


WALLA WALLA COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
310 W Poplar St., Suite 200
Walla Walla, WA 99362
509-524-2610
permits@co.walla-walla.wa.us

ZONING CODE TEXT AMENDMENT APPLICATION

This application shall be subject to all additions to and changes in the laws, regulations and ordinances applicable to the proposed development until a determination of completeness has been made pursuant to Chapter 14.07 WWCC. *All zoning code text amendment applications shall be submitted on or before March 31st of each year.*

Applicant Information

Name: Tim Rockey

Mailing address: P.O. Box 1510

City: Graham State: WA Zip: 98338

Phone: 360-893-5948 Email: timrockey@comcast.net

Names, addresses, and telephone numbers of additional applicants or applicant's representatives, if any:

Greg Flowers, 5 N. Colville, Walla Walla, WA 99362

509-956-3026 flowersg@hdjdg.com

Proposed Amendment

Section(s) of code to be amended: 17.08, 17.16.014 and 17.22

Description of the proposed amendment, (if additional space is needed, include in the written statement outlined on the following page of this application):

See attached statement

Written Statement

Please attach explanations on how the proposal meets the following approval criteria of Walla Walla County Code Sections 14.15.060 and 14.15.070:

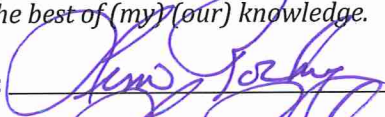
1. The amendment is consistent with the comprehensive plan; and
2. The amendment is consistent with other development regulations, unless accompanied by amendments to such other development regulations; and
3. The amendment is appropriate for consideration at this time.
4. The amendment meets a definable public need; and
5. The amendment is in the long term interest of the county.

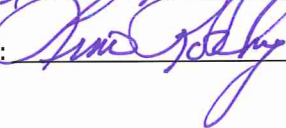
The following *must* be submitted with this completed form for the application to be complete:

- Application fee of \$950 payable to Walla Walla County.
- SEPA environmental checklist with a fee of \$380 payable to Walla Walla County.
- A written statement that addresses the approval criteria identified on page 1 of this application.

The signature of each applicant or the applicant's representative, and each property owner if different than the applicant(s), is required per 14.07.025 WWCC.

(We) (I) certify that the information furnished within this application, including all submittals and attachments, is true and correct to the best of (my) (our) knowledge.

Applicant Signature:  Date: 2-29-16

Property Owner Signature:  Date: 2.29.16

Additional Applicant(s) / Representative _____ Date: _____

Additional Property Owner(s) _____ Date: _____

Sections of the Code to be amended:

The proposed zoning code text amendment pertains to Walla Walla County Code of Ordinances Titles 17.08, 17.16.014 and 17.22, and adds brewery to the definition and permitted uses for breweries in the Agriculture Residential 10 zone and establishes development standards for breweries that are similar to the development standards for wineries.

Description of proposed amendment:

Walla Walla County Code of Ordinances currently does not have any provisions for breweries. The proposed amendment would amend the current County Code of Ordinances to define breweries, allow them as a permitted use in the AR-10 zone and establish development standards for breweries.

The proposed amendments would affect approximately 30,000 acres of land in the Agricultural Residential land use designation from the Comprehensive Plan which are designated lands of long-term commercial significance. Policies for these resource lands are provided in Chapter 6 of the Walla Walla County Comprehensive Plan.

Agriculture Residential (excerpt from Page 6-31, Walla Walla County Comprehensive Plan).

All lands designated as Agriculture Residential lands are lands of long-term commercial significance. This land use designation is intended for areas that are currently in agricultural use, that are located adjacent to existing rural lands, rural activity centers, and urban growth areas. Typically, these areas are in smaller land ownerships with higher density residential development than in other agricultural areas of the County. This land use designation is primary agriculture with a mix of residential land uses. Limited home occupations that are clearly incidental to the agricultural nature of these areas will be allowed. A limited amount of commercial-tourism activity will be allowed in this district, while limited commercial business that support agriculture will be allowed outright, with those uses having a high nuisance value, safety issues, or environmental implications allowed only by conditional use permit. Large-scale natural resource-processing industry is not considered a compatible use, except on a limited basis. The allowed density in this designation is one dwelling unit per 10 acres.

