Walla Walla County Community Development Department

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

Date: June 4, 2018

To: Board of County Commissioners

From: Tom Glover, Director
Lauren Prentice, Principal Planner

RE: Workshop, 2018 Final Docket UGA amendment applications and Comprehensive Plan and Development Regulations Update

Background

On May 23, 2018 the Planning Commission held a workshop to consider the next set of amendments for our Comprehensive Plan and development regulations update. These included:

- Draft Development Regulations Amendments
- Draft Land Capacity Analysis
- Non-County Urban Growth Area (UGA) amendment applications on the Final Docket

This was a workshop, publicly advertised and noticed, but the Planning Commission took no comments from the general public. The exception was to allow comments made by the applicants of the UGA amendment applications.

The Planning Commission issued no recommendations as this was only a workshop. No decisions were made, except to hold another workshop on June 6th simply to provide the Planning Commission to ask staff questions and clarify information in the materials presented at the May 23rd workshop.

Attachments

A. Minutes of the April 11, 2018 Planning Commission meeting
B. Minutes of the April 18, 2018 Planning Commission meeting
C. Minutes of the May 23, 2018 Planning Commission meeting (draft)
D. Map showing proposed Walla Walla/College Place UGA area amendments
E. May 23, 2018 Staff Report: CPA18-001/ZCA18-001, Comprehensive Plan and Development Regulations Periodic Update: draft development regulations amendments
F. May 23, 2018 Staff Report: CPA18-001/ZCA18-001, Comprehensive Plan and Development Regulations Periodic Update: residential land capacity and density inside UGAs
G. May 23, 2018 Staff Report: CPA17-005/REZ17-005/ZCA17-005, City of College Place #1 – Martin Field Map, Text Amendments
H. ZCA17-005 Exhibit E – proposed Comprehensive Plan text amendments – Airport land use designation description
I. ZCA17-005 Exhibit F – proposed amendments to WWCC Chapter 17.12 establishing new Airport Development – Martin Field zoning district
J. May 23, 2018 Staff Report: CPA17-006/REZ17-006, City of College Place #2 – SR 125 Corridor Map, Text Amendments
K. May 23, 2018 Staff Report: CPA17-008/REZ17-008, City of Walla Walla – South UGA, 3rd/Langdon removal
L. CPA17-008/REZ17-008 Exhibit B (revised by City of Walla Walla on May 22, 2018)
M. Public Comments from Michael Monroe on behalf of Ben Case, dated May 23, 2018
N. Excerpt from WWCC 17.16.014 – Table of Permitted Uses showing differences between RR-5 and R-96 zoning districts

O. May 23, 2018 Staff Report: CPA17-004/REZ17-004, Sheryl Cox, Walla Walla Community College UGA Amendments
P. May 23, 2018 Staff Report: CPA17-003/REZ17-003, JR Simplot Company Attalia UGA Amendments

Next Steps

A draft of the Comprehensive Plan and development regulations is being prepared for SEPA review and 60-day notice processes. Two public houses will be held in June, followed by a public hearing by the Planning Commission. The updated plan and regulations are anticipated to be adopted by the Board of County Commissioners after the 60-day notice and SEPA review have been completed, and after a final public hearing held by the Board of County Commissioners.

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

WALLA WALLA COUNTY PLANNING COMMISSION
Meeting Minutes

Meeting Location: Board of County Commissioners (BOCC) Meeting Room
County Public Health and Legislative Building
314 W Main Street, 2nd Floor

April 11, 2018
7:00 PM
Special Meeting

A. CALL TO ORDER
Meeting was called to order by Chairman Bryce Buckley at 7:05 PM.

B. ROLL CALL:

Members Present:	Chairman Bryce Buckley
	Michelle Liberty
	Bruce McCaw
	Linda Newcomb
Absent:	Chuck Carruthers (excused)
	Vice Chairman Bill Clemens (excused)
	KC Kuykendall (excused)
Others Present:	Tom Glover, Director
	Lauren Prentice, Principal Planner
	Don Sims, Associate Planner
	Lauri Withers, Permit Coordinator
	Mark Daniel, The Watershed Company
	Joy Bader, consultant for Walla Walla County Public Works

C. ESTABLISH A QUORUM: A quorum was established.

D. PUBLIC COMMENT: None.

E. CONFLICT OF INTEREST/APPEARANCE OF FAIRNESS: None.

F. APPROVAL OF MINUTES – February 7, 2018
MOTION: To approve by Michelle Liberty; Bruce McCaw seconded. Motion passed unanimously.

G. APPROVAL OF AGENDA
MOTION: To approve by Michelle Liberty, Bruce McCaw seconded. Motion passed unanimously.

H. WORKSHOP - 2018 Comprehensive Plan Update
1. Chapter 1 – Introduction
2. Chapter 2 – Critical Areas Element

3. Chapter 3 – Shorelines Element
4. Chapter 5 – Land Use Element
5. Chapter 7 – Parks and Recreation Element
6. Chapter 8 – Transportation Element

Mr. Glover reviewed the items on the workshop agenda and the update process. Consultant Mark Daniel of The Watershed Company gave an overview of items 1 through 5; Joy Bader, a consultant for Walla Walla County Public Works, gave an overview of item 6. Commission members discussed each of the chapters individually, consultants and staff responded to questions and provided background information.

I. NEW BUSINESS: Mr. Glover gave possible dates for the next workshops.

J. STAFF UPDATE: None.

K. ADJOURNMENT: The Chairman adjourned the meeting at 8:13 PM.

Prepared by: Lauri Withers, Permit Coordinator

Submitted by:

Tom Glover, Secretary

Walla Walla County Community Development Department

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

WALLA WALLA COUNTY PLANNING COMMISSION
Meeting Minutes

Meeting Location: Board of County Commissioners (BOCC) Meeting Room
County Public Health and Legislative Building
314 W Main Street, 2nd Floor

April 18, 2018
7:00 PM
Special Meeting

A. CALL TO ORDER
Meeting was called to order by Chairman Bryce Buckley at 7:00 PM.

B. ROLL CALL:

Members Present:	Chairman Bryce Buckley
	Vice Chairman Bill Clemens
	Michelle Liberty
	Bruce McCaw
	Linda Newcomb
	Chuck Carruthers
Absent:	KC Kuykendall (excused)
Others Present:	Tom Glover, Director
	Lauren Prentice, Principal Planner
	Don Sims, Associate Planner
	Lauri Withers, Permit Coordinator
	Mark Daniel, The Watershed Company

C. ESTABLISH A QUORUM: A quorum was established.

D. APPROVAL OF AGENDA
MOTION: To approve by Bill Clemens; Bruce McCaw seconded. Motion passed unanimously.

E. OLD BUSINESS – WORKSHOP - 2018 Comprehensive Plan Update – draft chapters (follow-up discussion from April 11 workshop)
1. Chapter 1 – Introduction
2. Chapter 2 – Critical Areas Element
3. Chapter 3 – Shorelines Element
4. Chapter 5 – Land Use Element
5. Chapter 7 – Parks and Recreation Element
6. Chapter 8 – Transportation Element

Mr. Glover presented a brief review of the workshop items from the last meeting to provide an opportunity for additional comments or questions from the Commission. There was very limited discussion of these items.

F. NEW BUSINESS – WORKSHOP - 2018 Comprehensive Plan Update – draft chapters
   1. Chapter 4 – Housing Element
   2. Chapter 6 – Rural and Resource Lands Element
   3. Chapter 9 – Utilities Element
   4. Chapter 10 – Capital Facilities Element
   5. Chapter 11 – Economic Development Element
   6. Chapter 12 – Burbank Subarea Plan

Mr. Glover reviewed the items on the workshop. Consultant Mark Daniel of The Watershed Company gave an overview of each chapter. Discussion ensued by the Commission, consultant and staff.

G. STAFF UPDATE: None.

H. ADJOURNMENT: The Chairman adjourned the meeting at 8:27 PM.

Prepared by: Lauri Withers, Permit Coordinator

Submitted by:

Tom Glover

Tom Glover, Secretary

Walla Walla County Community Development Department

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

WALLA WALLA COUNTY PLANNING COMMISSION
Meeting Minutes

DRAFT

Meeting Location: Board of County Commissioners (BOCC) Meeting Room
County Public Health and Legislative Building
314 W Main Street, 2nd Floor

May 23, 2018
7:00 PM
Special Meeting

A. CALL TO ORDER
Meeting was called to order by Chairman Bryce Buckley at 7:02 PM.

B. ROLL CALL:

Members Present:	Chairman Bryce Buckley
	Vice Chairman Bill Clemens
	Michelle Liberty
	Bruce McCaw
	Linda Newcomb
	Chuck Carruthers
Absent:	KC Kuykendall
Others Present:	Tom Glover, Director
	Lauren Prentice, Principal Planner
	Don Sims, Associate Planner
	Lauri Withers, Permit Coordinator
Via Telephone:	Mark Daniel, The Watershed Company

C. ESTABLISH A QUORUM: A quorum was established.

D. APPROVAL OF MINUTES:
1. April 11, 2018:
MOTION: To approve by Michelle Liberty; Bruce McCaw seconded. Motion passed unanimously.

2. April 18, 2018:
MOTION: To approve by Chuck Carruthers; Bruce McCaw seconded. Motion passed unanimously.

E. APPROVAL OF AGENDA
MOTION: To approve by Bill Clemens; Bruce McCaw seconded. Motion passed unanimously.

F. WORKSHOP – 2018 Final Docket

1. CPA18-001/ZCA18-001 – Walla Walla County Comprehensive Plan and Development Regulations Update
    1.1. Draft Development Regulations Amendments
    1.2. Draft Land Capacity Analysis
2. CPA17-005/REZ17-005/ZCA17-005 – College Place #1 – Martin Field Map, Text Amendments
3. CPA17-006/REZ17-006 – College Place #2 – SR-125 Corridor Map, Text Amendments
4. CPA17-008/REZ17-008 – Walla Walla – South – 3rd and Langdon UGA Removal
5. CPA17-004/REZ17-004 – Sheryl Cox, Walla Walla Community College UGA Amendments
6. CPA17-003/REZ17-003 – J. R. Simplot Company Attalia UGA Amendments

Mr. Glover reviewed the items on the workshop. Consultant Mark Daniel of The Watershed Company was available via telephone and presented some of the proposed amendments and background information including the Land Capacity Analysis. Lauren Prentice, Tom Glover and Don Sims presented the other items. Discussion ensued by the Commission, consultant and staff.

There was then general discussion regarding next steps and possible additional workshop on June 6, 2018.

G. STAFF UPDATE: None.

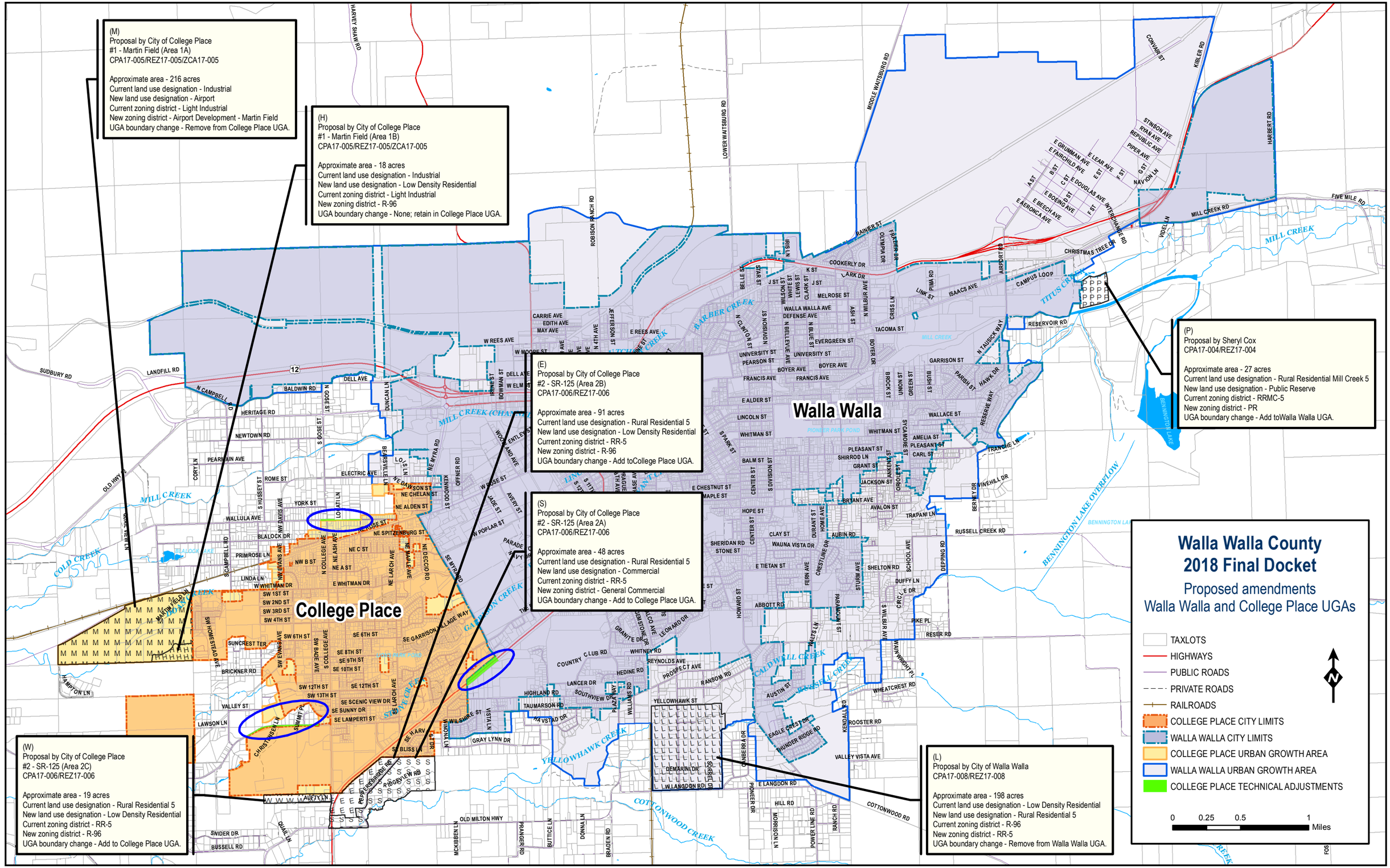
H. ADJOURNMENT: The Chairman adjourned the meeting at 9:14 PM.

Prepared by: Lauri Withers, Permit Coordinator

Submitted by:

_____

Tom Glover, Secretary


(M)
Proposal by City of College Place
#1 - Martin Field (Area 1A)
CPA17-005/REZ17-005/ZCA17-005
Approximate area - 216 acres
Current land use designation - Industrial
New land use designation - Airport
Current zoning district - Light Industrial
New zoning district - Airport Development - Martin Field
UGA boundary change - Remove from College Place UGA.
(H)
Proposal by City of College Place
#1 - Martin Field (Area 1B)
CPA17-005/REZ17-005/ZCA17-005
Approximate area - 18 acres
Current land use designation - Industrial
New land use designation - Low Density Residential
Current zoning district - Light Industrial
New zoning district - R-96
UGA boundary change - None; retain in College Place UGA.
(E)
Proposal by City of College Place
#2 - SR-125 (Area 2B)
CPA17-006/REZ17-006
Approximate area - 91 acres
Current land use designation - Rural Residential 5
New land use designation - Low Density Residential
Current zoning district - RR-5
New zoning district - R-96
UGA boundary change - Add toCollege Place UGA.
(S)
Proposal by City of College Place
#2 - SR-125 (Area 2A)
CPA17-006/REZ17-006
Approximate area - 48 acres
Current land use designation - Rural Residential 5
New land use designation - Commercial
Current zoning district - RR-5
New zoning district - General Commercial
UGA boundary change - Add to College Place UGA.
(P)
Proposal by Sheryl Cox
CPA17-004/REZ17-004
Approximate area - 27 acres
Current land use designation - Rural Residential Mill Creek 5
New land use designation - Public Reserve
Current zoning district - RRMC-5
New zoning district - PR
UGA boundary change - Add toWalla Walla UGA.
(W)
Proposal by City of College Place
#2 - SR-125 (Area 2C)
CPA17-006/REZ17-006
Approximate area - 19 acres
Current land use designation - Rural Residential 5
New land use designation - Low Density Residential
Current zoning district - RR-5
New zoning district - R-96
UGA boundary change - Add to College Place UGA.
(L)
Proposal by City of Walla Walla
CPA17-008/REZ17-008
Approximate area - 198 acres
Current land use designation - Low Density Residential
New land use designation - Rural Residential 5
Current zoning district - R-96
New zoning district - RR-5
UGA boundary change - Remove from Walla Walla UGA.
College Place
Walla Walla
Walla Walla County
2018 Final Docket
Proposed amendments
Walla Walla and College Place UGAs
TAXLOTS
HIGHWAYS
PUBLIC ROADS
PRIVATE ROADS
RAILROADS
COLLEGE PLACE CITY LIMITS
WALLA WALLA CITY LIMITS
COLLEGE PLACE URBAN GROWTH AREA
WALLA WALLA URBAN GROWTH AREA
COLLEGE PLACE TECHNICAL ADJUSTMENTS
N
0 0.25 0.5 1 Miles
MILL CREEK
COLD CREEK
YELLOWHAWK CREEK
COTTONWOOD CREEK
TITUS CREEK
BARBER CREEK
CALDWELL CREEK
PINE CREEK
BENNINGTON LAKE OVERFLOW
PIONEER PARK POND
SUDBURY RD
LANDFILL RD
N CAMPBELL RD
BALDWIN RD
HERITAGE RD
NEWTOWN RD
PEARMAIN AVE
ROME ST
YORK ST
WALLULA AVE
BLALOCK DR
PRIMROSE LN
LINDA LN
W WHITMAN DR
E WHITMAN DR
SW 1ST ST
SW 2ND ST
SW 3RD ST
SW 4TH ST
SW 6TH ST
SE 6TH ST
SE 8TH ST
SE 9TH ST
SE 10TH ST
SE 12TH ST
SW 12TH ST
SW 13TH ST
SE SCENIC VIEW DR
SE SUNNY DR
SE LAMPERTI ST
SE GARRISON VILLAGE WAY
SUNCREST TER
BRICKNER RD
VALLEY ST
LAWSON LN
HAMPTON LN
SNIDER DR
BUSSELL RD
QUAIL LN
AUSTIN LN
OLD MILTON HWY
OLD HWY 12
CORIE VIEW LN
MARTIN FIELD LN
SW HOMESTEAD AVE
SW EVANS AVE
SW BADE AVE
S COLLEGE AVE
N COLLEGE AVE
NE ASH AVE
NE LARCH AVE
NE MYRA RD
SE MYRA RD
NE DECCIO RD
NE SPITZENBURG ST
NE C ST
NE A ST
NE ALDEN ST
NE CHELAN ST
NE DAWSON ST
NE ROSE ST
W ROSE ST
W POPLAR ST
W ELM ST
W MOOSE ST
W REES AVE
W MOORE ST
DELL AVE
ELECTRIC AVE
S BOSE ST
S HUSSEY ST
S DAVIS AVE
NW DAVIS AVE
NW EVANS AVE
NW B ST
N ASH ST
N LOWDEN ST
N MYRA RD
N 4TH AVE
JEFFERSON ST
IRENE ST
BOWMAN ST
DUNCAN LN
LOLATI LN
BEDELL LN
OFFNER RD
KNOWDOD ST
WOODLAND AVE
ENTLEY ST
JADE ST
AVERY ST
PARADISE WAY
CARRIE AVE
EDITH AVE
MAY AVE
ROBISON RANCH RD
LOWER WAITSBURG RD
MIDDLE WAITSBURG RD
HARVEY SHAW RD
CONVAIR ST
KIBLER RD
HARBERT RD
STINSON AVE
RYAN AVE
REPUBLIC AVE
PIPER AVE
NAVION LN
E GRUMMAN AVE
E FAIRCHILD AVE
E LEAR AVE
E DOUGLAS AVE
E BOEING AVE
E BEECH AVE
E AERONCA AVE
INTERCHANGE RD
FIVE MILE RD
MILL CREEK RD
WIDEL LN
CHRISTMAS TREE DR
AIRPORT RD
CAMPUS LOOP
RESERVOIR RD
RAINIER ST
OLYMPIA DR
FRASHER DR
COOKERLY DR
LARK DR
K ST
J ST
IRIS LN
BELLE ST
SIAR ST
LEWIS ST
CLARK ST
WILLIAM ST
MELROSE ST
WALLA WALLA AVE
DEFENSE AVE
ASH ST
N WILBUR AVE
CRIS LN
PIMA RD
LINK ST
ISAACS AVE
TACOMA ST
EVERGREEN ST
UNIVERSITY ST
PEARSON ST
BOYER AVE
FRANCIS AVE
BOYER DR
GARRISON ST
N TAUSICK WAY
HAWK DR
RESERVE WAY
PARISH ST
BISHOP ST
BROCK ST
UNION ST
GREEN ST
E ALDER ST
LINCOLN ST
WHITMAN ST
SYCAMORE ST
PLEASANT ST
AMELIA ST
CARL ST
WALLACE ST
TRANCHE LN
SHIRROD LN
GRANT ST
JACKSON ST
ORCHARD ST
S DIVISION ST
CENTER ST
E CHESTNUT ST
MAPLE ST
HOPE ST
BALM ST
BRYANT AVE
AVALON ST
TRAPANI LN
VINEHILL DR
BERKLEY DR
RUSSELL CREEK RD
CLAY ST
WAUNA VISTA DR
SHERIDAN RD
STONE ST
AUBIN RD
DIARANT ST
HOME AVE
CRESTLINE DR
FERN AVE
SHELTON RD
SCHOOL AVE
DEPPING RD
DUFFY LN
E DR
ABBOTT RD
HOWARD ST
PARKWOOD ST
S WILBUR AVE
MAIN WRIGHT PL
PIKE PL
RESER RD
E TIETAN ST
GRANITE DR
LEONARD DR
COUNTRY CLUB RD
WHITNEY RD
REYNOLDS AVE
HEDINE RD
PROSPECT AVE
RANSOM RD
LANCER DR
HIGHLAND RD
SOUTHVIEW DR
PLAZA WAY
WILLIAMS RD
TAUMARSON RD
VISTA DR
VISTA LN
WILSHIRE ST
GRAY LYNN DR
YELLOWHAWK ST
AUSTIN ST
WHEATCREST RD
ROOSTER RD
KENDALL RD
EAGLE CREST DR
THUNDER RIDGE RD
VALLEY VISTA AVE
DEMARIN DR
SORRELL DR
CANBERRA DR
E LANGDON RD
W LANGDON RD
HILL RD
HORRISON LN
RANCH RD
POWER LINE RD
COTTONWOOD RD
PEPPERBRIDGE RD
RIDGEVIEW RD
MCKIBBEN LN
RANGER RD
BUTTICE LN
DONNA LN
BRADEN RD
TRANCHE LN
BERNINGTON LAKE

Walla Walla County Community Development Department

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

Date:	May 23, 2018
To:	Walla Walla County Planning Commission
From:	Tom Glover, Director
Prepared by:	Mark Daniel, The Watershed Company Lauren Prentice, Principal Planner
RE:	Comprehensive Plan and Development Regulations Periodic Update (CPA18-001/ZCA18-001)

Background

Per the Growth Management Act (GMA), Walla Walla County must review and evaluate its comprehensive plan and development regulations. The last major review and evaluation of these documents was in 2007.

The County's comprehensive plan (reviewed previously) provides a policy framework for making land use decisions to accommodate the projected 20-year population growth. The comprehensive plan is implemented by the County's development regulations.

Periodic updates are intended to ensure that plans and regulations are in step with:

- Amendments to the GMA
- Updated population projections
- Changes in the community

A helpful tool in the update process is Department of Commerce's Periodic Update Checklist for Counties (Attachment E). The checklist can be used to identify components of the development regulations that may need to be updated.

Attachments

A. Draft amendments to Title 8 – Health and Safety
B. Draft amendments to Title 14 - Development Code Administration
C. Draft amendments to Title 16 - Subdivisions
D. Draft amendments to Title 17 - Zoning
E. Draft amendments to Title 18 - Environment
F. Draft GMA Periodic Update Checklist (sections related to development regulations completed, other sections are greyed out)

Summary - Development Regulations Amendments

Development regulations containing provisions intended to implement the goals and policies of the Comprehensive Plan were reviewed. Draft amendments to five titles of the development regulations are set forth for several reasons. These reasons include GMA requirements, County staff recommendation, and consistency with the County's locally adopted Shoreline Master Program. A summary of revisions by title is provided below.

Summary of Revisions by Title

- Title 8 - Health and Safety
    - Only minor revisions to 8.40.040 per County staff direction

- Title 14 - Development Code Administration
    - Updates to project noticing procedures per County staff direction (14.07.080C – Notice of Application and 14.09.065A.1 – Notice of Public Hearing). These changes could result in only one newspaper publication in some cases, whereas under the current code a minimum of two are always done for project permits applications.
    - Timing of the required comprehensive plan periodic update changed from once every seven years to once every eight years consistent with GMA requirements (14.10.015F)

- Title 16 - Subdivisions
    - Removed Section 16.04.075 – Limitations due to flood. This section restricts subdivision and boundary line adjustment applications if within a regulated floodplain. Staff discussed with Lynn Schmidt from the Department of Ecology, who said she thought it was outdated and the County could remove it. There are already restrictions on subdivisions and other development within the floodplain and floodway in Chapter 18.12 – Flood Damage Prevention. Chapter 18.12 was recently updated to be consistent with Department of Ecology recommendations and the National Flood Insurance Program (NFIP).
    - Updated expiration period for preliminary subdivision and short subdivision approval consistent with GMA requirements (16.14.060).

- Title 17 - Zoning
    - Added new section 17.04.060, Water Restrictions, which includes language from County legal staff related to the Hirst decision.
    - Added allowance for electric vehicle battery charging stations in non-residential and non-resource zones consistent with GMA requirements (17.16.014).
    - Updated definitions (17.08.335-349) and associated text related to manufactured and mobile homes to reflect current usage of terms and be consistent with Title 15.
    - Amended cluster development buffer/setback requirements to provide clarification (17.31.060Q-R).
    - Other minor textual corrections and revisions per staff direction

- Title 18 - Environment
    - Updates made throughout Chapter 18.08 to make it consistent with the update of the Shoreline Master Program critical areas regulations and GMA requirements
    - Added language to reference the applicability of the Voluntary Stewardship Program to agricultural activities (18.08.015, 18.08.020).
    - No changes to any other chapters

Next Steps

After review of the initial drafts is complete, a draft of the comprehensive plan and development regulations will be prepared for SEPA and 60-day notice processes. Two public open houses to review the revised comprehensive plan and development regulations are anticipated in June, followed by a Planning Commission public hearing. The updated plan and regulations are anticipated to be adopted by the Board of County Commissioners after the 60-day notice and SEPA review have been completed, and after a final BOCC public hearing.

Title 8 HEALTH AND SAFETY

CHAPTER 8.40 RIGHT TO FARM

8.40.040 Developments near land zoned agricultural—Notice required.

All plats, short plats, development permits and building permits issued for development activities on or within one-fourth mile of agricultural or resource zones ~~lands zoned as agricultural general, AG; agricultural open space, AO; or exclusive agriculture, AE, or designated as agricultural general, agriculture, or exclusive agriculture in the comprehensive plan~~ shall contain a notice that the subject property is within or near designated agricultural lands on which a variety of activities may occur that are not compatible with residential development. (Ord. 232 § 5, 1995)

Commented [LP1]: Revisions to remove references to agricultural zoning districts which no longer exist.

Title 14 DEVELOPMENT CODE ADMINISTRATION [1]

14.07.080 Notice of application.

Within fourteen days after issuing a determination of completeness, the director shall issue a notice of application for project permits subject to Type 2, Type 3 or Type 4 review.

A. Content of Notice. The notice shall include, but not be limited to, the following information:

1. The date of application, the date of the determination of completeness, and the date of the notice of application;
2. A description of the proposed project action;
3. The identification of other required permits not included in the application, to the extent known by the director;
4. The identification of environmental documents, if environmental review is required, which evaluate the proposed project action and the location where the environmental documents can be reviewed;
5. A statement of the public comment period, which shall be not less than fourteen days nor more than thirty days following the date of the notice of application, and a statement of the right of any person to comment on the application, receive notice of and participate in any hearings, and request a copy of the decision once made, and a statement of any appeal rights. For Type 2 decisions, the decision-maker will accept comments until the decision is issued. For decisions requiring an open record public hearing, the decision-maker will accept comments until the close of the record for the hearing;
6. If the proposed development is subject to the State Environmental Policy Act (SEPA), the threshold determination may be made concurrent with the public comment period required in the notice of application, pursuant to the provisions of WAC 197-11-355 "Optional DNS," and Chapter 18.04 of this code;
7. The date, time, location and type of hearing, if applicable and scheduled at the date of the notice of application;
8. A statement of the applicable development regulations that will be used for review of the project permit; and
9. Any other information determined by the director to be appropriate.

B. Posting. The notice of application shall be posted in the following manner: It shall be posted on the subject property for the duration of the public comment period. The director shall post notice and the applicant shall ensure that the notice is maintained throughout the entire public comment period. The location and manner of posting shall be determined by the director. After the public comment period, the director shall sign an affidavit of posting before a notary public, using the form adopted by the department, and the affidavit of posting shall be placed in the application file.

C. The notice of application shall be published once in the official gazette of the county, and once in a newspaper of general circulation in the general area where the proposal is located (if different from the official gazette). ~~and in the official gazette of the county. Notices issued for projects located in Ranges 31 and 32 East shall be published in the Tri-City Herald or its successors. Notices for projects located elsewhere in the county shall be published in the Walla Walla Union-Bulletin or its successors.~~

D. The notice of application shall be mailed to the project applicant and to affected agencies.

Commented [LP1]: This would mean only one publication in some cases, now we always do two.

Commented [LP2]: Incorrect ranges listed for Burbank (30 not included). Also, the official gazette may change from year to year. At the time this code was written the Waitsburg Times was probably the official gazette and the UB and The Tri-City Herald were the papers of general circulation which is why they are mentioned. Now, the UB is the official gazette.

E. For Type 3 and Type 4 project permits, the notice of application shall be published and posted at least fifteen days prior to any open-record pre-decision hearing.

F. The notice of application is not a substitute for any required notice of a public hearing; however, the notice of application and notice of public hearing may be consolidated.

G. A notice of application is not required for the following actions:

1. An application for project permits subject to Type 1 review when they are categorically exempt from SEPA or environmental review has been completed; and

2. An application for project permits subject to Type 5 review. (Ord. 317 §3(part), 2005)

(Ord. No. 389, § III(Exh. A, § 20), 10-5-2010)

14.09.065 Notice of public hearing.

Notice of a public hearing shall be given as follows:

A. Time of Notices. Except as otherwise required, public notification of public hearings under this title shall be made by:

1. Publication in ~~a newspaper of general circulation and in~~ the official gazette~~, if any,~~ of the county and in a newspaper of general circulation in the general area where the proposal is located (if different from the official gazette), at least ten days before the date of a public hearing. ~~Notices issued for project permits located in Ranges 31 and 32 East shall be published in the Tri-City Herald or its successors. Notices for project permits located elsewhere in the county shall be published in the Walla Walla Union-Bulletin or its successors~~; and

2. For Type 3 and Type 4 project permits or site-specific comprehensive plan or site-specific zoning amendments, mailing at least twelve days before the date of a public hearing to all property owners, as shown on the records of the county assessor, within a radius of five hundred feet of the exterior boundaries of the property that is the subject of the project permit, site-specific comprehensive plan or site-specific zoning amendment. The director shall prepare said list of property owners.

B. Content of Notice. The public notice shall include a description of the project permit, a general, nonlegal description of the property location or a vicinity map or sketch (if applicable), the time, date and place of the public hearing, purpose of the hearing, and the place where further information may be obtained.

(Ord. No. 389, § III(Exh. A, § 31), 10-5-2010)

Commented [LP3]: Same revisions as in 14.07.080. This would mean only one publication in some cases, now we always do two.

CHAPTER 14.10 COMPREHENSIVE PLAN AMENDMENT PROCESS

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~~ eight years the comprehensive plan shall be updated in accordance with the requirements of the Growth Management Act.

Commented [LP4]: Revised for GMA Consistency.

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.

(Ord. No. 370, § 1(Exh. A, Pt. D), 7-20-2009)

Title 16 SUBDIVISIONS [1]

~~**16.04.075 Limitations due to flood.**~~

~~The county may approve, approve with conditions, or deny a preliminary subdivision, preliminary short subdivision, large lot subdivision, binding site plan, or boundary line adjustment because of flood, inundation, or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. No preliminary subdivision, preliminary short subdivision, large lot subdivision, binding site plan, or boundary line adjustment shall be approved by the county covering any land situated in the one hundred year flood plain as provided in Chapter 86.16 RCW without the prior written approval of the Department of Ecology of the State of Washington. (Res. 02118, Attach. A (part), 2002~~

Commented [LP1]: This language no longer required by the Department of Ecology.

16.14.060 Expiration.

Approval of a preliminary subdivision or preliminary short subdivision shall expire seven years after the date of approval or the date of resolution of all appeals if the date of preliminary plat approval is on or before December 31, 2014; and five years after the date of approval or the date of resolution of all appeals if the preliminary plat approval is issued on or after January 1, 2015.

Commented [MD2]: Updated per GMA checklist.

Title 17 ZONING

CHAPTER 17.04 GENERAL PROVISIONS

17.04.050 Developments on or near resource lands—Notice required.

All plats, short plats, development permits and building permits issued for development activities on or within one thousand three hundred twenty feet of lands designated as agricultural lands, forest lands, or mineral resource lands of long-term commercial significance in the comprehensive plan and zoned accordingly shall contain a notice that the subject property is located on or within one thousand three hundred twenty feet of lands designated as resource lands in the comprehensive plan and that a variety of activities may occur that are not compatible with residential development.

A. Plats and Short Plats. All plats pursuant to Title 16 (Subdivisions) of this code shall contain the notice in section 17.04.050C below as a covenant running with the land binding all lots within the subdivision.

B. Development Permits. For all development permits not subject to section 17.04.050A, including but not limited to large lot subdivisions, binding site plans, and building permits, the property owner shall record with the county auditor the notice in section 17.04.050C below prior to issuance of a building permit.

C. Notice. This property is on or within one thousand three hundred twenty feet of lands designated as resource lands of long-term commercial significance in the comprehensive plan and zoned accordingly and subject to a variety of activities that may not be compatible with residential development for certain periods extending beyond the normal work day and/or work week. In addition to other activities, these activities may include, but are not limited to, noise, dust, smoke, visual impacts, and odors resulting from crop or timber harvesting, planting, application of fertilizers, pesticides, animal husbandry, mining-related operations, and associated activities. These activities are to be expected, consented to by the owners of this property, their heirs, successors, and assigns, and sha;ll not be subject to legal action or considered a public or private nuisance.

Commented [MD1]: Fixed textual error.

(Ord. No. 371, § III(Exh. A, Pt. A), 8-3-2009)

17.04.060 Water restrictions.

Commented [LP2]: Added language to address Hirst decision.

Subdivision applications and building permit applications requiring potable water, and relying on permit exempt wells, shall comply with the following in order to demonstrate evidence of an adequate water supply prior to approval by Walla Walla County:

A. Subdivision applications and building permit applications within WRIA 32 that utilize a permit exempt well withdrawing from the gravel aquifer (as defined in WAC 173-532) must be consistent with 90.44.050 and the provisions of WAC 173-532.

B. Subdivision applications and building permit applications within WRIA 32 utilizing an exempt well from withdrawing from outside of the gravel aquifer (as defined in WAC 173-532), shall comply with RCW 90.44.050, and shall submit a well report meeting the criteria of RCW Chapter 18.104.

C. Subdivision applications and building permits outside of WRIA 32 utilizing a permit exempt well shall comply with RCW 90.44.050, and shall submit a well report meeting the criteria of RCW Chapter 18.104.

CHAPTER 17.08 DEFINITIONS

~~17.08.335 Mobile home, double-wide.~~

~~17.08.340 Mobile home lot.~~

17.08.345 ~~Mobile~~ Manufactured home park.

~~17.08.348 Mobile home, single-wide.~~

~~17.08.349 Mobile home subdivision.~~

17.08.015 Accessory dwelling unit.

"Accessory dwelling unit" means a dwelling unit within a primary residence or an accessory building for occupancy by a person or family for living and sleeping purposes, or for the temporary use of guests of the occupants of the premises. "Accessory dwelling unit" includes "guesthouse." Any accessory dwelling unit used as a bed and breakfast guesthouse shall comply with all applicable bed and breakfast regulations. Accessory dwelling units are subject to the following conditions:

A. No accessory building to be used for a dwelling unit shall be constructed upon a lot until the construction of the main building has commenced;

B. Accessory dwelling units must meet all applicable building codes;

C. The size of the primary residence must be at least eight hundred square feet to allow an accessory dwelling unit;

D. The accessory dwelling unit, excluding any garage area and other nonliving areas, shall not exceed one thousand one hundred square feet, or fifty percent of the total square footage of the primary residence (excluding any garage area and other nonliving space), whichever is less;

E. There shall be only one accessory dwelling unit per lot;

F. The accessory dwelling unit and the primary residence must meet all lot coverage and setback requirements of the applicable zone as defined herein the Walla Walla County zoning code;

G. Accessory dwelling units shall meet all Walla Walla County health department requirements for water and septic/sewer requirements;

H. ~~Mobile homes and r~~Recreational vehicles shall not be permitted as accessory dwelling units;

I. Accessory dwelling units must be dependent upon the primary residence and must share at least four of the following criteria with the primary residence:

   i. Road access;

   ii. Septic system;

   iii. Water system;

   iv. Utility meters;

   v. Yard; and

   vi. Parking area.

J. Either the primary residence or the accessory dwelling unit must be occupied by an owner of the property for at least six (6) months out of a year, and at no time can the owner receive rent for the owner-occupied dwelling;

K. An accessory dwelling unit may be rented.

L. One parking space must be provided for the accessory dwelling unit in addition to the parking required for a one family dwelling unit;

M. Accessory dwelling units are allowed only on a lot with a one family dwelling unit;

Commented [MD3]: Removed reference to mobile homes.

N. Accessory dwelling units are allowed within or accessory to a one family dwelling unit; and

O. An accessory dwelling unit in an urban growth area is not allowed on the same lot that is utilized for a family day care and/or a home occupation. (Ord. 269 (part), 2002)

(Ord. No. 371, § III(Exh. A, Pt. B), 8-3-2009; Ord. No. 439, § III(Exh. A),12-14-2015)

17.08.258 Home furniture, furnishings and equipment stores.

"Home furniture, furnishings and equipments stores" means retail stores selling goods used for furnishing the home such as furniture, floor coverings, draperies, glass and chinaware, domestic stoves, refrigerators, and other household electric and gas appliances. Establishments selling electric and gas appliances are included in this if the major part of their sales consists of articles for home use. These stores also may perform repair work on household appliances, radios, televisions, and stereo equipment as an accessory use. (Ord. 269 (part), 2002)

Commented [MD4]: Revised to match header line.

17.08.332 Manufactured home.

Commented [MD5]: Matched to 15.08.020 per discussion w/ staff.

"Manufactured home" means a single-family dwelling built according to the Department of Housing and Urban Development (HUD) Manufactured Home Construction and Safety Standards, Code 3280. A manufactured home includes plumbing, heating, air conditioning and electrical systems. It is constructed on a permanent chassis and can be transported in one or more sections. Manufactured homes must comprise a minimum of three hundred twenty square feet in size after installation. ~~residential dwelling built in accordance with the Federal Manufactured Home Construction and Safety Standards Act of 1974 which became effective June 15, 1976. (Ord. 269 (part), 2002)~~

~~**17.08.335 Mobile home, double-wide.**~~

~~"Double-wide mobile home" means a one-family dwelling thirty-two feet or more in length and more than fourteen body feet in width as measured along the total body length when assembled, constructed in accordance with state of Washington or federal standards as evidenced by the attachment of an insignia, designed for transportation after fabrication in two or more sections on public streets and highways on its own chassis and wheels, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or permanent foundation, and connection to utilities. (Ord. 269 (part), 2002)~~

~~**17.08.340 Mobile home lot.**~~

~~"Mobile home lot" means a plot of ground within a mobile home park designated to accommodate one mobile home. (Ord. 269 (part), 2002)~~

17.08.345 ~~Mobile~~ Manufactured home park.

~~"Mobile~~ Manufactured home park" means any tract of land that is divided into rental spaces under common ownership or management for the purpose of locating two or more manufactured homes for dwelling purposes. ~~a tract of land under single ownership or control upon which two or more mobile homes occupied as dwellings may be located. (Ord. 269 (part), 2002)~~

~~**17.08.348 Mobile home, single-wide.**~~

~~"Single-wide mobile home" means a structure thirty-two body feet or more in length and eight body feet but not more than fourteen body feet in width, constructed in accordance with state of Washington or federal standards as evidenced by the attachment of an insignia, designed for transportation after~~

~~fabrication on public streets and highways on its own chassis and wheels, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks or permanent foundation, and connection to utilities. (Ord. 269 (part), 2002)~~

~~17.08.349 Mobile home subdivision.~~

~~"Mobile home subdivision" means a subdivision designed and intended for residential use where residence is in mobile homes exclusively, and where the lot is generally sold but may be rented to the occupant. (Ord. 269 (part), 2002)~~

17.08.393 Produce market.

See the definition in Section 17.25.020.~~"Produce market" means a market specifically for the display and sale of fresh fruits and vegetables where at least fifty percent of the produce for sale is produced on-site. (Ord. 269 (part), 2002)~~

Commented [LP6]: Replaced with reference to the section. There was an inconsistency between the definitions. Chapter 17.25 was adopted after this definition was last amended.

17.08.505 Variance.

"Variance" means a departure from the provisions of a zoning ordinance relating to lot width or setbacks ~~, side yards, frontage requirements, and lot size~~ that, if applied to a specific lot, would significantly interfere with the use of the property. (Ord. 269 (part), 2002)

Commented [LP7]: Updated for consistency with previous update to Chapter 17.44 limiting variance to lot width or setbacks.

CHAPTER 17.16 PERMITTED USES

17.16.014 Permitted uses table.

Residential Land Uses

Key;
P = Permitted use
C = Conditional use permit required
AC = Administrative conditional use permit required
* = Definition of this specific land use see Chapter 17.08
PA = Primary Agriculture
EA = Exclusive Agriculture
GA = General Agriculture
AR = Agriculture Residential
RR = Rural Remote
RA = Rural Agriculture
RRMC-5 = Rural Residential Mill Creek-5
RR = Rural Residential
R-96 = Suburban Residential
R-72 = Single Family Residential
R-60 = Single Family Residential

RM = Multiple Family Residential
RD-R = Rural Development-Residential
RD-CI = Rural Development-Commercial/Industrial
RFC = Rural Farmworker Community
RAC = Rural Activity Center

	Zone																		
	Resource				Rural							Urban Residential				Misc.			
	PA-40	EA-120	GA-20	AR-10	RR-40	RR-20	RA-10	RA-5	RRMC-5	RR-2	RR-5	R-96	R-72	R-60	RM	RD-R	RD-CI	RFC	RAC
Specific Use																			
Dwelling Units																			
* One Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P		P	P
* Two Family (duplex)												P6	P6	P6		P6		P6	P6
* Multi Family															P			C	P
* Townhouse												P6	P6	P6	P			P	P
~~* Mobile Home, single wide~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~		~~P~~		~~P~~	~~P~~

Commented [LP8]: Removed.

~~* Mobile Home, double wide~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~		~~P~~		~~P~~	~~P~~
* Manufactured Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P		P	P
* ~~MOBILE/~~MANUFACTURED HOME PARK							AC	C	C	C	C				C				C
GROUP RESIDENCES																			
* Adult Family Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P
* Long Term Care Facility								C	C	C	C				P				C
* Senior Citizen Asst. Housing								AC	AC	AC	AC				P				AC
TEMPORARY LODGING																			
* Bed & Breakfast Type I	P		P	P	P	P	P	P	P	P	P	P	P	P	P				P
* Bed & Breakfast Type II	C9		C9	C9	C	C	C	C	C	C	C	C	C	C	C				C
* Bed & Breakfast Type III	C																		
* Hotels/motels																			P
~~Mobile/~~Manufactured Home	AC1	AC1	AC1	AC1	AC1	AC1	AC1	AC1	AC1	AC1	AC1	AC1	AC1	AC1		AC1		AC1	AC1

Commented [LP9]: Removed.

Commented [LP10]: Removed.

* Transient Labor Camps	C7		C7	C7	C7	C7	C7	C7	C7	C7	C7							C7
ACCESSORY USES																		
* Accessory Dwelling Units	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2		P2		P2	P2
* Accessory Use	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3		P3	P3
* Home Occupation Type I	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4	P4			P4
* Home Occupation Type II	AC 4	AC 4	AC 4	AC 4	AC 4	AC 4	AC 4	AC 4	AC4	AC 4	AC 4								AC 4
* Caretakers Quarters																			
* Farmworker Dwellings	AC 5	AC 5	AC 5	AC 5	AC 5	AC 5	AC 5	AC 5	AC5	AC 5	AC 5							AC 5	AC 5
Electric Vehicle Battery Charging Stations																	P		P

Commented [CM11]: Added per GMA checklist requirement (RCW 36.70A.695)

Residential Land Uses

Key
P = Permitted use
C = Conditional use permit required
AC = Administrative conditional use permit required

* = Definition of this specific land use see Chapter 17.08
IA-M = Industrial Agriculture Mixed
IA-H = Industrial Agriculture Heavy
HI = Heavy Industrial
LI = Light Industrial
I/BP = Industrial/Business Park
NC = Neighborhood Commercial
CG = General Commercial
BC = Burbank Commercial
BR = Burbank Residential
PR = Public Reserve

	Zone									
	Industrial and Commercial								Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR
SPECIFIC USE										
DWELLING UNITS										
* One Family	AC								P	
* Two Family (duplex)									P6	

* Multi Family									P6	
* Townhouse									P6	
~~* Mobile Home, single wide~~	~~AC~~								~~P~~	
~~* Mobile Home, double wide~~	~~AC~~								~~P~~	
* Manufactured Home	AC								P	
* ~~Mobile/~~Manufactured Home Park									C	
GROUP RESIDENCES										
* Adult Family Home									P	
* Long Term Care Facility							P	P	C	
* Senior Citizen Asst. Housing							P	P	AC	
TEMPORARY LODGING										
* Bed and Breakfast Type I									P	
* Bed and Breakfast Type II									C	
* Bed and Breakfast Type III										
* Hotels/Motels					P		P	P		
* Manufactured Home	AC1								AC1	
* Transient Labor Camps										
ACCESSORY USES										
* Accessory Dwelling Units	P2								P2	
* Accessory Dwelling Units, Industrial and Business Park					AC8					

* Accessory Use	P3						P3	P3	P3	
* Home Occupation Type I	P4								P4	
* Home Occupation Type II	AC4								AC4	
* Caretakers Quarters	P	P	P	P	P		P	P		
* Farmworker Dwellings	AC5	AC5	AC5	AC5	AC5	AC5	AC5	AC5	AC5	
Electric Vehicle Battery Charging Station	P	P	P	P	P	P	P	P		P

Commented [LP12]: Added per GMA checklist requirement (RCW 36.70A.695)

A. Residential Land Uses—Development Conditions.

1. The temporary placement of ~~mobile/~~manufactured homes only applies to situations where there exists a personal hardship related to the aged, infirm or to persons incapable of maintaining a separate residence, whereby it is necessary to have someone living on the same premises. The following provisions are also required:
   a. A signed doctor's statement indicating the need for care shall be submitted with the application;
   b. The permit shall be issued for a specific person(s) and for a period of one year, requiring annual review and renewal. No change in occupancy shall take place without review of the planning commission. The ~~mobile/~~manufactured home shall be removed within ninety days after the original need has ceased;
   c. The county health department shall approve the provisions of water and sewer service to the temporary dwelling unit;
   d. Each granting does not constitute an approval to divide land. The location of a temporary dwelling unit on a parcel of land shall not be considered the creation of a separate dwelling site and the lot area, frontage and access requirements of the applicable zoning district shall not apply.
2. See the definition of accessory dwelling unit in ch. 17.08.
3. An accessory use, structure or activity clearly incidental to the permitted use and which will not create a nuisance or hazard if permitted.
4. Proposed home occupations shall be subject to the review process and requirements described in sections 17.08.260 and 17.08.261.
5. Farmworker dwellings to accommodate agriculture employees and their families employed by the owner of the premises are permitted, provided that only three accessory farmworker dwelling units are permitted on a lot in addition to the owner's single-family residence and that each lot has a minimum of twenty acres and; provided further that such housing facilities shall be considered accessory to the main dwelling and shall conform to the provisions of the district pertaining to required yards and open spaces for dwellings. Verification of half time or greater employment is required before issuance of building permit.

6. Only permitted within an approved Planned Unit Development. Increased density for two-family dwellings (duplex) and townhouses is a recognized public benefit in the R-96, R-72, R-60, RD-R, RFC, RAC, and BR zoning districts.
7. Transient labor camps are permitted provided they meet the state's minimum health and safety requirements for temporary worker housing (246-3 58 WAC Temporary Housing Rules).
8. The accessory dwelling unit, excluding any garage area and other non-living areas, is prohibited on the first floor of the primary building.
9. Any lot with a Type II bed and breakfast shall be limited to a total of three residential buildings, including the primary dwelling unit and any accessory building containing guest rooms or farmworker dwellings.

Retail/Wholesale Land Uses

Key
P = Permitted use
C = Conditional use permit required
AC = Administrative conditional use permit required
* = Definition of this specific land use see Chapter 17.08
PA = Primary Agriculture
EA = Exclusive Agriculture
GA = General Agriculture
AR = Agriculture Residential
RR = Rural Remote
RA = Rural Agriculture
RRMC-5 = Rural Residential Mill Creek-5
RR = Rural Residential
R-96 = Suburban Residential

R-72 = Single Family Residential
R-60 = Single Family Residential
RM = Multiple Family Residential
RD-R = Rural Development-Residential
RD-CI = Rural Development-Commercial/Industrial
RFC = Rural Farmworker Community
RAC = Rural Activity Center

	Zone																		
	Resource				Rural							Urban Residential				Misc.			
	PA-40	EA-120	GA-20	AR-10	RR-40	RR-20	RA-10	RA-5	RRMC-5	RR-2	RR-5	R-96	R-72	R-60	RM	RD-R	RD-CI	RFC	RAC
Specific Use																			
RETAIL																			
* Apparel & Accessory Stores																			P1
Auction Houses, except livestock																			P1

Auction Houses/Yards, Livestock	AC	AC	AC	AC														
* Automobile Service Station & Convenience Market															AC		C2	C2
* Automotive Dealers																		C
Automobile Leasing/Rental																		P1
* Building Material, Hardware, & Garden Supply																		P1
* Eating & Drinking Establishments																		P1
* Food Stores																	AC	P1
* General Merchandise Stores																		P1
Heavy Equipment Sales & Rental																		P1
* Home Furniture,																		P1

Furnishings, and Equipment Stores																		
Horticultural Nurseries, Retail	P		P	P		P	P	P	P	P	P							P1
*Livestock Trailer Sales and Service				P4														
Irrigation Systems & Equipment, Sales Service & Storage																		P1
* Produce Stand	P	P	P	P	P	P	P	P	P	P	P							P
* Produce Market	C		C	C		C	C	C										C
* Retail, Miscellaneous																	AC	P1
WHOLESALE																		
* Durable Goods																P		
* Non Durable Goods																P		
Commercial Greenhouses	P		P	P		P	P	P	P	P	P					P		C

ACCESSORY USES																		
* Accessory Use	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3					P3	P3	P3	P3
Electric Vehicle Battery Charging Station																	P		P

Commented [LP13]: Added per GMA checklist requirement (RCW 36.70A.695)

Retail/Wholesale Land Uses

Key
P = Permitted use
C = Conditional use permit required
AC = Administrative conditional use permit required
* = Definition of this specific land use see Chapter 17.08
IA-M = Industrial Agriculture Mixed
IA-H = Industrial Agriculture Heavy
HI = Heavy Industrial
LI = Light Industrial
I/BP = Industrial/Business Park
NC = Neighborhood Commercial

CG = General Commercial
BC = Burbank Commercial
BR = Burbank Residential
PR = Public Reserve

	Zone									
	Industrial and Commercial								Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR
SPECIFIC USE										
RETAIL										
* Apparel and Accessory Stores						P1	P	P		
Auction Houses, except livestock						P1	P	P		
Auction Houses/Yards, Livestock	P									
* Automobile Service Station and Convenience Market			P	P	P	P1	P2	P2		
* Automotive Dealers			P	P	P	P1	P	P		
Automobile Leasing/Rental			P	P	P	P1		P		
* Building Material, Hardware, and Garden Supply			P	P	P	P1	P	P		
* Eating and Drinking Establishments					P	P1	P	P		
* Food Stores					P	P1	P	P		

* General Merchandise Stores					P	P1	P	P		
Heavy Equipment Sales and Rental			P	P	P					
* Home Furniture, Furnishings, and Equipment Stores				P	P	P1	P	P		
Horticultural Nurseries, Retail			P	P	P	P1	P	P		
Irrigation Systems/Equipment, Sales Service & Storage	P	P	P	P	P		P	P		
* Produce Stand					P	P				
* Produce Market					P	P1	P	P		
* Retail, Miscellaneous					P		P	P		
WHOLESALE										
* Durable Goods	P	P	P	P	P					
* Non Durable Goods	P	P	P	P	P					
Commercial Greenhouses	P	P	P	P	P	P1	P	P		
ACCESSORY USES										
* Accessory Use	P3	P3	P3	P3	P3	P3	P3	P3		
Electric Vehicle Battery Charging Station	P	P	P	P	P	P	P	P		P

Commented [LP14]: Added per GMA checklist requirement (RCW 36.70A.695)

B. Retail/Wholesale Land Uses—Development Conditions.

1. The primary building cannot exceed twenty thousand square feet per establishment.
2. No gasoline or oil pump or appliance may be located within twelve feet of any street or property line unless within a building.
3. Any accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
4. Livestock trailer sales and service uses shall be subject to the following conditions:

a. The use shall be located, designed and operated so as not to interfere with the overall agricultural use of neighboring properties and of the site, if applicable, by these standards:

1. The footprint of the operation may not exceed ten acres of land including buildings and parking.
2. Buildings or portions of buildings associated with the facility shall not exceed a maximum of twenty thousand square feet per building.
3. Limited to parcels that are less than one-half mile from Highway 12.

Government/General Services Land Uses

Key P = Permitted use
C = Conditional use permit required
AC = Administrative conditional use permit required
* = Definition of this specific land use see Chapter 17.08
PA = Primary Agriculture
EA = Exclusive Agriculture
GA = General Agriculture
AR = Agriculture Residential
RR = Rural Remote
RA = Rural Agriculture
RRMC-5 = Rural Residential Mill Creek-5
RR = Rural Residential
R-96 = Suburban Residential
R-72 = Single Family Residential

R-60 = Single Family Residential
RM = Multiple Family Residential
RD-R = Rural Development-Residential
RD-CI = Rural Development-Commercial/Industrial
RFC = Rural Farmworker Community
RAC = Rural Activity Center

	Zone																		
	Resource				Rural							Urban Residential				Misc.			
	PA-40	EA-120	GA-20	AR-10	RR-40	RR-20	RA-10	RA-5	RRMC-5	RR-2	RR-5	R-96	R-72	R-60	RM	RD-R	RD-CI	RFC	RAC
Specific Use																			
EDUCATION SERVICES																			
* Schools, public and private									P	C	C	P	P	P	P	C		C	C
GOVERNMENT SERVICES																			
Fire Station	C		C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	C

GENERAL SERVICES																		
* Animal Hospital								C	C	C	C							P1
Animal Shelter																		AC
* Automotive Repair and Services																		P1
* Automobile Parking																		P1
* Automobile Wrecking Yard																		
* Business Services																		P1
Catering Establishments																		P1
Cemeteries, Mausoleums					P	P	P											C
Churches & Places of Worship	C		C	C	C	C	C	C	P	C	C	P	P	P	P	C		C	C
* Clinic																		C	P1
* Day Care, Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P
* Day Care Center																		C	P1
* Finance, Insurance, Real Estate																			P1

* Funeral Service & Crematories																		C
* Hospitals																		C
* Kennel, Commercial	C4		C4	C4			C4											C4
Laboratories, Research and Testing																		
* Offices																	AC	P1
Orphanage/Charitable Institutions										P1	P1							P1
* Personal Services															C		AC	P1
* Repair Shops and related services																		P1
Storage, Self Service															C		AC	P1
* Utility Facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
* Warehousing and Storage																P		P1
* Wedding and Event Center, Type I	AC		AC	AC 5			AC	AC	AC	AC	AC							AC
* Wedding and Event, Type II Center	C		C	C5			C	C	C	C	C							AC

ACCESSORY USE																		
* Accessory Use	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3	P 3	P 3	P 3	P3	P3	P3	P3	P3
Electric Vehicle Battery Charging Station																	P		P

Commented [LP15]: Added per GMA checklist requirement (RCW 36.70A.695)

Government/General Services Land Uses

Key
P = Permitted use
C = Conditional use permit required
AC = Administrative conditional use permit required
* = Definition of this specific land use see Chapter 17.08
IA-M = Industrial Agriculture Mixed
IA-H = Industrial Agriculture Heavy
HI = Heavy Industrial
LI = Light Industrial
I/BP = Industrial/Business Park
NC = Neighborhood Commercial
BC = Burbank Commercial

CG = General Commercial
BR = Burbank Residential
PR = Public Reserve

	Zone									
	Industrial and Commercial								Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR
SPECIFIC USE										
EDUCATION SERVICES										
* Schools, public and private							P	P	P	P
GOVERNMENT SERVICES										
Fire Station	C	C	P	P	P	P	P	P	C	P
GENERAL SERVICES										
* Animal Hospital					P	P1	P1	P1		
Animal Shelter			P	C			P	P		
* Automotive Repair and Services	P	P	P	P	P		P1	P1		
* Automotive Parking					P		P	P		
Automobile Wrecking Yard	C	C	C	C						
* Business Services			P	P	P	P1	P	P		
Catering Establishments				P	P	P1	P1	P1		

Cemeteries, Mausoleums										C
Churches and Places of Worship				C		P1	P	P	C	
* Clinic					P	P1	P	P		
* Day Care, Family									P	
* Day Care Center					P	P1	P	P		
* Finance, Insurance, Real Estate					P	P1	P1	P1		
* Funeral Services and Crematories							C	C		
* Hospitals					P	C1	C	C		
* Kennel, Commercial	C4			C4		C1, 4				
Laboratories, Research and Testing	P	P	P	P	P					
* Offices			P	P	P	P1	P	P		
Orphanage/Charitable Institutions					P	P1	P	P		
* Personal Services					P	P1	P	P		
* Repair Shops and related services	P	P	P	P	P		P	P		
Storage, Self Service	P		P	P			P	P		
* Utility Facilities	C	C	C	C	C	C	C	C	C	C
* Warehousing and Storage	P	P	P	P	P					
* Wedding and Event Center, Type I							P	P		
* Wedding and Event Center, Type II							P	P		
ACCESSORY USE										

* Accessory Use	P3	P3	P3	P3	P3	P3	P3	P3	P3	P3
Electric Vehicle Battery Charging Station	P	P	P	P	P	P	P	P		P

C. Government/General Services Land Uses—Development Conditions.

1. The primary building cannot exceed twenty thousand square feet per establishment.
2. Permitted if conducted within an enclosure not less than eight feet in height with a solidity of not less than sixty percent and setback fifty feet from any public street.
3. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
4. All cages, runs, pens or kennels used for holding animals shall be at least twenty-five feet from property lines and be kept in a clean and sanitary condition, and must be disinfected on a routine basis. All waste material must be disposed of daily in a sanitary method in accordance with regulations of the city/county health department. Cages and kennels must be of sufficient size to allow for exercise and maintenance of sanitary conditions.

   Animals must be provided with adequate shelter to protect them from extremes of temperature and from rain and snow.

   Fencing shall be adequate to contain all animals and to restrict the entry of animals not under the control of the kennel operator.

   The kennel may be inspected during any reasonable hour by the director, the health officer or by the animal control officer, for compliance with these regulations, and/or the provisions of Title 6 of the Walla Walla County Code.

   The following shall be considered when a conditional use permit is reviewed for a commercial kennel:

   a. Noise;
   b. Proximity to and compatibility with adjacent uses;
   c. Lot size and isolation;
   d. Location of kennel on the lot;
   e. Screening and buffering;
   f. Number of animal accommodations.
5. Wedding and Event Centers are permitted outright at golf courses located within county land zoned Agriculture Residential-10 acre where the golf course has both facilities and parking to accommodate the use. Wedding and event centers not located at golf courses must be reviewed under either an administrative conditional use permit or conditional use permit, depending on the type.

Industrial/Manufacturing Land Uses

Key

P = Permitted use
C = Conditional use permit required
AC = Administrative conditional use permit required
* = Definition of this specific land use see Chapter 17.08
PA = Primary Agriculture
EA = Exclusive Agriculture
GA = General Agriculture-20
AR = Agriculture Residential-10
RR = Rural Remote
RA = Rural Agriculture
RRMC-5 = Rural Residential Mill Creek-5
RR = Rural Residential
R-96 = Suburban Residential
R-72 = Single Family Residential
R-60 = Single Family Residential
RM = Multiple Family Residential
RD-R = Rural Development-Residential
RD-CI = Rural Development-Commercial/Industrial
RFC = Rural Farmworker Community

RAC = Rural Activity Center

	Zone																		
	Resource				Rural							Urban Residential				Misc.			
	PA-40	EA-120	GA-20	AR-10	RR-40	RR-20	RA-10	RA-5	RRMC-5	RR-2	RR-5	R-96	R-72	R-60	RM	RD-R	RD-CI	RFC	RAC
Specific Use																			
Apparel and Other Textile Products																			P4
Acid, manufacture (sulphurous, sulfuric, nitric, hydrochloric, and other similar acids)																			
Arsenals																			
Asphalt Plant																			
* Brewery, Type I				P3															
* Brewery, Type II				C3															

* Chemicals and Allied Products																P		
*Computer and Office Equipment																		
Concrete Batch Plant																		
* Dairy Products Processing	AC															P		
* Distillery, production facility				P														
* Electronic and Other Electric Equipment																		
Explosives, Manufacture and Storage																		
* Fabricated Metal Products																		
Fat Rendering																		
* Food and Kindred Products																		
* Furniture and Fixtures																		C

* Industrial Machinery and Equipment																		
* Instruments and Related Products																		
* Leather and Leather Goods																		
* Lumber and Wood Products, Except Furniture																		
* Meat Processing and Packing																		
Offal and Animal Reduction or Processing																		
* Paper and Allied Products																		
* Petroleum Refining Related Industries																		
Petroleum Refining																		

* Primary Metal Industries																		
* Printing and Publishing																		
* Rubber and Miscellaneous Plastics																		
* Stone, Clay, Glass and Concrete Products																		
Smelting or Refining Aluminum, Copper, Tin or Zinc																		
Storage/Packing Agricultural Produce	P	P	P	P			P	P		P	P					P	P	P4
* Textile Mill Products																		
* Transportation Equipment																		
* Truck Stop																		
* Winery Type I	P3	P3	P3	P3	C3	P3	P3	P3	P3	P3	P3					P3		P3
* Winery Type II	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3					P3		C3

* Miscellaneous Light Manufacturing																		
ACCESSORY USES																		
* Accessory Use	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1				P1	P1	P1	P1
Electric Vehicle Battery Charging Station																P		P

Commented [LP16]: Added per GMA checklist requirement (RCW 36.70A.695)

Industrial/Manufacturing Land Uses

Key
P = Permitted use
C = Conditional use permit required
AC = Administrative conditional use permit required
* = Definition of this specific land use see Chapter 17.08
IA-M = Industrial Agriculture Mixed
IA-H = Industrial Agriculture Heavy
HI = Heavy Industrial

LI = Light Industrial
I/BP = Industrial/Business Park
NC = Neighborhood Commercial
CG = General Commercial
BC = Burbank Commercial
BR = Burbank Residential
PR = Public Reserve

	Zone									
	Industrial and Commercial								Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR
SPECIFIC USE										
* Apparel and Other Textile Products	P	P	P	P	P					
Acid, manufacture of sulphurous, sulfuric, nitric, hydrochloric, and other similar acids	C	C	C							
Arsenals	C	C								
Asphalt Plant	P	P	P							
* Brewery, Type I										
* Brewery, Type II										
* Chemicals and Allied Products	C	P	P	C						

* Computer and Office Equipment	P	P	P	P	P					
Concrete Batch Plant	P	P	P							
* Dairy Products Processing	P	P	P	P	P					
* Electronic and Other Electric Equipment	P	P	P	P	P					
Explosives, Manufacture and Storage	C	C								
* Fabricated Metal Products	P	P	P	P						
Fat rendering	C	C								
* Food and Kindred Products	P	P	P	C	P					
* Furniture and Fixtures	P	P	P	P						
* Industrial Machinery and Equipment	C	P	P	P						
* Instruments and Related Products	P	P		P						
* Leather and Leather Goods	P	P	P	P	P					
* Lumber and Wood Products, Except Furniture	C	P	P	P	P					
* Meat Processing and Packing	C	P	P	C						
Offal and Animal Reduction or Processing	C	C								
* Paper and Allied Products	P	P	P	P						
* Petroleum Refining Related Industries	C	P	P							
Petroleum Refining	C	C	P							
* Primary Metal Industries	C	P	P	C						
* Printing and Publishing	P	P	P	P	P	P				

* Rubber and Miscellaneous Plastics	C	P	P	C	P					
* Stone, Clay, Glass and Concrete Products	P	P	P	P						
Smelting or Refining Aluminum, Copper, Tin or Zinc	C	C								
Storage/Packing Agricultural Produce	P	P	P	P	P					
* Textile Mill Products	P	P	P	P	P					
* Transportation Equipment	C	P	P	P						
* Truck Stop	P	P	P	P			P	P		
* Winery Type I	P3	P3	P3	P3	P3	P3	P3	P3		
* Winery Type II	P3	P3	P3	P3	P3	P3	P3	P3		
Miscellaneous Light Manufacturing	P	P	P	P	P		C	C		
ACCESSORY USES	P	P								
* Accessory Use	P1	P1	P1	P1	P1	P1	P1	P1		
Electric Vehicle Battery Charging Station	P	P	P	P	P	P	P	P		P

Commented [LP17]: Added per GMA checklist requirement (RCW 36.70A.695)

D. Industrial/Manufacturing Land Uses—Development Conditions.

1. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
2. Industrial Uses Limits. Industrial uses shall be subject to the following conditions:
   a. The noise emanating from industrial activities shall be controlled so as not to become objectionable due to intermittent beat, frequency, volume and duration.
   b. Industrial and exterior lighting shall not produce glare on public highways and neighboring property. Arc welding, acetylene torch cutting or similar processes shall be screened from any point outside of the property.
   c. The storage and handling of inflammable liquids, liquefied petroleum gases, and explosives shall comply with rules and regulations of the state and other county regulations, the Uniform Building Code, and the Uniform Fire Code.

d. Provisions shall be made for shielding or other preventive measures against electromagnetic interferences occasioned by mechanical, electrical and nuclear equipment, uses, or processes.

e. The emission of odors shall be minimized and the emission of any toxic or corrosive fumes or gases shall be prohibited. Dust, smoke and other types of air pollution shall be minimized.

f. Liquid and solid wastes, and storage of animal or vegetable waste which attracts insects or rodents or otherwise creates a health hazard shall be prohibited. No waste products shall be exposed to view from eye level from any property line in an industrial district.

g. All storage shall be located within an area not closer than twenty feet from the street right-of-way line and shall be enclosed with a heavy wire fence or of a similar type, with the top of said fence not to be less than eight feet above the adjoining street level, or by an attractive hedge or board fence at least eight feet high. In the case of the open storage of lumber, coal, or other combustible material, a roadway shall be provided, graded, surfaced and maintained from the street to the rear of the property to permit access of fire trucks.

3. See Chapter 17.22 for winery and brewery development standards.

4. The primary building not to exceed thirty thousand square feet per establishment.

Editor's note— At the request of the county a duplicate reference to the "GC" district in the key to the above table was deleted.

Recreational/Cultural Land Uses

Key
P = Permitted use
C = Conditional use permit required
AC = Administrative conditional use permit required
* = Definition of this specific land use see WWCC Chapter 17.08
PA = Primary Agriculture
EA = Exclusive Agriculture
GA = General Agriculture
AR = Agriculture Residential
RR = Rural Remote

RA = Rural Agriculture
RRMC-5 = Rural Residential Mill Creek-5
RR = Rural Residential
R-96 = Suburban Residential
R-72 = Single Family Residential
R-60 = Single Family Residential
RM = Multiple Family Residential
RD-R = Rural Development-Residential
RD-CI = Rural Development-Commercial/Industrial
RFC = Rural Farmworker Community
RAC = Rural Activity Center

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

Art Production Facility											C							
* Crop maze	P		P	P														
* Equestrian Park	P5		P5	P5														
* Golf facility					C	C	C	C	C	C	C							C
Gun/Archery Ranges (Outdoor)	P5, 7			P7	C	C			C									
Gun/Archery Ranges (Indoor)					C	C	C	C	C	C	C							C
Hunting/Fishing Lodges	P8	P8	P8	P8	P8	P8												
* Marina	AC															C~~12~~		
* Park	P5	P5	P5	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
* Recreational Facility (Public)					P	P	C	C	C	C	C	C	C	C	C		C	P
Recreation Facility (Private when 50% or less is owned/partnered by a public agency)					C	C	C	C	C	C	C	C	C	C	C		C	C
Recreational Vehicle Park & Campgrounds					C1	C1	C1											

Commented [LP18]: Footnote/condition unnecessary because asterisk directs to 17.08.

* Riding academy	P5, 11		P5, 11	P5, 11														
* Stables, public	P4, 11		P4, 11	P4, 11														
* All-terrain Vehicle Park	P5, 9				C	C												P3
ENTERTAINMENT																		
Drive-in Theaters																		
Theaters																		
CULTURAL																		
Art Galleries																		P3
Art Studio																	AC	P3
* Assembly Halls	~~P12~~ P10		~~P11~~ P10	~~P11~~ P10	AC	AC	AC	AC	AC	AC	AC					AC		AC	P3
Outdoor Concert Amphitheaters, Coliseums, Stadiums																		C
Libraries										P					P			AC	P3
Museums															P			AC	P3

Commented [LP19]: Corrected footnote/condition reference to #10 which is applicable to assembly halls.

ACCESSORY USES																		
* Accessory Use	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P 2	P 2	P 2	P2	P2	P2	P2	P2
Electric Vehicle Battery Charging Station																	P		P

Commented [LP20]: Added per GMA checklist requirement (RCW 36.70A.695)

Recreational/Cultural Land Uses

Key
P = Permitted use
C = Conditional use permit required
AC = Administrative conditional use permit required
* = Definition of this specific land use see Chapter 17.08
IA-M = Industrial Agriculture Mixed
IA-H = Industrial Agriculture Heavy
HI = Heavy Industrial
LI = Light Industrial
I/BP = Industrial/Business Park
NC = Neighborhood Commercial

CG = General Commercial
BC = Burbank Commercial
BR = Burbank Residential
PR = Public Reserve

	Zone									
	Industrial and Commercial								Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR
SPECIFIC USE										
PARKS/RECREATION										
* Crop Maze										
* Equestrian Park										
* Golf facility							P	P		
Gun/Archery Ranges (outdoor)										
Gun/Archery Ranges (indoor)	C		P6	P6			P6	P6		
Hunting/Fishing Lodges										
*Marina										
* Park	P	P	P	P	P	P	P	P	P	P
* Recreational Facility, public			P		P		P	P	C	P

Commented [LP21]: Added asterisk because definition exists in 17.08.

* Recreational Facility (Private when 50% or less is owned/partnered by a public agency)					P	P	C	C	C	
Recreational Vehicle Park and Campgrounds										
* Riding academy										
* Stables, public							C			
* All-terrain Vehicle Park										
ENTERTAINMENT										
Drive-in Theaters				C			C	C		
Theaters					P	P3	P	P		
CULTURAL										
Art Galleries				P	P	P3	P	P		
Art Studio	P			P		P3	P	P		
* Assembly Halls	AC				P	P3	P	P	C3	
Outdoor Concert Amphitheaters, Coliseums, Stadiums				C			C			
Libraries					P	P3	P	P	P3	P
Museums				P	P	P3	P	P		P
ACCESSORY USES										
* Accessory Use	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2
Electric Vehicle Battery Charging Station	P	P	P	P	P	P	P	P		P

Commented [LP22]: Added per GMA checklist requirement (RCW 36.70A.695)

E. Recreational/Cultural Land Uses—Development Conditions.

1. See Chapter 17.32 WWCC for RV park and campground development regulations.
2. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
    a. Buildings associated with accessory uses must be in or adjacent to a farm center if one is present.
    b. Buildings associated with accessory uses shall not exceed fifty thousand square feet in area.
3. Up to twenty thousand square feet per establishment.
4. See Chapter 17.26 WWCC for animal standards.
5. This land use type shall not be permitted on lands identified as primary significance or unique farmlands per the adopted maps of the agricultural lands advisory committee.
6. The primary building not to exceed twelve thousand square feet per establishment.
7. Gun/Archery Ranges (Outdoor).
    a. Permitted only as a private use not open commercial to the public.
    b. Club-type ranges are allowed as part of this permitted use.
8. Hunting/Fishing Lodges.
    a. Must be accessory to an existing farm.
    b. May include a shooting range for lodge guests.
    c. Lodging is permitted as an accessory use to a hunting club and the lodging is limited to twelve persons at one time.
    d. Each guest will be allowed to stay a maximum of thirty days per year.
    e. Ten recreational vehicle spaces are allowed in conjunction with a lodge.
    f. Must be sited on a parcel that conforms to the minimum lot size in the zoning district assigned to the property.
    g. May be sited on unfarmed lands or on poorer soils.
9. All-Terrain Vehicle Park.
    a. No more than five ATV parks are permitted at any one time in the Primary Agricultural-40 zoning district.
    b. ATV parks are prohibited on lands in current crop production. ATV parks can be established on rangelands and/or on fallow lands and/or during post-harvest conditions such as stubble during crop rotation cycles.
    c. May include mountain bicycles.
    d. Shall not include grandstands or any other temporary or permanent structures.
    e. Shall not include any permanent vendors or concession stands, temporary or permanent.
    f. ATV parks cannot be sited in critical areas.
    g. All sanitary facilities must satisfy health department regulations.
10. All existing assembly halls established be-fore May 15, 2001 will remain as nonconforming uses.
11. Equestrian parks and riding facilities are limited in size and scale as follows:
    a. A maximum of one hundred visitors may be on the site for an event at any one time.
    b. The footprint of the operation may not exceed five acres of land including but not limited to arenas, buildings, parking. This limitation does not include trails.

c. Buildings or portions of buildings associated with a facility shall not exceed a cumulative maximum of thirty thousand square feet per establishment.

~~12. See the definition of Marina in ch. 17.08.~~

Commented [LP23]: As noted above, footnote/condition unnecessary.

Resource Land Uses

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PA = Primary Agriculture
EA = Exclusive Agriculture
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AR = Agriculture Residential
RR = Rural Remote
RA = Rural Agriculture
RRMC-5 = Rural Residential Mill Creek-5
RR = Rural Residential
R-96 = Suburban Residential
R-72 = Single Family Residential
R-60 = Single Family Residential

RM = Multiple Family Residential
RD-R = Rural Development-Residential
RD = Rural Development-Commercial/Industrial
RFC = Rural Farmworker Community
RAC = Rural Activity Center

	Zone																		
	Resource				Rural							Urban Residential				Misc.			
	PA-40	EA-120	GA-20	AR-10	RR-40	RR-20	RA-10	RA-5	RRMC-5	RR-2	RR-5	R-96	R-72	R-60	RM	RD-R	RD-CI	RFC	RAC
Specific Use																			
AGRICULTURE																			
* Agritourism enterprise	P2		P2	P2	P2	P2	P2	P2	AC2	AC2	AC2								P2
* Growing of Crops	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Raising Livestock, Large Scale Commercial	P	P	P	C	P	P													
Processor for Animal																			

Killing and Dressing (large scale processing greater than 1,500 square feet of gross floor area)																			
Processor for Animal Killing and Dressing (equal to or less than 1,500 square feet of gross floor area)	AC	AC	AC	AC	P	P	AC												
* Small scale value-added agriculture processing	P2		P2	P2	P2	P2	P2	P2	AC2	AC 2	AC 2								P2
FISH/WILDLIFE																			
Hatcheries	P	P	P	P	P	P	P		P										
MINERAL																			
Rock Crushers	AC	AC	AC	AC	P	P	P												
Quarries, gravel/rock extractions (designated mineral lands)	AC	AC	AC	AC	AC	AC	AC												

Quarries, gravel/rock extractions (non-designated mineral lands)	C	C	C	C	C	C	C	C	C										
Timber harvesting	P	P	P	P	P	P													
ACCESSORY USES																			
* Accessory Use	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P 1	P 1	P 1	P1	P1	P1	P1	P1
Electric Vehicle Battery Charging Station																	P		P

Commented [LP24]: Added per GMA checklist requirement (RCW 36.70A.695)

Resource Land Uses

Key
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AC = Administrative conditional use permit required
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IA-M = Industrial Agriculture Mixed
IA-H = Industrial Agriculture Heavy
HI = Heavy Industrial
LI = Light Industrial
I/BP = Industrial/Business Park
NC = Neighborhood Commercial
CG = General Commercial
BC = Burbank Commercial
BR = Burbank Residential
PR = Public Reserve

	Zone									
	Industrial and Commercial								Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR
SPECIFIC USE										
AGRICULTURE										
* Agritourism enterprise	P2	P2								
* Growing of Crops	P	P	P	P	P	P	P	P	P	P
Raising Livestock, Large Scale Commercial	P	P								

Processor for Animal Killing and Dressing (large scale processing greater than 1,500 square feet of gross floor area)	C	C	C							
Processor for Animal Killing and Dressing (equal to or less than 1,500 square feet of gross floor area)	P	P	P	P						
* Small scale value-added agriculture processing	P2	P2								
FISH/WILDLIFE										
Hatcheries	P	P								
MINERAL										
Rock Crushers										
Quarries, gravel/rock extractions (designated mineral lands)	AC	AC								
Quarries, gravel/rock extractions (nondesignated mineral lands)	C	C								
Timber harvesting										
ACCESSORY USES										
* Accessory Use	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1
Electric Vehicle Battery Charging Station	P	P	P	P	P	P	P	P		P

Commented [LP25]: Added per GMA checklist requirement (RCW 36.70A.695)

F. Resource Land Uses—Development Conditions.

1. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
2. A permit is required for all agritourism enterprises and small scale value-added agriculture processing facilities.

