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

NOTICE OF INFORMATIONAL PUBLIC MEETING AND WALLA WALLA COUNTY PLANNING COMMISSION PUBLIC HEARING

Informational Public Meeting

The Walla Walla County Community Development Department will be holding an informational public meeting for the following Comprehensive Plan and development regulation amendment applications, which are on the 2017 Final Docket.

- **CPA17-001/REZ17-001 –Cavalli**
Site-specific Comprehensive Plan and Zoning Map amendment applications by Roberta Cavalli for an 18.27-acre parcel. The proposal would change the land use designation from Agriculture Residential to Rural Residential 5 and similarly rezone the property from Agriculture Residential 10-acres (AR-10) to Rural Residential 5-acres (RR-5). The subject property is located at the southwest corner of the intersection of Wallula Avenue and McKinney Road (APN 350727420010).
- **ZCA17-002 – Brent Knowles**
Application by Brent Knowles to amend WWCC Chapter 17.31, Development Standards – Cluster Developments on Resource Lands. The amendments would increase the allowed average lot size for residential lots in a cluster subdivision; increase the maximum allowed lot size of cluster lots; allow for the creation of 20-acre lots in the Agriculture Residential 10-acre (AR-10) zone, which is currently prohibited; revise the code as it pertains to density transfers; and make other minor amendments.
- **CPA17-002/REZ17-002 – J. R. Simplot Company**
Site-specific Comprehensive Plan amendment and rezone applications to add a 160-acre property (Parcel A) to the Attalia Industrial Urban Growth Area, change the land use and zoning designations from Primary Agriculture/PA-40 to Industrial Agriculture/IA-M, and remove the Unique Lands designation shown on Comprehensive Plan Map RL-10. This property is located north of the existing UGA boundary and north of Dodd Road. Secondly, the applications would remove a 160-acre property (Parcel B) on Dodd Road from the Attalia Urban Growth Area and change the land use and zoning from Industrial Agriculture/IA-M to Primary Agriculture/PA-40. (APN 310822110002, 310826410004)

This meeting is open to the public and is a question and answer session; it is not a public hearing. No oral testimony will be taken, and no decisions will be made at this meeting. Staff will be available to answer questions; this is for public informational purposes only.

INFORMATIONAL MEETING INFORMATION

County Public Health and Legislative Building
314 West Main Street
2nd floor - Room 213
Walla Walla, WA

October 4, 2017 from 6:00- 6:45 PM

Public Hearing

The Planning Commission will be conducting public hearings on the following Comprehensive Plan and development regulation amendment applications, which are on the 2017 Final Docket (same items as listed above for informational public meeting).

- **CPA17-001/REZ17-001 –Cavalli**
- **ZCA17-002 – Brent Knowles**
- **CPA17-002/REZ17-002 – J. R. Simplot Company**

The Planning Commission, following the public hearings, will make a recommendation for each of the proposed amendments above to the Board of County Commissioners (BOCC) at the same meeting or on a date not yet determined. The Planning Commission will be asked to recommend that a proposed amendment be approved, approved with modifications, or denied. The process for review and recommendation of the final docket is described in Walla Walla County Code (WWCC) Sections 14.15.070 and 14.10.070 which outline the criteria for consideration. The BOCC will then review the recommendation at a public hearing, on a date not yet determined, pursuant to WWCC 14.15.070C(2) and 14.10.070C(2).

Any interested person may comment on this application, receive notice, and participate in any hearings. Persons submitting testimony may participate in the public hearing, request a copy of the final decision, and have rights to appeal the final decision. You can obtain a copy of the staff report from the Community Development Department by contacting the person listed below; the staff report will be available about one week prior to the hearing date.

Written comments regarding the above applications may be submitted prior to and at the hearing on October 4, 2017 for Planning Commission consideration. Send written comments to one of the following addresses:

Walla Walla County Community Development Department
c/o Lauren Prentice, Principal Planner
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 - Room 213
Walla Walla, WA
October 4, 2017 7:00 PM

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.



Walla Walla County Community Development Department

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

Certificate of Notification

(publishing and mailing)

File Number: 2017 Final Docket

Site Address: Varied

Type of Notice: Notice of Public Hearing – Planning Commission 10/4/2017

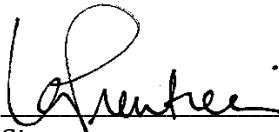
Review Level/Type: Level 5

Proof of Mailing

I certify under penalty of perjury under the laws of the State of Washington that the content of the above form of notice was

- ☒ Mailed to the property owners of record 500' adjacent to the Cavalli property (REZ17-001, CPA17-001) and Simplot properties (CPA17-002, REZ17-002 on the following date: 9/20/2017 (see attached lists)
- ☒ Mailed/e-mailed to applicant(s) or representative on: 9/20/2017
- ☒ Mailed/e-mailed to all parties of record on: 9/20/2017

Lauren Prentice
Printed Name


Signature

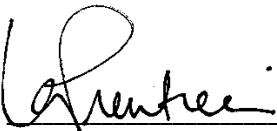
9/27/2017
Date

Proof of Publishing

I certify under penalty of perjury under the laws of the State of Washington that the content of the above form of notice was

- ☒ Published in the official gazette (Union Bulletin) and Tri-City Herald (paper of general circulation) on: 9/22/2017
- ☒ Published in a paper(s) of general circulation (Waitsburg Times and Tri-City Herald) on: 9/21/2017
- ☒ on the CDD website on the following date: 9/19/2017

Lauren Prentice
Printed Name


Signature

9/27/2017
Date

OWNER NAME	IN CARE OF	ADDRESS1	CITY	STATE	ZIPCODE
BILES ROBERT	CHOOJIT NAULPETCH	1982 WALLULA AVE	WALLA WALLA	WA	99362
BS FARMS LLC		PO BOX 686	WALLA WALLA	WA	99362
CUNEO GINO R & PAMELA A		1932 WALLULA AVE	WALLA WALLA	WA	99362
D & M YEEND FAMILY LLC		1603 SPRING VALLEY RD	WALLA WALLA	WA	99362
ENRIQUEZ FERNANDO & LOURDES		580 CREEKSIDE LN	WALLA WALLA	WA	99362
GRASSI LEONA G BUGHI		296 MCKINNEY RD	WALLA WALLA	WA	99362
HEADLEY EVERETT D & JANET	KENNETH LEROY HEADLEY	1223 BLALOCK DR	WALLA WALLA	WA	99362
MC CORMMACH TERRY L		PO BOX 2888	WALLA WALLA	WA	99362
MUNNS ANTHONY G		PO BOX 522	CONNELL	WA	99326
MURO ISAIAS J & SONIA E		2041 WALLULA AVE	WALLA WALLA	WA	99362
RAHN HAROLD D		530 RUSSET RD	WALLA WALLA	WA	99362
SCHMATT CREDIT TRUST	SHARON R SCHMATT TRUSTEE	1437 WALLULA AVE	WALLA WALLA	WA	99362
SCHNORR GREGORY S	DEWAYNE & KAREN SCHNORR LIVING T	1956 WALLULA AVE	WALLA WALLA	WA	99362
SHOLTIS ALBERT A		172 MC KINNEY RD	WALLA WALLA	WA	99362
TATARYN LONDA R		1906 WALLULA AVE	WALLA WALLA	WA	99362
WALL ROBERT F & KAREN		41 QUAIL VIEW LN	WALLA WALLA	WA	99362
WILLIAMS BRIAN & JENNY		PO BOX 125	COLLEGE PLACE	WA	99324
ZUGER ROBERT LEE & KATHLEEN MARIE		302 MCKINNEY RD	WALLA WALLA	WA	99362
FLOWERS GREG	PBS	5 N. COLVILLE	WALLA WALLA	WA	99362
CAVALLI ROBERTA		1278 WALLULA AVE	WALLA WALLA	WA	99362

OWNER NAME	IN CARE OF	ADDRESS1	CITY	STATE	ZIPCODE
ART MORTGAGE BORROWER PROPCO	% MARVIN F POER & CO	18818 TELLER AVE STE 277	IRVINE	CA	92612
BUCHANAN RANDY W		35032 W HIGHWAY 12	BURBANK	WA	99323
BUCHANAN VERNON W & ALPHA D	RANDY W BUCHANAN	35032 W HIGHWAY 12	BURBANK	WA	99323
BUCHANAN WAYNE V & DONNA		35032 W HIGHWAY 12	BURBANK	WA	99323
CFG VENTURES LLC		341 SUNNYBANK RD	PASCO	WA	99301
FLAT TOP RANCH LLC		2521 FISHOOK PK RD	PRESCOTT	WA	99348
I B P INC	C/O TYSON FOODS INC	PO BOX 2020 TAX DEPT	SPRINGDALE	AR	72765
J R SIMPLOT COMPANY		PO BOX 27	BOISE	ID	83707
LILLY & LUCY LOICHTINGER FARM LLC	COMPARTMENT 44 SITE 16 RR 1	FORT SAINT JOHN BC V1J4M6 CANADA			
SIMPLOT FEEDERS LLC		PO BOX 27	BOISE	ID	83707
WALLA WALLA COUNTY OF		315 W MAIN ST	WALLA WALLA	WA	99362
WASHINGTON STATE OF	DEPT OF NATURAL RES	P O BOX 47041	OLYMPIA	WA	98504
WALLA WALLA PORT OF		310 A ST	WALLA WALLA	WA	99362
Anderson Perry & Associates, Inc.	c/o Dana Kurtz	PO Box 1107	La Grande	OR	97850

OWNER NAME	CO	ADDRESS1	CITY	STATE	ZIPCODE
KNOWLES, BRENT		1010B VALLEY CHAPEL RD	WALLA WALLA	WA	99362
HAWKINS, JARED		2225 ISAACS AVE, SUITE B	WALLA WALLA	WA	99362
VANDIVER, ELAINE	OLD HOMESTEAD ALPACAS	5260 STATELINE RD	WALLA WALLA	WA	99362
FUTUREWISE	STATEWIDE HEADQUARTERS	816 SECOND AVE, SUITE 200	SEATTLE	WA	98104
FUTUREWISE	EASTERN WA	35 W MAIN STREET	SPOKANE	WA	99201
NANCY BALL		213 FULTON STREET	WALLA WALLA	WA	99362



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000
www.commerce.wa.gov

August 31, 2017

Lauren Prentice
Principal Planner
Walla Walla Joint Community Development Agency
310 W Poplar Suite 200
Walla Walla, Washington 99362

Dear Ms. Prentice:

Thank you for sending the Washington State Department of Commerce (Commerce) the following materials as required under RCW 36.70A.106. Please keep this letter as documentation that you have met this procedural requirement.

County of Walla Walla - Proposed Site-specific amendment applications by Roberta Cavalli to change the land use designation in the Comprehensive Plan from Agriculture Residential to Rural Residential 5 and rezone an 18.27-acre parcel at the intersection of Wallula Ave. and McKinney Rd. from AR-10 to RR-5. CPA17-001, REZ17-001 These materials were received on August 30, 2017 and processed with the Material ID # 24071.

