

Return Address
Walla Walla County Commissioners
PO BOX 1506
Walla Walla, WA 99362

Document Titles (i.e.: type of document)

**Ordinance No. 397 – Approving amended request to County Code Title 17
to allow for Type III Bed and Breakfast Guesthouses with Expanded Food
Service**

Auditor File Number(s) of document being assigned or released:

Grantor

1. **Walla Walla County Commissioners**
- 2.
- 3.

Additional names on page ____ of document.

Grantee

1. **The Public**
- 2.
- 3.

Additional names on page ____ of document.

Legal description (i.e.: lot and block or section township and range)

Additional legal is on page ____ of document.

Assessors Parcel Number

Additional parcel number is on page ____ of document.

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein. Please type or print the information. This page becomes part of document.

2011-04817 ORD

06/22/2011 09:24:45 AM Page 1 of 8 Fees: 69.00

Karen Martin County Auditor, Walla Walla County WA



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

ORDINANCE NO. 397

APPROVING AN AMENDED REQUEST, WITH MODIFICATIONS, BY CAMEO HEIGHTS FOR A ZONING CODE TEXT AMENDMENT TO WALLA WALLA COUNTY CODE TITLE 17 TO ALLOW FOR TYPE III BED AND BREAKFAST GUESTHOUSES WITH EXPANDED FOOD SERVICE.

WHEREAS, RCW 36.70A.470 requires that the County include a procedure that allows for any interested person to suggest amendments to the comprehensive plan or development regulations, and that the amendments must be docketed and considered on at least an annual basis; and

WHEREAS, in January 2010 Walla Walla County, through Resolution 10-013, established a docketing procedure for 2010 to consider non-county-sponsored development regulation amendments; and

WHEREAS, Cameo Heights, on March 13, 2010, submitted an application, ZCA 2010-003, for a development regulation amendment to be considered during the 2010 docket process; and

WHEREAS, Cameo Heights submitted a modified proposal on October 21, 2010; and

WHEREAS, the Board finds that the modified proposal, as amended by County staff, would provide a unique agricultural experience, help support agricultural activities and allow for Bed and Breakfast Guesthouses to serve local residents in addition to tourists;

NOW THEREFORE,

BE IT ORDAINED, by the Walla Walla County Board of County Commissioners that:

Section I. The Board of County Commissioners Makes the Following Findings of Fact:

1. Notices of a Planning Commission Workshop, open to the public, were published in the Waitsburg Times on April 1, 2010, the Walla Walla Union Bulletin on March 31, 2010 and the Tri-City Herald on April 3, 2010.
2. The Planning Commission held a workshop on April 14, 2010.
3. Notices of an Informational Public Meeting were published in the Waitsburg Times on April 8, 2010 and the Walla Walla Union Bulletin on April 8, 2010.
4. The Informational Public Meeting was held on April 21, 2010.

5. Notices of a Planning Commission Workshop, open to the public, were published in the Waitsburg Times on April 22, 2010, the Walla Walla Union Bulletin on April 22, 2010 and the Tri-City Herald on April 25, 2010.
6. The Planning Commission held a workshop on May 5, 2010.
7. Notices of a Planning Commission Public Hearing for the 2010 Preliminary Docket were published in the Waitsburg Times on May 20, 2010, the Walla Walla Union Bulletin on May 18, 2010 and the Tri-City Herald on May 20, 2010.
8. The Planning Commission held the 2010 Preliminary Docket Public hearing on June 2, 2010.
9. The Planning Commission recommended placing Cameo Heights' amendment on the 2010 Final Docket.
10. At a regularly scheduled meeting on June 16, 2010 the Board of County Commissioners established the Final Docket for the 2010 Walla Walla County Development Regulation Amendment Cycle.
11. Notices of an Informational Public meeting were published in the Waitsburg Times on July 22, 2010, the Walla Walla Union Bulletin on July 18, 2010 and the Tri-City Herald on July 19, 2010.
12. The Informational Public Meeting was held on August 4, 2010.
13. Notices of a Planning Commission Public Hearing for the 2010 Final Docket, open to the public, were published in the Waitsburg Times on August 19, 2010, the Walla Walla Union Bulletin on August 19, 2010 and the Tri-City Herald on August 19, 2010.
14. The Planning Commission held the 2010 Final Docket Public hearing on September 1, 2010.
15. The Planning Commission recommended denial of ZCA 2010-003.
16. Notices of the Board of County Commissioners' Public Hearing for the 2010 Non-County sponsored Comprehensive Plan and Development Regulations Amendment Final Docket were published in the Waitsburg Times on October 21, 2010, the Walla Walla Union Bulletin on October 21, 2010 and the Tri-City Herald on October 21, 2010.
17. Cameo Heights submitted a revision amending its proposal on October 21, 2010.
18. The Board of County Commissioners held the 2010 Non-County sponsored Comprehensive Plan and Development Regulations Amendment Final Docket public hearing on November 1, 2010.
19. Rather than take action on the original proposal or the amended proposal, the Board of County Commissioners directed staff to review the amended proposal, and directed staff to set another public hearing before the Board of County Commissioners during the first quarter of 2011.
20. A new SEPA checklist was submitted by Cameo Heights on March 16, 2011, to address the differences between the original proposal and the amended proposal.