Regional Land Uses

Key
P = Permitted use
C = Conditional use permit required
AC = Administrative conditional use permit required
* = Definition of this specific land use see Chapter 17.08
PA = Primary Agriculture
EA = Exclusive Agriculture
GA = General Agriculture
AR = Agriculture Residential
RR = Rural Remote
RA = Rural Agriculture
RRMC-5 = Rural Residential Mill Creek-5
RR = Rural Residential
R-96 = Suburban Residential
R-72 = Single Family Residential
R-60 = Single Family Residential
RM = Multiple Family Residential
RD-R = Rural Development-Residential
RD-CI = Rural Development-Commercial/Industrial

RFC = Rural Farmworker Community
RAC = Rural Activity Center

	Zone																		
	Resource				Rural							Urban Residential				Misc.			
	PA-40	EA-120	GA-20	AR-10	RR-40	RR-20	RA-10	RA-5	RRMC-5	RR-2	RR-5	R-96	R-72	R-60	RM	RD-R	RD-CI	RFC	RAC
Specific Use																			
* Aircraft Landing Field—Private				C															
* Airports and Accessory Uses																			
* Airports and Aircraft Landing Field—Agricultural	P	P	P	P															
Bus Passenger Stations																			
College or Universities, public or private										C	C				C				C

Colleges, business colleges, trade schools and similar organizations, all without students in residence offering training in specific fields										C	C				C				C
* Heliports																			
* Helistops	P	P	P	P	AC	AC	AC	C			C								C
Jails and Penal Institutions																			
* Junkyards																			
Land fills																			
Microwave Relay Stations	P																P		
* Organic Waste Processing Facility	AC																		
Radio and Television Broadcasting Stations and Towers	P3		P3	P3	P3	P3	C3	C3	C3	C3	C3						P3		C3

Railroad Freight Yards					P	P												
* Railroad Terminals	P		P	P	P	P	C	C	C	C	C					P		C
Wind Farm Power Generators, Commercial	C		C		C	C												
* Wireless Communication Facility	P4, 6	P4, 6	P4, 6	P6	P6	P6	P6	P6	P6	P6	P6					C5, 6	P6	C5, 6	C5, 6
* Wireless Communication Facility, Attached	P6	P6	P6	P6	P6	P6	P6	P6	P6	P6	P6					C	P6	P6	P6
ACCESSORY USES																			
* Accessory Use	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2	P2				P2	P2	P2	P2	P2
Electric Vehicle Battery Charging Station																	P		P

Commented [LP26]: Added per GMA checklist requirement (RCW 36.70A.695)

Regional Land Uses

Key
P = Permitted use

C = Conditional use permit required
AC = Administrative conditional use permit required
* = Definition of this specific land use see Chapter 17.08
IA-M = Industrial Agriculture Mixed
IA-H = Industrial Agriculture Heavy
HI = Heavy Industrial
LI = Light Industrial
I/BP = Industrial/Business Park
NC = Neighborhood Commercial
CG = General Commercial
BC = Burbank Commercial
BR = Burbank Residential
PR = Public Reserve

	Zone									
	Industrial and Commercial								Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR
SPECIFIC USE										

* Aircraft Landing Field—Private										
* Airports and Accessory Uses	C	C								
* Airport and Aircraft Landing Field—Agricultural	P	P	P							
Bus Passenger Stations			P	P			P	P		
Colleges or Universities, public or private							P	P		
Colleges, business colleges, trade schools and similar organizations, all without students in residence offering training in specific fields			P		P		P	P		
* Heliports	C	C	C	C						
* Helistops	P	P	P	AC	AC		C	C		
Jails and Penal Institutions	P	P								
* Junkyards	P1	P1								
Land fills	C	C								
Microwave Relay Stations	P	P	P	P	P					
* Organic Waste Processing Facility	P	P								
Radio and Television Broadcasting Stations and Towers	P3	P3	P3	P3	P3		C	C		
Railroad Freight Yards	P	P	P	C	P					
* Railroad Terminals			P	C	P					
Wind Farm Power Generators, Commercial	C	C								
* Wireless Communication Facility	P6	P6	P6	P6, 7	P6	C5, 6	C5, 6	C5, 6	C5, 6	

* Wireless Communication Facility, Attached	P6	P6	P6	P6, 7	P6	P6	P6	P6	P6	
ACCESSORY USES										
* Accessory Use	P2	P2	P2	P2	P2	P2	P2	P2	P2	
Electric Vehicle Battery Charging Station	P	P	P	P	P	P	P	P		P

Commented [LP27]: Added per GMA checklist requirement (RCW 36.70A.695)

G. Regional Land Uses—Development Conditions.

1. Only permitted when conducted within an enclosure not less than eight feet in height with a solidity of not less than sixty percent and located at least fifty feet from any public street.
2. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
3. Radio and television broadcasting towers must comply with the following conditions:
   a. The applicant shall demonstrate that the selected tower design is as visually unobtrusive as possible, considering technical, engineering, economic or other constraints.
   b. The tower shall be painted silver or the galvanized finish be retained on towers less than two hundred feet or unless otherwise required by the FAA.
   c. Appropriate landscaping may be required and/or fencing and signage for radiation.
   d. No nighttime lighting of the tower may take place unless required by the FAA.
   e. The tower shall meet the minimum front yard setback for the district in which it is located or twenty percent of its height, whichever is greater and be set back from the side and rear property lines equal to twenty percent of its height.
4. If located within one mile of another wireless communication facility, a conditional use permit is required.
5. A conditional use permit for a wireless communication facility shall be subject to the following additional standards:
   a. Such facilities shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.
   b. The applicant shall demonstrate the need for the proposed tower (wireless communication support structure) to be located near a residential area, the procedures involved in the site selection and an evaluation of alternative sites and existing facilities on which the proposed facility could be located or co-located.
   c. A site development plan shall be submitted showing the location, size, screening, and design of all buildings and structures, including fences, the location, size and nature of outdoor equipment, and the location, number, and species of all proposed landscaping.
   d. The facility shall be designed to be aesthetically and architecturally compatible with the natural and built environment. This includes, but is not necessarily limited to, building design and the use of exterior materials harmonious with the character of the surrounding neighborhood and the use of landscaping and privacy screening to buffer the facilities and activities on the site from surrounding properties. Any equipment or facilities not enclosed

within a building (e.g., towers, transformers, tanks, etc.) shall be designed and located on the site to minimize adverse impacts on surrounding properties.

e. The applicant shall demonstrate a justification for the proposed height of the structures and an evaluation of alternative designs which might result in lower heights. If additional height over that allowed in the zone is justified, it may be approved by the planning commission.

f. The applicant shall include an analysis of the feasibility of future consolidated use of the proposed facility with other utility facilities.

These requirements shall not apply to utility facilities located on a property which are accessory to the property or to the transmission, distribution or collection lines and equipment necessary to provide a direct utility connection to the property or neighboring properties, or to those utility facilities located on public right-of-way.

6. See Development Standards for Wireless Communication Facilities, Chapter 17.34.

7. If located within one-half mile of another wireless communication facility, a conditional use permit is required. (Ord. 269 (part), 2002; Ord. 302, 2004; Ord. 307 (part), 2004; Ord. 322 Attach. F (part), 2005; Ord. 325 (Exhs. 1, 2), 2005; Ord. 339 § 2, 2007; Ord. 342 § 2, 2007; Ord. 347 § 2, 2007; Ord. 349 § 1, 2007; Ord. 357 § 3, 2007; Ord. 359 § 1, 2007; Ord. 364 § 1, 2008)

(Ord. No. 366, § 1, 10-20-2008; Ord. No. 367, § 1, 10-27-2008 Ord. No. 371, § III(Exh. A, Pt. D), 8-3-2009; Ord. No. 382, § III(Exh. A), 5-17-2010; Ord. No. 392, § III, 12-20-1010; Ord. No. 397, Exh. A, § III, 6-20-2011; Ord. No. 401, § III(Exh. A), 11-15-2011; Ord. No. 408, § III(Exh. A), 1-3-2012; Ord. No. 423, § III(Exh. A), 1-27-2014; Ord. No. 426, § III(Exh. B), 12-15-2014; Ord. No. 428, § III(Exh. A), 12-15-2014; Ord. No. 440, § III(Exh. A, § II), 12-14-2015; Ord. No. 441, § III(Exh. A, § II), 12-14-2015; Ord. No. 445, § IV(Exh. B), 6-27-2016; Ord. No. 446, § IV(Exh.B), 6-27-2016; Ord. No. 450, § III(Exh. A), 8-15-2016; Ord. No. 461, § IV(Exh. B), 12-12-2016; Ord. No. 463, § IV(Exh. B), 5-1-2017)

Editor's note— Ord. No. 371 contained a scrivener's error that in some cases set out the "Exclusive Agricultural District" as the "Exclusive Agreement District" in section 17.16.014 above. This scrivener's error has been corrected by the county during the codification of Ord. No. 371 in this Code.

CHAPTER 17.18 DEVELOPMENT STANDARDS—DENSITY AND DIMENSIONS

17.18.010 Density and dimensional requirements purpose.
17.18.020 Table of density and dimensional requirements.
17.18.040 Measurement methods.
17.18.050 Residential density in urban growth areas.
17.18.060 Residential density outside of urban growth areas.
17.18.070 Gross site area, net site area and buildable site area.

17.18.010 Density and dimensional requirements purpose.

The purpose of this chapter is to establish basic dimensional standards for development as well as specific rules for their general application. The standards are established to guide project design, and maintain compatibility and privacy between adjacent uses. (Ord. 269 (part), 2002)

17.18.020 Table of density and dimensional requirements.

	Minimum Lot Area Requirements [8,22,26]		Residential Density per Acre [16,17]	Minimum Setback Requirements (in feet) [22]			Maximum Coverage (in percent)	Maximum Height (in feet)
Zone	Size	Width (feet)		Front	Side	Rear		
Exclusive Agriculture (18)	120 acres	330	0.0083	30(2)	10(2)	(2) (5)	—	35(1)
Primary Agriculture (19)(20)(21)	40 acres	330	0.025	30(2)	10(2)	(2) (5)	—	35(1)
General Agriculture (19)(20)	20 acres	330	0.05	30(2)	10(2)	(2) (5)	—	35(1)

Agriculture Residential (23)	10 acres	330	0.10	30(2)	10(2)	(2) (5)	—	35(1)
Rural Remote-20	20 acres	330	0.05	30(2)	10(2)	(2) (5)	—	35(1)
Rural Remote-40	40 acres	330	0.025	30(2)	10(2)	(2) (5)	—	35(1)
Rural Agriculture-5	5 acres	200	0.20	30(2)	10(2)	(2) (5)	—	35(1)
Rural Agriculture-10	10 acres	330	0.10	30(2)	10(2)	(2) (5)	—	35(1)
Rural Residential Mill Creek-5	5 acres	330	0.20	30	10(2) (7)	(2) (5)	—	35(1)
Rural Residential-2	2 acres	125	0.50	30	10(7)	(2)(5)	35	35(1)
Rural Residential-5	5 acres	200	0.20	30	10(7)	(2)(5)	—	35(1)
Suburban Residential R-96	9,600 square feet	75	3.0	20	10(7)	20(7)	35	35
Single Family Residential R-72	7,200 square feet	50	3.0	20	5	20(7)	40(11)	35
Single Family Residential R-60	6,000 square feet	50	3.0	15	5	20(7)	40(11)	35
Multiple Family Residential	—	50	3.0	15	5	20(7)	45	50
Burbank Residential	—	—	3.0(15)	20	5	25(7)	35	35

Rural Development (4)(13)(14)	—	—	—	20	10(7)	20(7)	35~~(24)~~ 60(3)	35(24)
Rural Activity Centers (4)	—	—	—	20	10(7)	20(7)	35~~(24)~~ 60(3)	35(24)
Rural Farmworker Community (4)	—	—	—	20	10(7)	20(7)	35~~(24)~~ 60(3)	35(24)
Industrial Agriculture Mixed			—	(6)	(6)	(6)	75	—
Industrial Agriculture Heavy	—	—	—	(6)	(6)	(6)	75	—
Neighborhood Commercial	—	—	—	15	5	15	75	35
General Commercial	—	—	—	20	(9)	(10)	75	50
Burbank Commercial	—	—	—	15	5	15(7)	75	35
Heavy Industrial	—	—	—	(6)	(6)	(6)	75	—
Light Industrial	—	—	—	(6)	(6)	(6)	75	—
Industrial Business Park	—	—	—	(6)	(6)	(6)	75	—
Airport Development	—	—	—	(12)	(12)	(12)	75	(25)
Public Reserve	—	—	—	20	(9)	(10)	75	35

Commented [LP28]: Corrected location of footnote/condition 24, which applies to height not lot coverage. Same change on three lines for RD, RAC, and RFC zones.

Urban Planned Community	—	—	3.0	—	—	—	—	—

Density and Dimensional Requirements Development Conditions:

1. No limit for barns or other agricultural structures.

2. Buildings housing domestic animals or any use that produces offensive noise, vibration, smoke, dust, odors, heat or glare shall maintain a seventy-five feet front yard setback and fifty feet side and rear yard setbacks.

3. Applies only to townhouse, multi-family and non-residential uses. An additional fifteen percent may be covered if at least twenty percent of the lot is landscaped.

4. The dimensional standards in this zone may be administratively modified during site plan review.

5. Rear yard setbacks shall be in compliance with the Building Code.

6. No restrictions, except fifty feet yard setbacks are required where abutting a residential district.

7. A side and/or rear yard setback may be reduced to five feet for a detached garage or similarly sized accessory building upon a determination by the director that:
   A. The detached garage or similarly sized accessory building will be located entirely within the rear one third of the lot; and
   B. Such detached garage or similarly sized accessory building will not be unduly detrimental to adjacent and surrounding property, nor to the zone in which approval is requested.

8. The minimum parcel size requirement shall not apply to the creation of parcels for use as publicly owned quarries, material stockpiling, rock crushing, road construction, road maintenance and mining equipment storage within the Exclusive Agriculture, Primary Agriculture, General Agriculture, Rural Remote forty acre, Rural Remote twenty acre, Rural Agriculture ten acre and Rural Agriculture five zoning districts. A note will be placed on the face of the recorded land division instrument (e.g., short plat, subdivision, etc.) stating that the site is not a buildable parcel for residential or commercial purposes.

9. No restrictions except where abutting a Residential district, then ten feet.

10. No restrictions except where abutting a Residential district, then fifteen feet.

11. Forty-five percent allowed with a two-family dwelling unit.

12. No restrictions, except where abutting a Residential district, then fifty feet from centerline of road.

13. In the RD-R zone, newly created lots must be connected to a public water system.

14. In terms of building size, scale, use, or intensity, development or redevelopment of existing uses shall be consistent with the character of the area. Visual compatibility is not required and changes in use from vacant land are permitted.

15. See ch. 17.18.050(D) for the maximum allowed density.

16. In urban growth areas the residential density per acre is the minimum density required for residential uses. See ch. 17.18.050 and 17.18.070.

17. Outside of urban growth areas the residential density per acre is the maximum density allowed for residential uses. See ch. 17.18.060.

18. The number of lots that can be created through the land division process is limited to four within a five year period.

19. The number of lots that can be created through the land division process on agriculture lands not designated as lands of primary significance or unique lands is limited to four within a five year period unless provided otherwise in ch. 17.31.

20. The provisions of ch. 17.31 shall apply when creating more than four lots on lands not designated as agriculture lands of primary significance or unique lands.

21. The provisions of ch. 17.31 shall apply to all lands designated as agriculture lands of primary significance or unique lands.

22. The provisions of ch. 17.31 shall supersede the minimum lot area requirements and the minimum setback requirements.

23. The provisions of ch. 17.31 shall apply to all lands in this district.

24. This height limit shall apply to one-family dwelling units, duplexes, ~~mobile homes,~~ and manufactured homes.

25. Height limits shall be governed by Federal Aviation Administration (FAA) regulations.

26. Public rights-of-way shall not be calculated into meeting the minimum required lot size of the respected zone.

(Ord. 269 (part), 2002; Ord. 293, 2003; Ord. 299, 2004; Ord. 338 § 1, 2007; Ord. 348 § 1, 2007; Ord. 357 § 4, 2007)

(Ord. No. 371, § III(Exh. A, Pt. F), 8-3-2009; Ord. No. 386, § III(Exh. A, § 14), 8-30-2010)

17.18.050 Residential density in urban growth areas.

A. The residential density per acre in ch. 17.18.020 shall be the minimum density required for residential uses.

B. Minimum Residential Density Calculation. To calculate the minimum number of residential dwelling units required for any given property in an urban growth area, the buildable site area is multiplied by the residential density per acre that applies to the zone in which the property is located. The result is the minimum number of dwelling units that must be accommodated on that property. For the purposes of this calculation, fractional values shall be rounded to the nearest whole number (0.5 and above rounded up; below 0.5, rounded down).

Example for determining the minimum number of residential dwelling units required on a 2.2 acre buildable site area property in an R-96 zone:

2.2 (buildable site area in acres)	×	3.0 (minimum residential density per acre)	=	6.6 rounded to 7 (minimum number of required dwelling units)

C. Maximum Number of Dwelling Units. The maximum number of dwelling units, allowed on a property shall be determined by dividing the buildable site area (in square feet) by the minimum lot area requirement for the zone in which the property is located. The result is the maximum number of dwelling units allowed on that property, provided that no lot shall be less than ninety-five percent (95%) of the minimum lot area requirement for the zone in which the property is located. For purposes of this calculation, fractional values shall be rounded to the nearest whole number (0.5 and above rounded up; below 0.5 rounded down).

Example for determining the maximum number of residential dwelling units allowed on a 2.2 acre buildable site area property in an R-96 zone:

2.2 acres (95.832 buildable site area in square feet)	/	9,600 square feet (minimum lot area requirement)	=	9.98 rounded to 10 (maximum number of allowed dwelling units)

D. In the Burbank Residential zoning district the density for multi-family and town-house residential uses shall not exceed four dwelling units per acre.

E. The minimum density requirement for a property may be waived one time by the county if:

1. The applicant proposes the creation of no more than two lots or parcels; and
2. One or both lots or parcels can be less than five acres in size; and
3. The size and configuration of the lots or parcels shall not preclude future division of all lots or parcels into lots that comply with the provisions of this chapter and Title 16; and

4. The placement of all structures, improvements, and infrastructure shall not preclude the future division of all lots or parcels into lots that comply with the provisions of this chapter and Title 16.

F. A proposal to locate one residential dwelling on a property shall be exempt from the minimum density requirement if the applicant demonstrates that the single residence, infra-structure and other improvements are located in a manner such that they would not preclude future residential development of the property consistent with the applicable provisions of this chapter and Title 16.

G. Accessory dwelling units, sleeping units, caretakers quarters, farmworker dwellings, transient labor camps, and temporary lodging ~~mobile/~~manufactured homes under ch. 17.16.014(A) are not counted as dwelling units for purposes of density.

Commented [LP29]: Removed

(Ord. No. 371, § III(Exh. A, Pt. F), 8-3-2009)

17.18.060 Residential density outside of urban growth areas.

A. The residential density per acre shall be the maximum density allowed in zoning districts outside of an urban growth area.

B. To calculate the maximum number of residential dwelling units allowed for any given property outside of an urban growth area, the net site area size of the property in acres is multiplied by the residential density per acre that applies to the zone in which the property is located. The result it the maximum number of dwelling units allowed on that property, provided that no residential lot shall be smaller than the minimum lot area requirement for the zone in which the property is located. For the purposes of this calculation, fractional values shall be rounded to the nearest whole number (0.5 and above, round up; below 0.5, round down).

Example for determining the maximum number of residential dwelling units allowed on a 90 acre net site area property in the General Agriculture zone:

90 (net site area in acres)	×	0.05 (residential density per acre)	=	4.5 rounded to 5 (maximum number of allowed dwelling units) but the minimum lot area is 20 acres and only 4 residential lots can meet the minimum lot area requirement, so 4 residential lots is the maximum number of lots allowed.

C. Accessory dwelling units, sleeping units, caretakers quarters, farmworker dwellings, transient labor camps, and temporary lodging ~~mobile/~~manufactured homes under ch. 17.16.014(A) are not counted as dwelling units for purposes of density.

Commented [LP30]: Removed

(Ord. No. 371, § III(Exh. A, Pt. F), 8-3-2009)

CHAPTER 17.31 DEVELOPMENT STANDARDS—CLUSTER DEVELOPMENTS ON RESOURCE LANDS

17.31.060 Design requirements.

Cluster developments shall be designed and approved in accordance with the following requirements:

A. Cluster developments will be allowed only at the density permitted by the assigned zoning.

B. The minimum land area needed to implement a cluster development is as follows:

1. Primary Agriculture-40 zone: eighty acres;
2. General Agriculture-20 zone: forty acres;
3. Agriculture Residential-10 zone: twenty acres.

C. Cluster developments do not have to comply with minimum lot size requirements specified by the assigned zoning.

D. All required infrastructure improvements to serve the development, such as potable water, wastewater disposal, and access to public roads shall occur concurrent with development.

E. Cluster development lot width shall be a minimum of one hundred fifty feet.

F. Cluster developments may occur in phases.

G. New residential parcels in the forty- and twenty-acre zones shall not be created in more than two sites in a single development parcel and shall otherwise comply with the requirements of the county's subdivision ordinance in WWCC Title 16 (Subdivisions). New residential parcels on lands in the ten-acre zone shall not be created on more than four sites in a single development.

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.

I. Within the Primary Agriculture-40 acre zone and the General Agriculture-20 acre zone, the maximum number of parcels smaller than the minimum parcel size is specified by the assigned zoning, and shall comply with the following limits:

1. Where there are existing domestic and irrigation water rights, no more than twelve smaller parcels shall be created;
2. Where there are existing irrigation water rights only, no more than eleven smaller parcels shall be created;
3. Where there are no existing water rights (domestic nor irrigation), no more than four smaller parcels shall be created.

J. Within the Agriculture Residential-10 acre zone, the maximum number of lots will be calculated at a rate of one unit per ten acres.

K. Sufficient water to serve both domestic and residential irrigation needs must in fact be present and shall be required. With regard to provision of domestic water and consistent with the requirements regulating the number of smaller parcels allowed on an overall site, the following requirements shall be met:

1. Where there are sufficient existing domestic and irrigation water rights to serve the development, a community water system shall be implemented for the smaller parcels;
2. Where there are existing irrigation water rights only, or where there are no existing water rights (domestic nor irrigation), an exempt well(s) may be utilized to serve the smaller parcels with domestic water, provided all applicable regulations governing exempt wells are met, as demonstrated by approval from the Washington State Department of Ecology.

L. Wellhead protection zones shall be overlapped to the extent pos~~;ol0;~~sible.

Commented [MD31]: Fixed textual error.

M. Cluster developments shall comply with all applicable county and state health requirements for water and sewage disposal.

N. A farm center parcel containing farm-related buildings can be up to ten acres in size, and is not to be included in the average lot size calculation, provided the new property line follows the perimeter of the existing farm center footprint comprised of such structures as a home, outbuildings, equipment storage areas, barns and corrals.

O. No parcel in the cluster development, except a farm center parcel with existing building or a resource parcel, shall exceed three acres in area.

P. The average lot size of the smaller parcels shall not exceed two acres in size.

Q. The buffer space shall be a minimum of fifty feet from the ~~adjacent~~ resource parcel created by the cluster development to any dwelling in the cluster development. All required buffers between the resource parcel and the smaller development parcels shall be provided within the new lots, and shall not encumber the resource parcel.

R. Setbacks.

1. For all nonfarm-related development ~~within agricultural resource areas or~~ on lands adjacent to or abutting agricultural resource lands that are not part of the cluster subdivision: all structures shall maintain a minimum setback of fifty feet from land designated for agricultural purposes; provided, however, the appropriate authority may reduce the setback through a variance where:

    a. The owner requesting the administrative variance records an agricultural easement for the benefit of the abutting commercial farmlands of significance, granting a right to all normal and customary agricultural primary or accessory practices in accordance with recommended best management practices in Walla Walla County.

Commented [LP32]: Revised for clarity. Existing language doesn't clearly explain the difference between buffer and setback.

S. Public access that meets applicable county standards shall be available to the development site that meets applicable county standards.

T. A right-to-farm covenant shall be recorded with the land division.

U. Owners of cluster lots created under the provisions of this chapter shall prevent the spread of noxious weeds. All development approvals shall include this requirement on the face of the land division and recorded with the county auditor and in a covenant enforceable by an adjacent property owner (see Washington State Noxious Weed List).

V. Prior to issuance of a permit for lots in a cluster development, the property owner(s) shall acknowledge that the site is in or near agricultural lands through a recorded statement filed with the county auditor that is binding upon future owners, heirs and successors.

W. A land division approved under the authority of this chapter shall include a note on the recorded land division instrument stating that the acreage shall not be used more than once for determining the allowable number of units. The applicant shall denote on the land division instrument the specific acreage used for determining the proposed new lots.

X. Cluster lot density can be transferred from contiguous parcels in the same ownership where density is transferred between lands in the same zoning district or from lands in a lower density zoning district (e.g. from Primary Agriculture -40 to Primary Agriculture -40; from Primary Agriculture-40 to Agricultural Resource-10). Two legal parcels separated by roads (all types) and/or railroads are considered to be contiguous.

Editor's note— Due to scrivener's error, § 17.31.060.X refers to "Agricultural Resource-10," a zone that does not exist. The correct zone to be referenced is Agricultural Residential 10."

Y. In the Agricultural Residential-10 zone, contiguous parcels in common ownership can be changed through the use of boundary line adjustments to create parcels that can subsequently be divided

using the clustering provisions of this chapter. (Ord. 308 Exh. A (part), 2004; Ord. 328 §1(part), 2006)

(Ord. No. 371, § III(Exh. A, Pt. G), 8-3-2009; Ord. No. 400, § III(Exh. A), 11-15-2011)

CHAPTER 18.08 - CRITICAL AREA PROTECTION[2]

FOOTNOTE(S):

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References: See Walla Walla County Critical Areas Ordinance Best Available Science Review (August 2008) ~~document~~.

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~~See WWCC 18.08.015(A).~~

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~~WWCC 18.08.015(A).~~

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~~See WWCC 18.08.015(A).~~

Commented [CM1]: Revisions shown are the minimum which would be required to make this chapter consistent with the SMP critical areas regulations (as applicable) and address all GMA checklist requirements.

Commented [CM2]: Suggest making a more specific reference.

Commented [MD3R2]: Added.

Commented [CM4]: This footnote goes with the designation sections for CARA (18.08.200), wetlands (18.08.300) and geohazard areas (18.08.500). Footnote refers to the shoreline jurisdiction applicability provision. Is footnote necessary?

Commented [MD5R4]: Removed given imminent adoption of SMP, including critical areas regulations.

18.08.005 - Purpose.

The purpose of this chapter is to designate and classify ecologically sensitive and hazardous areas and to protect these areas and their functions and values, while also allowing for reasonable use of private property.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.010 - Authority.

A. As provided herein, the community development director (director) is given the authority to interpret and apply, and the responsibility to enforce this chapter to accomplish the stated purpose.

B. The county may withhold, condition, or deny development permits or activity approvals to ensure that the proposed action is consistent with this chapter.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.015 - Applicability.

A. This chapter shall not apply to lands within the jurisdiction of the Walla Walla County Shoreline Master Program. Critical areas in shoreline jurisdiction shall be~~will be~~ subject to the regulations found in the Shoreline Master Program Appendix A, Critical Areas in Shoreline Jurisdiction, once~~when~~ approved by the Washington State Department of Ecology. Until such time as the provisions of Shoreline Master Program~~SMP~~ Appendix A are approved and become effective, ~~this chapter are reviewed under the Shoreline Management Act, RCW 90.58, this chapter shall not apply to shorelines or associated wetlands designated in the Walla Walla County Shoreline Master Plan. Until such time as such review has occurred,~~ the county's critical areas regulations enacted by Resolution 95-219 shall continue to apply to shorelines designated in the ~~s~~Shoreline M~~m~~aster Program~~plan~~.

B. The provisions of this chapter shall apply to all lands, all land uses and development activity, and all structures and facilities in the county, outside of shoreline jurisdiction, whether or not a permit or authorization is required, and shall apply to every person, firm, partnership, corporation, group, governmental agency, or other entity that owns, leases, or administers land within the county. No person, company, agency, or applicant shall alter a critical area or buffer except as consistent with the purposes and requirements of this chapter. Except for where specifically set forth, this chapter does not apply to lawful uses or legal non-conforming uses existing at the time of adoption. Agricultural ~~uses or changes from one agricultural use to another~~activities, including all agricultural uses and practices

Commented [CM6]: Revised to reflect status of SMP critical areas regulations.

as defined in RCW 90.58.065 and WWCC 18.08.020, are exempt from this ordinance. Rather, where agricultural activities intersect with the critical areas defined in WWCC 18.08.030, protection of ~~the~~ critical areas is attained through the c~~C~~ounty's Voluntary Stewardship Program (VSP) as established under RCW 36.70A.705. The provisions of this chapter shall not impinge upon water rights.

Commented [TB7]: Revised to refer to and be consistent with applicability of VSP. Also modified the "allowed activities" section below.

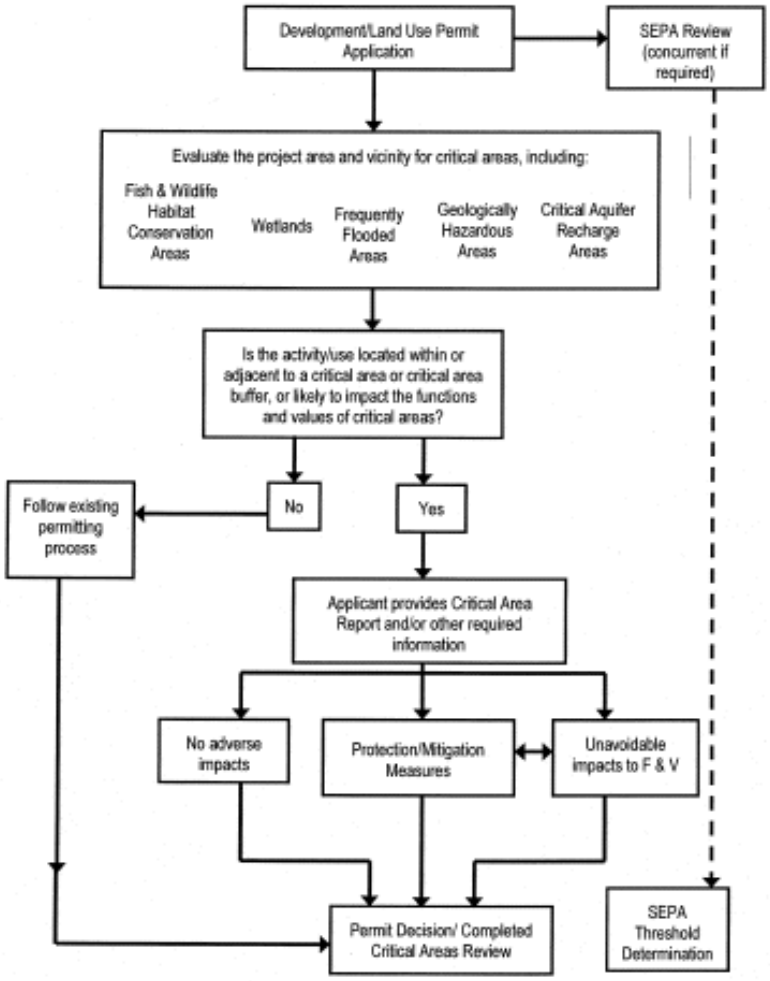
C. The county shall not approve any permit, including but not limited to those listed below, or otherwise issue any authorization to alter the condition of any land, water, or vegetation, or to construct or alter any structure or improvement in, over, or on a critical area or associated buffer, without first ensuring compliance with the requirements of this chapter:

1. Building permit;
2. Conditional use permit;
3. Clearing and grading permit;
4. Short subdivision;
5. Subdivision;
6. Planned unit development;
7. Binding site plan; or
8. Any other adopted permit or required approval not expressly exempted by this chapter.

D. Approval or denial of a permit or development proposal pursuant to the provisions of this chapter does not discharge the obligation of the applicant to comply with the provisions of this chapter.

Figure 1 identifies how critical areas review is incorporated into the application process for the underlying permit: Figure 1: Summary of Critical Areas Review Process and Integration into Underlying Permit Process

Figure 1: Summary of Critical Areas Review Process and Integration into Underlying Permit Process



(Ord. No. 372, § III(Exh. A), 8-31-2009; Ord. No. 414, § III(Exh. A), 2-25-2013)

18.08.020 - Definitions.

Words not defined in this chapter shall be as defined in the Walla Walla County Code, the Washington Administrative Code, or the Revised Code of Washington. Words not found in either code shall be as defined in the Webster's Third New International Dictionary, latest edition.

Commented [CM8]: Note that "F & V" (second to bottom row of boxes) could be revised to "functions and values" for ease of understanding.

"Adaptive management" — Adaptive management relies on scientific methods to evaluate how well regulatory and non-regulatory actions protect the critical area. An adaptive management program is a formal and deliberate scientific approach to taking action and obtaining information in the face of uncertainty.

"Adjacent" — Immediately adjoining (in contact with the boundary of the influence area) or within a distance that is less than that needed to separate activities from critical areas to ensure protection of the functions and values of the critical areas. Adjacent shall mean any activity or development located:

A. On a site immediately adjoining a critical area;

B. A distance equal to or less than the required critical area buffer width and building setback;

C. A distance equal to or less than two hundred feet upland from a stream, wetland, or water body;

D. Bordering or within the floodway, floodplain or channel migration zone; or

E. A distance equal to or less than 200 feet from a critical aquifer recharge area.

"Agricultural activities" – Agricultural uses and practices including, but not limited to: Producing, breeding, or increasing agricultural products; rotating and changing agricultural crops; allowing land used for agricultural activities to lie fallow in which it is plowed and tilled but left unseeded; allowing land used for agricultural activities to lie dormant as a result of adverse agricultural market conditions; allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation program, or the land is subject to a conservation easement; conducting agricultural operations; maintaining, repairing, and replacing agricultural equipment; maintaining, repairing, and replacing agricultural facilities, provided that the replacement facility is no closer to the shoreline than the original facility; and maintaining agricultural lands under protection or cultivation.

"Agricultural reserve ground" — Ground in/or around an ongoing agricultural operation that is not currently in production such as steep hillsides, grass waterways, field eyebrows, areas too small to be economically viable at this time, and areas that are unfit to be utilized because of their general inaccessibility to the operation, but which at a later time may be used for active agricultural activities.

"Agricultural uses" — Agricultural activities including farming, horticulture, silviculture, irrigation delivery systems, drainage systems, ranching and grazing of animals and pest and weed control. This includes agricultural set-aside land, lands lying idle under government programs and changes between agricultural activities.

Commented [CM9]: Added "agricultural activities" above from RCW; keeping this definition since it a) is referred to in the VSP work plan and b) encompasses agricultural activities.

"Alteration" — Any human induced change in an existing condition of a critical area or its buffer. Alterations include, but are not limited to grading, filling, channelizing, dredging, clearing (vegetation), construction, compaction, excavation or any other activity that changes the character of the critical area.

"Applicant" — A person who files an application for permit under this Chapter and who is either the owner of the land on which that proposed activity would be located, a contract purchaser, or the authorized agent of such a person.

"Aquifer" — A geological formation, group of formations or part of formation that is capable of yielding a significant amount of water to a well or spring.

"Aquifer recharge areas" — Areas that, due to the presence of certain soils, geology, and surface water, act to recharge ground water by percolation.

"Aquifer susceptibility" — The ease with which contaminants can move from the land surface to the aquifer based solely on the types of surface and subsurface materials in the area. Susceptibility usually defines the rate at which a contaminant will reach an aquifer unimpeded by chemical interactions with the vadose zone media.

"Aquifer, unconfined" — An aquifer not bounded above by a bed of distinctly lower permeability than that of the aquifer itself and containing ground water under pressure approximately equal to that of the atmosphere. This term is synonymous with the term "water table aquifer."

"Base flood" — A flood event having a one percent chance of being equaled or exceeded in any given year, also referred to as the one hundred-year flood. Designations of base flood areas on flood insurance map(s) always include the letters A or V.

"Best available science" — Current scientific information used in the process to designate, protect, or restore critical areas that is derived from a valid scientific process as defined by WAC 365-195-900 through 925. Sources of best available science are included in Walla Walla County's Best Available Science document prepared during this ordinance update process.

"Best management practices (BMPs)" — Conservation practices or systems of practices and management measures that:

A. Control soil loss and reduce water quality degradation caused by high constructions of nutrients, animal waste, toxics, and sediment;

B. Minimize adverse impacts to surface water and ground water flow, circulation patterns, and to the chemical, physical, and biological characteristics of wetlands;

C. Protect trees and vegetation designated to be retained during and following site construction; and

D. Provide standards for proper use of chemical herbicides within critical areas.

"Buffer or buffer zone" — An area contiguous to and protects a critical habitat that is required for the continued maintenance, functioning, and/or structural stability of a critical area.

"Compensation project" — Actions necessary to replace project-induced critical area and buffer losses, including land acquisition, planning, construction plans, monitoring and contingency actions.

"Compensatory mitigation" — Replacing project-induced critical wetland habitat losses or impacts, and includes, but is not limited to, the following:

Restoration: Actions performed to reestablish wetland functional characteristics and processes that have been lost by alterations, activities, or catastrophic events within an area that no longer meets the definition of a wetland.

Creation: Actions performed to intentionally establish a wetland at a site where it did not formerly exist.

Enhancement: Actions performed to improve the condition of existing degraded wetlands so that the functions they provide are of a higher quality.

Preservation: Actions taken to ensure the permanent protection of existing, high-quality wetlands.

"Conservation easement" — A legal agreement that the property owner enters into to restrict uses of the land. Such restrictions can include, but are not limited to, passive recreation uses such as trails or scientific uses and fences or other barriers to protect habitat. The easement is recorded on a property deed, runs with the land, and is legally binding on all present and future owners of the property, therefore, providing permanent or long-term protection.

"Critical aquifer recharge area" — Areas designated by WAC 365-190-080(2) that are determined to have a critical recharging effect on aquifers used for potable water as defined by WAC 365-190-030(2).

"Critical areas" — Critical areas include any of the following areas or ecosystems: Aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, geologically hazardous areas, and wetlands, as defined in RCW 36.70A and this Chapter.

"Critical species" — All animal and plant species listed by the state or federal government as threatened or endangered.

"Cumulative impacts or effects" — The combined, incremental effects of human activity on critical areas functions and values. Cumulative impacts result when the effects of an action are added to or interact with other effects in a particular place and within a particular time. It is the combination of these effects, and any resulting environmental degradation, that should be the focus of cumulative impact analysis and changes to policies and permitting decisions.

"Developable area" — A site or portion of a site that may be utilized as the location of development, in accordance with the rules of this chapter.

"Development" — Any activity upon the land consisting of construction or alteration of structures, earth movement, dredging, dumping, grading, filling, mining, removal of any sand, gravel, or minerals, driving of piles, drilling operations, bulk heading, clearing of vegetation, or other land disturbance. Development includes the storage or use of equipment or materials inconsistent with the existing use. Development also includes approvals issued by the Walla Walla County that binds land to specific patterns of use, including but not limited to, subdivisions, short subdivisions, conditional use permits, and binding site plans. Development activity does not include the following activities:

A. Interior building improvements.

B. Exterior structure maintenance activities, including painting and roofing.

C. Routine landscape maintenance of established, ornamental landscaping, such as lawn mowing, pruning and weeding.

D. Maintenance of the following existing facilities that does not expand the affected area: septic tanks (routine cleaning); wells; individual utility service connections; and individual cemetery plots in established and approved cemeteries.

"Development permit" — Any permit issued by Walla Walla County, or other authorized agency, for construction, land use, or the alteration of land.

"Director" — The county official for the Walla Walla County community development department or other responsible official or other county staff granted the authority to act on behalf of the director.

"Eco-connectivity" — Eco-connectivity is a physical feature of the land as well as functional one. It is the geo-physical connection between natural habitat areas that allow fish and animals to move between feeding, reproductive, rearing, and resting areas. The functional connection is dependent on the physical connection.

"Ecologically sustainable" — The establishment of site conditions that preserve or result in no net loss of ecological functions and values, as identified in a mitigation plan.

"EDT priority protection reach" — Reach designated as a priority using the Ecosystem Diagnosis and Treatment method.

"Elevated building" — A building that has no basement and its lowest elevated floor is raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

"Emergent wetland" — A wetland with at least thirty percent of the surface area covered by erect, rooted, herbaceous vegetation extending above the water surface as the uppermost vegetative strata.

"Erosion" — The process whereby wind, rain, water, and other natural agents mobilize and transport particles.

"Erosion hazard areas" — At least those areas identified by the United State Department of Agriculture National Resources Conservation Service as have a "severe" rill and inter-rill erosion hazard.

"Exotic" — Any species of plants or animals, which are (not listed on the State plant list) foreign to the planning area.

"Extreme slope hazard areas" — Those areas with pre-development slope greater than forty-five percent.

"Fish and wildlife habitat conservation areas" — Areas necessary for maintaining species in suitable habitats within their natural geographic distribution so that isolated subpopulations are not created as designated by WAC 365-190-080(5). These areas are guided by the State's Priority Habitats and Species list and include the following:

A. Areas with which state or federally designated endangered, threatened, and sensitive species have a primary association;

B. Habitats of local importance, including but not limited to areas designated as priority habitat by the Department of Fish and Wildlife, areas that provide important habitat for neotropical migratory songbirds, areas that provide important habitat for wintering birds of prey, and areas that provide unique habitats within the county;

C. Naturally occurring ponds under twenty acres and their submerged aquatic beds that provide fish or wildlife habitat, including those artificial ponds intentionally created from dry areas in order to mitigate impacts to ponds;

D. Waters of the state, including lakes, rivers, ponds, streams, inland waters, underground waters, salt waters and all other surface waters and watercourses within the jurisdiction of the state of Washington;

E. Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity;

F. State natural area preserves and natural resource conservation areas designated by the Department of Natural Resources; and

G. Land essential for preserving connections between habitat blocks and open spaces.

Fish and wildlife habitat conservation areas do not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.

Commented [MD10]: Added per RCW changes as identified in the GMA checklist.

"Fish habitat" — Habitat that is used by fish at any life stage at any time of the year, including off-channel habitat.

"Flood or flooding" — A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters and/or the unusual and rapid accumulation of runoff of surface waters from any source.

"Flood insurance map" — The official map on which the Federal Insurance Administration has delineated the areas of special flood hazards and include the risk premium zones applicable to the community. Also known as "flood insurance rate map" or "FIRM."

"Flood insurance study" — The official report provided by the Federal Insurance Administration that includes flood profiles, the flood boundary-floodway map, and the water surface elevation of the base flood.

"Floodplain" — The total land area adjoining a river, stream, watercourse or lake subject to inundation by the base flood.

"Floodway" — The channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the surface water elevation more than one foot. Also known as the "zero rise floodway."

"Forested wetland" — A wetland with at least thirty percent of the surface area covered by woody vegetation greater than twenty feet in height that is at least partially rooted within the wetland.

"Formation" — An assemblage of earth materials grouped together into a unit that is convenient for description or mapping.

"Frequently flooded areas" — Lands in the floodplain subject to a one percent or greater chance of flooding in any given year and those lands that provide important flood storage, conveyance and attenuation functions, as determined by the Director in accordance with WAC 365-190-080(3). Frequently flooded areas perform important hydrologic functions and may present a risk to persons and property. Classifications of frequently flooded areas include, at a minimum, the one hundred-year floodplain designations of the Federal Emergency Management Agency and the National Flood Insurance Program.

"Functions and values" — The beneficial roles served by critical areas including, but not limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support, flood storage, conveyance and attenuation, ground water recharge and discharge, erosion control, wave attenuation, protection from hazards, historical and archaeological and aesthetic value protection, and recreation. These beneficial roles are not listed in order of priority.

"Generators, medium quantity" — When referring to critical aquifer recharge areas, means those businesses that generate more than two hundred twenty pounds, but less than two thousand two hundred pounds of dangerous waste per month. They are limited to the accumulation of less than two thousand two hundred pounds of dangerous waste at any time. They are limited to the generation of, and accumulation of, less than 2.2 pounds of acutely hazardous waste or toxic extremely hazardous waste.

"Generators, large quantity" — When referring to critical aquifer recharge areas, means those businesses that generate more than two thousand two hundred pounds of dangerous waste per month. They accumulate more than two thousand two hundred pounds of dangerous waste at any time. They generate and accumulate more than 2.2 pounds of acutely hazardous waste or toxic extremely hazardous waste.

"Geologically hazardous areas" — Areas that may not be suited to development consistent with public health, safety or environmental standards, because of their susceptibility to erosion, sliding, earthquake, or other geological events as designated by WAC 365-190-080(4). Types of geologically hazardous areas include: erosion, landslide, seismic, mine, and volcanic hazards.

"Ground water" — Water in a saturated zone or stratum beneath the surface of land or a surface water body.

"Growth Management Act" — RCW 36.70A, and 36.70B, as amended.

"Habitat" — The place or environment where a plant or animal naturally occurs.

"Habitat conservation areas" — Areas designated as fish and wildlife habitat conservation areas.

"Habitats of local importance" — These areas include a seasonal range or habitat element with which a given species has a primary association, and which, if altered may reduce the likelihood that the species will maintain and reproduce over the long-term. These might include areas of high relative density, breeding habitat, winter range, and movement corridors. These might also include habitats that are of limited availability or high vulnerability to alterations such as cliffs, talus, and wetlands. (WAC 365-190-030)

"Hazard areas" — Areas designated as frequently flooded areas or geologically hazardous areas due to potential for erosion, landslide, seismic activity, extreme slopes, or other geological condition.

"Hazardous substances" — Any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical or biological properties described in WAC 173-303-090 or 173-303-100.

"High quality wetlands" — Those wetlands that meet the following criteria:

A. No, or isolated, human alteration of the wetland topography;

B. No human-caused alteration of the hydrology or the wetland appears to have recovered from the alteration;

C. Low cover and frequency of exotic plant species;

D. Relatively little human-related disturbance of the native vegetation, or recovery from past disturbance;

E. If the wetland system is degraded, it still contains a viable and high quality example of a native wetland community; and

F. No known major water quality problems.

"Historic condition" — Condition of the land, is including flora, fauna, soil, topography, and hydrology that existed before the area and vicinity were developed or altered by human activity.

"Hydraulic project approval (HPA)" — A permit issued by the state Department of Fish and Wildlife for projects that affect the bed or flow of waters of the state in accordance with Chapter 77.55 RCW and WAC 220.110.

"Hydric soil" — A soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of hydric soil shall be determined following

the methods described in the Washington State Wetland Identification and Delineation Manual, as amended.

"Hydrophytic vegetation" — Macrophytic plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following the methods described in the Washington State Wetland Identification and Delineation Manual, as amended.

"Impervious surface" — A hard surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development or that causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled macadam or other surfaces which similarly impede the natural infiltration of stormwater.

"In-kind compensation" — Same species, habitat type, and function impacted. If the impacted habitat is disturbed, it means replacement with the natural habitat that would occur. It does not mean replacement "in-category."

"Isolated wetlands" — Those wetlands that are outside of and not contiguous to any one hundred-year floodplain of a lake, river, or stream, and have no contiguous hydric soil or hydrophytic vegetation between the wetland and any surface water.

"Infiltration" — The downward entry of water into the immediate surface of soil.

"Injection well(s)"

A. "Class I" — A well used to inject industrial, commercial, or municipal waste fluids beneath the lowermost formation containing, within one quarter mile of the well bore, an underground source of drinking water.

B. "Class II" — A well used to inject fluids:

   1. Brought to the surface in connection with conventional oil or natural gas exploration or production and may be commingled with wastewaters from gas plants that are an integral part of production operations, unless those waters are classified as dangerous wastes at the time of injection;

   2. For enhanced recovery of oil or natural gas; or

   3. For storage of hydrocarbons that are liquid at standard temperature and pressure.

C. "Class III" — A well used for extraction of minerals, including but not limited to the injection of fluids for:

   1. In-situ production of uranium or other metals that have not been conventionally mined;

   2. Mining of sulfur by Frasch process; or

   3. Solution mining of salts or potash.

D. "Class IV" — A well used to inject dangerous or radioactive waste fluids.

E. "Class V" — All injection wells not included in Classes I, II, III, or IV.

"Inter-rill" — Inter-rills are areas subject to sheetwash.

"Landslide hazard areas" — Areas that are potentially subject to risk of mass movement due to a combination of geologic landslide resulting from a combination of geologic, topographic, and hydrologic factors. These areas are typically susceptible to landslides because of a combination of factors including: bedrock, soil, slope gradient, slope aspect, geologic structure, ground water, or other factors.

"Minerals" — materials including gravel, sand, and valuable metallic substances. [R.C.W. 36.70A.030(11); W.A.C. 365-190-030(12).

"Mitigation" — Avoiding, minimizing or compensating for adverse critical areas impacts. Mitigation, in the following order of preference, is:

A. Avoiding the impact altogether by not taking a certain action or parts of an action;

B. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps, such as project redesign, relocation, or timing, to avoid or reduce impacts;

C. Rectifying the impact to wetlands, critical aquifer recharge areas, and habitat conservation areas by repairing, rehabilitating or restoring the affected environment to the conditions existing at the time of the initiation of the project;

D. Minimizing or eliminating the hazard by restoring or stabilizing the hazard area through engineered or other methods;

E. Reducing or eliminating the impact or hazard over time by preservation and maintenance operations during the life of the action;

F. Compensating for the impact to wetlands, critical aquifer recharge areas, and habitat or critical areas by replacing, enhancing, or providing substitute resources or environments; and

G. Monitoring the hazard or other required mitigation and taking remedial action when necessary. Mitigation for individual actions may include a combination of the above measures.

"Monitoring" — Evaluating the impacts of development proposals on the biological, hydrological, and geological elements of such systems and assessing the performance of required mitigation measures throughout the collection and analysis of data by various methods for the purpose of understanding and documenting changes in natural ecosystems and features, and includes gathering baseline data.

"Native vegetation" — Plant species that are indigenous to the area in question. Plants that are not listed in Chapter 16-750 WAC.

"Nonconformity" — A legally established existing use or legally constructed structure that is not in compliance with current regulations.

"Non-indigenous" — See "exotic."

"Off-site mitigation" — To replace critical areas away from the site on which a critical area has been impacted.

"On-site mitigation" — On or adjacent to the project impact site or in the same stream reach, based on resource needs.

"Ordinary high water mark (OHWM)" — That mark which is found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, that the soil or vegetation has a character distinct from that of the abutting upland.

"Permeability" — The capacity of an aquifer or confining bed to transmit water. It is a property of the aquifer or confining bed and is independent of the force causing movement.

"Potable water" — Water that is safe and palatable for human use.

"Practical alternative" — An alternative that is available and capable of being carried out after taking into consideration, cost, existing technology, and logistics in light of overall project purposes, and having fewer impacts to critical areas.

"Primary association area" — The area used on a regular basis by, is in close association with, or is necessary for the proper functioning of the habitat of a critical species. Regular basis means that the habitat area is normally, or usually known to contain a critical species, or based on known habitat requirements of the species, the area is likely to contain the critical species. Regular basis is species and population dependent. Species that exist in low numbers may be present infrequently yet rely on certain habitat types.

"Priority habitat" — Habitat type or elements with unique or significant value to one or more species as classified by the Department of Fish and Wildlife. A priority habitat may consist of a unique vegetation

type or dominant plant species, a described successional stage, or a specific structural element. (WAC 173-26-020(34))

"Project area" — All areas within fifty feet of the area proposed to be disturbed, altered, or used by the proposed activity or the construction of any proposed structures.

"Qualified professional" — A person with experience and training in the pertinent scientific discipline, and who is a qualified scientific expert with expertise appropriate for the relevant critical area subject. A qualified professional must have obtained a B.S. or B.A. or equivalent degree in biology, engineering, environmental studies, fisheries, geomorphology or related field, and two years of related work experience.

A. A qualified professional for habitats or wetlands must be a professional wetland scientist with at least two years of full-time work experience as a wetlands professional, including delineating wetlands using the state or federal manuals, preparing wetland reports, conducting function assessments, and developing and implementing mitigation plans.

B. A qualified professional for a geological hazard must be a professional geologist (preferred) or engineer, licensed in the state of Washington.

C. A qualified professional for critical aquifer recharge areas means a hydrogeologist, geologist, engineer, or other scientist with experience in preparing hydrogeologic assessments.

"Recharge" — The process involved in the absorption and addition of water to ground water.

"Reclaimed water" — Municipal wastewater effluent that has been adequately and reliability treated so that it is suitable for beneficial use. Following treatment it is no longer considered wastewater (treatment levels and water quality requirements are given in the water reclamation and reuse standards adopted by the state Departments of Ecology and Health).

"Regulatory flood" — A level of flooding that a regulatory agency's design regulations apply to.

"Repair or maintenance" — An activity that restores the character, scope, size, and design of a serviceable area, structure, or land use to its previously authorized and undamaged condition. Activities that change the character, size, or scope of a project beyond the original design and drain, dredge, fill, flood, or otherwise alter critical areas are not included in this definition.

"Restoration" — Measures taken to restore an altered or damaged natural feature including:

A. Active steps taken to restore damaged wetlands, streams, protected habitat, or their buffers to the functioning condition that existed prior to an unauthorized alteration; and

B. Actions performed to reestablish structural and functional characteristics of the critical area that have been lost by alteration, past management activities, or catastrophic events.

"Rills" — Steep-sided channels resulting from accelerated erosion. A rill is generally a few inches deep and not wide enough to be an obstacle to farm machinery. Rill erosion tends to occur on slopes, particularly steep slopes with poor vegetative cover.

"Riparian habitat" — Any area adjacent to surface water which possesses elements of both aquatic and terrestrial ecosystems that mutually influence each other. The width of these areas extends from the ordinary high water mark to that portion of the terrestrial landscape that directly influences the aquatic ecosystem by providing shade, fine or large woody material, nutrients, organic and inorganic debris, terrestrial insects, or habitat for riparian-associated wildlife. It includes the entire extent of the floodplain and the extent of vegetation adapted to wet conditions as well as adjacent upland plant communities that directly influence aquatic ecosystem. Riparian habitat areas include those riparian areas severely altered or damaged due to human development activities.

"River" — See "Watercourse."

"Section 404 permit" — A permit issued by the Corps of Engineers for the placement of dredge or fill material or clearing in waters of the U.S., including wetlands, in accordance with 33 USC § 1344.

"Seeps" — A spot where water oozes from the earth, often forming the source of a small stream.

"Seismic hazard areas" — Seismic hazard areas are those areas subject to severe risk of damage as a result of earthquake-induced ground shaking, slope failure, soil liquefaction or surface faulting including:

1. Areas subject to surface faulting during a seismic event;
2. Areas with underlying deposits indicative of a risk of liquefaction during a seismic event, including those areas mapped as "moderate", "moderate to high" and "high" by the Washington State Department of Natural Resources;
3. Areas subject to slope failure during a seismic event;
4. Areas that are at risk of mass wasting due to seismic forces.

"Serviceable" — Presently usable.

"SEPA" — Washington State Environmental Policy Act, Chapter 43.21C RCW.

"Shallow Gravel Aquifer, moderate vulnerability designation" — The moderate vulnerability zone for the Shallow Gravel Aquifer (SGA) is defined as those areas of the SGA as delineated by the County where:

A. The SGA is present in the subsurface;

B. The SGA is overlain by a variable thickness of Loess and Touchet Beds;

C. The area is rated as low susceptibility; and

D. The contaminant loading potential is moderate based on:

   1. Land uses which have the potential to impact groundwater if best management practices or existing regulations are not followed and there are few Group A and B wells and permit exempt wells obtaining water from the SGA in the area; or
   2. Land uses which have a low potential to impact groundwater, and a variable density of Group A and B wells and permit exempt wells obtaining water from the SGA in the area.

"Shorelines" — All of the water areas of the state as defined in RCW 90.58.030, including reservoirs and their associated shorelands, together with the lands underlying them except:

A. Shorelines of statewide significance;

B. Shorelines on segments of streams upstream of a point where the mean annual flow is twenty cubic feet per second or less and the wetlands associated with such upstream segments; and

C. Shorelines on lakes less than twenty acres in size and wetlands associated with such small lakes.

"Shorelines of the state" — The total of all "shorelines," as defined in RCW 90.58.030(2)(d), and "shorelines of statewide significance" within the state, as defined in RCW 90.58.030(2)(c).

"Shorelines of statewide significance" — Those areas defined in RCW 90.58.030(2)(e).

"Shorelands or shoreland areas" — Those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward two hundred feet from such floodways; and all wetlands and river deltas associated with the streams, lakes and tidal waters which are subject to the provisions of Chapter 90.58 RCW.

"Significant portion of its range" — That portion of a species range likely to be essential to the long-term survival of the population in Washington.

"Soil survey" — The most recent soil survey for the local area or County by the National Resources Conservation Service, U.S. Department of Agriculture.

"Special flood hazard areas" — The land in the floodplain within an area subject to a one percent or greater chance of flooding in any given year. Designations of special flood hazard areas on flood insurance map(s) always include the letters A or V.

"Special protection areas" — Aquifer recharge areas defined by WAC 173-200-090 that require special consideration or increased protection because of unique characteristics, including, but not limited to:

A. Ground waters that support an ecological system requiring more stringent criteria than drinking water standards;

B. Ground water recharge areas and wellhead protection areas that are vulnerable to pollution because of hydrogeologic characteristics; and

C. Sole source aquifer status.

"Species" — Any group of animals classified as a species or subspecies as commonly accepted by the scientific community.

"Species, endangered" — Any fish or wildlife species that is threatened with extinction throughout all or a significant portion of its range and is listed by the state or federal government as an endangered species.

"Species of local importance" — Those species of local concern due to their population status or their sensitivity to habitat manipulation, or that are game species.

"Species, priority" — Any fish or wildlife species requiring protective measures and/or management guidelines to ensure their persistence as genetically viable population levels as classified by the Department of Fish and Wildlife, including endangered, threatened, sensitive, candidate and monitor species, and those of recreational, commercial, or tribal importance.

"Species richness" — The number of species in a given area.

"Species, threatened" — Any fish or wildlife species that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range without cooperative management or removal of threats, and is listed by the state or federal government as a threatened species.

"Stream" — See "watercourse."

"Subbasin plan protection reach" — Reaches recommended for priority protection by the Walla Walla Subbasin Plan (NPCC 2001).

"Sub-drainage basin or subbasin" — The drainage area of the highest order stream containing the subject property impact area. Stream order is the term used to define the position of a stream in the hierarchy of tributaries in the watershed. The smallest streams are the highest order (first order) tributaries. These are the upper watershed streams and have no tributaries of their own. When two first order streams meet, they form a second order stream, and when two second order streams meet they become a third order stream, and so on.

"Unavoidable" — Adverse impacts that remain after all appropriate and practicable avoidance and minimization have been achieved.

"Valid scientific process" — According to WAC 365-195-905, in the context of critical areas protection, a valid scientific process is one that produces reliable information useful in understanding the consequences of a local government's regulatory decisions and in developing critical areas policies and development regulations that will be effective in protecting the functions and values of critical areas. To determine whether information received during the public participation process is reliable scientific information, a County or city should determine whether the source of the information displays the characteristics of a valid scientific process. The characteristics generally to be expected in a valid scientific process are as follows:

1. Peer Review. The information has been critically reviewed by other persons who are qualified scientific experts in that scientific discipline. The criticism of the peer reviewers has been addressed by the proponents of the information. Publication in a refereed scientific journal usually indicates that the information has been appropriately peer-reviewed.

2. Methods. The methods that were used to obtain the information are clearly stated and able to be replicated. The methods are standardized in the pertinent scientific discipline or, if not, the methods have been appropriately peer-reviewed to assure their reliability and validity.

3. Logical Conclusions and Reasonable Inferences. The conclusions presented are based on reasonable assumptions supported by other studies and consistent with the general theory underlying the assumptions. The conclusions are logically and reasonably derived from the assumptions and supported by the data presented. Any gaps in information and inconsistencies with other pertinent scientific information are adequately explained.

4. Quantitative Analysis. The data have been analyzed using appropriate statistical or quantitative methods.

5. Context. The information is placed in proper context. The assumptions, analytical techniques, data, and conclusions are appropriately framed with respect to the prevailing body of pertinent scientific knowledge.

6. References. The assumptions, analytical techniques, and conclusions are well referenced with citations to relevant, credible literature and other pertinent existing information.

"Vulnerability" — The combined effect of susceptibility to contamination and the presence of potential contaminants.

"Watercourse" — Any portion of a channel, bed, bank, or bottom waterward of the ordinary high water line of waters of the state including areas in which fish may spawn, reside, or through which they may pass, and tributary waters with defined beds or banks. This definition includes watercourses that flow on an intermittent basis or which fluctuate in level during the year and applies to the entire bed of such watercourse whether or not the water is at peak level. This definition does not include irrigation ditches, canals, stormwater run-off devices, or other entirely artificial watercourses, except where they exist in a natural watercourse that has been altered by humans.

"Water dependent" — A use or portion of a use that cannot exist in a location that is not adjacent to the water, but is dependent on the water by reason of the intrinsic nature of its operations. A use that can be carried out only on, in, or adjacent to water. Examples of water dependent uses include ship cargo terminal loading areas; fishing; ferry and passenger terminals; barge loading, ship building, and dry docking facilities; marinas, moorage, and boat launching facilities; aquaculture; float plane operations; surface water intake; and sanitary sewer and storm drain outfalls.

"Water resource inventory area (WRIA)" — One of sixty-two watersheds in the state of Washington, each composed of the drainage areas of a stream or streams, as established in Chapter 173-500 WAC as it existed on January 1, 1997.

"Water typing system" — Waters classified according to the following:

A. "Type S Water" means all waters, within their bankfull width, as inventoried as "shorelines of the state" under chapter 90.58 RCW and the rules promulgated pursuant to chapter 90.58 RCW including periodically inundated areas of their associated wetlands.

B. "Type F Water" means segments of watercourses other than Type S Waters, which are within the bankfull widths of defined channels and periodically inundated areas of their associated wetlands, or within lakes, ponds, or impoundments having a surface area of one half acre or greater at seasonal low water and which in any case contain fish habitat or are described by one of the following categories:

    1. Waters, which are diverted for use by federal, state, tribal or private fish hatcheries. Such waters shall be considered Type F Water upstream from the point of diversion for one thousand five hundred feet, including tributaries if highly significant for protection of downstream water quality.

    2. Riverine ponds, wall-based channels, and other channel features that are used by fish for off-channel habitat. These areas are critical to the maintenance of optimum survival of fish. This habitat shall be identified based on the following criteria:

a. The site must be connected to a fish habitat stream and accessible during some period of the year; and

b. The off-channel water must be accessible to fish.

C. "Type Np Water" means all segments of watercourses within the bankfull width of defined channels that are perennial nonfish habitat streams. Perennial streams are flowing waters that do not go dry any time of a year of normal rainfall and include the intermittent dry portions of the perennial channel below the uppermost point of perennial flow.

D. "Type Ns Water" means all segments of watercourses within the bankfull width of the defined channels that are not Type S, F, or No Waters. These are seasonal, nonfish habitat streams in which surface flow is not present for at least some portion of a yearof normal rainfall and are not located downstream from any stream reach that is a Type Np Water. Ns Waters must be physically connected by an above-ground channel system to Type S, F, or Np Waters.

E. For purposes of this section: "Seasonal low water" means the conditions of the seven-day, two-year low water situation, as measured or estimated by accepted hydrologic techniques recognized by the Department of Natural Resources.

"Well" — A bored, drilled or driven shaft, or a dug hole whose depth is greater that the largest surface dimension for the purpose of withdrawing or injecting water or other liquids.

"Wellhead protection area (WHPA)" — The portion of a zone of contribution for a well, wellfield or spring, as defined using criteria established by the State Department of Health.

"Wetlands" — Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas to mitigate the conversion of wetlands. For identifying and delineating a wetland, local government shall use the approved federal wetland delineation manual and applicable regional supplements~~the Washington State Wetland Identification and Delineation Manual~~, as amended.

Commented [CM11]: State manual no longer used.

"Wetland category" — Wetlands that are categorized into Category I, II, III or IV based upon the categorization procedures in the Washington State Wetland Rating System for Eastern Washington, as amended (Hruby T. ~~2004~~2014).

"Wetland edge" — The boundary of a wetland as delineated based on the definitions contained in this Chapter.

"Wetlands mitigation bank" — A site where wetlands are restored, created, enhanced, or in exceptional circumstances, preserved expressly for the purpose of providing compensatory mitigation in advance of authorized impacts to similar resources.

"Zone of contribution" — The area surrounding a well or spring that encompasses all areas or features that supply ground water recharge to the well or spring.

(Ord. No. 372, § III(Exh. A), 8-31-2009; Ord. No. 414, § III(Exh. A), 2-25-2013)

18.08.025 - Severability.

If any clause, sentence, paragraph, section, or part of this Chapter or the application thereof to any person or circumstances shall be judged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered. The decision shall not affect or invalidate the remainder of any part thereof and to this end the provisions of each clause, sentence, paragraph, section, or part of this law are hereby declared to be severable.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.030 - Jurisdiction—Critical areas.

A. The county shall regulate all uses, activities, and developments within, adjacent to, or likely to affect, one or more critical areas, consistent with the best available science and the provisions herein.

B. Critical areas regulated by this chapter include:

1. Critical aquifer recharge areas as designated in Critical Aquifer Recharge Areas [Chapter 18.08.200];
2. Wetlands as designated in Wetlands [Chapter 18.08.300];
3. Frequently flooded areas as designated in Frequently Flooded Areas [Chapter 18.08.400];
4. Geologically hazardous areas as designated in Geologically Hazardous Areas [Chapter 18.08.500]; and
5. Fish and wildlife habitat conservation areas as designated in Fish and Wildlife Habitat Conservation Areas [Chapter 18.08.600].

C. All areas within the County meeting the definition of one or more critical areas, regardless of any formal identification, are hereby designated critical areas and are subject to the provisions of this chapter.

D. Areas Adjacent to Critical Areas Subject to Regulation. Areas adjacent to critical areas shall be considered to be within the jurisdiction of these requirements and regulations to support the intent of this Chapter and ensure protection of the functions and values of critical areas. Adjacent shall mean any activity located:

1. On a site immediately adjoining a critical area;
2. A distance equal to or less than the required critical area buffer width and building setback;
3. A distance equal to or less than 200 feet upland from a stream, wetland, or water body;
4. Within the floodway, floodplain, or channel migration zone; or
5. A distance equal to or less than 200 feet from a critical aquifer recharge area.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.035 - Critical area maps.

A. The approximate location and extent of critical areas will be displayed on various inventory maps available at the county community development department. These maps will be updated as inventories are completed in compliance with the requirements of the Growth Management Act, and additional maps may be added as appropriate. These maps include:

1. Walla Walla County Critical Area Map 1: Critical Aquifer Recharge Areas: 10 Year Time to Travel Zones;
2. Walla Walla County Critical Area Maps 2a and 2b: Wetlands;
3. Walla Walla County Critical Area Map 3: Frequently Flooded Areas;
4. Walla Walla County Critical Area Maps 4a, 4b, 4c and 4d: Geologic Hazard Areas — Potential Liquefaction Susceptibility, Steep Slope/Landslide Hazards, Potential Water Erosion Susceptibility, and Potential Wind Erosion Susceptibility;
5. Walla Walla County Critical Area Map 5: Riparian Buffers;
6. Walla Walla County Critical Area Map 6: Terrestrial Habitat;

Commented [CM12]: Should consider updating maps with most recent data available and to reflect any county boundary changes etc. since the 2008 versions.

Commented [MD13R12]: Under consideration. Map list may need to be revised per discussion with County staff. May affect other map references in document.

Commented [CM14]: The map on the County website which appears to correspond with this reference designates stream segments and "buffers" primarily for streams within the City of Walla Walla. Not clear how this map will be applied to revised regulations.

7. Walla Walla County Critical Area Map 7: Walla Walla River Shallow Gravel Aquifer Critical Aquifer Recharge Area ~~Map~~ (December, 2011);

8. Walla Walla County Critical Area Map 7A: Walla Walla River Shallow Gravel Aquifer Critical Aquifer Recharge Area, ~~Map~~ Walla Walla Valley (December, 2011).

9. Walla Walla County Critical Area Map 8: Walla Walla River Shallow Gravel Aquifer - Recharge Vulnerability Map

10. Walla Walla County Critical Area Map 8a: Walla Walla River Shallow Gravel Aquifer - Recharge Vulnerability Map - Walla Walla Valley

Commented [CM15]: These two additional maps are listed with the critical areas maps on the County's website.

(Ord. No. 372, § III(Exh. A), 8-31-2009; Ord. No. 409, § III(Exh. A), 1-9-2012)

18.08.040 - Best available science.

A. Protect Functions and Values of Critical Areas With Special Consideration to Anadromous Fish. Critical area reports and decisions to alter critical areas shall rely on the best available science to protect the functions and values of critical areas and must give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fish, such as salmon and bull trout, and their habitat.

B. Nonscientific Information. Nonscientific information may supplement scientific information, but it is not an adequate substitute for valid and available scientific information. Common sources of nonscientific information include anecdotal information, non-expert opinion and hearsay.

C. Absence of Valid Scientific Information. Where there is an absence of valid scientific information or incomplete scientific information relating to a critical area leading to uncertainty about the risk to critical area function of permitting an alteration of or impact to the critical area, the director shall:

1. Take a "precautionary or a no-risk approach," that strictly limits development and land use activities until the uncertainty is sufficiently resolved; and

2. Require application of an effective adaptive management program that relies on scientific methods to evaluate how well regulatory and non-regulatory actions protect the critical area. An adaptive management program is a formal and deliberate scientific approach to taking action and obtaining information in the face of uncertainty. An adaptive management program shall:

   a. Address funding for the research component of the adaptive management program;

   b. Change course based on the results and interpretation of new information that resolves uncertainties; and

   c. Commit to the appropriate timeframe and scale necessary to reliably evaluate regulatory and non-regulatory actions affecting protection of critical areas and anadromous fisheries.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.045 - Administrative procedures.

The administrative procedures followed during the critical area review process shall conform to the standards and requirements of the county. This shall include, but not be limited to, timing, appeals, and fees associated with applications covered by this chapter.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.050 - Fees.

A. The county has established fees, as established in Walla Walla County Code 3.08 Land Development Application Fees, for critical area review processing, and other services provided by the county as

required by this chapter. Basis for these fees shall include, but not be limited to, the cost of engineering and planning review time, cost of inspection time, costs for administration, and any other special costs attributable to the critical area review process.

B. Unless otherwise indicated in this chapter, the applicant shall be responsible for the initiation, preparation, submission, and expense of all required reports, assessment(s), studies, plans, reconnaissance(s), peer review(s) by qualified consultants, and other work prepared in support of or necessary to review the application.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.055 - Administrative rules.

The county community development department is authorized to adopt such administrative rules and regulations as necessary and appropriate to implement this chapter and to prepare and require the use of such forms as necessary for its administration.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.060 - Permit processing.

A. The approval or denial of an activity or modification within or adjacent to a critical area shall be an administrative action of the director for actions requiring only a building permit or other permit action requiring only ministerial action as defined by relevant county codes. The review process will be integrated with the review of the underlying permit. Public notice is required only if required by the underlying permit.

B. If a project requires another permitting action by the county that requires a public hearing, consideration of critical areas will be integrated with the underlying permitting process.

C. Preliminary Consultation. Any person preparing to submit an application for development or use of land that may be regulated by the provisions of this chapter shall hold a consultation meeting with the director or designee prior to submitting an application for development or other approval. At this meeting, the director or designee shall discuss the requirements of this chapter; provide critical area maps, scientific information, and other source materials; outline the review process; and work with the activity proponent to identify any potential concerns that might arise during the review process, in addition to discussing other permit procedures and requirements.

D. The county shall perform the process discussed below:

1. Verify the information submitted by the applicant for the applicable permit;

2. Evaluate the project area and vicinity for critical areas. Such evaluation may include a staff site visit if the Director has reason to believe that a project may involve a critical area;

3. For wetland and/or fish and wildlife habitat conservation areas, the county may require that boundaries be verified and mapped by a qualified professional. The scale of the boundary information shall be the same as the county maps, and such boundaries shall be submitted to the county as part of the application for the applicable permit if the project is within two hundred feet of a wetland, or fish and wildlife habitat critical area; and

4. The director may require that the applicant mark the following boundaries on the site to reflect the proposed construction plan: the location of the building footprint, critical area(s) boundaries, the outer extent of required critical area buffers, areas to remain undisturbed, and trees and vegetation to be removed.

    a. Field markings are intended to prevent disturbance of critical areas and buffers and may include such items such as temporary fences;

    b. If field markings are required by the director, the applicant shall obtain the director's approval on the field markings before beginning any permitted activities;

c. The applicant shall maintain the field markings for critical area(s), critical area buffers, and areas to remain undisturbed throughout the duration of the permit.

5. Determine whether the proposed project is within a critical area or critical area buffer, or is likely to impact the functions or values of critical areas, and if so, require a critical area report; and

6. Determine if the proposed project adequately addresses the impacts and avoids impacts to the critical area associated with the project.

E. Critical Areas Present and Potential Impact Likely. If the Director determines that the proposed project is within a critical area or critical area buffer, or is likely to impact a critical area, the Director shall:

1. Notify the applicant that a critical area report, SEPA checklist, and other applicable information must be submitted prior to further review of the project, and indicate each of the critical area types that should be addressed.

2. Require a critical area report or other applicable information from the applicant that has been prepared by a qualified professional;

3. Review and evaluate the critical area report and other applicable information to determine whether the development proposal conforms to the purposes and performance standards of this chapter;

4. Assess potential impacts to the critical area and determine if they are necessary and unavoidable;

5. Determine if any mitigation, monitoring plans and bonding measures proposed by the applicant are sufficient to protect the functions and values of the critical area and public health, safety, and welfare concerns consistent with the goals, purposes, objectives, and requirements of this Chapter; and

6. Include a summary of this analysis and the findings in any decision on the underlying permit(s). Critical area review findings may result in: a) no adverse impacts to critical area(s), b) list of applicable critical area(s) protection conditions for the underlying permit(s), or c) denial of permit based upon unavoidable impacts to critical area(s) functions and values.

F. Independent Review. Based on a review of the information contained in the critical area report and the conditions of the development proposal site, the director may require independent review of any such study. This independent review shall be performed by a qualified professional selected by the county and paid for by the applicant. The purpose of such independent review is to assist the county in evaluating the effects on critical areas that may be caused by a development proposal and to facilitate the decision making process. Independent review may also include a requested for consultation with the State of Washington Department of Fish and Wildlife, Washington State Department of Ecology, State Department of Natural Resources, or other appropriate local, state, federal or tribal agency.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.065 - Appeals.

Any decision to approve, condition, or deny a development proposal or other activity based on the requirements of this chapter may be appealed according to, and as part of, the appeal procedure for the permit or approval involved, as provided in Title 14, Development Code Administration.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.070 - Interpretation.

In the interpretation and application of the ordinance from which this chapter derives, the provisions of this chapter shall be considered to be the minimum requirements necessary, shall be liberally construed to serve the purpose of this ordinance, and shall be deemed to neither limit nor repeal any other provisions under state statute.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.075 - Relationship to other regulations.

A. These critical area regulations shall apply as an overlay to the county's existing regulations. In the case of conflict among regulations, whichever provision or regulation provides the greater protection to the critical area involved shall apply.

B. These critical area regulations shall apply concurrently with review conducted under the State Environmental Policy Act (SEPA), as locally adopted.

C. Compliance with the provisions of this chapter does not constitute compliance with other federal, state, and local regulations and permit requirements that may be required (for example, Shoreline Substantial Development Permits, Hydraulic Project Approvals permits, Army Corps of Engineers Section 404 permits, National Pollutant Discharge Elimination System permits). The applicant is responsible for complying with these requirements, apart from the process established in this chapter. Where applicable, the community development director will encourage use of information such as permit applications to other agencies or special studies prepared in response to other regulatory requirements to support required documentation submitted for critical areas review.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.080 - Multiple designations.

Where any parcel may be designated as having more than one critical area designation, the development standards for each category of critical area must be met. Where there is conflict between development standards of critical area categories, the most restrictive standards shall apply.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.085 - Allowed activities.

The following developments, activities, and associated uses are allowed in critical areas, and do not require approval or submission of a critical area report, provided they are consistent with the provisions of other local, state, and federal laws and requirements. Allowed activities may intrude into the critical area or required buffer subject to any listed conditions, related permits, and in conformance with other portions of the Walla Walla County Code, and applicable state or federal law or regulation.

A. Emergency actions are those activities necessary to prevent an immediate threat to life, to public health, safety, or welfare, or that pose an immediate risk of damage to private structures or improvements and that require remedial or preventative action in a time frame too short to allow for compliance with the procedural requirements of this chapter.

1. Emergency actions that create an impact on a critical area or its buffer shall be limited to those actions that are required to address the emergency and generally are limited to the actions necessary to remove the immediate threat. Additional actions to permanently address a deficiency generally do not qualify as emergency actions and require full compliance with the procedural requirements of this chapter. Emergency actions also must be carried out in a manner that has the least feasible impact on the critical area or its buffer.

2. The person or agency undertaking emergency action shall notify the Director within five working days following commencement of the emergency activity. Within twenty-one days, the director shall determine if the action taken was within the scope of the emergency actions allowed in this subsection. If the director determines that the action taken, or any part of the action taken, was beyond the scope of an allowed emergency action, then the enforcement provisions of Section 18.08.135 shall apply.

3. After the emergency, the person or agency undertaking the action shall submit a critical area report to assess effects on critical areas and conduct necessary restoration and/or mitigation for any impacts to the critical area and buffers resulting from the emergency action in accordance with an approved critical area report and mitigation plan. The person or agency

undertaking the action shall apply for all approvals required by this chapter. Restoration and/or mitigation activities must be initiated within sixty days of the date of the emergency, unless an extension is approved by the director, and completed in a timely manner.

B. Conservation and Restoration Activities. Conservation or restoration activities aimed at protecting the soil, water, vegetation, or wildlife;

C. Minimal vegetation management that is part of ongoing maintenance of facilities, infrastructure, public right-of-ways, or utilities, provided the vegetation management activity does not expand further into the critical area or its buffer. Properties within the floodplain outside of other critical areas are exempted from this provision.

D. Low impact activities such as lawful hunting, hiking, canoeing, nature study, photography, fishing, education or scientific research, and wildlife viewing that do not involve the construction of trails.

E. Maintenance, operation and/or repair of existing rights-of-way, trails, roads, utilities, buildings and other facilities within critical areas and buffers; provided, that the activity does not further alter, impact, or encroach upon the sensitive area or buffer or further affect the functions of sensitive areas, and there is no increased risk to life or property as a result of the proposed operation, maintenance, or repair.

F. Maintenance of existing, lawfully established landscaping and gardens within a regulated critical area or its buffer, including but not limited to mowing lawns, weeding, removal of noxious and invasive species, harvesting and replanting of garden crops, pruning and planting of ornamental vegetation or indigenous native species to maintain the condition and appearance of such areas as they existed prior to adoption of this code; provided, that native growth protection areas, mitigation sites, or other areas protected via conservation easements or similar restrictive covenants are not covered by this exception.

G. Maintenance, repair or replacement of an existing legal nonconforming structure, consistent with the nonconforming structure provisions of Title 17, that does not further alter or increase the impact to the critical area or buffer and results in no increased risk to life or property. Changes in use of a nonconforming structure requires critical areas review.

H. Replacement, modification, installation, or construction of utility facilities, lines, pipes, mains, equipment, or appurtenances, not including substations, when such facilities are located within the existing improved portion of the public right-of-way (road surface, shoulder, sidewalks, and fill slopes) or the improved portion of County-authorized private roadway; provided, that no fill or discharge occurs outside the existing improved area and with appropriate best management practices to control erosion, sedimentation and other potential impacts. Excluded from this allowed activity is work within a water body or wetland, including but not limited to culverts or bridge replacement or construction.

I. Utility projects that have minor or short-duration impacts to critical areas and buffers, as determined by the Director in accordance with the criteria below, and which do not significantly impact the functions or values of a sensitive area(s); provided, that such projects are constructed with best management practices and appropriate restoration measures are provided. These activities shall not result in the transport of sediment or increased stormwater. Such allowed minor utility projects shall meet the following criteria:

   1. There is no practical alternative to the proposed activity with less impact on sensitive areas;

   2. The activity involves the placement of a utility pole, street signs, anchor, or vault or other small component of a utility facility; and

   3. The activity involves disturbance of less than seventy-five square feet of the sensitive area and/or buffer.

J. Public and private pedestrian trails, provided they are subject to the following:

   1. The trail surface shall not exceed six feet in width;

2. The trail surface shall consist of gravel or pervious materials, including boardwalks;

3. The trail shall meet all other County requirements including water quality standards;

4. Sensitive area and/or buffer widths shall be increased, where possible, equal to the width of the trail corridor, including disturbed areas; and

5. Trails proposed to be located in landslide or erosion hazard areas shall be constructed in a manner that does not increase the risk of landslide or erosion and in accordance with an approved geotechnical report.

K. The following vegetation removal activities:

1. The removal of the noxious weeds or non-native invasive species designated by Washington State or the local weed control authority with hand labor and light equipment. Bare areas that remain after weed removal shall be re-vegetated with native shrubs and trees at natural densities. Some hand seeding may also be done over the bare areas with native vegetation.

2. The removal of hazard trees from sensitive areas and buffers that are posing a threat to public safety, or an imminent risk of damage to a permanent structure.

3. Measures to control a fire or halt the spread of disease or damaging insects consistent with the state Forest Practices Act, Chapter 76.09 RCW.

L. Minor site investigative work necessary for land use submittals, such as surveys, soil logs, percolation tests, and other related activities, where such activities do not require construction of new roads, removal of native trees or shrubs, or displacement of more than five cubic yards of material. Investigations involving displacement of more than five cubic yards of material, including geotechnical soil borings, groundwater monitoring wells, percolation tests, and similar activities shall require submittal of specific plans and restoration plans. In every case, impacts to the sensitive area shall be minimized and disturbed areas shall be immediately restored.

M. The application of herbicides, pesticides, organic or mineral-derived fertilizers, or other hazardous substances, connected with any allowed activity, provided that their use is conducted in accordance with applicable state and federal law.

N. Forest practices governed by a valid forest practices permit granted by the Washington State Department of Natural Resources, except where:

1. The lands have been or are proposed to be converted under a conversion option harvest plan to a use other than commercial forest product production as provided in RCW 76.09.050 and 76.09.240; or

2. On lands which have been platted after January 1, 1960, as provided in RCW 76.09.050 and 76.09.240.

O. Activities undertaken to comply with a United States Environmental Protection Agency superfund related order, or a Washington Department of Ecology order pursuant to the Model Toxics Control Act that specifically preempts local regulations in the findings of the order.

P. Project and facilities for restoration and enhancement of ecological functions of critical areas and related resources may be allowed within critical areas and buffers, upon approval of a restoration and mitigation plan in accordance with the provisions of this chapter, or for restoration of enhancement programs in an adopted shoreline restoration plan pursuant to Chapter 173-26 WAC, a watershed planning document prepared and adopted pursuant to Chapter 90.82 RCW, a watershed restoration project pursuant to RCW 89.08.460, a salmonid recovery plan, the salmon recovery board habitat project list, or identified by the Washington Department of Fish and Wildlife as essential for fish and wildlife habitat enhancement pursuant to RCW 77.55.290.

Q. The repair and maintenance of existing drainage ditches.

R. The installation of individual service lines ~~for agricultural purposes and~~ to existing uses.

S. Normal and routine activities conducted by a public agency to control mosquitoes and weeds.

T. Agricultural activities including ~~farming, horticulture, normal maintenance and repair of irrigation delivery systems and drainage systems, ranching and grazing of animals and pest and weed control. This includes land lying idle under a government program, agricultural set-aside land and changes between agricultural activities.~~all agricultural uses and practices as defined in RCW 90.58.065 and WWCC 18.08.020. ~~–~~Where agricultural activities intersect with critical areas, protection of critical areas is attained through the ~~C~~county's Voluntary Stewardship Program (VSP) as established under RCW 36.70A.705.