County of Walla Walla - Proposed amendment to WWCC Chapter 17.31, Development Standards - Cluster Developments on Resource Lands. The amendments would increase the allowed average lot size for residential lots in a cluster subdivision; increase the maximum allowed lot size of cluster lots; allow the creation of 20-acre lots in the AR-10 zone; and revise the code as it pertains to density transfers. ZCA17-002 These materials were received on August 30, 2017 and processed with the Material ID # 24072.

We have forwarded a copy of this notice to other state agencies.

If this submitted material is an adopted amendment, then please keep this letter as documentation that you have met the procedural requirement under RCW 36.70A.106.

If you have submitted this material as a draft amendment, then final adoption may occur no earlier than sixty days following the date of receipt by Commerce. Please remember to submit the final adopted amendment to Commerce within ten days of adoption.

If you have any questions, please contact Growth Management Services at reviewteam@commerce.wa.gov, or call Dave Andersen (509) 434-4491 or Paul Johnson (360) 725-3048.

Sincerely,

Review Team
Growth Management Services

Walla Walla County Community Development Department

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

SEPA17-009

DETERMINATION OF NON-SIGNIFICANCE (DNS)

Description of Proposal: Application to amend WWCC Chapter 17.31, Development Standards – Cluster Developments on Resource Lands. The amendments would increase the allowed average lot size for residential lots in a cluster subdivision; increase the maximum allowed lot size of cluster lots; allow for the creation of 20-acre lots in the Agriculture Residential 10-acre (AR-10) zone, which is currently prohibited; revise the code as it pertains to density transfers; and make other minor amendments.

Proponent(s): Brent Knowles
1010B Valley Chapel Road
Walla Walla, WA 99362

Location of Proposal: The application is not site-specific.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

The Determination of Non-Significance (DNS) is based on the applications as proposed and reflected in the following:

- Application ZCA17-012 and SEPA Checklist SEPA17-009

This DNS is issued under WAC 197-11-340 (2); the lead agency will not act on this proposal for fourteen (14) days from the date below. **Comments must be submitted by October 3, 2017.**

The lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA.

This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); if there is significant new information indicating, or on, a proposal's probable significant adverse environmental impacts; or if the DNS was procured by misrepresentation or lack of material disclosure.

Lead Agency: Walla Walla Community Development Department (CDD)

Responsible official: Thomas Glover, AICP; Director


Address: 310 W Poplar St., Suite 200; Walla Walla, WA 99362
Phone: 509-524-2610; Email: commdev@co.walla-walla.wa.us

Issue Date: 09/19/2017

Signature:  **Date:** 9-19-17


Staff Contact: Lauren Prentice, Principal Planner, 509-524-2620

You may appeal this determination, in writing, to the CDD no later than fourteen days from the date of issue. You should be prepared to make specific factual objections. Contact the CDD to read or ask about the procedures for SEPA appeals and obtain details regarding submittals for appeals (including application forms and fees). Walla Walla County Code (WWCC) Chapter 14.11 outlines the County's appeal procedure.



Walla Walla County Community Development Department

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

Date: October 4, 2017
To: Walla Walla County Planning Commission
From: Tom Glover, Director 
Lauren Prentice, Principal Planner
RE: **Public Hearing** – Site-specific map amendment applications by JR Simplot Company affecting two properties within and adjacent to the Attalia Urban Growth Area.
Dockets No. CPA17-001, REZ17-001

Background

The application was received by the Community Development Department on May 25, 2017.

Staff Recommendation

If the Planning Commission finds that the proposed amendments are consistent with the criteria in WWCC 14.15.070D(3), 14.10.070D(3), and 14.09.010B, Staff would recommend that the applications submitted, docket number REZ17-002 and CPA17-0002, be recommended for approval by the Planning Commission to the Board of County Commissioners (Option 1). If not, the Planning Commission may recommend denial of the application (Option 2).

Option 1:

Recommend approval of the applications submitted by JR Simplot Company.

Option 2:

Recommend denial of the application submitted by JR Simplot Company.

Sample Motions

Option 1:

"I move that the Planning Commission concur with the findings of fact and conclusions of law in docket number CPA17-002 and REZ17-002, and recommend to the Board of County Commissioners that the applications submitted by JR Simplot Company, be approved."

Option 2:

"I move that the Planning Commission concur with the findings of fact and conclusions of law in docket number CPA17-002 and REZ17-002, and recommend to the Board of County Commissioners that the applications submitted by JR Simplot Company, be denied."

Attachments

Please refer to Item 3 in the notebook to review the application materials and documents presented at past meetings.

1. Comprehensive Plan Amendment Process – Walla Walla County Code (WWCC) Section 14.10.070 – Final Docket – review and recommendation
2. Development Regulations Amendment Process – Walla Walla County Code (WWCC) Section 14.15.070 – Final docket – review and recommendation
3. WAC 365-190-050 – Conservation of natural resource lands.
4. Notice of Informational Public Meeting and Public Hearing and Certificate of Notification
5. Department of Commerce Letter dated September 18, 2017
6. SEPA Determination of Non-Significance dated September 19, 2017

7. Figure 6 – map showing Tyson Industrial Wastewater Land Application Area and indicating property ownership.
8. Agricultural lands -Resource Lands Technical Advisory Committee Report
9. Prime and Unique farmlands in Walla Walla County Summary (from 2008)
10. Code of Federal Regulations Sections 657.5 – Identification of Important Farmlands

Summary of Proposal

JR Simplot Company submitted site-specific map amendment applications that would amend the Walla Walla County Comprehensive Plan and Zoning Map as described below. These amendments relate to two properties located north of Dodd Road owned by Simplot. Parcel A (APN 310822110002) is located north of the existing Attalia UGA boundary and Parcel B (APN 310826410004) is located within the current Attalia UGA boundary on the north site of Dodd Road. Maps showing the location of these two properties are included in Exhibit C to the Rezone and Comprehensive Plan amendment applications and Figures 1-5 to the submitted SEPA Environmental Checklist. These materials are in the notebooks under Item 3. Both properties are 160-acres in area. The applications propose to:

1. Amend Comprehensive Plan Map RL-10 to remove the Unique Lands designated from Parcel A.
2. Amend Comprehensive Plan Map LU-2 to include Parcel A in the Attalia Industrial Urban Growth Area (UGA) and change the land use designation from Primary Agriculture to Industrial.
3. Amend Comprehensive Plan Map LU-2 to remove Parcel B from the Attalia Industrial Urban Growth Area (UGA) and change the land use designation from Industrial to Primary Agriculture.
4. Amend the Zoning Map to change the zoning on Parcel A from Primary Agriculture 40-acres (PA-40) to Industrial Agriculture Mixed (IA-M).
5. Amend the Zoning Map to change the zoning on Parcel B from Industrial Agriculture Mixed (IA-M) to Primary Agriculture 40-acres (PA-40).

Comprehensive Plan Amendment Review Criteria - WWCC 14.10.070B.3

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. *Criteria: The amendment meets a definable public need; and*

Staff Discussion: Exhibit B (Page 1) to the Comprehensive Plan Amendment application states that JR Simplot Company has identified that Parcel A, which is currently located outside of the Attalia Industrial UGA and zoned Primary Agriculture 40-acres, would be an ideal location for a food processing facility. On Page 2 they present that the proposal meets a definable public need by encouraging economic development. They also present that there is a “need” for the County to ensure that land in the County is appropriately designated.

Criteria: 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

Staff Discussion: Among other things, on Page 2 in Exhibit B the applicant states that this criterion is met under item 1 because “the development that has occurred in the Attalia Industrial UGA since the area’s Comprehensive Plan was adopted represents a changed condition. The properties adjacent to Parcel B include a feedlot and animal processing

facility that have created a substantially different odor/air quality condition than when the property was originally zoned. Exacerbated by prevailing wind patterns from the southwest, these odors create difficulty in marketing Parcel B to prospective businesses."

The applicant states that Parcel A only contains approximately 40 percent prime farmland, is not a contiguous plot of highly productive land, and does not create a large advantage in terms of commercial significance. This parcel is also shaped in a way that creates difficulty in irrigation and requires four partial pivots for full coverage.

Parcel B is not mapped by the Natural Resources Conservation Service as prime and unique farmland soils. However, Parcel B is more conducive to mechanized irrigation by a single center pivot due to the square shape of the property.

The County has approved changes to Unique land designations on at least two occasions in the recent past (Byerley in 2009 and Witherspoon in 2012). The removal of the designation came after an evaluation of the crops grown on those parcels. Additional information from the applicant regarding the current crops grown on Parcel A would be helpful in order to review whether to remove the "Unique" designation from Parcel A.

- b. Criteria: *The defined need conforms to the policy directives of the comprehensive plan and countywide planning policies; and*
Staff Discussion: The applicant addresses this criterion on Pages 2-7 of Exhibit B citing various sections, and policies, of the Comprehensive Plan and Countywide Planning Policies.
- c. Criteria: *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*
Staff Discussion: The map amendments would only affect two properties, both owned by JR Simplot Company, and would not require amendment of other sections of the Comprehensive Plan.
- d. Criteria: *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.*
Staff Discussion: The applicant presents on Page 8 of Exhibit B that the proposed amendments will promote economic development, referencing RCW 36.70A.020.

Comprehensive Plan Amendment Review Criteria - WWCC 14.10.070B.4

For each site-specific proposal to amend the comprehensive plan land use map, the planning commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the review criteria set forth above and the following additional review criteria:

- a. Criteria: *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*
Staff Discussion: The applicant presents in Exhibit B (Pages 1-2) that Parcel A has "unique characteristics" making it not well suited for agriculture (e.g. bisected by railroad tracks, not suited for irrigated agriculture by mechanized equipment). On Page 8 of Exhibit B they also stated that Parcel A contains soils that would be "well suited to construct the needed

components of a food processing facility.” They also state that Parcel B is more appropriate for agriculture uses because of its shape. Both parcels are currently being farmed and are irrigated by Legrow Irrigation District (SEPA Checklist, Page 4).

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

Staff Discussion: The applicant presents in i Exhibit B (Page 8) that there is still undeveloped land within the Attalia Industrial UGA that is zoned IA-M, and property outside the Attalia Industrial UGA that is zoned PA-40, and that the diversity of the property available is suitable for many potential uses. Each parcel is 160 acres, so this site-specific proposal keeps the same amount of each kind of land in the area (no net loss to either agriculture land or industrial land).

- c. Criteria: *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.*

Staff Discussion: The applicant presents in Exhibit B (Page 9) that any new infrastructure needed for the construction of facilities on Parcel A such as roads, water, and sewer requirements will be completed by Simplot. Parcel B is adjacent to other properties zoned PA-40, and has not been used for any purpose other than agriculture, so the switch in parcels will have no impact on public facilities.

Comprehensive Plan Amendment Review Criteria - WWCC 14.10.070B.5(a)

For each proposed amendment to an urban growth area land use map the planning commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the following additional review criteria:

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

Staff Discussion: The applicant responded to each of these criteria on Pages 9 and 10 of Exhibit B to their application. The proposal will not impact population projections or the buildable lands analysis because the Attalia UGA is an Industrial UGA only and not planned for residential development. Also, the size of the property that will be removed is equal to the size of the property that would be added to the UGA.