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

- The primary ingredients used in beer production are barley, wheat and hops. Although the agricultural climate of the Walla Walla river valley will support hop production the infrastructure is not present that would make it a viable crop in this region. However, wheat is a predominate crop and barley has been in the past. Table 11.18 (Cropping Trends 1996-2006) of the Walla Walla County Comprehensive Plan indicates that irrigated barley decreased 86.7% from 1,519.8 acres in 1996 to 202.3 acres in 2006. Commercial craft beer production (breweries) would encourage increased production of local barley and wheat.
- The proposed amendment is consistent with other permitted uses and development regulations in the Agriculture Residential 10 zone such as wineries, bed & breakfast, and wedding and event centers. Breweries would create business opportunities, promote and enhance tourism and support agricultural production. Commercial craft beer production breweries have no toxic air emissions.

- Wineries, Bed & Breakfasts and wedding and event centers have established that they are compatible with this zone and that they enhance the economy and rural lifestyle of Walla Walla County. This is an appropriate time to consider amending the Walla Walla County Code of Ordinances to also allow breweries.
- Walla Walla County Code of Ordinances does not currently have any regulations or accommodations for breweries. Burwood Brewing Company currently successfully operates in one of the Port of Walla Walla incubators indicating that this would be an appropriate time to consider amending the Walla Walla County Code to make allowances for the continued development of breweries within Walla Walla County.
- Amending the Code of Ordinances to allow breweries in the Agriculture Residential 10 zone will encourage the production of wheat and barley used in beer production, create business and employment opportunities and enhance Walla Walla county tourism and overall long term livability and appeal without altering the traditional rural lifestyle or interfering with long-term agricultural production.

A majority of the land located within the Agriculture Residential 10 acre zone is served by improved public roads, electrical distribution lines and communications lines. The existing road, power and communications infrastructure should be capable of accommodating any increase in traffic and demand for services caused by breweries.

Chapter 6, Section 6.2 of the 2009 Comprehensive plan states in part the *“Counties are directed to foster land use patterns and develop a local vision of rural character that will preserve rural-based economies and traditional rural lifestyles; encourage the economic prosperity of rural residents; foster opportunities for small-scale, rural-based employment and self-employment; permit the operation of rural-based agricultural, commercial, recreational and tourist businesses that are consistent with the existing and planned land use patterns; foster the private stewardship of the land and the preservation of open space; enhance the rural sense of community and quality of life; and adopt measures to minimize and contain areas of more intensive rural development in a manner which discourages low-density sprawl.”*

The use would be compatible with the surrounding area. No extension of urban services would be required. Also, the community would be able to incorporate beer production with the rural character of the surrounding lands, creating opportunities for small-scale, rural base employment and self-employment, create recreational and tourist business opportunities that are consistent with the existing and planned land use patterns; foster the private stewardship of the land, preserve open space, enhance the rural sense of community and quality of life and permit the operation of rural-based agriculture.

The use would be compatible with the surrounding area; No extension of urban services would be required. Also, the community would be able to enjoy and incorporate the rural character of the surrounding lands with the commercial production and sale of locally produced beer without harm to the character of the surrounding lands or the environment. For these reasons, the planning commission should recommend this amendment to the Board of Commissioners and the Board of Commissioners should approve the proposed amendment.

Suggested changes are:

WWCC 17.01

17.08 Definitions

Add a section to define brewery

"A brewery or brewing company is a business that makes and sells beer."

See the definition in **17.22.xxx**

17.16.014 Permitted uses table

Industrial/Manufacturing Land Uses

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	RA-C	
Specific Use																			
*Brewery Type I			P3																
*Brewery Type II			C3																

17.22

Add breweries and applicable development standards to allow uses similar to wineries.

CHAPTER 17.22 - DEVELOPMENT STANDARDS—WINERIES

17.22.010 - Purpose.

The regulations set out in this chapter set forth guidelines for winery and brewery development. (Ord. 364 § 3(part), 2008)

17.22.020 - Applicability.

All wineries and breweries shall be governed by this chapter unless the standards of this chapter are more restrictive than a permit issued prior to the effective date of the ordinance codified in this chapter. In such case, the previously issued permit shall govern. (Ord. 364 § 3(part), 2008)

17.22.030 - Definition.