U. Normal and routine maintenance of ~~agricultural ponds, livestock watering ponds and~~ fish ponds.

V. Intentional construction of artificial structures from upland areas for purposes of stormwater drainage or water quality control, grassy swales or ornamental landscape ponds, which are not a part of a critical mitigation plan, and are consistent with the Stormwater Management Manual for Eastern Washington (Ecology 2004) and the Clean Water Act.

W. Normal maintenance and repair of the concrete-lined Mill Creek channel within the County's jurisdiction from Rooks Park to Gose Street for flood control purposes.

X. Normal dredging required to maintain ongoing water navigational facilities including boat and barge slips, docking facilities, and entrance channels ~~and agricultural irrigation facilities~~, provided that other applicable permits are obtained.

Y. Cases where a federal agency has jurisdictional control over a wetland and the Director determines that those permit conditions would satisfy the requirements of this ordinance.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.090 - Reasonable use.

A. If the application of this chapter would deny all reasonable use of the subject property, the property owner may apply for an exception pursuant to this section.

B. Exception request and review process. An application for a reasonable use exception shall be made to the County and shall include a critical area report, including mitigation plan, if necessary; and any other related project documents, such as permit applications to other agencies, special studies, and environmental documents prepared pursuant to the State Environmental Policy Act (Chapter 43.21C RCW) (SEPA documents). The director shall determine whether an exception request shall be granted based on review of the submitted information, a site inspection, and the proposal's ability to comply with reasonable use exception criteria. The director may issue, as part of the findings in any decision made under this Subsection, conditions of approval, including modifications to the size and placement of structures and facilities to minimize impacts to critical areas and associated buffers. As part of the findings, the Director may also specify reasonable mitigation requirements. Mitigation measures may not be unduly burdensome to the property owner. The director shall approve with conditions, or deny the request based on the proposal's ability to comply with all of the following reasonable use exception review criteria:

1. The application of this chapter would deny all reasonable use of the property;
2. No other reasonable use of the property has less impact on the critical area;
3. The proposed impact to the critical area is the minimum necessary to allow for reasonable economic use of the property;
4. The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant, or his/her predecessor(s) after the effective date of this chapter; and
5. The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site;
6. Measures to mitigate impacts to the critical areas are in place on or off site to the maximum reasonable extent.

Commented [CM16]: Revised for consistency w/mention above. Agricultural components removed from other allowed activities (R, U, X).

C. Burden of Proof. The burden of proof shall be on the applicant to bring forth evidence in support of the application and to provide sufficient information on which any decision has to be made on the application.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.095 - Critical area reports—General requirements.

A. Prepared by Qualified Professional. If required by Section 18.08.060D(5), the applicant shall submit a report prepared by a qualified professional.

B. Incorporating Best Available Science. The report shall use scientifically valid methods and studies in the analysis of data and field reconnaissance and reference the source of science used. The report shall evaluate the proposal and all probable impacts to critical areas in accordance with the provisions of this chapter.

C. Minimum Report Contents. At a minimum, the report shall contain the following:

1. The name and contact information of the applicant, a description of the proposal, and identification of the permit requested;
2. A copy of the site plan for the development proposal showing:
    a. Identified critical areas, buffers, and the development proposal with dimensions;
    b. Limits of any areas to be cleared; and
    c. A description of the proposed stormwater management plan for the development and consideration of impacts to drainage alterations;
3. The names and professional qualifications of the persons preparing the report and documentation of any fieldwork performed on the site;
4. Identification and characterization of all critical areas, wetlands, water bodies, and buffers adjacent to the proposed project area;
5. A statement specifying the accuracy of the report, and all assumptions made and relied upon;
6. An assessment of the probable cumulative impacts to critical areas resulting from development of the site and the proposed development;
7. An analysis of site development alternatives;
8. A description of reasonable efforts made to apply mitigation sequencing pursuant to Section 18.08.105 to avoid, minimize, and mitigate impacts to critical areas;
9. Plans for adequate mitigation, as needed, to offset any impacts, in accordance with Section 18.08.105 through 18.08.115, including, but not limited to:
    a. The impacts of any proposed development within or adjacent to a critical area or buffer on the critical area; and
    b. The impacts of any proposed alteration of a critical area or buffer on the development proposal, other properties, and the environment;
10. A discussion of the performance standards applicable to the critical area and proposed activity;
11. Financial guarantees to ensure compliance, if applicable; and
12. Any additional information required for the critical area as specified in the corresponding section.

D. Unless otherwise provided, a report may be supplemented by or composed, in whole or in part, of any reports or studies required by other laws and regulations or previously prepared for and applicable to the development proposal site, as approved in advance by the director.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.100 - Critical area reports—Modifications to requirements.

A. Limitations to Study Area. The Director may limit the required geographic area of the critical area report as appropriate if:

   1. The applicant, with assistance from the county, cannot obtain permission to access properties adjacent to the project area; or

   2. The proposed activity will affect only a limited part of the subject site.

B. Modifications to Required Contents. The applicant may consult with the Director prior to or during preparation of the critical area report to obtain County approval of modifications to the required contents of the report where, in the judgment of a qualified professional, more or less information is required to adequately address the potential critical area impacts and required mitigation.

C. Additional Information Requirements. The director may require additional information to be included in the critical area report when determined to be necessary to the review of the proposed activity in accordance with this chapter. Additional information that may be required, includes, but is not limited to:

   1. Historical data, including original and subsequent mapping, aerial photographs, data compilations and summaries, and available reports and records relating to the site or past operations at the site;

   2. Grading and drainage plans; and

   3. Information specific to the type, location, and nature of the critical area.

   (Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.105 - Mitigation requirements.

A. The applicant shall avoid all identified impacts that degrade the functions and values of a critical area or areas. Unless otherwise provided in this chapter, if alteration to the critical area is unavoidable, all identified adverse impacts to or from critical areas and buffers resulting from a development proposal or alteration shall be mitigated using the best available science in accordance with an approved critical area report and SEPA documents.

B. Mitigation shall be in-kind and on-site, when possible, and sufficient to maintain the functions and values of the critical area, and to prevent risk from a hazard posed by a critical area.

C. The director may approve off-site mitigation if the applicant demonstrates that no viable on-site mitigation opportunities exist. Compensatory mitigation proposed off-site shall be provided in the location that will provide the greatest ecological benefit and have the greatest likelihood of success. Preference will be given to off-site mitigation as close as possible to the impact area and within the same watershed sub-basin as the permitted alteration; provided, that off-site mitigation may occur within the county or within WRIA 32 upon demonstration through a watershed- or landscape-based analysis that mitigation within an alternative sub-basin of the watershed would have greater ecological benefit. Off-site mitigation sites preference shall be given to sites and restoration activities identified in an adopted shoreline restoration plan pursuant to Chapter 173-26 WAC, a watershed planning document prepared and adopted pursuant to Chapter 90.82 RCW, a watershed restoration project pursuant to RCW 89.08.460, a salmonid recovery plan, the salmon recovery board habitat project list, or identified by the Washington Department of Fish and Wildlife as essential for fish and wildlife habitat enhancement pursuant to RCW 77.55.290.

D. The county may approve mitigation banking as a form of compensatory mitigation for wetlands and fish and wildlife habitat conservation area impacts when the provisions of this chapter require mitigation and when it is clearly demonstrated that the use of a mitigation bank will provide equivalent or greater replacement of critical area functions and values when compared to conventional on-site mitigation; provided, that all of the following criteria are met:

1. Mitigation banks shall only be used when they provide significant ecological benefits including long-term conservation of critical areas, important species, habitats and/or habitat linkages, and when they are consistent with the county's comprehensive plan and create a viable alternative to the piecemeal mitigation for individual project impacts to achieve ecosystem-based conservation goals.

2. The mitigation bank shall be established in accordance with the Washington State ~~Draft~~ wetland ~~M~~mitigation b~~B~~ank~~sing~~ r~~R~~ule, Chapter 173-700 WAC or as revised, and Chapter 90.84 RCW and the federal mitigation banking guidelines as outlined in the Federal Register, Volume 60, No. 228, November 28, 1995. These guidelines establish the procedural and technical criteria that banks must meet to obtain state and federal certification.

3. Preference shall be given to mitigation banks that implement restoration actions that have been identified in an adopted shoreline restoration plan, watershed planning document prepared and adopted pursuant to Chapter 90.82 RCW, a salmonid recovery plan or project that has been identified on the salmon recovery board habitat project list or by the Washington Department of Fish and Wildlife as essential for fish and wildlife habitat enhancement.

E. Mitigation shall not be implemented until after county receipt of a report or other applicable information that includes a mitigation plan, and mitigation shall be in accordance with County provisions in the underlying permit(s).

F. Mitigation monitoring shall be required for a minimum of five years. The project mitigation plan shall include monitoring elements that ensure certainty of success for the project natural value and functions. If the mitigation goals are not obtained within the initial five year period, the applicant remains responsible for restoration of the natural values and functions until the mitigation goals agreed to in the mitigation plan are achieved.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.110 - Mitigation sequencing.

Applicants shall demonstrate that all reasonable efforts have been examined with the intent to avoid and minimize impacts to critical areas. When an alteration to a critical area is proposed, such alteration shall be avoided, minimized, or compensated for in the following order of preference:

A. Avoiding the impact altogether by not taking a certain action or parts of an action;

B. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps, such as project redesign, relocation, or timing, to avoid or reduce impacts;

C. Rectifying the impact to wetlands, critical aquifer recharge areas, frequently flooded areas, and habitat conservation areas by repairing, enhancing, or restoring the affected environment to the historical conditions, or pre-development, or the conditions existing at the time of the initiation of the project;

D. Minimizing or eliminating the hazard by restoring or stabilizing the hazard area through approved engineered or other methods;

E. Reducing or eliminating the impact or hazard over time by maintenance and preservation operations during the life of the action;

F. Compensating for the impact to wetlands, critical aquifer recharge areas, frequently flooded areas, and fish and wildlife habitat, and vegetation conservation areas by replacing, enhancing, or providing substitute resources or environments; and

G. Monitoring the hazard or other required mitigation for a reasonable period of time and taking remedial action when necessary.

H. Mitigation for individual actions may include a combination of the above measures.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.115 - Mitigation plan requirements.

When mitigation is required, the applicant shall submit to the County a mitigation plan as part of the critical area report or other applicable information. The goals and objectives will be related to the functions and values of the impacted critical area, they include;

A. Environmental Goals and Objectives. The mitigation plan shall include a written report identifying environmental goals and objectives of the compensation proposed and including:

1. A description of the anticipated impacts to the critical areas and the mitigating actions proposed and the purposes of the compensation measures, including the site selection criteria; identification of compensation goals; identification of resource functions; and dates for beginning and completion of site compensation construction activities.

2. A review of the best available science supporting the proposed mitigation and a description of the report author's experience to date in restoring or creating the type of critical area proposed; and

3. An analysis of the likelihood of success of the compensation project.

B. Performance Standards. The mitigation plan shall address the applicable performance standards identified in this chapter.

C. Detailed Construction Plans. The mitigation plan shall include written specifications and descriptions of the mitigation proposed, such as:

1. The proposed construction sequence, timing, and duration;

2. Grading and excavation details;

3. Erosion and sediment control features;

4. A vegetation planting plan specifying plant species, quantities, locations, size, spacing, and density; and

5. Measures to protect and maintain plants until established.

These written specifications shall be accompanied by detailed site diagrams, scaled cross-sectional drawings, topographic maps showing slope percentage and final grade elevations, and any other drawings appropriate to show construction techniques or anticipated final outcome.

D. Monitoring Program. The mitigation plan shall include a program for monitoring construction of the compensation project, and for assessing a completed project. A protocol shall be included outlining the schedule for site monitoring in years one, three and five after site construction, and how the monitoring data will be evaluated to determine if the performance standards are being met. A monitoring report shall be submitted as needed to document milestones, successes, problems, and contingency actions of the compensation project. At a minimum, a monitoring report shall be submitted to document mitigation plan performance in year five after site construction.

E. Contingency Plan. The mitigation plan shall include identification of potential courses of action, and any corrective measures to be taken if monitoring or evaluation indicates project performance standards are not being met.

F. Financial Guarantees. The mitigation plan shall include financial guarantees, if necessary, to ensure that the mitigation plan is fully implemented. Financial guarantees ensuring fulfillment of the compensation project, monitoring program, and any contingency measures shall be posted in accordance with Section 18.08.120

G. Other Permits. Other local, state, and federal regulatory jurisdictions may require permits for habitat mitigation projects. The applicant shall comply with all other appropriate regulatory permits, agreements, and authority, as required by each respective jurisdiction.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.120 - Bonds to ensure mitigation, maintenance and monitoring.

A. When mitigation measures are necessary to implement after final project permit approval, the county shall require the applicant to post a performance bond or other security in a form and amount deemed acceptable by the county. In addition, if the development proposal is subject to mitigation, the applicant shall post a mitigation bond or other security in a form and amount deemed acceptable by the county to ensure mitigation is fully functional.

B. The bond shall be in the amount of one hundred and twenty-five percent of the estimated cost of any uncompleted actions or the estimated cost of restoring the functions and values of the critical area that are at risk, whichever is greater.

C. The bond shall be in the form of a surety bond, performance bond, assignment of savings account, or an irrevocable letter of credit guaranteed by an acceptable financial institution with terms and conditions acceptable to the county attorney.

D. Bonds or other security authorized by this section shall remain in effect until the county determines, in writing, that the standards bonded for have been met. Bonds or other security shall be held by the ~~m~~County for a minimum of five years to ensure that the required mitigation has been fully implemented and demonstrated to function, and may be held for longer periods when necessary.

E. Depletion, failure, or collection of bond funds shall not discharge the obligation of an applicant or violator to complete required mitigation, maintenance, monitoring, or restoration.

F. Public development proposals shall be relieved from having to comply with the bonding requirements of this Section if public funds have previously been committed for mitigation, maintenance, monitoring, or restoration.

G. Any failure to satisfy critical area requirements established by law or condition including, but not limited to, the failure to provide a monitoring report within thirty days after it is due or comply with other provisions of an approved mitigation plan shall constitute a default, and the County may demand payment of any financial guarantees or require other action authorized by the County code or any other law.

H. Any funds recovered pursuant to this section shall be used to complete the required mitigation.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.125 - Notice on title.

A. In order to inform subsequent purchasers of real property of the existence of critical areas, the owner of any property containing a critical area or buffer on which a development proposal is submitted shall file a notice with the county auditor according to the direction of the county. The notice shall state the presence of the critical area or buffer on the property, the application of this chapter to the property, and the fact that limitations on actions in or affecting the critical area or buffer may exist. The notice shall "run with the land." Presence of critical areas and/or buffers shown on development permits recorded with the auditor need not be recorded separately.

B. This notice on title shall not be required for a development proposal by a public agency or public or private utility:

1. Within a recorded easement or right-of-way;
2. Where the agency or utility has been adjudicated the right to an easement or right-of-way; or
3. On the site of a permanent public facility.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.130 - Critical area inspections.

Reasonable access to the site shall be provided to the county, state, and federal agency review staff for the purpose of inspections during any proposal review, restoration, emergency action, or monitoring period.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.135 - Unauthorized critical area alterations and enforcement.

A. When a critical area or its buffer has been altered in violation of this chapter, all ongoing development work shall stop and the critical area shall be restored. The county shall have the authority to issue a stop work order to cease all ongoing development work, and order restoration, rehabilitation, replacement or where determined appropriate by the director, mitigation measures at the owner's or other responsible party's expense to compensate for violation of provisions of this chapter and other applicable county codes governing the underlying permit(s).

B. Restoration/Mitigation Plan Required. All development work shall remain stopped until a restoration/mitigation plan is prepared by the violator and approved by the county. Such a plan shall be prepared by a qualified professional and shall describe how the actions proposed meet the minimum requirements described in Subsection C of this section and/or mitigation requirements outlined in Sections 18.08.105, 110, and 115, if mitigation is determined to be appropriate by the director. The director shall, at the violator's expense, seek expert advice in determining the adequacy of the plan. Inadequate plans shall be returned to the applicant or violator for revision and resubmittal.

C. Minimum Performance Standards for Restoration or Mitigation.

   1. For alterations to critical aquifer recharge areas, frequently flooded areas, wetlands, and habitat conservation areas the following minimum performance standards shall be met for the restoration or mitigation of impacts to a critical area, provided that if the violator can demonstrate in a restoration/mitigation plan that greater functional and habitat values can be obtained, these standards may be modified by the director.

      a. The historic structural and functional values shall be restored, including water quality and habitat functions;

      b. The historic soil types and configuration shall be replicated;

      c. The critical area and buffers shall be replanted with native vegetation that replicates the vegetation historically found on the site in species types, sizes, and densities; and

      d. The historic functions and values should be replicated at the location of the alteration.

   2. For alterations to flood and geological hazards, the following minimum performance standards shall be met for the restoration of a critical area, provided that, if the violator can demonstrate that greater safety can be obtained, these standards may be modified:

      a. The hazard shall be reduced to a level equal to, or less than, the pre-development hazard;

      b. Any risk of personal injury resulting from the alteration shall be eliminated or minimized; and

      c. The hazard area and buffers shall be replanted with native vegetation sufficient to minimize the hazard.

D. Site Investigations. The Director is authorized to make site inspections and take such actions as are necessary to enforce this chapter. The director shall present proper credentials and make a reasonable effort to contact any property owner before entering onto private property.

E. Enforcement and Penalties. Any violation of this chapter shall be enforced under the provisions of Walla Walla County Code Chapter 14.13. In addition, any development or activity carried out contrary

to the provisions of this chapter shall constitute a public nuisance and may be enjoined as provided by the statutes of the state of Washington.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.200 - Critical aquifer recharge areas—Designation.

Critical aquifer recharge areas (CARA) are areas with a critical recharging effect on aquifers used for potable water supply that are vulnerable to contamination that would affect water quality. Critical aquifer recharge areas function to protect human health from contaminated drinking water (anti-degradation of ground water). Federal and state laws establish~~ed ;b0;~~ three regulatory measures to account for susceptibility and value of groundwater resources: Wellhead Protection Areas, Sole Source Aquifer, and Susceptible Ground Water Management Areas and Special Protection Areas. The following areas are identified as CARA:

Wellhead Protection Areas. Group A water-supply purveyors using ground water must develop and implement wellhead protection programs that include delineation of protection areas around each well, inventorying of contamination sources within wellhead protection areas, and development and implementation of water supply contingency and spill response plans to address contamination incidents that could cause loss of a well. The State of Washington wellhead protection regulations exclude individual domestic wells and well systems that do not meet the definition of public water supplies.

Walla Walla County maintains a database of wellhead protection areas submitted by Group A community water systems required to prepare wellhead protection plans and periodically updates its database with DOH provided information from systems. Wellhead protection areas are defined by the boundaries of the ten year time of travel of ground water travel to the wellhead, or boundaries established using alternate criteria approved by the Washington State Department of Health, in accordance with WAC 246-290-135. The CARA delineated by the ten-year capture zones are shown on Walla Walla County Critical Areas Map 1: ~~Walla Walla County Critical Area Map~~ Critical Aquifer Recharge Areas: 10 Year Time to Travel Zones ~~Map 1~~.

Areas of the Walla Walla River shallow gravel aquifer recharge area designated as CARA on Map 7: Walla Walla River Shallow Gravel Aquifer Critical Aquifer Recharge Area and Map 7A: Walla Walla River Shallow Gravel Aquifer Critical Aquifer Recharge Area, Walla Walla Valley. These areas have been designated as CARA based on the criteria in the Washington Department of Ecology "Critical Aquifer Recharge Area Guidance Document" (Publication 05-10-028) ("Ecology CARA document").

In order to protect the public health and safety, prevent degradation of ground water, and for potentially usable potable water, and to provide for regulations that prevent and control risks to the degradation of ground water quality, development in critical aquifer recharge areas shall be subject to the standards described in Sections 18.08.220 through 18.08.270. ~~1.~~[1]

(Ord. No. 372, § III(Exh. A), 8-31-2009; Ord. No. 409, § III(Exh. B), 1-9-2012)

18.08.210 - Mapping of critical aquifer recharge areas.

A. The approximate location and extent of critical aquifer recharge areas are shown on the following adopted critical areas maps: Walla Walla County Critical Area Map 1: Critical Aquifer Recharge Areas: 10 Year Time to Travel Zones; Walla Walla County Critical Area Map 7: Walla Walla River Shallow Gravel Aquifer Critical Aquifer Recharge Area; and Map 7A: Walla Walla River Shallow Gravel Aquifer Critical Aquifer Recharge Area, Walla Walla Valley. Walla Walla River shallow gravel aquifer recharge vulnerability areas are shown on Walla Walla County Critical Area Map 8: Walla Walla River Shallow Gravel Aquifer - Recharge Vulnerability Map and Walla Walla County Critical Area Map 8a: Walla Walla River Shallow Gravel Aquifer - Recharge Vulnerability Map - Walla Walla Valley.

B. Maps were completed at a coarse, countywide scale using existing large-scale GIS mapping and the methodology outlined in the Ecology CARA document, rather than a site-specific assessment. The maps delineate the approximate location and extent of wellhead protection areas, Walla Walla River shallow gravel aquifer CARA, and Walla Walla River shallow gravel aquifer areas of vulnerability.

These maps are to be used as a guide for the county, project applicants, and/or property owners and may be updated as additional data becomes available.

(Ord. No. 372, § III(Exh. A), 8-31-2009; Ord. No. 409, § III(Exh. B), 1-9-2012)

18.08.215 - Lawful or legal non-conforming uses.

All lawful uses or legal non-conforming uses existing at the time of adoption of this code within a critical aquifer recharge area or area of moderate vulnerability must abide by the requirements of WWCC Chapter 11.05 as now or hereafter amended.

(Ord. No. 414, § III(Exh. A), 2-25-2013)

18.08.220 - Activities allowed in critical aquifer recharge areas.

In addition to those activities allowed in Section 18.08.085, the activities listed in this Section are allowed in critical aquifer recharge areas, and do not require approval or submission of a critical area report. All activities shall be conducted in accordance with applicable best management practices, and activities involving the use of pesticides, herbicides and fertilizers shall not exceed the times and rates specified on the packaging.

A. All residential uses;

B. Development and improvement of parks, recreation facilities, open space, or conservation areas resulting in less than five percent total site impervious surface area that do not increase the use of a hazardous substance;

C. Approved water system source development and associated infrastructure;

D. Aquifer storage and recovery (ASR) facilities approved by the Department of Ecology;

E. Public water pipelines and supply storage structures;

F. The following underground storage tank (UST) systems, including any piping connected thereto, so long as all state and federal laws are followed;

1. Any UST system holding hazardous wastes subject to Subtitle C of the Federal Solid Waste Disposal Act, or a mixture of such hazardous waste and other regulated substances;

2. Any wastewater treatment tank system that is part of a wastewater treatment facility regulated under Section 402 or 307(b) of the Clean Water Act;

3. Equipment or machinery that contains regulated substances for operational purposes such as hydraulic lift tanks and electrical equipment tanks;

4. Any UST system whose capacity is one hundred ten (110) gallons or less;

5. Any UST system that contains a de minimis concentration of regulated substances;

6. Any emergency spill or overflow containment UST system that is expeditiously emptied after use;

7. UST systems used for storing heating oil for consumptive use on the premises where stored;

8. On-site domestic septic systems releasing less than five hundred gallons of effluent per day and that are limited to a maximum density of one system per one acre.

9. Any pipeline storage tank facility (including gathering lines) regulated under:

a. The Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1671, et seq.); or

b. The Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2001, et seq.); or

c. Which is an intrastate pipeline facility regulated under state laws comparable to the provisions of the laws referred to in 18.08.220.F.10.a or b.;

10. Stormwater or wastewater collection systems;
11. Flow-through process tanks;
12. Liquid traps or associated gathering lines directly related to oil or gas production and gathering operations; or
13. Storage tanks situated in an underground area (such as a basement, cellar, vault, mineworking drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.

G. The application of herbicides, pesticides, organic or mineral-derived fertilizers, or other hazardous substances, connected with any allowed activity, provided that their use is conducted in accordance with applicable state and federal law.

H. Normal and routine activities conducted by a public agency to control mosquitoes and weeds.

~~I. Normal and routine maintenance of agricultural ponds, livestock watering ponds and fish ponds.~~

Commented [CM17]: Removed b/c it's already covered in 18.08.085

(Ord. No. 372, § III(Exh. A), 8-31-2009; Ord. No. 409, § III(Exh. B), 1-9-2012)

18.08.230 - Critical area report—Additional requirements for critical aquifer recharge areas.

In addition to the general critical area report requirements of Section 18.08.095, critical area reports for CARA must meet the requirements of this Section. Critical area reports for two or more types of critical areas must meet the report requirements for each relevant type of critical area.

A. Preparation by a qualified professional.

B. Level One Hydrogeologic Assessment. A level one hydrogeologic assessment shall include the following site- and proposal-related information at a minimum:

1. Available information regarding geologic and hydrogeologic characteristics of the site including the surface location of the CARA located on site or immediately adjacent to the site, and permeability of the unsaturated zone;
2. Ground water depth, flow direction, and gradient based on available information;
3. Currently available data on wells and springs within one thousand three hundred feet of the project area;
4. Location of other critical areas, including surface waters, within one thousand three hundred feet of the project area;
5. Available historic water quality data for the area to be affected by the proposed activity; and
6. Applicable best management practices proposed to be utilized. Applicants must demonstrate how they will integrate necessary and appropriate best management practices to prevent degradation of groundwater.

C. Level Two Hydrogeologic Assessment. A level two hydrogeologic assessment shall include the following site- and proposal-related information at a minimum, in addition to the requirements for a level one hydrogeologic assessment:

1. Historic water quality data for the area to be affected by the proposed activity compiled for at least the previous five year period;
2. Ground water monitoring plan provisions;
3. Discussion of the effects of the proposed project on the ground water quality and quantity, including:
    a. Predictive evaluation of ground water withdrawal effects on nearby wells and surface water features; and

b. Predictive evaluation of contaminant transport based on potential releases to ground water; and

4. A spill plan that identifies equipment and/or structures that could fail, resulting in an impact. Spill plans shall include provisions for regular inspection, repair, and replacement of structures and equipment that could fail.

D. The director shall require as part of completing a critical areas report the applicable best management practices identified in the Ecology CARA document and how these practices are incorporated into the report.

E. For activities or uses that require preparation of a critical area report, the director shall conduct a review and issue a decision in accordance with the applicable provisions of Subsection 18.08.060.E of this chapter.

(Ord. No. 372, § III(Exh. A), 8-31-2009; Ord. No. 409, § III(Exh. B), 1-9-2012)

18.08.240 - Performance standards—General requirements.

A. The purpose of performance standards is to prevent contamination of the public drinking water supply provided in wellhead areas and by the Walla Walla River shallow gravel aquifer.

B. The proposed activity must comply with the water source protection requirements and recommendations of the U.S. Environmental Protection Agency, Washington State Department of Health, Washington State Department of Ecology, and the Walla Walla County Health Department.

C. The proposed activity must be designed and constructed in accordance with existing local, state and federal laws and regulations, including Walla Walla County Code Title 11, Stormwater as required by the Eastern Washington Phase II Municipal Stormwater Permit (Ecology 2007) and the Ecology General Construction Permit (Ecology 2005), as applicable.

D. For any use or activity located in a CARA or an area of moderate vulnerability and not included in Section 18.08.220 or Sections 18.08.250 through 18.08.270, unless provided otherwise in those sections, the director shall make a determination as follows:

1. Sufficient information is available to evaluate the potential risk of contamination to the Walla Walla River shallow gravel aquifer from the use, activity or a hazardous substance and existing laws, regulations or facilities adequately mitigate the potential risk of contamination and documentation is provided to demonstrate compliance; or

2. Sufficient information is available to evaluate the potential risk of contamination to the Walla Walla River shallow gravel aquifer from the use, activity or a hazardous substance but existing laws, regulations or facilities do not adequately mitigate any potential risk of contamination. The director shall require a Level One or Level Two Hydrogeologic Assessment, or such other information as necessary, and shall make a determination and issue a decision as provided in Subsections 18.08.060.E.5 and 18.08.060.E.6 of this chapter; or

3. Sufficient information is not available to evaluate the potential risk of contamination to the Walla Walla River shallow gravel aquifer from the use, activity or a hazardous substance. The director shall require a Level One or Level Two Hydrogeologic Assessment, or such other information as necessary, in order to evaluate the potential risk of contamination and shall make a determination and issue a decision as provided in Subsections 18.08.060.E.5 and 18.08.060.E.6 of this chapter.

(Ord. No. 372, § III(Exh. A), 8-31-2009; Ord. No. 409, § III(Exh. B), 1-9-2012)

18.08.250 - Performance standards—Specific uses in critical aquifer recharge areas.

A. The following uses located in CARA require the preparation of a Level One Hydrogeologic Assessment:

1. Biological research facilities;

2. Boat repair shops;
3. Chemical manufacturers and reprocessing;
4. Chemical research facilities;
5. Commercial vehicle repair, recycling, and recyclable materials—automotive;
6. Creosote and asphalt manufacture and treatment;
7. Dry cleaners;
8. Funeral services;
9. Furniture stripping;
10. Gasoline service stations;
11. Golf course;
12. Motor vehicle service garages (both private and government);
13. Petroleum and petroleum products refining, including reprocessing;
14. Photographic processing;
15. Pipelines;
16. Printing and publishing shops (that use printing liquids);
17. Sawmills [producing over ten thousand (10,000) board feet per day];
18. Septic systems, on site, that release greater than five hundred gallons of effluent per day;
19. Solid waste handling and processing;
20. Storage tanks, above- and below-ground, not included in 18.08.220(F);
21. Transformers and capacitors, below grade;
22. Wood product preserving; and
23. Regulated waste treatment, storage, disposal facilities that handle hazardous material, excluding landfills.

B. In addition to the uses listed in Subsection 18.08.250A, the following uses located in a Walla Walla River shallow gravel aquifer CARA require the preparation of a Level One Hydrogeologic Assessment:
   1. Greenhouses, commercial;
   2. Horticultural Nurseries, Retail; and
   3. Organic Waste Processing Facility.

C. The following uses located in a Walla Walla River shallow gravel aquifer CARA require the preparation of a Level Two Hydrogeologic Assessment:
   1. Quarries, gravel/rock extractions (designated mineral lands); and
   2. Quarries, gravel/rock extractions (non-designated mineral lands).

D. The following uses located in a Walla Walla River shallow gravel aquifer CARA shall be reviewed by the director in accordance with the provisions in Section 18.08.240.D:
   1. Equestrian park with boarding facilities;
   2. Farm or residential UST systems of one thousand one hundred gallons or less capacity used for storing motor fuel for noncommercial purposes (i.e., not for resale);
   3. Generators, large quantity (dangerous, acutely hazardous, and toxic extremely hazardous waste);

4. Generators, medium quantity (dangerous, acutely hazardous, and toxic extremely hazardous waste);
5. Kennel, commercial;
6. Riding academy with boarding facilities;
7. Stables, public;
8. Surface impoundments, pits, ponds, or lagoons; and
9. Uses or activities in which a hazardous substance will be used, stored, transported, or disposed of.

(Ord. No. 372, § III(Exh. A), 8-31-2009; Ord. No. 409, § III(Exh. B), 1-9-2012)

18.08.255 - Performance standards—Specific uses in a Walla Walla River shallow gravel aquifer area of moderate vulnerability.

A. The uses listed in this Section could pose a potential risk to the Walla Walla River shallow gravel aquifer and therefore require special consideration when located in a Walla Walla River shallow gravel aquifer area of moderate vulnerability (Zone II) as delineated on Walla Walla County Critical Area Map 8: Walla Walla River Shallow Gravel Aquifer - Recharge Vulnerability Map or on Walla Walla County Critical Area Map 8A: Walla Walla River Shallow Gravel Aquifer - Recharge Vulnerability Map - Walla Walla Valley.

B. The following uses require the preparation of a Level One Hydrogeologic Assessment:
   1. Chemical manufacturers and reprocessing;
   2. Chemical research facilities;
   3. Creosote and asphalt manufacture and treatment;
   4. Dry cleaners;
   5. Gasoline service stations;
   6. Petroleum and petroleum products refining, including reprocessing;
   7. Pipelines; and
   8. Regulated waste treatment, storage, disposal facilities that handle hazardous material, excluding landfills.

C. The following uses require the preparation of a Level Two Hydrogeologic Assessment:
   1. Quarries, gravel/rock extractions (designated mineral lands); and
   2. Quarries, gravel/rock extractions (non-designated mineral lands).

D. The following uses shall be reviewed by the director in accordance with the provisions in Section 18.08.240(D):
   1. Equestrian park with boarding facilities;
   2. Farm or residential UST systems of one thousand one hundred gallons or less capacity used for storing motor fuel for noncommercial purposes (i.e., not for resale);
   3. Generators, large quantity (dangerous, acutely hazardous, and toxic extremely hazardous waste);
   4. Generators, medium quantity (dangerous, acutely hazardous, and toxic extremely hazardous waste);
   5. Kennel, commercial;

6. Riding academy with boarding facilities;
7. Stables, public;
8. Surface impoundments, pits, ponds, or lagoons; and
9. Uses or activities in which a hazardous substance will be used, stored, transported, or disposed of.

(Ord. No. 409, § III(Exh. B), 1-9-2012; Ord. No. 414, § III(Exh. A), 2-25-2013)

18.08.260 - Uses prohibited in critical aquifer recharge areas.

The following uses are prohibited in CARA:

A. Dry wells on sites used for vehicle repair and servicing or dry cleaners. Dry wells existing on the site prior to facility establishment must be abandoned using techniques approved by the state Department of Ecology prior to commencement of the proposed activity;

B. Landfills. Landfills, including hazardous or dangerous waste, municipal solid waste, special waste, woodwaste, and inert and demolition waste landfills;

C. Underground Injection Wells. Class I, III, and IV wells and subclasses 5F01, 5D03, 5F04, 5W09, 5W10, 5W11, 5W31, 5X13, 5X14, 5X15, 5W20, 5X28, and 5N24 of Class V wells, unless otherwise approved by the state or federal government;

D. Mining in areas determined to be highly susceptible or vulnerable to contamination in a public water system wellhead protection plan;

E. Wood Treatment Facilities. Wood treatment facilities that allow any portion of the treatment process to occur over permeable surfaces (both natural and manmade); and

F. Storage, Processing, or Disposal of Radioactive Substances. Facilities that store, process, or dispose of radioactive substances unless the director makes a determination as provided in Section 18.08.240.D.

(Ord. No. 372, § III(Exh. A), 8-31-2009; Ord. No. 409, § III(Exh. B), 1-9-2012; Ord. No. 414, § III(Exh. A), 2-25-2013)

18.08.270 - Uses prohibited in a Walla Walla River shallow gravel aquifer area of moderate vulnerability.

The following uses are prohibited in a Walla Walla River area of moderate vulnerability (Zone II) in the shallow gravel aquifer as delineated on Map 8: Walla Walla River Shallow Gravel Aquifer Vulnerability Map or on Map 8A: Walla Walla River Shallow Gravel Aquifer Recharge Area Vulnerability Map, Walla Walla Valley:

A. Dry wells on sites used for vehicle repair and servicing or dry cleaners. Dry wells existing on the site prior to facility establishment must be abandoned using techniques approved by the state Department of Ecology prior to commencement of the proposed activity;

B. Landfills. Landfills, including hazardous or dangerous waste, municipal solid waste, special waste, woodwaste, and inert and demolition waste landfills;

C. Underground Injection Wells. Class I, III, and IV wells and subclasses 5F01, 5D03, 5F04, 5W09, 5W10, 5W11, 5W31, 5X13, 5X14, 5X15, 5W20, 5X28, and 5N24 of Class V wells, unless otherwise approved by the State or Federal government;

D. Mining in areas determined to be highly susceptible or vulnerable to contamination in a public water system wellhead protection plan;

E. Wood Treatment Facilities. Wood treatment facilities that allow any portion of the treatment process to occur over permeable surfaces (both natural and manmade); and

F. Storage, Processing, or Disposal of Radioactive Substances. Facilities that store, process, or dispose of radioactive substances unless the director makes a determination as provided in Section 18.08.240(D).

(Ord. No. 409, § III(Exh. B), 1-9-2012; Ord. No. 414, § III(Exh. A), 2-25-2013)

18.08.300 - Wetlands critical areas—Designation.

A. Designating Wetlands. Wetlands are those areas, designated in accordance with the approved federal wetland delineation manual and applicable regional supplements~~Washington State Wetland Identification and Delineation Manual, as amended~~ that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation adapted for life in saturated soil conditions. All areas within Walla Walla County meeting the wetland designation criteria in the approved federal wetland delineation manual and applicable regional supplements~~Identification and Delineation Manual~~, as amended, regardless of any formal identification, are hereby designated critical areas and are subject to the provisions of this Title.[1,2]

B. Wetland Ratings. Wetlands ~~Types I to IV~~ shall be rated according to the Washington State Department of Ecology wetland rating system, as set forth in the *Washington State Wetland Rating System for Eastern Washington* (Ecology Publication #14-06-030, or as revised and approved by Ecology) ~~found in the Washington State Wetland Rating for Eastern Washington, as amended (Ecology Publication #04-06-015).~~which contains the definitions and methods for determining whether the criteria below are met: ~~These categories are generally defined as follows (Hruby 2004):~~

1. Category 1 Wetlands. Wetlands which are: alkali wetlands, wetlands that have been identified through the Washington Natural Heritage Program (DNR) as wetlands with high conservation value, ~~high quality wetlands,~~ bogs, mature old-growth forested wetlands over one-fourth acre with slow-growing trees, forests with stands of aspen, and wetlands that perform many functions very well function at a very high level (scores of ~~seventy points or more~~22-27 points). These are wetlands which meet at least one of the following criteria: 1) represent a unique or rare wetland type; or 2) are more sensitive to disturbance than most wetlands; or 3) are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; 4) provide a high level of functions ~~(scores of seventy points or more using the Eastside Rating System)~~; or 5) documented wetlands of local significance.
2. Category II Wetlands. Category II wetlands are difficult, though not impossible, to replace, and provide high levels of some functions (scores between ~~51~~ 19 and ~~69~~ 21 points). These wetlands occur more commonly than Category I wetlands, but still need a relatively high level of protection.
3. Category III wetlands. Category III wetlands are 1) vernal pools that are isolated, and 2) wetlands with a moderate level of functions (scores between ~~30~~ 16 and ~~50~~ 18 points). Wetlands scoring between 30 and 50 points generally have been disturbed in some ways, and are often smaller, less diverse and/or more isolated from other natural resources in the landscape than Category II wetlands.
4. Category IV Wetlands. Category IV wetlands have the lowest levels of functions (scores ~~less~~ fewer than ~~30~~ 16 points) and are often heavily disturbed.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.310 - Mapping of wetland areas.

A. The approximate location and extent of known wetlands are shown on the adopted Walla Walla County ~~critical~~ Critical ~~area~~ Area ~~map~~ Maps 2a and ~~Critical Area Map~~ 2b: Wetlands (~~Exhibit 2,~~ or the latest revisions of ~~this~~ these maps). This information is to be used as a guide for the County, project applicants and/or property owners, and may be updated as new information becomes available. In some instances (uncertified boundaries), it is a reference and does not provide a final critical area designation.

Commented [CM18]: State manual no longer used. Consistent with WAC 173-22-035

Commented [CM19]: Ecology rating system was revised in 2014, new publication #.

B. The exact location of a wetland's boundary shall be determined through the performance of a field investigation by a qualified professional applying the approved federal wetland delineation manual and applicable regional supplements~~Washington State Wetlands Identification and Delineation Manual, as amended~~, as required by WAC 173-22-035 ~~RCW 36.70A.175 (Ecology Publication #96-94)~~.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.320 - Critical area report—Additional requirements for wetland areas requirements.

A. Prepared by a qualified professional.

B. Area Addressed in Critical Area Report. The following areas shall be addressed in a critical area report for wetlands:

1. The project area of the proposed activity;
2. All wetlands and recommended buffers within two hundred feet of the project area; and
3. All shoreline areas, water features, flood plains, and other critical areas, and related buffers within two hundred feet of the project area.

C. Wetland Analysis. In addition to the minimum required contents of critical area reports in Section 18.08.095 a critical area report for wetlands shall contain an analysis of the wetlands including the following site- and proposal-related information at a minimum:

1. A written assessment and accompanying maps of the wetlands and buffers within two hundred feet of the project area, or one half mile upstream or downstream if the wetland is a riverine wetland, including the following information at a minimum:
    a. Wetland rating, wetland delineation and required buffers;
    b. Existing wetland acreage;
    c. Wetland category; vegetative, faunal, and hydrologic characteristics;
    d. Soil and substrate conditions;
    e. Topographic elevations, at least ten-foot contours; and
    f. A discussion of the water sources supplying the wetland and documentation of hydrologic regime (locations of inlet and outlet features, water depths throughout the wetland, evidence of recharge or discharge, evidence of water depths throughout the year—drift lines, algal layers, moss lines, and sediment deposits).
2. A discussion of measures, including avoidance, minimization and mitigation, proposed to preserve existing wetlands and restore any wetlands that were degraded prior to the current proposed land use activity.
3. Functional evaluation for the wetland and adjacent buffer using a local or state agency staff-recognized method and including the reference of the method and all data sheets.
4. Proposed mitigation, if needed, including a written assessment and accompanying maps of the mitigation area, including the following information at a minimum:
    a. Existing wetland acreage and proposed impact area;
    b. Vegetative, faunal, and hydrologic conditions;
    c. Relationship within watershed and to existing waterbodies;
    d. Soil and substrate conditions, topographic elevations;
    e. Existing and proposed adjacent site conditions;
    f. Required wetland buffers; and
    g. Property ownership.

5. A discussion of ongoing management practices that will protect wetlands after the project site has been developed, including proposed monitoring and maintenance programs.

D. Additional information may be required. When appropriate, the County may also require the critical area report to include an evaluation by the Department of Ecology or an independent qualified expert regarding the applicant's analysis and the effectiveness of any proposed mitigating measures or programs, and to include any recommendations as appropriate.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.330 - Activities allowed in wetlands.

In addition to those activities allowed in Section 18.08.085, the following are allowed in wetlands, and do not require approval or submission of a critical area report:

A. Conservation or preservation of soil, water, vegetation, fish, shellfish, and other wildlife that does not entail changing the structure, or functions of the existing wetland.

B. The harvesting of wild crops in a manner that is not injurious to natural reproduction of such crops and provided the harvesting does not require tilling of soil, planting of crops, or alteration of the wetland by changing existing topography, water conditions or water sources.

C. Boat mooring, excluding docks.

D. Drilling for utilities under a wetland provided that the drilling does not interrupt the ground water connection to the wetland or percolation of surface water down through the soil column. Specific studies by a hydrologist are necessary to determine whether the ground water connection to the wetland or percolation of surface water down through the soil column is disturbed.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.340 - Performance standards—General requirements.

A. Activities may only be permitted in a wetland or wetland buffer if the applicant can show that the proposed activity will not degrade the functions and values of the wetland and other critical areas.

B. Activities which do not meet the requirements of subsection A of this section, or that are not allowed activities as provided in this chapter shall be prohibited.

C. Wetland buffers

1. Wetland buffer zones shall be required for all regulated activities adjacent to regulated wetlands. Any wetland created, restored or enhanced as compensation for approved wetland alterations shall also include the standard buffer required for the category of the created, restored or enhanced wetland.

2. Buffers shall not include areas that are functionally and effectively disconnected from the wetland by a road or other substantially developed surface of sufficient width and with use characteristics such that buffer functions are not provided.

3. Standard Buffer Widths. The standard buffer widths are based on wetland category, intensity of impacts, and wetland functions or special characteristics. The buffer is to be vegetated with native vegetation that are appropriate for the site conditions. If vegetation in the buffer is disturbed (grazed or mowed), proponents planning changes to land that will increase impacts to wetlands need to rehabilitate the buffer with native vegetation that are appropriate for the site conditions. The width of the buffer is measured in horizontal distance.

4. Measurement of Wetland Buffers. All buffers shall be measured from the wetland boundary as surveyed in the field. The width of the wetland buffer shall be determined according to the wetland category and the proposed land use. The buffer for a wetland created, restored, or enhanced as compensation for wetland alterations shall be the same as the buffer required for the category of the created, restored, or enhanced wetland.

Table ~~3~~1
Land Use Intensity Table: Types of Proposed Land Use that can result in High, Moderate, and Low Levels of Impacts to Adjacent Wetlands

Level of Impact from Proposed Change in Land Use	Types of Land Use Based on Common Zoning Designations
High	• Commercial • Urban • Industrial • Institutional • Retail sales • Residential (more than 1 unit/acre) • High-intensity recreation (golf courses, ball fields, etc.)
Moderate	• Residential (1 unit/acre or less) • Moderate-intensity open space (parks with biking, jogging, etc.) • Paved driveways and gravel driveways serving 3 or more residences • Paved trails
Low	• Low-intensity open space (hiking, bird-watching, preservation of natural resources, etc.) • Timber management • Gravel driveways serving 2 or fewer residences • Unpaved trails • Utility corridor without a maintenance road and little or no vegetation management.

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Table ~~4~~2
Required Buffer Widths

Wetland Characteristics	Buffer Width by Impact of Proposed Land Use	Other Measures Recommended for Protection
Category IV Wetlands (For wetlands scoring ~~less than 30~~fewer than 16 points or more for all functions)		

Commented [CM21]: Revisions based on Ecology's revisions (Oct. 2014) to the buffer guidance tables for use with the revised, 2014 Rating System (Appendix 8D: Guidance on Buffers and Ratios for Eastern Washington Wetlands)

Score for all 3 basic functions is less than ~~30~~ 16 points	Low—25 ft. Moderate—40 ft. High—50 ft.	No recommendations at this time
Category III Wetlands (For wetlands scoring ~~30-50~~16-19 points or more for all functions)		
Moderate level of function for habitat (score for habitat ~~20—28~~5-7 points)* *If wetland scores 8-9 habitat points, use row below for Category II buffers	Low—75 ft. Moderate—110 ft. High—150 ft.	No recommendations at this time
Score for habitat 3-4 points~~Not meeting above characteristic~~	Low—40 ft. Moderate—60 ft. High—80 ft.	No recommendations at this time
Category II Wetlands (For wetlands that score ~~51—69~~19-21 points or more for all functions or having the "Special Characteristics" identified in the rating system)		
High level of function for habitat (score for habitat 29—36 points)	Low—100 ft. Moderate—150 ft. High—200 ft.	Maintain connections to other habitat areas.
Moderate level of function for habitat (score for habitat ~~20—28~~8-9 points)	Low—75 ft. Moderate—110 ft. High—150 ft.	No recommendations at this time
High level of function for water quality improvement and low for habitat (score for water quality ~~24—32~~8-9 points; habitat less than ~~20~~ 5 points)	Low—50 ft. Moderate—75 ft. High—100 ft.	No additional surface discharges of untreated runoff
Vernal pool	Low—100 ft. Moderate—150 ft. High—200 ft. OR Develop a regional plan to protect the most important vernal pool complexes—buffers	No intensive grazing or tilling of wetland

	of vernal pools outside protection zones can then be reduced to: Low—40 ft. Moderate—60 ft. High—80 ft.	
Riparian forest	Buffer width to be based on score for habitat functions or water quality functions	Riparian forest wetlands need to be protected at a watershed or subbasin scale Other protection based on needs to protect habitat and/or water quality functions
Not meeting above characteristic	Low—50 ft. Moderate—75 ft. High—100 ft	No recommendations at this time[1]
Category I Wetlands (For wetlands that score 70 points or more for all functions or having the "Special Characteristics" identified in the rating system)		
~~Natural Heritage Wetlands~~Wetlands of high conservation value	Low—125 ft. Moderate—190 ft. High—250 ft.	No additional surface discharges to wetland or its tributaries. No septic systems within 300 ft of wetland. Restore degraded parts of buffer.
Bogs	Low—125 ft. Moderate—190 ft. High—250 ft.	No additional surface discharges to wetland or its tributaries. Restore degraded parts of buffer.

Alkali	Low—100 ft. Moderate—150 ft. High—200 ft.	No additional surface water discharges to wetland or its tributaries Restore degraded parts of buffer
Forested	Buffer width based on score for habitat functions or water quality functions	If forested wetland scores high for habitat, need to maintain connections to other habitat areas
High level of function for habitat (score for habitat ~~29-36~~8-9 points)	Low—100 ft. Moderate—150 ft. High—200 ft.	Restore degraded parts of buffer. Maintain connections to other habitat areas
Moderate level of function for habitat (score for habitat ~~20—28~~5-7 points)	Low—75 ft. Moderate—110 ft. High—150 ft.	No recommendations at this time
High level of function for water quality improvement (~~24—32~~8-9 points) and low for habitat (less than ~~20~~ 5 points)	Low—50 ft. Moderate—75 ft. High—100 ft.	No additional surface discharges of untreated runoff
Not meeting above characteristics	Low — 50 ft Moderate — 75 ft High — 100 ft	No recommendations at this time

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.341 - Signs and fencing of wetlands.

A. Temporary Markers. The outer perimeter of the wetland or buffer and the limits of those areas to be disturbed pursuant to an approved permit or authorization shall be marked in the field in such a way as to ensure that no unauthorized intrusion will occur and is subject to inspection by the director prior to the commencement of permitted activities. This temporary marking shall be maintained throughout construction and shall not be removed until permanent signs, if required, are in place.

B. Permanent Signs. As a condition of any permit or authorization issued pursuant to this chapter, the director may require the applicant to install permanent signs along the boundary of a wetland or buffer.

1. Permanent signs shall be made of an enamel-coated metal face and attached to a metal post, or another non-treated material of equal durability. Signs must be posted at an interval of one per

lot or every fifty feet, whichever is less, and must be maintained by the property owner in perpetuity. The sign shall be worded as follows or with alternative language approved by the director:

Protected Wetland Area
Do Not Disturb
Contact Walla Walla County
Regarding Uses and Restriction

2. The provisions of subsection A may be modified as necessary to ensure protection of sensitive features or wildlife.

C. Fencing.

1. The director shall determine if fencing is necessary to protect the functions and values of the critical area. If found to be necessary, the director shall condition any permit or authorization issued pursuant to this chapter to require the applicant to install a permanent fence at the edge of the wetland buffer, when fencing will prevent future impacts to the wetland.

2. The applicant shall be required to install a permanent fence around the wetland or buffer when domestic grazing animals not connected to an agricultural use are present or may be introduced on site.

3. Fencing installed as part of a proposed activity or as required in this Section shall be designed so as to not interfere with species migration, including fish runs, and shall be constructed in a manner that minimizes impacts to the wetland and associated habitat.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.342 - Performance standards—Wetland buffer averaging.

The permit approval authority may average wetland buffer widths on a case-by-case basis when the applicant demonstrates through a critical area study to the satisfaction of the director that all the following criteria are met:

A. Averaging to improve wetland protection may be permitted when all of the following conditions are met as demonstrated by a critical area report pursuant to Section 18.08.320

1. The wetland has significant differences in characteristics that affect its habitat functions, such as a wetland with a forested component adjacent to a degraded emergent component or a "dual-rated" wetland with a Category I area adjacent to a lower rated area;

2. The buffer is increased adjacent to the higher-functioning area of habitat or more sensitive portion of the wetland and decreased adjacent to the lower-functioning or less sensitive portion;

3. The total area of the buffer after averaging is equal to the area required without averaging and all increases in buffer dimension for averaging are generally parallel to the wetland edge;

4. The buffer at its narrowest point is never less than seventy-five percent of the required width.

B. Averaging to allow reasonable use of a parcel may be permitted when all of the following are met as demonstrated by a critical area report pursuant to Section 18.08.320

1. There are no feasible alternatives to the site design that could be accomplished without buffer averaging;

2. The averaged buffer will not result in degradation of the wetland's functions and values;

3. The total buffer area after averaging is equal to the area required without averaging and all increases in buffer dimension for averaging are generally parallel to the wetland edge;

4. The buffer at its narrowest point is never less than three-quarters of the required width except where the director finds that there is an existing feature such as a roadway that limits buffer dimension, or an essential element of a proposed development such as access that must be accommodated for reasonable use and requires a smaller buffer.

C. The applicant implements all reasonable measures to reduce the adverse effects of adjacent land uses and ensure no net loss of wetland functions and values in conjunction with a wetland assessment study and mitigation plan.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.343 - Performance standards—Wetland buffer increase.

The permit approval authority may increase the width of the standard buffer width on a case-by-case basis, based on a critical area report, when a larger buffer is required to protect critical habitats as outlined in Section 18.08.600, or such increase is necessary to:

A. Protect the function and value of that wetland from proximity impacts of adjacent land use, including noise, light and other disturbance, not sufficiently limited by buffers provided above;

B. Maintain viable populations of priority species of fish and wildlife; or

C. Protect wetlands or other critical areas from landslides, erosion or other hazards.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.344 - Performance standards—Wetland buffer decrease.

The Director shall have the authority to reduce the standard buffer widths identified in Section 18.08.340, provided that the general standards for avoidance and minimization per Section 18.08.110A and B shall apply, and provided further that all of the following apply:

A. The buffer reduction shall not adversely affect the functions and values of the adjacent wetlands;

B. The buffer of a Category I or II wetland shall not be reduced to less than seventy-five percent of the required buffer or fifty feet, whichever is greater;

C. The buffer of a Category III or IV wetland shall not be reduced to less than seventy-five percent of the required buffer, or twenty-five feet, whichever is greater;

D. The applicant implements all reasonable measures to reduce the adverse effects of adjacent land uses and ensure no net loss of buffer functions and values. The specific measures that may be implemented include, but are not limited to, the following:

1. Direct lights away from the wetland and buffer.

2. Locate facilities that generate substantial noise (such as some manufacturing, industrial and recreational facilities) away from the wetland and buffer.

3. Establish covenants limiting use of pesticides within two hundred feet of wetland.

4. Implement integrated pest management programs.

5. Infiltrate or treat, detain and disperse runoff into buffer.

6. Post signs at the outer edge of the critical area or buffer to clearly indicate the location of the critical area according to the direction of the county.

7. Plant buffer with native vegetation appropriate for the region to create screens or barriers to noise, light, human intrusion and discourage domestic animal intrusion.

8. Use low impact development where appropriate.

9. Establish a permanent conservation easement to protect the wetland and the associated buffer.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.345 - Performance standards—specific activities and uses.

The following activities may be permitted within a wetland buffer in accordance with the review procedures of this chapter; provided they are not prohibited by any other applicable law and they are conducted in a manner to minimize impacts to the buffer and adjacent wetland:

A. Passive Recreation. Passive recreation facilities designed and in accordance with the critical area report, including walkways and trails that are generally parallel to the perimeter of the wetland shall be located in the outer twenty-five percent of the buffer area;

B. Stormwater Management Facilities. Stormwater management facilities are not allowed in buffers of Category I or II wetlands. Stormwater management facilities, limited to stormwater dispersion outfalls and bioswales, may be allowed within the outer twenty-five percent (25%) of the buffer of Category III or IV wetlands only, provided that:

   1. No other location is feasible; and

   2. The location of such facilities will not degrade the functions or values of the wetland.

C. Subdivisions. The subdivision and short subdivision of land in wetlands and associated buffers is subject to the following:

   1. Land that is located wholly within a wetland or its buffer may not be subdivided;

   2. Land that is located partially within a wetland or its buffer may be divided provided that an accessible and contiguous portion of each new lot is located outside of the wetland and its buffer.

   3. Access roads and utilities serving the proposed subdivision may be permitted within the wetland and associated buffers only if the County determines that no other feasible alternative exists in and when consistent with this Title. Mitigation requirements outlined in 18.08.346 apply to these roads.

D. On-site sewage disposal system conventional drainfields may be permitted in the outer twenty-five percent of a Category II, III and IV wetland buffer when accessory to an approved residential structure, if the following conditions are met:

   1. It is not feasible to connect to a public sanitary sewer system;

   2. There is no reasonable location outside the wetland buffer based on analysis of conditions within the contiguous property owned by the applicant;

   3. The facility is located as far from the wetland edge as possible and is designed and constructed in a manner that minimizes disturbance of soils and vegetation, and no trees in excess of four inches in diameter are removed or disturbed;

   4. Clearing, grading, and excavation activities are limited to the minimum necessary and the area is restored following installation.

E. Maintenance, repair, or operation of existing structures, facilities, or improved areas, including minor modification of existing serviceable structures within a buffer zone where modification does not adversely impact wetland functions, and subject to the provisions for nonconforming use and facilities.

F. Access to private development sites may be permitted to cross Category II, III, or IV wetlands or their buffers, pursuant to the criteria in subsection F of this section; provided, that alternative access shall be pursued to the maximum extent feasible, including through the provisions of Chapter 8.24 RCW. Exceptions or deviations from technical standards for width or other dimensions, and specific construction standards to minimize impacts may be specified, including placement on elevated structures as an alternative to fill, if feasible.

G. Utility lines and facilities providing local delivery service, not including facilities such as electrical substations, water and sewage pumping stations, water storage tanks, petroleum products pipelines and not including transformers or other facilities containing hazardous substances, may be located in Category II, III, and IV wetlands and their buffers and/or Category I wetland buffers if the following criteria are met:

1. There is no reasonable location or route outside the wetland or wetland buffer based on analysis of system needs, available technology and alternative routes. Location within a wetland buffer shall be preferred over a location within a wetland.
2. The utility line is located as far from the wetland edge as possible and in a manner that minimizes disturbance of soils and vegetation.
3. Clearing, grading, and excavation activities are limited to the minimum necessary to install the utility line, which may include boring, and the area is restored following utility installation.
4. Buried utility lines shall be constructed in a manner that prevents adverse impacts to subsurface drainage. This may include the use of trench plugs or other devices as needed to maintain hydrology.
5. Impacts on wetland functions are mitigated in accordance with Section 18.08.347

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.346 - Performance standards—Mitigation requirements.

When the acreage required for compensatory mitigation is divided by the acreage of impact, the result is a number known variously as a replacement, compensation, or mitigation ratio. Compensatory mitigation ratios are used to help ensure that compensatory mitigation actions are adequate to offset unavoidable wetland impacts by requiring a greater amount of mitigation area than the area of impact. Requiring greater mitigation area helps compensate for the risk that a mitigation action will fail and for the time lag that occurs between the wetland impact and achieving a fully functioning mitigation site.

A. The director shall have the authority to adjust these ratios when a combination of mitigation approaches is proposed. In such cases, the area of altered wetland shall be replaced at a one-to-one ratio through re-establishment or creation, and the remainder of the area needed to meet the ratio can be replaced by enhancement at a two to- one ratio. For example, impacts to one acre of a Category II wetland requiring a three-to-one ratio for creation can be compensated by creating one acre and enhancing four acres (instead of the additional two acres of creation that would otherwise be required).

Table ~~7~~3
Wetland Mitigation Ratios for Projects in Eastern Washington that do not alter the Type or HGM setting of a Compensation Site
(Source: Ecology 2006)

Category and Type of Wetland Impacts	Re-establishment or Creation	Rehabilitation Only	Re-establishment or Creation (R/C) and Rehabilitation (RH)	1:1 Re-establishment or Creation (R/C) and Enhancement (E)	Enhancement Only

All Category IV	1.5:1	3:1	1:1 R/C and 1:1 RH	1:1 R/C and 2:1 E	6:1
All Category III	2:1	4:1	1:1 R/C and 2:1 RH	1:1 R/C and 4:1 E	8:1
Category II Forested	4:1	8:1	1:1 R/C and 4:1 RH	1:1 R/C and 6:1 E	16:1
Category II Vernal pool	2:1 Compensation must be seasonally ponded wetland	4:1 Compensation must be seasonally ponded wetland	1:1 R/C and 2:1 RH	Case by Case	Case-by-case
All other Category II	3:1	6:1	1:1 R/C and 4:1 RH	1:1 R/C and 8:1 E	12:1
Category I (Forested)	6:1	12:1	1:1 R/C and 10:1 RH	1:1 R/C and 20:1 E	24:1
Category I (based on score for functions)	4:1	8:1	1:1 R/C and 6:1 RH	1:1 R/C and 12:1 E	16:1
Category I (~~Natural Heritage site~~Wetland of h~~H~~igh c~~C~~onservation v~~V~~alue)	Not considered possible	6:1 rehabilitation of a Natural Heritage site	R/C Not Considered possible	R/C Not considered possible	Case by Case
Category I Alkali	Not considered possible	6:1 rehabilitation of a Natural Heritage site	R/C Not Considered possible	R/C Not considered possible	Case by Case

Category I (Bog)	Not considered possible	6:1 rehabilitation of a bog	R/C Not Considered possible	R/C Not considered possible	Case by Case

B. Credit/Debit Method. To more fully protect functions and values, and as an alternative to the mitigation ratios found in the joint guidance "Wetland Mitigation in Washington State Parts I and II" (Ecology Publication #06-06-011a-b, Olympia, WA, March, 2006) references in Table 3, the administrator may allow mitigation based on the "credit/debit" method developed by the Department of Ecology in "Calculating Credits and Debits for Compensatory Mitigation in Wetlands of Eastern Washington: Final Report" (Ecology Publication #11-06-015, August 2012, or as revised).

Commented [CM22]: Added this based on the latest science/guidance

C. Buffers. Replacement wetlands established pursuant to these mitigation provisions shall have adequate buffers to ensure their protection and sustainability. The buffer shall be based on the category and land-use intensity in Section 18.08.340C; provided, that the Director shall have the authority to approve a smaller buffer when existing site constraints (such as a road) prohibit attainment of the standard buffer.

~~C~~D. Mitigation Maintenance and Monitoring. Mitigation areas will be maintained and monitored for a minimum of five years or a period necessary to establish that performance standards have been met after the mitigation has been completed. Annual maintenance and monitoring reports will be submitted to the county and, where applicable, the Department of Ecology, and shall include:

1. Descriptive data for vegetation, soils, and hydrology.
2. Itemized list of dead, dying, and replaced vegetation.
3. Quantitative assessment of invasive species.
4. Descriptive photographs.
5. Statement of overall success of mitigation.
6. Schedule of activities for the next year of maintenance and monitoring.

The county may extend maintenance and monitoring for mitigation projects that fail to achieve performance standards outlined in the mitigation plan.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.347 - Performance standards - wetland mitigation plan.

In addition to meeting the requirements of Section 18.08.115, a compensatory mitigation plan for wetland and wetland buffer impacts shall meet the following requirements:

A. The plan shall be based on applicable portions of the Washington State Department of Ecology's Wetland Mitigation in Washington State Part 2: Developing Mitigation Plans, 2006, as amended, or other appropriate guidance document that is consistent with best available science.

B. The plan shall contain sufficient information to demonstrate that the proposed activities are logistically feasible, constructible, ecologically sustainable, and likely to succeed. Specific information to be provided in the plan shall include:

1. The rationale for site selection;
2. General description and scaled drawings of the activities proposed including, but not limited to, clearing, grading/excavation, drainage alterations, planting, invasive plant management,

installation of habitat structures, irrigation, and other site treatments associated with the development activities and proposed mitigation action(s);

3. A description of the ecological functions and values that the proposed alteration will affect and the specific ecological functions and values the proposed mitigation area(s) shall provide, together with a description of required or recommended mitigation ratios and an assessment of factors that may affect the success of the mitigation program;
4. Overall goals of the plan, including wetland function, value, and acreage;
5. Description of baseline (existing) site conditions including topography, vegetation, soils, hydrology, habitat features (i.e., snags), surrounding land use, and other pertinent information;
6. Field data confirming the presence of adequate hydrology (surface and/or groundwater) to support existing and compensatory wetland area(s);
7. Nature of mitigation activities, including area of restored, created, enhanced and preserved wetland, by wetland type;
8. Detailed grading and planting plans showing proposed post-construction topography; general hydrologic patterns; spacing and distribution of plant species, size and type of proposed planting stock, watering or irrigation plans, and other pertinent information;
9. A description of site treatment measures including invasive species removal, use of mulch and fertilizer, placement of erosion and sediment control devices, and best management practices that will be used to protect existing wetlands and desirable vegetation;

C. Specific measurable performance standards that the proposed mitigation action(s) shall achieve together with a description of how the mitigation action(s) will be evaluated and monitored to determine if the performance standards are being met and identification of potential courses of action, and any corrective measures to be taken if monitoring or evaluation indicates that project performance standards are not being met. The performance standards shall be tied to and directly related to the mitigation goals and objectives.

D. Cost estimates for the installation of the mitigation program, monitoring, and potential corrective actions if project performance standards are not being met.

E. Timing. Mitigation activities shall be timed to occur in the appropriate season based on weather and moisture conditions and shall occur as soon as possible after the permitted alteration.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.350 - Wetland mitigation banks.

A. Credits from a wetland mitigation bank may be approved for use as compensation for unavoidable impacts to wetlands when:

1. The bank is certified under Chapter 173-700 WAC;
2. The director determines that the wetland mitigation bank provides appropriate compensation for the authorized impacts; and
3. The proposed use of credits is consistent with the terms and conditions of the bank's certification.

B. Replacement ratios for projects using bank credits shall be consistent with replacement ratios specified in the bank's certification.

C. Credits from a certified wetland mitigation bank may be used to compensate for impacts located within the service area specified in the bank's certification. In some cases, bank service areas may include portions of more than one adjacent drainage basin for specific wetland functions.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.400 - Frequently flooded areas—Designation.

A. All areas within the county meeting the frequently flooded definition~~designation criteria in the Identification and Delineation Manual, as amended~~, regardless of any formal identification, are hereby designated critical areas and are subject to the provisions of this Chapter. The flood areas are classified as either one of two types:

   1. Floodway: Floodways are defined as the channel of a stream and adjacent land areas which are required to carry and discharge the flood water or flood flows of any river or stream associated with a regulatory flood.

   2. Floodway Fringe: The flood fringe is defined as that land area which is outside a stream's floodway, but is subject to periodic inundation due to flooding, associated with a regulatory flood.

B. These flood areas have been accurately delineated based on hydrologic and hydraulic studies completed by the Federal Emergency Management Agency in 1983, and as subsequently revised and amended.

   The methodology and detail of these studies is accepted as the best available science.

   (Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.410 - Mapping of frequently flooded areas.

A. The approximate location and extent of frequently flooded areas are shown on the following adopted critical areas map: Walla Walla County Critical Area Map 3: Frequently Flooded Areas. This map is based on data obtained from the Federal Emergency Management Agency Flood Insurance rate Maps, December 1983, or as later revised.

B. These maps are to be used as a guide for the county, project applicants, and/or property owners and may be continuously updated as new critical areas are identified. They are a reference and do not provide a final critical area designation.

   (Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.420 - Frequently flooded areas—Regulation.

"Frequently flooded areas" are those same areas regulated by the Flood Damage Prevention Ordinance, Chapter 18.12 of the Walla Walla County Code, and are protected through regulations provided in that Chapter. Title 15 (Buildings and Construction) and Chapter 18.12 (Flood Damage Protection) of the Walla Walla County Code regulate proposed activities adjacent to or within frequently flooded areas. If allowed, any structures permitted in the designated flood areas are subject to the flood-proofing regulations provided in Title 15 and Chapter 18.12.

   (Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.500 - Geologically hazardous areas—Designation.

A. Geologically hazardous areas include areas susceptible to erosion, sliding, earthquake, or other geological events.[1] [2] The following regulations, in combination with the performance standards for development, will guide development in these critical areas. The purpose of these regulations is to maintain the natural integrity of hazardous areas and their buffers in order to protect adjacent lands from the impacts of landslides, mudslides, subsidence, excessive erosion and seismic events, and to safeguard the public from these threats to life or property. Geologically hazardous areas: are designated as those areas that are susceptible to one or more of the following types of hazards:

   1. Erosion hazard;

   2. Landslide hazard;

   3. Seismic hazard;

Commented [CM23]: Changed because it appeared to reference the outdated wetland delineation manual.

4. Other geological events including, mass wasting, debris flows, rock falls, and differential settlement.

B. Erosion Hazard Areas. Erosion hazard areas are those areas of Walla Walla County which:

1. Contain soils or soils complexes identified by the U.S. Department of Agriculture's Natural Resource Conservation Service or the Soil Survey for Walla Walla County as having "moderate to severe, "severe" or "very severe" erosion hazard potential; or

2. Are impacted by shore land and/or stream bank erosion; or

3. Areas with a slope greater than fifteen percent.

C. Landslide Hazard Areas. Landslide hazard areas are those areas susceptible to landslides because of any combination of bedrock, soil, slope (gradient), slope aspect, structure, hydrology, or other physical factors. Potential landslide hazard areas exhibit one or more of the following characteristics:

1. Sensitive Sloped Areas. Slopes exceeding thirty-five percent with a vertical relief of ten or more feet except areas composed of competent rock and properly engineered slopes designed and approved by a geotechnical engineer licensed in the state of Washington and experienced with the site;

2. Areas mapped by the Washington State Department of Natural Resources (slope stability mapping) as unstable ("U"), unstable old slides ("UOS"), or unstable recent slides ("URS");

3. Areas designated by the U.S. Department of Agriculture's Natural Resource Conservation Service as having "severe" limitation for building site development;

4. Areas that have shown evidence of historic failure or instability, including but not limited to back-rotated benches on slopes; areas with structures that exhibit structural damage such as settling and racking of building foundations; and areas that have toppling, leaning, or bowed trees caused by ground surface movement;

5. Slopes greater than fifteen percent that have a relatively permeable geologic unit overlying a relatively impermeable unit and having springs or groundwater seepage;

6. Areas potentially unstable as a result of rapid stream incision, stream bank erosion, and undercutting by wave action;

7. Areas located in a canyon or active alluvial fan, presently or potentially subject to inundation by debris flows or catastrophic flooding;

8. Areas designated as quaternary slumps, earthflows, mudflows, lahars, or landslides on maps published by the U.S. Geological Survey or Washington State Department of Natural Resources;

9. Areas that are at risk of mass wasting due to seismic forces; and

10. Slopes having gradients steeper than eighty percent subject to rock fall during seismic shaking.

D. Seismic hazard areas shall be as identified in Washington State Department of Natural Resources seismic hazard and liquefaction susceptibility maps for Eastern Washington and other geologic resources.

E. Other Hazard Areas. Geologically hazard areas shall also include areas determined by the Director those areas subject to severe risk of damage as a result of other geological events including mass wasting, debris flows, rock falls and differential settlement.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.510 - Mapping of geologically hazardous areas.

A. The approximate location and extent of geologically hazardous areas containing known or suspected risk are shown on the following adopted Critical Areas Maps: Walla Walla County Critical Areas Map 4a: Geologic Hazard Areas — Potential Liquefaction Susceptibility ~~Landslide, Liquefaction and~~

~~Seismic~~; and Walla Walla County Critical Areas Map ~~5~~4b: Geologic Hazard Areas ~~—~~: ~~Erosion and~~ Steep Slope/Landslide Hazards. The hazard areas outlined on these maps are based on the following data:

1. USGS ten meter Digital Elevation Model (slope);
2. USDA Soil Survey of Walla Walla County Area, Washington;
3. Washington State Department of Natural Resources Liquefaction Susceptibility Map of Walla Walla County, Washington;
4. Washington State Department of Natural Resources Site Class Map of Walla Walla County, Washington; and
5. Walla Walla County Landslide Hazards.

B. These maps are to be used as a guide for the county, project applicants and/or property owners, and may be updated as new information becomes available. They are a reference and do not provide a final critical area designation.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.520 - Activities allowed in geologically hazardous areas.

In addition to those activities allowed in Section 18.08.085, the following are allowed in geologically hazardous areas, and do not require approval or submission of a critical area report:

A. Installation of fences.

B. Hazard areas other than erosion and landslide hazard areas, and extreme slope hazard areas:

1. Construction of new buildings with less than three thousand five hundred square feet of floor area or roof area, whichever is greater, and which are not residential structures or used as places of employment or public assembly;
2. Additions that are two hundred fifty square feet or less to existing residences.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.530 - Critical area report—Additional requirements for geologically hazardous areas.

A. Prepared by a Qualified Professional.

B. Area Addressed in Critical Area Report. The following areas shall be addressed in a critical area report for geologically hazardous areas:

1. The project area of the proposed activity; and
2. All geologically hazardous areas within two hundred feet of the project area or that have potential to be affected by the proposal.

C. Geotechnical Assessment. A critical area report for a geologically hazardous area shall contain an assessment of geological hazards including the following site- and proposal-related information at a minimum:

1. Site and Construction Plans. The report shall include a copy of the site plans for the proposal showing:
   a. The type and extent of geologic hazard areas, and any other critical areas, and buffers on, adjacent to, within two hundred feet of, or that are likely to impact the proposal;
   b. Proposed development, including the location of existing and proposed structures, fill, storage of materials, and drainage facilities, with dimensions indicating distances to the floodplain;

c. The topography, in at least ten-foot contours, of the project area and all hazard areas addressed in the report; and

d. Clearing limits.

2. Assessment of Geological Characteristics. The report shall include an assessment of the geologic characteristics and engineering properties of the soils, sediments, and/or rock of the project area and potentially affected adjacent properties, and a review of the site history regarding landslides, erosion, and prior grading. Soils analysis shall be accomplished in accordance with accepted taxonomic classification systems in use in the region. The assessment shall include, but not be limited to:

a. A description of the surface and subsurface geology, hydrology, soils, and vegetation found in the project area and in all hazard areas addressed in the report;

b. A detailed overview of the field investigations, published data and references; data and conclusions from past assessments of the site; and site specific measurements, test, investigations, or studies that support the identification of geologically hazardous areas; and

c. A description of the vulnerability of the site to seismic and other geologic events.

3. Analysis of Proposal. The report shall contain a geotechnical analysis including a detailed description of the project, its relationship to the geologic hazard(s), and its potential impact upon the hazard area, the subject property and affected adjacent properties; and

4. Minimum Buffer and Building Setback. The report shall make a recommendation for the minimum no-disturbance buffer and minimum building setback from any geologic hazard based upon the geotechnical analysis.

D. Incorporation of Previous Study. Where a valid geotechnical report has been prepared within the last five years for a specific site, and where the proposed land use activity and surrounding site conditions are unchanged, said report may be incorporated into the required critical area report. The applicant shall submit a geotechnical assessment detailing any changed environmental conditions associated with the site.

E. Mitigation of long-Term Impacts. When hazard mitigation is required, the mitigation plan shall specifically address how the activity maintains or reduces the pre-existing level of risk to the site and adjacent properties on a long-term basis (equal to or exceeding the projected lifespan of the activity or occupation). Proposed mitigation techniques shall be considered to provide long-term hazard reduction only if they do not require regular maintenance or other actions to maintain their function. Mitigation may also be required to avoid any increase in risk above the pre-existing conditions following abandonment of the activity.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.540 - Critical area report—Additional requirements for specific hazards.

In addition to the general critical area report requirements of Section 18.08.095, critical area reports for geologically hazardous areas must meet the requirements of this Section. Critical area reports for two or more types of critical areas must meet the report requirements for each relevant type of critical area.

A. Erosion, landslide and extreme slope hazard areas. In addition to the basic critical area report requirements, a critical area report for an erosion hazard or landslide hazard area shall include the following information at a minimum:

1. Site Plan. The report shall include a copy of the site plan for the proposal showing:

a. The height of slope, slope gradient, and cross section of the project area;

b. The location of springs, seeps, or other surface expressions of ground water on or within two hundred feet of the project area or that have potential to be affected by the proposal; and

c. The location and description of surface water runoff;

2. Geotechnical Analysis. The geotechnical analysis shall specifically include:
   a. A description of the extent and type of vegetative cover;
   b. An estimate of load capacity including surface and ground water conditions, public and private sewage disposal systems, fills and excavations and all structural development;
   c. An estimate of slope stability and the effect construction and placement of structures will have on the slope over the estimated life of the structure;
   d. An estimate of the bluff retreat rate that recognizes and reflects potential catastrophic events such as seismic activity or a one hundred year storm event;
   e. Consideration of the run-out hazard of landslide debris and/or the impacts of landslide run-out on down slope properties.
   f. A study of slope stability including an analysis of proposed angles of cut and fill and site grading;
   g. Recommendations for building limitations, structural foundations, and an estimate of foundation settlement;
   h. An analysis of proposed surface and subsurface drainage, and the vulnerability of the site to erosion;
3. Hazards Analysis. The hazards analysis component of the critical areas report shall specifically include:
   a. A description of the extent and type of vegetative cover;
   b. A description of subsurface conditions based on data from site-specific explorations;
   c. Descriptions of surface and ground water conditions, public and private sewage disposal systems, fills and excavations, and all structural improvements;
   d. An estimate of slope stability and the effect construction and placement of structures will have on the slope over the estimated life of the structure;
   e. An estimate of the bluff retreat rate that recognizes and reflects potential catastrophic events such as seismic activity or a one hundred-year storm event;
   f. Consideration of the run-out hazard of landslide debris and/or the impacts of landslide run-out on down slope properties.
   g. A study of slope stability including an analysis of proposed cuts, fills, and other site grading;
   h. Recommendations for building siting limitations; and
   i. An analysis of proposed surface and subsurface drainage, and the vulnerability of the site to erosion;
4. Geotechnical Engineering Report. The technical information for a project within a landslide hazard area shall include a geotechnical engineering report prepared by a licensed engineer that presents engineering recommendations for the following:
   a. Parameters for design of site improvements including appropriate foundations and retaining structures. These should include allowable load and resistance capacities for bearing and lateral loads, installation considerations, and estimates of settlement performance;
   b. Recommendations for drainage and subdrainage improvements;

c. Earthwork recommendations including clearing and site preparation criteria, fill placement and compaction criteria, temporary and permanent slope inclinations and protection, and temporary excavation support, if necessary; and

d. Mitigation of adverse site conditions including slope stabilization measures and seismically unstable soils, if appropriate;

5. Erosion and Sediment Control Plan. For any development proposal on a site containing an erosion hazard area, an erosion and sediment control plan shall be required. The erosion and sediment control plan shall be prepared in compliance with requirements set forth in the county's construction standards;

6. Drainage Plan. The report shall include a drainage plan for the collection, transport, treatment, discharge and/or recycle of water. The drainage plan should consider on-site septic system disposal volumes where the additional volume will affect the erosion or landslide hazard area.

7. Mitigation Plans. Hazard and environmental mitigation plans for erosion and landslide hazard areas shall include the location and methods of drainage, surface water management, locations and methods of erosion control, a vegetation management and/or replanting plan and/or other means for maintaining long term soil stability.

8. Monitoring Surface Waters. If the director determines that there is a significant risk of damage to downstream receiving waters due to potential erosion from the site, based on the size of the project, the proximity to the receiving waters, or the sensitivity of the receiving waters, the critical area report shall include a plan to monitor the surface water discharge from the site. The monitoring plan shall include a recommended schedule for submitting monitoring reports to the county.

B. Seismic Hazard Areas. In addition to the basic report requirements, a critical area report for a seismic hazard area shall also meet the following requirements:

1. The site map shall show all known and mapped faults within two hundred feet of the project area or that have potential to be affected by the proposal.

2. The hazards analysis shall include a complete discussion of the potential impacts of seismic activity on the site (for example, forces generated, fault displacement and liquefaction potential).

3. Where liquefaction risks of high, moderate to high or moderate exist, the report shall address soil and structural mitigation measures.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.550 - Performance standards—General requirements.

A. Alterations of geologically hazardous areas or associated buffers may only occur for activities that:

1. Will not increase the threat of the geological hazard to adjacent properties beyond pre-development conditions;

2. Will not adversely impact other critical areas;

3. Are designed so that the hazard to the project is eliminated or mitigated to a level equal to or less than pre-development conditions; and

4. Are determined to be safe as designed and under anticipated conditions by a qualified engineer or geologist, licensed in the state of Washington.

B. Critical facilities shall not be sited within geologically hazardous areas unless there is no other practical alternative.

C. In addition to the provisions of this chapter, alterations of geologically hazardous areas or associated buffers must conform to county construction Standards and building codes.

D. Seismic Hazard Areas Standards. Development may be allowed in seismic hazard areas when all of the following apply:

1. If evaluation of site-specific subsurface conditions by a qualified professional demonstrates that the proposed development site is not subject to the conditions indicating seismic risk, the provisions of this subsection shall not apply.

2. If a site is subject to seismic risk, the applicant shall implement appropriate engineering design based on analysis by a qualified professional of the best available engineering and geological practices that either eliminates or minimizes the risk of structural damage or injury resulting from seismically induced settlement or soil liquefaction, including compliance with the following criteria:

    a. Subdivision within a seismic hazard areas shall assure that each resulting lot has sufficient buildable area outside of the hazard area or that appropriate limitations on building and reference to appropriate standards are incorporated into subdivision approval and may be placed as restrictions on the face of the plat;

    b. Structures in seismic hazard areas shall conform to applicable analysis and design criteria and provisions of building and construction codes as currently adopted by the county.

    c. Public roads, bridges, utilities and trails shall be allowed when there are no feasible alternative locations and geotechnical analysis and design are provided that ensure the roadway, bridge and utility structures and facilities will not be susceptible to damage from seismic induced ground deformation. Mitigation measures shall be designed in accordance with the most recent version of the American Association of State Highway and Transportation Officials (AASHTO) Manual or other appropriate document.

