

AGENDA

WALLA WALLA COUNTY BOARD OF COMMISSIONERS

TUESDAY, NOVEMBER 26, 2019

9:00 **COUNTY COMMISSIONERS** **Chairman Kimball**

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

9:00 **COMMUNITY DEVELOPMENT DEPARTMENT** **Lauren Prentice
Acting Director**

- a) Workshop re long-range planning and code amendment projects
- b) Presentation re: 2020 Walla Walla County Comprehensive Plan and Development Regulations annual amendment process
- c) Discussion and direction regarding the 2020 Walla Walla County Comprehensive Plan and Development Regulations annual amendment process

10:00 **COUNTY COMMISSIONERS**

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

- A D J O U R N -

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

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



Walla Walla County Community Development Department

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

To: Board of County Commissioners
From: Lauren Prentice, Principal Planner/Acting Director
Date Prepared: November 22, 2019
Agenda Date: November 26, 2019
RE: Long-range Planning Projects and Priorities

Purpose

Provide a list of possible long-range planning projects and issues for discussion and direction by the Board regarding priorities.

Background

The attached list was prepared by staff based on our knowledge of possible code amendments and other long-range planning priorities that have been recently discussed or identified. Incorporated into this spreadsheet are items that were on lists maintained by staff over the years.

There is significant variation in the complexity of items on the list. Some of them are relatively straight-forward and could be classified as “fixes” or minor procedural changes; and a few of these would result in reduced cost or processing time for certain applications (e.g. streamlining the side and rear yard adjustment permitting process). Some of them relate to new trends or technologies (e.g. solar farms). One relates to County projects (sign code).

It also important to note that this list doesn’t include the other projects that we’re working on, including the Lean work we’re doing to find efficiencies in how we process project permit applications and code cases, and possibly looking at burn, building, or fire permit fees to ensure that revenue for reviewing and processing applications better covers the County’s expenditures as discussed in recent budget meetings.

Cost

Cost will depend on several factors and is hard to estimate prior to direction from the Board regarding what projects should be pursued and when. Some things to consider:

- Would they be grouped and processed concurrently or separately?
- Would they go through the annual docketing process? This is generally required for Comprehensive Plan amendments by the code, but there is some flexibility for development regulations amendments.

In the 2019 land use fee update process we prepared cost estimates for application reviewing and processing. These cost estimates were for expenditures by the Community Development Department, but since items on this list would likely be County-generated amendments, there would be other costs to the County like staff time from other Departments and the Planning Commission.

Here are the Community Development processing costs estimated in 2019. These are rough estimates and they were based on the costs for processing non-County applications (because the scope of the project was to look at application fees); costs are different for County proposals because we are not just reviewing an application, we have to prepare the documents and write the proposals. In some ways this simplifies the process, but when dealing with more complex issues, it means there may be more staff work to do.

\$7,200 Development Regulations Amendment (zoning code text amendment, rezone)

\$10,282 Comprehensive Plan Amendment

\$534 SEPA Review

Additional costs include notice publication. Our current practice is to publish each public notice for this type of amendment in all three papers. At a minimum, three public notices are published (two public hearing notices and a SEPA Determination). There are 1-2 additional public notices that are also done through the annual docketing process, which includes two phases. However, these notification costs are reduced when we group proposals/hearings, it is one of the benefits of the Annual Amendment Cycle.