Comprehensive Plan Amendment Review Criteria - WWCC 14.10.070B.5(b)

For each proposed amendment to an urban growth area the planning commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the review criteria in Section 14.10.070B.3 and Section 14.10.070B.4 if applicable, and the following additional criteria:

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

Staff Discussion: The applicant presents in Exhibit B (Pages 10 and 11) that both Parcel A and Parcel B are not occupied, but that the amendment will increase employment at the Attalia Industrial UGA, which is already identified as a goal in the Comprehensive Plan.

The proposal requires a change to the Attalia Industrial UGA map, as well as the Unique Lands map, and the Zoning map.

Rezone Review Criteria - WWCC 14.15.070D.3

For each proposed amendment, the Planning Commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the following additional review criteria:

- a. **Criteria:** *The amendment is consistent with the comprehensive plan; and*
Staff Discussion: Assuming the proposed Comprehensive Plan land use map amendments were approved as proposed, then the proposed rezones would be consistent with the Comprehensive Plan.
- b. **Criteria:** *The amendment meets a definable public need; and*
Staff Discussion: Exhibit B (Page 1) to the Comprehensive Plan Amendment application states that JR Simplot Company has identified that Parcel A, which is currently located outside of the Attalia Industrial UGA and zoned Primary Agriculture 40-acres, would be an ideal location for a food processing facility. On Page 2 they present that the proposal meets a definable public need by encouraging economic development. They also present that there is a “need” for the County to ensure that land in the County is appropriately designated.
- c. **Criteria:** *The amendment is in the long-term interest of the County.*
Staff Discussion: The applicant presents, Exhibit B (Page 2), that Parcel A is not well suited for irrigated agriculture by mechanized equipment, and that it is a more desirable location for siting a food processing facility. Parcel B is more appropriately designated for agriculture based on the parcel's shape and proximity to other PA-40 zones, and is more likely to be used productively.

Rezone Review Criteria - WWCC 14.09.010B

For each proposed amendment, the Planning Commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the following additional review criteria:

1. **Criteria:** *Is consistent with the goals and policies in the land use, rural and resource lands, and/or Burbank subarea plan elements of the comprehensive plan including the land use maps; and*
Staff Discussion: The applicant has provided several excerpts from the County's Comprehensive Plan in Exhibit B, beginning on Page 3, showing how the amendment meets the County's policies pertaining to Land Use, Rural and Resource Lands, and Economic Development.

2. *Criteria: Is consistent with WWCC Title 16 Subdivisions, Title 17 Zoning, Title 18 Environment, the Walla Walla County Shoreline Master Program and other applicable land use laws and policies of Walla Walla County; and*

Staff Discussion: The existing use of both properties, agriculture, is consistent with the proposed zoning. Per WWCC 17.16.014, the "growing of crops" is a permitted use in both the PA-40 and the IA-M districts.

3. *Criteria: Is not materially detrimental to uses or property in the immediate vicinity of the proposed rezone and to the general public; and*

Staff Discussion: Surrounding parcels are zoned Primary Agriculture 40 (PA-40) to the north and east, and Agriculture Residential 10 (AR-10) to the west. The nearest residence to Parcel A is more than 2,000 feet west.

The impacts to adjacent parcels for noise, odor and other hazards is estimated to be minor for residential dwellings and non-existent for agricultural uses. Any future project located on Parcel A will have to be reviewed under SEPA for assessing impacts to surrounding properties.

4. *Criteria: Does not create excessive additional requirements at public cost for public facilities and services; and*

Staff Discussion: The applicant has stated that Parcel A has access to rail, highway, and utilities, but that any additional public facilities and services required for their project will be paid for by the applicant. The site is located within the service area of Fire District 5, and the Walla Walla County Sheriff's Office.

5. *Criteria: Is warranted:*

- a. *To achieve consistency with the comprehensive plan; or*
- b. *To meet county population and/or employment projections because of a need for additional property in the proposed zoning district; or*
- c. *Because there are changed conditions since the zoning in the area was adopted to warrant the proposed rezone. "Changed conditions" include public improvements, permitted private development or other conditions or circumstances affecting the subject property that have undergone substantial and material changes not anticipated or contemplated when the zoning and/or subarea plan 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.*

Staff Discussion: The applicant presents in Exhibit B (page 2), that development that has occurred in the Attalia Industrial UGA since the zoning in the area was adopted represents a changed condition. The properties adjacent to Parcel B include a feedlot and animal processing facility that have created a substantially different odor/air quality condition than when the property was originally zoned. Exacerbated by the prevailing wind patterns from the southwest, these odors create difficulty in marketing Parcel B to prospective businesses.

Additionally, changed conditions and development within the Attalia Industrial UGA to the west of Parcel B have isolated this parcel from rail access. Parcel A has excellent access to the UPRR, which is vital to providing efficient market access for a food processing facility's exports.

By rezoning Parcel B outside the UGA and as PA-40, this property will be more likely to be used productively. By rezoning Parcel A and including it into the UGA, the County will be modifying the Comprehensive Plan based on the changed conditions that make Parcel A a more desirable location to site a food processing facility than Parcel B.

Findings of Fact

1. On December 19, 2016, pursuant to WWCC Title 14, the Board of County Commissioners established the criteria and deadline (March 31, 2017) for applications to be included on the 2017 Preliminary Docket of Comprehensive Plan and development regulations amendments.
2. On May 25, 2017, the Walla Walla County Community Development Department received applications from JR Simplot Company to amend the County's zoning map and the Comprehensive Plan land use map.
3. On June 26, 2017, the Board of County Commissioners reviewed the amendment applications in an open public meeting.
4. On June 26, 2017, the Board of County Commissioners passed Resolution 17-181 setting a public hearing for July 17, 2017 to receive public testimony and consider whether the applications by JR Simplot Company should be added to the 2017 Final Docket.
5. On June 27, 2017, a Notice of Public Hearing was published on the Community Development Department website.
6. On June 28, 2017, a Notice of Public Hearing was mailed to the applicant and property owners within 500 feet of the subject property.
7. On June 29, 2017, a Notice of Public Hearing was published in the Waitsburg Times, the Walla Walla Union Bulletin, and the Tri-City Herald.
8. On July 24, 2017, the Board of County Commissioners set the 2017 Final Docket of Comprehensive Plan and development regulations via Resolution 17-197 to include the JR Simplot Company applications (CPA17-002, REZ17-002).
9. On August 2, 2017, the Planning Commission reviewed and discussed the amendment applications and background materials in a workshop meeting, which was open to the public.
10. On September 6, 2017, the Planning Commission reviewed and discussed the amendment applications and background materials in workshop meeting, which was open to the public.
11. On September 18, 2017, the Department of Commerce acknowledged receiving the proposed amendment.
12. On September 19, 2017, SEPA Determination of Non-significance was issued by the Community Development Director.
13. On September 19, 2017, a Notice of Informational Public Meeting and Public Hearing was published on the Community Development Department website.
14. On September 20, 2017 a Notice of Informational Public Meeting and Public Hearing was mailed to parties of record and property owners located within 500-feet of the property.
15. On September 21, 2017, a Notice of Informational Public Meeting and Public Hearing was published in the Waitsburg Times and Tri-City Herald.

17. On September 22, 2017, a Notice of Informational Public Meeting and Public Hearing was published in the Walla Walla Union Bulletin and Tri-City Herald.
18. On October 4, 2017 an Informational Public Meeting was held by Community Development Department staff.
19. On October 4, 2017 a public hearing was held by the Planning Commission.

Conclusions of Law

1. The proposed amendments have been reviewed pursuant to Walla Walla County Code Sections 14.10.070B(3), 14.15.070B(3), and 14.090.010B.
2. The proposed amendments are consistent with the Walla Walla County Comprehensive Plan.
3. As proposed, the amendments are not likely to have a significant adverse impact on public welfare and safety.

ATTACHMENT 1

Comprehensive Plan Amendment Process

14.10.070 - 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 applicable criteria in Sections 14.10.070B.3, 4, and 5. 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 proposal meets a definable public need; and
 - 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
 - c. The defined need conforms to the policy directives of the comprehensive plan and countywide planning policies; and
 - 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
 - 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.
 - 4. Additional Review Criteria—Site-Specific Amendments. For each site-specific proposal to amend the comprehensive plan land use map, the planning commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the review criteria set forth above and the following additional review criteria:
 - 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
 - b. The proposed site-specific amendment will not create pressure to change the land use designation of other properties in the area and
 - 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.
 - 5. Additional Review Criteria—Urban Growth Area Amendments. For each proposal to amend an urban growth area policy or land use map the planning commission shall consider certain additional information and review criteria.
 - a. For each proposed amendment to an urban growth area policy or land use map the planning commission shall consider the following information:

- (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.
- b. For each proposed amendment to an urban growth area the planning commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the review criteria in Section 14.10.070B.3 and Section 14.10.070B.4 if applicable, and the following additional criteria:
- (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.
- 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 comprehensive plan 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 Plan Amendments. The board of county commissioners shall apply the criteria set forth in Sections 14.10.070B.3, 4, and 5 above, as applicable.
 4. Adoption by Ordinance. The board of county commissioners shall adopt any amendments to the comprehensive plan by ordinance.
- D. Transmittal to State. The director shall transmit a copy of any proposed amendment of the comprehensive plan 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 comprehensive plan 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 comprehensive plan 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)

ATTACHMENT 2

Development Regulations Amendment Process

14.15.070 - Final docket—Review and recommendation.

- A. Required Information. The community development department shall compile a preliminary docket of proposed amendments. The preliminary docket shall include at least the following information for each proposed amendment:
 - 1. Docket number; and
 - 2. Name and address of the person or agency proposing the amendment; and
 - 3. Summary of the proposed amendment; and
 - 4. Date of application; and
 - 5. Address or section, township and range of the location of the amendment, if applicable.
- B. Available for Public Review. The community development department shall keep the preliminary docket available for public review during normal business hours.
- C. Community Development Department Review. After compiling the preliminary docket, the director shall review the suggested amendments and prepare a staff report to the planning commission recommending which proposed amendments should be placed on the final docket. The staff report shall address the following criteria:
 - 1. The amendment is consistent with the comprehensive plan; and
 - 2. The amendment is consistent with other development regulations, unless accompanied by amendments to such other development regulations; and
 - 3. The amendment is appropriate for consideration at this time.
- D. Planning Commission Review. All proposed amendments shall be reviewed and assessed by the planning commission, which shall make a recommendation 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 on the preliminary docket as set forth in Sections 14.09.065 and 14.09.070 of this title.
 - 3. Recommendations. Following the hearing, the planning commission shall make a recommendation to the board of county commissioners on each proposed amendment as to whether or not the amendment should be placed on the final docket. The planning commission's recommendation shall be based upon the following criteria:
 - a. The amendment is consistent with the comprehensive plan; and
 - b. The amendment is consistent with other development regulations, unless accompanied by amendments to such other development regulations; and
 - c. The amendment is appropriate for consideration at this time.
- E. Board of County Commissioner's Decision—Adoption of Final Docket.
 - 1. Review and Decision Process. The board of county commissioners shall review and consider the planning commission's report and recommended final docket at a regularly scheduled commissioner's meeting. The board of county commissioners may adopt the planning commission's recommended final docket without a public hearing; however, in the event that a majority of the board of county commissioners decides to add or subtract proposed amendments, it shall first conduct a public hearing as set forth in Sections 14.09.065 and 14.09.070 of this title.
 - 2. Effect of Final Adopted Docket. The decision of the board of county commissioners to adopt the final docket does not constitute a decision or recommendation that the substance of any recommended amendment should be adopted. No additional amendments shall be considered after adoption of the final docket for that year except for exceptions as set forth in Section 14.15.030

ATTACHMENT 3
WAC 365-190-050
Agricultural Resource Lands

(1) In classifying and designating agricultural resource lands, counties must approach the effort as a county-wide or area-wide process. Counties and cities should not review resource lands designations solely on a parcel-by-parcel process. Counties and cities must have a program for the transfer or purchase of development rights prior to designating agricultural resource lands in urban growth areas. Cities are encouraged to coordinate their agricultural resource lands designations with their county and any adjacent jurisdictions.