3. The director may waive or reduce engineering study and design requirements for alterations in seismic hazard areas for:

    a. Mobile homes;

    b. Additions or alterations to existing structures that do not increase occupancy or significantly affect the risk of structural damage or injury; and

    c. Buildings that are not dwelling units or used as places of employment or public assembly.

Critical facilities shall not be located in seismic hazard areas unless mitigation is provided which renders the proposed development as a stable as if it were not located within a seismic hazard area.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.560 - Performance standards—Specific hazards.

A. Erosion and Landslide Hazard Areas. Activities on sites containing erosion or landslide hazards shall meet the following requirements:

1. Buffer Required. A buffer shall be established from all edges of erosion or landslide hazard areas. The size of the buffer shall be determined by the director to eliminate or minimize the risk of property damage, death or injury resulting from erosion and landslides caused in whole or part by the development, based upon review of and concurrence with a critical area report prepared by a qualified professional.

    a. Minimum Buffer. The minimum buffer shall be equal to the height of the slope or fifty feet, whichever is greater.

    b. Buffer Reduction. The buffer may be reduced to a minimum of ten feet when a qualified professional demonstrates to the Director's satisfaction that the reduction will adequately

protect the proposed development, adjacent developments and uses and the subject critical area.

c. Increased Buffer. The buffer may be increased where the Director determines a larger buffer is necessary to prevent risk of damage to proposed and existing development.

2. Alterations. Alterations of an erosion or landslide hazard area and/or buffer may only occur for activities for which a geotechnical analysis is submitted and determines that:

   a. The development will not increase surface water discharge or sedimentation to adjacent properties beyond pre-development conditions;

   b. The development will not decrease slope stability on adjacent properties; and

   c. Such alterations will not adversely impact other critical areas.

3. Construction Standards. Development within an erosion or landslide hazard area and/or buffer shall be designed to meet the following basic requirements unless it can be demonstrated that an alternative design that deviates from one or more of these standards provides greater long-term slope stability while meeting all other provisions of this Chapter. The requirement for long-term slope stability shall exclude designs that require regular and periodic maintenance to maintain their level of function. In addition to those requirements outlined in Section 18.08.550, the basic development Construction Standards within geologically hazardous areas are:

   a. The proposed development shall not decrease the factor of safety for landslide occurrences below the limits of 1.5 for static conditions and 1.2 for dynamic conditions. Analysis of dynamic conditions shall be based on a minimum horizontal acceleration as established by the current version of the International Building Code.

   b. Structures and improvements shall be clustered to avoid geologically hazardous areas and other critical areas.

   c. Structures and improvements shall minimize alterations to the natural contour of the slope and foundations shall be tiered where possible to conform to existing topography.

   d. Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation.

   e. The proposed development shall not result in greater risk or a need for increased buffers on neighboring properties.

   f. The use of retaining walls that allow the maintenance of existing natural slope area is preferred over graded artificial slopes.

   g. Development shall be designed to minimize impervious lot coverage.

4. Vegetation shall be Retained. Unless otherwise provided or as part of an approved alteration, removal of vegetation from an erosion or landslide hazard area or related buffer shall be prohibited;

5. Utility Lines and Pipes. Utility lines and pipes shall be permitted in erosion and landslide hazard areas only when the applicant demonstrates that no other practical alternative is available. The line or pipe shall be located above ground and properly anchored and/or designed so that it will continue to function in the event of an underlying slide. Stormwater conveyance shall be allowed consistent with local design and construction standards.

6. Point Discharges. Point discharges from surface water facilities and roof drains onto or upstream from an erosion or landslide hazard area shall be prohibited except as follows:

   a. Conveyed via continuous storm pipe downslope to a point where there are no erosion hazards areas downstream from the discharge;

b. Discharged at flow durations matching predeveloped conditions, with adequate energy dissipation, into existing channels that previously conveyed stormwater runoff in the predeveloped state; or

c. Dispersed discharge upslope of the steep slope onto a low-gradient undisturbed buffer demonstrated to be adequate to infiltrate all surface and stormwater runoff, and where it can be demonstrated that such discharge will not increase the saturation of the slope;

7. Subdivisions. The division of land in erosion and landslide hazard areas and associated buffers is subject to the following:

a. Land that is located wholly within an erosion or landslide hazard area or its buffer may not be subdivided. Land that is located partially within an erosion or landslide hazard area or its buffer may be divided provided that each resulting lot has sufficient buildable area outside of, and will not affect, the erosion or landslide hazard or its buffer.

b. Access roads and utilities may be permitted within the erosion or landslide hazard area and associated buffers if the county determines that no other feasible alternative exists.

8. Prohibited Development. On-site sewage disposal systems, including drain fields, shall be prohibited within erosion and landslide hazard areas and related buffers.

B. Extreme Slope Hazard Areas. Activities on sites containing extreme slope hazards shall be considered unbuildable. This includes, but is not limited to, construction of buildings, sewage disposal systems and roads. Construction of facilities shall not be permitted in extreme slope hazards areas unless under an exception provided consistent with Section 18.08.090 of this Chapter. If an exception is granted, the provisions of Sections 18.08.550 must be satisfied.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.600 - Fish and wildlife habitat conservation areas—Designation.

A. Fish and wildlife habitat conservation areas include:

1. Areas where state or federal designated endangered, threatened, and sensitive species have a primary association.

a. Federal designated endangered and threatened species are those fish, wildlife, and plant species identified by the U.S. Fish and Wildlife Service and the National Marine Fisheries Service that are in danger of extinction or threatened to become endangered. The U.S. Fish and Wildlife Service and the National Marine Fisheries Service should be consulted as necessary for current listing status.

b. State designated endangered, threatened, and sensitive species are those fish, wildlife and plant species native to the state of Washington identified by the state Department of Fish and Wildlife, that are in danger of extinction, threatened to become endangered, vulnerable, or declining and are likely to become endangered or threatened in a significant portion of their range within the state without cooperative management or removal of threats. State designated endangered, threatened, and sensitive species are periodically recorded in WAC 232-12-014 (state endangered species), and WAC 232-12-011 (state threatened and sensitive species). The state Department of Fish and Wildlife maintains the most current listing and should be consulted as necessary for current listing status.

~~A combined list of federal and state identified species having the potential to be within Walla Walla County area is included in Appendix A (under development).~~

Commented [CM24]: Assuming this can/should be taken out?

2. State priority habitats and areas associated with state priority species. Priority habitats and species are considered priorities for conservation and management. Priority species require protective measures for their perpetuation due to their population status, sensitivity to habitat alteration, and/or recreational, commercial, or tribal importance. Priority habitats are those habitat types or elements with unique or significant value to a diverse assemblage of species. A priority

habitat may consist of a unique vegetation type or dominant plant species, a described successional stage, or a specific structural element. Priority habitats and species are identified by the state Department of Fish and Wildlife. ~~A state list of priority habitats is included in Appendix A.~~

3. Habitats and species of local importance. Habitats and species of local importance are those identified by the County, including those that possess unusual or unique habitat warranting protection because of species diversity or habitat system health indicators ~~(see Exhibits 5 and~~Critical Areas Map 6~~, or the latest revision of these maps and Appendix A).~~
4. Naturally occurring ponds under twenty (20) acres. Naturally occurring ponds are those ponds under twenty (20) acres and their submerged aquatic beds that provide fish or wildlife habitat, including those artificial ponds intentionally created from dry areas in order to mitigate impacts to ponds. Naturally occurring ponds do not include ponds deliberately designed and created from dry sites, such as canals, detention facilities, wastewater treatment facilities, farm ponds, temporary construction ponds, and landscape amenities, unless such artificial ponds were intentionally created for mitigation.
5. Waters of the state. Waters of the state includes lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington, as classified in WAC 222-16-031.
6. Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity.
7. State natural area preserves and natural resources conservation areas. Natural area preserves and natural resource conservation areas are defined, established, and managed by the state Department of Natural Resources.
8. Streams shall be designated in accordance with the Washington State Department of Natural Resources (DNR) stream type as provided in WAC 222-16-030. Streams are further categorized according to Ecosystem Diagnosis and Treatment (EDT)/Walla Walla Subbasin Plan priority protection reaches.
9. Areas of rare plant species and high quality ecosystems that are identified by the Washington State Department of Natural Resources through the Natural Heritage Program.

B. All areas within the county meeting one or more of these criteria, regardless of any formal identification, are hereby designated critical areas and are subject to the provisions of this title.

C. The following area of local importance: Hawk habitat identified on Critical Area Map 7.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.610 - Fish and wildlife habitat conservation areas—Mapping.

The approximate location and extent of conservation areas are shown on the critical area maps adopted by the county (Walla Walla County Critical Area Map 5: ~~Fish Habitat Conservation Areas~~Riparian Buffers~~Habitat Areas~~ and Walla Walla County Critical Area Map 6: Terrestrial ~~Wildlife~~ Habitat ~~Conservation Areas 6:~~ or the latest versions of these maps), and as most recently updated and the following critical area maps hereby adopted:

A. Department of Fish and Wildlife Priority Habitat and Species Maps;

B. Resident salmonid distribution maps contained in the Habitat Limiting Factors Reports published by the Washington Conservation Commission;

C. Department of Natural Resources State Natural Area Preserves and Natural Resource Conservation Area Maps; and

D. Additional data as determined necessary by the county.

Commented [CM25]: Again assuming no Appendix A

Commented [CM26]: Map 6 is "terrestrial habitat". Are all species shown on it all species of local importance or is there supposed to be a separate map? Hawk habitat identified in C below. Others in BAS report.

CDD: What areas does the County consider as species or habitats of local importance?

Commented [CM27]: Map 7 on the County website does not have hawk habitat on it. Map 6 does.

Commented [MD28]: Could be consolidated with A.3, above. Current format is consistent with SMP.

The Walla Walla County Critical Areas Maps are to be used as a guide for the County, project applicants and/or property owners, and may be continuously updated as new critical areas are identified. In some instances, they are a reference and do not provide a final critical area designation.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.620 - Fish and wildlife habitat conservation areas—Water bodies—Allowed uses.

In addition to those activities allowed in Section 18.08.085, the following are allowed in fish and wildlife habitat conservation areas that occur outside of shoreline jurisdiction (for activities allowed within fish and wildlife habitat conservation areas within shoreline jurisdiction, see the Shoreline Master Program), and do not require approval or submission of a critical area report:

A. Restoration of streams previously piped or channeled into a new or relocation streambed when part of a restoration plan that will result in equal or better habitat and water quality and quantity, and that will not diminish the flow capacity of the stream or other natural stream processes; provided, that the relocation has a state hydraulic project approval and all other applicable permits.

B. Road, trail, bridge, and right-of-way crossings, provided they meet the following criteria:

1. There is no other feasible alternative route with less impact on critical areas.

2. The crossing minimizes interruption of natural processes such as the downstream movement of wood and gravel and the movement of all fish and wildlife. Bridges are preferred for all stream crossings and should be designed to maintain the existing stream gradient and substrate, provide adequate horizontal clearance on each side of the ordinary high water mark and adequate vertical clearance above ordinary high water mark for animal passage. If a bridge crossing is not feasible, culverts shall be designed according to applicable state and federal guidance criteria for fish passage as identified in Fish Passage Design at Road Culverts, WDFW 2003, and/or the National Marine Fisheries Service Guidelines for Salmonid Passage at Stream Crossings, 2000 (and subsequent revisions), and in accordance with a state hydraulic project approval. The applicant or property owner shall maintain fish passage through bridge or culvert.

3. The county may require that existing culverts be removed, repaired, or modified as a condition of approval if the culvert is detrimental to fish habitat or water quality, and a feasible alternative exists.

4. Crossings shall be limited to the minimum width necessary. Common crossings are the preferred approach where multiple properties can be accessed by one crossing.

5. Access to private development sites may be permitted to cross streams, if there are no feasible alternative alignments. Alternative access shall be pursued to the maximum extent feasible, including through the provisions of Chapter 8.24 RCW. Exceptions or deviations from technical standards for width or other dimensions, and specific construction standards to minimize impacts may be specified, including placement on elevated structures as an alternative to fill, if feasible.

C. Utility lines and facilities providing local delivery service, not including facilities such as electrical substations, water and sewage pumping stations, water storage tanks, petroleum products pipelines and transformers or other facilities containing hazardous substances, may cross water bodies or be located in buffers, if the following criteria are met:

1. There is no reasonable location or route that does not cross the water body or outside the buffer based on analysis of system needs, available technology and alternative routes. Location within a buffer shall be preferred over a location within a water body. Crossings shall be contained within the footprint of an existing road or utility crossing where possible.

2. Impacts to fish and wildlife habitat shall be avoided to the maximum extent possible and mitigated when avoidance is not feasible.
3. Utilities that cross water bodies shall be as close to perpendicular to the channel as possible to minimize disturbance. Boring under the water body may be required.
4. If not a crossing, the utility line shall be located as far from the water body as possible.
5. The utility installation shall maintain the existing stream gradient and substrate.
6. Clearing, grading, and excavation activities shall be limited to the minimum necessary to install the utility line, and the area is restored following utility installation.

D. Stormwater conveyance or discharge facilities such as infiltration systems, dispersion trenches, level spreaders, and outfalls may be permitted in a fish and wildlife habitat conservation area buffer on a case-by-case basis when all of the following are met:
1. Due to topographic or other physical constraints there are no feasible locations for these facilities outside the buffer.
2. The discharge is located as far from the ordinary high water mark as possible and in a manner that minimizes disturbance of soils and vegetation.
3. The discharge outlet is in an appropriate location and is designed to prevent erosion and promote infiltration.
4. The discharge meets stormwater flow and water quality standard as provided in the 2004 Ecology Stormwater Manual for Eastern Washington, as amended, or the equivalent.

E. Stream bank stabilization, shoreline protection, and public or private launching ramps may be permitted subject to all of the following standards:
1. Natural shoreline processes will be maintained to the maximum extent practicable. The activity will not result in increased erosion and will not alter the size or distribution of shoreline or stream substrate, or eliminate or reduce sediment supply from feeder bluffs;
2. Adverse impact to fish or wildlife habitat conservation areas, specifically juvenile and adult fish migration corridors, or associated wetlands will be mitigated;
3. Nonstructural measures, such as placing or relocating the development further from the shoreline, planting vegetation, or installing on-site drainage improvements, are not feasible or not sufficient;
4. Stabilization is achieved through bioengineering or soft armoring techniques in accordance with an applicable hydraulic project approval is issued by the Washington Department of Fish and Wildlife;
5. Hard bank armoring may occur only when the property contains an existing permanent structure(s) that is in danger from shoreline erosion caused by riverine processes and not erosion caused by upland conditions, such as the alteration of natural vegetation or drainage, and the armoring shall not increase erosion on adjacent properties and shall not eliminate or reduce sediment supply.

F. New public flood protection measures and expansion of existing measures may be permitted; provided, that bioengineering or soft armoring techniques shall be used where feasible. Hard bank armoring may occur only in situations where soft approaches do not provide adequate protection, and shall be subject to requirement of the shoreline master program, where applicable, hydraulic project approval and other permits.

G. New docks shall be permitted only for public access, as an accessory to water-dependent uses or associated with a single-family residence, or as otherwise allowed by the SMP.
1. To limit the effects on ecological functions, the number of docks should be limited and new subdivisions should employ shared moorage whenever feasible. Docks on shorelines of the

state must comply with policies and regulations of the Walla Walla County shoreline master program.

2. Docks shall be located and designed to minimize adverse effects on ecological processes through location where they will interfere with fluvial and limnal processes including gradient and substrate; recruitment of woody debris; and fish habitat, including that related to anadromous fish.

3. Docks shall minimize reduction in ambient light level by limiting width to the minimum necessary and shall not exceed four feet in width, except where specific information on use patterns justifies a greater width. Materials that will allow light to pass through the deck may be required including grating on walkways or gangplanks in nearshore areas.

4. Approaches shall utilize piers or other structures to span the entire upper foreshore to the point of intersection with stable upland soils and shall be designed to avoid interfering with stream processes.

5. Pile spacing shall be the maximum feasible to minimize shading and avoid a wall effect that would block or baffle currents, sediment movement or movement of aquatic life forms, or result in structure damage from driftwood impact or entrapment.

6. Docks should be constructed of materials that will not adversely affect water quality or aquatic plants and animals in the long term.

H. Launch ramps may be permitted for access to the water for the public or for residents of a development or for water dependent use subject to the following criteria:

1. Launch ramps shall be located and designed to minimize adverse effects on fluvial and limnal processes including stream gradient and substrate; recruitment of woody debris; and fish habitat, including that related to anadromous fish.

2. Ramps shall be placed and maintained near flush with the bank slope. Preferred ramp designs, in order of priority, are:

   a. Open grid designs with minimum coverage of beach substrate;

   b. Seasonal ramps that can be removed and stored upland;

   c. Structures with segmented pads and flexible connections that leave space for natural shoreline substrate and can adapt to changes in shoreline profile.

I. In-stream structures, such as, but not limited to, high flow bypasses, dams, and weirs, other than those regulated exclusively by the Federal Energy Regulatory Commission (FERC) shall be permitted only when the multiple public benefits are provided and ecological impacts are fully mitigated. Dams on shorelines of the state shall be regulated in accordance with the shoreline master program.

1. In-stream facilities locations shall avoid areas of high habitat value for aquatic organisms, specifically anadromous fish.

2. In-stream facilities shall be designed to produce the least feasible effect on fluvial processes and shall minimize change in gradient.

3. In-stream facilities shall provide mitigation of all impacts on aquatic species and habitat.

4. In-stream facilities shall provide fish passage, in accordance with Chapter 77.57 RCW.

5. A construction bond for one hundred fifty percent of the cost of the structure and all mitigation measures shall be filed prior to construction and a maintenance agreement shall specify responsibility for maintenance, shall incorporate the maintenance schedule specified by the design engineer, shall require annual inspections by a civil engineer licensed in the state of Washington and shall stipulate abandonment procedures which shall include, where appropriate, provisions for site restoration.

J. Facilities permitted as shoreline dependent or shoreline oriented uses in accordance with the county shoreline master program may be located in water bodies and buffers; provided, that only those facilities that are water dependent or water oriented and facilities for necessary access may be located in water bodies and buffers; and provided, that the facility is located, designed, constructed and operated to minimize and, where possible, avoid critical area disturbance to the maximum extent feasible.

K. Clearing and grading, when allowed as part of an authorized use or activity or as otherwise allowed in these standards, may be permitted; provided, that the following shall apply:

1. Appropriate erosion and sediment control measures shall be used at all times. The soil duff layer shall remain undisturbed to the maximum extent possible. Where feasible, disturbed topsoil shall be redistributed to other areas of the site.

2. The moisture-holding capacity of the topsoil layer shall be maintained by minimizing soil compaction or reestablishing natural soil structure and infiltrative capacity on all areas of the project area not covered by impervious surfaces.

L. Repairs to Existing On-Site Sewage Systems. Repairs to failing on-site sewage systems associated with an existing structure shall be accomplished by utilizing one of the following methods that result in the least impact:

1. Connection to an available public sanitary sewer system;

2. Replacement with a new on-site sewage system located in a portion of the site that has already been disturbed by development and is located landward as far as possible, provided the proposed sewage system is in compliance with Walla Walla County Environmental Health Department; or

3. Repair to the existing on-site septic system.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.630 - Critical area report—Additional requirements for habitat conservation areas.

A. Prepared by a qualified professional.

B. Area addressed in critical area report. The following topics shall be addressed in a critical area report for habitat conservation areas:

1. The project area of the proposed activity;

2. All habitat conservation areas and recommended buffers within 200 feet of the project area; and

3. All shoreline areas, flood plains, and other critical areas, and related buffers within 200 feet of the project area.

C. Habitat Assessment. A habitat assessment is an investigation of the project area to evaluate the presence or absence of a potential critical fish, wildlife, or plant species or habitat. A critical area report for a habitat conservation area shall contain an assessment of habitats including the following site- and proposal-related information at a minimum:

1. Detailed description of vegetation on and adjacent to the project area;

2. Identification of any species of local importance, priority species and habitats (PHS), or endangered, threatened, sensitive or candidate species that have a primary association with habitat on or adjacent to the project area, and assessment of potential project impacts to the use of the site by the species;

3. A discussion of any federal, state, or local special management recommendations, including Department of Fish and Wildlife habitat management recommendations, that have been developed for species or habitats located on or adjacent to the project area;

4. A discussion of measures, including avoidance, minimization and mitigation, proposed to preserve existing habitats or restore any habitat that was degraded prior to the current proposed land use activity and to be conducted in accordance with Section 18.08.110; and

5. A discussion of ongoing management practices that will protect habitat after the project site has been developed, including proposed monitoring and maintenance programs.

D. Additional Information May Be Required. When appropriate due to the type of habitat or species present or the project area conditions, the County may also require the habitat management plan to include:

1. An evaluation by a qualified expert regarding the applicant's analysis and the effectiveness of any proposed mitigating measures or programs, to include any recommendations as appropriate; and

2. Detailed surface and subsurface hydrologic features both on and adjacent to the site.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.640 - Performance standards—General requirements.

A. Alterations shall not degrade the functions and values of habitat. A habitat conservation area may be altered only if the proposed alteration of the habitat or the mitigation proposed does not degrade the quantitative and qualitative functions and values of the habitat. All new structures and land alterations shall be prohibited from habitat conservation areas, except in accordance with this chapter.

B. Non-indigenous species shall not be introduced. No plant, wildlife, or fish species not indigenous to the region shall be introduced into a habitat conservation area unless authorized by a state or federal permit or approval.

C. Mitigation shall result in contiguous corridors. Mitigation sites shall try to achieve contiguous functioning habitat corridors in accordance with a mitigation plan that is part of the critical area report to minimize the isolating effects of development on habitat areas, so long as mitigation of aquatic habitat is located within the same aquatic ecosystem as the area disturbed.

D. Approvals of activities may be conditioned. The director shall condition approvals of activities allowed within or adjacent to a habitat conservation area or its buffers, as necessary to minimize or mitigate any potential adverse impacts. Conditions shall be based on the best available science and may include, but are not limited to, the following:

1. Establishment of buffer zones;

2. Preservation of critically important vegetation and/or habitat features such as snags and downed wood;

3. Limitation of access to the habitat area, including fencing to deter unauthorized access;

4. Seasonal restriction of construction activities;

5. Establishment of a duration and timetable for periodic review of mitigation activities; and

6. Requirement of a performance bond, when necessary, to ensure completion and success of proposed mitigation.

E. Mitigation and Equivalent or Greater Biological Functions. Mitigation of alterations to habitat conservation areas shall achieve equivalent or greater biologic and hydrologic functions and shall include mitigation for adverse impacts upstream or downstream of the development proposal site. Mitigation shall address each function affected by the alteration to achieve functional equivalency or improvement on a per function basis.

F. Approvals and the Best Available Science. Any approval of alterations or impacts to a habitat conservation area shall be supported by the best available science.

G. Buffers.

1. Establishment of Buffers. The Director shall require the establishment of buffer areas for activities adjacent to habitat conservation areas when needed to protect habitat conservation areas. Buffers shall consist of an undisturbed area of native vegetation or areas identified for restoration established to protect the integrity, functions, and values of the affected habitat. Required buffer widths shall reflect the sensitivity of the habitat and the type and intensity of human activity proposed to be conducted nearby and shall be consistent with the management recommendations issued by the Washington Department of Fish and Wildlife.

2. Seasonal Restrictions. When a species is more susceptible to adverse impacts during specific periods of the year, seasonal restrictions may apply. Larger buffers may be required and activities may be further restricted during the specified season.

H. Signs and Fencing of Habitat Conservation Areas.

1. Temporary Markers. The outer perimeter of the habitat conservation area or buffer and the limits of those areas to be disturbed pursuant to an approved permit or authorization shall be marked in the field in such a way as to ensure that no unauthorized intrusion will occur and verified by the director prior to the commencement of permitted activities. This temporary marking shall be maintained throughout construction and shall not be removed until permanent signs, if required, are in place.

2. Permanent Signs. As a condition of any permit or authorization issued pursuant to this Chapter, the Director may require that the applicant to install permanent signs along the boundary of a habitat conservation area or buffer.

   a. Permanent signs shall be made of a metal face and attached to a metal post or another material of equal durability. Signs must be posted at an interval of one per lot or every fifty feet, whichever is less and must be maintained by the property owner in perpetuity. The sign shall be worded as follows or with alternative language approved by the director:

Habitat Conservation Area
Do Not Disturb
Contact Walla Walla County
Regarding Uses and Restriction

   b. The provisions of subsection H.1.a may be modified by the Director as necessary to assure protection of sensitive features or wildlife.

3. Fencing.

   a. The director shall determine if fencing is necessary to protect the functions and values of the critical area. If found to be necessary, the director shall condition any permit or authorization issued pursuant to this chapter to require the applicant to install a permanent fence at the edge of the habitat conservation area or buffer, when fencing will prevent future impacts to the habitat conservation area.

   b. The applicant shall be required to install a permanent fence around the habitat conservation area or buffer when domestic grazing animals not connected to an agricultural use are present or may be introduced on site.

   c. Fencing installed as part of a proposed activity or as required in this Subsection shall be designed so as to not interfere with species migration, including fish runs, and shall be constructed in a manner that minimizes habitat impacts.

I. In areas designated as high density of wintering birds of prey, tree and perch removal connected with a development permit other than a single-family dwelling, shall be limited to hazard tree removals unless otherwise approved by the department, after review of a critical area report.

J. In areas designated as Ferruginous Hawk Habitat tree removal connected with a development permit will be restricted to the non-nesting season August through January, and limited to hazard tree removal unless otherwise approved by the department after review of a critical area report.

K. Between March 1st and May 31st, clearing and grading activities connected with a development permit are not allowed within 820 feet of an active Ferruginous Hawk nest. The applicant may use a species specific survey to demonstrate that a potential nest tree does not contain an active nest.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.650 - Performance standards—Specific habitats.

A. Endangered, threatened, and sensitive species.

1. No development shall be allowed within a habitat conservation area or buffer established as part of a habitat conservation plan with which state or federal endangered, threatened, or sensitive species have a primary association, unless provided for through a federal or state permit, or other approval.

2. Whenever activities are proposed adjacent to a habitat conservation area within a habitat conservation plan with which state or federally endangered, threatened, or sensitive species have a primary association, such area shall be protected through the application of protection measures in accordance with a critical area report prepared by a qualified professional and submitted to the county. Approval for alteration of land adjacent to the habitat conservation area or its buffer shall not occur prior to consultation with the Department of Fish and Wildlife and the appropriate federal agency.

3. Bald eagle habitat shall be protected pursuant to the Washington State Bald Eagle Protection Rules (WAC 232-12-292).

B. Riparian habitat areas. Unless otherwise allowed in this chapter, all structures and activities shall be located outside of the riparian habitat buffers.

1. Establishment of Riparian Habitat Buffers. Buffers shall be established for habitats that include aquatic systems.

2. Buffer Widths. Recommended buffer widths are identified in the critical areas designation map. A riparian habitat shall have at least the buffer width recommended in Table ~~8~~ 4 below, unless a greater width is required pursuant to 18.08.674, or a lesser width is allowed pursuant to 18.08.675. Widths shall be measured outward, on the horizontal plane, from the ordinary high water mark or from the top of bank if the ordinary high water mark cannot be identified.

3. The required buffer shall be extended to include any adjacent regulated wetland(s), landslide hazard areas and/or erosion hazard areas and required buffers, but shall not be extended across roads or other lawfully established structures or hardened surfaces that are functionally and effectively disconnected from the stream.

4. Buffers in conjunction with other critical areas. Where other critical areas defined in this chapter fall within the water body buffer, the buffer area shall be the most expansive of the buffers applicable to any applicable critical area.

Table ~~8~~4
Recommended Minimum ~~Streamside~~ Riparian Buffer Widths for Six Categories of Waterways within Walla Walla County

Waterway Category	River Reach Included	Existing Conditions/Targeted Functions	Minimum Streamside Buffer Width(per side)[1,2]
1	-Columbia River (including Lake Wallula) within County limits[A] -Snake River within County limits[A]	-DNR Type S Stream -Provides limited rearing and migration habitat for anadromous fish species -1 SPTH for LWD recruitment[3] (limited effect) and shade (limited effect) -Control sediment, nutrients, and stormwater runoff[4] -Burbank stormwater addressed through Phase II NPDES -Wildlife migration corridor[4]	100 feet
2	Touchet River mainstem from Coppei Creek to County limits[A]	-Summer steelhead spawning and rearing habitat -EDT priority protection reach -1 SPTH for LWD recruitment[3] and shade -Control sediment, nutrients, and stormwater runoff[4] -Wildlife migration corridor[4]	100 feet
	Touchet River Mainstem from Whetstone Creek to Coppei[A]	-Summer steelhead rearing habitat -1 SPTH for LWD recruitment3 and shade -Control sediment, nutrients, and stormwater runoff[4]	100 feet
	Coppei Creek	-Summer steelhead spawning and rearing habitat -EDT priority protection reach -1 SPTH for LWD recruitment[3] and shade -Control for sediment, nutrients, and stormwater runoff[4] in higher gradient and steep slopes in upper segments -Wildlife migration corridor4	100[(5)] feet

	Walla Walla River mainstem from confluence with Dry Creek to confluence with Yellowhawk Creek[A]	-EDT priority protection reach -LWD recruitment -1 SPTH for LWD recruitment[3] and shade -Control sediment, nutrients, and stormwater runoff[4] -Wildlife migration corridor	100 feet
	Walla Walla River mainstem from Yellowhawk Creek to County limits/state line[A]	-Summer steelhead rearing habitat -EDT priority protection reach -1 SPTH for LWD recruitment[3] and shade -Control sediment, nutrients, and stormwater runoff[4] -Wildlife migration corridor	100 feet
	Mill Creek from Walla Walla River to Gose Street[A]	-Summer steelhead spawning and rearing habitat and/or SRSRP protection reach -Control sediment, nutrients, and stormwater runoff[4] -Wildlife migration corridor	100 feet
	Mill Creek from Bennington Diversion to County Line and upper headwaters[A]	-Bull trout spawning and rearing habitat -Summer steelhead spawning and rearing habitat and/or SRSRP protection/restoration reach -Control sediment, nutrients, and stormwater runoff[4] -Wildlife migration corridor	100 feet
	Blue Creek	-Summer steelhead spawning and rearing habitat -SRSRP priority protection reach -1 SPTH for LWD recruitment[3]and shade -Controls for sediment, nutrients, and stormwater runoff[4] in higher gradient	100[(5)] feet

		and steep slopes in upper segments - Wildlife migration corridor	
	Cottonwood Creek (tributary to Yellowhawk Creek)	-Summer steelhead spawning and rearing habitat -1 SPTH for LWD recruitment3 and shade -Control sediment, nutrients, and stormwater runoff[4]	75 feet
	Upper Dry Creek above Highway 125 Bridge[A]	-Summer steelhead spawning and rearing habitat -1 SPTH for LWD recruitment[3] and shade -Controls for sediment, nutrients, and stormwater runoff[4] in higher gradient and steep slopes in upper segments	100 feet
3a	Touchet River mainstem from mouth to confluence with Whetstone CreekA	-Summer steelhead migration habitat -1 SPTH for LWD recruitment[3] and shade -Control sediment, nutrients, and stormwater runoff[4] -Wildlife migration corridor	100 feet
	Dry Creek mainstem from mouth to Highway 125 Bridge[A]	-Summer steelhead migration -Control sediment, nutrients, and stormwater runoff	75 feet
	Walla Walla mainstem from mouth to Dry Creek[A]	-Summer steelhead migration -1 SPTH for LWD recruitment[3] and shade -Control sediment, nutrients, and stormwater runoff[4] -Wildlife migration corridor	100 feet
	East Little Walla Walla River	-Salmonid limited rearing habitat (future restoration potential) -1 SPTH for LWD recruitment[3] and	75 feet

		shade -Control sediment, nutrients, and stormwater runoff[4]	
	Pine Creek	-Summer steelhead limited rearing habitat (see SRSRP) -1 SPTH for LWD recruitment[3] and shade -Control sediment, nutrients, and stormwater runoff[4]	75 feet
	Yellowhawk Creek—Confluence with Walla Walla River to confluence with Cottonwood Creek	-Summer steelhead migration, limited rearing habitat and/or EDT priority protection reach -1 SPTH for LWD recruitment[3] and shade -Control sediment, nutrients, and stormwater runoff[4] -Wildlife migration corridor	50 feet
	Lower Garrison Creek—College Place WWTP outfall to confluence with Walla Walla River	-Summer steelhead migration, limited rearing habitat and/or EDT priority protection reach -1 SPTH for LWD recruitment[3] and shade -Control sediment, nutrients, and stormwater runoff[4]	50 feet
	Lower Doan Creek—Confluence (future) to Last Chance Road	-Steelhead rearing habitat (future) -1 SPTH for LWD recruitment[3] and shade -Control sediment, nutrients, and stormwater runoff[4] -Wildlife habitat	75 feet
3b	Birch Creek (Walla Walla tributary)	-Resident fish habitat primarily -Influence on downstream listed species habitat	50 feet
	W. Little Walla Walla (Walla Walla tributary)	-Control sediment, nutrients, and stormwater runoff[4]	50 feet

	Mud Creek (1) (Walla Walla tributary)		50 feet
	Mudd Creek (2) (lower Dry Creek tributary)		75 feet
	Mud Creek (3) (upper Dry Creek tributary)		75 feet
	Stone Creek		50 feet
	Whetstone Creek (Touchet tributary)		50 feet
4	Bergevin Spring Branch (Dry Creek tributary) Gardena Creek (Walla Walla tributary) Grandview Spring Branch (Walla Walla tributary) Spring Valley Creek (1) (lower Dry Creek tributary) Spring Creek (2) (upper Dry Creek tributary) Warm Springs (Walla Walla tributary)	-Influence on downstream listed species habitat -Control sediment, nutrients, and stormwater runoff[4]	50 feet
5	Little Mud Creek (Pine Creek tributary)	-Influence on downstream listed species habitat -Control sediment, nutrients, and stormwater runoff[4]	50 feet
	Wilson Creek (Touchet tributary)		
6a	Mill Creek from Gose Street to Bennington Lake dam diversion	-Flood channel -No riparian vegetation allowed within the channel -Trees outside the concrete channel section with potential to shade the channel should remain	35 feet (Also 35 foot tree removal restriction for concrete channel sections)

6b	Yellowhawk Creek—Russell Creek to Mill Creek	-Summer steelhead migration, limited rearing habitat and/or EDT priority protection reach -LWD recruitment -Shade -Existing riparian average = 31 ft -Meet CREP minimum -Control sediment nutrients, and stormwater runoff[4]	50 feet
	Russell Creek—Depping Road to Yellowhawk	-Influence on downstream habitat -Existing riparian average = 21 ft -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff[4]	35 feet
	Russell Creek—Headwaters to Depping Road	-Influence on downstream habitat -Existing riparian average = 32 ft -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff[4]	35 feet
	Reser Creek—Wilbur Avenue to Russell Creek	-Influence on downstream habitat -Existing riparian average = 23 ft -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff[4]	35 feet
	Reser Creek—Headwaters to Wilbur Avenue	-Influence on downstream habitat -Existing riparian average = 22 ft -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff[4]	35 feet
	Caldwell Creek—Headwaters to Yellowhawk	-Influence on downstream habitat-Meet CREP minimum >-Control sediment, nutrients, and stormwater runoff[4]	35 feet

	Stone Creek—Headwaters to Teal Street	-Influence on downstream habitat -Existing riparian average = 20 ft. -Meet CREP minimum >-Control sediment, nutrients, and stormwater runoff[4]	35 feet
	Doan Creek—Headwaters to Last Chance Road	-Influence on downstream habitat -Existing riparian average = 48 ft (with wetlands and CREP) -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff4	75 feet
	Garrison Creek—Lions Park in College Place to College Place WWTP outfall	-Summer steelhead rearing opportunity -Existing riparian average = 24 ft -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff[4]	35 feet
	Garrison Creek—Yellowhawk to Lions Park (excluding wetland)	-Influence on downstream habitat -Existing riparian average = 24 ft -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff[4] -Wildlife habitat	35 feet
	Bryant Creek—Sprague Avenue to Fort Walla Walla park	-Influence on downstream habitat -Existing riparian average = 14 ft -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff[4]	35 feet
	Titus Creek—Blackberry Lane to Mill Creek by community college	-Influence on downstream habitat -Existing riparian average = 25 ft -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff[4]	35 feet

	Titus Creek—Mill Creek diversion to Blackberry Lane	-Influence on downstream habitat -Existing riparian average = 81 ft -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff[4]	35 feet
	All Other Creeks within city limits/UGA — Intermittent open channels with piped sections	-Influence on downstream habitat -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff[4]	35 feet

1. In stream segments where CREP buffers are established, and are larger than the minimum buffer listed in Table 2.7-1, then CREP buffers become the minimum streamside buffer width.
~~In stream segments where CREP buffers are established, and are larger than the minimum buffer listed in Table 2.7-1, then CREP buffers become the minimum streamside buffer width.~~
2. Buffer width is measured for the ordinary high water mark.
3. 1 SPTH = 100 ft. Based on NRCS program in Walla Walla County (personal comm. with Larry Hooker, July 2008)
4. Source: Table 5-8 from Sheldon et al. 2005
5. As a higher gradient stream with steeper upland slopes in many areas and in a higher precipitation area, additional performance measures are recommended to ensure sediment is controlled during and post-construction.
A. See WWCC 18.08.015(A).

C. Anadromous Fish.

1. All activities, uses, and alterations proposed to be located in water bodies used by anadromous fish or in areas that affect such water bodies shall give special consideration to the preservation and enhancement of anadromous fish habitat, including, but not limited to, adhering to the following standards:

   a. Activities shall be timed to occur only during the allowable work window as designated by the Washington Department of Fish and Wildlife for the applicable species;

   b. An alternative alignment or location for the activity is not feasible;

   c. The activity is designed so that it will not degrade the functions or values of the fish habitat or other critical areas;

   d. Shoreline erosion control measures shall be designed to use bioengineering methods or soft armoring techniques, according to an approved critical area report, and

   e. Any impacts to the functions or values of the habitat conservation area are mitigated in accordance with an approved critical area report.

2. Structures that prevent the migration of salmonids shall not be allowed in the portion of water bodies currently or historically used by anadromous fish. Fish bypass facilities shall be provided that allow the upstream migration of adult fish and shall prevent fry and juveniles migrating downstream from being trapped or harmed.

3. Fills, when authorized~~ by the [locally adopted shoreline management program]~~, shall not adversely impact anadromous fish or their habitat or shall mitigate any unavoidable impacts and shall only be allowed for a water-dependent use.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.660 - Performance standards—Subdivisions.

The subdivision and short subdivision of land in fish and wildlife habitat conservation areas and associated buffers is subject to the following:

A. Land that is located wholly within a habitat conservation area or its buffer may not be subdivided.

B. Land that is located partially within a habitat conservation area or its buffer may be divided provided that the developable portion of each new lot and its access is located outside of the habitat conservation area or its buffer.

C. Access roads and utilities serving the proposed may be permitted within the habitat conservation area and associated buffers only if the county determines that no other feasible alternative exists and when consistent with this chapter.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.670 - Fish and wildlife habitat conservation areas—Piped streams.

A. Building over a natural stream that is located in an underground pipe or culvert, except as allowed in Section 18.08.085 for transportation or utility crossings, is prohibited. Relocation of the piped stream system around structures is allowed. The relocated system shall be sized to convey the one hundred-year future land use condition runoff from the total upstream tributary area as determined from a hydrologic and hydraulic analysis performed in accordance with standards determined by the county.

B. No riparian buffers are required along segments of piped or culverted streams unless designated by the county for removal. Any easements or setbacks from pipes or culverts shall be consistent with adopted county regulations or design standards as administered by the county public works department. Setback requirements will include an easement over the piped stream system and a building setback from the edge of the easement. The county will determine the setback requirement during the permit review process. The setback size will be dependent upon the required amount of space that would be needed for maintenance, operation and future replacement of the piped stream system.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.671 - Fish and wildlife habitat conservation areas—Mitigation standards.

A. Activities that adversely affect fish and wildlife habitat conservation areas and/or their buffers should generally be avoided through site design, including clustering. Unavoidable impacts to designated species or habitats shall be compensated for through habitat creation, restoration and/or enhancement to achieve no net loss of habitat functions and values in accordance with the purpose and goals of this chapter.

B. When compensatory mitigation is required, the applicant shall submit a compensatory mitigation plan with sufficient information to demonstrate that the proposed activities are logistically feasible, constructible, ecologically sustainable, and likely to succeed. In addition to the requirements of Section 18.08.115, specific information to be provided in the plan shall include, but not be limited to:

1. General description and scaled drawings of the activities proposed including, but not limited to, clearing, grading/excavation, drainage alterations, planting, invasive plant management, installation of habitat structures, irrigation, and other site treatments associated with the development activities and proposed mitigation action(s);

2. A description of the functions and values that the proposed mitigation area(s) shall provide, together with a description of required and an assessment of factors that may affect the success of the mitigation program; and

3. A description of known management objectives for the species or habitat.

C. Required mitigation shall be completed as soon as possible following activities that will disturb fish and wildlife habitat conservation areas and during the appropriate season. Mitigation shall be completed prior to use or occupancy of the activity or development. Construction of mitigation projects shall be timed to reduce impacts to existing wildlife and flora.

D. The director shall have authority to require monitoring of mitigation activities and submittal of annual monitoring reports to ensure and document that the goals and objectives of the mitigation are met. The frequency and duration of the monitoring shall be based on the specific needs of the project as determined by the director.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.672 - Fish and wildlife habitat conservation areas—Wind-farm mitigation standards.

A. No on site mitigation allowed, unless area is sufficient distance from power generation facilities to avoid impacts as demonstrated through critical areas report. Offsite habitat easements or wildlife (birds and bats) habitat replacement and/or enhancement are preferred.

B. Mortality monitoring is required during the life of the wind farm. One season every 3 years throughout the service life of the farm. Seasons should alternate between fall (1 August to 15 October) and spring migration (1 March to 5 June).

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.673 - Fish and wildlife habitat conservation areas—Water bodies—Buffer averaging.

The director shall have the authority to average standard stream Buffer widths on a case-by-case basis when the applicant demonstrates to the satisfaction of the Director that all the following criteria are met.

A. Averaging to improve habitat protection may be permitted when all of the following conditions are met as demonstrated by critical area report pursuant to Sections 18.08.060, 18.08.095, and 18.08.630

1. The water body or buffer area has significant differences in characteristics that affect its habitat functions;
2. The buffer is increased adjacent to the higher-functioning area of habitat or more sensitive portion of the water body and decreased adjacent to the lower-functioning or less sensitive portion;
3. The buffer averaging does not reduce the functions or values of the stream or riparian habitat, or the buffer averaging, in conjunction with vegetation enhancement, increases the habitat function;
4. The total area of the buffer after averaging is equal to the area required without averaging and all increases in buffer dimension for averaging are generally parallel to the wetland edge;
5. The buffer at its narrowest point is never less than seventy-five percent of the standard buffer width;
6. The slopes adjacent to the stream within the buffer area are stable and the gradient does not exceed thirty percent.

B. Averaging to allow reasonable use of a parcel may be permitted when all of the following are met as demonstrated by a critical areas report pursuant to Sections 18.08.095 and 18.08.630

1. There are no feasible alternatives to the site design that could be accomplished without buffer averaging;
2. The buffer averaging does not reduce the functions or values of the stream or riparian habitat, or the buffer averaging, in conjunction with vegetation enhancement, increases the habitat function;

3. The total area of the buffer after averaging is equal to the area required without averaging and all increases in buffer dimension for averaging are generally parallel to the wetland edge or Ordinary High Water Mark, as applicable;

4. The buffer at its narrowest point is never less than seventy-five percent of the standard buffer width except where the Director finds that there is an existing feature such as a roadway that limits buffer dimension, or an essential element of a proposed development such as access that must be accommodated for reasonable use and requires a smaller buffer.

C. The applicant implements all reasonable measures to reduce the adverse effects of adjacent land uses and ensure no net loss of functions and values in conjunction with a critical area mitigation plan.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.674 - Fish and wildlife habitat conservation areas—Water bodies—Buffer increase.

The director shall have the authority to increase the width of a stream buffer on a case-by-case basis when such increase is necessary to achieve any of the following:

A. Protect fish and wildlife habitat, maintain water quality, ensure adequate flow conveyance; provide adequate recruitment for large woody debris, maintain adequate stream temperatures, or maintain in-stream conditions.

B. Compensate for degraded vegetation communities or steep slopes adjacent to the stream.

C. Maintain areas for channel migration.

D. Protect adjacent or downstream areas from erosion, landslides, or other hazards.

(Ord. No. 372, § III(Exh. A), 8-31-2009)

18.08.675 - Fish and wildlife habitat conservation areas—Water bodies—Buffer decrease.

The director shall have the authority to reduce buffer widths on a case-by-case basis, provided that the general standards for avoidance and minimization per 18.08.110A and B shall apply, and when the applicant demonstrates to the satisfaction of the Director that all of the following criteria are met:

A. The buffer reduction shall not adversely affect the habitat functions and values of the adjacent habitat conservation area or other critical area.

B. The slopes adjacent to the habitat conservation area within the buffer area are stable and the gradient does not exceed thirty percent.

C. The buffer shall not be reduced to less than seventy-five percent of the standard buffer as defined in Section 18.08.650. A thirty-five-foot buffer cannot be decreased. Table ~~9~~ 5 identifies potential buffer reductions with accompanying riparian habitat enhancement.

Table ~~9~~ 5 Modified Buffer Widths with Approved Habitat Enhancement/Water Quality Treatment

No Habitat Enhancement	Modified Buffer Width with Approved Enhancement/Treatment
100′	75′
75′	56′
50′	38′
35′	35′

D. Habitat enhancement plans prepared by a qualified professional must be provided to the county identifying existing conditions, and how the enhancement plan will improve riparian functions over existing conditions. A five year monitoring plan must be included. The plan must also address how land outside a reduced buffer would protect surface water quality. Habitat enhancement plans must be consistent with riparian native vegetation planting guides developed by the Walla Walla County Conservation District, as provided in Table ~~10~~6.

References: See Walla Walla County Best Available Science document

Table ~~10~~6
Walla Walla County Conservation District
Suggested Native Plants by Precipitation and Riparian Zone

County Area	Zone #1—Generally 0′—35′	Zone #2—Generally 35′—75′	Zone #3—Generally 75′ and greater
Western Walla Walla County: Wallula-Lowden.	**Black Cottonwood**—moist soils, silts, slightly alkaline soils (5'-20' from shoreline) **Water Birch**—moist soils, silts, ph neutral soils (3′—12′ from shoreline) **Black Hawthorn**—moist to well drained soils, silts and gravel loess (5′—45′ from the shoreline) **Coyote Willow**—moist soils-ph neutral silts and clays (3′—15′ off shoreline) **Red-osier Dogwood**—moist silts and soils, also seasonally dry sites, pH neutral to slightly alkaline soils (2'—25' off the shoreline)	**Great Basin sage**—deep well drained soils **Big Wyoming Sage**—deep well drained soils **Western juniper**—sandy, pH neutral loess, rocky soils **Green rabbit brush**—sandy well drained soils **Black Hawthorn**—moist to well drained soils, silts and gravel loess (5′—45′ from the shoreline) **Common Snowberry**—well drained, slightly acidic soils (10′—20′ off the shoreline) **Choke Cherry**—moist-dry well drained soils, pH neutral to slightly acidic soils (5′—25′) **Coyote Willow**—moist soils, pH neutral to slightly alkaline soils (3′—15′ off the shoreline). This plant needs space to expand from the base. **Golden Current**—well drained pH neutral to slightly alkaline soils, (10′—25′ off the shoreline). This plant needs room to expand and grow at the base. Can take moderate shade.	**Western Juniper**—sandy/silt-pH neutral loess, rocky soils (45′—100′ from shoreline) **Choke Cherry**—moist soils, seasonally dry soils, seasonally wet **Ponderosa Pine**—well drained soils, dry sites (25′—50′ from shoreline) **Great Basin sage**—deep well drained soils **Creosote Bush**—alkaline soils **Big Wyoming Sage**—deep well drained soils **Alkaline Sage—** thin alkaline soils **Hop Sage**—sandy loess well drained soils **Green rabbit brush**—sandy well drained soils

		Blue Elderberry- well drained soils, loess and silts, seasonally moist soils pH neutral to moderately alkaline soils (10'—45' off the shoreline). This plant needs room to expand and grow at the base.	**Blue elderberry**—moist soils, loose sandy soils **Gray rabbit brush**—slightly alkaline well drained soils

Table ~~10~~6
Walla Walla County Conservation District
Suggested Native Plants by Precipitation and Riparian Zone

County Area	Zone #1—Generally 0'—35'	Zone #2—Generally 35'—75'	Zone #3—Generally 75' and greater
Central Walla Walla County: Lowden-College Place—10"—15" precipitation zone	**Black Cottonwood**—moist soils, silts, slightly alkaline soils (5'—20' from shoreline) **Water Birch**—moist soils, silts, pH neutral soils (3'—12' from shoreline) **Thin-leaf Alder**—moist soils- neutral-slightly acidic silts and loess (3'—15' off shoreline) **White Alder**—moist soils-ph neutral to slightly acidic silts, cobble (1'—15' off shoreline) **Coyote Willow**—moist soils-ph neutral silts and clays (3'—15' off shoreline) **Peach-leaf Willow**—moist soils-pH neutral-slightly alkaline (5'—25' off the shoreline) **Red-osier Dogwood**—	**Black Hawthorn**—pH neutral to slightly alkaline silts and soils (25'—40' off shoreline) **Ponderosa Pine**—well drained soils, dry sites (25'—50' from shoreline) **Mock-orange**—well drained soils, slightly acidic (15'—35' off shoreline) **Choke Cherry**—moist-dry well drained soils, pH neutral to slightly acidic soils (5'—25' off shoreline) **Peach-leaf Willow**—moist soils, pH neutral-slightly alkaline (5'—25' off the shoreline) **Smooth Sumac**—well drained soils, silts & loess, pH neutral to slightly alkaline (25'—	**Smooth Sumac**—well drained soils, silts & loess pH neutral to slightly alkaline (25'—100' off shoreline) **Buffalo Berry**—well drained soils, slightly alkaline (25'—100' + off the shoreline) **Antelope-brush (Bitterbrush)**—well drained soils, ph neutral to slightly acidic

	moist-well drained soils, ph neutral to slightly alkaline (2′—25′ off the shoreline) **Antelope-brush (Bitterbrush)**—well drained soils, pH neutral to slightly acidic	100′ off shoreline) **Blue Elderberry**—well drained soils, pH neutral-slightly alkaline (15′—50′ off the shoreline) **Buffalo Berry**—well drained soils, slightly alkaline (25′—100′ + off the shoreline) **Antelope-brush (Bitterbrush)**—well drained soils, pH neutral to slightly acidic	
Eastern Walla Walla County: Walla Walla to Waitsburg and east to the Coppei and Mill Creek Drainages—17″—28″ precipitation zone	**Black Cottonwood**—moist soils, silts, slightly alkaline soils (5′—20′ from shoreline) **Water Birch**—moist soils, silts, ph neutral soils (5′—12′ from the shoreline) **Black Hawthorn**—moist to well drained soils, silts and gravel loess (5′—45′ from the shoreline) **Thin-leaf Alder**—moist soils (5′—25′ off the shoreline) **Choke-cherry**—moist soils, dry well drained loess, pH neutral to slightly acidic soils (5′—35′) off the shoreline). This plant needs room to expand from the base. **Bitter Cherry**—moist soils, well drained loess, slightly acidic to pH neutral soils (5′—40′ off the shoreline). This plant needs room to expand	**Ponderosa Pine**—Well drained silts, sandy loess, and slightly acidic soils (35′—100′ from shoreline) **Douglas-Fir**—loess, sandy soils, well drained silts, slightly acidic soils (25′—50′) from the shoreline **Black Hawthorn**—moist to well drained soils, silts and gravel loess (5′—45′ from the shoreline) **Thin-leaf Alder**—moist soils (5′—25′ off the shoreline) **Choke-cherry**—moist soils, dry well drained loess, pH neutral to slightly acidic soils (5′—35′ off the shoreline). This plant needs room to expand from the base. **Bitter Cherry**—moist soils, well drained loess, slightly acidic to pH neutral soils (5′—40′ off	**Ponderosa Pine**—well drained silts, sandy loess, and slightly acidic soils (35′—100′ from shoreline) **Douglas-Fir**—loess, sandy soils, well drained silts, slightly acidic soils (25′—50′ from the shoreline) **Smooth Sumac**—well drained loess, to slightly alkaline silts (12′—30′ off the shoreline). This plant needs space at the base to expand as it grows.

	from the base. **Cascara**—moist to well drained ph neutral silts and sandy loess, can take slightly acidic soils. Shade tolerant (5'—25' off the shoreline).	the shoreline). This plant needs room to expand from the base. **Cascara** —moist to well drained pH neutral silts and sandy loess, can take slightly acidic soils. Shade tolerant (5'—25' off the shoreline).	

Table ~~10~~6
Walla Walla County Conservation District
Suggested Native Plants by Precipitation and Riparian Zone

County Area	Zone #1—Generally 0'—35'	Zone #2—Generally 35'—75'	Zone #3—Generally 75' and greater
Eastern Walla Walla County: Walla Walla to Waitsburg and east to the Coppei and Mill Creek Drainages—17"—28" precipitation zone	**Pacific Willow**—moist soils, pH neutral to slightly alkaline soils (5'—12' off the shoreline). This plant needs to have room to expand at the base. **Coyote Willow** —moist soils—pH neutral to slightly alkaline soils. (3'—15' off the shoreline). This plant needs space to expand from the base. **Red-osier Dogwood**—moist silts and soils, also seasonally dry sites, pH neutral to slightly alkaline soils (2'—25' off the shoreline)	**Coyote Willow** —moist soils, pH neutral to slightly alkaline soils (3'—15' off the shoreline). This plant needs space to expand from the base. **Smooth Sumac**—well drained loess, to slightly alkaline silts (12'—30' off the shoreline). This plant needs space at the base to expand as it grows. **Red-osier Dogwood**—moist silts and soils, also seasonally dry sites, pH neutral to slightly alkaline soils (2'—25' off the shoreline) **Blue Elderberry**—well drained soils, loess and silts, seasonally moist soils, pH neutral to moderately alkaline soils (10'—45' off the shoreline). This plant needs	

	White Alder—moist soils (3′—12′ off the shoreline)	space to grow from the base, to expand out. **Mock-orange**—well drained silts-rocky soils, seasonally moist sites (8′—20′ off the shoreline). This plant will take moderate shade. It also needs space at the base to expand and grow. **Oceanspray**—well drained pH neutral soils, can grow in slightly acidic soils (10′—35′ off the shoreline). This plant needs space at the base to expand and grow. **Golden Current**—well drained, pH neutral to slightly alkaline soils (10′—25′ off the shoreline). This plant needs space to expand and grow at the base. Can take moderate shade. **Pacific Ninebark** —well drained, slightly acidic to pH neutral soils, (10′—20′ off the shoreline). This plant needs space at the base to expand. **Common Snowberry**—well drained, slightly acidic soils (10′—20′ off the shoreline)	

Planting Densities:

Trees: 1 tree/8 feet

Shrubs: 1 plant/4 feet

Grasses: 6 pounds/acre

Department of Commerce

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Periodic Update Checklist for Counties – Updated June 2016

Covers laws through 2016

This checklist is intended to help counties that are fully planning under the Growth Management Act (GMA) to conduct the "periodic review and update" of comprehensive plans and development regulations required by RCW 36.70A.130(4). Counties can use the checklist to identify components of their comprehensive plan and development regulations that may need to be updated to reflect the latest information, or to comply with changes to the GMA since their last update.

This checklist includes only components of the comprehensive plan and development regulations that are specifically required by the GMA. Statutory requirements adopted since 2003 are emphasized in highlighted text to help identify new components of the GMA that may not have been addressed in annual updates or other amendments outside of the required periodic update process. Counties within the Puget Sound Regional Council boundaries may want to use this checklist in tandem with PSRC checklists. A separate checklist is available for cities.

How to fill out the checklist

With the most recent version of your comprehensive plan and development regulations in hand, fill out each item in the checklist. Select the check box or type in text fields, answering the following questions:

Is this item addressed in your current plan or regulations? If YES, fill in the form with citation(s) to where in the plan or code the item is addressed. We recommend using citations rather than page numbers because they stay the same regardless of how the document is printed. If you have questions about the requirement, follow the hyperlinks to the relevant statutory provision or rules. If you still have questions, visit the Commerce Web page or the Commerce planner assigned to your region.

Is amendment needed to meet current statute? Check YES to indicate a change to your plan or regulations will be needed. Check NO to indicate that the GMA requirement has already been met. Local updates may not be needed if the statute hasn't changed since your previous update, if your county has kept current with required inventories, or if there haven't been many changes in local circumstances.

Use the "Notes" column to add additional information to note areas where your county may elect to work on or amend sections of your plan or development regulations that are not strictly required by the GMA, or to indicate if the item is not applicable to your jurisdiction.

How to use the completed checklist

Commerce strongly encourages you to use the completed checklist to develop a detailed work plan *(see Appendix B)* for your periodic update. The checklist can be used to inform the contents of a council resolution that defines what actions will be taken as part of the GMA periodic update.

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes

I. Required Comprehensive Plan Elements and Components:

1. A **Land Use Element** that is consistent with county-wide planning policies (CWPPs) and RCW 36.70A.070(1).			
a. A **future land use map** showing city limits and urban growth area (UGA) boundaries. RCW 36.70A.070(1) and RCW 36.70A.110(6) WAC 365-196-400(2)(d), WAC 365-196-405(2)(i)(ii)	❑ **Yes** Location(s) **Land Use Plan Maps – Maps LU-1 through LU-5**	❑ **Yes**	**Updates required to reflect any approved boundary changes**
b. **Urban Growth Area** review. Based on the population projection made for the County by OFM, the county and each city must include areas and densities sufficient to permit the urban growth projected to occur in the county or city for the succeeding twenty year period, except UGAs completely within a national historic reserve. RCW 36.70A.110(2&6); RCW 36.70A.130, WAC 365-196-310	❑ **Yes** Location(s) **5.2.1 Population Projections and Distribution, 5.2.3 Land Use Plan Map Designations, 5.2.5 Urban Growth Areas**	❑ **Yes**	**Land capacity analysis in progress**
c. *If* there is an urban growth area (UGA) expansion into the 100-year floodplain of a river segment that is located west of the Cascade crest and when the river has a mean annual flow of 1,000 or more cubic feet per second, it meets the statutory exceptions to the general ban on such UGA expansions. RCW 36.70A.110(8), **Adopted 2009**.	❑ **No**	❑ **No**	**N/A**
d. **A consistent population projection throughout the plan** which should be consistent with the Office of Financial Management forecast for the county or the county's sub-county allocation of that forecast. RCW 43.62.035; WAC 365-196-405(2)(f)	❑ **Yes** Location(s) **4.2.1 Population Trends (Ch 4 Housing), 5.2.1 Population Projections and Distribution (Ch 5 Land Use), 9.2.6 Sewer Facilities (Ch 9 Utilities), 11.2.1 Population (Ch 11 Economic Development), etc.**	❑ **Yes**	**Main discussion is in 5.2.1 Population Projections and Distribution (Ch 5 Land Use)**

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes
e. **Estimates of population densities and building intensities based on future land uses.** RCW 36.70A.070(1); WAC 365-196-405(2)(c)(i)	❑ **Yes** Location(s) **5.2.1 Population Projections and Distribution, 5.2.3 Land Use Plan Map Designations (Ch 5 Land Use)**	❑ **Yes**	**Land capacity analysis in progress**
f. Consideration of **urban planning approaches that increase physical activity**. RCW 36.70A.070(1), **Amended in 2005** WAC 365-196-405 (2)(j)	❑ **No** Location(s)	❑ No **Optional**	**New Goal LU 5 and related policies**
g. **Identification of lands useful for public purposes** such as utility corridors, transportation corridors, landfills, sewage treatment facilities, stormwater management facilities, recreation, schools, and other public uses. RCW 36.70A.150 and WAC 365-196-340	❑ **Yes** Location(s) **Public Reserve (PR) Land Use Designation (Ch 5 Land Use)**	❑ **No**	**No revisions proposed**
h. **Identification of open space corridors within and between urban growth areas**, including lands useful for recreation, wildlife habitat, trails, and connection of critical areas. RCW 36.70A.160 and WAC 365-196-335	❑ **Yes** Location(s) **Public Reserve (PR) Land Use Designation (Ch 5 Land Use), 7.2.1 Inventory of Parks and Recreation Resources (Ch 7 Parks and Recreation)**	❑ **No**	**No revisions proposed**
i. **Policies to designate and protect critical areas** including wetlands, fish and wildlife habitat protection areas, frequently flooded areas, critical aquifer recharge areas, and geologically hazardous areas. In developing these policies, the county must have included the **best available science (BAS)** to protect the functions and values of critical areas, and give **"special consideration"** to conservation or protection measures necessary to preserve or enhance anadromous fisheries. RCW 36.70A.030(5), RCW 36.70A.172, BAS added in 1995. See WAC 365-195-900 through -925. *Note:* A voluntary stewardship program was created in ESHB	❑ **Yes** Location(s) **2.2 Existing Conditions and Relevant Goals and Policies (Ch 2 Critical Areas)**	❑ **Yes**	**New Policy CA-1 (BAS), Policy CA-13 (VSP), Policy CA-17 (special consider-ation)**

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes
1886 [**New in 2011**] as an alternative for protecting critical areas in areas used for agricultural activities. Counties had the opportunity to opt into this voluntary program before January 22, 2012. See requirements of the voluntary stewardship program. RCW 36.70A.700 through .904.			
j. Provisions for **protection of the quality and quantity of groundwater used for public water supplies**. RCW 36.70A.070(1) WAC 365-190-100	❑ **Yes** Location(s) **2.2.5 Aquifer Recharge Areas, Goal CA-5 (Ch 2 Critical Areas)**	❑ **Yes**	**New Goal LU 4 and related policies**
k. Where applicable, **a review of drainage, flooding, and stormwater run-off** in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state. RCW 36.70A.070(1) and WAC 365-196-405(1)(e) *Note:* RCW 90.56.010(26) defines waters of the state.	❑ **Yes** Location(s) **Policies CA-18, CA-19 (Ch 2 Critical Areas)**	❑ **No**	**No revisions proposed**
l. **Criteria for designating natural resource lands** consistent with minimum guidelines to classify agricultural, forest, mineral lands and critical areas? RCW 36.70A.050, WAC 365-190	❑ **Yes** Location(s) **6.3 Resource Lands: Existing Conditions and Relevant Goals and Policies (Ch 6 Rural and Resource Lands)**	❑ **No**	**No major revisions proposed**
m. Policies **for agriculturally designated lands limiting nonagricultural uses** to lands with poor soils or otherwise not suitable for agricultural purposes, and policies limiting the allowable range of accessory uses to those allowed by statute. RCW 36.70A.177(3) [**Amended in 2004 and 2006**]	❑ **Yes** Location(s) **6.3.5 Resources Lands Goals and Policies (Ch 6 Rural and Resource Lands)**	❑ **No Optional**	**6.3.6 (former 6.3.5)**
n. Policies **encouraging the conservation** of productive forest and agricultural lands and **discouraging incompatible uses**. RCW 36.70A.020(8), Amended in 1997. WAC 365-190-050, WAC 365-196-815	❑ **Yes** Location(s) **6.3.5 Resources Lands Goals and Policies (Ch 6 Rural and Resource Lands)**	❑ **No**	**6.3.6 (former 6.3.5)**
o. **Review of designated mineral resource lands.** RCW 36.70A.131 requires consideration of new information, including data available from the Department of Natural	❑ **Yes** Location(s) **6.3 Resource Lands:**	❑ **Yes**	**No revisions proposed**

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes
Resources, relating to mineral resource deposits when reviewing mineral resource land designations. Minerals include sand, gravel and valuable metallic substances. RCW 36.70A.030(11) and WAC 365-190-070.	**Existing Conditions and Relevant Goals and Policies (Ch 6 Rural and Resource Lands)**		
p. *If* there is an airport within or adjacent to the county: **policies, land use designations** *(and zoning)* **to discourage the siting of incompatible uses adjacent to general aviation airports.** RCW 36.70A.510; RCW 36.70.547, New in 1996. *Note:* The plan *(and associated regulations)* must be filed with the Aviation Division of WSDOT. WAC 365-196-455	❑ **Yes** Location(s) **10.2.3 Goals and Policies, e.g. Policy CF-3 (Ch 10 Capital Facilities)**	❑ **No**	**No revisions proposed**
q. *If* there is a Military Base within or adjacent to the jurisdiction employing 100 or more personnel: **policies, land use designations,** *(and consistent zoning)* **to discourage the siting of incompatible uses adjacent to military bases.** RCW 36.70A.530(3), **New in 2004.** See WAC 365-196-475	❑ **No**	❑ **No**	**N/A**
r. *If* forest or agricultural lands of long-term commercial significance are designated *inside an urban growth area*, there must be **a program authorizing Transfer (or Purchase) of Development Rights.** RCW 36.70A.060(4), **Amended in 2005**	❑ **No**	❑ **No**	**N/A**
2. A **Housing Element** to ensure the vitality and character of established residential neighborhoods and is consistent with relevant CWPPs, and RCW 36.70A.070(2).			
a. **Goals, policies, and objectives** for the preservation, improvement, and development of housing. RCW 36.70A.070(2)(b) and WAC 365-196-410(2)(a)	❑ **Yes** Location(s) **4.2.7 Housing Goals and Policies (Ch 4 Housing)**	❑ **No Optional**	**Minor revisions to Policies HS-5, HS-7, HS-10, HS-11, HS-14; new Policy HS-18**
b. **An inventory and analysis** of existing and projected housing needs over the planning period. RCW 36.70A.070(2)(a) and WAC 365-196-410(2)(b) and (c)	❑ **Yes** Location(s) **4.2.1-4.2.6 Existing Conditions (Ch 4 Housing)**	❑ **No Optional**	**Inventory in 4.2 updated; Land capacity analysis in progress**
c. **Identification of sufficient land for housing**, including but not limited to, government-assisted housing, housing for low-	❑ **Yes** Location(s) **4.2.1-4.2.6**	❑ **Yes**	**Inventory in 4.2 updated; Land capacity**

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes
income families, manufactured housing, multifamily housing, group homes, and foster care facilities. RCW 36.70A.070(2)(c)	**Existing Conditions (Ch 4 Housing), 5.2.1 Population Projections and Distribution, 5.2.3 Land Use Plan Map Designations (Ch 5 Land Use)**		**analysis in progress**
d. **Adequate provisions for existing and projected housing needs** for all economic segments of the community RCW 36.70A.070(2)(d) and WAC 365-196-410.	❑ **Yes** Location(s) **4.2.7 Housing Goals and Policies (Ch 4 Housing)**	❑ **No**	**No major revisions proposed**
e. Policies so that **manufactured housing** is not regulated differently than site built housing. RCW 35.21.684, 35.63.160, 35A.21.312, and 36.01.225, **Amended in 2004**	❑ **Yes** Location(s) **Policy HS-7**	❑ **No**	**Note that new Policy HS-18 allows temporary placement for medical hardships**
f. *If* enacting or expanding an **affordable housing program** under RCW 36.70A.540: identification of land use designations within a geographic area where increased residential development will assist in achieving local growth management and housing policies? RCW 36.70A.540, **New in 2006**.WAC 365-196-870	❑ **No**	❑ **No Optional**	**No revisions proposed**
a. *If* the county has a population of over 125,000: **provisions for accessory dwelling units (ADUs) to be allowed in single-family residential areas.** RCW 36.70A.400, RCW 43.63A.215(3)	❑ **No** Location(s)	❑ **No**	**N/A**
3. A **Capital Facilities Plan (CFP) Element** to serve as a check on the practicality of achieving other elements of the plan, covering all the capital facilities planned, provided, and paid for by public entities including local government and special districts, etc; including water systems, sanitary sewer systems, storm water facilities, schools, parks and recreational facilities, police and fire protection facilities. Capital expenditures from Park and Recreation Elements, if separate, should be included in the CFP Element. The CFP Element must be consistent with CWPPs, and RCW 36.70A.070(3), and include:			
a. Policies or procedures to ensure **capital budget decisions are in conformity with the comprehensive plan**.	❑ **Yes** Location(s) **Policy CF-6 (Ch**	❑ **No**	**No revisions proposed. Policy in**

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes
RCW 36.70A.120	**10 Capital Facilities)**		**same location**
b. An **inventory** of existing capital facilities owned by public entities. RCW 36.70A.070(3)(a) and WAC 365-196-415(2)(a)	❑ **Yes** Location(s) **10.2.1 Inventory of Capital Facilities (Ch 10 Capital Facilities)**	❑ **No**	**Inventory in 10.2.1 updated**
c. **A forecast of needed capital facilities.** RCW 36.70A.070(3)(b) and WAC 365-196-415(2)(b) *Note*: The forecast of future need should be based on projected population and adopted levels of service (LOS) over the planning period.	❑ **Yes** Location(s) **10.2.1 Inventory of Capital Facilities (Ch 10 Capital Facilities)**	❑ **No Optional**	**10.2.1 and 10.2.2 Six-Year Capital Improvement Plan (Ch 10 Capital Facilities) both updated**
d. Proposed **locations and capacities of expanded or new capital facilities.** RCW 36.70A.070(3)(c) and WAC 365-196-415 (3)(c)	❑ **No**	❑ **No**	**No expanded or new capital facilities currently proposed.**
e. A **six-year plan** (at least) identifying sources of public money to finance planned capital facilities. RCW 36.70A.070(3)(d) and RCW 36.70A.120 and WAC 365-196-415(2)(c)	❑ **Yes** Location(s) **10.2.2 Six-Year Capital Improvement Plan (Ch 10 Capital Facilities)**	❑ **No Optional**	**Six-year plan updated, same location**
f. A **policy or procedure to reassess the Land Use Element** if probable funding falls short of meeting existing needs. RCW 36.70A.070(3)(e) and WAC 365-196-415(2)(d)	❑ **Yes** Location(s) **Policy CF-8 (Ch 10 Capital Facilities)**	❑ **No**	**No revisions proposed. Policy in same location**
g. *If* impact fees are collected: **identification of public facilities on which money is to be spent.** RCW 82.02.050(4) and WAC 365-196-850	❑ **No** Location(s)	❑ **No**	**N/A**
4. A **Utilities Element** which is consistent with relevant CWPPs and RCW 36.70A.070(4) and includes:			
h. The **general location, proposed location and capacity** of all existing and proposed utilities. RCW 36.70A.070(4) and WAC 365-195-420	❑ **Yes** Location(s) **9.2.2 - 9.2.7 Existing Conditions (Ch 9 Utilities)**	❑ **No Optional**	**9.2.2 - 9.2.7 extensively updated**
5. A **Rural Element** consistent with RCW 36.70A.070(5), RCW 36.70A.011, RCW 36.70A.030 (15, 16, and			

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes
17), and should consider WAC 365-196-425. Rural lands are lands not included in urban growth areas, or designated as agricultural, forest, or mineral resource lands.			
a. A **Rural Element** that: • Establishes patterns of rural densities and uses considering local circumstances, including a written record explaining how the rural element harmonizes the planning goals of the GMA and meets the requirements of 36.70A.070(5); • Allows rural development, forestry, and agriculture in rural areas; • Provides for a variety of rural densities, uses, essential public facilities and rural governments services; and • Includes measures that apply to rural development and protects the rural character of the area. RCW 36.70A.030 (15)(16) and (17), RCW 36.70A.070(5); WAC 365-196-425	❑ **Yes** Location(s) **6.2 Rural Lands: Existing Conditions and Relevant Goals and Policies (Ch 6 Rural and Resource Lands)**	❑ **No**	**Background information in 6.2 extensively revised. Revisions to existing goals and policies**
b. Policies that **limit urban services** in rural areas. RCW 36.70A.110(4) *Note:* The plan may include optional techniques such as limited areas of more intensive rural development (LAMIRDs), clustering, density transfer, design guidelines, and conservation easements to accommodate rural uses not characterized by urban growth as specified in RCW 36.70A.070(5)(b), **Amended in 2004**. WAC 365-196-425(4)	❑ **Yes** Location(s) **Policies RL-6, RL-12, RL-36, RL-57 (Ch 6 Rural and Resource Lands)**	❑ **No**	**Polcies RL-7 (revised version of former RL-12); RL-9 (formerly RL-6); RL-48 (revised version of former RL-57)**
6. A **Transportation Element** which must be consistent with relevant CWPPs and RCW 36.70A.070(6). The Transportation Element must include:			
a. An **inventory** of air, water, and ground transportation facilities and services, including transit alignments, state-owned transportation facilities, and general aviation airports. RCW 36.70A.070(6)(a)(iii)(A) and WAC 365-196-430(2)(c).	❑ Yes ❑ No Location(s)	❑ Yes ❑ No	**See separate checklist prepared for Transport-ation Element**
b. Adopted **levels of service (LOS) standards** for all arterials, transit routes and highways. RCW 36.70A.070(6)(a)(iii)(B), New in 1997 and WAC 365-196-430	❑ Yes ❑ No Location(s)	❑ Yes ❑ No	**See separate checklist prepared for Transport-ation Element**
c. Identification of specific **actions to bring locally-owned transportation facilities and services to established LOS**. RCW 36.70A.070(6)(a)(iii)(D), **Amended in 2005.**	❑ Yes ❑ No Location(s)	❑ Yes ❑ No	**See separate checklist prepared for Transport-**

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes
WAC 365-196-430			**ation Element**
d. A **forecast of traffic for at least 10 years**, including land use assumptions used in estimating travel. RCW 36.70A.070(6)(a)(i); RCW 36.70A.070(6)(a)(iii)(E). WAC 365-196-430(2)(f).	❑ Yes ❑ No Location(s)	❑ Yes ❑ No	**See separate checklist prepared for Transport-ation Element**
e. A **projection of state and local system needs** to meet current and future demand. RCW 36.70A.070(6)(a)(iii)(F) and WAC 365-196-430(2)(f)	❑ Yes ❑ No Location(s)	❑ Yes ❑ No	**See separate checklist prepared for Transport-ation Element**
f. A **pedestrian and bicycle component.** RCW 36.70A.070(6)(a)(vii), **Amended 2005** WAC 365-196-430(2)(j)	❑ Yes ❑ No Location(s)	❑ Yes ❑ No	**See separate checklist prepared for Transport-ation Element**
g. A description of any existing and planned **transportation demand management (TDM) strategies**, such as HOV lanes or subsidy programs, parking policies, etc. RCW 36.70A.070(6)(a)(vi) and WAC 365-196-430(2)(i)	❑ Yes ❑ No Location(s)	❑ Yes ❑ No	**See separate checklist prepared for Transport-ation Element**
h. An **analysis of future funding capability** to judge needs against probable funding resources**.** RCW 36.70A.070(6)(a)(iv)(A) and WAC 365.196-430(2)(k)(iv)	❑ Yes ❑ No Location(s)	❑ Yes ❑ No	**See separate checklist prepared for Transport-ation Element**
i. A **multiyear financing plan** based on needs identified in the comprehensive plan, the appropriate parts of which serve as the basis for the 6-year street, road or transit program. RCW 36.70A.070(6)(a)(iv)(B) and RCW 35.77.010. WAC 365-196-430(2)(k)(ii)	❑ Yes ❑ No Location(s)	❑ Yes ❑ No	**See separate checklist prepared for Transport-ation Element**
j. *If* probable funding falls short of meeting identified needs: a **discussion of how additional funds will be raised**, or **how land use assumptions will be reassessed** to ensure that LOS standards will be met. RCW 36.70A.070(6)(a)(iv)(C) WAC 365-196-430(2)(l)(ii)	❑ Yes ❑ No Location(s)	❑ Yes ❑ No	**See separate checklist prepared for Transport-ation Element**
k. A **description of intergovernmental coordination efforts**, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions and how it is consistent with the regional transportation plan. RCW 36.70A.070(6)(a)(v). WAC 365-196-430(2)(a)(iv)	❑ Yes ❑ No Location(s)	❑ Yes ❑ No	**See separate checklist prepared for Transport-ation Element**

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes
7. Provisions for siting essential public facilities (EPFs), consistent with CWPPs and RCW 36.70A.200. This section can be included in the Capital Facilities Element, Land Use Element, or in its own element. Sometimes the identification and siting process for EPFs is part of the CWPPs. WAC 365-196-340 and 550.			
a. **A process or criteria for identifying and siting essential public facilities (EPFs).** RCW 36.70A.200, Amended in 1997 and 2001 *Notes:* EPFs are defined in RCW 71.09.020(14). Jurisdictions should consider OFM's list of EPFs that are required or likely to be built within the next six years. Regional Transit Authority facilities are included in the list of essential public facilities. RCW 36.70A.200(1)**, amended 2010**. WAC 365-196-550(d)	❑ Yes ❑ No Location(s)	❑ Yes ❑ No	
b. Policies or procedures that ensure the **comprehensive plan does not preclude the siting of EPFs.** RCW 36.70A.200(5); WAC 365-196-550(3) *Note:* If the EPF siting process is in the CWPPs, this policy may be contained in the comprehensive plan as well.	❑ Yes ❑ No Location(s)	❑ Yes ❑ No	
8. Consistency is required by the GMA.			
a. All plan elements must be **consistent with relevant county-wide planning policies (CWPPs) and, where applicable, Multicounty Planning Policies (MPPs), and the GMA.** RCW 36.70A.100 and .210 WAC 365-196-400(2)(c), 305 and 520	❑ **Yes** Location(s) **Relevant CWPPs Incorporated at beginning of each element**	❑ **No**	**Maintaining consistency**
b. All plan elements must be **consistent with each other.** RCW 36.70A.070 (preamble) and WAC 365-197-400(2)(f)	❑ **Yes** Location(s) **Entire document**	❑ **No**	**Maintaining consistency**
c. The plan must be **coordinated with the plans of adjacent jurisdictions.** RCW 36.70A.100 and WAC 365-196-520	❑ **Yes** Location(s) **Entire document**	❑ **No**	**Coordination in progress**
9. Shoreline Provisions:			
The goals and policies of the shoreline master program approved under RCW 90.58 are considered an element of the comprehensive plan. RCW 36.70A.480, WAC 365-196-580 For shorelines of the state, the goals and policies of the	❑ **Yes** Location(s) **3.2 Existing Conditions and Relevant Goals and Policies**	❑ **No Optional**	**New Goal SL 1 and related policy**

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes
shoreline management act as set forth in RCW 90.58.020 are added as one of the GMA goals of RCW 36.70A.020.			
10. Public participation, plan amendments and monitoring. Note: House Bill 2834, passed in 2012, eliminates the requirement for cities planning under the GMA to report every 5 years on its progress in implementing its comprehensive plans.			
a. **A process to ensure public participation in the comprehensive planning process.** RCW 36.70A.020(11), .035, and .140; WAC 365-196-600(3) *Note:* The process should address annual amendments (if the jurisdiction allows for them) [RCW 36.70A.130(2), **Amended in 2006**], emergency amendments[RCW 36.70A.130(2)(b)], and may include a specialized periodic update process. Plan amendment processes may be coordinated among cities within a county [RCW 36.70A.130(2)(a)] and should be well publicized.	❑ **Yes** Location(s) **1.4 Amendments to the Comprehen-sive Plan (Ch 1 Introduction)**	❑ **No**	**Public participation in progress**
b. The plan describes the process for making amendments. RCW 36.70A.130(2)(a). **Plan provides that amendments are to be considered no more often than once a year, not including the exceptions described** in RCW 36.70A.130(2). WAC 365-196-640.	❑ **Yes** Location(s) **1.4 Amendments to the Comprehen-sive Plan (Ch 1 Introduction)**	❑ **No**	**No revisions proposed**
c. A process to assure that proposed **regulatory or administrative actions do not result in an unconstitutional taking of private property**. See *Attorney General's Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property* for guidance. RCW 36.70A.370	❑ **Yes** Location(s) **Legal review (outside of document)**	❑ **No**	**Legal review yet to occur**

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes

II. Required Components of Development Regulations: WAC 365-196-810

11. Regulations designating and protecting critical areas are required by RCW 36.70A.170, RCW 36.70A.060(2) and RCW 36.70A.172(1). *Note*: A voluntary stewardship program was created in ESHB 1886 (2011) as an alternative for protecting critical areas in areas used for agricultural activities. Counties may choose to opt into this voluntary program before January 22, 2012. Go to *http://scc.wa.gov/vsp/* for the requirements of the voluntary stewardship program. **12.**			
a. **Classification and designation** of each of the five types of critical areas *(wetlands, critical aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas),* if they are found within your county. RCW 36.70A.170 and RCW 36.70A.190; WAC 365-196-830(2) Note: Senate Bill 5292 adopted in 2012 clarified that certain water-based artificial features or constructs are excluded from being considered part of a fish and wildlife habitat conservation areas.	❑ **Yes** Location(s) **18.08.200 - Critical aquifer recharge areas—Designation; 18.08.300 - Wetlands critical areas—Designation; 18.08.400 - Frequently flooded areas—Designation; 18.08.500 Geologically hazardous areas—Designation; 18.08.600 Fish and wildlife habitat conservation areas—Designation; 18.08.020 - Definitions**	❑ **Yes**	**Wetland classification and designation provisions updated. Fish and wildlife habitat conservation areas clarification added (see note at left). No substantive changes to classification and designation of other critical area types**
b. Findings that demonstrate **Best Available Science (BAS)** was included in developing policies and regulations to protect the function and values of critical areas. In addition, finding should document giving special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries. RCW 36.70A.172(1); WAC 365-195	❑ **Yes** Location(s) **18.08.040 - Best available science; Critical Areas Ordinance Best Available Science Review (HDR, Inc. 2008)**	❑ **Yes**	**Updates to critical areas regulations based on updates to SMP critical areas regulations**
c. Regulations that protect the functions and values of **wetlands**. RCW 36.70A.060(2) and RCW 36.70A.172(1)	❑ **Yes** Location(s) **18.08.300 – 18.08.350**	❑ **Yes**	**Revisions proposed, including updated**