Number	Project/Topic	Description	Comp Plan Amendment Required?	Status	Considerations/Direction Needed
1	Short-term Rentals	Not address in code. Walla Walla and College Place recently addressed this.	Unlikely	Initiated with public workshops in 2017.	Creating nonconforming situation for existing VRBOs. Some short-term rental may be Type 1 Bed and Breakfast Guesthouses.
2	Burbank UGA - residential density		Likely (Subarea Plan)	Initial public outreach conducted as well as PC workshop. No draft completed.	
3	Event or Concert Permit		Unlikely	None	Currently a fire operational permit is required. May be able to modify application requirements/procedures without code amendment. This was discussed several times over the last 10-15 years, most recently when the Wedding and Event Center standards were adopted and when winery standards were adopted. Farmer's markets.
4	Ag Lands Study	Do a new ag lands survey/study/inventory.	Yes	None	Requested by four cities.
5	County-wide Planning Policies (CPP) Update		Likely	Not started. 2019 Comp Plan included new policy stating that this will be done 2-years prior to next UGA cycle.	Beneficial to do this now because the 2018 process for UGA is fresh in everyone's mind. Get agreement with all cities on LCA, market factor, population allocations, etc.
6	Sign-Code Amendment, fairgrounds sign (Chapter 17.25)	Changing-message signs currently prohibited.	Unlikely	None	Amendment only for Public Reserve zone, or also others (e.g. commercial, industrial, agricultural)? Other sign code issues to address at the same time?
7	Nonconforming Structures	Amend Chapter 17.36 to allow for the expansion/addition to buildings where the existing building line is extended (no additional encroachment into setback). Allow nonconforming situation to be enlarged one time for small expansion (20%) via CUP?			See City of Walla Walla standards (Chapter 20.212.050) for example.
8	Update Coordinated Water System Plan (CWSP)		Unkown	None	
9	Utility Facilities	All utility facilities require CUPs, consider allowing some via administrative process?	Unlikely	None	We receive 3-5 applications for these per year. Rarely/never public comment on CUP applications.
10	Critical Areas	Consider amendments related to geologically hazardous areas (liquefaction, erosion hazard areas).	Unlikely	None	Impacts many projects per year.
11	Multiple wineries on a single lot		Unlikely	None	
12	Food Service at wineries	WWCC 17.22.060 - somewhat unclear regarding what type of food service is allowed.	No	None	Environmental Health and Building/Fire regulations. Common enforcement issue.
13	Swine Code (17.26.020)	Clarify code for swine in UGAs.	No	None	"Swine shall not be allowed on lots less than one (1) acre in area for a maximum two (2) swine."
14	Application Expiration	Amend Title 14 regarding the expiration of application if no response to County request for information/documents. Limit how long applications can sit on hold.	No	None	Building Permit applications expire after 180 days, but no other applications do. Applications deemed incomplete are void after 60 days if no response, but this doesn't account for situations after a Determination of Completeness is issued.
15	Contractor/Utility/Service Yards	This use is not listed in WWCC 17.16.014 (Permitted Uses), but comes up constantly, often compliance issues. Amend Title 17 to identify where these operations should be allowed.	No	None	
16	Solar Farms	Not addressed in Title 17. We received five inquiries about this every year.	Unlikely	None	
17	Distilleries, cideries, breweries	Consider allowing in other zones (similar to wineries)?	No	None	Small-scale Value Added Ag Processing
18	Corner Lots and setbacks on private roads	Title 17 unclear on how setbacks are measured/defined on properties with frontage on public road and a private road (with access off private road).	No	None	
19	Front Yards (setbacks)	Title 17 doesn't clearly define how primary front yard is identified.	No	None	Lack of clarity has lead to differing interpretations. Also, allow some encroachments like wheelchair ramps, front porches, steps?
20	Setback Measurement (where from)	Amend Title 17 to define how setbacks are measured (from right-of-way line on a public road no matter if it is just an easement not a fee simply property boundary). What about on a private road?	No	None	Lack of clarity has lead to differing interpretations.
21	Bees - CUP required?	Amend animal standards to remove requirement for conditional use permit (CUP), which is not required under WWCC 17.16.014 Permitted Uses (beekeeping not listed at all). We think this was an error from 2002 and likely was intended to apply only in urban areas.	No	None	Remove statement in table and instead add beekeeping to 17.16.014 and determine whether a CUP should be required in some zones? Location of Honey Bee Control Area (map) listed in the table may also be incorrect.
22	BLA process streamline for boundary changes within a plat	Establish new process for BLAs within a recorded plat (without a requirement for a full survey).	No	None	See City of Walla Walla standards (WWMC 19.25.020F) for example.

23	Type 1 Review Deadline	WWCC 14.09.020(A) does not clearly state the the 45-day review timeframe is measured from DOC as in other review types. (see last sentence).	No	None	
24	Maximum Height	WWCC 17.18.020 - there is a footnote exempting ag structures. There is not an exemption for WCFs, wind turbines, flagpoles. Other jurisdictions also exempt things like water towers, fire and hose towers, cupolas, tanks, church spires and similar projections.	No	None	Chapter 17.08 has definition for Building Height, but 17.18.020 table just says "Maximum Height" doesn't specify if the limit is on buildings or all structures.
25	Side/Rear Yard Adjustments (detached residential accessory buildings)	Streamline process so that these can approved through building permit process rather than requiring variance application and Type II review.	No	None	Amendment to footnote 7 in WWCC 17.18.020. This would vastly expedite permitting process for accessory buildings. Only very rarely get public comments and footnote conditions conflict with variance criteria (Chapter 17.44).
26	Cemeteries	Cemeteries prohibited in agricultural zones (WWCC 17.16.014), No does not account for small family cemeteries.	No	None	
27	Expedited Review Process	Establish expedited review process.	Unlikely	None	
28	Fix Rural Agriculture and Rural Activity Center (RAC) boundary discrepences.	Different boundaries for some RACs (Touchet, Lowden, Ayer) on land use maps and zoning maps.	Yes	None	Consolidate Rural zones, why have AR-10 and RA-10 and RA-5 and RR-5 and RRMC-5? Address conflicts between land use (Comp Plan) and zoning maps. This only impacts a few property owners.
29	Burbank Rural Activity Center (RAC)	Burbank RAC is the only RAC with different zoning inside it. Is it appropriate to have AR-10 zoning within RAC?	Yes	None	Ag Lands/LAMIRDS, GMA
30	Blalock Area	Address zoning/land use map discrepencies and nonconforming situations.	Yes	None	Most lots in RR-5 Blalock area are nonconforming (smaller than 5-acres). Are existing land use patterns actually urban?
31	Fix Waitsburg UGA Error	City of Waitsburg annexed land outside of UGA in two locations; UGA not amended.	Yes	None	