(2) Once lands are designated, counties and cities planning under the act must adopt development regulations that assure the conservation of agricultural resource lands. Recommendations for those regulations are found in [WAC 365-196-815](#).

(3) Lands should be considered for designation as agricultural resource lands based on three factors:

(a) The land is not already characterized by urban growth. To evaluate this factor, counties and cities should use the criteria contained in [WAC 365-196-310](#).

(b) The land is used or capable of being used for agricultural production. This factor evaluates whether lands are well suited to agricultural use based primarily on their physical and geographic characteristics. Some agricultural operations are less dependent on soil quality than others, including some livestock production operations.

(i) Lands that are currently used for agricultural production and lands that are capable of such use must be evaluated for designation. The intent of a landowner to use land for agriculture or to cease such use is not the controlling factor in determining if land is used or capable of being used for agricultural production. Land enrolled in federal conservation reserve programs is recommended for designation based on previous agricultural use, management requirements, and potential for reuse as agricultural land.

(ii) In determining whether lands are used or capable of being used for agricultural production, counties and cities shall use the land-capability classification system of the United States Department of Agriculture Natural Resources Conservation Service as defined in relevant Field Office Technical Guides. These eight classes are incorporated by the United States Department of Agriculture into map units described in published soil surveys, and are based on the growing capacity, productivity and soil composition of the land.

(c) The land has long-term commercial significance for agriculture. In determining this factor, counties and cities should consider the following nonexclusive criteria, as applicable:

(i) The classification of prime and unique farmland soils as mapped by the Natural Resources Conservation Service;

(ii) The availability of public facilities, including roads used in transporting agricultural products;

(iii) Tax status, including whether lands are enrolled under the current use tax assessment under chapter [84.34](#) RCW and whether the optional public benefit rating system is used locally, and whether there is the ability to purchase or transfer land development rights;

(iv) The availability of public services;

(v) Relationship or proximity to urban growth areas;

(vi) Predominant parcel size;

(vii) Land use settlement patterns and their compatibility with agricultural practices;

(viii) Intensity of nearby land uses;

(ix) History of land development permits issued nearby;

(x) Land values under alternative uses; and

(xi) Proximity to markets.

(4) When designating agricultural resource lands, counties and cities may consider food security issues, which may include providing local food supplies for food banks, schools and institutions, vocational training opportunities in agricultural operations, and preserving heritage or artisanal foods.

(5) When applying the criteria in subsection (3)(c) of this section, the process should result in designating an amount of agricultural resource lands sufficient to maintain and enhance the economic viability of the agricultural industry in the county over the long term; and to retain supporting agricultural businesses, such as processors, farm suppliers, and equipment maintenance and repair facilities.

(6) Counties and cities may further classify additional agricultural lands of local importance. Classifying additional agricultural lands of local importance should include, in addition to general public involvement, consultation with the board of the local conservation district and the local committee of the farm service agency. It may also be useful to consult with any existing local organizations marketing or using local produce, including the boards of local farmers markets, school districts, other large institutions, such as hospitals, correctional facilities, or existing food cooperatives.

These additional lands may include designated critical areas, such as bogs used to grow cranberries or farmed wetlands. Where these lands are also designated critical areas, counties and cities planning under the act must weigh the compatibility of adjacent land uses and development with the continuing need to protect the functions and values of critical areas and ecosystems.

Walla Walla County Community Development Department

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

NOTICE OF INFORMATIONAL PUBLIC MEETING AND WALLA WALLA COUNTY PLANNING COMMISSION PUBLIC HEARING

Informational Public Meeting

The Walla Walla County Community Development Department will be holding an informational public meeting for the following Comprehensive Plan and development regulation amendment applications, which are on the 2017 Final Docket.

- **CPA17-001/REZ17-001 – Cavalli**
Site-specific Comprehensive Plan and Zoning Map amendment applications by Roberta Cavalli for an 18.27-acre parcel. The proposal would change the land use designation from Agriculture Residential to Rural Residential 5 and similarly rezone the property from Agriculture Residential 10-acres (AR-10) to Rural Residential 5-acres (RR-5). The subject property is located at the southwest corner of the intersection of Wallula Avenue and McKinney Road (APN 350727420010).
- **ZCA17-002 – Brent Knowles**
Application by Brent Knowles to amend WWCC Chapter 17.31, Development Standards – Cluster Developments on Resource Lands. The amendments would increase the allowed average lot size for residential lots in a cluster subdivision; increase the maximum allowed lot size of cluster lots; allow for the creation of 20-acre lots in the Agriculture Residential 10-acre (AR-10) zone, which is currently prohibited; revise the code as it pertains to density transfers; and make other minor amendments.
- **CPA17-002/REZ17-002 – J. R. Simplot Company**
Site-specific Comprehensive Plan amendment and rezone applications to add a 160-acre property (Parcel A) to the Attalia Industrial Urban Growth Area, change the land use and zoning designations from Primary Agriculture/PA-40 to Industrial Agriculture/IA-M, and remove the Unique Lands designation shown on Comprehensive Plan Map RL-10. This property is located north of the existing UGA boundary and north of Dodd Road. Secondly, the applications would remove a 160-acre property (Parcel B) on Dodd Road from the Attalia Urban Growth Area and change the land use and zoning from Industrial Agriculture/IA-M to Primary Agriculture/PA-40. (APN 310822110002, 310826410004)

This meeting is open to the public and is a question and answer session; it is not a public hearing. No oral testimony will be taken, and no decisions will be made at this meeting. Staff will be available to answer questions; this is for public informational purposes only.

INFORMATIONAL MEETING INFORMATION

County Public Health and Legislative Building
314 West Main Street
2nd floor - Room 213
Walla Walla, WA

October 4, 2017 from 6:00- 6:45 PM

Public Hearing

The Planning Commission will be conducting public hearings on the following Comprehensive Plan and development regulation amendment applications, which are on the 2017 Final Docket (same items as listed above for informational public meeting).

- **CPA17-001/REZ17-001 –Cavalli**
- **ZCA17-002 – Brent Knowles**
- **CPA17-002/REZ17-002 – J. R. Simplot Company**

The Planning Commission, following the public hearings, will make a recommendation for each of the proposed amendments above to the Board of County Commissioners (BOCC) at the same meeting or on a date not yet determined. The Planning Commission will be asked to recommend that a proposed amendment be approved, approved with modifications, or denied. The process for review and recommendation of the final docket is described in Walla Walla County Code (WWCC) Sections 14.15.070 and 14.10.070 which outline the criteria for consideration. The BOCC will then review the recommendation at a public hearing, on a date not yet determined, pursuant to WWCC 14.15.070C(2) and 14.10.070C(2).

Any interested person may comment on this application, receive notice, and participate in any hearings. Persons submitting testimony may participate in the public hearing, request a copy of the final decision, and have rights to appeal the final decision. You can obtain a copy of the staff report from the Community Development Department by contacting the person listed below; the staff report will be available about one week prior to the hearing date.

Written comments regarding the above applications may be submitted prior to and at the hearing on October 4, 2017 for Planning Commission consideration. Send written comments to one of the following addresses:

Walla Walla County Community Development Department
c/o Lauren Prentice, Principal Planner
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 - Room 213
Walla Walla, WA
October 4, 2017 7:00 PM

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.

Walla Walla County Community Development Department

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

Certificate of Notification

(publishing and mailing)

File Number: 2017 Final Docket

Site Address: Varied

Type of Notice: Notice of Public Hearing – Planning Commission 10/4/2017

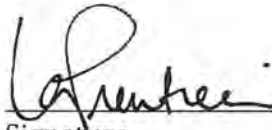
Review Level/Type: Level 5

Proof of Mailing

I certify under penalty of perjury under the laws of the State of Washington that the content of the above form of notice was

- ☒ Mailed to the property owners of record 500' adjacent to the Cavalli property (REZ17-001, CPA17-001) and Simplot properties (CPA17-002, REZ17-002 on the following date: 9/20/2017 (see attached lists)
- ☒ Mailed/e-mailed to applicant(s) or representative on: 9/20/2017
- ☒ Mailed/e-mailed to all parties of record on: 9/20/2017

Lauren Prentice
Printed Name


Signature

9/27/2017
Date

Proof of Publishing

I certify under penalty of perjury under the laws of the State of Washington that the content of the above form of notice was

- ☒ Published in the official gazette (Union Bulletin) and Tri-City Herald (paper of general circulation) on: 9/22/2017
- ☒ Published in a paper(s) of general circulation (Waitsburg Times and Tri-City Herald) on: 9/21/2017
- ☒ on the CDD website on the following date: 9/19/2017

Lauren Prentice
Printed Name


Signature

9/27/2017
Date

OWNER NAME	IN CARE OF	ADDRESS1	CITY	STATE	ZIPCODE
BILES ROBERT	CHOOJIT NAULPETCH	1982 WALLULA AVE	WALLA WALLA	WA	99362
BS FARMS LLC		PO BOX 686	WALLA WALLA	WA	99362
CUNEO GINO R & PAMELA A		1932 WALLULA AVE	WALLA WALLA	WA	99362
D & M YEEND FAMILY LLC		1603 SPRING VALLEY RD	WALLA WALLA	WA	99362
ENRIQUEZ FERNANDO & LOURDES		580 CREEKSIDE LN	WALLA WALLA	WA	99362
GRASSI LEONA G BUGHI		296 MCKINNEY RD	WALLA WALLA	WA	99362
HEADLEY EVERETT D & JANET	KENNETH LEROY HEADLEY	1223 BLALOCK DR	WALLA WALLA	WA	99362
MC CORMMACH TERRY L		PO BOX 2888	WALLA WALLA	WA	99362
MUNNS ANTHONY G		PO BOX 522	CONNELL	WA	99326
MURO ISAIAS J & SONIA E		2041 WALLULA AVE	WALLA WALLA	WA	99362
RAHN HAROLD D		530 RUSSET RD	WALLA WALLA	WA	99362
SCHMATT CREDIT TRUST	SHARON R SCHMATT TRUSTEE	1437 WALLULA AVE	WALLA WALLA	WA	99362
SCHNORR GREGORY S	DEWAYNE & KAREN SCHNORR LIVING T	1956 WALLULA AVE	WALLA WALLA	WA	99362
SHOLTIS ALBERT A		172 MC KINNEY RD	WALLA WALLA	WA	99362
TATARYN LONDA R		1906 WALLULA AVE	WALLA WALLA	WA	99362
WALL ROBERT F & KAREN		41 QUAIL VIEW LN	WALLA WALLA	WA	99362
WILLIAMS BRIAN & JENNY		PO BOX 125	COLLEGE PLACE	WA	99324
ZUGER ROBERT LEE & KATHLEEN MARIE		302 MCKINNEY RD	WALLA WALLA	WA	99362
FLOWERS GREG	PBS	5 N. COLVILLE	WALLA WALLA	WA	99362
CAVALLI ROBERTA		1278 WALLULA AVE	WALLA WALLA	WA	99362