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes
WAC 365-190-090			**wetland rating system, allowing use of the Credit/ Debit method for wetland mitigation**
d. A **definition of wetlands** consistent with RCW 36.70A.030(21) WAC 365-190-090, WAC 173-22-035	❑ **Yes** Location(s) **18.08.020 - Definitions**	❑ **No**	**Definition updated to refer to federal delineation manual, as required below**
e. **Delineation of wetlands** using the approved federal wetlands delineation manual and applicable regional supplements RCW 36.70A.175, RCW 90.58.380, WAC 173-22-035	❑ **No** Location(s) **Use of state manual defined in 18.08.020 - Definitions and 18.08.300.A**	❑ **Yes**	**Wetland definition and designation section updated to refer to federal delineation manual**
f. Regulations that protect the functions and values of **critical aquifer recharge areas ("areas with a critical recharging effect on aquifers used for potable water" RCW 36.70A.030(5)(b)).** RCW 36.70A.060(2), RCW 36.70A.172(1), WAC 365-190-100	❑ **Yes** Location(s) **18.08.200 – 18.08.270**	❑ **No**	**Limited revisions proposed**
g. Regulations to protect the **quality and quantity of ground water** used for public water supplies. RCW 36.70A.070(1)	❑ **Yes** Location(s) **18.08.200 – 18.08.270; Chapter 11.07 - Stormwater Management**	❑ **No Optional**	**New section 17.04.060 - Water restrictions added**
h. Regulations that protect the functions and values of **fish and wildlife habitat conservation areas.** In addition, counties shall give special consideration to conservation or protection measures necessary to preserve or enhance **anadromous fisheries**. RCW 36.70A.060(2) and RCW 36.70A.172(1); WAC 365-195-925(3), 365-190-130	❑ **Yes** Location(s) **18.08.600 – 18.08.675**	❑ **No**	**Limited revisions proposed**
i. Regulations that protect the functions and values of **frequently flooded areas.**	❑ **Yes** Location(s) **18.08.400 –**	❑ **No**	**No revisions proposed**

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes
RCW 36.70A.060(2) and RCW 36.70A.172(1) WAC 365-190-110, WAC 173-158-040	**18.08.420**		
j. Definition of "fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company. RCW 36.70A.030(5) **New in 2012**.	❑ **No** Location(s) **18.08.020 - Definitions**	❑ **Yes**	**Specific highlighted language at left added to definition**
k. Provisions to ensure **water quality and stormwater drainage regulations** are consistent with applicable Land Use Element policies. RCW 36.70A.070(1), WAC 365-196-405	❑ **Yes** Location(s) **17.04.020 - Purpose**	❑ **No**	**No revisions proposed**
l. Regulation of **geologically hazardous areas** consistent with public health and safety concerns. RCW 36.70A.030(9), RCW 36.70A.060(2) and RCW 36.70A.172(1) WAC 365-190-120	❑ **Yes** Location(s) **18.08.500 – 18.08.560**	❑ **No**	**No revisions proposed**
m. Provisions that allow "**reasonable use**" of properties constrained by presence of critical areas. RCW 36.70A.370. See *Attorney General's Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property* for guidance.	❑ **Yes** Location(s) **18.08.090 - Reasonable use**	❑ **No**	**No revisions proposed**
n. *If* your county is assuming regulation of forest practices as provided in RCW 76.09.240: **forest practices regulations** that protect public resources, require appropriate approvals for all phases of conversion of forest lands, are guided by GMA planning goals, and are consistent with adopted critical areas regulations. RCW 36.70A.570, **Amended in 2007, 2010** and RCW 76.09.240 **Amended in 2007, 2010.** *Note: Applies only to counties fully planning under the GMA with a population greater than 100,000 and the cities and towns within those counties where a certain number of Class IV applications have been filed within a certain timeframe.*	❑ **No**	❑ **No**	**N/A**
13. Shoreline Master Program See Washington State Department of Ecology's SMP Submittal Checklist			
a. **Zoning** is consistent with Shoreline Master Program (SMP)	❑ **Yes** Location(s)	❑ **No**	**No revisions proposed.**

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes
environmental designations. RCW 36.70A.070; RCW 36.70A.480 WAC 365-196-580	**Title 17 - Zoning / SMP**		**Formal Ecology approval of SMP pending**
b. *If* **SMP regulations** have been updated to meet Ecology's shoreline regulations and approved by Ecology: protection for critical areas in shorelines is accomplished solely through the SMP. The exception is where buffers are not adequate to protect critical areas. RCW 36.70A.480(4), **Amended in 2003, 2010** and RCW 90.58.090(4). WAC 365-196-580	❑ **Yes** Location(s) **SMP regulation 5.1.B.**	❑ **No**	**No revisions proposed. Formal Ecology approval of SMP pending**
14. The Zoning Code:			
a. **Family daycare providers** are allowed in areas zoned for residential or commercial uses. Zoning conditions should be no more restrictive than those imposed on other residential dwellings in the same zone, but may address drop-off and pickup areas and hours of operation. RCW 36.70A.450, RCW 74.15.020(1)(f); WAC 365-196-865	❑ **Yes** Location(s) **17.16.014 - Permitted uses table**	❑ **No**	**No revisions proposed**
b. **Manufactured housing** is regulated the same as site-built housing. [RCW 35.21.684, 35.63.160, 35A.21.312 and 36.01.225, **All Amended in 2004**	❑ **Yes** Location(s) **Title 17 - Zoning**	❑ **No**	**Title 17 amended to remove references to mobile homes and better align with Title 15, Buildings and Construction**
c. *If* the county has a population of over 125,000, **accessory dwelling units (ADUs)** are allowed in single-family residential areas. RCW 43.63A.215(3)	❑ **Yes** Location(s) **17.16.014 - Permitted uses table**	❑ **No**	**N/A**
d. *If* there is an airport within or adjacent to the city: zoning **that discourages the siting of incompatible uses adjacent to general aviation airports.** RCW 36.70.547, New in 1996). *Note:* The zoning regulations must be filed with the Aviation Division of WSDOT. RCW 36.70A.510, RCW 36.70.547; WAC 365-196-455	❑ **Yes** Location(s) **17.12.040, Establishment of districts—Designated—General purposes; 17.16.015 - Permitted uses—Airport development district**	❑ **No**	**No revisions proposed**
e. *If* there is a Military Base within or adjacent to the	❑ **No**	❑ **No**	**N/A**

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes
jurisdiction employing 100 or more personnel: **zoning that discourages the siting of incompatible uses adjacent to military bases.** RCW 36.70A.530(3), **New in 2004.** WAC 365-196-475			
f. Residential structures that are occupied by **persons with handicaps** are regulated the same as a similar residential structure occupied by a family or other unrelated individuals. RCW 36.70A.410, WAC 365-196-860	❑ **Yes (no distinction made)**	❑ **No**	**No revisions proposed**
g. A **variety of rural densities and innovative techniques that protect rural character**. RCW 36.70A.070(5)(b)and (c) and WAC 365-196-425(5)	❑ **Yes** Location(s) **17.18.020 - Table of density and dimensional requirements; Chapter 17.30 - Development Standards—Rural Farmworker Communities; Chapter 17.31 - Development Standards—Cluster Developments on Resource Lands**	❑ **No**	**No revisions proposed**
h. **Zoning consistent with natural resource lands designations** in the comprehensive plan. RCW 36.70A.060(3), RCW 36.70A.030(2),(8),and (10), WAC 365-196-800, WAC 365-196-815, WAC 365-190(020)(6).	❑ **Yes** Location(s) **17.12.040 - Establishment of districts—Designated—General purposes**	❑ **No**	**Limited revisions to zoning regulations proposed**
i. Regulations to **conserve natural resource lands**. RCW 36.70A.060(1)(a) WAC 365-196-800	❑ **Yes** Location(s) **Title 17 - Zoning**	❑ **No**	**No revisions to regulations associated with conserving natural resource lands proposed**
j. **Regulations that encourage nonagricultural uses to be limited to lands with poor soils or otherwise not suitable for agricultural purposes** with the exception of accessory uses. Accessory uses located, designed and operated so as to not	❑ **Yes** Location(s) **17.12.040 - Establishment of districts—**	❑ **No**	**No revisions proposed**

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes
interfere with, and to support the continuation of, the overall agricultural use. Accessory uses consistent with RCW 36.70A.177(3)(b). **New in 2004, amended in 2006.**	**Designated—General purposes; 17.21.040 - Additional standards for agricultural zones**		
k. Regulations to assure that the **use of lands adjacent to natural resource lands** shall not interfere with natural resource production. RCW 36.70A.060(1)(a), WAC 365-190, WAC 365-196-815	❑ **Yes** Location(s) **17.12.040 - Establishment of districts—Designated—General purposes; 17.31 - Development Standards—Cluster developments on resource lands; Chapter 8.40 - Right to Farm**	❑ **No**	**No revisions proposed**
l. Regulations that require **notice on all development permits and plats within 500 feet of designated natural resource lands** that the property is within or near a designated natural resource land on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration and that an application might be made for mining-related activities? RCW 36.70A.060(1)(b), Amended from 300 to 500 ft in 1998.	❑ **Yes** Location(s) **17.04.050 - Developments on or near resource lands—Notice required; Chapter 8.40 - Right to Farm; 18.10.040 - Mineral lands management policies**	❑ **No**	**No revisions proposed. Existing requirement is within 1,320 feet**
m. Mineral lands **designations and regulations** reviewed as required by RCW 36.70A.131. *Note:* For more information, contact DNR's Geology Division at (360) 902-1439 or review DNR's earth resource mapping. WAC 365-190-040(5)	❑ **Yes** Location(s) **Chapter 18.10 - Mineral Resource Lands Policy; 17.16.014 - Permitted uses table; Chapter 17.40 - Conditional uses**	❑ **No**	**No revisions proposed**
n. Cities adjacent to I-5, I-90, I-405, or SR 520 and counties -- for lands within 1 mile of these highways -- must adopt regulations that allow electric vehicle infrastructure (EVI) as	❑ **No**	❑ **No**	**N/A**

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes
a use in all areas except those zoned for residential or resource use, or critical areas ***by July 1, 2011.*** RCW 36.70A.695, **New in 2009.**			
o. Development regulations of all jurisdictions must allow electric vehicle battery charging stations in all areas except those zoned for residential or resource use, or critical areas ***by July 1, 2011***. RCW 36.70A.695, **New in 2009.**	❑ **No**	❑ **Yes**	**Electric vehicle charging stations added as an allowed use to 17.16.14 - Permitted uses table. Would allow in RD-Cl, RAC, IA-M, IA-H, HI, LI, I/BP, NC, CG, BC, and PR zones**
15. Subdivision Code regulations			
a. Subdivision code is **consistent with comprehensive plan policies**. RCW 36.70A.030(7)and 36.70A.040(4)(d), WAC 365-196-820	❑ **Yes** Location(s) **Title 16 - Subdivisions**	❑ **No**	**Limited revisions to subdivision code proposed**
b. Code requires **written findings** documenting that proposed subdivisions provide appropriate provision under RCW 58.17.110(2)(a) for: Streets or roads, sidewalks, alleys, other public ways, transit stops, and other features that assure safe walking conditions for students; potable water supplies [RCW 19.27.097], sanitary wastes, and drainage ways (stormwater retention and detention); open spaces, parks and recreation, and playgrounds; and schools and school grounds. WAC 365-196-820(1)	❑ **Yes** Location(s) **16.36.050, Approval criteria**	❑ **No**	**No revisions proposed**
c. Preliminary subdivision approvals under RCW 58.17.140 are valid for a period of five or seven years (previously five years). RCW 58.17.140 and RCW 58.17.170. **[Amended 2010 by SB 6544 and in 2012 by HB 2152.** *Note*: Preliminary plat approval is valid for: seven years if the date of preliminary plat approval is on or before December 31, 2014; five years if the preliminary plat approval is issued on or after January 1, 2015; and ten years if the project is located within city limits, not subject to the shoreline management act, and the preliminary plat is approved on or before December 31, 2007.	❑ **Yes** Location(s) **16.14.060 - Expiration**	❑ **Yes**	**Expiration language updated to reflect current RCWs**

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes
16. Concurrency, Impact Fees, and TDM			
a. The **transportation concurrency** ordinance includes specific language that prohibits development when level of service standards for transportation facilities cannot be met. RCW 36.70A.070(6)(b) and WAC 365-196-840 ESB 5923 (laws of 2015) requires counties, cities, and towns to delay the starting of the six-year time frame until after deferred impact fees are due. For more information see MRSCs Impact Fee Deferral Program web page. **Adopted in 2015**	❑ **Yes** Location(s) **12.50.030 - Concurrency review**	❑ **No**	**No revisions proposed**
b. *If* adopted: **impact fee methods** are consistent with RCW 82.02.050 through 100. *Note:* The timeframe for expending or encumbering impact fees has been extended to ten years. [RCW 82.02.070 and RCW 82.02.080, **Amended in 2011;** WAC 365-196-850 ESB 5923 (laws of 2015) requires counties, cities, and towns to adopt a deferral system for the collection of impact fees for new single-family detached and attached residential construction by September 1, 2016. For more information see MRSCs Impact Fee Deferral Program web page. **Adopted in 2015**	❑ **No**	❑ **No**	**N/A**
c. *If* required by RCW 70.94.527: a **commute trip reduction** ordinance to reduce the proportion of single-occupant vehicle commute trips. RCW 70.94.521-551, **Amended in 2006;** WAC 468-63 *Note:* WSDOT maintains a list of affected jurisdictions	❑ **No**	❑ **No**	**N/A**
d. **Development regulations may implement traffic demand management (TDM) policies.** RCW 36.70A.070(6)(a)(vi) and WAC 365-196-840(4)	❑ **No**	❑ **No Optional**	**No revisions proposed**
17. Siting Essential Public Facilities (EPFs)			
Regulations are consistent with Essential Public Facility siting process in countywide planning policies or city comprehensive plan, and **do not preclude the siting of EPFs.** RCW 36.70A.200(5), WAC 365-196-550	❑ **Yes** Location(s) **Chapter 17.23 - Development Standards—Essential**	❑ **No**	**No revisions proposed**

	Addressed in current plan or regs? If yes, note where.	Amend-ment needed to meet current statute?	Notes

	Public Facilities		
18. Project Review Procedures			
Project review processes integrate permit and environmental review for: notice of application; notice of complete application; one open-record public hearing; allowing applicants to combine public hearings and decisions for multiple permits; notice of decision; one closed-record appeal. RCW 36.70A.470, RCW 36.70B and RCW 43.21C WAC 365-196-845	❑ **Yes** Location(s) **Chapter 14.09 - Project Permit Classification and Review Processes**	❑ **No**	**Limited revisions to Chapter 14.09 proposed**
19. General Provisions The GMA requires that development regulations be consistent with and implement the comprehensive plan. [RCW 36.70A.030(7) and .040(4)(d). WAC 365-196-810			
a. A process for **early and continuous public participation** in the development regulation development and amendment process. RCW 36.70A.020(11),.035, .130 and .140.	❑ **Yes** Location(s) **Chapter 14.15 - Development Regulations amendment process**	❑ **No**	**No revisions proposed**
b. A process to assure that proposed regulatory or administrative actions **do not result in an unconstitutional taking of private property**. RCW 36.70A.370, WAC 365-196-855 *Note*: See *Attorney General's Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property*.	❑ **Yes** Location(s) **19.04.130 - Private property rights**	❑ **No**	**Proposed revisions to be reviewed by County legal staff prior to taking effect**

This checklist covers the requirements of the Growth Management Act through the laws of 2016. It does not address related issues, or things that are not specifically required but that are commonly found in comprehensive plans and the implementing regulations. For more information, please visit: *http://www.commerce.wa.gov/Services/localgovernment/GrowthManagement/Growth-Management-Planning-Topics/Pages/GMA-Periodic-Update.aspx*

Walla Walla County Community Development Department

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

Date: May 23, 2018

To: Walla Walla County Planning Commission

From: Tom Glover, Director

Prepared by: Lauren Prentice, Principal Planner

RE: Comprehensive Plan and Development Regulations Periodic Update – residential land capacity and densities inside UGAs (CPA18-001/ZCA18-001)

Background

Earlier in the year the Planning Commission was presented with a report prepared by The Watershed Company regarding population projections and allocations. Setting a population projection is the important first step in the periodic update process because it provides a basis for evaluating urban growth area (UGA), capital facilities, and transportation plans. The Office of Financial Management provided the County with low, medium, and high population estimates. Under RCW 43.62.035, the medium estimate is the most likely outcome. The existing countywide population target of 71,724, established in 2005 and retained in 2013, falls between the interpolated medium and high estimates for 2038. Although the existing target is higher than the most likely outcome, the OFM medium target, all jurisdictions have been planning for this amount of growth for several years. For more analysis of population projections and allocations, please refer to Attachment C.

Jurisdiction	2017 OFM Population Estimate	Percent of 2017 Total County Population Estimate	Existing Population Target	Percent of Existing Total County Population Target
College Place	9,440	15.4%	10,825	15.1%
Walla Walla	33,840	55.1%	39,530	55.1%
Prescott	330	.5%	399	.6%
Waitsburg	1,230	2.0%	1,525	2.1%

The next step is to evaluate whether the county and each city has adequately planned to accommodate these allocated population targets within urban growth areas through a land capacity analysis. The County must evaluate capacity within existing UGA boundaries as well as consider the effects of UGA amendment proposals. According to WAC 365-196-310(2)(e), a UGA "may not exceed the areas necessary to accommodate the growth management planning projections, plus a reasonable land market supply factor, or market factor." This memorandum also includes information regarding existing policies and regulations related to residential density within UGAs and amendments that may be necessary to ensure that interim development within UGAs does not preclude future residential development at densities needed to achieve the population targets.

Attachments

A. Proposed amendments to WWCC 17.18.050 and WWCC 17.18.070
B. Draft Land Capacity Analysis dated 05/21/2018
C. Population Projection & Allocation Technical Memorandum by The Watershed Company dated 01/17/2018

Land Capacity Analysis

Based on the population projection made for the County by Office of Financial Management, the county and each city must include areas and densities sufficient to permit the urban growth projected to occur in the county or city for the succeeding 20-year period. Compliance with this requirement is demonstrated through a land capacity analysis.

A draft of the County's Land Capacity Analysis (LCA) is Attachment B.

Residential Density in UGAs

The County has a residential minimum density policy of three units per acre, which was established in 2005 during the annual Comprehensive Plan amendment process, when the County was considering several expansions to the College Place and Walla Walla UGAs (Ordinance No. 322, Page 6, Section 1.2.3). Prior to 2005, the County did not have a minimum density policy.

Current Comprehensive Plan policies

The following policies and goal are contained with Section 5.2.7 and apply within all UGAs. Note that Policy LU-13 states that land within critical areas, but not buffers, should be excluded in the methodology.

Policy LU-13 *Implement a minimum density for residential uses in UGAs of three residential dwelling units per acre and adopt development regulations that specify the methodology for achieving the minimum density. The methodology must include critical area protection zones (buffers) in the land area calculation but not the critical areas themselves.*

Policy LU-18 *Provide equitable transition opportunities for owners of residential land within Urban Growth Areas by allowing a one-time land division consistent with the following criteria:*

A. A maximum of two lots or parcels can be created;
B. One or both lots or parcels can be less than five acres in size;
C. The size and configuration of the lots or parcels shall not preclude future division of all lots or parcels into lots that comply with the underlying urban zoning and subdivision standards;
D. The placement of structures, improvements, and infrastructure shall not preclude the future division of all lots or parcels into lots that comply with the underlying urban zoning and subdivision standards.

This policy takes precedence over any conflicting policies for individual UGAs.

Goal LU-5. *To require new development in UGAs to develop at higher intensities than in rural areas.*

Growth Management Act (GMA) Goals

These density policies and regulations are an important because they help the County achieve the following GMA goals which are required to guide the development of comprehensive plans and development regulations pursuant to RCW 36.70A.020.

> *(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*
>
> *(2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.*

Pre-2005 Walla Walla Urban Area Comprehensive Plan Policies

Prior to 2005, all lands within the Walla Walla UGA were designated Residential (land within the 6-year Capital Facilities Plan) or Rural Conversion (the rest of the UGA, could become Residential as facilities became available). As described in Ordinance No. 322 (Section 1.2.6), the Rural Conversion designation was used by the County "as an urban reserve as a holding category until development was more imminent. This designation proved confusing and created a need for many site-specific rezones. To address this problem and provide a uniform zoning approach, the County approved an area-wide rezone of the Walla Walla urban growth area in 2004 to bring the County's zoning into compliance with the adopted land use plan map." Considering this, the designation was removed in 2005 (Ordinance No. 322).

The Residential land use designation included the following policy.

> *Any land divided, which results in any undeveloped parcel of less than 5 acres, must connect to both City water and sewer utilities.*

This policy was removed in 2005. Most of the one-time splits that have been approved in recent years resulted in lots that are less than five acres and don't have city utilities. Similarly, the policies for the Rural Conversion designation required lot sizes to be five acres or greater.

Residential Density Per Acre (WWCC 17.18.020) – minimum number of dwelling units

For any development within UGAs, the residential density per acre listed in the density and dimensional standards table is the minimum density (minimum number of dwelling units) required for residential uses (Footnote 16). The maximum number is determined by the minimum lot size specific for the zoning district.

Per WWCC 17.18.020, the minimum density is 3.0 dwelling units per acre for all residential zones, in *all* UGAs.

- R-96 – Suburban Residential (9,600sf minimum lot size)
- R-72 – Single-Family Residential (7,200sf minimum lot size)
- R-60 – Single-Family Residential (6,000sf minimum lot size)
- RM – Multiple-family Residential (no minimum lot size specified by zoning)
- BR – Burbank Residential (no minimum lot size specified by zoning)
    - WWCC 17.18.050D – In the Burbank Residential zoning district the density for multi-family and town-house residential uses shall not exceed four dwelling units per acre. So, the density for this type of residential development in the Burbank UGA must be between 3 to 4 dwelling units per acre, which is a small range. This

does not include mobile home parks which are allowed in the Burbank Residential district by conditional use permit.

One-time land divisions/minimum density waivers (WWCC 17.18.050E)

The following language was added to Chapter 17.18 in 2009 (Ordinance No. 371), the last development regulations update. Most of the language is the same as Comprehensive Plan Policy LU-18. This section of the code provides property owners an option for a one-time waiver to the minimum density requirements for a 2-lot short plat.

WWCC 17.18.050E – The minimum density requirement for a property may be waived one time by the county if:

1. *The applicant proposes the creation of no more than two lots or parcels; and*
2. *One or both lots or parcels can be less than five acres in size; and*
3. *The size and configuration of the lots or parcels shall not preclude future division of all lots or parcels into lots that comply with the provisions of this chapter and Title 16; and*
4. *The placement of all structures, improvements, and infrastructure shall not preclude the future division of all lots or parcels into lots that comply with the provisions of this chapter and Title 16.*

Over the past 5-10 years within the Walla Walla UGA a series boundary line adjustments and short plats approved under this waiver have resulted in the creation of more than ten 1-3 acre lots in the vicinity of S. 3rd Avenue and Langdon Road. These lots are all on septic systems. Both the City of Walla Walla and the Washington State Department of Commerce have commented on this development pattern.

From the City of Walla Walla (CPA17-008 Application, Exhibit B, Page 1):

> *…the area to the south, referred to herein as "3rd and Langdon", has experienced more intensive rural development, such as 1 acre lot development on septic systems and wells, and is not urban growth. Removing this area from the UGA at this time makes any further development in the area solely the responsibility of Walla Walla County, and not one that the City would someday have to inherit and attempt to solve. The realized densities of approximately 1 unit per 5.65 acres within the 3rd and Langdon area do not meet an urban growth level of development or allow for cohesive future development and urban densities when the land has been chopped up into small rural-like development.*

From the Department of Commerce (February 15, 2018 letter):

> *Our conversations with City and County staff, along with some of the information in your staff report (CPA 17-008/REZ17-008), indicate that development occurring in unincorporated UGAs may be precluding urban densities, which is a violation of GMA requirements.[7] There are a number of tools to address this issue, including interlocal agreements, memorandums of understanding, or revising existing development regulations in County code.*

Calculating density within a development

The minimum and maximum density within a development is determined after calculating the 'buildable site area' using the formula in WWCC 17.18.070, which was added to the code in 2009.

Buildable site area is the gross site area (the total horizontal area of a site) less any land falling within the following areas:

1. Existing public rights-of-way
2. Areas to be dedicated for public rights-of-way
3. Tracts or easements to be established for public or private streets and alleys
4. Areas in critical areas, but not required critical area buffers (protection zones)

   Note: Under Chapter 18.08, critical areas include critical aquifer recharge areas, wetlands, frequently flooded areas (floodplain and floodway), geologically hazardous areas (erosion hazard areas with slopes greater than 15%, seismic hazard areas with moderate to high liquefaction susceptibility, landslide hazard areas, or areas identified by the Director with severe risk of damage for geological events).
5. Lands with slopes greater than 15%, or unbuildable geologically unstable slopes

   Note: This is listed separately in Section 17.18.070, although these areas are also classified as critical areas and covered under Item 4.
6. Lands within the 100-year floodplain

   Note: This is listed separately in Section 17.18.070, although these areas are also classified as critical areas and covered under Item 4.

This methodology for calculating buildable site area that excludes all areas within critical areas has the potential to result in very low density residential developments due to the high prevalence of critical areas in some of these areas. For example, much of the area in the Walla Walla and College Place UGAs is in a seismic hazard area (moderate to high liquefaction susceptibility) and a critical aquifer recharge area (Walla Walla River shallow gravel aquifer area of moderate vulnerability). Within seismic hazard areas residential development is not restricted under Chapter 18.08 although the code requires that a geologist or engineer reports on soil/site conditions. In practice, some critical areas assessments recommend construction methods to mitigate potential settlement, but more often they conclude that there is not a significant liquefaction risk. In the case of the CARAs, residential development is an allowed activity. However, the code states that land within these critical areas shall be deducted from the gross area in doing the density calculation, even though development is unlikely to be restricted.

This also differs from the methodology of the land capacity analysis that the County established in 2012 and is using again in 2018. In the land capacity analysis, we only excluded land within certain critical areas from the calculation, not all; the designated floodway, creeks and wetlands were all excluded.

Proposed Amendments

Attachment A includes draft options for amendments to WWWCC 17.18.050 and 17.18.070 to address these issues, which staff would like to get input from the Planning Commission on at the workshop. Also on the density range for multi-family development in the Burbank UGA (Pages 3-4).

ATTACHMENT A

Proposed Amendments to Chapter 17.18

Proposed Amendments to WWCC 17.18.050E-F [OPTION 1]

E. The minimum density requirement for a property may be waived one time by the county if:

1. The applicant proposes the creation of no more than two lots or parcels; and
2. ~~One or b~~Both lots or parcels ~~can be less than~~ are at least five acres in size; and
3. The size and configuration of the lots or parcels shall not preclude future division of all lots or parcels into lots that comply with the provisions of this chapter and Title 16; and
4. The placement of all structures, improvements, and infrastructure shall not preclude the future division of all lots or parcels into lots that comply with the provisions of this chapter and Title 16.

F. A proposal to locate one residential dwelling on a property shall be exempt from the minimum density requirement if the applicant demonstrates that the single residence, infra-structure and other improvements are located in a manner such that they would not preclude future residential development of the property consistent with the applicable provisions of this chapter and Title 16.

Proposed Amendments to WWCC 17.18.050E [OPTION 2]

E. The minimum density requirement for a property may be waived one time by the county if:

1. The applicant proposes the creation of no more than two lots or parcels; and
2. One or both lots or parcels can be less than five acres in size; and
3. The size and configuration of the lots or parcels shall not preclude future division of all lots or parcels into lots that comply with the provisions of this chapter and Title 16; and
4. The placement of all structures, improvements, and infrastructure shall not preclude the future division of all lots or parcels into lots that comply with the provisions of this chapter and Title 16. The applicant shall provide an analysis of the number of dwelling units that need to be accommodated based on the calculated buildable site area (WWCC 17.18.070) and show on a site plan or map that the required number of dwelling units can be accommodated based on the proposed placement of lot lines, buildings, and other site improvements.

F. A proposal to locate one residential dwelling on a property shall be exempt from the minimum density requirement if the applicant demonstrates that the single residence, infra-structure and other improvements are located in a manner such that they would not preclude future residential development of the property consistent with the applicable provisions of this chapter and Title 16. At the time of building permit application, the applicant shall provide an analysis of the number of dwelling units that need to be accommodated based on the calculated buildable site area (WWCC 17.18.070) and show on a site plan or map that the required number of dwelling units can be accommodated based on the proposed placement of buildings and other site improvements.

Proposed Amendments to WWCC 17.18.070

17.18.070 - Gross site area, net site area and buildable site area.

A. Gross site area is the total horizontal area of a site.

B. Net site area is the gross site area less existing public rights-of-way.

C. Buildable site area is the gross site area less:

1. Existing public rights-of-way or areas to be dedicated for rights-of-way;

2. Tracts or easements to be established for public or private streets and alleys; and

3. Areas in the following critical areas excluding critical area protection zones (buffers):~~; and~~

a. frequently flooded areas;

b. wetlands;

c. erosion hazard areas, landslide hazard areas, and other areas determined by the Director to be subject to severe risk of damage as a result of other geologically events under WWCC 18.08.500E; and

e. fish and wildlife habitat conservation areas.

~~4. Lands with slopes greater than fifteen percent, unbuildable geologically unstable slopes and lands which lie within the one hundred-year floodplain.~~

TECHNICAL MEMORANDUM

THE WATERSHED COMPANY

Date: May 21, 2018
To: Walla Walla County Community Development Department
Project Name: Walla Walla County Comprehensive Plan and Development Regulations Periodic Update

Subject: Land Capacity Analysis

The purpose of this memorandum is to summarize the methodology and results of the land capacity analysis (LCA) performed for Walla Walla County's urban growth areas (UGAs) as part of the 2018 Walla Walla County Comprehensive Plan periodic update. The LCA was prepared per the directive of the Growth Management Act (GMA).

Introduction

Regulatory Context

GMA

The GMA requires that comprehensive plans and development regulations provide sufficient land capacity for development. Per RCW 36.70A.115(1):

> *Counties and cities that are required or choose to plan under RCW 36.70A.040 shall ensure that, taken collectively, adoption of and amendments to their comprehensive plans and/or development regulations provide sufficient capacity of land suitable for development within their jurisdictions to accommodate their allocated housing and employment growth, including the accommodation of, as appropriate, the medical, governmental, educational, institutional, commercial, and industrial facilities related to such growth, as adopted in the applicable countywide planning policies and consistent with the twenty-year population forecast from the Office of Financial Management.*

Further, the GMA requires that UGAs contain sufficient capacity to accommodate the projected urban growth for the 20-year planning period of the comprehensive plan. For UGAs, which include incorporated cities and unincorporated UGAs, per RCW 36.70A.110(2) the GMA requires that:

> *Based upon the growth management population projection made for the county by the Office of Financial Management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period….*

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WAC 365-196-310(4)(b)(ii) directs that the estimation of the capacity of current cities and UGAs to accommodate additional population and employment over the 20-year planning period should be based on a land capacity analysis.

While UGAs must contain sufficient capacity to accommodate projected urban growth, UGAs may not be oversized. Per WAC 365-196-310(2)(e), a UGA "may not exceed the areas necessary to accommodate the growth management planning projections, plus a reasonable land market supply factor, or market factor."

Countywide Planning Policies (CPPs)

The CPPs provide regional guidance relevant to an analysis of land capacity. Pertinent CPPs include the following from Section 4.0, Joint City-County Planning within UGA:

- **Policy 4.2:** The county and each city shall inventory the amount of usable or buildable land, by land use category remaining in the urban area.
- **Policy 4.3:** The county and cities shall cooperatively determine the amount of undeveloped buildable land needed.
- **Policy 4.4:** The county and cities shall establish a common method to monitor urban development to evaluate the rate of growth and maintain an inventory of buildable land remaining.

Methodology

In 2012, the UGAs of the City of College Place and the City of Walla Walla were reviewed per the direction of the Board of County Commissioners. A memorandum from Bill Stalzer (dated January 4, 2013) documented the review's findings. In that memorandum, Mr. Stalzer stated that "One of the primary goals for the review of urban growth areas in 2012 was to work with the planning staffs from the City of College Place and the City of Walla Walla to agree on a common methodology for determining the amount of the available land supply and the population and employment capacity that would be used by the county and both cities for determining the appropriate size of UGAs." The methodology that resulted from the 2012 review process is provided as Attachment 2. Mr. Stalzer's memorandum noted that the consensus methodology "is similar to ones used elsewhere, but modified to reflect local land use policies and regulations, the availability of information, and the resources available to collect and analyze the information."

Based on that methodology, Walla Walla County Community Development Department staff and consultants developed and completed the LCA summarized in this memorandum to estimate each UGA's capacity for population and employment growth through 2038. The LCA included an evaluation of all available and buildable residential,

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commercial, and industrial lands within each unincorporated UGA and, as applicable, its associated city.

The City of College Place and the City of Walla Walla have conducted LCAs specific to their jurisdictions. Data from those LCAs have been integrated into the County's LCA summarized in this memorandum. For incorporated areas, the County's LCA included only data from the cities' LCAs. For unincorporated UGAs, the County's LCA included only data from the County's own analysis. Note that for the City of College Place and the City of Walla Walla, the County's LCA was performed using their existing UGA boundaries, and the results presented in this memorandum are reflective of that analysis. Where applicable, the results of additional analysis performed on the proposed revisions to the City of College Place and City of Walla Walla UGAs are also presented.

2038 County Population Targets and Distribution

The County previously considered the growth management population targets allocated to UGAs as part of the 2018 Walla Walla County Comprehensive Plan periodic update. These are reproduced below in Table 1.

Table 1. 2038 County Population Targets and Distribution

Jurisdiction	2017 OFM Population Estimate (# people)	2038 Population Target[1] (# people)	Allocated Population Growth (# people)
College Place	9,440	10,825	1,385
Prescott	330	399	69
Waitsburg	1,230	1,525	295
Walla Walla	33,840	39,530	5,690
Unincorporated areas outside of UGAs	16,560	19,445	2,885
Total	**61,400**	**71,724**	**10,324**

1. A city's population target represents growth that may be accommodated in a city's incorporated or unincorporated UGA.

Residential Land Supply and Population Capacity

The residential land capacity analysis provides an estimate of the amount of land available for additional residential development given known regulatory, market, and site conditions. This analysis is used to determine the capacity for population growth in UGAs. The following section presents a summary of the methodology and results of the County's residential land capacity analysis. A more detailed summary of results and methodology are provided as Attachments 1 and 2, respectively.

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Methodology

The residential land capacity analysis began with an identification of the amount of land available for additional residential development. This acreage was then converted into an estimate of additional population capacity using a series of assumptions.

Vacant and Underdeveloped Residential Land

Vacant parcels zoned for residential development within each UGA were identified using land use codes from the County Assessor together with minimum lot size requirements from the County's zoning code (Title 17 Walla Walla County Code) and aerial imagery. Underdeveloped parcels, or those parcels with potential for higher-density residential development, were also identified. Underdeveloped parcels were larger than the minimum lot size and not vacant. Together, vacant and underdeveloped residential parcels comprised the gross available land (in acres) for additional residential development.

The following types of parcels were then subtracted from this gross acreage:

- Parcels with pending or approved development actions, per the County's permit records;
- Parcels in public use and/or under public ownership; and
- Parcels, or portions of parcels, intersecting with mapped critical areas, including wetlands, floodways, and streams.

The remaining acreage was then reduced by a market factor of 25 percent. This reduction was intended to account for the realities of the market supply while avoiding tightening of the urban land supply and increased costs (see CPP 3.2 and existing Comprehensive Plan policy LU-14). Finally, the remaining acreage (single-family residential zones only) was multiplied by a site utilization factor of 65 percent to account for the land necessary for roads, easements, and other public purposes. The site utilization factor was based on an analysis of representative subdivision developments in each of the UGAs between January 2006 and June 2012. The result was the net available land (in acres) for additional residential development.

Population Capacity

The population capacity of the net available residential land was based on the dwelling unit capacity of that land and the average number of individuals per dwelling unit. The net available residential land was multiplied by the dwelling unit-per-acre capacity of each zone, which was derived from the minimum lot size for each zone. Pending and approved dwelling units were added to the resulting number to calculate the total additional dwelling unit capacity. Finally, the total additional dwelling unit capacity was multiplied by the average household size for the county to calculate the total

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population capacity. Per the 2012-2016 American Community Survey, the average household size for the county was 2.49 persons.

Results

Table 2 presents the total acreage available for residential development in each existing UGA, including both vacant and underdeveloped land in residential zoning designations. Numbers for College Place and Walla Walla represent acreage in unincorporated UGAs only.

Table 2. Land Available for Residential Development

UGA	Zoning Designation[1]	Available Land (acres)	Percent Vacant	Percent Underdeveloped
College Place	Multiple Family Residential	3.5	22%	78%
	R-60 Single Family Residential	29.3	23%	77%
	R-72 Single Family Residential	0.3	0%	100%
	R-96 Suburban Residential	6.9	48%	52%
	Total, College Place	**40.0**	**28%**	**72%**
Prescott	R-96 Suburban Residential	28.4	16%	84%
	Residential (Incorporated)	35.1	52%	48%
	Total, Prescott	**63.5**	**36%**	**64%**
Waitsburg	R-96 Suburban Residential	50.7	63%	37%
	Residential (Incorporated)	92.7	49%	51%
	Flexible Comm./Res. (Incorporated)	5.6	61%	39%
	Total, Waitsburg	**149.0**	**54%**	**46%**
Walla Walla	Multiple Family Residential	0.0	N/A	N/A
	R-60 Single Family Residential	0.0	N/A	N/A
	R-72 Single Family Residential	54.7	20%	80%
	R-96 Suburban Residential	569.0	51%	49%
	Total, Walla Walla	**623.7**	**48%**	**52%**
Burbank[2]	Burbank Residential	262.3	81%	19%
Total		**1,138.6**	**55%**	**45%**

1. All lands in unincorporated UGAs unless otherwise noted.
2. The Burbank UGA is not associated with an incorporated city.

Table 3 presents the population capacity for each UGA and evaluates that capacity relative to the allocated population growth for that UGA.

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Table 3. Population Growth Capacity and Allocated Population Growth

UGA	UGA Status	Estimated Capacity[1] (# people)	Allocated Population Growth (# people)	Surplus Capacity (# people)
College Place	Unincorporated	698		
	Incorporated[2]	1,171		
	Total, College Place	**1,869**	**1,385**	**484**
Prescott	Unincorporated	318		
	Incorporated	262		
	Total, Prescott	**580**	**69**	**511**
Waitsburg	Unincorporated	568		
	Incorporated	979		
	Total, Waitsburg	**1,547**	**295**	**1,252**
Walla Walla	Unincorporated	7,310		
	Incorporated[3]	3,086		
	Total, Walla Walla	**10,396**	**5,690**	**4,706**
Burbank	Unincorporated	2,116	NA	NA
Total		**14,392**[4]	**7,439**	**6,953**

1. Capacity under existing UGA boundaries.
2. Provided by the City of College Place.
3. Provided by the City of Walla Walla.
4. Excludes Burbank UGA, which does not have a population growth target separate from the rest of the unincorporated county. However, based on the growth rate between 2010 and 2017, Burbank would be expected to grow by approximately 120 people by 2038.

Comparison to City Results

As described above, the City of College Place and the City of Walla Walla conducted LCAs specific to their jurisdictions. In both cases, the cities modified the countywide LCA methodology to incorporate local circumstances. These modifications led to results showing reduced capacity in both city UGAs. Because they incorporated additional information specific to each jurisdiction, the results of these analyses may be more reflective of actual capacity for future development in their respective cities. While conducting jurisdiction-specific analyses is not feasible for the County's LCA, understanding the differences between City and County results is an important component to evaluating growth capacity countywide.

Compared to the County's LCA results for population capacity within the unincorporated UGA, results from the City of Walla Walla LCA show a significantly reduced capacity of 5,575 people. The County's results show a population capacity 31 percent larger (7,310 people) for the same area.

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A number of LCA method-driven factors may be responsible for this difference. Between the County and City of Walla Walla methods, the following differences were identified:

Input Data

- Due to differences in when the two analyses were completed, the County used current County Assessor data (official 2017 values), whereas the City used 2016 values.

- Similarly, the County used current City/UGA boundaries, whereas the City used 2016 boundaries that do not reflect the most recent annexations. For this reason, no comparison of gross available lands was performed.

Site Deductions

- The County accounted for critical areas encumbrances on available land by removing portions of parcels intersecting with mapped critical areas features. To account for mapped as well as unmapped features, the City used an estimated reduction factor unique to each zone ranging from five to 12 percent.

- Whereas the County used a blanket site utilization factor of 65 percent based on historical experience with subdivision developments, the City used a site utilization factor unique to each zone based on recent approved plats. Compared to the County's site utilization factor of 65 percent, the City values ranged from 75.5 percent to 90.4 percent.

Density of Development

- To convert available land acreage into dwelling units, the County used the minimum lot size for each zone to "build out" that zone to maximum density. While the City also performed this analysis, the reported values used an assumed density based on the average density of recent development projects in each zone. This assumed density was generally less dense than maximum density by one to two dwelling units per acre.

- While the County used a 2012-2016 countywide value of 2.49 persons per household, the City used a 2016 citywide value of 2.42 persons per household.

Applying City of Walla Walla assumptions, including site deductions and density of development assumptions, to County input data yields a much more similar population capacity of 5,229 people for the unincorporated UGA.

Compared to the County's LCA results for population capacity within the unincorporated UGA, results from the City of College Place LCA show a significantly reduced capacity of 115 people. The County's results show a population capacity over five times larger (698 people) for the same area. This difference is largely due to a set of

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assumptions employed by the City of College Place for its LCA that resulted in the removal of approximately 100 acres of land otherwise identified as available. Specifically, the City performed a parcel-by-parcel analysis of vacant and underdeveloped parcels, removing those parcels with current development patterns that preclude subdivision or access.

Effects of Proposed UGA Amendments

The City of Walla Walla has proposed a revision to its UGA that would include removal of approximately 198 acres of the southern UGA near 3rd and Langdon. After deductions and adjustments per LCA methodology, this area includes approximately 60.8 acres of available residential land in the R-96 Suburban Residential zone. Per the County's analysis, removal of this area would reduce the population capacity of the City's UGA by approximately 751, for a revised total population capacity of 9,645. Quantitative data from the City of Walla Walla regarding the effects of this UGA revision on population capacity were not available.

The City of College Place has proposed several revisions to its UGA boundaries, including the addition of 110 acres of land currently outside of the UGA, and the conversion of 18 acres of land currently within the UGA from industrial to residential land use. These areas proposed to be designated as Urban Residential would be zoned R-96 Suburban Residential. After deductions and adjustments per LCA methodology, these revisions would add approximately 67.3 acres of available residential land, and would increase population capacity in the City's UGA by approximately 757, for a revised total population capacity of 2,626. Per the City's LCA, the proposal would increase population capacity by only 305 people. As with the City's LCA for the existing UGA, this discrepancy is due to the City's parcel-by-parcel analysis and subsequent removal as unbuildable of over 30 acres of otherwise vacant or underdeveloped land.

Commercial and Industrial Land Supply and Employment Capacity

The commercial and industrial land capacity analysis provides an estimate of the amount of land available for additional commercial and industrial development given known regulatory, market, and site conditions. The analysis is used to estimate the capacity for employment growth in UGAs. The following sections present a summary of the methods and results of the County's commercial and industrial land capacity analysis. A more detailed summary of results and methodology are provided as Attachments 1 and 2, respectively.

Methodology

The commercial and industrial land capacity analysis includes an identification of the amount of land available for additional commercial or industrial development.

Vacant, Underdeveloped, and Redevelopable Commercial and Industrial Land

Vacant parcels zoned for commercial or industrial development within each UGA were identified using land use codes from the County Assessor together with minimum lot size requirements from the County's zoning code (Title 17 Walla Walla County Code) and aerial imagery. Underdeveloped and redevelopable parcels, or those parcels with potential for higher-intensity development, were also identified. Underdeveloped commercial and industrial parcels were larger than one half-acre, were not vacant, and had a floor-to-area ratio (FAR) of less than or equal to 0.10. Redevelopable parcels had an improvement value of less than or equal to $40,000. Together, vacant, underdeveloped, and redevelopable parcels comprised the gross available land (in acres) for additional commercial and industrial development.

The same types of parcel subtractions made during the residential land supply analysis were applied to the gross commercial and industrial acreage. The remaining acreage was then reduced by a market factor of 25 percent. The result was the net available land (in acres) for additional commercial and industrial development.

Results

Table 4 presents the total acreage available for commercial and industrial development in each UGA, including vacant, underdeveloped, and redevelopable land in commercial and industrial zoning designations. Numbers for College Place and Walla Walla represent acreage in unincorporated UGAs only.

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Table 4. Land Available for Commercial and Industrial Development

UGA	Zoning Designation[1]	Available Land (acres)	Percent Vacant	Percent Underdeveloped	Percent Redevelopable
College Place	Commercial zones	6.9	0%	100%	0%
	Industrial zones	165.1	64%	36%	0%
	Total, College Place	**172.0**	**61%**	**39%**	**0%**
Prescott[2]	Commercial zones (Incorporated)	1.9	24%	52%	24%
	Industrial zones (Incorporated)	32.6	90%	7%	3%
	Total, Prescott	**34.4**	**86%**	**10%**	**4%**
Waitsburg[2]	Commercial zones (Incorporated)	4.1	4%	75%	21%
	Industrial zones (Incorporated)	19.2	98%	2%	0%
	Total, Waitsburg	**23.3**	**80%**	**16%**	**4%**
Walla Walla	Commercial zones	0.0	N/A	N/A	N/A
	Industrial zones[3]	241.2	83%	16%	1%
	Airport Development zone	818.7	3%	96%	1%
	Total, Walla Walla	**1,059.9**	**22%**	**78%**	**1%**
Burbank[4]	Commercial zones	84.7	97%	3%	0%
	Industrial zones	14.6	5%	95%	0%
	Total, Burbank	**140.9**	**54%**	**46%**	**0%**
Attalia[4]	Industrial Agriculture Heavy	2,081.9	36%	64%	0%
	Industrial Agriculture Mixed	2,056.1	81%	19%	0%
	Total, Attalia	**4,138.0**	**58%**	**42%**	**0%**
Total		**5,526.9**	**52%**	**48%**	**0%**

1. All lands in unincorporated UGAs unless otherwise noted.
2. No commercial or industrial land is available in the unincorporated UGAs of Prescott or Waitsburg.
3. Excludes the Airport Development zone.
4. Neither the Burbank UGA nor the Attalia Industrial UGA is associated with an incorporated city.

Table 5 presents the employment capacity for each UGA in terms of the available commercial and industrial land in acres.

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Table 5. Employment Growth Capacity

UGA	UGA Status	Estimated Capacity[1] (acres)
College Place	Unincorporated	172.0
	Incorporated[2]	45.0
	Total, College Place	**217.0**
Prescott	Unincorporated	0
	Incorporated	34.4
	Total, Prescott	**34.4**
Waitsburg	Unincorporated	0
	Incorporated	23.3
	Total, Waitsburg	**23.3**
Walla Walla	Unincorporated	1,059.9
	Incorporated[3]	178.1
	Total, Walla Walla	**1,237.1**
Burbank	Unincorporated	140.9
Attalia	Unincorporated	4,138.0
Total		**5,790.7**

1. Capacity under existing UGA boundaries.
2. Provided by the City of College Place.
3. Provided by the City of Walla Walla. Excludes areas currently used as parking lots.

Comparison to City Results

As described above, the City of College Place and the City of Walla Walla conducted LCAs specific to their jurisdictions. Compared to the County's LCA results for employment growth capacity, results from the City of Walla Walla LCA show approximately 17 percent more capacity in terms of available commercial and industrial UGA lands (290.5 acres versus 241.2 acres, not including the Airport Development zone). LCA data from the City of College Place regarding the commercial and industrial land capacity within its existing UGA were not available.

Effects of Proposed UGA Amendments

In addition to the proposed revisions to residential land discussed in the previous section, the City of College Place has proposed revisions to commercial and industrial lands within its UGA. Specifically, 216 acres of industrial land on and surrounding the Martin Field airport would be removed from the UGA. An additional 18 acres in the same area would remain in the UGA and be converted to urban residential use (R-96 Suburban Residential zone). Adjacent to the proposed new residential land in the southern UGA, 48 acres of urban commercial land would be added to the UGA and zoned General Commercial. After deductions and adjustments per LCA methodology, these revisions would remove approximately 165 acres of available industrial land. This accounts for all industrial land within the existing UGA. Approximately 12 acres of

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available commercial land would be added to the UGA. Per the City's LCA, the proposal would add approximately 22 acres of available commercial land to the UGA. This discrepancy may be due to approximately 10 acres of land in public ownership (nine acres) and with pending development (one acre) that were removed from the County's analysis but not accounted for by the City.

Summary

Comparison of the total population capacity for all UGAs and the total population allocation for all UGAs shows a countywide growth capacity surplus of 6,953 people. All UGAs associated with a city have sufficient population capacity to accommodate the allocated population. Based on this analysis, the county has sufficient land capacity to accommodate its anticipated urban population growth for the 20-year planning period. Further, this analysis indicates that UGAs in the county feature approximately 5,791 acres of land available for commercial and industrial development to accommodate future employment growth.

Attachments

1. Walla Walla County Land Capacity Analysis Results, May 2018.
2. Technical Memorandum: Walla Walla County Available Land Supply and Population and Employment Capacity Methodology for Urban Growth Areas, dated August 2016 and amended May 2018.

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RESIDENTIAL LAND CAPACITY ANALYSIS

			Gross Available Residential Land			Deductions				Adjustments		
UGA	**Zone**	**Minimum lot size (sq. ft.)**	**Vacant land (acres)**	**Underdeveloped land (acres)**	**Gross available land (acres)**	**Pending development (acres)**	**Public use (acres)**	**Critical areas encumbrance (acres)**	**Net Available Land (acres)**	**Market factor applied (25%)**	**Site utilization factor**	**Net Adjusted Residential Available Land (acres)**
Burbank	Burbank Residential	14,520	490.6	109.4	600.0	22.8	35.8	3.4	538.0	403.5	0.65	262.3
Prescott	R-96 Suburban Residential	9,600	9.5	48.7	58.2	0.0	0.0	0.0	58.2	43.6	0.65	28.4
	Residential (Incorporated)	12,500	37.8	35.0	72.8	0.0	0.0	0.7	72.1	54.1	0.65	35.1
Waitsburg	R-96 Suburban Residential	9,600	70.6	41.9	112.5	0.0	0.0	8.5	104.0	78.0	0.65	50.7
	Residential (Incorporated)	10,000	113.6	118.1	231.7	0.0	0.0	41.5	190.2	142.6	0.65	92.7
	Flexible Comm./Res. (Incorporated)	10,000	7	4.5	11.5	0.0	0.0	0.0	11.5	8.6	0.65	5.6
College Place	Multiple Family Residential	NA	1.12	4.0	5.1	0.0	0.0	0.5	4.6	3.5		3.5
	R-60 Single Family Residential	6,000	14.1	46.7	60.8	0.0	0.0	0.7	60.1	45.1	0.65	29.3
	R-72 Single Family Residential	7,200	0	0.6	0.6	0.0	0.0	0.0	0.6	0.5	0.65	0.3
	R-96 Suburban Residential	9,600	7.9	8.6	16.5	0.0	0.0	2.3	14.2	10.7	0.65	6.9
	R-96 Suburban Residential (prop. addition)	*9,600*	*112.4*	*31.2*	*143.6*	*1.4*	*0.0*	*4.1*	*138.1*	*103.6*	*0.65*	*67.3*
Walla Walla	Multiple Family Residential	NA	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0
	R-60 Single Family Residential	6,000	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.65	0.0
	R-72 Single Family Residential	7,200	27.3	100.9	128.2	9.5	2.8	3.6	112.3	84.2	0.65	54.7
	R-96 Suburban Residential	9,600	676.5	640.7	1317.2	41.4	5.7	103.0	1167.1	875.3	0.65	569.0
	R-96 Suburban Residential (prop. removal)	*9,600*	*128.2*	*64.6*	*192.8*	*35.5*	*0.0*	*32.5*	*124.8*	*93.6*	*0.65*	*60.8*
Total (not including proposed UGA amendments)			**1456.0**	**1159.1**	**2615.1**	**73.7**	**44.3**	**164.2**	**2332.9**	**1749.7**		**1138.5**

POPULATION CAPACITY ANALYSIS

			Population Capacity							
UGA	**Zone**	**Net Adjusted Residential Available Land (acres)**	**Dwelling unit capacity per acre**	**Pending development (dwelling units)**	**Total dwelling unit capacity**	**Population capacity (PC)**	**Total PC per UGA**	**Total PC per incorporated area**	**Total PC per jurisdiction**
Burbank	Burbank Residential	262.3	3	63	849.8	2,116	2,116		2,116
Prescott	R-96 Suburban Residential	28.4	4.5		127.7	318			
	Residential (Incorporated)	35.1	3		105.4	262	318	262	580
Waitsburg	R-96 Suburban Residential	50.7	4.5		228.1	568			
	Residential (Incorporated)	92.7	4		370.9	923			
	Flexible Comm./Res. (Incorporated)	5.6	4		22.3	56	568	979	1,547
College Place	Multiple Family Residential	3.5	12		42.0	105			
	R-60 Single Family Residential	29.3	7		205.2	511			
	R-72 Single Family Residential	0.3	6		1.9	5			
	R-96 Suburban Residential	6.9	4.5		31.2	78	698	1,171	1,869
	R-96 Suburban Residential (prop. addition)	*67.3*	*4.5*	*1*	*303.9*	*757*	*1,455*	*1,171*	*2,626*
Walla Walla	Multiple Family Residential	0.0	12		0.0	0			
	R-60 Single Family Residential	0.0	7		0.0	0			
	R-72 Single Family Residential	54.7	6	16	344.4	857			
	R-96 Suburban Residential	569.0	4.5	31	2591.5	6,453	7,310	3,086	10,396
	R-96 Suburban Residential (prop. removal)	*60.8*	*4.5*	*28*	*301.6*	*751*	*6,559*	*3,086*	*9,645*
Total (not including proposed UGA amendments)		**1138.6**		**110**	**4920.3**	**12,252**	**11,010**	**5,498**	**16,509**

COMMERCIAL AND INDUSTRIAL LAND CAPACITY ANALYSIS

		Gross Available Commercial and Industrial Land				Deductions				Adjustments
UGA	**Zone**	**Vacant land (acres)**	**Underdeveloped land (acres)**	**Redevelopable land (acres)**	**Gross available land (acres)**	**Pending development (acres)**	**Public use (acres)**	**Critical areas encumbrance (acres)**	**Net Available Land (acres)**	**Market factor applied (25%)**
Burbank	Burbank Commercial	7.1	1.8	0.0	8.9	1.7	3.7	0.0	3.5	2.6
	Heavy Industrial	4.9	103.3	0.0	108.2	84.2	0.0	4.6	19.4	14.6
	Industrial/Business Park	111.7	2.4	0.0	114.1	2.4	2.2	0.0	109.5	82.1
Attalia	Industrial Agriculture Heavy	1062.5	1877.2	0.0	2939.7	151.9	5.6	6.3	2775.9	2081.9
	Industrial Agriculture Mixed	2349.8	545.6	0.0	2895.4	129.1	0.0	24.8	2741.5	2056.1
Prescott	Commercial (Incorporated)	0.6	1.3	0.6	2.5	0.0	0.0	0.0	2.5	1.9
	Industrial (Incorporated)	39.0	3.3	1.1	43.4	0.0	0.0	0.0	43.4	32.6
Waitsburg	Commercial (Incorporated)	0.3	6.0	1.7	8.0	0.0	0.0	2.6	5.4	4.1
	Industrial (Incorporated)	33.4	0.7	0.0	34.1	0.0	0.0	8.5	25.6	19.2
College Place	General Commercial	0.0	9.9	0.0	9.9	0.0	0.0	0.7	9.2	6.9
	Light Industrial	149.7	84.4	0.0	234.1	0.0	0.0	14.0	220.1	165.1
	General Commerial (prop. addition)	*0.0*	*26.1*	*0.0*	*26.1*	*0.9*	*8.8*	*0.0*	*16.4*	*12.3*
	Light Industrial (prop. removal)	*149.7*	*84.4*	*0.0*	*234.1*	*0.0*	*0.0*	*14.0*	*220.1*	*165.1*
Walla Walla	Light Industrial	49.1	28.2	1.4	78.7	0.0	5.0	0.0	73.7	55.3
	Heavy Industrial	233.0	26.5	2.0	261.5	0.0	0.0	13.6	247.9	185.9
	Airport Development	34.1	1073.3	7.7	1115.1	0.0	19.9	3.6	1091.6	818.7
Total (not including proposed UGA amendments)		**4075.2**	**3763.9**	**14.5**	**7853.6**	**369.3**	**36.4**	**78.7**	**7369.2**	**5526.9**

Technical Memorandum
Walla Walla County
Available Land Supply and Population and Employment Capacity Methodology
For
Urban Growth Areas
December, 2012 and amended May, 2018

The available lands supply analysis estimates the amount of land available in each urban growth area to accommodate the cities' share of the State-allocated 20-year population for Walla Walla County based on existing land use regulations and property considerations. The population and employment capacity analyses estimate the potential number of people and jobs that the available land supply can support. The methodology for determining the available usable land supply and the resulting population and employment capacities is described in this technical memorandum. ~~The spreadsheets at the end of this memorandum are examples of the methodologies described.~~

Section I. Data Used

The following GIS (and other) datasets were used to complete the analysis.

Assessor's Tax Parcels[1]
NWI Wetlands[2]
FEMA Flood Hazard Areas[3]
City of Walla Walla Streams[4]
Walla Walla County Streams[5]
Riparian Channeled Segments (Mill Creek)[6]
Riparian Stream Segments[7]
Urban Growth Boundaries[8]
Zoning[9]
Assessor's COM_TABL table from TSILO database[10]
City of Walla Walla Imagery – 2012[11]
NAIP Imagery – 2012

Section II. General Methodology

1. Clip Assessor's parcel dataset to UGA boundaries. Use "Clip" function in editing mode.[12]
2. Clip remaining parcels to exclude areas inside City limits. Use "Clip" function in editing mode.[13]
3. Complete edge clean-up to reconcile areas where tax parcel boundaries and UGA boundaries don't match. Use "explode multi-part feature" in editing mode. Delete "slivers" by reviewing aerial photos and looking at total areas.[14]
4. Combine zoning dataset with parcel layer, using "Intersect" tool.[15]
5. Combine Assessor's "COM_TABL" table with parcel layer, using "Join" function and matching parcel number.
6. Remove parcels zoned PA-40, PR, RR-5, and RRMC-5.[16]

Section III. Residential Available Land Supply and Population Capacity

The available land supply analysis begins with identification of the amount of vacant and underdeveloped residential land.

Step 1: Determine the amount of vacant residential land.

Available Residential Vacant Acres

1. Minimum lot area:[17]
    a. R60: greater than 6,000 square feet
    b. R72: greater than 7,200 square feet
    c. R96: greater than 9,600 square feet
    d. RM: greater than one-half acre
2. Identify vacant parcels using DOR codes in the 80's and 90's, and defined criteria for minimum lot area by zoning classification. Find records under the following codes: 81, 82, 83, 91, 93, and 99.
3. Join Assessor's table COM_TABL to parcel layer. Includes information on building area under field TOTAL_AREA, where it may not exist in main dataset under FLOOR_AREA.
4. Calculate total available vacant acres for each zoning classification.

Step 2: Determine the amount of available underdeveloped residential land.

Underdeveloped residential lands are parcels that can accommodate additional dwelling units based on the existing low intensity use of the parcel.

Available Underdeveloped Single Family Residential Acres

1. Identify parcels in the SFR districts: R60, R72, R96[18]
2. Include parcels that are not vacant; and
3. that are at least 3 times the minimum lot size required in the zoning classification; and
4. that have a building on the parcel. Verify that there is a building on the parcel by reviewing DOR codes, FLOOR_AREA greater than 0, and aerial photography.
5. Calculate total number of existing dwelling units for each zoning classification.
6. Calculate total available underdeveloped acres for each zoning classification:
    a. Calculate the total acres of all underdeveloped parcels
    b. To account for land occupied by existing dwelling units, subtract:
        i. the product of the number existing dwelling units times the minimum lot area
        ii. Divide the result in (b)(i) by 43,560.
    c. Result is the total available underdeveloped acres for each SFR district.

Available Underdeveloped Multifamily Residential Acres

1. Identify parcels in the multifamily district: RM
2. Include parcels that are not vacant; and
3. that are greater than one-half acre in size; and
4. that have a small structure on the parcel. Verify that there is a building on the parcel by reviewing DOR codes, FLOOR_AREA greater than 0, and aerial photography.
5. Calculate total available underdeveloped acres for the RM district:
    a. Calculate the total acres of all underdeveloped parcels
    b. Reduce the total acres by 50% to account for land occupied by existing structures
    c. Result is the total amount of available underdeveloped land for the RM district

Step 3: Add the vacant and underdeveloped lands to determine the gross residential available lands.

Step 4. Deduct land with pending or approved development actions.

To obtain a more accurate estimate of the available land supply, the analysis removes from the vacant and underdeveloped lands those parcels with an approved or pending land use action or development permit. While these parcels typically would show up on the assessor's records or GIS as vacant land, in fact they are either currently proposed for development or under development in which cases they are not part of the available land supply. For the purposes of the population capacity analysis they are considered the same as existing dwelling units.

Methodology:

Calculate the total acres, lots and dwelling units of parcels with pending or approved, but unexpired, land use approvals.

a. Calculate the total acres, lots and dwelling units of parcels with pending or approved, but unexpired, building permits.
b. Deduct the total combined acres of parcels with pending or approved, but unexpired, land use approvals and building permits.

Step 5: Deduct land in public use and/or ownership

Lands in public use or ownership also are not available for residential development, so are deducted from the available land supply:

Methodology:

Calculate Public Use/Ownership deduction by using PROPERTY_T value EXEMPT. Excluding parcels with Port of Walla Walla as owner under TAXPAYER_N. Calculated actual area.

Step 6: Deduct land in critical areas.

Since certain critical areas cannot be counted toward land available for development in the development regulations, they are deducted from the available land supply. The amount of land in stream corridors, wetlands, and floodways must be deducted from the site area when determining compliance with lot area standards. Buffers do count toward the amount of land needed to meet lot area standards and therefore are not included in the deduction.

Methodology

1. Use actual area from the following mapped datasets.
    a. NWI Wetlands
    b. FEMA Floodway
    c. Riparian Channeled Segments (Mill Creek)
    d. Riparian Stream Segments (Bryant, Caldwell, Doan, Garrison, Reser, Russell, Stone, Titus, Wetlands Fort Walla Walla Park, Yellowhawk).
2. Use Walla Walla County Streams dataset with centerlines to estimate area for remaining streams/rivers. Created buffers on centerlines at the following widths.
    a. Coppei Creek – Waitsburg UGA: 9.00' from center. Actual value based on Table 2.6-2 in the 2008 BAS document.
    b. Touchet River- Waitsburg UGA: 19.15' from center. Actual value based on Table 2.6-2 in the 2008 BAS document.
    c. Touchet River – Prescott UGA: 26.15' from center. Actual value based on Table 2.6-2 in the 2008 BAS document.
    d. All others – 7.50' from center. Estimated maximum based on average of values available in Table 2.6-2 in the 2008 BAS document and average of values in the City of Walla Walla Stream dataset.
3. Exclude identified public lands from prior step.
4. Clip all critical areas to Buildable parcels, using Intersect tool.[19]

Step 7: Reduce the amount of available land by a market factor.

This deduction is a recognition that not all land identified in the analysis is available for development: a property owner may have no desire to sell or develop his or her property; market factors may make some properties unattractive for development; physical constraints may limit the desirability of some properties; etc

Methodology

Deduct 25% from the amount of available land.

Step 8: Adjust the amount of available land based on an historical site utilization factor.

A site utilization factor is applied to the land available for development after adjusting for a market factor. This factor is a deduction for roads and the other public purposes typically required on development sites (utility easements, stormwater facilities, active or passive open space, access easements, etc.) The site utilization factor is based on historical experience with subdivision developments in the urban growth areas and cities.

Methodology

Multiply the net available land in Step 7 by a site utilization factor.[20]

Available Land Supply for Residential Use

The resulting acreage is the net amount of residential land available for residential uses.

Population Capacity

Step 9: Apply a dwelling unit capacity per acre.

Multiply the available land supply for each residential zoning district by the "dwelling unit capacity per acre" for that district to determine the dwelling unit capacity of the available land supply. Since the vacant and underdeveloped land supply for each district has already been adjusted for critical areas, public lands, a market factor and a site utilization factor, the net dwelling unit capacity per acre for each district is applied based on the minimum lot size for the district. The resulting number is the number of dwelling units that can be built within each district.

Step 10: Add back the approved and pending lots and dwelling units.

The number of approved and pending lots and dwelling units, the land for which was deducted from the available land supply in Step 4, are added to the number of dwelling units to calculate the total dwelling unit capacity of each zoning district.

Step 11: Apply the average household size for the incorporated portions of the county.

The dwelling unit capacity of each zoning district is then multiplied by the average household size for the incorporated portions of the county provided by OFM to determine the population capacity of each zoning district. The average household size for the incorporated portions of the county in the 2010 census (the most recent household size provided) was 2.398 persons, or 2.40 in the calculations.[21]

Step 12: Population capacity for an urban growth area.

The result of the calculation in Step 10 is the population capacity of each zoning district. Add the totals for each zoning district to derive the total population capacity of the available usable land supply in the applicable urban growth area.

Step 13: Population capacity for a city.

Add the population capacity for a city's urban growth area to the population capacity within the city's limits to derive the population capacity for a city.

Section IV. Commercial and Industrial Available Land Supply and Employment Capacity

The available land supply analysis begins with identification of the amount of vacant, underdeveloped, and redevelopable commercial and industrial land.

Step 1: Determine the amount of vacant commercial and industrial land.

Available Commercial and Industrial Vacant Land

1. Minimum lot area:
    a. Commercial districts, NC and CG: greater than one-half acre[22]
    b. Industrial districts, LI and HI: greater than one-half acre[23]
2. Identify vacant parcels using DOR codes in the 80's and 90's, and defined criteria for minimum lot area by zoning classification. Find records under the following codes: 81, 82, 83, 91, 93, and 99.
3. Join Assessor's table COM_TABL to parcel layer. Has additional parcel information for commercial/industrial parcels. Includes information on building area under field TOTAL_AREA, where it may not exist in main dataset under FLOOR_AREA.
4. Calculate total available vacant acres for each zoning classification.

Step 2: Determine the amount of available underdeveloped commercial and industrial land.

Underdeveloped lands are commercial and industrial parcels that can accommodate additional building square footage on the property based on an existing low floor area ratio (FAR).

Available Underdeveloped Commercial and Industrial Land

1. Identify parcels in the commercial and industrial districts: NC, CG, LI and HI[24]
2. Calculate underdeveloped commercial and industrial parcels by zoning district:
    a. Include parcels not vacant
    b. Parcels greater than one-half acre
    c. Parcels with an existing structure (FLOOR_AREA and TOTAL_AREA not 0), and
    d. Parcels with a FAR less than or equal to 0.10. FAR calculated using both FLOOR_AREA/BASEMENT_A or TOTAL_AREA). FAR used is 50% of the historical experience.
3. Calculate total available underdeveloped acres for each zoning district.[25]

Step 3: Determine the amount of available redevelopable commercial and industrial land.

Redevelopable lands are commercial and industrial parcels that can accommodate additional building square footage based on the property based on an existing low FAR and an improvement value lower than an established dollar threshold.

Available Redevelopable Commercial and Industrial Land

1. Identify parcels in the commercial and industrial districts: NC, CG, LI and HI
2. Calculate redevelopable commercial and industrial parcels by zoning district:
    a. Include parcels not vacant or underdeveloped
    b. Parcels greater than one-half acre
    c. Parcels with an existing structure (FLOOR_AREA and TOTAL_AREA not 0), and
    d. Parcels with an improvement value (IMPR_MARKE) less than or equal to $40,000
3. Calculate total available redevelopable acres for each zoning district.

Step 3: Add the vacant, underdeveloped, and redevelopable lands to determine the gross commercial and industrial available lands for each zoning district.

Step 4. Deduct land with approved or pending commercial and industrial permits and plans.

Deduct from the vacant, underdeveloped, and redevelopable lands those parcels with an approved or pending land use action or development permit. While these parcels typically would show up on the assessor's records or GIS as vacant land, in fact they are either currently proposed for development or under development in which cases they are not part of the available land supply. For the purposes of the employment capacity analysis they are considered the same as existing building space (square footage).

Step 5: Deduct land in public use and/or ownership

Lands in public use or ownership are not available for private commercial or industrial development, so are deducted from the available land supply:

Process:

Calculate Public Use/Ownership deduction by using PROPERTY_T value EXEMPT. Excluding parcels with Port of Walla Walla as owner under TAXPAYER_N. Calculated actual area.

Step 6: Deduct land in critical areas.

Since certain critical areas cannot be counted toward land available for development in the development regulations, they are deducted from the available land supply. The amount of land in stream corridors, wetlands, and floodways must be deducted from the site area when determining compliance with lot area standards. Buffers do count toward the amount of land needed to meet lot area standards and therefore are not included in the deduction.

Process

1. Use actual area from the following mapped datasets.
    a. NWI Wetlands
    b. FEMA Floodway
    c. Riparian Channeled Segments (Mill Creek)
    d. Riparian Stream Segments (Bryant, Caldwell, Doan, Garrison, Reser, Russell, Stone, Titus, Wetlands Fort Walla Walla Park, Yellowhawk).
2. Use Walla Walla County Streams dataset with centerlines to estimate area for remaining streams/rivers. Created buffers on centerlines at the following widths.
    a. Coppei Creek – Waitsburg UGA: 9.00' from center. Actual value based on Table 2.6-2 in the 2008 BAS document.
    b. Touchet River- Waitsburg UGA: 19.15' from center. Actual value based on Table 2.6-2 in the 2008 BAS document.
    c. Touchet River – Prescott UGA: 26.15' from center. Actual value based on Table 2.6-2 in the 2008 BAS document.
    d. All others – 7.50' from center. Estimated maximum based on average of values available in Table 2.6-2 in the 2008 BAS document and average of values in the City of Walla Walla Stream dataset.
3. Exclude identified public lands from prior step.
4. Clip all critical areas to Buildable parcels, using Intersect tool.

Step 7: Reduce the amount of available land by a market factor.
This deduction is a recognition that not all land identified in the analysis is available for development: a property owner may have no desire to sell or develop his or her property; market factors may make some properties unattractive for development; physical constraints may limit the desirability of some properties; etc Deduct 25% from the amount of available land.

Net Available Suitable Commercial and Industrial Land Supply:
The resulting acreage after applying the market factor deduction is the net amount of land available for commercial and industrial uses.

Employment Capacity [26]
The employment capacity of the available land supply is based on a floor area ratio; the amount of space in approved or pending but unbuilt commercial and industrial developments; and industry-standard ratios for the amount of building space per employee for commercial and industrial uses.

Step 8: Apply a floor area ratio.
The net available acres are multiplied by a floor area ratio to calculate the potential amount of building space (in square feet) available. The floor area ratio (FAR) used is based on historical experience with commercial and industrial projects in the urban growth area and in the cities.[27]

Step 9: Add back the square footage in approved and pending commercial and industrial permits and plans.
The square footage in the approved and pending plans and permits, the land for which was deducted from the available land supply in Step 4, are added to the potential amount of building space to calculate the total amount of potential building square footage available in each zoning district.

Step 10: Apply a square feet per employee factor
The total amount of potential building square footage is divided by industry-standard factors for the typical amount of building space per employee for commercial and industrial uses to determine the employment capacity of each district.[28]

Step 11: Employment Capacity for an urban growth area
The result of the calculation in Step 10 is the employment capacity of each zoning district. Add the totals for each zoning district to derive the total employment capacity (jobs) of the available usable land supply in the applicable urban growth area.

Step 12: Employment Capacity for a city.
Add the employment capacity for a city's urban growth area to the employment capacity within the city's limits to derive the employment capacity for a city.

Endnotes

1. Walla Walla County Assessor. 2018. Compiled Parcel Data: Certified Values for 2017. Prepared for the Walla Walla County Community Development Department, February 2018.

2. U.S. Fish and Wildlife Service. October 2017. National Wetlands Inventory. Available online: https://www.fws.gov/wetlands/Data/Data-Download.html (downloaded February 2018).

3. Walla Walla County. 2018. Geographic Information Systems (GIS) Data.

4. *Ibid.*

5. *Ibid.*

6. *Ibid.*

7. *Ibid.*

8. *Ibid.*

9. Zoning for unincorporated County provided as part of 2018 County GIS data (see Endnote 3). Zoning for incorporated areas of Prescott and Waitsburg digitized by The Watershed Company from City zoning maps (City of Waitsburg 2013; City of Prescott 2000).

10. Walla Walla County Assessor 2018.

11. Not used.

12. Parcel and UGA boundary data layers do not line up well. In order to preserve parcel geometry, rather than using the Clip function, the Intersect function was used and parcels were selected and assigned to UGAs (including incorporated areas) manually.

13. Again, in order to preserve parcel geometry, the Clip function was not used. Instead, the text attribute "INCORP" was added to the parcel layer and assigned a value of "incorp" (incorporated) or "unincorp" (unincorporated) manually according to location relative to UGA and city boundaries.

14. Step no longer necessary due to modifications to preserve parcel geometry, as described in Endnotes 12 and 13.

15. Parcel and zoning data layers do not line up well. In order to preserve parcel geometry, rather than using the Intersect function, the zoning layer was clipped to the UGA boundary layer using the Clip function. A combination of definition query and select-by-location was then used to manually assign values to a new text attribute, "ZONING," in the parcels layer.

16. In addition to the zones listed here, the following parcels were also removed:
    - Burbank Rural Activity Center: all parcels
    - Waitsburg incorporated area: parcels zoned Ag Rural 1 Acre, Open Space, Public Lands, Resource, and Utility
    - Prescott incorporated area: parcels zoned Public

17. The following additional zones and minimum lot areas were included in the analysis:
    - Burbank Residential: one third of an acre (14,520 square feet)
    - Residential (Waitsburg incorporated area): 10,000 square feet
    - Flexible Commercial/Residential (Waitsburg incorporated area): 10,000 square feet
    - Residential (Prescott incorporated area): 12,500 square feet

18. Also: Burbank Residential, Residential and Flexible Commercial/Residential (Waitsburg incorporated area), Residential (Prescott incorporated area).

19. Prior to this step, the Dissolve function was used to create a single, merged critical areas layer and ensure no double-counting of critical areas encumbrance on a given parcel.

20. Consistent with 2012 analysis, a site utilization factor of 0.65 (representing 65% site utilization) was applied in all zones except Multiple Family Residential.

21. The average household size reported for the County in the 2012-2016 5-year American Community Survey was 2.49 persons per household. This value falls between the numbers used by the cities of College Place and Walla Walla (2.36 and 2.51, respectively) in their respective land capacity analyses.

22. The following additional commercial zones and minimum lot areas were included in the analysis:
    - Burbank Commercial: one third of an acre (14,520 square feet)
    - Industrial/Business Park (Burbank): one third of an acre (14,520 square feet)
    - Commercial (Waitsburg incorporated area): 3,000 square feet
    - Commercial (Prescott incorporated area): 12,500 square feet

23. The following additional industrial zones and minimum lot areas were included in the analysis:
    - Industrial (Waitsburg incorporated area): 3,000 square feet
    - Industrial (Prescott incorporated area): 12,500 square feet

24. Also: Burbank Commercial, Industrial/Business Park (Burbank), Commercial (Waitsburg and Prescott incorporated areas), Industrial (Waitsburg and Prescott incorporated areas).

25. FAR = MAIN_AREA / [area of parcel in square feet]

26. For consistency with the approach used in other jurisdictions, per interjurisdictional discussions (May 2018), results of this portion of the methodology were not tabulated.

27. Consistent with 2012 analysis, an FAR of 0.20 was used.

28. Consistent with 2012 analysis, a square-foot-per-employee factor of 450 for all commercial zones (including Industrial/Business Park), and 850 for all industrial zones.

TECHNICAL MEMORANDUM

THE WATERSHED COMPANY

Date: January 17, 2018
To: Walla Walla County Community Development Department
From: Mark Daniel, AICP
Project Name: Walla Walla County Comprehensive Plan and Development Regulations Periodic Update

Subject: Population Projection & Allocation

Overview

This memo discusses population projection and allocation as it relates to the periodic update of the Walla Walla County's comprehensive plan and development regulations.

As a fully planning county, Walla Walla County (County), in conjunction with its cities, must review urban growth areas (UGAs) as part of the periodic update process.[1] Review and any amendment of the UGAs should reflect a cooperative effort among jurisdictions to accomplish the requirements of the Growth Management Act (GMA) on a regional basis, consistent with the Countywide Planning Policies.[2]

UGAs, which by definition include cities, must include areas and densities sufficient to accommodate the next 20 years of projected urban growth.[3] When considering projected growth, the county must select a countywide growth management planning population target from within the range provided by the Washington State Office of Financial Management (OFM).[4] OFM provides a range consisting of low, medium and high population estimates. Per statute, the medium estimate represents the most likely population according to OFM.[5]

Selecting a population projection is an important step in the periodic update process, as it informs UGA sizing decisions and impacts budget decisions related to capital facilities and transportation infrastructure.[6]

This memo concludes that the existing countywide growth management planning population target and the existing population allocations to jurisdictions could be

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1 RCW 36.70A.130(3)(a)
2 WAC 365-196-310(3)(a)
3 RCW 36.70A.110(2)
4 WAC 365-196-310(2)(d)
5 RCW 43.62.035
6 http://mrsc.org/Home/Stay-Informed/MRSC-Insight/January-2016/The-Importance-of-Population-Forecasts-for-your-Co.aspx

retained for 2038, the next 20-year planning period. The existing growth management planning population targets are identified in Table 1. This memo also concludes that the process for updating the countywide population projection and allocating that population to jurisdictions could be revisited in anticipation of future reviews.

Table 1. Existing growth management planning population targets

Jurisdiction	Population Target
College Place	10,825
Walla Walla	39,530
Prescott	399
Waitsburg	1,525
Rural Walla Walla County	19,445
Total	71,724

Population Projection

Existing Comprehensive Plan

The existing comprehensive plan includes reference to Countywide Planning Policy 3.2, which concerns population projection. This policy states:

> *10 to 20 year Office of Financial Management (OFM) population forecasts, as adjusted by the local jurisdictions, should be accommodated in UGAs. It can include up to 25% excess land to avoid tightening of urban land supply and increased costs. It is recognized that a portion of the growth will occur outside of UGAs at rural densities.*

The existing comprehensive plan includes growth management planning population targets for 2025 that were adopted by the Board of County Commissioners (BOCC) in October 2005. This includes a 2025 countywide growth management planning population target of 71,724. In adopting this target in 2005, the County was limited to the range of GMA population estimates provided by OFM in 2002. That range is shown below in Table 2.

Table 2. 2002 OFM GMA population projections for 2025

	Population		
Year	Low	Medium	High
2025	57,756	67,158	79,146

The adopted 2025 countywide growth management planning target of 71,724 fell in between the medium and high projections provided by OFM. According to County Ordinance No. 322, "A target in between the high and medium growth projections … is appropriate, in part because the expansion of the Washington State Penitentiary was not

factored into the population projections prepared by the State Demographer in 2002." As noted in the initial section of this memo, the medium estimate represented the most likely population according to OFM. The complete rationale and specific methodology for the 2005 selection of the 2025 countywide growth management planning population target of 71,724 is unclear based on the documentation reviewed for preparation of this memo.

2013 Review

Some of the 2012 applications for amendments to the comprehensive plan required either expansion or reduction of the sizes of the UGAs of particular cities (College Place and City of Walla Walla). Consequently, the BOCC directed that a staff review of the affected cities' UGAs be conducted. A memorandum from Bill Stalzer dated January 4, 2013 documented the review's findings and recommendations.

As part of the review, the 2012 OFM GMA population projections were compared with the existing countywide growth management planning population target of 71,724 that was adopted in 2005. Because the 2012 OFM GMA population projections did not provide projections specifically for 2033, the end of the next 20-year planning period, the memo interpolated the OFM GMA projections for 2030 and 2035 to arrive at projections for that year. The interpolated population projections for 2033 are shown below in Table 3.