21. Walla Walla Joint Community Development staff issued a new SEPA Determination on March 23, 2011. No Appeals of the Determination were filed.
22. A Notice of Public Hearing, Notice of Public Information Meeting and Notice of Public Workshop were published on April 20, 2011 in the Walla Walla Union-Bulletin and on April 21, 2011 in the Waitsburg Times and the Tri-City Herald.
23. An Informational Public Meeting, a Public Workshop and Public Hearing before the Board of County Commissioners were held on the revised Cameo Heights amendment on May 2, 2011.
24. In the May 2, 2011 staff report to the Board of County Commissioners, WWJCDA staff recommended that the proposal be denied or amended in order to achieve compliance with the County Comprehensive Plan. Staff recommended that, if approved, the use be allowed only through conditional use permit, and that clearer criteria be identified.
25. No one spoke in opposition to the proposal at the May 2, 2011 public hearing, and no comments were received in opposition to the amendment.
26. The Board of County Commissioners requested that the Walla Walla County Prosecuting Attorney's office make amendments to the proposal to be consistent with the staff's recommendations.

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

1. The proposed amendments, as modified, are in compliance with RCW 36.70A, RCW 36.70B and the Washington Administrative Code.
2. The proposal meets a definable public need.
3. The defined need conforms to policy directives of the comprehensive plan and countywide planning policies.
4. The proposed revisions, as modified, are consistent with the County Comprehensive Plan and Growth Management Act.
5. By requiring that any proposed bed and breakfast type III guesthouse have no adverse effect on continued and compatible use of agricultural land either within or adjacent to the proposed property, the proposed revision, as modified, complies with RCW 36.70A.177(3)(a).
6. The proposed amendments, as modified, will comply with WAC 365-196-815(3)(c)(iii)(B) by allowing the use only within a primary dwelling unit, and limiting the number of guests to 25 at a time.
7. The proposed amendments, as modified, will comply with WAC 365-196-815(3)(c)(iii)(B) by requiring that compliance with that section be met at time of application.
8. The proposed revisions are in the long term interest of the County.



Section III. Adoption of Amended Sections 17.08.074 and 17.16.014, and Adoption of New Subsection 17.08.074C.

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

The amendments to Walla Walla County Code Sections 17.08.074 - Bed and Breakfast Guesthouse, and 17.16.014- Permitted Use Table, and new Subsection 17.08.074C -Bed and Breakfast Guesthouse Type III, as presented to the Board of County Commissioners on this date are adopted as shown in Exhibit A.

Section IV. Effective Date and Savings.

This Ordinance is effective upon signing.

Section V. Severability.

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section VI. Publication.

This Ordinance will be published by an approved summary consisting of the title.

PASSED by the Walla Walla County Board of County Commissioners in regular session at Walla Walla, Washington, then signed by its membership and attested by its Clerk in authorization of such passage this 20th day of June, 2011.