OWNER NAME	IN CARE OF	ADDRESS1	CITY	STATE	ZIPCODE
ART MORTGAGE BORROWER PROPCO	% MARVIN F POER & CO	18818 TELLER AVE STE 277	IRVINE	CA	92612
BUCHANAN RANDY W		35032 W HIGHWAY 12	BURBANK	WA	99323
BUCHANAN VERNON W & ALPHA D	RANDY W BUCHANAN	35032 W HIGHWAY 12	BURBANK	WA	99323
BUCHANAN WAYNE V & DONNA		35032 W HIGHWAY 12	BURBANK	WA	99323
CFG VENTURES LLC		341 SUNNYBANK RD	PASCO	WA	99301
FLAT TOP RANCH LLC		2521 FISHOOK PK RD	PRESCOTT	WA	99348
I B P INC	C/O TYSON FOODS INC	PO BOX 2020 TAX DEPT	SPRINGDALE	AR	72765
J R SIMPLOT COMPANY		PO BOX 27	BOISE	ID	83707
LILLY & LUCY LOICHTINGER FARM LLC	COMPARTMENT 44 SITE 16 RR 1	FORT SAINT JOHN BC V1J4M6 CANADA			
SIMPLOT FEEDERS LLC		PO BOX 27	BOISE	ID	83707
WALLA WALLA COUNTY OF		315 W MAIN ST	WALLA WALLA	WA	99362
WASHINGTON STATE OF	DEPT OF NATURAL RES	P O BOX 47041	OLYMPIA	WA	98504
WALLA WALLA PORT OF		310 A ST	WALLA WALLA	WA	99362
Anderson Perry & Associates, Inc.	c/o Dana Kurtz	PO Box 1107	La Grande	OR	97850

OWNER NAME	CO	ADDRESS1	CITY	STATE	ZIPCODE
KNOWLES, BRENT		1010B VALLEY CHAPEL RD	WALLA WALLA	WA	99362
HAWKINS, JARED		2225 ISAACS AVE, SUITE B	WALLA WALLA	WA	99362
VANDIVER, ELAINE	OLD HOMESTEAD ALPACAS	5260 STATELINE RD	WALLA WALLA	WA	99362
FUTUREWISE	STATEWIDE HEADQUARTERS	816 SECOND AVE, SUITE 200	SEATTLE	WA	98104
FUTUREWISE	EASTERN WA	35 W MAIN STREET	SPOKANE	WA	99201
NANCY BALL		213 FULTON STREET	WALLA WALLA	WA	99362

Walla Walla County Community Development Department

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

SEPA17-009

DETERMINATION OF NON-SIGNIFICANCE (DNS)

Description of Proposal: Site-specific Comprehensive Plan amendment and rezone applications to add a 160-acre property (Parcel A) to the Attalia Industrial Urban Growth Area (UGA), change the land use and zoning designations from Primary Agriculture/PA-40 to Industrial Agriculture/IA-M, and remove the Unique Lands designation shown on Comprehensive Plan Map RL-10. This property is located north of the existing UGA boundary and north of Dodd Road. Secondly, the applications would remove a 160-acre property (Parcel B) on Dodd Road from the Attalia Urban Growth Area and change the land use and zoning from Industrial Agriculture/IA-M to Primary Agriculture/PA-40.

Proponent(s): J.R. Simplot Company
PO Box 27; Boise, ID 83707

Location of Proposal: Parcel A (APN 310822110002) is located adjacent to the north side of the current UGA boundary in the northeast quarter and southeast quarter of Township 8 North, Range 31 East, Section 22. Parcel B is located within the current UGA boundary on the north side of Dodd Road in the southeast quarter of Township 8 North, Range 31 East, Section 26 (APN 310826410004).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

The Determination of Non-Significance (DNS) is based on the applications as proposed and reflected in the following:

- Applications CPA17-002, REZ17-002 and SEPA Checklist SEPA17-014

This DNS is issued under WAC 197-11-340 (2); the lead agency will not act on this proposal for fourteen (14) days from the date below. **Comments must be submitted by October 3, 2017.**

The lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA.

This DNS may be withdrawn at any time if the proposal is modified so that it is likely to have significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); if there is significant new information indicating, or on, a proposal's probable significant adverse environmental impacts; or if the DNS was procured by misrepresentation or lack of material disclosure.

Lead Agency: Walla Walla Community Development Department (CDD)

Responsible official: Thomas Glover, AICP; Director

Address: 310 W Poplar St., Suite 200; Walla Walla, WA 99362
Phone: 509-524-2610; Email: commdev@co.walla-walla.wa.us

Issue Date: 09/19/2017

Signature:

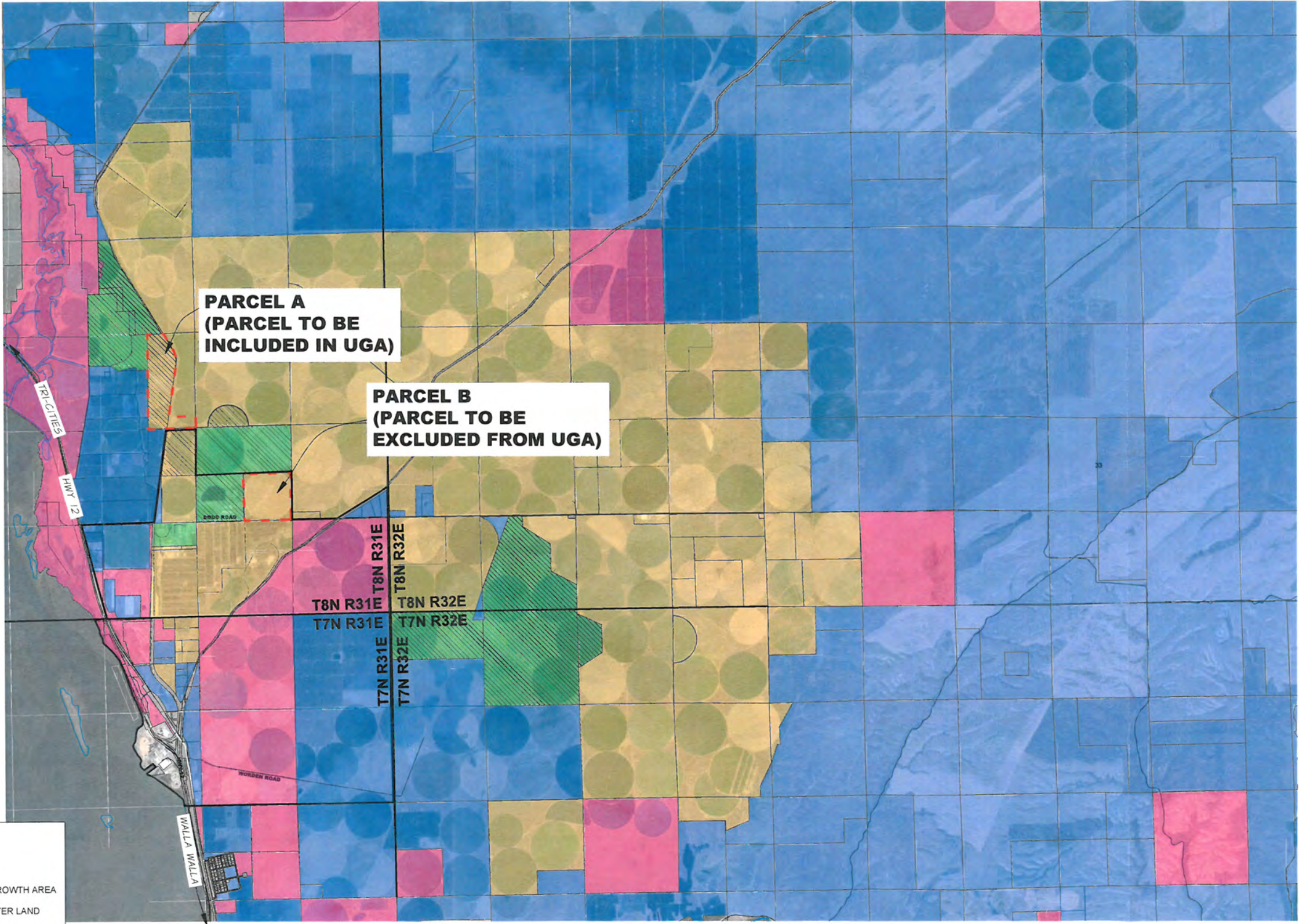


Date:

9-19-17

Staff Contact: Lauren Prentice, Principal Planner, 509-524-2620

You may appeal this determination, in writing, to the CDD no later than fourteen days from the date of issue. You should be prepared to make specific factual objections. Contact the CDD to read or ask about the procedures for SEPA appeals and obtain details regarding submittals for appeals (including application forms and fees). Walla Walla County Code (WWCC) Chapter 14.11 outlines the County's appeal procedure.



LEGEND

- ATTALIA INDUSTRIAL URBAN GROWTH AREA
- TYSON INDUSTRIAL WASTEWATER LAND APPLICATION AREA
- SIMPLOT LAND
- TYSON/IBP LAND
- GOVERNMENT LAND
- PRIVATE LAND

apanderson
perry
& associates, inc.

J. R. SIMPLOT COMPANY
APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT AND REZONE
STATE ENVIRONMENTAL POLICY ACT (SEPA) CHECKLIST
**INDUSTRIAL WASTEWATER LAND
APPLICATION AREA**

**FIGURE
6**

AGRICULTURAL LANDS
RESOURCE LANDS TECHNICAL ADVISORY COMMITTEE REPORT

Definitions

A. Growth Management Act

"Agricultural land means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, animal products, or berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, or livestock that has long-term commercial significance for agricultural production."

B. Walla Walla County (recommended)

"Agricultural Lands of Primary Significance means contiguous lands under agricultural production or readily available for agricultural production, the majority of which is in parcels of 40 acres or larger, that are classified as prime or unique soils (USDA) having economic importance to Walla Walla County, low tolerance of incompatible uses and which merit substantial protection."