Table 3. 2012 OFM GMA population projections interpolated for 2033

	Population		
Year	Low	Medium	High
2033	57,779	65,818	74,615

In comparison with the OFM GMA population projections for 2025 shown in Table 2, the low estimate increased very slightly (23 people), while the medium and high estimates decreased substantially (1,340 and 4,531 people, respectively). The memo indicated that the existing countywide growth management planning population target of 71,724 fell within the interpolated OFM GMA medium and high projections (for 2033), as was the case in 2005. The memo noted that representatives of local jurisdictions agreed that reducing growth management planning population targets was not desirable, as jurisdictions had been planning for several years based on the existing targets. The memo recommended that the existing countywide growth management planning population target of 71,724 be retained for 2033.

2017 OFM Provisional GMA Population Projections

Last month, OFM released provisional GMA population projections for the county. These population projections are shown below in Table 4 and are graphically depicted in Figure 1.

Table 4. 2017 OFM provisional GMA population projections, five-year intervals

	Population		
Year	**Low**	**Medium**	**High**
2010 (Census)		58,781	
2015 (Estimate)		60,650	
2020	58,860	62,049	64,515
2025	59,098	63,695	67,862
2030	59,036	65,062	70,905
2035	59,181	66,541	74,154
2040	58,963	67,457	77,039

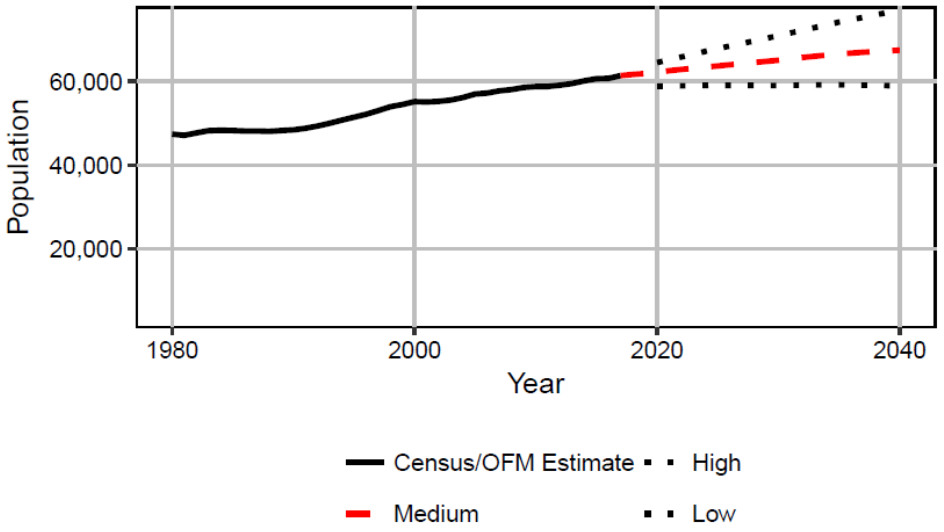

Figure 1. 2017 OFM provisional GMA population projections to 2040

The 2017 OFM GMA population projections for 2038, the end of the next 20-year planning period, are shown below in Table 5.

Table 5. 2017 OFM GMA population projections for 2038

	Population		
Year	**Low**	**Medium**	**High**
2038	59,050	67,132	75,872

In comparison with the OFM GMA population projections for 2025 and 2033 shown in Tables 2 and 3, the low estimate for 2038 is higher. And while the medium and high estimates for 2038 are higher than the estimates for 2033, they remain below the estimates for 2025. As was the case in both 2005 and 2013, the existing countywide

growth management planning population target of 71,724 continues to fall within the OFM GMA medium and high projections.

City of Walla Walla Analysis

For purposes of the periodic update of their comprehensive plan and development regulations, the City of Walla Walla has been planning under an assumption of a fixed growth rate of .75 percent pending receipt of the latest OFM GMA population projections. The City has provided tabular data illustrating the results of applying that growth rate to the April 1, 2017 OFM population estimate. According to that data, a .75 percent growth rate applied to the April 1, 2017 OFM population estimate would result in a countywide population of 71,831 in 2038.

This projected population estimate of 71,831 differs from the existing countywide growth management planning target of 71,724 by just 107 people. Accordingly, the existing countywide growth management planning population target appears to be generally in line with City of Walla Walla growth expectations for the county in the next 20-year planning period.

Population Allocation

Existing Comprehensive Plan

The existing comprehensive plan includes reference to Countywide Planning Policy 3.7, which provides guidance on the allocation of population. This policy states:

> *Allocate population based on: 1) existing concentration of population: 2) availability of existing / planned infrastructure: 3) natural and manmade topography: 4) protection of resource and critical lands: 5) adjusted OFM projections; and 6) proximity to employment and recreation. All jurisdictions shall utilize an agreed upon formula.*

As discussed in detail in the previous section of this memo, the existing comprehensive plan includes an existing countywide growth management planning population target of 71,724. The existing comprehensive plan allocates that population target to county jurisdictions as shown in Table 6. Consistent with Countywide Planning Policy 3.7, the 2025 growth management planning targets adopted by the BOCC in 2005 were allocated proportionately to the existing concentration of population in each jurisdiction in 2004.

Table 6. Existing comprehensive plan allocation of countywide growth management planning population target

Jurisdiction	2004 OFM Population Estimate	Percent of 2004 Total County Population Estimate	2025 Population Target	Percent of 2025 Total County Population Target
College Place	8,560	15.1%	10,825	15.1%
Walla Walla	34,153*	60.2%	43,183	60.2%
Prescott	315	.6%	399	.6%
Waitsburg	1,210	2.1%	1,525	2.1%
Rural Walla Walla County	12,462**	22.0%	15,792	22.0%
Total	56,700	100%	71,724	100%

* Includes 3,653 people in the UGA of the City of Walla Walla
** Excludes 3,653 people in the UGA of the City of Walla Walla

Some aspects of the existing comprehensive plan's methodology for allocating population are notable and are discussed below.

- Population allocations to jurisdictions were not made using a consistent calculation. For College Place, Waitsburg and Prescott, population allocations were made based on the population of each incorporated city alone. In contrast, for the City of Walla Walla, the population allocation was made based on both the population of the incorporated city and the population of its unincorporated UGA.

  Whether or not a city's UGA population is included in the calculation can make a sizable difference in the resulting allocation. To illustrate, as noted above, for the existing comprehensive plan, the population allocation for the City of Walla Walla was made based on both the population of the incorporated city and the population of its unincorporated UGA, and represented approximately 60 percent of the total county population. However, if the City's UGA population was not included (as was the case in the 2013 review, as discussed below), the population allocation for the City would have represented approximately 54 percent of the total county population.

- The existing comprehensive plan does not allocate population to UGAs that are not associated with an incorporated City. For example, the Burbank UGA is not allocated population.

2013 Review

During the 2013 review, the population allocations to College Place and the City of Walla Walla were revisited. Notably, for calculating the city growth management planning population targets, only the populations of the incorporated cities were considered. See Table 7. When compared to the allocations in the existing

comprehensive plan, this affected only the City of Walla Walla, and reduced its target from 43,183 to 39,530.

Table 7. 2013 review of allocation of countywide growth management planning population target

Jurisdiction	2004 OFM Population Estimate	Percent of 2004 Total County Population Estimate	2025 Population Target	Percent of 2025 Total County Population Target
College Place	8,560	15.1%	10,825	15.1%
Walla Walla	30,500*	53.8%	39,530*	55.1%
Prescott	315	.6%	399	.6%
Waitsburg	1,210	2.1%	1,525	2.1%

* Numbers adjusted from the numbers in Table 6 by subtracting 3,653 people in the UGA of the City of Walla Walla

The memo noted that after review of the population data and discussion meetings with the planning staffs from College Place and the City of Walla Walla, it was agreed that consistent with Countywide Planning Policy 3.7, the allocation of the 20-year population target to the cities should be based primarily on each city's percentage of the total county population. The memo went on to note that each city's percentage of the countywide population had remained virtually unchanged between 2004 and 2012. The memo recommended that the existing population allocations to College Place (10,825) and the City of Walla Walla (39,530) be retained.

April 1, 2017 OFM Population Estimates

Earlier this year, OFM issued its annual population estimates for Walla Walla County. These estimates are shown below in Table 8.

Table 8. April 1, 2017 OFM population estimates

Jurisdiction	2017 OFM Population Estimate	Percent of 2017 Total County Population Estimate
Total	61,400	100%
Unincorporated	16,560	27.0%
Incorporated	44,840	73.0%
College Place	9,440	15.4%
Prescott	330	.5%
Waitsburg	1,230	2.0%
Walla Walla	33,840	55.1%

For ease of comparison, select data from Tables 7 and 8 have been combined in Table 9. Table 9 shows that each city's population, as a percentage of the total county population, has not changed markedly between 2004 and 2017. The greatest change was in the City of Walla Walla, where the City's percentage of the total county population increased by 1.3 percent. Furthermore, Table 9 shows that the population of each city in 2017, as a

percentage of the total county population, very closely matches its existing population allocation percentage.

Table 9. Comparison of city populations in 2004 and 2017, and existing population targets

Jurisdiction	2004 OFM Population Estimate	Percent of 2004 Total County Population Estimate	2017 OFM Population Estimate	Percent of 2017 Total County Population Estimate	Existing Population Target	Percent of Existing Total County Population Target
College Place	8,560	15.1%	9,440	15.4%	10,825	15.1%
Walla Walla	30,500	53.8%	33,840	55.1%	39,530	55.1%
Prescott	315	.6%	330	.5%	399	.6%
Waitsburg	1,210	2.1%	1,230	2.0%	1,525	2.1%

City of Walla Walla Analysis

The City of Walla Walla has suggested that the City might be allocated 55 percent of the total county population projection. As noted in Tables 7 and 9, the City's existing allocation is 55 percent.

According to projections provided by the City, a .75 percent growth rate applied to the April 1, 2017 population estimate would result in a total county population of 71,831 in 2038. Fifty-five percent of 71,831 would provide a City growth target of 39,507. This differs from the existing City of Walla Walla population target of 39,530 by just 23 people. Therefore, maintaining the existing City growth target of 39,530 for the periodic update appears to be generally in line with City growth expectations.

Key Points & Conclusions

Key Points

- In 2005 the County adopted a 2025 countywide growth management planning population target of 71,724. This target fell in between the medium and high projections provided by OFM. The medium estimate represented the most likely population according to OFM. The complete rationale and specific methodology for the 2005 selection of the 2025 target of 71,724 is unclear based on the documentation reviewed for preparation of this memo.

- A memo describing a 2013 review indicated that the existing countywide growth management planning population target of 71,724 fell within the interpolated OFM GMA medium and high projections (for 2033), as was the case in 2005. The memo also noted that representatives of local jurisdictions agreed that reducing growth management planning targets was not desirable, as jurisdictions had

been planning for several years based on the existing targets. The memo recommended that the existing countywide growth management planning population target of 71,724 be retained for 2033.

- Last month, OFM released provisional GMA population projections for the county. In comparison with the OFM GMA population projections for 2025 (used for the 2005 review), the medium and high estimates for 2038 remain below the estimates for 2025. As was the case in both 2005 and 2013, the existing countywide growth management planning population target of 71,724 continues to fall within the OFM GMA medium and high projections.

- The existing countywide growth management planning target appears to be generally in line with City of Walla Walla growth expectations for the county in the next 20-year planning period.

- Some aspects of the existing comprehensive plan's methodology for allocating population are notable.

- The memo describing the 2013 review stated that it was agreed that that the allocation of the 20-year population target to the cities should be based primarily on each city's percentage of the total county population. The memo also noted that each city's percentage of the countywide population had remained virtually unchanged between 2004 and 2012. The memo recommended that the existing population allocations to College Place (10,825) and the City of Walla Walla (39,530) be retained.

- Each city's population, as a percentage of the total county population, has not changed markedly between 2004 and 2017. The greatest change was in the City of Walla Walla, where the City's percentage of the total county population increased by 1.3 percent. The population of each city in 2017, as a percentage of the total county population, very closely matches its existing population allocation percentage.

- Maintaining the existing City of Walla Walla growth target of 39,530 for the periodic update appears to be generally in line with City growth expectations.

Conclusions

- **The existing countywide growth management planning population target of 71,724 could be retained for 2038.** As was the case in both 2005 and 2013, the existing countywide growth management planning population target of 71,724 continues to fall within the OFM GMA medium and high population projections. While the existing countywide growth management population target of 71,724 exceeds the most likely population according to OFM (the medium estimate),

reducing the target may not be desirable as jurisdictions have been planning for several years based on the existing targets. Further, the existing countywide growth management planning population target appears to be in generally in line with City of Walla Walla growth expectations for the county in next 20-year planning period.

- **The existing population allocations to jurisdictions could be retained for 2038.** The population of each city in 2017, as a percentage of the total county population, very closely matches its existing population allocation percentage. Maintaining the existing City of Walla Walla growth target of 39,530 for the periodic update appears to be generally in line with City growth expectations.

- **The process for updating the countywide population projection and allocating that population to jurisdictions could be revisited in anticipation of future reviews.** The process for the selection of the existing countywide growth management planning population target is unclear based on the documentation reviewed for preparation of this memo. Additionally, some aspects of the existing comprehensive plan's methodology for allocating population are notable and may merit reconsideration. Jurisdictions in the county have discussed the potential for updating the Countywide Planning Policies. The process for updating the countywide population projection and allocating that population to jurisdictions might be revisited as part of that process.

Walla Walla County Community Development Department

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

Date: May 23, 2018

To: Walla Walla County Planning Commission

From: Tom Glover, Director

RE: 2018 Final Docket Workshop (CPA17-005/REZ17-005/ZCA17-005 – City of College Place #1 – Martin Field)

Background

This application was placed on the Final Docket by the Board of County Commissioners; the City of College Place has added written material to the application since the preliminary docket. Maps showing areas 1A and 1B are included on Exhibit C to the CPA17-005 application.

Attachments

A. WWCC 14.10.070 – Final docket review and recommendation (excerpt)
B. WWCC 14.15.070 – Final docket review and recommendation (excerpt)
C. Proposed amendments to 17.16.014 – Permitted Uses Table to establish allowed uses in the Airport Development – Rural zone
D. Proposed amendments to 17.18.020 – Table of density and dimensional requirements
E. Memo from Gregg Dohrn, College Place consultant, on UGA applications 05/18/2018
F. City of College Place Application Clarification 05/08/2018

Your notebook also contains application materials and documents from the preliminary docket review period. The City of College Place has provided several documents, including a revised land use description for the County's Comprehensive Plan for Airport Land Use Designation, page 5-12 (Exhibit E of the application), and the zoning code, Chapter 17.12.040, revised paragraph P., Airport Development District (Exhibit F of the application).

Summary

The proposal includes Comprehensive Plan zoning map, and zoning code amendments to remove 216-acres comprised of Martin Airfield from the College Place urban growth area (UGA), and re-designate an additional 18-acres within the UGA from Industrial to Low Density Residential/R-96. Although they have proposed that the zoning should be R-96, they stated in their proposal (November 22, 2017 cover letter) that "once annexed, it is anticipated that the City would zone this area R-75 Single Family Residential which is the same as the neighboring property to the east." In the City's submitted land capacity analysis, capacity calculated based on R-96 zoning. If R-75 zoning is applied, it is possible that capacity would be increased.

Current land use designation:	Industrial
Proposed land use designation:	Airport (Area 1A) and Low Density Residential (Area 1B)
Current zoning:	Light Industrial
Proposed Zoning:	Airport Development – Martin Field (Area 1A) and R-96 Suburban Residential (Area 1B)
Total Area:	216 acres (Area 1A - removed) and 18 acres (Area 1B -re-designated)

The zoning code text amendment would also establish a new zoning district for the 216-acres: 'Airport Development – Martin Field,' and associated development regulations. Amend land use maps LU-1 and LU-3, the County Zoning Map, text of the Comprehensive Plan, *Chapter 17.12 – Establishment of Districts*, and *Section 17.16.014 Permitted Uses Table*.

This area, and the adjacent area to the east which has since evolved into residential housing, was added to the City's UGA in 2005. The City argues now the difficulty in providing sewer service to Martin Field and additional urban style industrial development due to topography/geography of the site, access constraints, and limitations imposed by the runway safety zones, among others.

Process

At the May 23 workshop staff will give a brief summary of the proposed amendment and the Planning Commission will have the opportunity to ask questions. No recommendation is to be made by the Planning Commission at this workshop. However, staff will be seeking input from the Planning Commission regarding:

- The overall merit of the proposal (removing 216 acres of the total 234 acres zoned Light Industrial from the City's urban growth area, and assigning a new land use designation and zoning designation to that acreage);
- Retaining the remaining 18 acres in the southeast corner, adjacent to existing residential development, in the urban growth area, but changing the land use designation and zoning from light industrial to low density residential.
- Adopting the language provided in Exhibit E of the application amending the County's comprehensive plan to add a new type of airport development land use designation, and clarifying the difference between the Walla Walla Regional Airport, and the Martin Field Airport. Should the new designation be specific to Martin Field as proposed by the City or a general rural airport designation?
- Adopting the language provided in Exhibit F of the application amending the County's development regulations (zoning code) adding a new type of airport development zoning designation, and clarifying the difference between the Walla Walla Regional Airport, and the Martin Field Airport – the latter becoming a rural airport with its own designated land uses and development requirements.
- Upon review of Attachment C, determining the land uses to be allowed in the new rural airport development zone.
- Upon review of Attachment D, determining the density and dimension requirements for land uses to be allowed in the new rural airport development zone (i.e., same requirements for the rural airport as for the larger, regional airport? Or, some requirements similar to adjacent zones, including the rural zone? Residential uses, schools, facilities where a large number of people regularly congregate, should not be allowed in that zone).

The Planning Commission will be asked to make its recommendation on which items should be approved by the Board of County Commissioners after a public hearing which is tentatively scheduled for June or July.

Review Criteria

The application shall be subject to the review criteria in WWCC 14.10.070 (Comprehensive Plan map amendments), WWCC 14.09.010 (rezone), and WWCC 14.15.070 (rezone). These criteria are included in Attachments A and B. As noted above, the Planning Commission will have to make recommendations based on its analysis of the applications under these criteria after holding a public hearing. While a recommendation should not be made at the workshop, it would be advisable to use these criteria to frame the discussion at the workshop meeting.

ATTACHMENT A

Comprehensive Plan Amendments – Planning Commission Review Criteria

WWCC 14.10.070 – Final docket review and recommendation.

G. 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.

ATTACHMENT B
Zoning Map Amendments – Planning Commission Review Criteria

WWCC 14.15.070 – Final docket review and recommendation.

B. Planning Commission Review. All proposed amendments on the final docket shall be reviewed and assessed by the planning commission, which shall make recommendations to the board of county commissioners after considering the staff report prepared by the director.

1. Workshop Meeting. The planning commission may first review the recommendations of the director in a workshop meeting(s).

2. Public Hearing. The planning commission shall conduct a public hearing on the proposed amendments as set forth in Sections 14.09.065 and 14.09.070 of this title.

3. Recommendations. For each proposed amendment, the planning commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the following criteria:

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

   b. *The amendment meets a definable public need; and*

   c. *The amendment is in the long term interest of the county.*

Light Industrial

Residential Land Uses:
Caretakers Quarters
Farmworker Dwellings

Retail/Wholesale Land Uses:
Automobile Service Station and Convenience Market
Automotive Dealers
Automotive Leasing/Rental
Building Material, Hardware, and Garden Supply
Heavy Equipment Sales and Rental
Home Furniture, Furnishings, and Equipment Stores
Horticultural Nurseries, Retail
Irrigation Systems/Equipment, Sales Service and Storage
Wholesale, Durable Goods
Wholesale, Non Durable Goods
Commercial Greenhouses
Accessory Use

Government/General Services Land Uses:
Fire Station
Animal Shelter
Automotive Repair & Services
Automobile Wrecking Yard

Rural Residential 5-acre

Residential Land Uses:
Single-Family Residential
Mobile Home, Single-wide
Mobile Home, double-wide
Manufactured Home
Mobile/Manufactured Home Park
Adult Family Home
Long Term Care Facility
Senior Citizen Asst. Housing
Bed & Breakfast Type I
Bed & Breakfast Type II
Transient Labor Camps
Accessory Dwelling Unit
Home Occupation Type I
Home Occupation Type II
Farmworker Dwellings
Accessory Use

Retail/Wholesale Land Uses:
Horticultural Nurseries, Retail
Produce Stand
Commercial Greenhouses
Accessory Use

Government/General Services Land Uses:
Schools, public and private
Fire Station
Animal Hospital
Churches & Places of Worship

Agricultural Residential 10-acre

Residential Land Uses:
Single-Family Residential
Mobile Home, Single-wide
Mobile Home, double-wide
Manufactured Home
Adult Family Home
Bed & Breakfast Type I
Bed & Breakfast Type II
Transient Labor Camps
Accessory Dwelling Unit
Home Occupation Type I
Home Occupation Type II
Farmworker Dwellings
Accessory Use

Retail/Wholesale Land Uses:
Auction Houses/Yards, Livestock
Horticultural Nurseries, Retail
Livestock Trailer Sales and Service
Produce Stand
Produce Market
Commercial Greenhouses
Accessory Use

Government/General Services Land Uses:
Fire Station
Churches & Places of Worship
Day Care, Family
Kennel, Commercial

Airport Development - Rural (Martin Field)

Residential Land Uses:
Not allowed

Retail/Wholesale Land Uses:
Auction Houses/Yards, Livestock
Horticultural Nurseries, Retail
Livestock Trailer Sales and Service
Produce Stand
Produce Market
Commercial Greenhouses
Accessory Use

Government/General Services Land Uses:
Fire Station
Utility Facilities
Accessory Use

Light Industrial	Rural Residential 5-acre	Agricultural Residential 10-acre	Airport Development - Rural (Martin Field)
Business Services	Day Care, Family	Utility Facilities	
Catering Establishments	Orphanage/Charitable Institutions	Wedding and Event Center, Type I	
Chruches and Places of Worship	Utility Facilities	Wedding and Event Center, Type II	
Kennel, Commercial	Wedding and Event Center, Type I	Accessory Use	
Laboratories, Research/Testing	Wedding and Event Center, Type II		
Offices	Accessory Use		
Repair Shops & related services			
Storage, Self Service			
Utility Facilities			
Warehousing & Storage			
Accessory Use			
Industrial/Manufacturing Land Uses:	**Industrial/Manufacturing Land Uses:**	**Industrial/Manufacturing Land Uses:**	**Industrial/Manufacturing Land Uses:**
Apparel & other textile products	Storage/Packing Agricultural Produce	Brewery, Type I	Brewery, Type I
Chemicals & Allied Products	Winery Type I	Brewery, Type II	Brewery, Type II
Computer & Office Equipment	Winery Type II	Distillery, production facility	Distillery, production facility
Dairy Products Processing	Accessory Use	Storage/Packing Agricultural Produce	Storage/Packing Agricultural Produce
Electronic & other electric equipment		Winery, Type I	Winery, Type I
Fabricated Metal Products		Winery, Type II	Winery, Type II
Food and Kindred Products		Accessory Use	Accessory Use
Furniture and fixtures			
Industrial Machinery & equipment			
Instruments & related products			
Leather & leather goods			
Lumber & wood products			
Meat processing & packing			
Paper & allied products			
Primary Metal Industries			
Printing & publishing			
Rubber & misc plastics			
Stone, clay, glass & concrete products			
Storage/packing agricultural produce			
Textile mill products			
Transportation Equipment			
Truck Stop			
Winery Type I			
Winery Type II			
Miscellaneous Light Manufacturing			
Accessory Use			
Recreational/Cultural Land Uses:	**Recreational/Cultural Land Uses:**	**Recreational/Cultural Land Uses:**	**Recreational/Cultural Land Uses:**
Gun/Archery Ranges, Indoor	Art Production Facility	Crop Maze	Not Allowed
Park	Golf facility	Equestrian Park	
Drive-in theaters	Gun/Archery Ranges (Indoor)	Gun/Archery Ranges (outdoor)	
Art Galleries	Park	Hunting/Fishing Lodges	

Light Industrial

Art Studio
Outdoor Concert Amphitheaters
Museums
Accessory Use

Resource Land Uses:

Growing of crops
Processor for Animal Killing/Dressing
Accessory Use

Regional Land Uses:

Bus passenger station
Heliports
Helistops
Microwave Relay Stations
Radio/Television stations/towers
Railroad freight yards
Railroad Terminals
Wireless Comm. Facility
Wireless Comm. Facility, attached
Accessory Use

Rural Residential 5-acre

Recreational Facility (Public)
Recreational Facility (Private)
Assembly Halls
Accessory Use

Resource Land Uses:

Agritourism Enterprise
Growing of Crops
Small scale value-added ag. processing
Accessory Use

Regional Land Uses:

College or Universities, public or private
Colleges, business colleges, trade schools
Helistops
Radio and Television Stations/towers
Railroad Terminals
Wireless Communication Facility
Wireless Communication Facility, Attached
Accessory Use

Agricultural Residential 10-acre

Park
Riding Academy
Stables, Public
Assembly Halls
Accessory Use

Resource Land Uses:

Agritourism Enterprise
Growing of Crops
Raising Livestock, large scale commercial
Processor for Animal Killing and Dressing <1,500 ft.
Small scale value-added ag. processing
Hatcheries
Rock Crushers
Quarries, gravel/rock extractions (desig. mineral lands)
Quarries, gravel/rock extractions (non-desig. min. lands)
Timber Harvesting
Accessory Use

Regional Land Uses:

Aircraft Landing Field - Private
Airports and Aircraft Landing Field - Agricultural
Helistops
Radio and Television Stations/towers
Railroad Terminals
Wireless Communication Facility
Wireless Communication Facility, Attached
Accessory Use

Airport Development - Rural (Martin Field)

Resource Land Uses:

Agritourism Enterprise
Growing of Crops
Small scale value-added ag. processing
Accessory Use

Regional Land Uses:

Aircraft Landing Field - Private
Airports and Aircraft Landing Field - Agricultural
Helistops
Airports and Accessory Uses
Accessory Use

Walla Walla County Code

17.18.020 - Table of density and dimensional requirements.								
	Minimum Lot Area Requirements		Residential Density per Acre	Minimum Setback Requirements (in feet) 22			Maximum Coverage (in percent)	Maximum Height (in feet)
Zone	Size	Width (feet)		Front	Side	Rear		
Airport Development - Walla Walla Regional Airport	—	—	NA	(12)	(12)	(12)	75	(25)
Airport Development - Rural (Martin Field)	—	—	NA	(12)	(12)	(12)	75	(25)
Light Industrial	—	—	—	(6)	(6)	(6)	75	—
Agriculture Residential (23)	10 acres	330	0.1	30(2)	10(2)	(2) (5)	—	35(1)
Rural Residential-5	5 acres	200	0.2	30	10(7)	(2) (5)	—	35(1)

Density and Dimensional Requirements Development Conditions:

1. No limit for barns or other agricultural structures.
2. Buildings housing domestic animals or any use that produces offensive noise, vibration, smoke, dust, odors, heat or glare shall maintain a seventy-five feet front yard setback and fifty feet side and rear yard setbacks.
5. Rear yard setbacks shall be in compliance with the Building Code.
6. No restrictions, except fifty feet yard setbacks are required where abutting a residential district.
7. A side and/or rear yard setback may be reduced to five feet for a detached garage or similarly sized accessory building upon a determination by the director that:
   A. The detached garage or similarly sized accessory building will be located entirely within the rear one third of the lot; and
   B. Such detached garage or similarly sized accessory building will not be unduly detrimental to adjacent and surrounding property nor to the zone in which approval is requested.
12. No restrictions, except where abutting a Residential district, then fifty feet from centerline of road.
25. Height limits shall be governed by Federal Aviation Administration (FAA) regulations.

NA = Not Applicable

G. R. Dohrn and Associates

Memorandum

Date: May 18, 2018

To: Tom Glover

From: Gregg Dohrn

Subject: City of College Place Urban Growth Area Adjustment Applications

As a follow-up to our recent discussions, we have revised the Land Quantity Analysis for the City of College Place and the proposed College Place Urban Growth Area (Tables 4-7 attached). These revisions are based on a parcel by parcel analysis of the development potential of vacant and underdeveloped properties and conversations with property owners in the process of preparing development proposals. As you will note, with this updated information, it appears that with the proposed adjustments to the College Place Urban Growth Area, that there is just enough land to meet the 20-year population growth projected for the City. However, as Mayor Crowder observed, given the recent rate of in the growth in College Place, the City may reach this total in less than 20 years, so we will want to monitor the situation closely and future adjustments may be necessary.

As we discussed, both of the City's UGA Adjustment Applications, are based on new information and changes in circumstances. With respect to Application 1, the new Homestead Village Subdivision adjacent to Martin Airfield, has provided the City with a better understanding of the practical limitations of extending sewer service to Martin Airfield, as well as the access constraints in the area. In addition, given the limitations imposed by the runway safety zones and the presence of environmentally sensitive areas, it has become very clear that the area identified in the City's application as UGA Area 1A is not suitable for urban industrial development. The City's proposal to remove this area from the UGA and re-designate the airfield as an area with limited potential for rural development, compatible with airfield operations will serve to protect the airfield. The re-designation of UGA Area 1B, is also an important consideration, as this area is on a bluff above the airfield and is only accessible through a new residential development. This area is clearly not suitable for urban industrial development, but since it can be served with City water and sewer, it is suitable for residential development, as requested by the property owner.

With respect to UGA Adjustment Application 2, the proposal to add three relatively small areas to the College Place UGA is based on a significant change in circumstances, the relocation of a City well and the construction of a new water main in UGA Areas 2A and 2B. The City had been in the process of planning to install a new well to replace one that had failed, when the Washington State Department of Health asked the City to consider relocating the new well to an area that could serve a church and school in UGA Area 2A, who's well had become contaminated. As we discussed, the new well is located in area 2A and the water main that connects it to the City's system is located between Areas 2A and 2B, and City sewer service is nearby, so it is very timely and appropriate to add these areas to the College Place UGA. UGA Area 2C is in the immediate vicinity and the conceptual design plans for an adjoining planned unit development provide ready access to this

area, so once again it is a very timely and appropriate opportunity to add this area to the UGA and to support the efficient use of existing public services and to promote infill development.

The addition of Area 2A to the College Place UGA is an extremely important consideration, as it provides the City with access to an area highly suitable for commercial development. New residential development must be accompanied by new commercial and industrial development in order to provide the tax base necessary to support the required public services. Since College Place has no vacant industrial land suitable for development, and a limited amount of land suitable for commercial development, the economic development potential of areas such as 2A, will have a significant bearing on the City's financial well-being. To further emphasize the importance of adding Area 2A to the College Place UGA, we have attached a draft copy of the Economic Development Element of the City's updated Comprehensive Plan. As you will note near the end of the report, the retail trades in College Pace are highly concentrated in a few sectors, and the retail leakage is significant. It is also interesting to note that less than 15% of the residents also work in the City. Both of these factors point to the need to further diversify the local economy, broaden the tax base, and to create more employment opportunities.

As we discussed with the Washington State Department of Commerce, the City's proposed adjustments result in no net increase to the size of the College Place Urban Growth Area. Since the area proposed for removal from the UGA (216 acres) is larger than the areas proposed for addition to the UGA (158 acres), the City is requesting that the remaining 58 acres be held in an Unspecified Urban Reserve, to be assigned in a subsequent amendment cycle. This will enable the City of College Place in consultation with the County, the City of Walla Walla, and the Port of Walla Walla to identify areas suitable for light industrial development, where urban services exist or can reasonably be provided. This is an extremely important consideration, as new residential development must be accompanied by new commercial and industrial development in order to provide the tax base necessary to support the required public services.

In summary, the benefits of the City's proposed UGA adjustments include, but is not limited to:

- No net increase to the size of the College Place UGA;
- More compatible land uses in the vicinity of Martin Airfield;
- Better alignment of UGA boundaries with City water and sewer service areas;
- Encouraging new development in areas where urban services exist or can reasonably be provided;
- Promotion of infill development;
- More efficient use of city water improvements;
- The addition of land suitable for commercial development in an area where urban services exist or can reasonably be provided; and

- The identification of land suitable for residential development, where urban services exist or can reasonably be provided, sufficient to meet projected population growth.

We look forward to the opportunity to present the City's application to the County Planning Commission next week. In the interim, please don't hesitate to let us know if we can provide you with additional information.

CC: Mayor Harvey Crowder
Mike Rizzitiello, College Place City Administrator
Jon Rickard, College Place Director of Planning
Dave Anderson, Washington State Department of Commerce
Will Simpson, Washington State Department of Commerce

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G. R. Dohrn and Associates
May 8, 2018

CPA17-005 & CPA-006 Application Clarification

The City of College Place has submitted two separate, yet interrelated applications to the County to adjust the boundaries of the College Place Urban Growth Area. The areas involved are highlighted on the attached map. The first application involves adjustments to the City's existing Urban Growth Area in the vicinity of Martin Airfield, near the City's western border (Areas 1 A and 1 B). The second application involves the addition to the Urban Growth Area of three smaller areas southeast of College Place on the SR 125 (Areas 2A, 2B, and 2C). As you've requested the following is a more detailed description of how each proposal complies with the applicable criteria in Walla Walla County Code.

College Place UGA Application 1 Martin Airfield

3. Explain how the proposed amendment complies with criteria in Walla Walla County Code Section 14.10.070B.3.

a. The proposal meets a definable public need.

Everyone benefits from good planning, and with the benefit of experience and a more detailed understanding of the challenges that the City and County face in implementing our respective comprehensive plans, it is clear that adjustments must be made. While Martin Airfield is a community asset that must be protected, encouraging incompatible development in areas where urban services do not exist, nor can they reasonably be provided, is not the way to protect it. By removing the 216 acres that most directly impacts airfield operations from the City of College Place Urban Growth Area (Area 1A), measures can be adopted that will more clearly preserve airfield operations, protect the airfield from incompatible land uses, and enable the City and County to meet their obligations under the Washington State Growth Management Act. In addition, changing the land use designation of 18 acres of the current UGA that is near, but that does not impact the operations of the airfield (Area 1B), from Urban Industrial to Urban Residential will benefit the airfield operators and the neighboring property owners. The need for and the benefits from Application 1 include, but is not limited to:

- The City of College Place must establish and maintain a viable economic base to generate sufficient revenues to sustain the delivery of mandated public services. Currently there is no vacant, industrially zoned land, suitable for development in the City or the UGA. The inclusion of the airfield properties in the College Place UGA gives a false impression of the City's economic outlook;

- There is a need for additional family wage jobs in the City of College Place;

- There is a need and benefit for a general aviation airport designed to support small aircraft that is not threatened by incompatible land uses; and

- There is a need and benefit to support development in the vicinity of the airfield that is compatible with airfield operations.

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.

The needs have not changed over time, but there is clearly a better perspective and understanding of how best to meet these needs. The City and the County share an obligation to encourage development in areas where adequate public facilities and services exist or can be provided in an efficient manner. But simply stated, the City cannot serve UGA Area 1A with water and sewer service, and without water and sewer service, urban industrial development will not occur. In addition, W Whitman Drive, which passes through the an established residential area and the Walla Walla University Campus, was not designed to accommodate industrial traffic. Also, W Whitman Drive passes across the immediate end of the runway, which is extremely unsafe and in violation of all airport safety standards. The roadway has also been designated a regional bicycle corridor and a bike path is being installed on the south side of the road. Encouraging additional vehicular traffic in this area would be irresponsible and not in the public interest. It should also be noted that the airport safety zones significantly reduce the area around the airport available for development, height limitations restrict the intensity of potential development, and the presence of environmentally sensitive areas further restricts the development potential of the area. Specific factors that preclude development of UGA Area 1A include:

- *Airport safety requirements which precludes development around the runway and which limits the height, location, and types of development in proximity to the runway;*

- *The presence of environmentally sensitive areas including designated steep slopes and wetlands associated with Doan Creek;*

- *The presence of areas that are seasonally saturated by stormwater runoff, seepage, and high water tables;*

- *Fiscal constraints to extending City sewer service to the area;*

- *The desire of the property owners to maintain current airport operations;*

- *The absence of have high visibility or ready access to a major arterial or highway which is essential to support viable commercial or light industrial operations; and most significantly*

- *Extremely limited access to the area from W Whitman Drive, a narrow residential street with limited capacity, safety concerns, and no expansion potential. Increased traffic on this road would adversely affect an established single family neighborhood and the Walla Walla University campus without providing ready access to a major arterial or highway.*

All factors considered, the area around the airfield is not suitable for urban industrial development and should not be included in the College Place Urban Growth Area.

Area 1B is at a much higher elevation than Area 1A, it is not connected with the airfield, and is not accessed from the airfield. The only way to access Area 1 B, is through a residential neighborhood in College Place. Area 1B is clearly not suitable for industrial development and never will be. City water and sewer service is available to serve this area through a simple connection to the new water and sewer lines that are serving the neighboring new residential development. In consultation with the airfield owner, the City is requesting that this area remain in the College Place Urban Growth Area and be re-designated as Urban Residential.

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

The proposed removal of the Martin Airfield from the College Place Urban Growth Area and the redsesignation of an area from Urban Industrial to Urban Residential is most consistent with the following provisions of the County-Wide Planning Policies and the County Comprehensive Plan:

County-Wide Planning Goals and Policies:

General Planning Goal 2.1 Urban land is an important resource which should be judiciously and effectively used to economically accommodate future growth which should be concentrated within designated urban growth areas.

General Planning Goal 2.7 The county and its cities should work to ensure future economic vitality and broaden employment opportunities while retaining a high quality or life.

General Planning Goal 2.11 Coordinated planning practices and standards among the county and its cities are essential to providing economical and efficient services.

General Planning Goal 2.16 In order to maintain a sufficient tax base to support essential government services. economic development efforts to diversify and expand basic manufacturing and service related jobs are encouraged.

3.0 URBAN GROWTH AREAS

Purpose

1. *Encourage higher density residential development which is in closer proximity to jobs, transit, schools and parks.*

2. *Serve as a basis for the more detailed land use and utility/services plans developed by each jurisdiction.*

3. *Promote infill and redevelopment of existing areas to most efficiently and economically utilize services.*

4. *Protect open space, critical areas and resource lands from encroachment of incompatible uses and densities.*

5. *Provide for the economic provision and maintenance of streets, sewer. water and other public facilities.*

6. *Create and maintain attractive residential neighborhoods and commercial districts chat provide a sense of community.*

7. *Provide a heightened level of certainty for investors, landowners and citizens regarding types of land use, development standards and zoning intended.*

8. *Provide an adequate supply of industrial property and infrastructure to support economic development.*

UGA Policy 3.1 *Urban Growth Areas (UGAs) for small cities should be of sufficient size to create viable economic centers. They should do appropriate planning to ensure adequate land uses and services.*

UGA Policy 3.5 *UGAs should be designated where: 1) infrastructure exists or is planned, as identified in an approved capital improvement program or can be reasonably and economically extended; and 2) it is environmentally appropriate for growth to occur.*

UGA Policy 3.6 *Designate UGAs by: 1) existing incorporated boundaries: 2) distribution patterns of projected growth: 3) existing population density: 4) presence or availability of infrastructure: and 5) natural and manmade topographical constraints.*

Contiguous and Orderly Development Policy 5.1 *Urban growth should be located first in areas already characterized by urban growth that have existing public facility and service capacities to serve such development, and second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private source.*

Contiguous and Orderly Development Policy 5.12 *To adequately plan for growth and implement the policies of the GMA, the governmental entities and special districts in Walla Walla County should establish an ongoing mechanism to improve*

communication, information sharing and coordinated approaches to common problems.

County-Wide Economic Development and Employment Policy 9.6 When designating areas for future commercial and industrial uses, preference should be given to those areas with infrastructure capacity and/or the potential to provide infrastructure: and the potential to provide adequate, affordable housing, and/or transportation linkages to existing housing.

County Comprehensive Plan Goals and Policies

Policy LU-2 Recognize that some areas of the County are unsuitable for residential, commercial, and industrial development due to natural constraints and/or distance from urban services.

Policy LU-6 Support land use development patterns which protect the public health, safety, and welfare.

Policy LU-10 Designate areas for industrial development in the vicinity of existing industrial development.

Policy LU-16 Review designated UGA boundaries and the densities permitted within both the incorporated and unincorporated portions of each UGA not more than once every five years beginning with 2006 except as required otherwise by the GMA.

Policy LU-28 On the Walla Walla County Land Use Map, include land use designations compatible with those identified in the City of College Place Comprehensive Plan.

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.

The County Comprehensive Plan calls for the periodic review of UGA boundaries and cooperative efforts between the County and the City of College Place to make adjustments consistent with our respective goals and policies. This application is consistent with the City and County Comprehensive Plans and no further action is required other than to remove Area 1A from the College Place Urban Growth Area and to redesignate Area 1 B from Urban Industrial to Urban Residential. To facilitate these changes, the City has provided the County with draft amendments to the County Comprehensive Plan and Development Regulations that would protect Martin Airfield and support rural levels of development in areas where development can occur consistent with airport safety zone designations.

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.

College Place Application 1 is entirely consistent with the provisions of the Washington State Growth Management Act, including, but not limited to the following provisions.

RCW 36.70A.020 Planning Goals

(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

RCW 36.70A.110 Comprehensive Plans - Urban Growth Areas

(2) Urban growth should be located first in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development, second in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources, and third in the remaining portions of the urban growth areas.

RCW 36.70.547 General aviation airports—Siting of incompatible uses.

Every county, city, and town in which there is located a general aviation airport that is operated for the benefit of the general public, whether publicly owned or privately owned public use, shall, through its comprehensive plan and development regulations, discourage the siting of incompatible uses adjacent to such general aviation airport.

It is also important to note that one could argue that the failure to approve the City's UGA application would be inconsistent with the Growth Management Act, as the County would have included in the College Place Urban Growth Area areas that cannot be served by urban facilities and services and that encourages incompatible development in the vicinity of Martin Airfield.

5. *Explain how the proposed amendment complies with criteria in Walla Walla County Code Section 14.10.070B.5.a. (UGA MAP OR POLICY AMENDMENTS)*

   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.*

         The City is amending its Comprehensive Plan to include the 20-year population and employment projections provided by the County. In doing so, it is essential that the City have adequate land, suitable for commercial and industrial development to provide the tax base necessary to support the projected population growth. The UGA adjustments proposed in College Place Application 1 are a necessary first step for the City and County to meets its obligations under the Growth Management Act. The City cannot provide water and sewer service to UGA Area 1A and encouraging more intensive levels of urban industrial development will have an adverse impact on Martin Airfield, the Walla Walla University Campus, and established residential neighborhoods in College Place. The inclusion of an area not suitable for development in the City's UGA leaves the City without the ability to economically support projected growth.

         The redsesignation of UGA Area 1B from Urban Industrial, a designation which is not practical and sound planning principles, to Urban Residential, would provide 17.8 acres of land highly suitable for urban levels of residential development, with the necessary urban services already in place. It is important to note, that UGA Area 1B can only be accessed through a residential neighborhood in the City of College Place, which is not acceptable access for industrial development.

      2) *The extent to which the urban growth occurring within the county has located within each city and the unincorporated urban growth areas.*

         The City is in the process of finalizing an extensive analysis of land use within the City limits and the College Place UGA. It is important to note that there are only two very small industrial uses in the City of College Place and there is no vacant land suitable for industrial development.

      3) *The allocation of projected county population and/or employment to the urban growth areas.*

         In order for the City to support projected population growth, there must be areas in the city zoned for industrial development that can be served by urban services and is suitable for development. UGA Area 1A cannot be served by the City nor can it be reasonably expected that industrial development will occur at this site. It is proposed that UGA Area 1 be removed from the UGA so that areas more suitable for development can be added.

4) *The buildable lands analysis for each urban growth area.*

The City is in the process of finalizing an extensive analysis of land use within the City limits and the College Place UGA. Tables 1-7 from this report are attached. As you will note in table 1, there are only 10 parcels of land in the City of College Place that are zoned Light Industrial (IL). 8 of these parcels are being used to provide services, most notably the University's maintenance department, 1 is being used by a retail establishment, and only 1 parcel in the City is being used by a privately owned industry. There are no vacant industrially zoned parcels of land in the City of College Place. As previously noted, the 234 acres of land adjacent to Martin Airfield has been designated for Urban Industrial development. 18 of these acres (Area 1B) can only be accessed through a residential neighborhood, and the remaining 216 acres cannot be served by City sewers, and given the constraints associated with airport safety zones, environmentally sensitive areas, and significant access limitations, it is not suitable for industrial development.

5) *Existing urban growth area boundaries.*

In addition to UGA Areas 1A and 1B in the vicinity of Martin Airfield, there are several small pockets of unincorporated islands of land scattered about the city, and a few small fringe areas north and west of the city. It is important to note that the unincorporated islands are likely to stay that way as the property owners have expressed little or no interest in annexing into the City. The areas north of the City are receiving water from local irrigation districts and cannot be served by City sewers, so annexation is not a practical consideration there. The areas southwest of the city are characterized by more rural levels of residential development featuring large lots and family farms, and the development potential in this area is extremely limited by topography, road constraints, and limited access to city services. In addition, property owners in this area have demonstrated little or no interest in annexation, and one property owner recently de-annexed from the City. As a practical matter, these areas will remain residential areas characterized by lower intensity residential development, and it is expected that by in large that this will not change.

6) *Other proposed changes affecting urban growth areas.*

In contrast to the areas in the College Place Urban Growth Area that are not suitable for development, the City has received authorization and funding from the State to relocate an existing City well to serve an area of unincorporated Walla Walla County along the SR 125 Corridor southeast of the city. With the installation of the well later this year, there will be an area adjacent to the City where urban services exist, the road improvements are in place, and potential development is entirely feasible. This area is discussed in the College Place Application 2.

College Place UGA Application 2 SR 125 Corridor UGA Additions

3. Explain how the proposed amendment complies with criteria in Walla Walla County Code Section 14.10.070B.3.

a. The proposal meets a definable public need.

As previously discussed the City's current Urban Growth Area, includes 218 acres designated for industrial development that cannot be served by City services that is not suitable for urban industrial development and another 18 acres of industrial land that can only accessed through a residential neighborhood. In addition, there are several pockets of unincorporated areas scattered around the city (55 acres) and areas along the northern and southwestern western fringe of city (84 acres). Most of these areas are already developed, and many have limited potential to be served by City services. These areas are not likely to annex into the city, nor are they suitable for commercial or industrial development. In order for the City to meet the responsibilities it shares with the County in accordance with the provisions of the Washington State Growth Management Act, the City must have sufficient land to meet projected population growth and for the commercial and industrial development necessary to provide the tax base to provide the required level of urban services. In conjunction with the proposal to remove areas unsuitable for industrial development from the College Place UGA identified in Application 1, the City is proposing to add three smaller areas to the UGA southeast of the City along the SR 125 Corridor. This proposal is precipitated by the state authorization and approval of funding to relocate a city well to serve Christ Community Fellowship Church and neighboring properties along Pepperbridge Road in unincorporated Walla Walla County. Since the primary distinction between urban and rural areas is the availability of urban services, the construction of this new well, and the ability of the City to serve this area with sewers, is the basis for the proposal to add these areas to the College Place UGA. These areas are highlighted on the attached map and include Area 2A, an area most suitable for commercial and light industrial uses due to its proximity to similar uses and access to SR 125, and UGA Areas 2 B and 2C, both most suitable for residential development. Unfortunately, these areas do not provide adequate capacity for industrial development which is so desperately needed in the City, but this application also includes a request to establish a 58-acre urban reserve for future industrial development. Since the areas that appear to be most suitable for industrial development are designated agricultural lands, the City of College Place has initiated a multi-year process with the County and City of Walla Walla to identify future areas suitable for industrial development, that can be added to UGA's without adversely affecting agricultural lands of long term significance. The establishment of an urban reserve will enable the City to further add to its urban growth area when this process is complete. The need for and the benefits from Application 2 include, but is not limited to:

- The City of College Place must establish and maintain a viable economic base to generate sufficient revenues to sustain the delivery of mandated public services;

- There is a need for additional family wage jobs in the City of College Place; and

- The construction of the new well results in the availability of urban services in these areas and their resulting inclusion with the College Place Urban Growth Area is consistent with the requirements of the Washington State Growth Management Act, the College Place Comprehensive Plan, the County Comprehensive Plan, and the County-Wide Planning Policies.

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.

There has clearly been a change of circumstances that supports this application. The well that serves the Christ Community Fellowship church in unincorporated Walla Walla County has failed and coincidentally, the City had a need to replace an existing well in the vicinity. As a result, the state has authorized and funded the City to install a new well to serve the church and neighboring properties. The location of the new well and water main, on the boundary of UGA Areas 2A and 2B can be seen on the attached map. Once this new well is installed urban services will be readily available to this area and it should be included in the College Place UGA.

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

The proposed addition of areas that are served by urban services to the College Place Urban Growth Area and the set aside of an urban reserve so that the cities of College Place and Walla Walla, in conjunction with the County and in consultation with the Port of Walla Walla, can identify areas most suitable for industrial development in the future is most consistent with the following provisions of the County-Wide Planning Policies and the County Comprehensive Plan:

County-Wide Planning Goals and Policies:

General Planning Goal 2.1 Urban land is an important resource which should be judiciously and effectively used to economically accommodate future growth which should be concentrated within designated urban growth areas.

General Planning Goal 2.2 The provision of adequate. appropriately timed infrastructure is necessary to provide the framework upon which development may rake p/ace. The cost or new infrastructure should be equitably borne by both current taxpayers and new development.

General Planning Goal 2.7 The county and its cities should work to ensure future economic vitality and broaden employment opportunities while retaining a high quality or life.

General Planning Goal 2.11 Coordinated planning practices and standards among the county and its cities are essential to providing economical and efficient services.

General Planning Goal 2.16 In order to maintain a sufficient tax base to support essential government services, economic development efforts to diversify and expand basic manufacturing and service related jobs are encouraged.

3.0 URBAN GROWTH AREAS

Purpose

1. *Encourage higher density residential development which is in closer proximity to jobs, transit, schools and parks.*

2. *Serve as a basis for the more detailed land use and utility/services plans developed by each jurisdiction.*

3. *Promote infill and redevelopment of existing areas to most efficiently and economically utilize services.*

4. *Protect open space, critical areas and resource lands from encroachment of incompatible uses and densities.*

5. *Provide for the economic provision and maintenance of streets, sewer. water and other public facilities.*

6. *Create and maintain attractive residential neighborhoods and commercial districts chat provide a sense of community.*

7. *Provide a heightened level of certainty for investors, landowners and citizens regarding types of land use, development standards and zoning intended.*

8. *Provide an adequate supply of industrial property and infrastructure to support economic development.*

UGA Policy 3.1 Urban Growth Areas (UGAs) for small cities should be of sufficient size to create viable economic centers. They should do appropriate planning to ensure adequate land uses and services.

UGA Policy 3.5 UGAs should be designated where: 1) infrastructure exists or is planned, as identified in an approved capital improvement program or can be

reasonably and economically extended; and 2) it is environmentally appropriate for growth to occur.

UGA Policy 3.6 Designate UGAs by: 1) existing incorporated boundaries: 2) distribution patterns of projected growth: 3) existing population density: 4) presence or availability of infrastructure: and 5) natural and manmade topographical constraints.

Contiguous and Orderly Development Policy 5.1 Urban growth should be located first in areas already characterized by urban growth that have existing public facility and service capacities to serve such development, and second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private source.

Contiguous and Orderly Development Policy 5.12 To adequately plan for growth and implement the policies of the GMA, the governmental entities and special districts in Walla Walla County should establish an ongoing mechanism to improve communication, information sharing and coordinated approaches to common problems.

County-Wide Economic Development and Employment Policy 9.6 When designating areas for future commercial and industrial uses, preference should be given to those areas with infrastructure capacity and/or the potential to provide infrastructure: and the potential to provide adequate, affordable housing, and/or transportation linkages to existing housing.

County Comprehensive Plan Goals and Policies

Policy LU-1 Focus future development in cities and urban growth areas to minimize the impacts of growth on rural and resource lands.

Policy LU-2 Recognize that some areas of the County are unsuitable for residential, commercial, and industrial development due to natural constraints and/or distance from urban services.

Policy LU-3 Designate UGAs by allocating projected residential and employment growth according to factors and priorities identified in the GMA: 1) currently urbanized areas with existing service capacity to accommodate future growth; 2) currently urbanized areas where a combination of existing and planned services provide capacity to accommodate future growth; and 3) lands adjacent to such currently urbanized and serviced areas.

Policy LU-5 Encourage land use patterns that provide for the efficient use of public funds.

Policy LU-6 Support land use development patterns which protect the public health, safety, and welfare.

Policy LU-10 Designate areas for industrial development in the vicinity of existing industrial development.

Policy LU-16 Review designated UGA boundaries and the densities permitted within both the incorporated and unincorporated portions of each UGA not more than once every five years beginning with 2006 except as required otherwise by the GMA.

Policy LU-28 On the Walla Walla County Land Use Map, include land use designations compatible with those identified in the City of College Place Comprehensive Plan.

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.*

The County Comprehensive Plan calls for the periodic review of UGA boundaries and cooperative efforts between the County and the City of College Place to make adjustments consistent with our respective goals and policies. This application is consistent with the City and County Comprehensive Plans and no further action is required other than to redesignate UGA Areas 2A, 2B, and 2C as part of the College Place UGA.

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.*

College Place Application 2 is entirely consistent with the provisions of the Washington State Growth Management Act, including, but not limited to the following provisions.

RCW 36.70A.020 Planning Goals

(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.

(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

RCW 36.70A.110 Comprehensive Plans - Urban Growth Areas

(3) Urban growth should be located first in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development, second in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources, and third in the remaining portions of the urban growth areas.

It is also important to note that one could argue that the failure to approve the City's UGA application would be inconsistent with the Growth Management Act, as there would be rural areas served by urban facilities and services, adjacent to, but not located in a designated UGA.

5. *Explain how the proposed amendment complies with criteria in Walla Walla County Code Section 14.10.070B.5.a. (UGA MAP OR POLICY AMENDMENTS)*

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.

The proposed amendments would provide the City with additional land, suitable for residential development, sufficient to meet 20-year population projections. While there is sufficient land in the current UGA to meet the projected population growth, there is little more than just that, certainly not enough to meet ongoing growth. In addition, most of the City's projected residential capacity is attributable to one potential development. While this potential development has many virtues, there is no guarantee it will happen and the community must have more than one option to meet its future needs. The remaining residential development capacity is attributable to unincorporated pockets that have resisted annexation and are very unlikely to change in character. As a result, the development potential of these areas is more theoretical than practical. In addition, the projected population growth must be supported by commercial and industrial development to provide the tax base necessary to support the required levels of urban services. The addition of UGA Area 2A is particularly important in that regard.

2) *The extent to which the urban growth occurring within the county has located within each city and the unincorporated urban growth areas.*

The City is in the process of finalizing an extensive analysis of land use within the City limits and the College Place UGA. It is important to note that there are only two very small industrial uses in the City of College Place and there is no vacant land suitable for industrial development. Opportunities for commercial development are limited as well. The SR 125 Corridor is particularly well suited for future commercial and light industrial development.

3) *The allocation of projected county population and/or employment to the urban growth areas.*

The addition of UGA Areas 2B and 2C will provide additional land highly suitable for urban residential development that increase the range of opportunities in the City. The addition of UGA Area 2A, provides development opportunities for the economic base necessary to support the projected population growth. The creation of an urban reserve provides the time to enable the City and County to collaboratively identify the areas most suitable for industrial development in the future that can be served by urban services.

4) *The buildable lands analysis for each urban growth area.*

The City is in the process of finalizing an extensive analysis of land use within the City limits and the College Place UGA. Tables 1-7 from this draft report are attached. As you will note in Table 6, there is only 60 acres of land suitable for commercial development in the City, the vast majority of which is owned by one developer. In addition, as previously noted, the is no vacant industrial land suitable for development in the city. This clearly indicates the need to add land suitable for commercial and industrial development. As indicated in table 7, the addition of Area 2A to the College Place UGA will provide an additional 30 acres of vacant land, suitable for commercial/light industrial development, that can readily be served by the City, and is highly accessible from SR 125. The establishment of a 58-acre Urban Reserve will enable the City to add industrial lands suitable for development upon completion of the consultation process with the City and County of Walla Walla.

As you will note in table 4, there is barely enough vacant land in the City to meet the projected population growth in the city over the next 20 years. There is no margin for error, and the vast majority of this land is owned by one developer, which has the potential of limiting opportunities and raising prices. As can be seen in Table 5, the addition of UGA Areas 2b and 2C will provide some additional capacity and a reasonable margin should growth occur at higher rates than projected.

5) *Existing urban growth area boundaries.*

As previously noted, the City has proposed removing 186 acres from its UGA in the vicinity of Martin Airfield, and the redsesignation of 18 acres from Urban Industrial to Urban Residential. The rest of the City's UGA consists of several small pockets of unincorporated islands of land scattered about the city, and a few small fringe areas north and west of the city. It is important to note that the unincorporated islands are likely to stay that way as the property owners have expressed little or no interest in annexing into the City. The areas north of the City are receiving water from local irrigation districts and cannot be served by City sewers, so annexation is not a practical consideration there. The areas southwest of the city are characterized by suburban to rural levels of development featuring large lot family farms, and the development potential in this area is extremely limited by topography, road constraints, and limited access to city services. In addition, property owners have demonstrated little or no interest in annexation, as evidenced by one property owner who recently de-annexed from the City. As a practical matter, these areas will remain residential areas characterized by lower intensity residential development, and that only sporadic residential development will occur over time.

6) Other proposed changes affecting urban growth areas.

The City of College Place is surrounded by designated agricultural lands, which complicate the economic development and capital facilities planning for the community. The City of College Place has initiated discussions with the Walla Walla City and County, and in consultation with the Port of Walla Walla to identify areas where industrial development can occur in the future without adversely affecting the County's ability to protect agricultural lands of long-term commercial significance. This area wide approach is preferred by the state over incremental requests to reclassify lands and it is recognized that it will take time. As a result, the City is requesting that a 58-acre Urban Reserve be established as a placeholder while these discussions are completed over the next few years.

Exhibit E
City of College Place, WA 2017-18 Comprehensive Plan Update
College Place Urban Growth Area
Proposed County Comprehensive Plan Text Amendment
November 22, 2017

Airport

This land designation contains the Walla Walla Regional Airport and the adjacent industrial park and it is located within the City of Walla Walla's UGA. In addition, it contains Martin Airfield and neighboring properties associated with airport operations or accessed through the airfield. The purpose of the Airport land use designation is to regulate the use and development of land for compatibility with aviation facilities, for the protection of runway safety and clear zones, and for the protection of public safety; and to attract compatible industrial, office, commercial, public and accessory uses that can benefit from close proximity to the airport. ~~and the State highway system~~. In addition, undeveloped areas within this land use designation may be devoted to agricultural uses.

The Walla Walla Regional A~~a~~irport is an essential public facility and serves as the regional air transportation hub for both passenger and freight service. The industrial park contains a wide variety of uses, many of which are located here because of the close proximity to regional air and highway transportation facilities. All of the property within this land use designation is owned and managed by the Port of Walla Walla and the Port is recognized as a primary provider of urban services for all properties.

~~The purpose of the Airport land use designation is to regulate the use and development of land for compatibility with aviation facilities, for the protection of runway safety and clear zones, and for the protection of public safety; and to attract compatible industrial, office, commercial, public and accessory uses that can benefit from close proximity to the airport and the State highway system. In addition, undeveloped areas within this land use designation may be devoted to agricultural uses.~~

The Walla Walla Regional Airport Master Plan: 1990-2010 includes a land use component that addresses on-site and off-site land uses, as well as airport noise and safety. South of the airport, unincorporated UGA land is designated on the County Land Use Maps as Industrial, similar to the land use assumptions of the Airport Master Plan. Although the Airport Master Plan does not address the area to the east of the airport directly, the County consulted the Port and other agencies at the time the property was designated Master Planned Community to ensure appropriate coordination. Areas to the north and west of the airport are identified on the County Land Use Map as Primary Agriculture.

Martin Airfield is privately owned and serves single engine planes and is a unique community asset. There is limited potential for light industrial uses on undeveloped areas outside of the airport safety zones, that do not require urban services, such as storage facilities.

The implementing zoning district for the Airport land use designation is Airport Development. The Airport Development District – Walla Walla Regional Airport zoning regulations primarily focus on the airport property itself, allowing a variety of uses, with provisions that specific use or uses of buildings and sites will be permitted by approval of the airport board in conformance with airport plans. Additional regulations for unincorporated land surrounding the airport may be appropriate such as title notices for noise, and other measures. The Airport Development District – Martin Airfield zoning regulations are intended to protect airport operations and corresponding runway safety and clear zones, as well as to enhance future development potential that does not require urban services.

Exhibit F
City of College Place, WA 2017-18 Comprehensive Plan Update
Urban Growth Area Amendment #1 – Martin Airfield
Proposed County Zoning Code Text Amendment
November 22, 2017

Martin Airfield is a privately owned and operated airfield that is located in the College Place Urban Growth Area. Unfortunately, topographical considerations significantly limit the ability of the City to provide water and sewer service to the area. In addition, airport safety considerations, critical areas, and limited road access significantly limit the development potential in this area. As a result, the City of College Place has proposed to remove 216 acres around the airfield from the College Place Urban Growth Area. In doing so, it is proposed that the zoning be changed by the County from Light Industrial to a new zoning designation that would be appropriate to protect ongoing airfield operations. Currently there are three airports/airfields in Walla Walla County: the Walla Walla Regional Airport owned and operated by the Port of Walla Walla; Martin Field; and a small, state operated airfield along the Snake River that has limited public access. Since the County has established a zoning district that currently is only applicable to the Regional Airport, it is proposed that this zoning district be modified to be applicable to Martin Airfield as well. The following is an example of how this modified zoning district might appear in the County Zoning Code, with the proposed changes highlighted in underline and strikeout format. If approved, this amendment to the to the County Zoning Code would also require adding a column to the Table of Permitted Land Uses and the identification by the County of appropriate rural land uses to be permitted in the immediate vicinity of the airfield.

P. *Airport Development District – Walla Walla Regional Airport. The purpose of the airport development district is to provide a zoning classification to regulate the use and development of land within the boundaries of the city-county airport, to insure compatibility with aviation facilities and adjacent properties, protection of runway safety and clear zones and aviational facilities, and enhance the potential for future industrial development.*

Airport Development District – Martin Airfield. The purpose of the airport development district is to provide a zoning classification to regulate the use and development of land in the immediate vicinity of the privately owned airfield, to insure compatibility with aviation facilities and adjacent properties, protection of runway safety and clear zones and aviational facilities, and enhance the potential for future development that does not require urban levels of service.

Q. *Light Industrial District. This district is exclusively for limited assembly, fabrication, processing and service facilities involving small or portable machinery and regulated with regards to dissemination of atmosphere, pollutants, noise, vibration, odors and the creation of physical hazards to adjacent uses.*

Walla Walla County Community Development Department

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

Date:	May 23, 2018
To:	Walla Walla County Planning Commission
From:	Tom Glover, Director
Prepared by:	Don Sims, Associate Planner
RE:	2018 Final Docket Workshop (CPA17-006/REZ17-006 – City of College Place #2)

Background

This application was placed on the Final Docket by the Board of County Commissioners; the City of College Place has added written material to the application since the Planning Commission's review of the preliminary docket.

Attachments

A. WWCC 14.10.070 – Final docket review and recommendation (excerpt)
B. WWCC 14.15.070 – Final docket review and recommendation (excerpt)
C. Memo from Gregg Dohrn, College Place consultant, on UGA applications 05/18/20018
D. City of College Place Application Clarification 05/08/2018

Your notebook also contains application materials and documents from the preliminary docket review period.

Summary

The City of College Place is proposing to add 158 acres to its urban growth area (UGA). The location of this addition is in the highway (SR-125) corridor, generally south and east of the city. The proposed land use designations and zoning are a mix of low density residential, and commercial areas. In addition, the proposal would establish an "Urban Reserve" of 58 acres "to be applied to an area(s) identified in the future that are suitable for industrial development." The City has presented that it is appropriate to "swap" this area with the UGA removal of Martin Field. While this application and the Martin Field application are separate proposals, the approval of both would result in no net increase to the City's UGA.

This application also includes three technical map amendments for short segments of rights-of-way located around the city.

In the memo (Attachment C) dated May 18, 2018, from G.R. Dohrn and Associates, the city's land use planning consultant, the city asserts that this proposal is the result of changes in circumstances and new information learned from previous land use planning efforts.

As stated in the memo, the State Department of Health approached the City to "consider relocating the new well to an area that could serve a church and school in UGA Area 2A, who's well had become contaminated." The new well is currently located outside of, but adjacent to, the city's UGA. This area is primarily characterized by existing rural residential development. It is zoned Rural Residential 5 (five-acre minimum lot size).

Land Capacity

The impact of this proposal on the City of College Place UGA population forecasts was considered in the County's Land Capacity Analysis. After deductions/adjustments from the LCA methodology, the College Place amendments would add approximately 67.3 acres of available residential land and increase population capacity inside the UGA by 757 for a total revised population of 2,626. However, the City of College Place conducted its own land capacity analysis which concluded that the proposals (Areas 1-B, 2-B, and 2-C) would only increase the population capacity by 305 people. The City of College Place conducted its own parcel-by-parcel analysis and subsequently removed over 30 acres of otherwise vacant or underdeveloped land which is the reason there's a discrepancy. See Page 8, Draft County Land Capacity Analysis by The Watershed Company.

According to the County's Draft Land Capacity Analysis, College Place's allocated population growth by 2038 will be a population increase by 1,385 people; the analysis conducted by the City of College Place concluded an increase of 1,587 people. By doing so they reduced the population allocated to Prescott, Waitsburg, and the County's unincorporated areas.

The Growth Management Act encourages local governments to concentrate growth where existing facilities exist and to reduce sprawl. College Place's existing UGA has sufficient land for the additional population allocation without needing an expansion. As the City's memo describes, circumstances have changed; the city will move a municipal water source to an area outside its current UGA, but hopes to bring urban development to that area in the future.

Process

At the May 23 workshop staff will give a brief summary of the proposed amendment and the Planning Commission will have the opportunity to ask questions. No recommendation is to be made by the Planning Commission at this workshop. However, staff will be seeking input from the Planning Commission regarding:

- Overall merit of the proposal: adding 110 acres of residential zoning, 48 acres of commercial zoning, and the unmapped floating 58 acres of Urban Reserve (industrial zoning) to the UGA.
- Expanding the city's UGA to accommodate additional residential land though the land capacity analysis indicates there is sufficient land available now to accommodate growth for the next twenty years.
- Placing an undefined "urban reserve" area in the UGA as industrial. County staff is researching the possibility that other cities and counties in the state that have a "bank" of industrial land area.

The Planning Commission will be asked to make its recommendation on which items should be approved by the Board of County Commissioners after a public hearing which is tentatively scheduled for June or July.

Review Criteria

The application shall be subject to the review criteria in WWCC 14.10.070 (Comprehensive Plan map amendments) and WWCC 14.15.070 (rezone). These criteria are included in Attachments A and B. As noted above, the Planning Commission will have to make recommendations based on its analysis of the applications under these criteria after holding a public hearing. While a recommendation should not be made at the workshop, it would be advisable to use these criteria to frame the discussion at the workshop meeting.

ATTACHMENT A

Comprehensive Plan Amendments – Planning Commission Review Criteria

WWCC 14.10.070 – Final docket review and recommendation.

E. 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.

ATTACHMENT B
Zoning Map Amendments – Planning Commission Review Criteria

WWCC 14.15.070 – Final docket review and recommendation.

B. Planning Commission Review. All proposed amendments on the final docket shall be reviewed and assessed by the planning commission, which shall make recommendations to the board of county commissioners after considering the staff report prepared by the director.

1. Workshop Meeting. The planning commission may first review the recommendations of the director in a workshop meeting(s).

2. Public Hearing. The planning commission shall conduct a public hearing on the proposed amendments as set forth in Sections 14.09.065 and 14.09.070 of this title.

3. Recommendations. For each proposed amendment, the planning commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the following criteria:

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

   b. *The amendment meets a definable public need; and*

   c. *The amendment is in the long term interest of the county.*

G. R. Dohrn and Associates

Memorandum

Date: May 18, 2018

To: Tom Glover

From: Gregg Dohrn

Subject: City of College Place Urban Growth Area Adjustment Applications

As a follow-up to our recent discussions, we have revised the Land Quantity Analysis for the City of College Place and the proposed College Place Urban Growth Area (Tables 4-7 attached). These revisions are based on a parcel by parcel analysis of the development potential of vacant and underdeveloped properties and conversations with property owners in the process of preparing development proposals. As you will note, with this updated information, it appears that with the proposed adjustments to the College Place Urban Growth Area, that there is just enough land to meet the 20-year population growth projected for the City. However, as Mayor Crowder observed, given the recent rate of in the growth in College Place, the City may reach this total in less than 20 years, so we will want to monitor the situation closely and future adjustments may be necessary.

As we discussed, both of the City's UGA Adjustment Applications, are based on new information and changes in circumstances. With respect to Application 1, the new Homestead Village Subdivision adjacent to Martin Airfield, has provided the City with a better understanding of the practical limitations of extending sewer service to Martin Airfield, as well as the access constraints in the area. In addition, given the limitations imposed by the runway safety zones and the presence of environmentally sensitive areas, it has become very clear that the area identified in the City's application as UGA Area 1A is not suitable for urban industrial development. The City's proposal to remove this area from the UGA and re-designate the airfield as an area with limited potential for rural development, compatible with airfield operations will serve to protect the airfield. The re-designation of UGA Area 1B, is also an important consideration, as this area is on a bluff above the airfield and is only accessible through a new residential development. This area is clearly not suitable for urban industrial development, but since it can be served with City water and sewer, it is suitable for residential development, as requested by the property owner.

With respect to UGA Adjustment Application 2, the proposal to add three relatively small areas to the College Place UGA is based on a significant change in circumstances, the relocation of a City well and the construction of a new water main in UGA Areas 2A and 2B. The City had been in the process of planning to install a new well to replace one that had failed, when the Washington State Department of Health asked the City to consider relocating the new well to an area that could serve a church and school in UGA Area 2A, who's well had become contaminated. As we discussed, the new well is located in area 2A and the water main that connects it to the City's system is located between Areas 2A and 2B, and City sewer service is nearby, so it is very timely and appropriate to add these areas to the College Place UGA. UGA Area 2C is in the immediate vicinity and the conceptual design plans for an adjoining planned unit development provide ready access to this

area, so once again it is a very timely and appropriate opportunity to add this area to the UGA and to support the efficient use of existing public services and to promote infill development.

The addition of Area 2A to the College Place UGA is an extremely important consideration, as it provides the City with access to an area highly suitable for commercial development. New residential development must be accompanied by new commercial and industrial development in order to provide the tax base necessary to support the required public services. Since College Place has no vacant industrial land suitable for development, and a limited amount of land suitable for commercial development, the economic development potential of areas such as 2A, will have a significant bearing on the City's financial well-being. To further emphasize the importance of adding Area 2A to the College Place UGA, we have attached a draft copy of the Economic Development Element of the City's updated Comprehensive Plan. As you will note near the end of the report, the retail trades in College Pace are highly concentrated in a few sectors, and the retail leakage is significant. It is also interesting to note that less than 15% of the residents also work in the City. Both of these factors point to the need to further diversify the local economy, broaden the tax base, and to create more employment opportunities.

As we discussed with the Washington State Department of Commerce, the City's proposed adjustments result in no net increase to the size of the College Place Urban Growth Area. Since the area proposed for removal from the UGA (216 acres) is larger than the areas proposed for addition to the UGA (158 acres), the City is requesting that the remaining 58 acres be held in an Unspecified Urban Reserve, to be assigned in a subsequent amendment cycle. This will enable the City of College Place in consultation with the County, the City of Walla Walla, and the Port of Walla Walla to identify areas suitable for light industrial development, where urban services exist or can reasonably be provided. This is an extremely important consideration, as new residential development must be accompanied by new commercial and industrial development in order to provide the tax base necessary to support the required public services.

In summary, the benefits of the City's proposed UGA adjustments include, but is not limited to:

- No net increase to the size of the College Place UGA;
- More compatible land uses in the vicinity of Martin Airfield;
- Better alignment of UGA boundaries with City water and sewer service areas;
- Encouraging new development in areas where urban services exist or can reasonably be provided;
- Promotion of infill development;
- More efficient use of city water improvements;
- The addition of land suitable for commercial development in an area where urban services exist or can reasonably be provided; and

- The identification of land suitable for residential development, where urban services exist or can reasonably be provided, sufficient to meet projected population growth.

We look forward to the opportunity to present the City's application to the County Planning Commission next week. In the interim, please don't hesitate to let us know if we can provide you with additional information.

CC: Mayor Harvey Crowder
Mike Rizzitiello, College Place City Administrator
Jon Rickard, College Place Director of Planning
Dave Anderson, Washington State Department of Commerce
Will Simpson, Washington State Department of Commerce

-

G. R. Dohrn and Associates
May 8, 2018

CPA17-005 & CPA-006 Application Clarification

The City of College Place has submitted two separate, yet interrelated applications to the County to adjust the boundaries of the College Place Urban Growth Area. The areas involved are highlighted on the attached map. The first application involves adjustments to the City's existing Urban Growth Area in the vicinity of Martin Airfield, near the City's western border (Areas 1 A and 1 B). The second application involves the addition to the Urban Growth Area of three smaller areas southeast of College Place on the SR 125 (Areas 2A, 2B, and 2C). As you've requested the following is a more detailed description of how each proposal complies with the applicable criteria in Walla Walla County Code.

College Place UGA Application 1 Martin Airfield

3. Explain how the proposed amendment complies with criteria in Walla Walla County Code Section 14.10.070B.3.

a. The proposal meets a definable public need.

Everyone benefits from good planning, and with the benefit of experience and a more detailed understanding of the challenges that the City and County face in implementing our respective comprehensive plans, it is clear that adjustments must be made. While Martin Airfield is a community asset that must be protected, encouraging incompatible development in areas where urban services do not exist, nor can they reasonably be provided, is not the way to protect it. By removing the 216 acres that most directly impacts airfield operations from the City of College Place Urban Growth Area (Area 1A), measures can be adopted that will more clearly preserve airfield operations, protect the airfield from incompatible land uses, and enable the City and County to meet their obligations under the Washington State Growth Management Act. In addition, changing the land use designation of 18 acres of the current UGA that is near, but that does not impact the operations of the airfield (Area 1B), from Urban Industrial to Urban Residential will benefit the airfield operators and the neighboring property owners. The need for and the benefits from Application 1 include, but is not limited to:

- The City of College Place must establish and maintain a viable economic base to generate sufficient revenues to sustain the delivery of mandated public services. Currently there is no vacant, industrially zoned land, suitable for development in the City or the UGA. The inclusion of the airfield properties in the College Place UGA gives a false impression of the City's economic outlook;

- There is a need for additional family wage jobs in the City of College Place;

- There is a need and benefit for a general aviation airport designed to support small aircraft that is not threatened by incompatible land uses; and

- There is a need and benefit to support development in the vicinity of the airfield that is compatible with airfield operations.

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.

The needs have not changed over time, but there is clearly a better perspective and understanding of how best to meet these needs. The City and the County share an obligation to encourage development in areas where adequate public facilities and services exist or can be provided in an efficient manner. But simply stated, the City cannot serve UGA Area 1A with water and sewer service, and without water and sewer service, urban industrial development will not occur. In addition, W Whitman Drive, which passes through the an established residential area and the Walla Walla University Campus, was not designed to accommodate industrial traffic. Also, W Whitman Drive passes across the immediate end of the runway, which is extremely unsafe and in violation of all airport safety standards. The roadway has also been designated a regional bicycle corridor and a bike path is being installed on the south side of the road. Encouraging additional vehicular traffic in this area would be irresponsible and not in the public interest. It should also be noted that the airport safety zones significantly reduce the area around the airport available for development, height limitations restrict the intensity of potential development, and the presence of environmentally sensitive areas further restricts the development potential of the area. Specific factors that preclude development of UGA Area 1A include:

- *Airport safety requirements which precludes development around the runway and which limits the height, location, and types of development in proximity to the runway;*

- *The presence of environmentally sensitive areas including designated steep slopes and wetlands associated with Doan Creek;*

- *The presence of areas that are seasonally saturated by stormwater runoff, seepage, and high water tables;*

- *Fiscal constraints to extending City sewer service to the area;*

- *The desire of the property owners to maintain current airport operations;*

- *The absence of have high visibility or ready access to a major arterial or highway which is essential to support viable commercial or light industrial operations; and most significantly*

- *Extremely limited access to the area from W Whitman Drive, a narrow residential street with limited capacity, safety concerns, and no expansion potential. Increased traffic on this road would adversely affect an established single family neighborhood and the Walla Walla University campus without providing ready access to a major arterial or highway.*

All factors considered, the area around the airfield is not suitable for urban industrial development and should not be included in the College Place Urban Growth Area.

Area 1B is at a much higher elevation than Area 1A, it is not connected with the airfield, and is not accessed from the airfield. The only way to access Area 1 B, is through a residential neighborhood in College Place. Area 1B is clearly not suitable for industrial development and never will be. City water and sewer service is available to serve this area through a simple connection to the new water and sewer lines that are serving the neighboring new residential development. In consultation with the airfield owner, the City is requesting that this area remain in the College Place Urban Growth Area and be re-designated as Urban Residential.

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

The proposed removal of the Martin Airfield from the College Place Urban Growth Area and the redsesignation of an area from Urban Industrial to Urban Residential is most consistent with the following provisions of the County-Wide Planning Policies and the County Comprehensive Plan:

County-Wide Planning Goals and Policies:

General Planning Goal 2.1 Urban land is an important resource which should be judiciously and effectively used to economically accommodate future growth which should be concentrated within designated urban growth areas.

General Planning Goal 2.7 The county and its cities should work to ensure future economic vitality and broaden employment opportunities while retaining a high quality or life.

General Planning Goal 2.11 Coordinated planning practices and standards among the county and its cities are essential to providing economical and efficient services.

General Planning Goal 2.16 In order to maintain a sufficient tax base to support essential government services. economic development efforts to diversify and expand basic manufacturing and service related jobs are encouraged.

3.0 URBAN GROWTH AREAS

Purpose

1. *Encourage higher density residential development which is in closer proximity to jobs, transit, schools and parks.*

2. *Serve as a basis for the more detailed land use and utility/services plans developed by each jurisdiction.*

3. *Promote infill and redevelopment of existing areas to most efficiently and economically utilize services.*

4. *Protect open space, critical areas and resource lands from encroachment of incompatible uses and densities.*

5. *Provide for the economic provision and maintenance of streets, sewer. water and other public facilities.*

6. *Create and maintain attractive residential neighborhoods and commercial districts chat provide a sense of community.*

7. *Provide a heightened level of certainty for investors, landowners and citizens regarding types of land use, development standards and zoning intended.*

8. *Provide an adequate supply of industrial property and infrastructure to support economic development.*

UGA Policy 3.1 *Urban Growth Areas (UGAs) for small cities should be of sufficient size to create viable economic centers. They should do appropriate planning to ensure adequate land uses and services.*

UGA Policy 3.5 *UGAs should be designated where: 1) infrastructure exists or is planned, as identified in an approved capital improvement program or can be reasonably and economically extended; and 2) it is environmentally appropriate for growth to occur.*

UGA Policy 3.6 *Designate UGAs by: 1) existing incorporated boundaries: 2) distribution patterns of projected growth: 3) existing population density: 4) presence or availability of infrastructure: and 5) natural and manmade topographical constraints.*

Contiguous and Orderly Development Policy 5.1 *Urban growth should be located first in areas already characterized by urban growth that have existing public facility and service capacities to serve such development, and second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private source.*

Contiguous and Orderly Development Policy 5.12 *To adequately plan for growth and implement the policies of the GMA, the governmental entities and special districts in Walla Walla County should establish an ongoing mechanism to improve*

communication, information sharing and coordinated approaches to common problems.

County-Wide Economic Development and Employment Policy 9.6 When designating areas for future commercial and industrial uses, preference should be given to those areas with infrastructure capacity and/or the potential to provide infrastructure: and the potential to provide adequate, affordable housing, and/or transportation linkages to existing housing.

County Comprehensive Plan Goals and Policies

Policy LU-2 Recognize that some areas of the County are unsuitable for residential, commercial, and industrial development due to natural constraints and/or distance from urban services.

Policy LU-6 Support land use development patterns which protect the public health, safety, and welfare.

Policy LU-10 Designate areas for industrial development in the vicinity of existing industrial development.

Policy LU-16 Review designated UGA boundaries and the densities permitted within both the incorporated and unincorporated portions of each UGA not more than once every five years beginning with 2006 except as required otherwise by the GMA.

Policy LU-28 On the Walla Walla County Land Use Map, include land use designations compatible with those identified in the City of College Place Comprehensive Plan.

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.

The County Comprehensive Plan calls for the periodic review of UGA boundaries and cooperative efforts between the County and the City of College Place to make adjustments consistent with our respective goals and policies. This application is consistent with the City and County Comprehensive Plans and no further action is required other than to remove Area 1A from the College Place Urban Growth Area and to redesignate Area 1 B from Urban Industrial to Urban Residential. To facilitate these changes, the City has provided the County with draft amendments to the County Comprehensive Plan and Development Regulations that would protect Martin Airfield and support rural levels of development in areas where development can occur consistent with airport safety zone designations.

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.

College Place Application 1 is entirely consistent with the provisions of the Washington State Growth Management Act, including, but not limited to the following provisions.