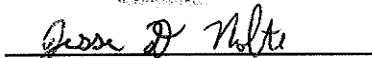
Attest:



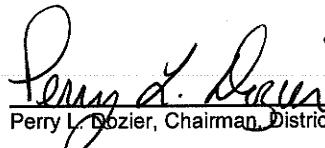
Connie R. Vinti, Clerk of the Board



Approved as to form



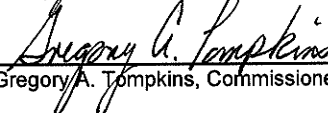
Jesse Nolte
Deputy Prosecuting Attorney



Perry L. Dozier, Chairman, District 2



Gregg C. Loney, Commissioner, District 1



Gregory A. Tompkins, Commissioner, District 3

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

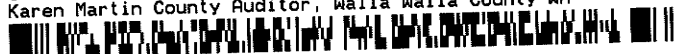


EXHIBIT A

Section I. Change to subsection WWCC 17.08.074.

17.08.074 - Bed and breakfast guesthouse.

"Bed and breakfast guesthouse" means an establishment providing overnight accommodations and food services located in a dwelling unit provided to transients for compensation or utilized by the owner or operator as short-term lodging for travelers and transient guests. A bed and breakfast guesthouse establishment is subject to the following conditions:

- A.** Number of Lodging Units. Not more than ten lodging units will be present in any dwelling unit; travelers or transient guests may not stay longer than thirty days;
- B.** Occupancy. Property owner or operator occupied;
- C.** Parking. One off-street parking space must be provided for each lodging unit in addition to the parking requirements for the use of the structure as a dwelling unit;
- D.** Food Service. Only limited food service as permitted under Washington Administrative Code (WAC) Chapter 246-215, Food Service, may be provided. Food service is limited to overnight guests, or, in the case of Type III bed and breakfast guesthouses, 25 guests at a time;
- E.** Signs. Signs associated with this use shall be limited to four square feet in size, except bed and breakfast establishments in a zone which allows signs larger than four square feet may have a larger sign, provided it is in compliance with the size standards for that district. Signs shall meet all setback requirements for the zone in which the bed and breakfast establishment is located.

Section II. New subsection: 17.08.074C-Bed and breakfast guesthouse type III.

17.08.074C – Bed and breakfast guesthouse type III

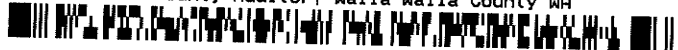
Bed and Breakfast guesthouse type III means a bed and breakfast guesthouse located in a primary dwelling unit. This type III designation includes, as an approved nonagricultural accessory use, the option of dining service for up to 25 guests at a time. Bed and Breakfast type III guesthouses must: (1) meet all the applicable health and safety requirements of any required food service permit; (2) have no adverse effect upon the continued and compatible use of agricultural land either within or adjacent to the proposed property; and (3) meet the various requirements of WAC 365-196-815(3)(c)(iii)(B).



Section III. Change to Subsection 17.16.014: adding Bed and Breakfast Type III to the permitted uses table, and permitting the use only in the Primary Agriculture 40 zone by Conditional Use Permit.

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 <u>Chapter 17.08</u>																			
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.			
P	E	G	A	R	R	R	R	RR	R	R	R	R	R	R	RD-	R	R	R	
A	A	A	R	R	R	R	A	A	M	R	R	-	-	-	M	R	D	F	A
-	-	-	-	-	-	-	-	C-	-	-	9	7	6			-	C	C	
4	1	2	1	4	2	1	5	5	2	5	6	2	0			C			
0	2	0	0	0	0	0										I			
	0																		
Specific Use																			



TEMPORARY LODGING																			
* Bed & Breakfast Type I	P		P	P	P	P	P	P	P	P	P	P	P	P					P
* Bed & Breakfast Type II	C		C	C	C	C	C	C	C	C	C	C	C	C					C
*Bed & Breakfast Type III	C																		

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 <u>Chapter 17.08</u>										
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										
TEMPORARY LODGING										
* Bed and Breakfast Type I										P
* Bed and Breakfast Type II										C
*Bed and Breakfast Type III										