"Agricultural Lands of Secondary Significance are non-prime contiguous agricultural lands of parcels of 10 acres or more where soil productivity, agricultural infrastructure, current level of agricultural activity and economic importance to Walla Walla County which merit moderate to high protection".

"Other Agricultural Lands are lands primarily in agricultural use which may be contiguous or with intermittent residences, hobby farms or pasture and of varying lot sizes. These lands should remain in their current state unless there is a pressing need for alternative uses. These lands also serve as a buffer between active, large scale agricultural use and rural development".

II. Criteria

A. Growth Management Act (WAC 365-190)

WAC 365-190-030(a) "Prime farmland soil as defined in Part 603.05, National Soils Handbook, United States Department of Agriculture Soil Conservation Service."

WAC 365-190-030(b) "Unique farm soil as defined in Part 603.05, National Soils Handbook, United States Department of Agriculture Soil Conservation Service."

III. Findings

Inventory

1. Inventorying and designating of Walla Walla County's agricultural lands has for the most part been completed by the United States Soil Conservation Service in the identification of prime and unique soils and through their records concerning crop type and value, level of infrastructure and participation in government programs. Parcel size information is available through the Walla Walla County Assessor.

General

2. Agricultural use of land is the largest single use of land in Walla Walla County, with a total of 604,000 acres devoted to agricultural uses, with a value exceeding \$132,000,000.
3. Irrigated agriculture has expanded steadily, to 111,000 acres, this may however level off in the future do to competing water needs.
4. Irrigated crop land in the Walla Walla Valley and the Burbank-Burbank Heights is under the most severe pressure from urban expansion.
5. There are approximately 105,187 acres in the Conservation Reserve Program.
6. Walla Walla County contains approximately 66,000 acres of prime farmland, the majority of which is located in the Walla Walla area, along major stream corridors and the Eureka area.
7. Walla Walla County contains approximately acres of unique lands, of which is orchard land in western Walla Walla County and 2,400 of which is vineyards. The majority of the grape acres are concord and are in one farm, Snake River Vineyards, located northeast of Burbank Heights. The remainder are scattered wine grape vineyards in the Walla Walla Valley and the Burbank area.
8. Wheat continues to be the most predominant crop, however interest regarding alternative crops is increasing.
9. Traditional agricultural practices and associated land use activities have strong historical significance in Walla Walla County.
10. The intent of the lot sizes required in the Agricultural Open Space, and Agricultural General zoning districts (20 and 10 acres respectively), which was to preserve agricultural lands, is no longer effective due to changing economics and conditions.

It is no longer uncommon for a ten acre tract to be purchased as a primary residence, with no intent to "farm" the property.
11. The County Zoning Code allows many uses that are not compatible with agricultural uses.

12. The County has received a petition from approximately 50% of the landowners in the Russell Creek area, currently zoned Agricultural Open Space, 20 acre minimum lot size, requesting a 120 acre minimum lot size. This area is unique in that it is not only prime agricultural land capable of producing two crops per year, but also does not require irrigation.

Cities

13. Presently, none of the four incorporated cities in Walla Walla County have agricultural lands considered to be of long-term commercial significance within their boundaries (including the existing Urbanizable Areas of Walla Walla and College Place).
14. The comprehensive plans of both Walla Walla and College Place contain agricultural land use elements. Neither has an agricultural zoning district, although some agricultural uses are allowed within the cities.

Interim Protection (from 9/91 - 11/93)

15. Existing comprehensive plans, zoning codes and policies are adequate to protect Agricultural Lands of Primary Significance in the immediate future. However, some recommendations should be acted upon within the next year, while others may wait to be included in the formulation of new plans and regulatory documents in fulfillment of GMA requirements.
16. The county does not have a large lot division review process. There is a "gap" in the subdivision regulations that allows four lots over five acres in size to be created without any review and an unlimited number of lots over 20 acres may also be created without review.
17. The cities will be responsible for the adoption of their own interim and final protective measures. However, due to lack of lands that meet the recommended definitions lying within the cities or their current growth boundaries, interim protection measures do not appear necessary. This should be reviewed at the time of establishment of new growth boundaries under the GMA.

IV. Existing Policies

Walla Walla County

1. Establish zoning districts which restrict non-farm activities. Existing non-farm activities, such as lineal development and subdivisions substantially surrounded by agricultural lands, should be considered as anomalies. These areas should not be expanded, and should not represent the basis for the conversion or rezone of adjacent farm lands to non-farm uses until rural and urban lands are substantially developed (UA Comp. Plan)

2. Exclusive agricultural lands should remain agricultural (UA Comp. Plan)
3. Encourage review of the Open Space Taxation Act to encourage higher participation through legislative changes (UA Comp. Plan)
4. The proposed functional classification system for roads should recognize and support the rural character of roads in agricultural districts. Over classifying these roads and encouraging non-farm related traffic should be discouraged (UA Comp. Plan)
5. Adopt a "right-to-farm" attitude whereby the County recognizes that the agricultural lands enjoy historical or prescriptive rights to normal farm practices such as early and late hours of operation, noise, dust generation, crop dusting, odors, slow moving vehicles and livestock on rural roads (UA Comp. Plan)
6. In cases where agricultural land must be converted to non-farm uses, after other lands have been developed, the land should be marginal and should not possess prime or unique soils as identified by the SCS. Prime and unique soils should only be used where it can be demonstrated that alternative sites are inadequate (UA Comp Plan)
7. Create and maintain a distinct boundary between urban/rural and agricultural lands with the use of physical edges like roads, railroads, or creeks (UA Comp. Plan)
8. Encourage the development of non-traditional agricultural activities (vinifera grapes, wineries, herb farms, etc.) by considering the elimination of Conditional Use Permits for many non-traditional activities (UA Comp. Plan)
9. Support the existing economic base by discouraging the unnecessary or speculative rezoning of agricultural lands to non-farm use (UA Comp. Plan)
10. Soil type and agricultural suitability should be determined by the SCS. The findings and recommendations of the SCS in regard to questions of soil suitability should prevail (UA Comp Plan)
11. Walla Walla County should consider use of the SCS's Land Evaluation and Site Assessment (LESA) system (UA Comp. Plan)
12. Agricultural uses are recognized as the most appropriate uses adjacent to Environmentally Sensitive Areas. The sensitive areas do not require setbacks or topographic buffers from cultivated farmlands. Restrictions of farming use within these areas should be minimized and the intrusion of incompatible uses such as residential dwellings should be avoided to ensure the long term viability of these important agricultural buffers

(Bbk Comp Plan)

13. Designate for agricultural use those areas currently in productive agricultural use where such areas are outside Urban Service Areas and adopt effective implementing land use regulations (Bbk Comp. Plan)
14. Retain agricultural zoning and other land use controls in areas designated for future urban use until development consistent with the Comp Plan occurs (Bbk Comp. Plan)
15. Encourage higher density development when conversion of agricultural land takes place. The division of large parcels into low density hobby farms should be discouraged, whenever possible, in favor of more productive farm units (Bbk Comp. Plan)
16. Prevent haphazard growth into agricultural areas (Sun Harbor Comp Plan)
17. Promote the use of good agricultural and conservation practices on shorelines of the County in order to protect the soil, air, water, fish and wildlife of those shorelines (Shoreline Prog)
18. Erosion control measures such as crop rotation, mulching, strip cropping and contour cultivation are encouraged (Shore. Prog)

City of College Place

1. Priorities should be set consistent with best land use as researched with the Soil Conservation Service and State Extension Services and evaluated by the Planning Commission.
2. Maintain the importance of the local truck farming economy by coordinating the designation and future use of such lands with the County in the preparation of and implementation of zoning ordinances.
3. Plan and work with the City of Walla Walla, the County of Walla Walla and others to preserve as much agricultural land as possible outside the City's urbanizable area.
4. Create a distinct boundary between urban/rural lands and agricultural lands which may include use of physical edges like roads, railroads or creeks.

City of Walla Walla

1. Encourage efficient utilization of land within the urban growth boundaries of Walla Walla through development of an Urban Area Plan in cooperation with Walla Walla County. This plan will designate the areas of agricultural land which should be protected from encroachment by non-agricultural uses. It will, at the same time, designate those areas which have been sufficiently removed from agricultural production that they are

suitable for additional development and increased density

V. Recommendations

Require Prompt Action (no later than July 1, 1992)

1. Lands identified as prime or unique should be designated as Environmentally Sensitive under Walla Walla County Code, Title 18, Environmental Policy, with altered exemptions.
2. Walla Walla County should close the "gap" in the subdivision regulations and develop a large lot division review process.
3. Subdivisions should be prohibited in agricultural zoning districts.
4. The minimum lot sizes of the prime agricultural lands lying north and east of the City of Walla Walla, which meet the definition of "Agricultural Lands of Primary Significance", should not be reduced and this Committee strongly recommend increasing them (see attachment A).

To be Dealt with During the GMA Process

1. The County Zoning Code should be revised to remove the incompatible uses from the agricultural districts.
2. Walla Walla County should adopt a "right to farm" ordinance rather than the existing resolution.
3. Walla Walla County should implement the use of the Land Evaluation and Site Assessment (LESA) system in land use decision-making.
4. The County should increase the minimum lot size in the Agricultural Lands of Secondary Significance (suggested 20 acres) and the Agricultural Lands of Primary Significance. Lands of Primary Significance have been mapped. Lands of Secondary Significance will be mapped as a part of this process.
5. Existing County goals, objectives and policies should be reviewed for duplication and conflict.