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To: Board of County Commissioners
From: Lauren Prentice, Principal Planner/Acting Director
Date Prepared: November 19, 2019
Agenda Date: November 26, 2019
RE: 2020 Annual Amendment Cycle – Recommended Schedule and Review Types

Intent

Provide a recommendation to the Board of County Commissioners regarding the types of reviews and general schedule for the 2020 Comprehensive Plan and Development Regulations Annual Amendment Cycle, as required by Walla Walla County Code (WWCC) 14.10.015(B) and WWCC 14.15.015(B).

Attachments

- A. *WWCC Section 14.10.015 – General Procedures – Review schedule and types of annual reviews (Comprehensive Plan); and WWCC Section 14.15.015 – General Procedures – Review schedule (development regulations).*

Recommendation

The 2020 Annual Amendment Cycle must open with a resolution signed by the Board of County Commissioners by December 31, 2019. Staff requests that the Board consider the recommendations contained herein, and direct staff to prepare a resolution setting the types of reviews and general schedule for the 2020 cycle, by December 31, 2019, as follows.

Recommended General Schedule

The following general schedule is recommended based on previous cycles. A more detailed schedule can be developed after the application deadline closes and after the Board has determined whether the County will include any amendment proposals on the 2020 docket.

Application Deadline:	March 31, 2020
Preliminary Docket Review:	April – June 2020
Final Docket Review	July – August 2020

Recommended Types of Review

Since 2020 will be an even-numbered year, the Board may choose to limit the types of Comprehensive Plan amendment applications accepted to those identified in WWCC 14.10.015(C), which would include technical amendments to resolve inconsistencies, duplication, or errors; site-specific land use map amendments; and other minor changes as specified in the code (see Attachment A). However, the last time the County accepted non-County amendment applications was two-years ago (November 2017). Applications submitted in November 2017 were considered on the 2018 docket; since review of the 2018 docket (which included UGA amendments and the County's Periodic Update) did not conclude

until August 5, 2019, no Comprehensive Plan amendment applications were accepted for consideration in 2019.

Since it has been two years since applications for Comprehensive Plan amendments were accepted by the County, staff recommends that the Board allow for the types of amendment applications listed in both WWCC 14.10.015(C) and WWCC 14.10.015(D). This would mean that the County would accept all types of Development Regulations and Comprehensive Plan amendment applications, except for Urban Growth Area (UGA) amendments, which cannot be considered more than once every five years (WWCC 14.10.015(E)).

It should be noted that even if the Board allows for the broader range of review types in 2020, the Board would not be required to place all applications on the Final Docket. The Board must find that there is a perceived need, appropriateness, and urgency to place each amendment application on the Final Docket (WWCC 14.10.060).

Background/Summary

The Growth Management Act (GMA), at RCW 36.70A.130(1), directs that: "Each comprehensive land use plan and development regulations shall be subject to continuing review and evaluation by the county or city that adopted them." RCW 36.70A.470 requires that the County include a procedure for any interested person (including staff of other agencies) to suggest amendments to the comprehensive plan or development regulations, and that the amendments must be docketed and considered on at least an annual basis.

Comprehensive Plan

WWCC Chapter 14.10 sets forth the procedures and review criteria for updating, amending, or revising the Walla Walla County Comprehensive Plan. An update was completed in 2019. As stated in WWCC 14.10.010, "Amendments to the comprehensive plan are the means by which the county may modify its twenty-year plan in response to changing county needs or circumstances. All amendments will be reviewed in accordance with the Growth Management Act (GMA) and other applicable state laws, the adopted Walla Walla County Comprehensive Plan, and the county-wide planning policies." Pursuant to RCW 36.70A.130(2), amendments must be considered not more than once per year (except as provided in Section 14.10.030).

Development Regulations

Pursuant to WWCC 14.15.015 the Board of County Commissioners consider Development Regulations amendments once per year. "Development regulations are the controls placed on development or land use activities, including, but not limited to, Title 16 Subdivisions, Title 17 Zoning, Title 18 Environment, the Walla Walla County Shoreline Master Program, and any other official controls required to implement the comprehensive plan. WWCC 14.15.010."