RCW 36.70A.020 Planning Goals

(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

RCW 36.70A.110 Comprehensive Plans - Urban Growth Areas

(2) Urban growth should be located first in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development, second in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources, and third in the remaining portions of the urban growth areas.

RCW 36.70.547 General aviation airports—Siting of incompatible uses.

Every county, city, and town in which there is located a general aviation airport that is operated for the benefit of the general public, whether publicly owned or privately owned public use, shall, through its comprehensive plan and development regulations, discourage the siting of incompatible uses adjacent to such general aviation airport.

It is also important to note that one could argue that the failure to approve the City's UGA application would be inconsistent with the Growth Management Act, as the County would have included in the College Place Urban Growth Area areas that cannot be served by urban facilities and services and that encourages incompatible development in the vicinity of Martin Airfield.

5. *Explain how the proposed amendment complies with criteria in Walla Walla County Code Section 14.10.070B.5.a. (UGA MAP OR POLICY AMENDMENTS)*

   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.*

         The City is amending its Comprehensive Plan to include the 20-year population and employment projections provided by the County. In doing so, it is essential that the City have adequate land, suitable for commercial and industrial development to provide the tax base necessary to support the projected population growth. The UGA adjustments proposed in College Place Application 1 are a necessary first step for the City and County to meets its obligations under the Growth Management Act. The City cannot provide water and sewer service to UGA Area 1A and encouraging more intensive levels of urban industrial development will have an adverse impact on Martin Airfield, the Walla Walla University Campus, and established residential neighborhoods in College Place. The inclusion of an area not suitable for development in the City's UGA leaves the City without the ability to economically support projected growth.

         The redsesignation of UGA Area 1B from Urban Industrial, a designation which is not practical and sound planning principles, to Urban Residential, would provide 17.8 acres of land highly suitable for urban levels of residential development, with the necessary urban services already in place. It is important to note, that UGA Area 1B can only be accessed through a residential neighborhood in the City of College Place, which is not acceptable access for industrial development.

      2) *The extent to which the urban growth occurring within the county has located within each city and the unincorporated urban growth areas.*

         The City is in the process of finalizing an extensive analysis of land use within the City limits and the College Place UGA. It is important to note that there are only two very small industrial uses in the City of College Place and there is no vacant land suitable for industrial development.

      3) *The allocation of projected county population and/or employment to the urban growth areas.*

         In order for the City to support projected population growth, there must be areas in the city zoned for industrial development that can be served by urban services and is suitable for development. UGA Area 1A cannot be served by the City nor can it be reasonably expected that industrial development will occur at this site. It is proposed that UGA Area 1 be removed from the UGA so that areas more suitable for development can be added.

4) *The buildable lands analysis for each urban growth area.*

The City is in the process of finalizing an extensive analysis of land use within the City limits and the College Place UGA. Tables 1-7 from this report are attached. As you will note in table 1, there are only 10 parcels of land in the City of College Place that are zoned Light Industrial (IL). 8 of these parcels are being used to provide services, most notably the University's maintenance department, 1 is being used by a retail establishment, and only 1 parcel in the City is being used by a privately owned industry. There are no vacant industrially zoned parcels of land in the City of College Place. As previously noted, the 234 acres of land adjacent to Martin Airfield has been designated for Urban Industrial development. 18 of these acres (Area 1B) can only be accessed through a residential neighborhood, and the remaining 216 acres cannot be served by City sewers, and given the constraints associated with airport safety zones, environmentally sensitive areas, and significant access limitations, it is not suitable for industrial development.

5) *Existing urban growth area boundaries.*

In addition to UGA Areas 1A and 1B in the vicinity of Martin Airfield, there are several small pockets of unincorporated islands of land scattered about the city, and a few small fringe areas north and west of the city. It is important to note that the unincorporated islands are likely to stay that way as the property owners have expressed little or no interest in annexing into the City. The areas north of the City are receiving water from local irrigation districts and cannot be served by City sewers, so annexation is not a practical consideration there. The areas southwest of the city are characterized by more rural levels of residential development featuring large lots and family farms, and the development potential in this area is extremely limited by topography, road constraints, and limited access to city services. In addition, property owners in this area have demonstrated little or no interest in annexation, and one property owner recently de-annexed from the City. As a practical matter, these areas will remain residential areas characterized by lower intensity residential development, and it is expected that by in large that this will not change.

6) *Other proposed changes affecting urban growth areas.*

In contrast to the areas in the College Place Urban Growth Area that are not suitable for development, the City has received authorization and funding from the State to relocate an existing City well to serve an area of unincorporated Walla Walla County along the SR 125 Corridor southeast of the city. With the installation of the well later this year, there will be an area adjacent to the City where urban services exist, the road improvements are in place, and potential development is entirely feasible. This area is discussed in the College Place Application 2.

College Place UGA Application 2 SR 125 Corridor UGA Additions

3. Explain how the proposed amendment complies with criteria in Walla Walla County Code Section 14.10.070B.3.

a. The proposal meets a definable public need.

As previously discussed the City's current Urban Growth Area, includes 218 acres designated for industrial development that cannot be served by City services that is not suitable for urban industrial development and another 18 acres of industrial land that can only accessed through a residential neighborhood. In addition, there are several pockets of unincorporated areas scattered around the city (55 acres) and areas along the northern and southwestern western fringe of city (84 acres). Most of these areas are already developed, and many have limited potential to be served by City services. These areas are not likely to annex into the city, nor are they suitable for commercial or industrial development. In order for the City to meet the responsibilities it shares with the County in accordance with the provisions of the Washington State Growth Management Act, the City must have sufficient land to meet projected population growth and for the commercial and industrial development necessary to provide the tax base to provide the required level of urban services. In conjunction with the proposal to remove areas unsuitable for industrial development from the College Place UGA identified in Application 1, the City is proposing to add three smaller areas to the UGA southeast of the City along the SR 125 Corridor. This proposal is precipitated by the state authorization and approval of funding to relocate a city well to serve Christ Community Fellowship Church and neighboring properties along Pepperbridge Road in unincorporated Walla Walla County. Since the primary distinction between urban and rural areas is the availability of urban services, the construction of this new well, and the ability of the City to serve this area with sewers, is the basis for the proposal to add these areas to the College Place UGA. These areas are highlighted on the attached map and include Area 2A, an area most suitable for commercial and light industrial uses due to its proximity to similar uses and access to SR 125, and UGA Areas 2 B and 2C, both most suitable for residential development. Unfortunately, these areas do not provide adequate capacity for industrial development which is so desperately needed in the City, but this application also includes a request to establish a 58-acre urban reserve for future industrial development. Since the areas that appear to be most suitable for industrial development are designated agricultural lands, the City of College Place has initiated a multi-year process with the County and City of Walla Walla to identify future areas suitable for industrial development, that can be added to UGA's without adversely affecting agricultural lands of long term significance. The establishment of an urban reserve will enable the City to further add to its urban growth area when this process is complete. The need for and the benefits from Application 2 include, but is not limited to:

- The City of College Place must establish and maintain a viable economic base to generate sufficient revenues to sustain the delivery of mandated public services;

- There is a need for additional family wage jobs in the City of College Place; and

- The construction of the new well results in the availability of urban services in these areas and their resulting inclusion with the College Place Urban Growth Area is consistent with the requirements of the Washington State Growth Management Act, the College Place Comprehensive Plan, the County Comprehensive Plan, and the County-Wide Planning Policies.

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.

There has clearly been a change of circumstances that supports this application. The well that serves the Christ Community Fellowship church in unincorporated Walla Walla County has failed and coincidentally, the City had a need to replace an existing well in the vicinity. As a result, the state has authorized and funded the City to install a new well to serve the church and neighboring properties. The location of the new well and water main, on the boundary of UGA Areas 2A and 2B can be seen on the attached map. Once this new well is installed urban services will be readily available to this area and it should be included in the College Place UGA.

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

The proposed addition of areas that are served by urban services to the College Place Urban Growth Area and the set aside of an urban reserve so that the cities of College Place and Walla Walla, in conjunction with the County and in consultation with the Port of Walla Walla, can identify areas most suitable for industrial development in the future is most consistent with the following provisions of the County-Wide Planning Policies and the County Comprehensive Plan:

County-Wide Planning Goals and Policies:

General Planning Goal 2.1 Urban land is an important resource which should be judiciously and effectively used to economically accommodate future growth which should be concentrated within designated urban growth areas.

General Planning Goal 2.2 The provision of adequate. appropriately timed infrastructure is necessary to provide the framework upon which development may rake p/ace. The cost or new infrastructure should be equitably borne by both current taxpayers and new development.

General Planning Goal 2.7 The county and its cities should work to ensure future economic vitality and broaden employment opportunities while retaining a high quality or life.

General Planning Goal 2.11 Coordinated planning practices and standards among the county and its cities are essential to providing economical and efficient services.

General Planning Goal 2.16 In order to maintain a sufficient tax base to support essential government services, economic development efforts to diversify and expand basic manufacturing and service related jobs are encouraged.

3.0 URBAN GROWTH AREAS

Purpose

1. *Encourage higher density residential development which is in closer proximity to jobs, transit, schools and parks.*

2. *Serve as a basis for the more detailed land use and utility/services plans developed by each jurisdiction.*

3. *Promote infill and redevelopment of existing areas to most efficiently and economically utilize services.*

4. *Protect open space, critical areas and resource lands from encroachment of incompatible uses and densities.*

5. *Provide for the economic provision and maintenance of streets, sewer. water and other public facilities.*

6. *Create and maintain attractive residential neighborhoods and commercial districts chat provide a sense of community.*

7. *Provide a heightened level of certainty for investors, landowners and citizens regarding types of land use, development standards and zoning intended.*

8. *Provide an adequate supply of industrial property and infrastructure to support economic development.*

UGA Policy 3.1 Urban Growth Areas (UGAs) for small cities should be of sufficient size to create viable economic centers. They should do appropriate planning to ensure adequate land uses and services.

UGA Policy 3.5 UGAs should be designated where: 1) infrastructure exists or is planned, as identified in an approved capital improvement program or can be

reasonably and economically extended; and 2) it is environmentally appropriate for growth to occur.

UGA Policy 3.6 Designate UGAs by: 1) existing incorporated boundaries: 2) distribution patterns of projected growth: 3) existing population density: 4) presence or availability of infrastructure: and 5) natural and manmade topographical constraints.

Contiguous and Orderly Development Policy 5.1 Urban growth should be located first in areas already characterized by urban growth that have existing public facility and service capacities to serve such development, and second in areas already characterized by urban growth that will be served by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private source.

Contiguous and Orderly Development Policy 5.12 To adequately plan for growth and implement the policies of the GMA, the governmental entities and special districts in Walla Walla County should establish an ongoing mechanism to improve communication, information sharing and coordinated approaches to common problems.

County-Wide Economic Development and Employment Policy 9.6 When designating areas for future commercial and industrial uses, preference should be given to those areas with infrastructure capacity and/or the potential to provide infrastructure: and the potential to provide adequate, affordable housing, and/or transportation linkages to existing housing.

County Comprehensive Plan Goals and Policies

Policy LU-1 Focus future development in cities and urban growth areas to minimize the impacts of growth on rural and resource lands.

Policy LU-2 Recognize that some areas of the County are unsuitable for residential, commercial, and industrial development due to natural constraints and/or distance from urban services.

Policy LU-3 Designate UGAs by allocating projected residential and employment growth according to factors and priorities identified in the GMA: 1) currently urbanized areas with existing service capacity to accommodate future growth; 2) currently urbanized areas where a combination of existing and planned services provide capacity to accommodate future growth; and 3) lands adjacent to such currently urbanized and serviced areas.

Policy LU-5 Encourage land use patterns that provide for the efficient use of public funds.

Policy LU-6 Support land use development patterns which protect the public health, safety, and welfare.

Policy LU-10 Designate areas for industrial development in the vicinity of existing industrial development.

Policy LU-16 Review designated UGA boundaries and the densities permitted within both the incorporated and unincorporated portions of each UGA not more than once every five years beginning with 2006 except as required otherwise by the GMA.

Policy LU-28 On the Walla Walla County Land Use Map, include land use designations compatible with those identified in the City of College Place Comprehensive Plan.

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.*

The County Comprehensive Plan calls for the periodic review of UGA boundaries and cooperative efforts between the County and the City of College Place to make adjustments consistent with our respective goals and policies. This application is consistent with the City and County Comprehensive Plans and no further action is required other than to redesignate UGA Areas 2A, 2B, and 2C as part of the College Place UGA.

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.*

College Place Application 2 is entirely consistent with the provisions of the Washington State Growth Management Act, including, but not limited to the following provisions.

RCW 36.70A.020 Planning Goals

(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.

(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

RCW 36.70A.110 Comprehensive Plans - Urban Growth Areas

(3) Urban growth should be located first in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development, second in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources, and third in the remaining portions of the urban growth areas.

It is also important to note that one could argue that the failure to approve the City's UGA application would be inconsistent with the Growth Management Act, as there would be rural areas served by urban facilities and services, adjacent to, but not located in a designated UGA.

5. *Explain how the proposed amendment complies with criteria in Walla Walla County Code Section 14.10.070B.5.a. (UGA MAP OR POLICY AMENDMENTS)*

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.

The proposed amendments would provide the City with additional land, suitable for residential development, sufficient to meet 20-year population projections. While there is sufficient land in the current UGA to meet the projected population growth, there is little more than just that, certainly not enough to meet ongoing growth. In addition, most of the City's projected residential capacity is attributable to one potential development. While this potential development has many virtues, there is no guarantee it will happen and the community must have more than one option to meet its future needs. The remaining residential development capacity is attributable to unincorporated pockets that have resisted annexation and are very unlikely to change in character. As a result, the development potential of these areas is more theoretical than practical. In addition, the projected population growth must be supported by commercial and industrial development to provide the tax base necessary to support the required levels of urban services. The addition of UGA Area 2A is particularly important in that regard.

2) *The extent to which the urban growth occurring within the county has located within each city and the unincorporated urban growth areas.*

The City is in the process of finalizing an extensive analysis of land use within the City limits and the College Place UGA. It is important to note that there are only two very small industrial uses in the City of College Place and there is no vacant land suitable for industrial development. Opportunities for commercial development are limited as well. The SR 125 Corridor is particularly well suited for future commercial and light industrial development.

3) *The allocation of projected county population and/or employment to the urban growth areas.*

The addition of UGA Areas 2B and 2C will provide additional land highly suitable for urban residential development that increase the range of opportunities in the City. The addition of UGA Area 2A, provides development opportunities for the economic base necessary to support the projected population growth. The creation of an urban reserve provides the time to enable the City and County to collaboratively identify the areas most suitable for industrial development in the future that can be served by urban services.

4) *The buildable lands analysis for each urban growth area.*

The City is in the process of finalizing an extensive analysis of land use within the City limits and the College Place UGA. Tables 1-7 from this draft report are attached. As you will note in Table 6, there is only 60 acres of land suitable for commercial development in the City, the vast majority of which is owned by one developer. In addition, as previously noted, the is no vacant industrial land suitable for development in the city. This clearly indicates the need to add land suitable for commercial and industrial development. As indicated in table 7, the addition of Area 2A to the College Place UGA will provide an additional 30 acres of vacant land, suitable for commercial/light industrial development, that can readily be served by the City, and is highly accessible from SR 125. The establishment of a 58-acre Urban Reserve will enable the City to add industrial lands suitable for development upon completion of the consultation process with the City and County of Walla Walla.

As you will note in table 4, there is barely enough vacant land in the City to meet the projected population growth in the city over the next 20 years. There is no margin for error, and the vast majority of this land is owned by one developer, which has the potential of limiting opportunities and raising prices. As can be seen in Table 5, the addition of UGA Areas 2b and 2C will provide some additional capacity and a reasonable margin should growth occur at higher rates than projected.

5) *Existing urban growth area boundaries.*

As previously noted, the City has proposed removing 186 acres from its UGA in the vicinity of Martin Airfield, and the redsesignation of 18 acres from Urban Industrial to Urban Residential. The rest of the City's UGA consists of several small pockets of unincorporated islands of land scattered about the city, and a few small fringe areas north and west of the city. It is important to note that the unincorporated islands are likely to stay that way as the property owners have expressed little or no interest in annexing into the City. The areas north of the City are receiving water from local irrigation districts and cannot be served by City sewers, so annexation is not a practical consideration there. The areas southwest of the city are characterized by suburban to rural levels of development featuring large lot family farms, and the development potential in this area is extremely limited by topography, road constraints, and limited access to city services. In addition, property owners have demonstrated little or no interest in annexation, as evidenced by one property owner who recently de-annexed from the City. As a practical matter, these areas will remain residential areas characterized by lower intensity residential development, and that only sporadic residential development will occur over time.

6) Other proposed changes affecting urban growth areas.

The City of College Place is surrounded by designated agricultural lands, which complicate the economic development and capital facilities planning for the community. The City of College Place has initiated discussions with the Walla Walla City and County, and in consultation with the Port of Walla Walla to identify areas where industrial development can occur in the future without adversely affecting the County's ability to protect agricultural lands of long-term commercial significance. This area wide approach is preferred by the state over incremental requests to reclassify lands and it is recognized that it will take time. As a result, the City is requesting that a 58-acre Urban Reserve be established as a placeholder while these discussions are completed over the next few years.

Walla Walla County Community Development Department

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

Date: May 23, 2018

To: Walla Walla County Planning Commission

From: Tom Glover, Director

Prepared by: Lauren Prentice, Principal Planner

RE: 2018 Final Docket Workshop (CPA17-008/REZ17-008 – City of Walla Walla)

Summary of Proposal

City of Walla Walla Comprehensive Plan and zoning map amendment applications to remove 198-acres at 3rd Avenue and Langdon Road, bounded by Yellowhawk Street on the north, from the Walla Walla urban growth area (UGA) and assign Rural Residential 5 land use and zoning designations. Amend land use maps LU-1 and LU-3, and the County Zoning Map.

Current land use designation:	Low Density Residential
Proposed land use designation:	Rural Residential 5
Current zoning:	R-96 Suburban Residential
Proposed Zoning:	Rural Residential 5-acres (RR-5)
Total Area:	198 acres

This application was placed on the Final Docket by the Board of County Commissioners; the application has not changed since the Planning Commission's review of the preliminary docket. Keep in mind that in the City of Walla Walla's application narratives they presented a comparison between the Third/Langdon area that is the subject of this application and the area to the North that they had requested be consideration for a UGA expansion, but that application was not placed on the Final Docket and is no longer under consideration.

Background

Summary of area and existing development patterns

The subject of this proposal by the City of Walla Walla, the 'Third/Langdon" area, is in the southern portion of the Walla Walla Urban Growth Area (UGA). The land has been included in the UGA since its establishment in 1996. Looking further back, prior to the Growth Management Act (GMA), in the 1988 Walla Walla Urban Area Plan this area was designated as Rural and General Agricultural. However, on the 1964 Land Use Plan, the area is designated for "up to 4.4 dwelling units per acre."

Three streams run through this area: Yellowhawk, Caldwell, and Russell Creeks. The area is also partially impacted by floodway and 100-year floodplain for Russell Creek. The area is characterized by lots ranging in size from about 0.6 to 12 acres.

The City presents that the proposed changes are appropriate because the current urban growth area in this the area of Third/Langdon is difficult/costly to serve with utilities and infrastructure and has been developing as a 'rural' or 'rural-like' area. The City summarizes its reasoning on Page 1 of Exhibit A to the Comprehensive Plan Amendment application as the following:

- "growth that is not compatible with urban densities;
- very high costs to provide urban services;
- preventing urban type growth in critical areas; and
- distance from urban centers."

County staff has compiled some information from the County Assessor's Office and the County Land Capacity Analysis regarding the properties located in this area:

Total area	198 acres
Total residential land available for development (vacant/underdeveloped per LCA analysis)	60.8 acres
Number of lots	69
Average lot size	2.9 acres
Smallest lot area	0.6 acres
Largest lot area	12.3 acres
Number of lots created by one-time split (and ineligible for additional density waivers) 2012-2016	16
Number of lots that are 2-acres or greater and eligible for one-time split without utilities	25**
Number of lots that are less than 5-acres (would be nonconforming under RR-5 zoning)	60 (87%)
Number of lots that are 5-acres or greater (would be conforming to RR-5 zoning)	9* (13%)
Number of lots that are larger than 10-acres and would be eligible for subdivision if removed (under RR-5 zoning)	5*

*One of these lots has an approved 18-lot preliminary plat.
**Does not account for short plat applications currently under review.

The city also notes in their application (Exhibit B, Page 1) that the Third/Langdon area is "geographically separated on all sides but the north from other properties in the UGA." This is true, however, the shape of the UGA is not generally a consideration. Also, there are other portions of the UGA, that extend as far south as the Third/Langdon area (see Cottonwood Road, Tablerock area). The existing UGA boundary is not shown on the maps (application Exhibit C) submitted by the City of Walla Walla. We have provided in Attachment C a vicinity map showing the location of the Third/Langdon area as well as the existing UGA boundaries and city limits to help guide geographic orientation.

"Characterized by urban growth" or rural development?
In its application the City states: "The realized densities of approximately 1 unit per 5.65 acres within the Third and Langdon area do not meet an urban growth level of development or allow for cohesive future development and urban densities when the land has been chopped up into small rural-like development."

As described above, lots range in size from about 0.6 to 12 acres and 87% of these lots are less than five acres. The City's assertion that one acre lots are rural is not accurate. None of the County's rural zones, outside of LAMIRDS, allow for the creation of one acre lots. Development of one acre lots within the UGA is allowed by WWCC 17.18.050E, which allows for the creation of up to two parcels within an urban growth area so long as those parcels are sited in a manner that does not preclude future divisions at densities required by WWCC 17.18.020. Under this code provision, one or both parcels can be less than five acres in size.

In addition to comments the City of Walla Walla provided regarding the development pattern that has resulted in this area developing per the County's density waiver, the Department of Commerce has stated in their letter dated February 15, 2018, that "development occurring in unincorporated UGAs may be precluding urban densities, which is a violation of GMA requirements." Separate from

this application, staff recommends that as part of the Comprehensive Plan and development regulations update, the waiver language should be looked at to ensure that it will not result in development that will make it difficult for the urban densities that are needed to accommodate projected population growth to be accommodated in an efficient manner. See May 23 Staff Report: Comprehensive Plan and Development Regulations Periodic Update – residential land capacity and densities inside UGAs (CPA18-001/ZCA18-001).

While the Courts have held that the GMHB cannot have bright line rules regarding rural zoning, which used to prohibit zoning such as one dwelling unit per three acres, counties still cannot allow urban development on rural lands. "(T)here must be some protections in place to limit development so it is consistent with rural character and not characterized by urban growth." Kittitas County v. EWGMHB, Washington State Supreme Court, 2011. The County attempted to enact more dense zoning in the Blalock Area, outside of a UGA, but the zoning was struck down by the Growth Management Hearings Board in May 2002. The GMHB indicated that lot sizes less than five acres should be considered urban. See, Citizens for Good Governance, et al vs. Walla Walla County, Number 01-1-0015c, May 1, 2002.

In RCW 36.70A.110(1) GMA states the following regarding the designation of UGAs: "An urban growth area may include territory that is located outside of a city only if such territory already is characterized by urban growth whether or not the urban growth area includes a city, or is adjacent to territory already characterized by urban growth, or is a designated new fully contained community as defined by RCW 36.70A.350." RCW 36.70A.030(18) defines "characterized by urban growth" as "land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth."

Critical Areas

As noted by the City, there is a high concentration of critical areas within the Third/Langdon area. The City states the following in their application (Exhibit B, Page 2):

> *When the 3rd and Langdon area was included into the City's UGA in 1996, the City's Critical Areas Ordinance did not exist (adopted in 2008) and the Shoreline Master Plan (SMP) was last adopted in 1986 and only focused on Mill Creek. A regional SMP update was conducted in 2016 in partnership with Walla Walla County and the lower reach of Yellowhawk Creek where it flows into the Walla Walla has been designated a shoreline environment. Recent environmental information classifying these streams and the importance of protecting critical areas was not available when the City's UGA was originally established in 1996 and the 3rd and Langdon UGA is not appropriate for urban level development.*

To the City's point, a lot of new information is available now, that wasn't available in 1996 regarding critical areas and shorelines, and the impact of development on these areas. Much of it being the result of the 2009 Critical Areas Ordinance (CAO) Update and the 2013-2016 Shoreline Master Program (SMP) Update as well as work by other State and local agencies and organizations. However, it was known in 1996 that there are critical areas within this area. The County adopted its first CAO in 1995, prior to the UGA decision. All three creeks in this area were classified as fish and wildlife habitat conservation areas under the 1995 CAO. Additionally, FEMA maps identifying floodplain and floodway date back to 1983.

Utilities and Infrastructure

One of the goals of the GMA is to "encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner."

The City provided a report by Murraysmith (CPA17-008 application Attachment VII) which evaluated cost difference in water, wastewater utility requirements and roadway and bridge requirements between the Third/Langdon area and the area to the North that was proposed for UGA expansion. This North UGA expansion area is no longer under consideration.

This report estimates the infrastructure cost per acre at $54,400. This includes replacement of three bridges/culverts on S. Third Avenue. It is important to note that these upgrades would be necessary regardless of whether the area is removed from the UGA or not because they are functionally obsolete. One of them is already identified in the County's 6-Year plan.

Nonconforming lots
Removing the Urban Growth Area boundary from the Third and Langdon area would result in nonconforming lots that do not meet the County's current rural lot sizes. The County has dealt with this type of issue in the Blalock Orchards area, in which small historic nonconforming lots exist in a five-acre zone. As shown in the table above, a total of 60 lots (87%) would become nonconforming because their lot area is less than five acres. There are also a few short plats within this area that if approved would bump that number up higher.

Land Capacity
The impact of this proposal on the City of Walla Walla UGA population forecasts was included in the County's Land Capacity Analysis. After deductions/adjustments from the LCA per methodology, this area includes about 60.8-acres of available residential land for development. The removal of this area would reduce the City of Walla Walla UGA population capacity by about 751 people (or 625 people per the City estimate), for a revised total population capacity of 9,645. See Page 8, Draft County Land Capacity Analysis by The Watershed Company.

The allocated population growth for the City of Walla Walla for 2038 is 5,690 additional people, so the removal of this area from the UGA will not impact the City of Walla Walla's ability to accommodate their allocated 20-year population forecast. The UGA would still have excess capacity for about 4,000 people over the 20-year population target.

Other considerations
Other factors raised by the City in its application include:

- Public Comment
- Housing Affordability
- Removal of the West Ransom Clark II development from the City of Walla Walla water service area (Coordinated Water System Plan amendment via Ordinance No. 466)
- Distance to nearest commercial area (Tietan/Plaza Way) – about 2 miles
- Proximity to Sydney Heights

Process

At the May 23 workshop staff will give a brief summary of the proposed amendment and the Planning Commission will have the opportunity to ask questions. We No recommendation is to be made by the Planning Commission at this workshop.

The Planning Commission will be asked to make its recommendation on which items should be approved by the Board of County Commissioners after a public hearing which is tentatively scheduled for June or July.

Review Criteria

The application shall be subject to the review criteria in WWCC 14.10.070 (Comprehensive Plan map amendments) and WWCC 14.15.070 (rezone). These criteria are included in Attachments A and B. As noted above, the Planning Commission will have to make recommendations based on its analysis of the applications under these criteria after holding a public hearing. While a recommendation should not be made at the workshop, it would be advisable to use these criteria to frame the discussion at the workshop meeting.

Attachments

A. WWCC 14.10.070 – Final docket review and recommendation (excerpt)
B. WWCC 14.15.070 – Final docket review and recommendation (excerpt)
C. UGA Vicinity Map
D. Email with map showing City of Walla Walla sewer and water infrastructure
E. Public Comments

Your notebook also contains application materials and documents from the preliminary docket review period.

ATTACHMENT A

Comprehensive Plan Amendments – Planning Commission Review Criteria

WWCC 14.10.070 – Final docket review and recommendation.

F. 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.

ATTACHMENT B
Zoning Map Amendments – Planning Commission Review Criteria

WWCC 14.15.070 – Final docket review and recommendation.

B. Planning Commission Review. All proposed amendments on the final docket shall be reviewed and assessed by the planning commission, which shall make recommendations to the board of county commissioners after considering the staff report prepared by the director.

1. Workshop Meeting. The planning commission may first review the recommendations of the director in a workshop meeting(s).

2. Public Hearing. The planning commission shall conduct a public hearing on the proposed amendments as set forth in Sections 14.09.065 and 14.09.070 of this title.

3. Recommendations. For each proposed amendment, the planning commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the following criteria:

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

   b. *The amendment meets a definable public need; and*

   c. *The amendment is in the long term interest of the county.*

ATTACHMENT C

City of Walla Walla South
(CPA17-008/REZ17-008)

BOUNDARIES

- COLLEGE PLACE URBAN GROWTH AREA
- WALLA WALLA URBAN GROWTH AREA
- TAXLOTS
- CPA17-008 THIRD/LANGDON UGA REMOVAL AREA
- CITY OF COLLEGE PLACE LIMITS
- CITY OF WALLA WALLA LIMITS

0 0.25 0.5 1 Miles

Walla Walla

College Place

Print Date: 05/22/2018

Walla Walla County Community Development Dept. - 310 W. Poplar Street, Suite 200, Walla Walla WA 99362 - (509) 524-2610

Lauren Prentice

From: Tom Glover
Sent: Thursday, January 25, 2018 10:16 AM
To: Melissa C. Shumake
Cc: Jay Peninger
Subject: RE: Yellowhawk St.

Okay, thanks Melissa.

Tom

From: Melissa C. Shumake [mailto:mshumake@wallawallawa.gov]
Sent: Thursday, January 25, 2018 9:30 AM
To: Tom Glover <tglover@co.walla-walla.wa.us>
Cc: Jay Peninger <jpeninger@wallawallawa.gov>
Subject: RE: Yellowhawk St.

That water line was installed at city expense when the intersection of Prospect and 3rd was reconstructed. It's capped on both ends (you'll see in this different screenshot that it doesn't actually connect to anything) so that it can be connected to in the future without having to tear up the intersection and reroute traffic.

MELISSA SHUMAKE

Planner

509.524.4717
wallawallawa.gov

City of Walla Walla
Development Services

Lauren Prentice

From: Tim Chapman <chappy54@charter.net>
Sent: Tuesday, April 10, 2018 7:12 AM
To: Lauren Prentice
Subject: UGA

Hello,

My name is Tim Chapman and I am the owner of Parcel Number 360605515702, 3172 Sorrel Drive. Amy, my wife, and I are very much in favor of removing said parcel and area from the UGA. When we purchased our property in 2012 we were under the impression that there would be nothing smaller than 5 acres. Thanks

Tim

Lauren Prentice

From: casefarms2@gmail.com on behalf of Ben Case <sunsetdevelop@gmail.com>
Sent: Wednesday, April 11, 2018 1:57 PM
To: Lauren Prentice
Subject: Letter of Opposition to Removal of ANY property in UGA
Attachments: Sold in the UGA Removal area.pdf

Dear Planning Commission:

I urge you to not allow the removal of ANY property from the UGA. The economic impact to property owner's of such a change is significant, especially to those, like myself, who made the investment with the clear understanding of the zoning, land use and development potential.

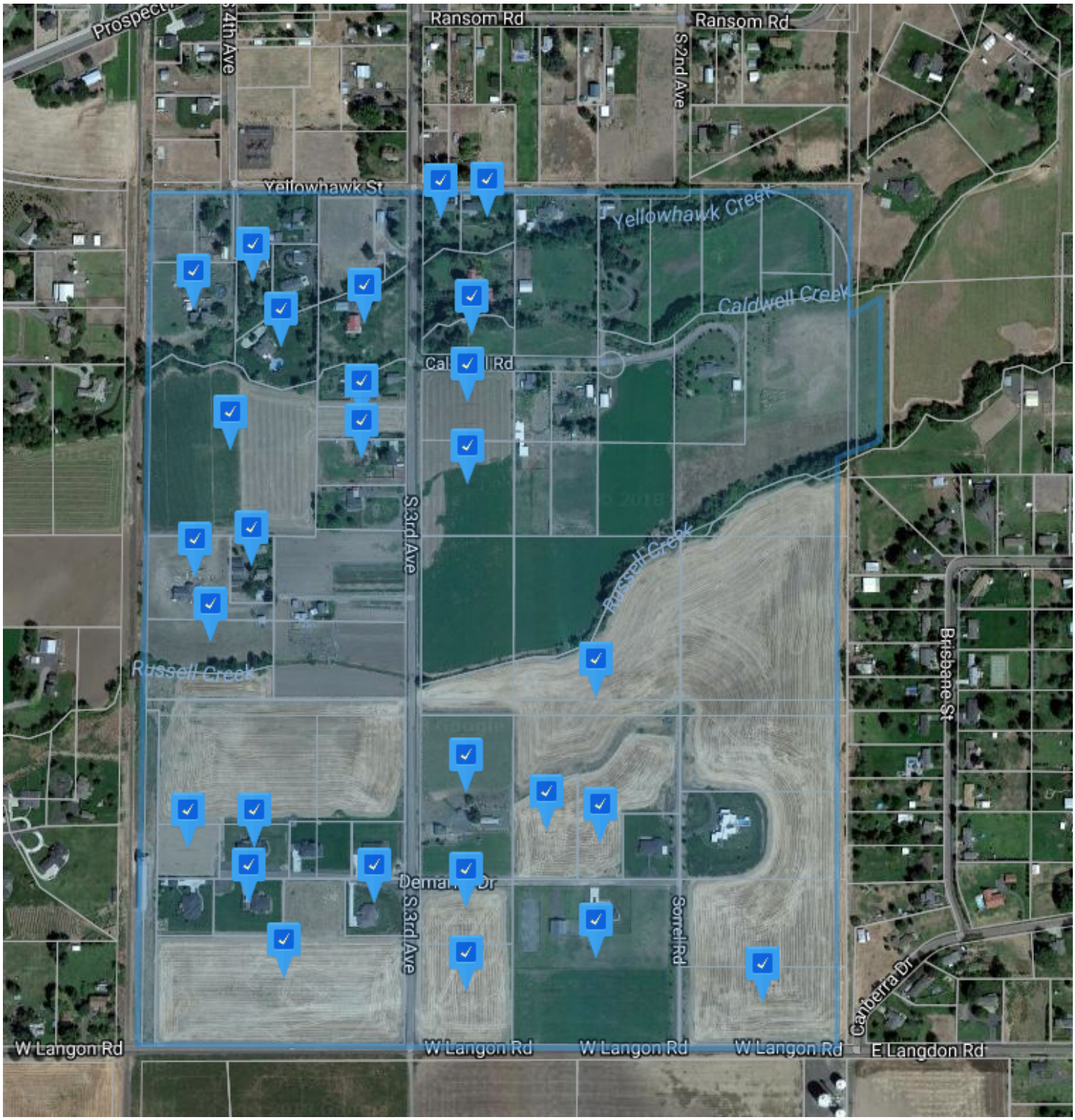
Since 1996 more than 30 of these parcels, for over $8 million dollars, have been bought with that same understanding! Talk about moving the goalposts!

The management of the UGA is purposely set up to be a pragmatic process to advert proposals like this that undermine landowner confidence in the people we have elected to protect our property rights.

Ben Case
Managing Member

Sunset Development, LLC - P.O. Box 91 - Walla Walla, WA 99362 - (509)520-2945 fax (509)525-3232
Established in 2003

Please Note: This communication, including attachments, is for the exclusive use of addressee and may contain proprietary, confidential, or privileged information. If you are not the intended recipient, any use, copying, disclosure, dissemination, or distribution is strictly prohibited. If you are not the intended recipient, please notify the sender.


Ransom Rd
Ransom Rd
S 2nd Ave
Yellowhawk St
Yellowhawk Creek
Caldwell Creek
S 3rd Ave
Russell Creek
Russell Creek
Brisbane St
Sorrel Rd
Canberra Dr
W Langon Rd
W Langon Rd
W Langon Rd
W Langon Rd
E Langdon Rd

Lauren Prentice

From: Kyle <kawright83@gmail.com>
Sent: Wednesday, April 11, 2018 2:43 PM
To: Lauren Prentice
Subject: Letter to Planning Commission c/o Lauren Prentice
Attachments: SKMBT_C36418041013360.pdf

To Whom It May Concern:

I am strongly opposed to the City of Walla Walla's proposal to remove the 198 acres along South 3rd avenue from the UGA.

It seems like a form of bait and switch- especially to a person like myself who purchased the property in the last 10 years, and did so with the knowledge that it was in the UGA and zoned R96.

Arbitrary changes to these land use laws feeds back to the original argument NOT to have such laws- it can and does hurt landowners economically. Bureaucrats who draw these lines on the map don't get it, because the money did not come out of their pocket and they don't pay the bills! I paid a lot of money for this ground as it was marked as developable land.

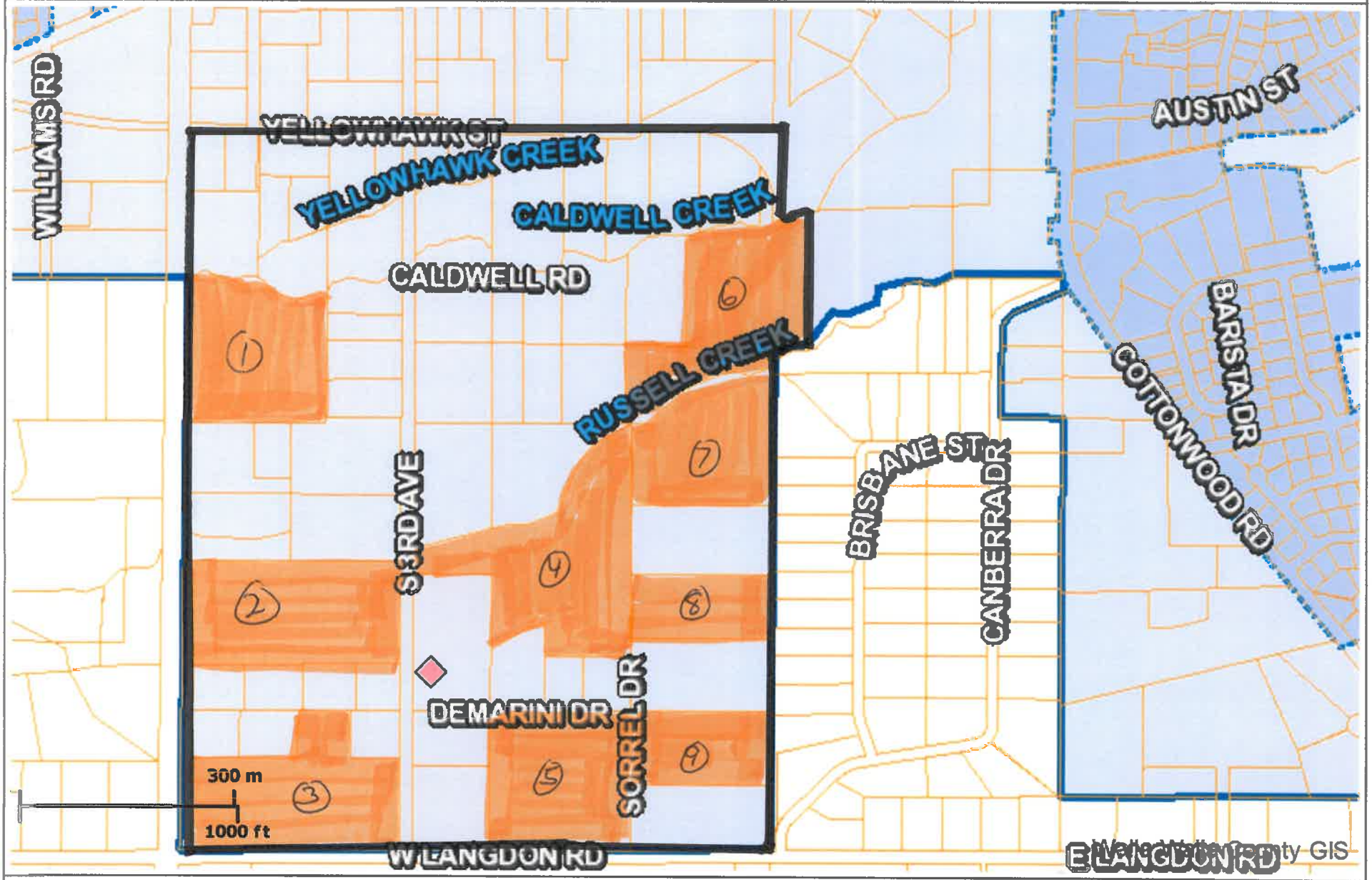
Also- it seems like a targeted move by the City. Of the 70+ land owners that this proposal will affect, only 9 lots will be conforming to the land use zoning of 5 acres! All the other lots will be smaller than 5 acres! More than 50% of the 198 acres will be lots smaller than 5 acres. Please see attached.

The Washington Department of Commerce had it right, removing from the UGA is counter intuitive. And as a landowner it is just plain wrong! This land must stay in the UGA or the County will be responsible to a number of constituents' investments being changed SIGNIFICANTLY!

Kyle Wright

Sent from my iPhone

① 8.89 Acres
② 11.63 Acres
③ 10.45 Acres
④ 12.31 Acres
⑤ 9.44 Acres
⑥ 10.35 Acres
⑦ 10.21 Acres
⑧ 5.00 Acres
⑨ 5.00 Acres.



Printed: 04/11/18 12:47:48 PM

Lauren Prentice

From: Eric Tyler <eht@pocketinet.com>
Sent: Thursday, April 12, 2018 10:45 AM
To: Lauren Prentice
Subject: 3rd and Langdon UGA removal area

To Whom It May Concern:

I am a landowner within the boundaries of the proposed "3rd and Langdon" UGA removal area.

As such, I would be in favor of having this 198-acre area removed from the UGA, and returned to a Rural Residential 5 designation.

Thank you,

Eric H. Tyler
327 Caldwell Rd.
Walla Walla, WA 99362

eht@pocketinet.com

Lauren Prentice

From: Brooke Johnson <office@chrisjohnsonplumbing.com>
Sent: Thursday, April 12, 2018 10:45 AM
To: Lauren Prentice
Subject: Walla Walla South 3rd and Langdon UGA Removal
Attachments: Ltr Re UGA 04 2018.docx

Hello Lauren,

I have attached a letter to the planning Commission and Commissioners regarding the UGA.

Thanks very much,

Brooke Johnson

April 11, 2018

Walla Walla County Planning Commission and Board of County Commissioners

C/O Lauren Prentice

RE: Walla Walla South 3rd and Langdon UGA Removal

I am writing regarding the proposal to remove our property at 342 Demarini Dr. from the Urban Growth Area. We agree with the City of Walla Walla's recommendation and would like to be excluded from the Growth Area.

This land has been and is currently used for farming, livestock and larger residential lots. The spacious land, unobstructed views and simple quiet are what make this area a wonderful place to live. Many of the residents here have put a considerable amount of money into their land & homes to live in this section of town.

Our concerns for acceptance of this land into the UGA include: Land devaluation, increased traffic/ noise, potential loss of livestock capability and the fact that we moved here to get away from high density residential.

We hope the Planning Commission and Board of Commissioners takes the current land owners thoughts into account when making a final decision.

Sincerely,

Chris and Brooke Johnson
342 Demarini Dr.
Walla Walla WA 99362
509.386.0635
509.529.8440

Lauren Prentice

From: Lisa Ponce <lamp730@gmail.com>
Sent: Friday, April 13, 2018 8:10 AM
To: Lauren Prentice
Subject: Walla Walla Urban Growth Area Comment Letter

To the Walla Walla County Planning Commission and Board of County Commissioners:

My husband, Chris Ponce, and I live at 330 Demarini Drive in Walla Walla. We believe that the beauty and calm of this location is important and that its rural atmosphere should be preserved as much as possible.
We agree that this area should be removed from Walla Walla's UGA.

Thank you,

Lisa Ponce
Homeowner
330 Demarini Drive
Walla Walla, Wa 99362

Lauren Prentice

From: Ted B <bohemian5775@gmail.com>
Sent: Monday, April 16, 2018 12:42 PM
To: Lauren Prentice
Subject: GMA

Dear County Commissioners,

We have lived on Yellowhawk Street for the past 20 plus years in the area that is being considered for removal from the GMA. I would prefer that our property is removed from the GMA for various reasons. Please let us continue to enjoy our home and neighborhood as it was when we moved here.

Regards,

Ted & Lynda Bren
471 Yellowhawk St.
Walla Walla, Wa 99362

Sent from my iPhone

RECEIVED
APR 16 2018

Rachel Briggs née Day
Jeffrey Briggs
2782 S. 3rd Avenue
Walla Walla, WA 99362
O. 509.540.2722
April 13, 2018
RE: Walla Walla South 3rd and Langdon UGA Removal

Post Mail

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

Attention Walla Walla County Planning Commission and Board of County Commissioners

Dear Sir or Madam,

My residence is located at 2782 S. 3rd Avenue and impacted by the proposed UGA Removal referenced above. Specifically, my home is bordered by Yellowhawk and Caldwell Creeks. My husband, Jeffrey Briggs, and I fully support and encourage the removal of our property and those surrounding from the Walla Walla Urban Growth Area (UGA).

An immense amount of money would need to be spent to cross Yellowhawk Creek to provide us water and sewer services and, frankly, we don't want them. We purchased acreage in this area of small farms and would urge the city to preserve that character. We hope to have livestock on our property in the near future and enjoy the small farms and open spaces that surround us. We feel annexation into the city would negatively impact our property value and purchased our parcel with the intent of remaining in the County.

My husband and I have no intention of ever subdividing or building on our parcel. Given the three creeks and flood plains along S 3rd Avenue I hope the City of Walla Walla will recognize the low return on infrastructure investment and focus its resources in a more economically feasible and geographically appropriate site.

Sincerely,

Jeffrey & Rachel Briggs

Enclosures:0

Lauren Prentice

From: Skip Harrold <skipjane@charter.net>
Sent: Tuesday, April 17, 2018 10:21 AM
To: Lauren Prentice
Subject: UGA proposal

Hello; My name is Charles Harrold. My wife, Jane, and I want to communicate our support of the removal from The City of Walla Walla UGA the properties bounded by the borders as shown on Exhibit C.

Respectfully,

Charles and Jane Harrold

Lauren Prentice

From: munderwood@karasa.com
Sent: Wednesday, April 18, 2018 7:07 AM
To: Lauren Prentice
Cc: Skip Harrold
Subject: 3rd and Langdon

Ona Karasa and Monte Underwood support removing the 3rd and Langdon area from the UGA.

RECEIVED
MAR - 9 2018
WALLA WALLA COUNTY
COMMISSIONERS

WW County Commissioners

RE: CPA 17-008/REZ 17-008

Planning Commission voted to remove from UGA 5-0 with 2 members missing

Majority of people in the Affected Area agree

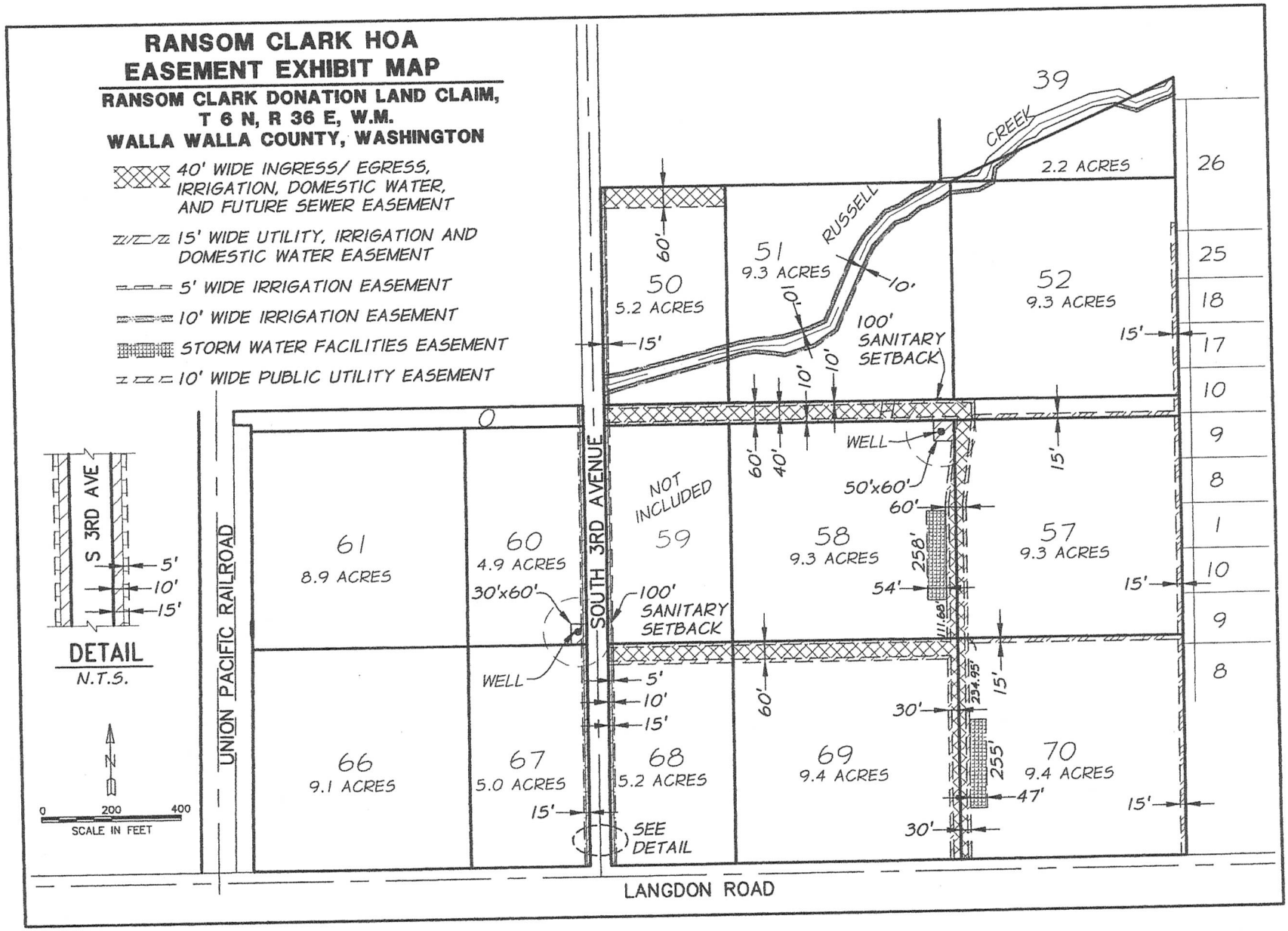
One person is wanting to stay in urban growth area.

Attached is original plot map showing the coming developement

People buying in this developement expected the developement to be as plotted!
There was a clause that each plot could be divided one time only.

I think that the majority of people in this area along with the planning commission recommendations should be followed as agreed in the beginning.

Gary & Diane Jones
411 Caldwell Rd
W.W. WA



ing at 4:30 p.m.

■ 5:15 p.m. — The City of Walla Walla's request to remove 198 acres at [illegible] resource and agricultural lands. A [illegible] presentation by county

EXHIBIT B

1. **Explain how the proposed amendment complies with the criteria in the Walla Walla County Code Section 14.10.015, which identifies the types of applications that may be considered. For the 2017 amendment cycle, the types of applications that will be accepted will be limited to those listed in the attached press release.**

   WWCC 14.10.015.G provides for the review of Urban Growth Areas at least once every 10 years. This application is in accordance with the mandatory Urban Growth Areas review and the Optional Urban Growth Area Review identified in 14.10.015.E.

2. **Explain how the proposed amendment complies with the criteria in Walla Walla County Code Section 14.10.060D.3 regarding the perceived need, urgency and appropriateness of the proposed amendment.**

   The proposed change to the City of Walla Walla's UGA, as identified in the application and referred to as 3rd and Langdon, meets the needs of removing difficult to serve, rural-characterized lands from the Urban Growth Area.

   This is an urgent need because a decision in this Comprehensive Plan update cycle will affect the City of Walla Walla's major update to its Comprehensive Plan and goals and policies contained therein. RCW 36.70A.130(3)(a) requires review of the urban growth area and the densities permitted within both the incorporated and unincorporated portions of each urban growth area as part of the updated schedules identified in subsection (5) of the referenced RCW section. Both the City of Walla Walla and Walla Walla County have until June 30, 2018 to submit their adopted comprehensive plan updates.

   The 3rd and Langdon area has experienced more intensive rural development, such as 1-acre lot development on septic systems and wells, and is not urban growth. Removing this area from the UGA at this time makes any further development in the area solely the responsibility of Walla Walla County, and not one that the City would someday inherit and attempt to solve. The realized densities of approximately 1 unit per 5.65 acres within the 3rd and Langdon area do not meet an urban growth level of development or allow for cohesive future development and urban densities when the land has been chopped up into small rural-characterized development.

   The proposed change is appropriate because of the location, cost of service delivery, and lack of potential for urban scale land uses. The 3rd and Langdon properties are geographically separated on all sides but the north from other properties in the UGA. There is a high concentration of critical areas within the 3rd and Langdon UGA with three creeks: Yellowhawk Creek, Caldwell Creek, and Russell Creek. Both Yellowhawk Creek and Russell Creek are designated fish bearing streams (Type F) within the City's Critical Areas Ordinance. When the 3rd and Langdon area was included into the City's UGA in 1996, the City's Critical Areas Ordinance did not exist (adopted in 2008) and the Shoreline Master Plan (SMP) was last adopted in 1986 and only focused on Mill Creek. A regional SMP update was conducted in 2016 in partnership with Walla Walla County and the lower reach of Yellowhawk Creek where it flows into the Walla Walla Walla River has been designated a shoreline environment. Recent environmental information

classifying these streams and the importance of protecting critical areas was not available when the City's UGA was originally established in 1996 and the 3rd and Langdon UGA is not appropriate for urban level development.

Russell Creek has a designated 100-year floodplain and floodway that affects approximately 19% of the 3rd and Langdon area UGA. Any future development would most likely require road improvements to 3rd Avenue which would include three bridge crossings over the creeks as well as developing the road to City Standard widths. This area is not appropriate for urban scale development given these constraints, as well as the cost to deliver services to this area (see Attachment VII). An estimate prepared by the City of Walla Walla's consultant, Murraysmith, determined an approximate cost of 10.7 million dollars to serve the 3rd and Langdon UGA with utilities and roadwork/bridge construction. Those costs being absorbed over a maximum of only 245 potential new lots makes development cost prohibitive for any but high-income housing unit production. To provide sewer within the 3rd and Langdon UGA, a pump station would be required, which are expensive to install and have long-term maintenance impacts to the City. Pursuant to RCW 36.70A.110(4), cost of serving the UGA needs to be considered when evaluating the appropriateness of densities that can be achieved.

There are already several properties that have been platted off into one to five acre lots with homes, outbuildings, and hobby farms. These uses are suburban and rural development. Given the response of property owners when this proposal was initially presented via mail, many owners in this area value the dispersed nature of their properties and would not want urban scale development to occur on the lands they own or on neighboring lands. RCW 36.70A.020, Planning Goals, states "Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock". Maintaining the current development pattern allowed within the 3rd and Langdon UGA of 1 acre lots promotes housing that is not affordable. Average assessed value of all existing lots within 3rd and Langdon area is $222,937, average assessed value of only lots with homes in 3rd and Langdon is $396,804.

3. Explain how the proposed amendment complies with criteria in Walla Walla County Code Section 14.10.070B.3.

a. The proposal meets a definable public need; and

There are three major public needs met by the proposed change to the UGA. At the most optimum level of development for the 3rd and Langdon area, there is the capacity for approximately 900 additional residents. It is unlikely that the capacity would be that high, given previous developments in the R-96 zone and given the existing pattern of growth in this area. It is more likely that only about 625 people could be accommodated in this area.

The second major public need is the large capital costs associated with development of the 3rd and Langdon area. According to an analysis performed by Murraysmith at the request of City staff, it would require approximately a cost per acre of about $54,000 in investment to develop 3rd and Langdon in such a way as to be compliant with City Standards for utility service and infrastructure. Such a high development cost is

prohibitive to building housing that is affordable for the middle class, let alone for families making below the median salary.

The third major public need is locating growth in sensible, efficient areas so that housing is more affordable. Any increase in the total cost of development is eventually passed along to the resident through higher mortgages or rents. Walla Walla already has an identified affordable housing issue and directing future growth towards lower cost areas will help increase the supply of housing that meets the needs of all segments of the population. According to the Washington State Department of Commerce's 2015 Washington State Housing Needs Assessment, Walla Walla County is ranked 39th out of 39 counties in affordable and available housing units for households making under 30% of Area Median Income (which is $62,900 for a family of four). Walla Walla County is also last in the State for available housing for long-term rentals. Given the lack of available affordable housing units in our community, it is imperative that the city act to ensure that housing remains accessible and affordable to the community. Recent and planned development within the 3rd and Langdon UGA at 1 acre and ½ acre lot sizes with homes ranging in assessed value from $422,00 to $707,000 are not affordable housing to middle income families and certainly not to lower income families.

Adding to the affordability crisis within Walla Walla is the fact that demand for rental housing is higher than any point since the 1960s due to the lingering impacts of the Great Recession. Supply of housing stock has not kept pace with the demand for rental housing (or for-sale homes), causing rents to rise at an average annual rate of 3.5% while median income has remained relatively flat or in some cases down, according to The State of the Nation's Housing 2016 report prepared by the Joint Center for Housing Studies of Harvard University. The vacancy rate for Walla Walla County is 2.9%, slightly lower than Washington State at 3.2%. Demand for housing is quite high.

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*

It seems clear that the 3rd and Langdon properties being included in the UGA is an error in the Comprehensive Plan. While growth to the south of the City has occurred, this particular area is geographically separated from the UGA, and the provision of services, by the development at Sydney Heights, which was developed in the mid-1970s, before the GMA was enacted in 1990 and the UGA established in 1996. Development in and around floodplains is to be avoided where possible, rather than encouraged by inclusion in an UGA. There is a high concentration of critical areas within the 3rd and Langdon UGA due to three creeks: Yellowhawk Creek, Caldwell Creek, and Russell Creek. Both Yellowhawk Creek and Russell Creek are designated fish bearing streams (Type F) within the City's Critical Areas Ordinance. Russell Creek has a designed 100-year floodplain and floodway that impacts approximately 19% of the UGA in the 3rd and Langdon area. Any future development would most likely require road improvements to 3rd Avenue that includes three bridge crossings over the creeks.

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

The need to change the two proposed areas conform to many of the Countywide Planning Policies (CWPP). Urban Growth Area Policy 5 indicates that UGAs are to be located where infrastructure can be reasonably expanded. With regard to the West Ransom Clark II Subdivision that has been referenced in the application and the SEPA checklist, the County Commissioners recently took action via Ordinance No. 466 removing that development from the City of Walla Walla Water Service Area. In the City's opinion, that action did not conform to the policy directives of the comprehensive plan or countywide planning policies. The City is the provider of urban services and the development could have extended the necessary utilities upon annexation of the property or at such time the area is suitable for growth and development. By taking action to remove that property from the City's Water Service Area, Walla Walla County has essentially committed the 3rd and Langdon area is not suitable for urban development and for property to be served be private water and septic systems not public utilities.

A recent subdivision proposal within the 3rd/Langdon UGA was conditionally approved by the Walla Walla County Hearing Examiner (see attached decision) to require connection to a public sewer system versus development of individual septic systems due to the presence of 100-year floodplain and floodway. The Hearing Examiner found that to ensure the proposed plat makes appropriate provisions for the public health, safety, and general welfare as well as for potable water supplies and sanitary wastes (as required under RCW 58.17), public sewer service is required to avoid 18 separate on-site septic systems that present a greater risk of impairment or contamination during flooding.

It is clear from the Murraysmith assessment that the expansion of utilities and transportation infrastructure to 3rd and Langdon is not reasonable, particularly when the second part of that policy is taken into account, which states that it should be environmentally appropriate for growth to occur. As noted in previous responses, 3rd and Langdon has significant critical areas that should be protected from urban development.

UGA Policy 12 encourages the retention of rural character, which removing 3rd and Langdon from the UGA would allow for, and avoiding leapfrogged growth, which the inclusion of 3rd and Langdon in the UGA could arguably contribute to.

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*

The proposed UGA changes should have no impact on other areas of the comprehensive plan. There is sufficient land capacity for the projected population growth of both the City of Walla Walla and Walla Walla County with this area removed from the UGA. While it will result in the creation of some non-conforming small lots, these lots still fit in with the general characteristics of the Rural Residential 5 zone.

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.*

The proposed UGA changes are consistent with Planning Goals listed in the Growth Management Act, RCW 36.70A.020. Goal 1, urban growth, is met by encouraging urban

development where services and be provided efficiently, which a removal of the 3rd and Langdon area would accomplish. Goal 2, reduce sprawl, is specifically applicable to not allowing further 1-acre lot development in the 3rd and Langdon area. Goal 3, transportation, is difficult to accomplish if 3rd and Langdon is left in. This diffuse development style does not lend itself to any other modes of transportation that single occupancy vehicles. Goal 4, housing, requires housing which is achievable for all segments of the population. As has been discussed in this document, the 3rd and Langdon area has not and will likely continue to not be affordable for most segments of the population. Goal 6 is met by having a robust public process. The City has open with property owners in the 3rd and Langdon area about our intentions for the area, and many property owners are having their property rights preserved by being able to continue to use their land as hobby farms and other rural characterized uses. Goal 8 is supported by supporting agricultural activity in this area rather than finding value in development potential instead. Goal 9, particularly the conservation of fish and wildlife habitat, is met by a removal from the UGA as the habitat will not be splintered by development. Goal 10, environment, is met by removing the 3rd and Langdon properties from the UGA and thereby significantly slowing the amount of development that would occur in and around the critical areas and floodplains of that area. Goal 11, citizen participation has been accomplished so far through City outreach at the beginning of our process to property owners who might be affected by the proposed UGA changes and again as the County's process progressed. The proposed changes were also discussed at a Comprehensive Plan Open House held by the City on 11/29/2017 at Edison Elementary School.

4. **Explain how the proposed amendment complies with criteria in Walla Walla County Code Section 14.10.070B.4. (SITE SPECIFIC MAP AMENDMENTS) N/A**

   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. **Explain how the proposed amendment complies with criteria in Walla Walla County Code Section 14.10.070B.5.a. (UGA MAP OR POLICY AMENDMENTS)**

   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*

Using the County's population projection of 71,724 people in 2038, with a City of Walla Walla allocation of 39,530, and a potential population in the 3rd and Langdon area of approximately 900 people under current conditions, a change in this UGA will not affect the population projections or the City's land capacity to house the population increase.

2) *The extent to which the urban growth occurring within the county has located within each city and the unincorporated urban growth areas; and*

Since August 2014, when Ordinance 2014-25 changed the City of Walla Walla's annexation policy, all urban growth requiring sewer or water service in the UGA must first be annexed. Throughout Walla Walla County, since 2010, all population growth has occurred in the incorporated areas of the County. There was a net loss of 190 people in the unincorporated areas of Walla Walla County according to OFM data, while the incorporated areas grew by 2,809 people.

3) *The allocation of projected county population and/or employment to the urban growth areas; and*

72.9% total allocation for all incorporated areas in Walla Walla County; approximately 55% of the incorporated population is within the city limits of Walla Walla.

4) *The buildable lands analysis for each urban growth area; and*

See attached buildable lands spreadsheet and analysis.

5) *Existing urban growth area boundaries; and*

Current UGA boundary map for CP and WW

6) *Other proposed changes affecting urban growth areas.*

College Place is proposing changes to its UGA. There is also a landowner-sponsored application for property to the east of Walla Walla Community College.

6. Explain how the proposed amendment complies with criteria in Walla Walla County Code Section 14.10.070B.5.b. (UGA BOUNDARY MAP AMENDMENTS)

a. *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*

We do not anticipate a reallocation of population and/or employment projections.

   b. *Related map and/or boundary changes; or*

The proposal is to amend the City of Walla Walla UGA by removing 197 acres within the 3rd and Langdon UGA.

2) *The proposed amendment requires modification of the map and/or boundary of one or more urban growth areas.*

The proposal is to amend the City of Walla Walla UGA by removing 197 acres within the 3rd and Langdon UGA.

Walla Walla County Community Development Department

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

File No. SUB16-018

NOTICE OF DECISION

Date of Notice:	2/14/2018
Date of Decision:	2/13/2018
Applicant:	SUNSET DEVELOPMENT LLC
Type of Application:	PRELIMINARY SUBDIVISION
File Number:	SUB16-018

Enclosed is the Hearing Examiner's decision from the December 11, 2017 agenda.

Walla Walla County Code Section 14.11.060 allows for the reconsideration of the final decision. The request must be submitted to the administrator within ten (10) days of the final decision or action; the submittal period ends **Monday, February 26, 2018**. Reconsideration of the final decision must be granted or denied by the Hearing Examiner prior to an appeal being submitted to Walla Walla County Superior Court. Pursuant to Walla Walla County Code Sections 14.11.020 and 14.11.040 the Hearing Examiner's decision may be appealed to the Walla Walla County Superior Court. The appeal must be submitted to the Walla Walla County Superior Court within twenty-one (21) days of the final decision or action date. The Hearing Examiner's decision will be considered final if no appeals are filed within the allowed time frame described in Walla Walla County Code Chapter 14.11.

Please review Chapter 14.11 for the County's appeal requirements.

The complete project file is available for inspection at the Walla Walla County Community Development Department (CDD) office during normal office hours Monday through Friday from 8 AM to 4 PM. Please contact the CDD at the phone number above to arrange for inspection.

Lauren Prentice,
Walla Walla County Community Development Department

Enc. SUB16-018 Findings, Conclusions and Decision

BEFORE THE HEARING EXAMINER
FOR
WALLA WALLA COUNTY

FINDINGS, CONCLUSIONS AND DECISION
APPROVING

PRELIMINARY PLAT OF WEST RANSOM CLARK II

FILE NUMBER:	SUB16-018
OWNER/APPLICANT:	Sunset Development, LLC c/o Ben Case PO Box 91 Walla Walla, WA 99362
TYPE OF APPLICATION:	Preliminary Subdivision Application to subdivide 11.65 vacant acres, located in the Walla Walla Urban Growth Area and zoned R-96, into 18 lots for construction of single-family detached residences, along with some associated improvements, including internal private roads, sidewalks, and designated surface water drainage facilities.
LOCATION/TAX PARCELS:	The project is on two tax parcels, APN 360605510006 and 360605514809, located on the west side of S. 3rd Avenue, north of Demarini Drive, in blocks 48, 60, and 61 of the Ransom Clark Donation Claim.
STAFF RECOMMENDATION:	Approval.
SUMMARY OF DECISION:	APPROVED, subject to conditions
DATE OF DECISION:	February 13, 2018

I. CONTENTS OF RECORD.

Exhibits:

1. Community Development Department Staff Report and Recommendation (of APPROVAL) to the Hearing Examiner regarding the Preliminary Plat of West Ransom Clark II, File No. SUB16-018, prepared by Lauren Prentice, Principal Planner, dated December 7, 2017 [hereinafter referenced as the *"Staff Report"*];

2. Preliminary plat application (SUB16-018) and attached documents
3. Proposed preliminary plat map (10-27-17)
4. Environmental Checklist (SEPA16-039) dated 10-28-16
5. Cultural Resources Survey Report by Plateau Archaeological Investigations dated 10-05-17
6. Liquefaction Assessment by Anderson Perry & Associates, Inc. dated 11-15-12
7. Floodplain and Floodway Evaluation by Anderson Perry & Associates, Inc. dated 11-12-12
8. SEPA Evaluation Report (SEPA16-039) dated 11-22-17
9. SEPA Determination of Non-Significance (DNS) issued 11-22-17
10. Letter from the Department of Ecology dated 12-05-17
11. Letter from the Department of Archaeology and Historic Preservation dated 11-22-17
12. Comments from Mary Rowe, Walla Walla County Public Works, dated 09-18-17 (with attachments)
13. Comments from Seth Walker, Walla Walla County Public Works, dated 11-27-17
14. Letter from the City of Walla Walla dated 12-06-17
15. City of Walla Walla Utility Availability Response dated 02-27-17
16. Letter from the City of Walla Walla dated 02-21-17
17. Ordinance No. 466 adopted 05-30-17
18. Notice of Public Hearing (NOPH) and publishing, mailing affidavit
19. Notice of Application (NOA)
20. Letter from Lisa Ponce dated 12-02-17
21. Applicant's proposed "Buildable Area" calculations for the site, submitted at the hearing
22. Proposed Preliminary Plat site plan, dated December 7, 2017
23. County's post-hearing response to utility availability questions from Examiner at the hearing, received on or about Dec. 18th (94 pages)(includes some comments from the applicant)
24. City of Walla Walla's post-hearing response to utility availability questions from Examiner at the hearing, received on or about Dec. 18th (21 pages)
25. Applicant's post-hearing response to utility availability questions from Examiner at the hearing, in the form of email dated Dec. 18th (2 pages)

Testimony/Comments: The following persons participated in the open-record hearing held on January 10, 2018, and provided testimony under oath as part of the record:

1. Lauren Prentice, Principal Planner, for the Walla Walla County Community Development Department;
2. Ben Case, the applicant;
3. Gerwyn Jones, Jr., local property owner;
4. Robert Betz, local property owner;
5. Elizabeth Chamberlain, Development Services Director for the City of Walla Walla, submitted lengthy written comments included in the record as Ex. 14 and Ex. 24.

II. SUMMARY OF PROCEEDINGS.

The applicants in this matter seek approval of the *Preliminary Plat of West Ransom Clark II,* an 18-lot single-family residential subdivision of a vacant 11.65-acre development site, all zoned R-96. The plat is within a county designated urban growth area (UGA), formally allowing for potential annexation into the City of Walla Walla. The proposed subdivision includes construction of associated improvements including without limitation internal private roads, some sidewalks or walking paths, public utility easements, and designated surface water drainage facilities. *(Ex. 1, Staff Report; Ex. 3, proposed plat site plans).*

The pending application was submitted at some point in the Fall of 2016. *(Exhibit 2).* On or about February 1, 2017, the County mailed and published a *Notice of Application* for the project, followed by a comment period for the matter, which ended on February 21, 2017. *(Ex. Nos. 1, 19)*.

The County's SEPA Responsible Official issued a SEPA Determination of Non-Significance (DNS) for the project on or about November 22, 2017. *(Ex. 4).* No one appealed the SEPA DNS issued for the project.

On November 29th and 30th, 2017, the open-record public hearing for the application was duly noticed in accord with law. *(Exs. 1 and 18, Notice of Public Hearing)*. In addition to the mailed notices transmitted to owners of property within 500 feet of the project, notice was also displayed on the County's website, published in the county's local newspaper, and signage was posted on the project site. *(Ex. 1, page 1; Ex. 18).*

The hearing occurred on December 11, 2017, wherein the undersigned Examiner presided, with city staff, applicant representatives, and interested members of the general public in attendance. The parties were given the opportunity to submit post-hearing materials to address some legal issues presented in this application. Copies of all post-hearing materials were forwarded to the Examiner and are included as part of the record.

Upon consideration of all the evidence, testimony, codes, policies, regulations, and other information contained in the file, the undersigned issues the following findings, conclusions and Decision approving the preliminary plat, subject to conditions, as set forth below.

III. APPLICABLE LAW.

Jurisdiction.

Under WWCC 2.50.070(A)(1) and (B), the Hearing Examiner is granted jurisdiction and authority to conduct public hearings and issue final decisions for preliminary subdivision applications. The hearing examiner's decision shall be based upon the policies of the comprehensive planning documents of the county, the standards set forth in the various development regulations of the county or any other applicable program adopted by the board of county commissioners. When addressing a preliminary subdivision application, the hearing examiner may grant or deny the application, or may attach reasonable conditions, modifications and restrictions found necessary to make the project compatible with its location and to carry out the goals and policies of the applicable comprehensive plan, or other applicable plans or programs adopted by the board of county commissioners. *WWCC 2.50.070(C).*

Approval Criteria.

As provided in WWCC 16.14.030, decisions on applications for a preliminary subdivision or preliminary short subdivision shall be based on a determination as to whether:

> A. The proposed subdivision of land complies with the applicable codes, plans and policies in Chapter 16.04.050 or their successors; and
>
> B. The proposed lots are served with adequate means of access, fire protection, water supplies and means of sanitary sewage disposal; and
>
> C. The proposed division of land provides adequate measures for the control of drainage and stormwater; and
>
> D. The public health, safety and general welfare will be served by permitting the proposed division of the land.

WWCC 16.14.050, referenced above, reads as follows:

> Applications shall be approved, approved with conditions or denied based on a determination that the application complies with the following adopted county and state rules, regulations, plans and policies, including, but not limited to:
>
> A. RCW 43.21C SEPA;
> B. RCW 58.09 Survey— Recording;
> C. RCW 58.17 Subdivisions;
> D. RCW 36.70A Growth Management;
> E. RCW 36.70B Local Project Review;
> F. WWCC Title 11 Stormwater;
> G. WWCC Title 12 Streets, Sidewalks, and Public Places;
> H. WWCC Title 17 Zoning;
> I. WWCC Title 18 Environment;

J. Walla Walla County Shoreline Master Program;
K. Walla Walla County board of public health rules and regulations;
L. Walla Walla County Comprehensive Plan; and
M. This title.

As required by state law, the County's preliminary plat approval criteria is substantially similar to state subdivision mandates found in RCW 58.17.110(2), which reads as follows:

> "A proposed subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that: (a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the legislative body shall approve the proposed subdivision and dedication. []" RCW 58.17.110(2).

Burden of Proof.

As explained in WWCC 14.03.010, applicants for project approvals bear the burden of proof of showing compliance with all applicable standards in the Walla Walla County Code.

IV. ISSUE PRESENTED.

Whether substantial evidence demonstrates that the applicant has met his burden of proof to satisfy the criteria for preliminary plat approval?

Short Answer: As conditioned, yes. Without specific conditions included as part of this Decision, no.

V. FINDINGS OF FACT.

1. Any statements in previous or following sections of this document that are deemed findings are hereby adopted as such, including without limitation the summary of proceedings provided above.

2. The Staff Report and Recommendation of Approval, shared with the Examiner in the week before the hearing, *(the "Staff Report", Ex. 1),* includes a number of findings and conditions suggesting how the underlying plat application satisfies provisions of applicable

law, is consistent with the city's Comprehensive Plan, and is designed or conditioned to comply with applicable development standards and guidelines. For reasons explained below, with additional conditions necessary to ensure compliance with applicable County requirements, the Examiner finds that the proposal can be approved.

Summary of Public Hearing.

3. The County's Principal Planner assigned to review the application, Ms. Prentice, testified at the public hearing to provide a thorough summary of the County's staff review process for the proposed preliminary plat application. She generally explained that the proposed plat would include varying lot sizes, ranging from .46 to .71 acres apiece; that the entire plat is located within the City of Walla Walla's designated Urban Growth Area; that Ex. 3 shows the proposed 18 lot preliminary plat layout; that the site is to be served by new private roads; that it is bordered by a significant Critical Area, Russell Creek, with its associated floodway and floodplain requirements; that zoning is R-96, meaning the minimum lot size is 9,600 sq. ft.; that comment letters are included as part of the record; that much of the site is in a critical aquifer recharge area, but that all residential uses and associated site improvements are considered allowed uses in the aquifer recharge area; that, even though the site is located in an unincorporated portion of the City of Walla Walla's UGA, the application seeks approval to use individual septic systems instead of sewer connections; and that at some point in 2017, the Walla Walla County Board of County Commissioners took formal action to remove the site of this plat application from the City's Water Service Area.

4. Ms. Prentice summarized how the County's minimum density calculations are made, and how deductions for various site conditions apply, in order to apply the County's minimum 3-units per acre density requirement for lands located within an Urban Growth Area. She explained how minimum density calculations take the total gross site area and deduct critical areas (floodway/floodplain, liquefaction and critical area recharge areas and the like). She noted the County's concern with the proposed flag lot design, so she recommended that prior to plat approval, the final design should be revised so that there is no flag lot.

5. In response to testimony provided during the hearing, Ms. Prentice explained that the County's code requires all utilities to be placed in a manner to avoid flood related impacts, but that she does not read the code to mandate public utilities in a flood area. Finally, she explained that this application vested to codes, UGA boundaries, and comprehensive plan language in effect at the time of application, meaning that any pending amendments did not control review of this matter. As noted above, the County's post-hearing responses to the Examiner's questions about the timing and sufficiency of proof needed for utility issues at the preliminary plat and final plat approval stages, are included in Exhibit 23.

6. The applicant, Mr. Case testified on his own behalf at the public hearing, noting that the proposed conditions set forth in the Staff Report are acceptable. He offered some

suggestions regarding other conditions that may be appropriate to respond to some comments he acknowledged, including language regarding: how a well on lot 17 is to be decommissioned; and that septic easements adjacent to lots 14, 16, 17 and 18, have been or will be removed prior to final plat approval.

7. In response to density calculation questions, Mr. Case testified that his density calculations shown on Exhibit 21 do not even include a deduction for the Aquifer Recharge area, so final calculations should show the proposal is well within proper density calculations. In fact, Mr. Case clarified that the Aquifer Recharge Area (which is considered a critical area for which deductions are made) deduction would lower the "Buildable Area" on his site to about 2 acres for purposes of calculating the site's Minimum Density requirement, thus reducing the minimum density area to about 6 lots. In support of his statement, he presented a revised version of the plat site plan, which is already included in the Record as Ex. 3, which was marked to include a new dotted line running from west to east along the lower half of the property, along a meandering line moving from just above (north) and roughly parallel to the proposed lot line dividing Lots 13 and 14, and then east through lots 15, 16, 17, and 18. His illustration is now included in the Record as Exhibit 22.

8. Responding to density comments, Mr. Case testified that he believes the county's minimum density requirement is too onerous, and he testified that he would prefer to have the plat less dense. Further, he explained that with the aquifer recharge area considered, the minimum required density will probably be much lower. He explained that he feels he needs to have preliminary plat approval before incurring significant costs associated with engineering and other details, because requirements, like those for a Group A water system, are costly and take time. He noted that he only wants to undertake the process if he knows he has the number of users/lots that would justify the expense, and says that this is a chicken and egg situation. Addressing comments about the need for public utilities in the flood area, he offered his interpretation of WWCC 18.12.220, re: flood area requirements for subdivisions, and suggested that it should be read in context, and if so, then there is no specific requirement that a subdivision must be connected to public utilities, like sewer. He feels that county codes merely mandate that utilities should be placed/constructed to avoid impacts caused by potential flooding. As noted above, Mr. Case's post-hearing responses to the Examiner's questions about the timing and sufficiency of proof needed for utility issues at the preliminary plat and final plat approval stages, are included in Exhibits 23 and 25.

9. Gerwyn Jones, Jr., a local property owner, testified at the public hearing and expressed concerns that project will not fit in with adjacent properties that have larger lot sizes, which he feels fit better with the rural setting in the area. He expressed confusion because the proposed plat is in an area that might be removed from Urban Growth Area, and concerns with the adequacy of the bridge on 3rd into the city, given 18 new lots and additional traffic that the new plat could generate. He expressed reservations about 18 new septic systems and more wells on the site, arguing that the proposal is sliding (construed to mean

'changing'), and that nothing is solidified (construed to mean 'certain'), so he argued that the application should not be approved so long as there is much uncertainty. He worries that approval of this plat would open the door for another 11 acres to be developed by same applicant.

10. Robert Betz, a local property owner who lives to the west side of proposed plat, testified to offer his concern that the proposal is not in keeping with 1 acre+ lots in the area. He says density for the area has been haphazard, and that his area has about one home per 5 acres, arguing that this proposal is not in keeping with the surrounding area. Mr. Betz offered credible, first-hand testimony, which was not rebutted, establishing that he has seen floods in the area and has seen floods during which some of the proposed lots were completely underwater on the project site. He would prefer 1 acre+ size lots, which would reduce septic systems, and he feels this is a poorly considered proposal to place high density in this location.

11. Elizabeth Chamberlain, Development Services Director for the City of Walla Walla, testified at the hearing and summarized her lengthy written comments included in the record as Ex. 14. She expressed the City's opinion that the current application should be remanded, not approved, because it is incomplete for a number of reasons, including its failure to connect with the City's water and sewer system, noting the area is in the City's designated Urban Growth Area. She asserted that Exhibits 21 and 22 do not show correct calculations regarding buildable area. She offered her interpretation of WWCC 18.12.220, regarding utility requirements for subdivisions located in a flood area, acknowledging deference to her County colleagues, but noting that the sentence in question uses the term "such as" which means 'for example'. She argued that the plat application does not comply with the County's requirements found in WWCC 16.14.020(D) and (E*)(requiring that preliminary plat applications must include: "D. A certificate or other written documentation of the availability of potable water;" and "E. For land within an urban growth area a certificate or other written documentation of the availability of sewage disposal systems.")*. She generally argued that because no Class A water system has yet been approved for the site, then the Examiner is without a basis to conclude that appropriate provisions have been made regarding the availability of potable water, taking issue with page 4 of the Staff Report. She believes that the Class A water system should be approved before the preliminary plat can be approved. Responding to the applicant's Critical Area/Aquifer Area comments and new Exhibits 21 and 22, Ms. Chamberlain argued that the new exhibits placed into the record show how the preliminary plat drawings circulated to the public were incomplete, because they fail to show the Aquifer Recharge area on plat map. She believes that the application is incomplete, and should be remanded. In response to the Examiner's questions posed to the parties at the hearing regarding the timing and sufficiency of proof needed for utility issues at the preliminary plat and final plat approval stages, Ms. Chamberlain submitted a lengthy packet of post-hearing materials (21 pages), received by the Examiner on or about Dec. 18th. (Ex. 24).