EXHIBIT "A"

Agriculture Lands of Significance (Urban Area)



PRIMARY SIGNIFICANCE



UNIQUE LANDS

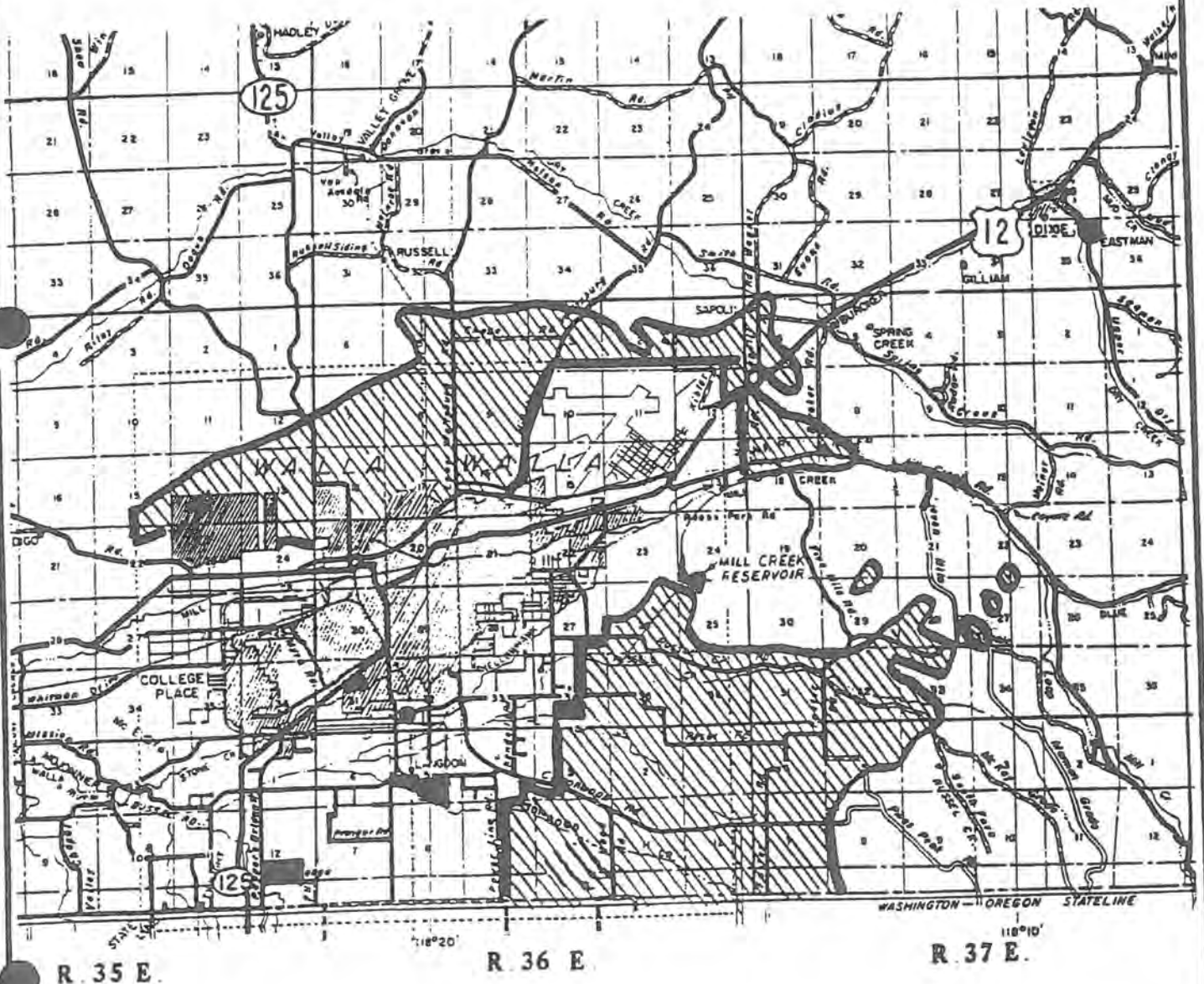
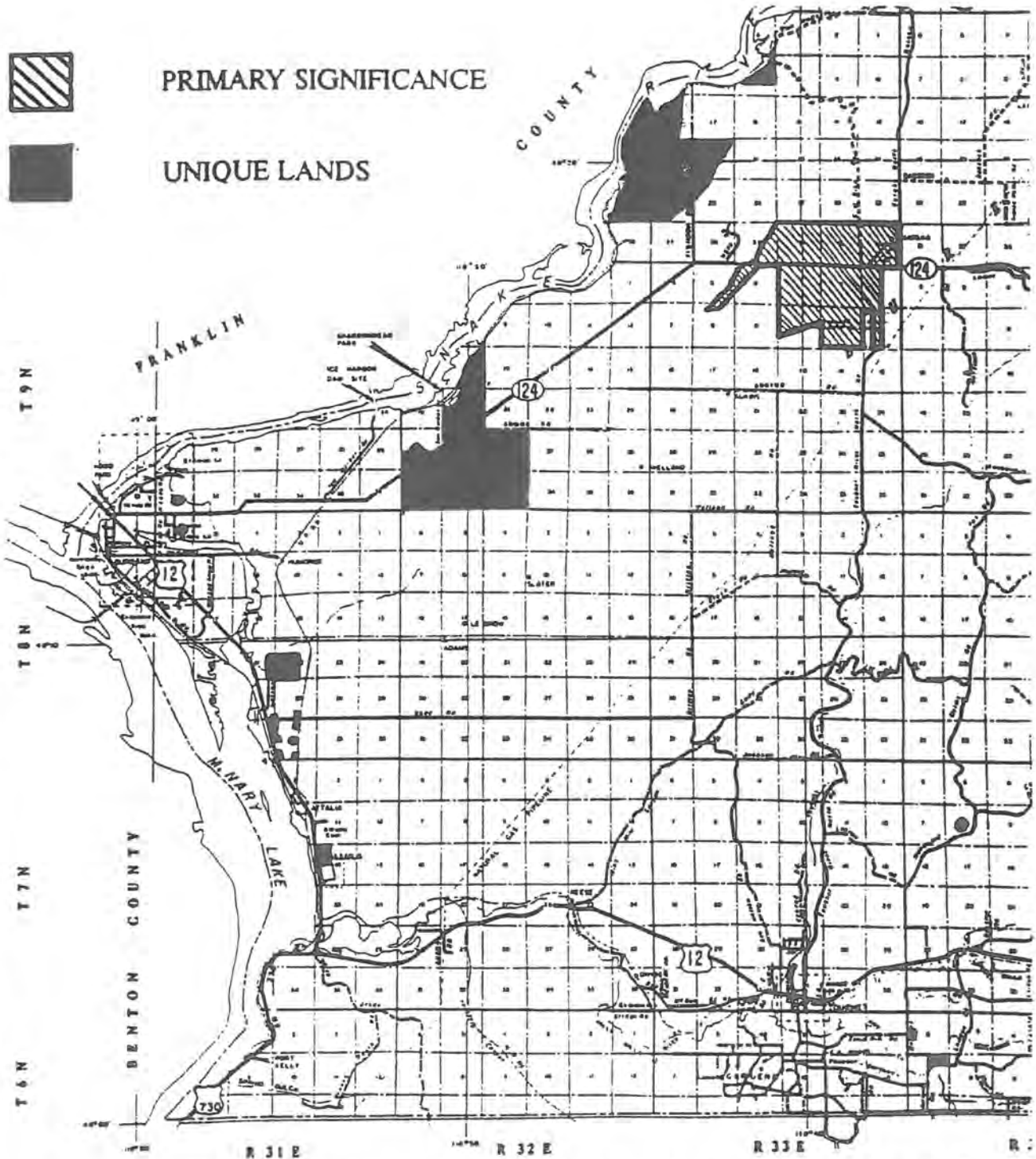


EXHIBIT "B"

Agriculture Lands of Significance (Western WW County)



Prime and Unique Farmlands in Walla Walla County

History

In 1978 the National Resources Conservation Service (NRCS) created policy to make and keep current a national inventory of prime farmland and unique farmland locations. The "Inventories made under this memorandum do not constitute a designation of any land area to a specific land use. Such designations are the responsibility of appropriate local and State officials." (Code of Federal Regulations Title 7 Agriculture, Part 657.3)

The Growth Management Act in RCW 36.70A.50(1) requires that "the department (Washington Cities and Counties) shall adopt guidelines, under chapter 34.05 RCW, no later than September 1, 1990, to guide the classification of: (a) Agricultural lands," and "the department should consult with the department of agriculture regarding guidelines for agricultural lands.

In 1990 the Walla Walla County Commissioners voted to accept the terms of the Growth Management Act and so the County was required to designate locations of significant agricultural land within its boundaries. In 1991 the Walla Walla County Resource Lands Technical Advisory Committee provided recommendations on which lands would be designated unique or of primary significance. The County Commissioners later adopted these recommendations in Resolution 92-028 on January 22, 1992.

Farmlands designated as prime and unique are determined to be of the highest commercial significance in the County. However, all lands within Walla Walla County that have been zoned agricultural have been determined to be lands of long-term commercial significance.

Definitions

A. Growth Management Act

"Agricultural land means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock, and that has long-term commercial significance for agricultural production." (RCW 36.70A.030(2))

"In defining categories of agricultural lands of long-term commercial significance for agricultural production, counties and cities should consider using the classification of prime and unique farmland soils as mapped by the Soil Conservation Service. If a county or city chooses to not use these categories, the rationale for that decision must be included in its next annual report to department of community development." (WAC 365-190-050(2))

“Long-term commercial significance includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land’s proximity to population areas, and the possibility of more intense uses of the land.” (RCW 36.70A.030(10))

B. Walla Walla County

“Agricultural Lands of Primary Significance means contiguous lands under agricultural production or readily available for agricultural production, the majority of which is in parcels of 40 acres or larger, that are classified as prime or unique soils (USDA) having economic importance to Walla Walla County, low tolerance of incompatible uses and which merit substantial protection.” (Resolution 92-028)

C. National Soil Conservation Service

“Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses (the land could be cropland, pastureland, rangeland, forest land, or other land, but not urban built-up land or water). It has the soil quality, growing season, and moisture supply needed to economically produce sustained high yields of crops when treated and managed, including water management, according to acceptable farming methods. In general, prime farmlands have an adequate and dependable water supply from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, acceptable salt and sodium content, and few or no rocks. They are permeable to water and air. Prime farmlands are not excessively erodible or saturated with water for a long period of time, and they either do not flood frequently or are protected from flooding. Examples of soils that qualify as prime farmland are Palouse silt loam, 0 to 7 percent slopes; Brookston silty clay loam, drained; and Tama silty clay loam, 0 to 5 percent slopes.” (Code of Federal Regulations Title 7 Agriculture, Part 657.59(a))

“Unique farmland is land other than prime farmland that is used for the production of specific high value food and fiber crops. It has the special combination of soil quality, location, growing season, and moisture supply needed to economically produce sustained high quality and/or high yields of a specific crop when treated and managed according to acceptable farming methods. Examples of such crops are citrus, tree nuts, olives, cranberries, fruit, and vegetables.” (Code of Federal Regulations Title 7 Agriculture, Part 657.5(b))

Development Restrictions in Primary Significance and Unique Farmland Areas

Approximately 23,000 acres of Walla Walla County have been designated as Agricultural Lands of Primary Significance. Several other areas have been designated as Agricultural Lands of Unique Significance, which include mainly

orchards and vineyards (WW Comp. Plan 6.3.3.). These areas can be viewed in Maps RL-9 and RL-10 in Chapter 6 of the Walla Walla County Comprehensive Plan.