Purpose

Compliance with the requirements of Chapter 14.10 and 14.15 Growth Management Act (GMA) as described above.

Alternative(s)

1. No annual amendment cycle in 2020. This would be inconsistent with Walla Walla County Code (WWCC) Chapters 14.10 and 14.15, and State law.
2. Limit Comprehensive Plan Amendment applications to only those listed in *WWCC 14.10.015(C), Annual Review*, which would include only technical amendments, site-specific map amendments, text and policy changes to resolve inconsistencies or duplication, and amendments placed on the Final Docket by the Board. This approach is likely to result in a reduced workload in 2020 and potentially an increased workload in 2021 when the Biennial Review types must be accepted under *WWCC 14.10.015(D)*.

Cost

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

Funding

Revenue from application fees will depend on the type and number of applications. Fees for these types of applications were increased in 2019 (Ordinance 475). These applications are also subject to the 3% technology fee charge and certain publication costs.

Comprehensive Plan Amendment Application	\$3,750
Rezone Application	\$1,425
Zoning Code Text Amendment Application	\$1,425
SEPA Checklist Review	\$570

Recommended Deadline

WWCC 14.10.040(A) states that all Comprehensive Plan amendment applications shall be submitted on or before March 31st. Chapter 14.15 does not identify March 31st as the annual deadline for development regulation amendment applications, but staff has recommended the same deadline for these applications in 2020 (as in previous years).

Submitted by:

Lauren Prentice, Acting Director
Community Development Department

Disposition:

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

BOCC Chairman Date

Attachment A

14.10.015 - General procedures—Review schedule and types of annual reviews.

- A. The Walla Walla County Comprehensive Plan shall be amended pursuant to this chapter, whereby, in compliance with RCW 36.70A.130(2), amendments are considered by the board of county commissioners no more frequently than once a year except as provided in Section 14.10.030.
- B. Review Schedule. Prior to December 1st of each year the director of community development shall submit to the board of county commissioners a recommendation specifying the type of review(s) to be conducted in the following year and a general schedule of the review process. After consideration of the director's recommendation the board of county commissioners shall adopt a resolution prior to December 31st specifying the type of review(s) to be conducted in the following year and a general schedule of the review process.
- C. Annual Review. Every year, the Board may limit its review to consideration of only the following proposed Comprehensive Plan amendments:
 - 1. Technical amendments to correct errors in policies or text; and
 - 2. Technical amendments to correct mapping errors that do not require interpretation of the criteria for the various land use designations; and
 - 3. Text or policy changes to resolve inconsistencies or unnecessary duplication among policies; and
 - 4. Changes to comprehensive plan appendices; and
 - 5. Site-specific land use map amendments that do not require substantive changes to existing policy language and that do not alter the urban growth area boundary except to correct a mapping error as provided in Section 14.10.015(C) (2); and
 - 6. Changes required by amendments to countywide planning policies; and
 - 7. Other amendments placed on the final docket by the board of county commissioners.
- D. Biennial Review. Every odd-number year, the Board may limit its review to consideration of only the following proposed Comprehensive Plan amendments:
 - 1. Annual review amendments as provided in Section 14.10.015(C); and
 - 2. Updates to a subarea plan; and
 - 3. County proposed substantive changes to existing text or policy language including the introduction of new text or policy language; and
 - 4. Non-county proposed substantive changes to existing text or policy language necessary due to the demonstrated consequences of adopted text or policy language not anticipated or contemplated when the text or policy language was last adopted; and
 - 5. Land use map changes related to a proposed text or policy as provided in Sections 14.10.015D.3 and 14.10.015D.4; and
 - 6. Land use map changes necessary due to changed conditions on the subject property or its surrounding area not anticipated or contemplated when the land use map designation for the property was last adopted. "Changed conditions" do not include actions taken by the current or former property owners to facilitate a more intense development of the property.

- E. Optional Urban Growth Area Review. Once every five years the comprehensive plan policies and map of one or more urban growth areas may be amended.
- F. Mandatory Update. Once every seven years the comprehensive plan shall be updated in accordance with the requirements of the Growth Management Act.
- G. Mandatory Urban Growth Areas Review. At least once every ten years the urban growth areas in the Comprehensive Plan shall be reviewed in accordance with the requirements of the Growth Management Act.

14.15.015 - General procedures—Review schedule.

- A. The board of county commissioners shall consider amendments to the Walla Walla County development regulations once a year pursuant to the provisions of this chapter.
- B. Review Schedule. Prior to December 1st of each year the director shall submit a recommendation to the board of county commissioners specifying a general schedule of the review process for the following year. After consideration of the director's recommendation the board of county commissioners shall adopt a resolution prior to December 31st specifying a general schedule of the review process for the following year.