Site Visits.

12. On the day prior to the public hearing, and in the weeks after the Decision, the Examiner conducted site visits to the project location and the surrounding area, including surrounding roads and properties, to personally observe conditions discussed in the application materials and the hearing record.

Natural Environment, staff review.

13. The Staff Report and the Examiner's site visits confirm that the development site is relatively flat, with the steepest slope on a portion of the site at about 10%, and that Russell Creek borders the northern portion of the property.

14. The Staff Report credibly explains that Russell Creek is a fish and wildlife habitat conservation area regulated and protected under Walla Walla County Code (WWCC) Chapter 18.08; and that Russell Creek is a tributary to Yellowhawk Creek, which is listed and protected by the Washington Department of Fish and Wildlife due to the presence of Summer Steelhead. *(Ex. 1, page 2).*

15. The Staff Report summarizes applicable streamside buffers and restrictions for the site, noting that the applicant has not proposed any specific development within the buffer, but the buffer encumbers proposed Lots 8, 9, and 10. Staff recommended a condition of approval related to this issue, and the Washington State Department of Fish and Wildlife (WDFW) did not comment on this proposal.

16. According to WWCC 18.08.660(B), "land that is located partially within a habitat conservation area or its buffer may be divided provided that the developable portion of each new lot and its access is located outside of the habitat conservation area or its buffer."

17. The Examiner finds that the proposed plat has been designed to achieve an urban density, as defined in county codes, respecting critical area buffers, but leaving sufficient space on each lot for construction of homes outside any habitat conservation area or buffer. *See WWCC 17.18.050, re: Residential Density in Urban Growth Areas.*

18. A portion of the property is located within the floodway and 100-year floodplain for Russell Creek. Accordingly, all development will have to comply with WWCC Chapter 18.12, which addresses Flood Damage Prevention. Pursuant to WWCC 18.12.290, construction of residential structures is prohibited within floodways. The floodway extends about 60-feet into Lots 8, 9, and 10. The floodplain encompasses a larger area, which is about 3.6-acres. *(Ex. 1, page 3).*

19. The County's code, particularly Chapter 18.12, does not prohibit the construction of residential structures, infrastructure, or utilities within the floodplain, but it does require that flood protection standards must be met.

20. For instance, WWCC 18.12.220 mandates that: "(A) all subdivision proposals shall be consistent with the need to minimize flood damage"; and "(B) all subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage."

21. Subsection "B" cited above is in dispute. County staff reads WWCC 18.12.220(B) as only requiring that any utilities that are provided within the floodplain must be "located and constructed to minimize or eliminate flood damage." *(Testimony of Ms. Prentice; Ex. 1, at page 3).* The City disagrees, and suggests that the provision specifically mandates that all subdivision proposals in the floodplain must have public utilities, such as City water and sewer utility services. *(Testimony of Ms. Chamberlain; Ex. 14, City Comments; Ex. 24, City's post-hearing materials).*

22. WWCC 18.12.210, captioned 'Utilities', mandates that A) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system; B) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; C) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and D) Water wells shall be located on high ground that is not in the floodway.

23. The Examiner finds that the County code uses different terms when it refers to a "sanitary sewage system" and an "on-site waste disposal system", frequently called a "septic" system. And, the Examiner finds that language found in WWCC 18.12.220, captioned 'Subdivision Proposals' includes provisions that are specific to subdivision applications, such as the pending matter.

24. WWCC 18.12.100, expressly provides that, in the interpretation and application of chapter 18.12, all provisions shall be:

    A. Considered as minimum requirements;

    B. Liberally construed in favor of the governing body (emphasis added); and

    C. Deemed neither to limit nor repeal any other powers granted under state statutes.

25. WWCC 18.12.030(A)-(E) explains that the purpose of Chapter 18.12 (captioned "Flood Damage Prevention) is to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions that are designed: a) To protect human life and health; b) To minimize expenditure of public money and costly flood control projects; c) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public; d) To minimize prolonged business interruptions; **and** e) To minimize

damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines (emphasis added), streets and bridges located in areas of special flood hazard.[1]

26. The Examiner finds and concludes that the purpose language in WWCC 18.12.030 is specific to minimizing damage to public facilities and utilities, including water mains and sewer lines, among other things. Nothing in the chapter authorizes or justifies the use of on-site septic/waste disposal systems in a subdivision proposed within a designated flood area.

27. Instead, the Examiner finds and concludes that a liberal construction of the language provided in WWCC 18.12.200(B) requires that all subdivision proposals located in a designated flood area shall have public utilities, in keeping with the purpose of such chapter. Even without interpreting or applying subsection B to mandate public utilities for subdivisions in a flood area, substantial evidence in the record more than justifies their requirement as a condition of approval in order to ensure that the proposed plat makes appropriate provisions for the public health, safety, and general welfare and for potable water supplies and sanitary wastes, among other things. Without public sewer service as a condition of approval, the record does not support a finding that the public use and interest will be served by proposed subdivision.

28. Based on the record, including applicable codes and regulations, the Examiner finds that 18 separate on-site septic/waste disposal systems would obviously present greater risks of impairment or contamination during flooding, than a single sanitary sewage system for the entire site that can be designed to minimize or eliminate infiltration of floodwaters into the sewer system and discharge from the sewer system into floodwaters. Generally speaking, more variables mean more risks. More private septic systems places a greater burden on county code enforcement officials and health department staff to ensure that up to 18 future property owners in a designated flood area are regularly and appropriately maintaining their septic tanks and drainage fields so as to reduce impairment or contamination during flood events that are known to occur on the plat site.

29. For example, the County code mandates registration and permits for all septic tank cleaning providers in Walla Walla County (WWCC 18.12.020), and requires that pumping tanks used in connection with cleaning septic tanks shall be fully enclosed, strong enough for all conditions of operation, be leak proof, fly proof, and operate to prevent spillage at all times, and that equipment must be maintained so as not to be offensive or create a potential health hazard. WWCC 8.12.040. These regulations are part of what helps County residents maintain their high quality of life in such a beautiful part of the state. This mandate would apply to cleaning services needed for all 18 on-site septic systems that the applicant has proposed. The risk of a violation that could cause a leak, flies, spillage, offensive odors, or potential health hazards is far greater with 18 separate systems than a

[1] The purpose is also intended F) To help maintain a stable tax base by providing for the sound use and development

single public sewer system. This problem is far more significant in a flood-designated area, like the site of the proposed plat. While some may argue that the odds of any hazardous incident are low, the high degree of injury to public health and safety that could result from a failing, leaking, or poorly maintained septic system that is located in a flood prone area is not in the public interest, especially where another option is available to serve the site – a public, sanitary sewage system.

30. The Examiner finds that the proposed plat would not be in the public interest if it is allowed to move forward using urban density on a property that is located in an urban growth area and is also in a flood-prone area, if it is to be served by 18 separate, privately owned, on-site septic systems. In a different location, with no flood designation, and/or on a much larger property with a rural-density, the same number of septic systems may be shown to be in the public interest. Such is not the case in this situation.

31. The Record does not contain any evidence to support a potential argument for a reasonable use exception or similar theory that would justify an urban-density development on a site located in an urban growth area with traditionally 'rural' services, particularly including 18 on site septic systems. Such a proposal is directly counter to the County's Comprehensive Plan and state statutes, including without limitation:

- ✓ Comprehensive Plan Land Use Element, County-Wide Planning Policy 5.4 *("Urban development in any urban growth area that is located outside of a municipal boundary, may be allowed only if: Infrastructure standards are equal to or greater than those required by the adjacent city; ... and Provisions have been made for urban level services"*);

- ✓ County-Wide Planning Policies 3.10 *("Within urban growth areas (UGAs), cities are the preferred providers of urban services"), 4.10 ("Undeveloped urban areas should be annexed to adjacent cities when urban services become available or are proposed to become available concurrent with development, and 5.11 ("Cities should be purveyors of urban services");*

- ✓ Utilities Element Policy UT-5 *("Promote the extension of distribution lines within the respective cities' Urban Growth Areas");*

- ✓ RCW 36.70A.030(20) (*defines the term "Urban governmental services" or "urban services" to include those public services and public facilities at an intensity historically and typically provided in cities, <u>specifically including</u> storm and <u>sanitary sewer systems</u>, [and] domestic water systems);* and

- ✓ RCW 36.70A.020(1) re: Urban growth *("Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner"),* also included in the Comprehensive Plan Utilities Element at Sec. 9.1.1.

32. There is no credible argument or evidence to establish that enforcing necessary health and public safety regulations on up to 18 separate septic systems owned and controlled by up to 18 separate property owners will be just as or more effective than enforcing similar regulations on a single, public sewer utility system designed to serve the entire site.

33. In addition to its location in a flood-prone area, the existence of other critical area considerations on the subject property multiplies the reasons why sewer service is more appropriate for this location instead of 18 individual on site septic systems. Joining the list that includes the floodplain and fish and wildlife habitat areas, the proposed plat also contains the following mapped critical areas; geologically hazardous areas (seismic hazard area) and a critical aquifer recharge area (Walla Walla River gravel aquifer critical aquifer recharge area). *(Staff Report, page 3).*

34. The application materials include a liquefaction assessment *(Exhibit 6)* prepared by Anderson Perry and Associates, which explains that: "Based on the types of structures that will most likely be built on the site, potential liquefaction and associated liquefaction induced settlement generates minimal risk associated with catastrophic structural failure to residential homes." The same study fails to offer any opinion regarding the comparative safety of on-site septic systems vs. a public sewer system located in a seismic hazard area that is also located in a flood area. It does, however, note that groundwater conditions likely correlate fairly closely with the elevation of the water surface in Russell Creek, and the Perry assessment assumed a seasonal high groundwater depth range for the site from 5 feet to 10 feet below the ground surface for the site. *(Ex. 6, page 2).* This could be significant for any proposed on-site septic systems, on the relatively flat property that is located along Russell Creek, given that the proposed plat map (Ex.3) depicts site elevations ranging from a low of 885 feet along Russell Creek (the site's northern boundary), to a high of only 895 feet for proposed Lots 1 – 12; with elevations in the southern portions of the plat (where proposed Lots 13 – 18 are located) ranging from a low of 895 feet to a high of only 906 feet.

35. While a majority of the site is also officially mapped and included within a critical aquifer recharge area (the Walla Walla River gravel aquifer critical aquifer recharge area), the Staff Report explains that all residential uses and approved water system source development and associated infrastructure are allowed uses pursuant to WWCC 18.08.220, not requiring submittal of a hydrogeologic assessment. *(Ex. 1, page 3).*

36. The Staff Report provides and summarizes information included in the record to establish that: the project site is within the Walla Walla School District; Parks and Recreation improvements are not required for the proposed development, but under WWCC 16.20.090, sidewalks or paths must be provided to any residential subdivision within a UGA; and that the proposed plat will be served by Walla Walla County Fire District #4.

Utilities

37. As noted above, Water and Sewer Utility service requirements for the proposed plat are in dispute.

38. By letter dated February 27, 2017 *(Exhibit 15),* the City of Walla Walla confirmed that it is *"willing and capable of providing utility service to this entire portion of the UGA, following appropriate main extensions"* and that the *"City code requires an area to be annexed prior to providing City utility service."* The letter also notes that *"Mr. Case (the applicant herein) has not sought to extend City utility services to his property because of the excessive cost required, as well as the annexation policy."*

39. No one disputes that the site of the proposed plat has not been annexed by the City of Walla Walla, or that it is located about 1/2-mile south of the nearest Walla Walla City limit boundary.

40. The Staff Report and the applicant maintain that there is no provision in the County Code that expressly requires the development to be connected to the City of Walla Walla's water or sewer system. While this may be the case, there are controlling provisions in the County's Comprehensive Plan that direct how properties located within an urban growth area are to be developed, and subdivision applications must be compliant with such terms. WWCC 16.04.050 (at subsection 'L') mandates that all proposed preliminary subdivisions shall be in compliance with the county's comprehensive plan. The same County code provision also requires that preliminary subdivisions must be in compliance with relevant state statutes, including without limitation the state Subdivision Statute (Ch. 58.17 RCW) and the Growth Management Act (Ch. 36.70A RCW). *See WWCC 16.04.050(C) and (D).*

41. As for stormwater, the Staff Report credibly summarizes how all stormwater generated on-site will be required to be retained and infiltrated on-site, and that stormwater retention improvements shall comply with WWCC Title 11 regarding Stormwater. These standards are enforced by the Walla Walla County Public Works Department. The proposed plat includes three stormwater easements. *(See Ex. 3, preliminary plat site plan).*

42. Although the original subdivision application expressly states that the "Sewage disposal type" shall be "Sewer" *(Ex. 2, Application, page 2),* the plat proposal was since revised so that all wastewater generated will be discharged into 18 (eighteen) individual on-site septic systems.

43. Since the date of the application, the proposed plat has not been removed from the City's UGA.

44. However, with respect to Water Utility service, it is worth noting that the property was formally removed from the City of Walla Walla's water service area by the Board of County Commissioners, through approval of a Coordinated Water System Plan amendment adopted in County Ordinance No. 466, adopted on May 30, 2017, a copy of which is included in the record as Exhibit 17. The Staff Report explains that the SEPA Evaluation

Report (Exhibit 8) incorrectly noted that the purpose of the approved Group B water system is to serve the proposed 18-lot subdivision, because given the number of requested lots, at full build-out, with 18-lots, the development will need a Group A water system, which will have to be approved by the Washington State Department of Health. In their post-hearing written materials, County staff recommended that, to be consistent with the *Knight vs. Yelm* decision by the Washington Supreme Court, the proposed conditions of approval should be strengthened to require proof of the Group A system at final plat approval, and that the City be given written advanced notice of the final plat action. The County's post-hearing materials also reiterated that, while the applicant does have a Class B water system for his property, the limited number of connections allowed onto that system – nine – is not adequate to service the proposed plat, with its 18 proposed lots.

Cultural resource survey

45. With respect to cultural resources, the Plateau Archaeological Investigations firm conducted a pedestrian survey and subsurface investigation of parcel 360605514809 and found no evidence of protected cultural resources. *See Exhibit 5, report dated October 5, 2017.* The Washington State Department of Archaeology and Historic Preservation submitted a letter *(Exhibit 11)* concurring with the results of the report and agreeing that *"the project can move forward without further archaeological oversight."*

Neighborhood Characteristics

46. The Staff Report explains that surrounding uses are primarily low-density residential and rural uses and agriculture. Directly south, there are seven 1.0 to 1.3-acre lots. Southwest, on the other side of the railroad right-of-way, there are about fifteen lots, all located outside the UGA, that range in size from 1-acre to about 3-acres.

Subdivision Design, Density, Dimensional Standards, transportation review.

47. The proposed lots range in size from 0.46-acres (20,036-square feet) to 0.71-acres (30,919-square feet). The property is zoned R-96 Suburban Residential, which requires a minimum lot size of 9,600-square feet (WWCC 17.18.020). As shown on Ex. 3, this proposal satisfies this zoning requirement.

48. The Staff Report indicates that the minimum lot size required by the Health Department for lots located on a water system and individual septic systems is 20,000-square feet or 0.46-acres, and that as proposed, the plat can satisfy this requirement. In other words, all proposed lots would be .46 acres or larger. While this may be correct, the overwhelming evidence and authority contained in the record establishes that the proposed plat, which is located in an urban growth area and is proposed to be developed at an urban-residential density, should be served by urban services, which expressly includes a public sewer system – not individual septic systems.

49. At the hearing and in the Staff Report, County officials expressed concern that proposed Lot 8, as shown on Exhibit 3, is a flag lot, which are prohibited by applicable county codes. Pursuant to WWCC 17.08.330(D), ""Flag Lot" means a lot that has access to a road, street, or public highway, by means of a narrow strip of the lot… [and] New flag lots shall not be created." The Examiner concurs with Staff's recommendation on this subject, and a condition of approval requires that Lot 8 must be reconfigured so it is no longer a flag lot.

50. Because the proposed plat is located in the County's Suburban Residential (R-96) Zone, the minimum density required for this development is 3.0 units per acre. *See WWCC 17.18.020.*

51. WWCC 17.18.050 outlines the method for calculating residential density within a proposed subdivision. WWCC 17.18.050(B) explains that: *"To calculate the minimum number of residential dwelling units required for any given property in an urban growth area, the buildable site area is multiplied by the residential density per acre that applies to the zone in which the property is located. The result is the minimum number of dwelling units that must be accommodated on that property. For the purposes of this calculation, fractional values shall be rounded to the nearest whole number (0.5 and above rounded up; below 0.5, rounded down)."*

52. The term "buildable site area" is defined by WWCC 17.18.070(C), which reads as follows:

> Buildable site area is the gross site area less:
>
> 1) Existing public rights-of-way or areas to be dedicated for rights-of-way;
> 2) Tracts or easements to be established for public or private streets and alleys;
> 3) Areas in critical areas excluding critical area protection zones (buffers); and
> 4) Lands with slopes greater than fifteen percent, unbuildable geologically unstable slopes and lands which lie within the one hundred-year floodplain.

53. During the public hearing, Mr. Case submitted an illustration, included in the record as Exhibit 21, depicting the project site and most of the areas that are to be deducted from the gross site area for purposes of determining the buildable site area and calculating the minimum required density for the site. During his testimony, Mr. Case acknowledged that his calculations omitted consideration of the aquifer recharge area on the site, and correctly observed that if such area is deducted from the gross area figures, then the buildable site area for the property would be somewhere near 2 acres. *(Testimony of Mr. Case).* Exhibit 22, presented by Mr. Case and entered into the record during the hearing, shows that the aquifer recharge area covers all areas of the proposed plat generally north of an east/west line that meanders from the boundary of Lots 13 and 14 to the plat's east boundary, abutting 3rd Avenue, what appears to be more than ¾ of the entire project site.

54. Based on Exhibits 21 and 22, and relevant County Code provisions, the Examiner concurs with the applicant's testimony on this subject, and finds that – for purposes of calculating the property's minimum density required by WWCC 17.18.020 and WWCC 17.18.050 –

the buildable site area for the property would be approximately 2 acres, after deductions are made for consideration of the aquifer recharge area located on the property.

55. With 18 proposed lots, the new plat is well in excess of the minimum density requirements for the site. The Examiner finds that the Staff Report mistakenly applied a deduction for proposed private roads, which are not 'dedicated rights-of-way'. Even with this modification, the size of the aquifer recharge area (which appears to be far greater than the size of any proposed private road area) renders the error of no significance in reaching this decision.

56. With a 'buildable site area' of 2 acres, the minimum density required for this development is 3.0 units multiplied by 2 acres = 6 lots. *See WWCC 17.18.020.*

57. The Staff Report credibly summarizes the transportation issues that were reviewed as part of this project. Compliance with applicable street and sidewalk/walking path requirements are included as conditions of approval for the proposed plat.

Compliance with the County's Comprehensive Plan and applicable state statutes.

58. The Staff Report properly notes that WWCC 16.04.050 (at subsection 'L') mandates that all proposed preliminary subdivisions shall be in compliance with the county's comprehensive plan. The same County code provision also requires that preliminary subdivisions must be in compliance with relevant state statutes, including without limitation the state Subdivision Statute (Ch. 58.17 RCW) and the Growth Management Act (Ch. 36.70A RCW). *See WWCC 16.04.050(C) and (D).*

59. Complying with a Comprehensive Plan means just that. Complying with parts of a plan that someone likes, and ignoring provisions they might not care for, is not the standard.

60. As noted elsewhere in this Decision, based on the applicant's representations and requests made to county officials, in May of 2017, the Board of County Commissioners adopted a thoughtfully worded Ordinance, formally amending the Coordinated Water System Plan to remove the applicant's property from the City of Walla Walla's Water Service Area. *Ex. 17, Ord. No. 466.*

61. As part of its action, the Board of County Commissioners formally concluded that *"[w]hether to remove the property from the City of Walla Walla UGA is ultimately part of the County's Growth Management Act responsibilities, and may need to be addressed by the County in subsequent County Comprehensive Plan Updates. The County must plan for a 20-year horizon under the Growth Management Act. There will be areas that are within the Urban Growth Area that are not within City limits, and areas that are not immediately adjacent to those limits. The Urban Growth Areas and population projections were last reviewed in 2013 and 2014, and review of the County's Urban Growth Area is not appropriate at this time." Ord No. 466, page 4, Conclusion No. 14.*

62. The Board also found that *"[I]f this property is removed from the UGA, then a rural zoning of RR-5 (Rural Residential five acre) is likely to be assigned to it, which would prevent the owner from being able to develop the property at any density greater than a five-acre minimum size." Ord. No. 466, page 3, finding 14.*

63. Again, the proposed plat lies entirely within a county-designated Urban Growth Area. Ordinance No. 466 did not amend the urban growth boundary that includes the applicant's property, and it did not address the provision of sewer service. It only addressed an amendment to the Coordinated Water System Plan.

64. Just as the County must plan for a 20-year horizon, the preliminary plat approval granted by this Decision recognizes that follow-up designs, engineering work, coordination and approvals needed from other jurisdictions or urban service providers, and other activities needed to obtain Final Plat approval, do not happen overnight. Instead, the county code provides that applicants shall have 7 (seven) years to complete such work and make a final plat application that complies with all conditions of preliminary plat approval. *(See WWCC 16.14.060; and WWCC 16.36.050, Final Plat Approval criteria, which includes without limitation a) the plat or short plat complies with the applicable provisions in Section 16.04.050; and b) the plat conforms to all conditions of preliminary approval).*

65. Chapter 9 of the County's Comprehensive Plan is labeled the "Utilities Element". It includes and references a number of formally adopted Comprehensive Plan Goals and Policies and requirements that flow from such policies and are relevant to the pending application, including without limitation the following items:

- **Section 9.1.1 Applicable Growth Management Act Goals.**

  Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner. (RCW 36.70A.020(1))

  Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards. (RCW 36.70A.020(12));

- **Section 9.1.2. Applicable County-Wide Planning Policies** – County-wide planning policies mirror GMA provisions regarding coordination of land use and utilities, focus on urban growth, and providers of services:

  3.10. Within urban growth areas (UGAs), cities are the preferred providers of urban services. […]

  4.10. Undeveloped urban areas should be annexed to adjacent cities when urban services become available or are proposed to become available concurrent with development. […]

  5.11. Cities should be purveyors of urban services. […]; and

- **Policy UT-5** Promote the extension of distribution lines within the respective cities' Urban Growth Areas and coordinate land use and facility planning to allow eventual siting and construction of utility lines within rights-of-way that are being dedicated or within roads that are being constructed or reconstructed.

66. County Wide Planning Policy 3.10 *("Within UGA's, cities are the preferred provider of urban services")* effectuates a similar provision found in the GMA, which reads: *"In general, cities are the units of local government most appropriate to provide **urban** governmental services".* RCW 36.70A.110(4).

67. As noted elsewhere in this Decision, definitions found in the GMA statute, at RCW 36.70A.030(20), establish that the term "Urban governmental services" or "urban services" includes those public services and public facilities at an intensity historically and typically provided in cities, *specifically including* storm and *sanitary sewer systems*, [and] domestic water systems.

68. The Examiner finds that the proposed plat, as conditioned below, is consistent with Comprehensive Plan Policy LU-1, because it provides development in an urban growth area, to minimize the impacts of growth on rural and resource lands.

69. The Examiner finds that the proposed plat, as conditioned below, is consistent with Comprehensive Plan Policy LU-4, because it provides for Residential development in a portion of the county that is formally designated for urban uses instead of in a rural area of the County.

70. The Examiner finds that the proposed plat, as conditioned below, is consistent with Comprehensive Plan Policy Policy LU-13, because it will achieve and implement a minimum density for residential uses in an Urban Growth Area of three residential dwelling units per acre, after due consideration of county development regulations that specify the methodology for achieving the minimum density and deductions for critical areas.

71. The Examiner finds that the proposed plat, as conditioned below, is consistent with Comprehensive Plan Goal LU-5, because it requires development in the county designated UGA to develop at a higher intensity than in rural designated areas.

72. The Examiner finds that the proposed plat, as conditioned below, is consistent with Comprehensive Plan Goal LU 1, which seeks "To retain the rural and agricultural character of the county by allocating most of the projected population and employment growth to cities and UGAs."

73. Comprehensive Plan Land Use Element, Countywide Planning Policy for Urban Growth Areas, Sec. 5.4 (on page 5-9 of the Comp. Plan) provides that: "*Urban development in any urban growth area that is located outside of a municipal boundary, may be allowed only if:*

- Infrastructure standards are equal to or greater than those required by the adjacent city;
- The city and county have jointly adopted the same UGA and standards;
- Provisions have been made for urban level services;
- Off-site infrastructure needs are met; and
- It is noted on the plat that the development is within a UGA and is ultimately intended to be within a city.

74. As proposed by the applicant, the proposed plat would not comply with County Comprehensive Plan Land Use Element, Countywide Planning Policy Section 5.4, noted above, because with a well system, and 18 individual septic systems, it fails to provide water and sewer systems that are equal to or greater than those required by the adjacent city, i.e. the City of Walla Walla; because the plat, as proposed by the applicant, does not make provisions for urban level services, i.e. public water and sewer; and the plat, as proposed by the applicant, does not note that the project is within an urban growth area and is ultimately intended to be within a city. Rather than denying the application, the Examiner has added conditions of approval to ensure that the plat will confirm with applicable County requirements, including those found in Comprehensive Plan, Countywide Planning Policy for Urban Growth Areas, Section 5.4.

75. The Examiner finds that the proposed plat – if developed in a manner consistent with its designated R-96 zoning and as conditioned by this Decision – is consistent with the Comprehensive Plan's definition of the Low Density Residential land use designation, which reads as follows:

> "Low Density Residential lands are those lands designated for medium and large-size urban lots in residential neighborhoods. The primary housing type is single-family detached dwellings. The Low Density Residential land use designation is typically located adjacent to low or medium density residential designated lands, rural lands, or public reserve lands. Non-residential uses are discouraged except for certain public facilities and institutions, provided their nature and location are not detrimental to the Low Density Residential environment. The implementing zoning districts for the Low Density Residential land use designation are R-96 Residential Single Family (sic) and R-72 Residential Single Family." (*Comprehensive Plan, Land Use Element, page 5-11).*

76. The Examiner finds that the proposed plat, as conditioned below, is consistent with Comprehensive Plan Policy 5.2.5, regarding Urban Growth Areas, because it encourages growth in an urban-designated area. Policy 5.2.5 explains that, *"According to GMA goals, growth is to be encouraged in urban areas. UGAs delineate where urban services are available, or are planned to be provided. New development requiring urban services is to be located in a UGA."*

77. The Examiner finds that the proposed plat is designed to achieve a county-designated urban density for the site (i.e. at least 3 units per buildable acre), which requires urban

services, including without limitation potable water and sanitary sewer service. *See RCW 36.70A.030(20), defining the term "Urban governmental services" or "urban services" to include those public services and public facilities at an intensity historically and typically provided in cities, specifically including storm and sanitary sewer systems, [and] domestic water systems.*

78. The proposed plat has been conditioned to require provision of urban services if it is to move forward at an urban density within an urban growth area.

79. Given that this Decision requires consideration of genuine differences of opinion between two local governments, the Examiner thoroughly read and researched all materials in the record and relevant legal authorities on the subjects at hand. As the applicant must concede, he did not submit a standard, by the book application. Instead, at various points in the application process, the proposal has been substantially modified to seek approval of project-features and non-urban services that some opponents do not believe to be consistent with applicable County Comprehensive Plan and development regulation provisions. And, at the public hearing, the applicant expressly stated that he would prefer approval of a project with far less density, among other things.

80. Preliminary Plat approvals are not based upon popularity or potential expenses that could incurred as part of the development project. Instead, the Examiner is bound and required to apply applicable approval criteria. Nothing more, and nothing less.

81. Again, there is no dispute that, at the time the pending application was filed, and as of the date of this Decision, the entire proposed subdivision area was/is located within the City of Walla Walla's Urban Growth Area. Consistent with applicable state law, including various provisions found in the Growth Management Act (GMA), the County's Comprehensive Plan designates several urban growth area boundaries, including the area in question.

82. The Examiner is without equitable or legal authority to modify county codes or comprehensive plan policies, or to issue Decisions on applications that would not be in compliance with such codes or policies.

83. The GMA requires counties to have a comprehensive plan that protects surface water and groundwater resources, and it requires applicants seeking approval for building permits or subdivision developments to provide the county with evidence of adequate water supplies as well as potable water supplies, among other provisions. *See* RCW 36.70A.070(5)(c)(iv); RCW 19.27.097(1); and RCW 58.17.110.

84. WWCC 16.14.030 sets forth the County's approval criteria for this preliminary plat application, which expressly requires a determination that: *"A. The proposed subdivision of land complies with the applicable codes, plans and policies in Chapter 16.04.050 or their successors; and B. The proposed lots are served with adequate means of access, fire protection, water supplies and means of sanitary sewage disposal; and C. The proposed*

division of land provides adequate measures for the control of drainage and stormwater; and D. The public health, safety and general welfare will be served by permitting the proposed division of the land."

85. WWCC 16.04.050, referenced in the previously cited code provision, requires that applications shall be approved, approved with conditions or denied based on a determination that the application complies with the following adopted county and state rules, regulations, plans and policies, including, but not limited to: A. RCW 43.21C SEPA; B. RCW 58.09 Survey— Recording; C. RCW 58.17 Subdivisions; D. RCW 36.70A Growth Management; E. RCW 36.70B Local Project Review; F. WWCC Title 11 Stormwater; G. WWCC Title 12 Streets, Sidewalks, and Public Places; H. WWCC Title 17 Zoning; I. WWCC Title 18 Environment; J. Walla Walla County Shoreline Master Program; K. Walla Walla County board of public health rules and regulations; L. Walla Walla County Comprehensive Plan; and M. This title.

86. In other words, the County's Comprehensive Plan is not just aspirational, but its policies are grounds for approving, conditioning, or denying preliminary plat applications, such as this.

SEPA compliance; Conditions imposed under authority of County Code requirements.

87. The County satisfied its SEPA review process for this preliminary plat application through compliance with applicable review and notice procedures. The county received no appeals of its SEPA DNS determination (Ex. 9) issued in connection with the application.

88. Conditions imposed as part of this approval Decision are not based on SEPA, but other County development regulations and requirements, including without limitation WWCC 2.50.070(C), which reads as follows:

> *When addressing a preliminary subdivision application, the hearing examiner may grant or deny the application, or may attach reasonable conditions, modifications and restrictions found necessary to make the project compatible with its location and to carry out the goals and policies of the applicable comprehensive plan, or other applicable plans or programs adopted by the board of county commissioners.*

As conditioned, the application meets requirements for preliminary plat approval.

89. As conditioned below, the Examiner finds that the requested preliminary plat application complies with applicable codes, plans and policies found in WWCC 16.04.050, including without limitation County Comprehensive Plan policies and state statutes that pertain to urban development on properties that are within an urban growth area. *See WWCC 16.14.030(A).*

90. As conditioned below, including a requirement that public water and sewer systems shall serve the entire plat, the Examiner finds that the proposed lots in requested preliminary plat application will be served with adequate means of access, fire protection, water supplies and means of sanitary sewage disposal. *See WWCC 16.14.030(B).*

91. As conditioned below, the Examiner finds that the proposed division of land provides adequate measures for the control of drainage and stormwater. *See WWCC 16.14.030(C).*

92. As conditioned below, the Examiner finds that the public health, safety and general welfare will be served by permitting the proposed division of the land. *See WWCC 16.14.030(D).*

93. As required by RCW 58.17.110(2), the record contains substantial evidence to demonstrate that, as conditioned below, appropriate provisions have been or will be made prior to final plat approval for:

A. The public health, safety, and general welfare: *See Exhibit A, all findings except as modified in this Decision; all Findings above; all Conditions of Approval.*

B. Drainage ways: The preliminary design for the project includes stormwater easements, for stormwater detention and treatment purposes. The project is required to retain and infiltrate storm water on-site. *See Ex. C, proposed plat site plan; Ex. A, findings re: stormwater drainage; Findings above; Testimony of Ms. Prentice; Conditions of Approval.*

C. Streets or roads, alleys, other public ways: Documentary evidence shows that the proposed plat has been reviewed by the appropriate County staff, and has been deemed consistent with all applicable standards for county roads, streets, driveways, access, circulation, transportation concurrency and the like. *See Exhibit A; Conditions of Approval.*

D. Transit stops: Internal roads, sidewalks/walking paths and other design features will conform to applicable county standards which are intended to serve residents of the proposed plat, and provide internal circulation patterns appropriate for pedestrians and vehicles to access transit stops, whenever/ if ever they become available in the area. Transit services are outside the jurisdiction of the Examiner, so the applicant's planning and building for the eventuality/prospect of such service is the best that can be done at this time. The Examiner finds that internal connectivity provided within the proposed new plat, will make carpooling easier for future residents who choose such option, all of which is consistent with city policies to reduce dependency on single-occupancy vehicle travel (See Comp. Plan Transportation Element, Goal TR-5, which is *"to support public transportation options and demand management strategies to reduce single-occupant vehicle use and provide for alternative transportation choices")*.

E. Potable water supplies: Prior to Final Plat Approval, the applicant must establish that the entire plat will be served by a public water system, which can be provided by a Group A water system approved by the Washington State Department of Health, or by the City of Walla Walla's public water utility (NOTE: annexation and/or a subsequent modification of the Coordinated Water System Plan may be necessary).

F. Sanitary and/or septic sewer systems: The City of Walla Walla has provided a letter confirming that its public sewer utility can serve the proposed plat (Ex. 14). The application identifies the city as the designated sewer disposal provider (Ex. 2). The entire proposed plat is located in the City of Walla Walla's designated Urban Growth Area, where urban services are needed to serve this urban-density development project. Prior to final plat approval, the applicant must establish that the entire plat will be served by the city's public sewer utility.

G. Fire protection: The proposed plat is served by Walla Walla County Fire District No. 4. *(Ex. A, page 4)*.

H. Parks and recreation, playgrounds, schools, sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school: The proposed plat will include internal streets an sidewalks or walking paths to meet the County's requirements for such features. *See Exhibit A, page 4, noting that WWCC 16.20.090 mandates sidewalks or paths to be included as part of any residential development within a UGA.*

94. Based on all evidence, exhibits and testimony in the record, the undersigned examiner specifically finds that the proposed plat, as conditioned below, makes appropriate provision for the considerations detailed in WWCC 16.14.030 and that the public use and interest will be served by the proposed plat and associated dedications and improvements.

VI. CONCLUSIONS OF LAW.

1. Based on the Findings as summarized above, the undersigned examiner concludes that the proposed plat, as conditioned below, conforms to all applicable County codes and policies. Upon reaching such findings and conclusions as noted above, the preliminary plat meets the standards necessary to obtain approval by the County.

2. The recommended conditions of approval, as set forth in the Staff Report and modified below, are reasonable, supported by the evidence, and capable of accomplishment.

3. The case noted during the public hearing, *Knight v. City of Yelm*, 173 Wn.2d 325 (2011), reaffirms state subdivision statutes that require an applicant to prove that adequate water service can and will be provided to a proposed plat, prior to final plat approval – not

waiting until the time building permits are issued. The same is true of other required services, including sewer service to a plat that is located in an Urban Growth Area.

4. In *Knight,* the Supreme Court explained that "[a] preliminary plat application is meant to give local governments and the public an approximate picture of how the final subdivision will look. It is to be expected that modifications will be made during the give and take of the approval process." *Knight, at par. 29, citing Friends of the Law v. King County*, 123 Wn.2d 518, 528, 869 P.2d 1056 (1994) (citation omitted). The applicant must make a threshold showing that the completed development is able to comply with applicable ordinances and regulations. *See id*.; *Topping v. Pierce County Bd. of Comm'rs*, 29 Wn. App. 781, 783, 630 P.2d 1385 (1981).

5. While the plat approval process anticipates negotiations and modifications will occur between preliminary plat approval and final plat approval, the preliminary plat process "is not merely an insignificant stage of the proceedings without real consequence." *Loveless v. Yantis*, 82 Wn.2d 754, 759, 513 P.2d 1023 (1973). Any modifications included or required in a conditional approval of the preliminary plat are binding on the party seeking approval and the local decision-making body empowered to grant final conditional approval. *Id.* at 761.

6. Based on the findings set forth above, the Examiner concludes that the proposed plat cannot and does not meet the requirements for preliminary plat approval, unless it is conditioned to require proof of adequate water and sewer service sufficient to serve the entire plat, at or before the time the applicant seeks final subdivision approval. Accordingly, appropriate conditions of approval are included below to bring the proposal into compliance with applicable County requirements for a residential subdivision proposed at an urban-density in an urban growth area.

7. Any Findings or other statements in previous or following sections of this document that are deemed Conclusions are hereby adopted as such.

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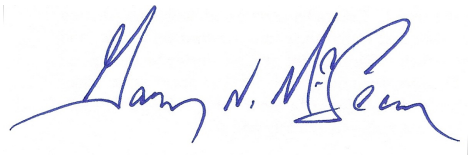
VII. DECISION.

Based upon the preceding Findings of Fact and Conclusions of Law, evidence presented through the course of the open record hearing and all materials contained in the contents of the record, the undersigned examiner APPROVES the Preliminary Plat of West Ransom Clark II, subject to the attached Conditions of Approval.

Decision issued: February 13, 2018.



Gary N. McLean
Hearing Examiner for Walla Walla County

FINALITY OF DECISION AND NOTICE OF RIGHTS OF APPEAL

As provided in WWCC 2.50.070(B), *the decision of the hearing examiner on all matters is final and conclusive, unless appealed pursuant to Chapter 14.11 of the Walla Walla County Code.*

WWCC 2.50.120, captioned "Reconsideration", provides that: *An applicant or party of record to a hearing examiner's public hearing may seek reconsideration only of a final decision by filing a written request for reconsideration with the community development director within ten days of the final decision. The request shall comply with Section 14.11.030 of this code. The hearing examiner shall consider the request at the next regularly scheduled meeting, without public comment or argument by the party filing the request. If the request is denied, the previous action shall become final as of the date of the decision on the request for reconsideration. If the request is granted, the hearing examiner may immediately revise and reissue its decision or may call for argument in accordance with the procedures for closed record appeals. Reconsideration should be granted only when an obvious legal error has occurred or a material factual issue has been overlooked that would change the previous decision.*

Finally, WWCC 2.50.130 addresses appeals of a hearing examiner decision, and reads as follows: *The final decision by the hearing examiner on any matter within his or her jurisdiction may be appealed in accordance with Chapter 14.11 of the Walla Walla County Code.*

> ***NOTE:*** *The Notice provided on this page is only a short summary, and is not a complete explanation of fees, deadlines, and other filing requirements applicable to appeals. Individuals should confer with advisors of their choosing and review all relevant codes, including without limitation the code provision referenced above and state law, particularly the Land Use Petition Act (Chapter 36.70C RCW), for additional information and details that may apply.*

CONDITIONS OF APPROVAL

WEST RANSOM CLARK II

PRELIMINARY PLAT
SUB16-018

General:

A. The preliminary plat of West Ransom Clark II shall comply with all applicable provisions of the Walla Walla County Code, whether or not such provisions are enumerated or referenced in the approved preliminary plat plans, in the staff report or in this Decision. The burden is on the applicant to show compliance with applicable provisions of the WWCC at every stage of development. FURTHER, the applicant shall comply with all professional report conclusions and recommendations submitted in connection with the preliminary plat and engineering reviews, as approved and or modified by the County.

B. Consistent with WWCC 16.14.060, this preliminary plat approval shall be null and void if a final plat application is not made within seven years from the date of preliminary plat approval or the date of resolution of all appeals.

C. The plat shall be developed in substantial conformance with the plans for the *Preliminary Plat of West Ransom Clark II*, prepared by Stratton Surveying & Mapping, PC, dated 10/27/17 (2 sheets, included in the Record as Ex. 3), except as modified by these Conditions of Approval, PROVIDED:

(i) The Director retains full authority and discretion to consider and approve Minor Revisions to such plans, consistent with WWCC 16.14.040(B);

(ii) That Major Revisions – i.e. revisions that result in any substantial changes as determined by the Director, including but not limited to, the creation of additional lots; the elimination of open space; the addition or elimination of a road; a change in the road layout; and material changes to conditions of approval – shall be treated as a new application (WWCC 16.14.040(A)); and

(iii) That all changes are subject to the approval criteria for preliminary subdivisions (WWCC 16.14.040(C)).

D. The applicant shall obtain any permit, license, or approval required by a state, federal, local or other regulatory body with jurisdiction or authority over any particular aspect of the project; any conditions of regulatory agency permits, licenses, or approvals shall be considered conditions of approval for this plat.

Additional Conditions for this Project:

1. All required improvements shall, at a minimum, meet the applicable standards for improvements in of WWCC Section 16.24.050.
2. Adequate fire protection shall be required pursuant to WWCC 16.14.030B.
3. Urban Services Required in Urban Growth Area –

   A. Water: Prior to final plat approval, the applicant must establish that the entire plat will receive adequate public water service, i.e. potable water supply/service, either from the City of Walla Walla, or a Group A public water system, in compliance with WWCC 16.14.030(B) and approved by the Washington State Department of Health. NOTE: depending on the option selected by the applicant, or other events that could occur in the seven years during which this preliminary plat approval is valid, compliance with this condition may entail annexation, amendments to the Coordinated Water System Plan, Department of Health conditions, hearings, or other acts to adequately establish an adequate public potable water supply/service for the plat prior to final plat approval.

B. Sewer: Prior to final plat approval, sewer service shall be provided to the site by the property's designated public sewer utility service provider, which as of the date of this application is the City of Walla Walla.

C. Notice of Final Plat Application and Consideration: When the applicant submits a request for final plat approval that complies with the requirements found in WWCC Chapter 16.36, the County shall comply with any and all applicable public notice requirements. Additionally, the County shall provide the City of Walla Walla with written notice of the request for final plat approval, so the City may provide comments for consideration before any action is taken to approve the final plat. If not the same as the Notice of Application described above, the County shall also provide the City with written notice of any meeting of the Board of County Commissioners where consideration of final plat approval is to be considered.

4. Pursuant to WWCC 16.20.090, sidewalks or paths must be provided in compliance with Walla Walla County Road Standards established by the Walla Walla County Public Works Department.

5. Pursuant to WWCC 16.20.090 private road improvements must be provided in compliance with Walla Walla County Road Standards established by the Walla Walla County Public Works Department.

6. Compliance with comments from the Walla Walla County Public Works Department dated September 18, 2017 and November 27, 2017 is required.

7. Compliance with WWCC Chapter 18.08 – Critical Area Protection is required. A 35-foot buffer is required along Russell Creek per WWCC 18.08.650. Pursuant to WWCC 18.08.640H.1 (Temporary Markers), the outer perimeter of the buffer shall be marked in the field in such a way as to ensure that no unauthorized intrusion will occur and verified by the director prior to commencement of any construction on site. This temporary marking shall be maintained through construction. This buffer must also be shown on the final plat map.

8. The boundaries of all critical areas must be shown on the final plat map.

9. A Density Note must be included on the final plat map documenting compliance with the minimum density requirements in Chapter 17.18.

10. Compliance with WWCC Chapter 18.12 – Flood Damage Prevention is required.

11. The boundary of Lot 8 must be amended so that it is no longer a flag lot, as defined in WWCC 17.08.330(D).

12. Prior to final plat approval, the applicant shall submit written confirmation of easements and other encroachments that have been eliminated as required or approved by the Director, including without limitation written evidence of any decommissioned well(s), and that septic easements adjacent to lots 14, 16, 17 and 18, have been removed prior to final plat approval (Condition suggested by the applicant at the public hearing).

JohnsMonroe MitsunagaKoloušková PLLC

Robert D. Johns *(Retired)*
Michael P. Monroe
Darrell S. Mitsunaga
Duana T. Koloušková
Vicki E. Orrico

VIA E-MAIL
commdev@co.walla-walla.wa.us

Planning Commission
Walla Walla County
314 West Main
Walla Walla, WA 99362

May 23, 2018

Re: 2018 Final Docket Amendment Application
CPA 17-008/REZ 17-008

Dear Commissioners:

We are writing to you on behalf of Mr. Ben Case and Sunset Development LLC, who own property within the above noted area that concerns certain proposed amendments to the County's Comprehensive Plan and Zoning Map; namely, to remove our client's property and other properties from the UGA, and assign these properties a RR-5 land use and zoning designation. For the reasons that follow, we urge you and the County to reject this application and instead maintain the current zoning and inclusion of our client's property within the UGA.

As noted in the February 7, 2018 staff report submitted by the County's Community Development Department (the "Staff Report"), the Third and Langdon UGA area ("Third/Langdon") has been included in the UGA since 1996. At the time the Staff Report was prepared, staff noted that this area has lots ranging in size from approximately 1-acre to 10-acres (See pg. 2 of the Staff Report). As also noted in the Staff Report, the County's Comprehensive Plan does not treat one acre lots as rural (Ibid., See pg. 3).

Since the time the Staff Report was written, the Third/Langdon area has become even more characterized by urban development. Two parcels (APN 360605510006 & 360605514809) located near the center of the Third/Langdon area and totaling approximately 11.65 acres, have received preliminary plat approval creating 18 residential lots. Enclosed with this letter is a preliminary plat map of these residential lots, which shows an average size of approximately one-half acre or so for these new lots (the "West Ransom Clark II Subdivision"). These lots, and the right to develop them with single-family homes, are vested pursuant to RCW 58.17.170.

We believe the Third/Langdon area is already characterized by urban growth. This area is not consistent with a rural area. The County can and should consider the West Ransom

Clark II Subdivision when considering whether this area is currently characterized by urban growth. See, *Quadrant Corp. v. State Growth Management Hearings Bd*, 154 Wash.2d 224, 240, 110 P.3d 1132 (2005).

We further believe that any decision to remove the Third/Langdon area from the UGA would be inconsistent with the GMA's goal of protecting the property rights of landowners. See, RCW 36.70A.020 (6). For over 20 years this area has been designated as falling within the urban growth boundary. During this time owners have made decisions to purchase land within this area based upon that knowledge, and have accordingly paid higher prices for these urban lots with the reasonable expectation that the land could be developed in accordance with the zoning and urban services associated with being within the UGA. Removing these lands from the UGA would obviously have a negative impact on not only the development potential of these lots, but on their value as well.

The City of Walla Walla wishes to have these land returned to a rural designation, while at the same time seeking to expand the UGA to other areas. While there may be benefits in the City's mind for expanding the UGA into areas that are currently outside the UGA (and economic benefits particularly to the owners of those rural lands), the City should not be doing so at the expense of the citizens owning property in the Third/Langdon area. The City should not be permitted to pick winners and losers in this regard.

For the above reasons, we respectfully request the Commission to recommend rejection of the application to remove the Third/Langdon area from the UGA, and instead decide to maintain the current zoning and current designation, and continue the inclusion of this area as being within the UGA.

Very truly yours,

Michael P. Monroe

Enclosure

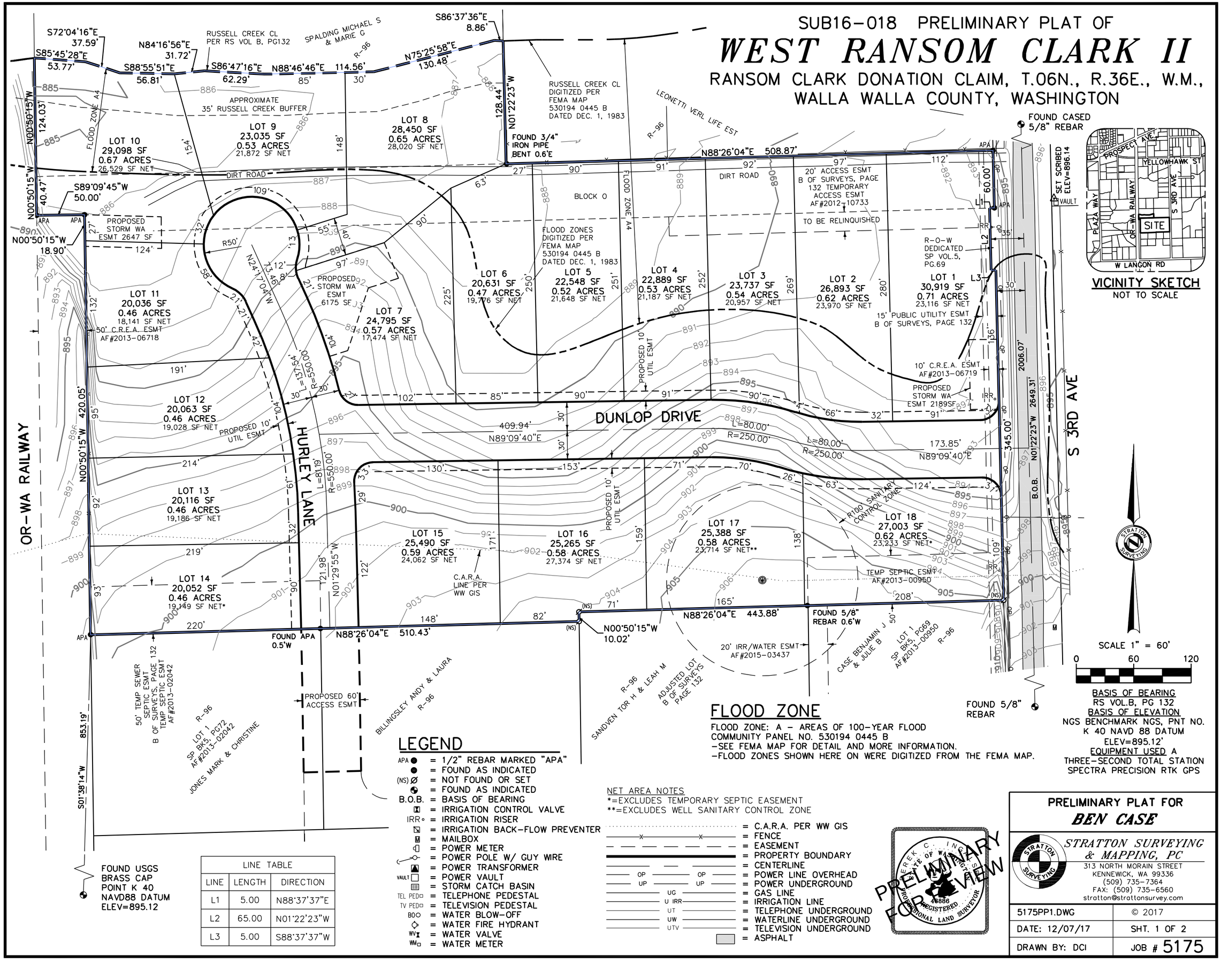
cc: Ben Case, w/encl., via e-mail
Lauren Prentice, w/encl., via e-mail
Elizabeth Chamberlain, w/encl., via e-mail

Direct Tel: (425) 467-9961
Email: monroe@jmmlaw.com

SUB16-018 PRELIMINARY PLAT OF

WEST RANSOM CLARK II

RANSOM CLARK DONATION CLAIM, T.06N., R.36E., W.M.,
WALLA WALLA COUNTY, WASHINGTON



VICINITY SKETCH
NOT TO SCALE

SCALE 1" = 60'
0 60 120

BASIS OF BEARING
RS VOL.B, PG 132
BASIS OF ELEVATION
NGS BENCHMARK NGS, PNT NO. K 40 NAVD 88 DATUM
ELEV=895.12'
EQUIPMENT USED A THREE-SECOND TOTAL STATION SPECTRA PRECISION RTK GPS

FLOOD ZONE

FLOOD ZONE: A - AREAS OF 100-YEAR FLOOD
COMMUNITY PANEL NO. 530194 0445 B
-SEE FEMA MAP FOR DETAIL AND MORE INFORMATION.
-FLOOD ZONES SHOWN HERE ON WERE DIGITIZED FROM THE FEMA MAP.

LEGEND

- APA ● = 1/2" REBAR MARKED "APA"
- ● = FOUND AS INDICATED
- (NS) ⌀ = NOT FOUND OR SET
- ◓ = FOUND AS INDICATED
- B.O.B. = BASIS OF BEARING
- ▣ = IRRIGATION CONTROL VALVE
- IRR ∘ = IRRIGATION RISER
- ▨ = IRRIGATION BACK-FLOW PREVENTER
- M = MAILBOX
- ▯ = POWER METER
- ⟜○ = POWER POLE W/ GUY WIRE
- ▲ = POWER TRANSFORMER
- VAULT □ = POWER VAULT
- ▥ = STORM CATCH BASIN
- TEL PED □ = TELEPHONE PEDESTAL
- TV PED □ = TELEVISION PEDESTAL
- BO ○ = WATER BLOW-OFF
- ◇ = WATER FIRE HYDRANT
- WV ⧗ = WATER VALVE
- WM □ = WATER METER

NET AREA NOTES
*=EXCLUDES TEMPORARY SEPTIC EASEMENT
**=EXCLUDES WELL SANITARY CONTROL ZONE

- ····· = C.A.R.A. PER WW GIS
- -x-x- = FENCE
- — — — = EASEMENT
- ——— = PROPERTY BOUNDARY
- — — — = CENTERLINE
- OP OP = POWER LINE OVERHEAD
- UP UP = POWER UNDERGROUND
- UG = GAS LINE
- U IRR = IRRIGATION LINE
- UT = TELEPHONE UNDERGROUND
- UW = WATERLINE UNDERGROUND
- UTV = TELEVISION UNDERGROUND
- ▭ = ASPHALT

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	5.00	N88°37'37"E
L2	65.00	N01°22'23"W
L3	5.00	S88°37'37"W

PRELIMINARY FOR REVIEW

DEREK C. INGALLS
STATE OF WASHINGTON
18886
REGISTERED
PROFESSIONAL LAND SURVEYOR

PRELIMINARY PLAT FOR
BEN CASE

STRATTON SURVEYING & MAPPING, PC
313 NORTH MORAIN STREET
KENNEWICK, WA 99336
(509) 735-7364
FAX: (509) 735-6560
stratton@strattonsurvey.com

5175PP1.DWG	© 2017
DATE: 12/07/17	SHT. 1 OF 2
DRAWN BY: DCI	JOB # 5175

SUB16-018 PRELIMINARY PLAT OF

WEST RANSOM CLARK II

RANSOM CLARK DONATION CLAIM, T.06N., R.36E., W.M., WALLA WALLA COUNTY, WASHINGTON

DESCRIPTION

A PARCEL OF LAND BEING THAT PART OF TRACT "A" OF THAT CERTAIN SHORT PLAT ON FILE IN BOOK 2 OF SHORT PLATS AT PAGE 38, IN THE OFFICE OF THE WALLA WALLA COUNTY AUDITOR, STATE OF WASHINGTON, SAID PART BEING ALL THAT PART LYING SOUTHERLY OF THE CENTERLINE OF RUSSELL CREEK, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT "A" AND THENCE RUNNING S 88° 26'04" W ALONG THE SOUTH LINE OF SAID TRACT "A," A DISTANCE OF 491.06 FEET TO THE SOUTHWEST CORNER OF SAID TRACT "A," THENCE N 00° 50'15" W ALONG THE WEST LINE OF SAID TRACT "A," A DISTANCE OF 124.03 FEET TO A POINT IN THE CENTERLINE OF SAID RUSSELL CREEK;
THENCE EASTERLY ALONG THE CENTERLINE OF RUSSELL CREEK,
S 85° 45' 28" E, A DISTANCE OF 53.77 FEET;
THENCE S 72° 04' 16" E, A DISTANCE OF 37.59 FEET;
THENCE S 88° 55' 51" E, A DISTANCE OF 56.81 FEET;
THENCE N 84° 16' 56" E, A DISTANCE OF 31.72 FEET;
THENCE S 86° 47' 16" E, A DISTANCE OF 62.29 FEET;
THENCE N 88° 46' 46" E, A DISTANCE OF 114.56 FEET;
THENCE N 75° 25' 58" E, A DISTANCE OF 130.48 FEET;
THENCE S 86° 37' 36" E, A DISTANCE OF 8.86 FEET TO A POINT ON THE EAST LINE OF SAID TRACT "A," THENCE S 01° 22' 23" E, ALONG SAID EAST LINE, A DISTANCE OF 128.44 FEET TO THE POINT OF BEGINNING.
TOGETHER WITH THE LANDS DESCRIBED IN THE FOLLOWING TRACT:
ALL OF BLOCK "O" OF THE RANSOM CLARK DONATION CLAIM, ACCORDING TO THE OFFICIAL PLAT THEREOF RECORDED IN THE OFFICE OF THE AUDITOR OF WALLA WALLA COUNTY, WASHINGTON, IN BOOK "B" OF PLATS AT PAGE 56.
TOGETHER WITH AND SUBJECT TO EASEMENTS, RESERVATIONS, COVENANTS AND RESTRICTIONS, OF RECORD AND IN VIEW.

ALSO TOGETHER WITH THE LANDS DESCRIBED IN THE FOLLOWING TRACT:
A PARCEL OF LAND, SAID PARCEL BEING A PORTION OF BLOCK 60 & 61 OF THE RANSOM CLARK DONATION CLAIM SUBDIVISION ON FILE IN BOOK "B" AT PAGE 56, SAID PARCEL ALSO BEING A PORTION OF LOT 2 OF THAT CERTAIN SHORT PLAT ON FILE IN BOOK 5 AT PAGE 72, AND ALL OF LOT 2 OF THAT CERTAIN SHORT PLAT ON FILE IN BOOK 5 AT PAGE 69, RECORDS OF THE WALLA WALLA COUNTY AUDITOR'S OFFICE, STATE OF WASHINGTON.
EXCEPTING THEREFROM THE LANDS DESCRIBED IN THE FOLLOWING TRACT:
BEGINNING AT THE NORTHEAST CORNER OF LOT 1 OF SAID SHORT PLAT ON FILE IN BOOK 5, AT PAGE 72, AND RUNNING THENCE N 88° 26'14" E, PARALLEL WITH THE SOUTH LINE OF LOT 2 OF SAID SHORT PLAT, A DISTANCE OF 270.00 FEET; THENCE S 00° 50'15" E, PARALLEL WITH THE EAST LINE OF SAID LOT 1, A DISTANCE OF 210.00 FEET TO A POINT IN THE SOUTH LINE OF SAID LOT 2; THENCE S 88° 26'14" W, ALONG SAID SOUTH LINE A DISTANCE OF 270.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE N 00° 50'15" W, ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 210.00 FEET TO THE POINT OF BEGINNING.
ALSO EXCEPTING THEREFROM, THE LANDS DESCRIBED IN THE FOLLOWING TRACT:
A PARCEL OF LAND, SAID PARCEL BEING A PORTION OF BLOCK 61 OF THE RANSOM CLARK DONATION CLAIM SUBDIVISION ON FILE IN BOOK "B", AT PAGE 56, SAID PARCEL ALSO BEING A PORTION OF THE ADJUSTED 10.29 ACRE LOT AS SHOWN ON THAT CERTAIN BOUNDARY LINE ADJUSTMENT SURVEY ON FILE IN BOOK 12,AT PAGE 93, RECORDS OF THE WALLA WALLA COUNTY AUDITOR'S OFFICE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHEAST CORNER OF THE ADJUSTED 1.30 ACRE LOT OF SAID SURVEY, AND RUNNING THENCE N 00° 50'15" W ALONG THE EAST LINE EXTENDED OF SAID LOT, A DISTANCE OF 220.02 FEET; THENCE N 88° 26'14" E, A DISTANCE OF 239.31 FEET TO THE NORTHWEST CORNER OF LOT 1 OF THAT CERTAIN SHORT PLAT ON FILE IN BOOK 5 OF SHORT PLATS AT PAGE 69, RECORDS OF THE WALLA WALLA COUNTY AUDITOR; THENCE S 01° 22'23" E ALONG THE WEST LINE OF SAID LOT 1,
A DISTANCE OF 220.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT; THENCE S 88° 26'14" W, A DISTANCE OF 241.37 FEET TO THE POINT OF BEGINNING.
ALSO EXCEPTING THEREFROM, THE LANDS DESCRIBED IN THE FOLLOWING TRACT:
BEGINNING A THE SOUTHWEST CORNER OF BLOCK 66 OF THE RANSOM CLARK DONATION CLAIM AFORESAID AND RUNNING THENCE NORTH ALONG THE WEST LINE OF SAID BLOCK 66 AND ALONG THE WEST LINE OF BLOCK 61 OF SAID DONATION CLAIM, AND SAID LINE PRODUCED, A DISTANCE OF 1290.0 FEET; THENCE AT RIGHT ANGLES EAST 50.00 FEET; THENCE SOUTH, PARALLEL TO THE WEST LINE OF SAID BLOCKS 61 AND 66, A DISTANCE OF 1290.0 FEET TO A POINT IN THE SOUTH LINE OF SAID BLOCK 66; THENCE WEST ON SAID SOUTH LINE A DISTANCE OF 50 FEET TO THE POINT OF BEGINNING. BEING THE PARCEL OF LAND 50 FEET WIDE CONVEYED BY HARRY A. REYNOLDS AND WIFE TO THE OREGON WASHINGTON RAILROAD & NAVIGATION COMPANY BY DEED RECORDED IN VOLUME 158 OF DEEDS AT PAGE 502 OF THE RECORDS OF WALLA WALLA COUNTY, WASHINGTON.

CONTAINS 11.65 ACRES

NOTES

OWNER:
SUNSET DEVELOPMENT, LLC
P.O. BOX 91
WALLA WALLA, WA 99362

PROPOSED ZONE: R-96

LOTS
NUMBER OF LOTS: 18
LOT SIZE SMALLEST: LOT 11, 2036 SF
LOT SIZE LARGEST: LOT 1, 30,919 SF
LOT SIZE AVERAGE: 24,244 SF
TOTAL PLAT ACREAGE: 11.65 ACRES

ROADS
ROAD LINEAR FEET: 1208
ROAD AREA: 71,279 SF/1.64 ACRES

PROPOSED AREA FOR PUBLIC USE
OPEN SPACE: 0 SF
PUBLIC USE: 0 SF
COMMON AREAS: 0 SF
EASEMENT AREA: 0.70 ACRES

OTHER AREAS
TOTAL GROSS AREA 11.65 ACRES

AREA WITHIN FEMA DGITIZED 100YR FLOOD PLAIN 3.6 ACRES

AREA WITHIN WW GIS C.A.R.A.
10.3 ACRES

NOTES

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

2. FIELD WORK COMPETED 06/03/2016.

3. NO FLOOD STUDY DONE AS PART OF THIS SURVEY.

4. THE LINE WORK FOR THE WALLA WALLA RIVER SHALLOW GRAVEL AQUIFER RECHARGE AREA (C.A.R.A.) SUPPLIED BY THE COUNTY OF WALLA WALLA.

PRELIMINARY FOR REVIEW

PRELIMINARY PLAT FOR
BEN CASE

STRATTON SURVEYING & MAPPING, PC
313 NORTH MORAIN STREET
KENNEWICK, WA 99336
(509) 735-7364
FAX: (509) 735-6560
stratton@strattonsurvey.com

5175PP1.DWG	© 2017
DATE: 12/07/17	SHT. 2 OF 2
DRAWN BY: DCI	JOB # 5175

Rural Residential 5-acre	Suburban Residential R-96
Residential Land Uses:	**Residential Land Uses:**
Single-Family Residential	Single-Family Residential
Mobile Home, Single-wide	Two-family/Duplex
Mobile Home, double-wide	Townhouse
Manufactured Home	Mobile Home, Single-wide
Mobile/Manufactured Home Park	Mobile Home, double-wide
Adult Family Home	Manufactured Home
Long Term Care Facility	Adult Family Home
Senior Citizen Asst. Housing	Bed & Breakfast Type I
Bed & Breakfast Type I	Bed & Breakfast Type II
Bed & Breakfast Type II	Accessory Dwelling Unit
Transient Labor Camps	Home Occupation Type I
Accessory Dwelling Unit	Accessory Use
Home Occupation Type I	
Home Occupation Type II	
Farmworker Dwellings	
Accessory Use	
Retail/Wholesale Land Uses:	**Retail/Wholesale Land Uses:**
Horticultural Nurseries, Retail	*None allowed*
Produce Stand	
Commercial Greenhouses	
Accessory Use	
Government/General Services Land Uses:	**Government/General Services Land Uses:**
Schools, public and private	Schools, public and private
Fire Station	Fire Station
Animal Hospital	Churches & Places of Worship
Churches & Places of Worship	Day Care, Family
Day Care, Family	Utility Facilities
Orphanage/Charitable Institutions	Accessory Use
Utility Facilities	
Wedding and Event Center, Type I	
Wedding and Event Center, Type II	
Accessory Use	
Industrial/Manufacturing Land Uses:	**Industrial/Manufacturing Land Uses:**
Storage/Packing Agricultural Produce	*None allowed*
Winery Type I	
Winery Type II	
Accessory Use	

Rural Residential 5-acre	Suburban Residential R-96
Recreational/Cultural Land Uses:	**Recreational/Cultural Land Uses:**
Art Production Facility	Park
Golf facility	Recreational Facility (Public)
Gun/Archery Ranges (Indoor)	Recreational Facility (Private)
Park	Accessory Use
Recreational Facility (Public)	
Recreational Facility (Private)	
Assembly Halls	
Accessory Use	
Resource Land Uses:	**Resource Land Uses:**
Agritourism Enterprise	Growing of Crops
Growing of Crops	Accessory Use
Small scale value-added ag. processing	
Accessory Use	
Regional Land Uses:	**Regional Land Uses:**
College or Universities, public or private	*None allowed*
Colleges, business colleges, trade schools	
Helistops	
Radio and Television Stations/towers	
Railroad Terminals	
Wireless Communication Facility	
Wireless Communication Facility, Attached	
Accessory Use	

Walla Walla County Community Development Department

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

Date:	May 23, 2018
To:	Walla Walla County Planning Commission
From:	Tom Glover, Director
Prepared by:	Don Sims, Associate Planner
RE:	2018 Final Docket Workshop (CPA17-004/REZ17-004 – Cox, Community College)

Summary of submitted application

The proposal is to amend Comprehensive Plan land use maps LU-1 and LU-3 to assign Public Reserve land use designation to 27-acres owned by Sheryl Cox and the Walla Walla Community College directly east of the college and change the zoning from Rural Residential Mill Creek-5 (RRMC-5) to Public Reserve (PR). The proposed amendments would open the land for possible expansion by the college for additional buildings and other developments requiring urban utilities.

Total Area:	27-acres
Property Owners:	Sheryl Cox, Walla Walla Community College
Assessor's Parcel Numbers(APN):	360714430005, 360714430006
Current land use designation:	Rural Residential Mill Creek
Proposed land use designation:	Public Reserve
Current zoning:	Rural Residential Mill Creek 5-acres (RRMC-5)
Proposed Zoning:	Public Reserve (PR)

The application states that the proposal will "provide an opportunity for private or public facilities to be developed in support of the continued success of Walla Walla Community College." The application further states, that "the proposed rezone does not create excessive additional requirements and public costs for public facilities and services, its location provides access to two well established public arterial roads and public utilities with minimal cost to the public."

As stated in the application, "the Community College has utilized available land within its current campus footprint that is zoned public reserve." The application additionally states that concentrating new developments near existing facilities will be an efficient use of existing facilities. The application also states that land to the east is the only feasible location for future development since the college is located between Tausick Way to the west, Isaacs Avenue to the north, and Mill Creek by the south.

This application was placed on the Final Docket by the Board of County Commissioners; the application has not changed since the Planning Commission's review of the preliminary docket.

Attachments

A. WWCC 14.10.070 – Final docket review and recommendation (excerpt)
B. WWCC 14.15.070 – Final docket review and recommendation and WWCC 14.09.010 – application review criteria (excerpts)

Your notebook also contains application materials and documents from the preliminary docket review period. Aside from this staff report, no new documents are being provided.

Process

At the May 23 workshop staff will give a brief summary of the proposed amendment and the Planning Commission will have the opportunity to ask questions. No recommendation is to be made by the Planning Commission at this workshop.

The Planning Commission will be asked to make its recommendation on which items should be approved by the Board of County Commissioners after a public hearing which is tentatively scheduled for June or July.

Review Criteria

The application shall be subject to the review criteria in WWCC 14.10.070 (Comprehensive Plan map amendments), WWCC 14.09.010 (rezone), and WWCC 14.15.070 (rezone). These criteria are included in Attachments A and B. As noted above, the Planning Commission will have to make recommendations based on its analysis of the applications under these criteria after holding a public hearing. While a recommendation should not be made at the workshop, it would be advisable to use these criteria to frame the discussion at the workshop meeting.

ATTACHMENT A

Comprehensive Plan Amendments – Planning Commission Review Criteria

WWCC 14.10.070 – Final docket review and recommendation.

C. 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.

ATTACHMENT B
Zoning Map Amendments – Planning Commission Review Criteria

WWCC 14.15.070 – Final docket review and recommendation.

B. Planning Commission Review. All proposed amendments on the final docket shall be reviewed and assessed by the planning commission, which shall make recommendations to the board of county commissioners after considering the staff report prepared by the director.

1. Workshop Meeting. The planning commission may first review the recommendations of the director in a workshop meeting(s).

2. Public Hearing. The planning commission shall conduct a public hearing on the proposed amendments as set forth in Sections 14.09.065 and 14.09.070 of this title.

3. Recommendations. For each proposed amendment, the planning commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the following criteria:

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

    b. *The amendment meets a definable public need; and*

    c. *The amendment is in the long term interest of the county.*

WWCC 14.09.010 - Application review criteria.

B. Rezone Not of General Applicability Review Criteria. An application for a rezone not of general applicability shall be approved, approved with conditions, or denied based upon a determination that the rezone meets the following criteria:

1. *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*

2. *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*

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

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

5. *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.*

Walla Walla County Community Development Department

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

Date:	May 23, 2018
To:	Walla Walla County Planning Commission
From:	Tom Glover, Director
Prepared by:	Don Sims, Associate Planner
RE:	2018 Final Docket Workshop (CPA17-003/REZ17-003 – J.R. Simplot Company)

Summary of submitted application

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 Attachments C and D. Both properties are 160-acres in area.

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).

These are the same amendments that were considered in 2017 under applications CPA17-002 and REZ17-002 and approved by the Board of County Commissioners via Ordinance No. 468. According to the Applicant, the new applications were submitted to conform to the November 30, 2017 deadline for receipt of Comprehensive Plan Amendments to be considered during 2018. They stated in their cover letter that "the enclosed are filed as a back-up only to the pending CPA17-002/REZ17-002 and will be withdrawn should CPA17-002/REZ17-002 be approved and all administrative and/or judicial appeal periods run." This application was placed on the Final Docket by the Board of County Commissioners; the application has not changed since the Planning Commission's review of the preliminary docket. Additionally, the information and analysis in the application materials is the same the 2017 proposal.

Attachments

A. WWCC 14.10.070 – Final docket review and recommendation (excerpt)
B. WWCC 14.15.070 – Final docket review and recommendation and WWCC 14.09.010 – application review criteria (excerpts)
C. CPA17-002 Vicinity Map (from Ordinance No. 468)
D. REZ17-002 Vicinity Map (from Ordinance No. 468)

Your notebook also contains application materials and documents from the preliminary docket review period. Aside from this staff report, no new documents are being provided.

Process

At the May 23 workshop staff will give a brief summary of the proposed amendment and the Planning Commission will have the opportunity to ask questions. No recommendation is to be made by the Planning Commission at this workshop.

The Planning Commission will be asked to make its recommendation on which items should be approved by the Board of County Commissioners after a public hearing which is tentatively scheduled for June or July.

Review Criteria

The application shall be subject to the review criteria in WWCC 14.10.070 (Comprehensive Plan map amendments), WWCC 14.09.010 (rezone), and WWCC 14.15.070 (rezone). These criteria are included in Attachments A and B. As noted above, the Planning Commission will have to make recommendations based on its analysis of the applications under these criteria after holding a public hearing. While a recommendation should not be made at the workshop, it would be advisable to use these criteria to frame the discussion at the workshop meeting.

ATTACHMENT A
Comprehensive Plan Amendments – Planning Commission Review Criteria

WWCC 14.10.070 – Final docket review and recommendation.

E. 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.

ATTACHMENT B
Zoning Map Amendments – Planning Commission Review Criteria

WWCC 14.15.070 – Final docket review and recommendation.

B. Planning Commission Review. All proposed amendments on the final docket shall be reviewed and assessed by the planning commission, which shall make recommendations to the board of county commissioners after considering the staff report prepared by the director.

1. Workshop Meeting. The planning commission may first review the recommendations of the director in a workshop meeting(s).

2. Public Hearing. The planning commission shall conduct a public hearing on the proposed amendments as set forth in Sections 14.09.065 and 14.09.070 of this title.

3. Recommendations. For each proposed amendment, the planning commission shall recommend that a proposed amendment be approved, approved with modifications, or denied based on the following criteria:

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

    b. *The amendment meets a definable public need; and*

    c. *The amendment is in the long term interest of the county.*

WWCC 14.09.010 - Application review criteria.

B. Rezone Not of General Applicability Review Criteria. An application for a rezone not of general applicability shall be approved, approved with conditions, or denied based upon a determination that the rezone meets the following criteria:

1. *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*

2. *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*

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

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

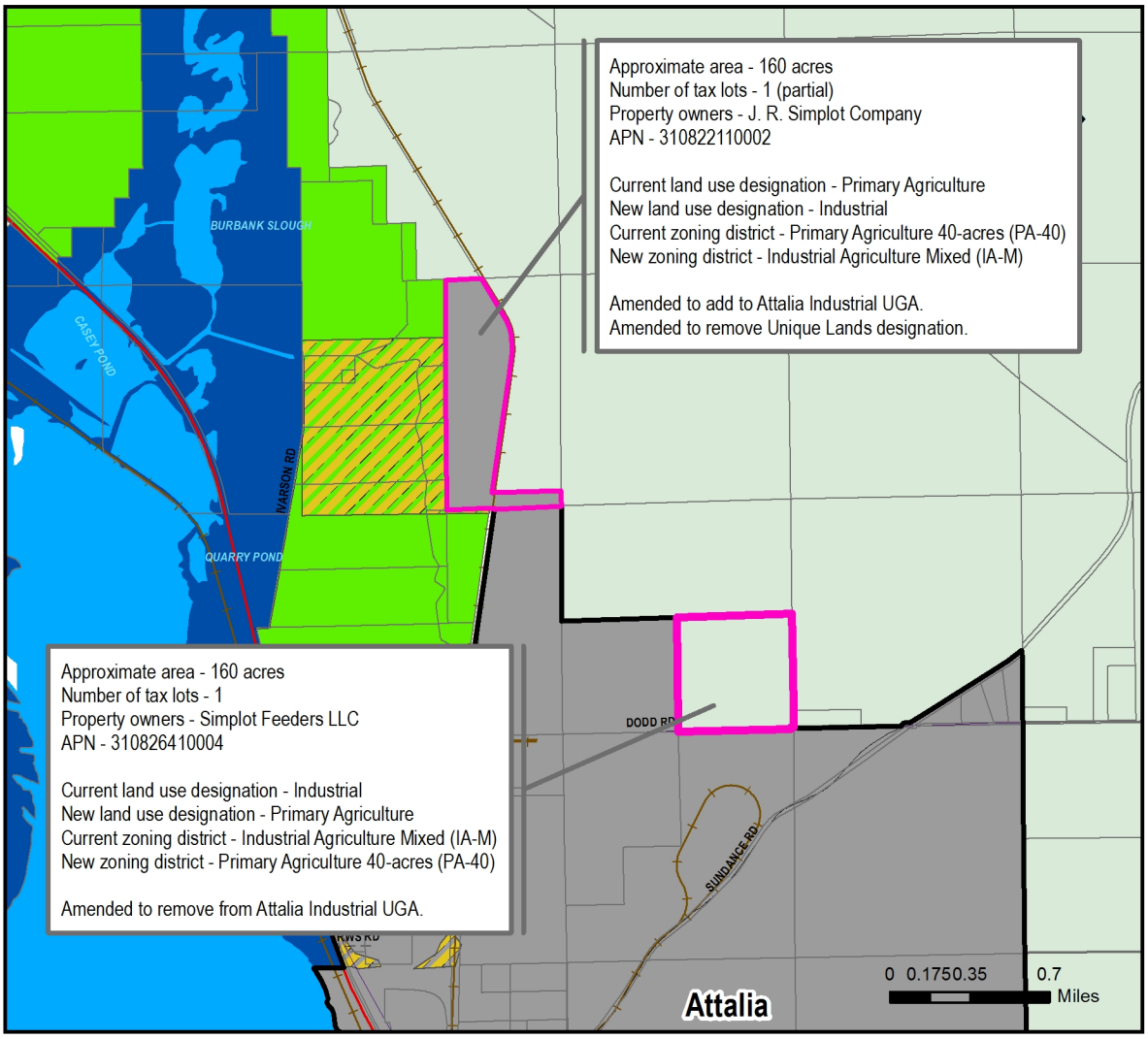
5. *Is warranted:*

    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.*

J.R. Simplot Company
Land Use Map Amendments
(CPA17-002)



ROADS
- HIGHWAYS
- PUBLIC ROADS
- PRIVATE ROADS
- RAILROADS
- RIVERS/STREAMS

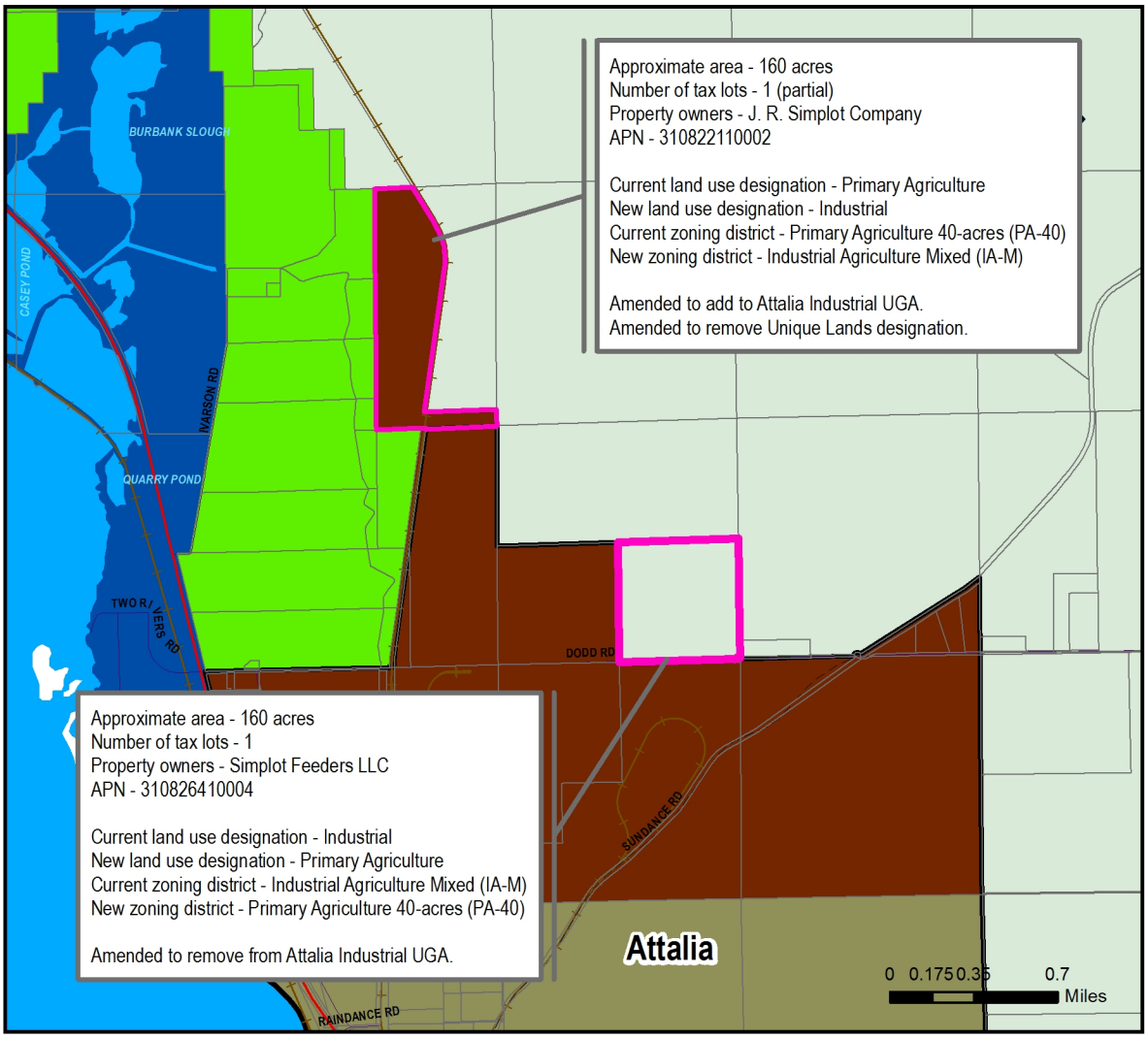
BOUNDARIES
- URBAN GROWTH AREA
- TAXLOTS
- COUNTY BOUNDARY

LAND USE DESIGNATIONS
- AGRICULTURE RESIDENTIAL
- INDUSTRIAL
- PRIMARY AGRICULTURE
- PUBLIC RESERVE
- UNIQUE LANDS

J.R. Simplot Company

Zoning Map Amendments

(REZ17-002)



Print Date: 12/21/2017

Walla Walla County Community Development Dept. - 310 W. Poplar Street, Suite 200, Walla Walla WA 99362 - (509) 524-2610