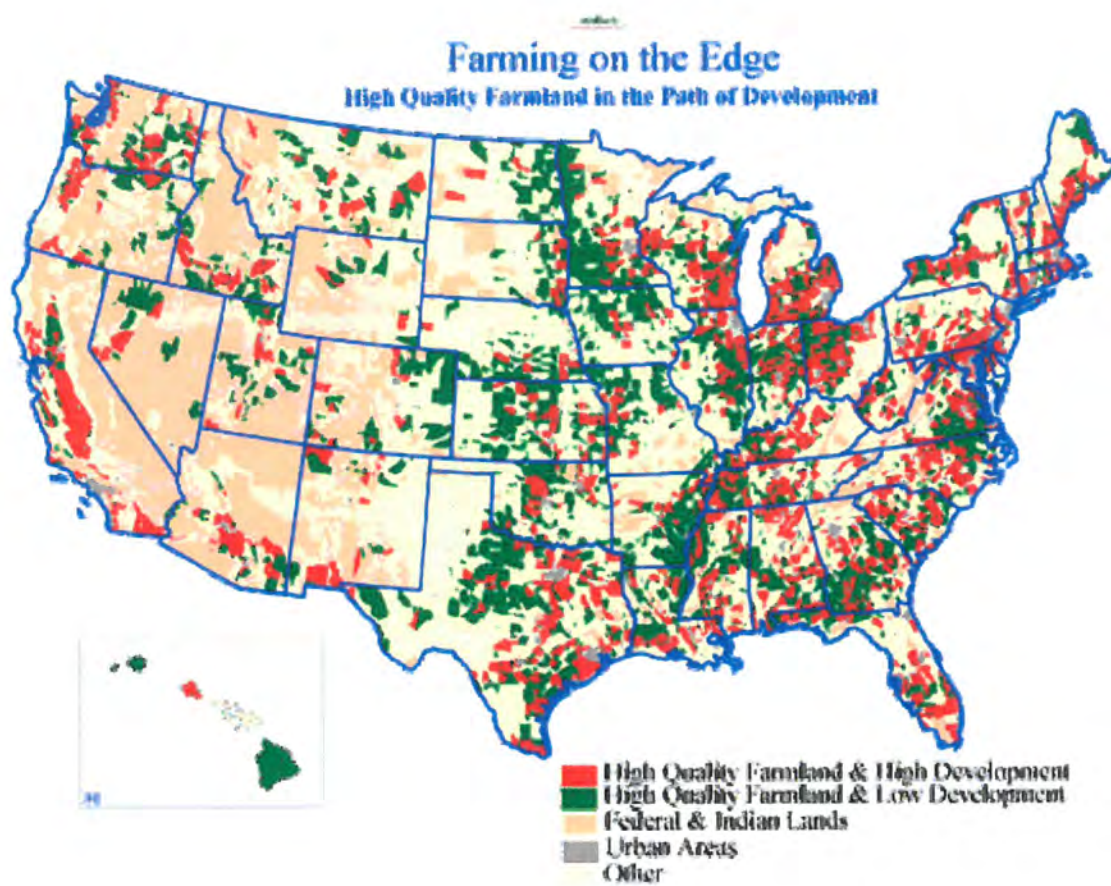
Within areas designated as of Primary Significance or Unique, cluster developments are the required form of land division. This technique allows new development on one portion of the land while leaving the remainder in agricultural or open space use and is designed to conserve agricultural lands and to encourage the agricultural economy (WW Comp. Plan 6.3.3.). The only other development option occurs when these areas of primary significance or unique agricultural zones are located in a General Agricultural 20 zone. In this case the property can be divided into lots greater than 20 acres, but these 20 acre lots can only be created “if a minimum of seventy percent of each lot is maintained and preserved for a resource use through a notation on the face of any recorded plat or short plat” (Ord. 358 § 1, 2007), or “if a recorded instrument preserves a resource use as the primary land use on each lot” (WW Comp. Plan 6.3.3.).

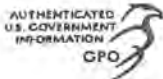
Conversion from Primary and Unique Farmland Areas

An amendment to the Walla Walla County comprehensive plan must be adopted in order to remove the designation of Primary or Unique Significance from an already designated area.

To propose an amendment to the comprehensive plan copies of the County’s Amendment Docket Application and SEPA environmental review documents must be provided to the Washington State Department of Community, Trade and Economic Development and other state agencies. This process can be initiated by the County or by a private application. The County’s Planning Commission will then examine the proposed amendment and determine the date of a public hearing to discuss the proposal with members of the community. The public will be notified of the time, date and purpose of the hearing via a newspaper of general circulation in the County. Following this hearing, the Planning Commission will review and may make changes to the proposed amendment. Then a copy of the Planning Commission’s recommendations will be transmitted to the Board of County Commissioners. Within sixty days there will be another public hearing where the commissioners will make a decision to approve, disapprove, modify or remand the proposed amendment back to the Planning Commission for further change. (WWCC 14.15.020)

The Walla Walla County comprehensive plan shall not be amended more than once in any calendar year except in cases of emergency, as established by RCW 36.70A.130(2)(a). (WWCC 14.15.020(E))





§ 657.5

problems that may occur among States for specific soil series or soil mapping units.

(c) *National Office.* The Deputy Chief for Soil Survey and Resource Assessment (see 7 CFR 600.2(b)(3)) is to provide national leadership in preparing guidelines for inventorying prime farmlands and for national statistics and reports of prime farmlands.

[43 FR 4031, Jan. 31, 1978, as amended at 65 FR 57538, Sept. 25, 2000]

§ 657.5 Identification of important farmlands.

(a) *Prime farmlands—(1) General.* Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses (the land could be cropland, pastureland, rangeland, forest land, or other land, but not urban built-up land or water). It has the soil quality, growing season, and moisture supply needed to economically produce sustained high yields of crops when treated and managed, including water management, according to acceptable farming methods. In general, prime farmlands have an adequate and dependable water supply from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, acceptable salt and sodium content, and few or no rocks. They are permeable to water and air. Prime farmlands are not excessively erodible or saturated with water for a long period of time, and they either do not flood frequently or are protected from flooding. Examples of soils that qualify as prime farmland are Palouse silt loam, 0 to 7 percent slopes; Brookston silty clay loam, drained; and Tama silty clay loam, 0 to 5 percent slopes.

(2) *Specific criteria.* Prime farmlands meet all the following criteria: Terms used in this section are defined in USDA publications: "Soil Taxonomy, Agriculture Handbook 436"; "Soil Survey Manual, Agriculture Handbook 18"; "Rainfall-erosion Losses From Cropland, Agriculture Handbook 282"; "Wind Erosion Forces in the United States and Their Use in Predicting Soil Loss, Agriculture Handbook 346"; and

7 CFR Ch. VI (1-1-12 Edition)

"Saline and Alkali Soils, Agriculture Handbook 60."

(1) The soils have:

(A) Aquic, udic, ustic, or xeric moisture regimes and sufficient available water capacity within a depth of 40 inches (1 meter), or in the root zone (root zone is the part of the soil that is penetrated or can be penetrated by plant roots) if the root zone is less than 40 inches deep, to produce the commonly grown cultivated crops (cultivated crops include, but are not limited to, grain, forage, fiber, oilseed, sugar beets, sugarcane, vegetables, tobacco, orchard, vineyard, and bush fruit crops) adapted to the region in 7 or more years out of 10; or

(B) Xeric or ustic moisture regimes in which the available water capacity is limited, but the area has a developed irrigation water supply that is dependable (a dependable water supply is one in which enough water is available for irrigation in 8 out of 10 years for the crops commonly grown) and of adequate quality; or,

(C) Aridic or torric moisture regimes and the area has a developed irrigation water supply that is dependable and of adequate quality; and,

(i) The soils have a temperature regime that is frigid, mesic, thermic, or hyperthermic (pergelic and cryic regimes are excluded). These are soils that, at a depth of 20 inches (50 cm), have a mean annual temperature higher than 32 °F (0 °C). In addition, the mean summer temperature at this depth in soils with an O horizon is higher than 47 °F (8 °C); in soils that have no O horizon, the mean summer temperature is higher than 59 °F (15 °C); and,

(iii) The soils have a pH between 4.5 and 8.4 in all horizons within a depth of 40 inches (1 meter) or in the root zone if the root zone is less than 40 inches deep; and,

(iv) The soils either have no water table or have a water table that is maintained at a sufficient depth during the cropping season to allow cultivated crops common to the area to be grown; and,

(v) The soils can be managed so that, in all horizons within a depth of 40 inches (1 meter) or in the root zone if the root zone is less than 40 inches

deep, during part of each year the conductivity of the saturation extract is less than 4 mmhos/cm and the exchangeable sodium percentage (ESP) is less than 15; and,

(vi) The soils are not flooded frequently during the growing season (less often than once in 2 years); and,

(vii) The product of K (erodibility factor) \times percent slope is less than 2.0, and the product of I (soils erodibility) \times C (climatic factor) does not exceed 60; and

(viii) The soils have a permeability rate of at least 0.06 inch (0.15 cm) per hour in the upper 20 inches (50 cm) and the mean annual soil temperature at a depth of 20 inches (50 cm) is less than 59 °F (15 °C); the permeability rate is not a limiting factor if the mean annual soil temperature is 59 °F (15 °C) or higher; and,

(ix) Less than 10 percent of the surface layer (upper 6 inches) in these soils consists of rock fragments coarser than 3 inches (7.6 cm).

(b) *Unique farmland*—(1) *General*. Unique farmland is land other than prime farmland that is used for the production of specific high value food and fiber crops. It has the special combination of soil quality, location, growing season, and moisture supply needed to economically produce sustained high quality and/or high yields of a specific crop when treated and managed according to acceptable farming methods. Examples of such crops are citrus, tree nuts, olives, cranberries, fruit, and vegetables.

(2) *Specific characteristics of unique farmland*. (i) Is used for a specific high-value food or fiber crop;

(ii) Has a moisture supply that is adequate for the specific crop; the supply is from stored moisture, precipitation, or a developed-irrigation system;

(iii) Combines favorable factors of soil quality, growing season, temperature, humidity, air drainage, elevation, aspect, or other conditions, such as nearness to market, that favor the growth of a specific food or fiber crop.

(c) *Additional farmland of statewide importance*. This is land, in addition to prime and unique farmlands, that is of statewide importance for the production of food, feed, fiber, forage, and oil seed crops. Criteria for defining and de-

lineating this land are to be determined by the appropriate State agency or agencies. Generally, additional farmlands of statewide importance include those that are nearly prime farmland and that economically produce high yields of crops when treated and managed according to acceptable farming methods. Some may produce as high a yield as prime farmlands if conditions are favorable. In some States, additional farmlands of statewide importance may include tracts of land that have been designated for agriculture by State law.

(d) *Additional farmland of local importance*. In some local areas there is concern for certain additional farmlands for the production of food, feed, fiber, forage, and oilseed crops, even though these lands are not identified as having national or statewide importance. Where appropriate, these lands are to be identified by the local agency or agencies concerned. In places, additional farmlands of local importance may include tracts of land that have been designated for agriculture by local ordinance.

PART 658—FARMLAND PROTECTION POLICY ACT

Sec.

658.1 Purpose.

658.2 Definitions.

658.3 Applicability and exemptions.

658.4 Guidelines for use of criteria.

658.5 Criteria.

658.6 Technical assistance.

658.7 USDA assistance with Federal agencies' reviews of policies and procedures.

AUTHORITY: 7 U.S.C. 4201-4209.

SOURCE: 49 FR 27724, July 5, 1984, unless otherwise noted.

§ 658.1 Purpose.

This part sets out the criteria developed by the Secretary of Agriculture, in cooperation with other Federal agencies, pursuant to section 1541(a) of the Farmland Protection Policy Act (FPPA or the Act) 7 U.S.C. 4202(a). As required by section 1541(b) of the Act, 7 U.S.C. 4202(b), Federal agencies are (a) to use the criteria to identify and take into account the adverse effects of their programs on the preservation of farmland, (b) to consider alternative