- A. A winery is a facility specifically designed, at a minimum, for one or more of the following: crushing, fermentation, and barrel aging of wine. Facilities located on land zoned industrial, commercial, or airport development shall be considered wineries as long as such facilities comply with state licensing requirements for wineries. A winery may include any of the following: a tasting room, barrel rooms, bottling rooms, tank rooms, laboratories, and offices. Uses that are clearly incidental to the production of wine are allowed accessory uses to a winery. These may include, but are not limited to, the following: bottling, case goods storage, retail and/or wholesale sales of wine, employee day care, tours, ancillary retail sales, public display of art to wine related items, picnic areas, and food service. Food service is not to include restaurants, unless otherwise allowed in the zoning district.
- B. Winery, Type I. On a legal lot of record, the total cumulative building area of structure or structures housing a winery must be less than twelve thousand square feet and be served by fewer than forty parking spaces.
- C. Winery, Type II. Any winery on a legal lot of record exceeding the size requirements of a Type I winery, or that exceeds the number of events in Section 17.22.040(B), or that is located on a legal lot of record with another winery. (Ord. 364 § 3(part), 2008)
- D. A brewery is a facility specifically designed, at a minimum for one or more of the following: brewing beer or other malt liquors, milling or crushing of grains to be used, mashing of milled or crushed grains. Facilities located on land zoned industrial, commercial, or airport development shall be considered wineries as long as such facilities comply with state licensing requirements for breweries. A brewery may include any of the following: a tasting room, milling facility, mashing facility, brewing facility, bottling facility, laboratory and offices. Uses that are clearly incidental to the production of beer are allowed accessory uses to a brewery. These may include, but are not limited to, the following: bottling, case goods storage, retail and/or wholesale sales of beer, employee day care, tours, ancillary retail sales, public display of art to beer related items, picnic areas, and food service. Food service is not to include restaurants, unless otherwise allowed in the zoning district.
- E. Brewery, Type I. On a legal lot of record, the total cumulative building area of structure or structures housing a winery must be less than twelve thousand square feet and be served by fewer than forty parking spaces.
- F. Brewery, Type II. Any brewery on a legal lot of record exceeding the size requirements of a Type I brewery, or that exceeds the number of events in Section 17.22.040(B), or that is located on a legal lot of record with another brewery or winery.

17.22.040 - Events.

- A. For all wineries and breweries, Walla Walla Wine Alliance functions, trade-related functions, wine or beer club events, winemaker or brewmaster dinners and regional promotional events such as Holiday Barrel Tasting Weekend, Spring Release Weekend, and Walla Walla Balloon Stampede Weekend are part of the normal operations of a winery or brewery, as is the daily traffic associated with a tasting room. Capacity is limited by building occupancy and parking limitations.
- B. Events not related to the operational and marketing aspects of the winery or brewery, such as weddings, receptions, and meetings/retreats, shall be limited to not more than three large (two hundred fifty guests maximum) and twenty-four small (seventy-five guests maximum) events per year per legal lot of record. Capacity is limited by building occupancy and parking limitations.
- C. For Type II wineries and breweries, the hearing examiner may place a limit on the number of or size of events allowed. This is to be based on findings of fact which specify the need to mitigate impacts via these limitations. (Ord. 364 § 3(part), 2008)

17.22.050 - Access.

The winery or brewery shall have adequate access from a public road or approved private road. Driveway access shall be twenty feet in width with an all-weather surface at a minimum, and constructed to current public works department standards. If the driveway access is connected to a paved public or private road, the driveway must be paved for a minimum distance of twenty feet from the edge of the connecting road. Wineries that share a private road must submit a road maintenance agreement at the time of permit application, signed by all legal property owners or their legal designee(s). Without the road maintenance agreement included as part of the application, the application will be determined as incomplete and will not be considered for approval until the agreement is submitted. All legal property owners must sign for the permit to be approved. Upon approval of the permit application, the road maintenance agreement will be legally recorded. (Ord. 364 § 3(part), 2008)

17.22.060 - Food service.

- A. Wineries and breweries will be allowed limited food services on-site. This food service is not to include restaurants, unless otherwise allowed in the zoning district, but may include the following:
 - 1. Deli-service of prepackaged food;
 - 2. Winemaker or brewmaster dinners;
 - 3. Food service for events.
- B. The following criteria must be met unless otherwise allowed in the zoning district:
 - 1. No interior seating will be dedicated solely to the purpose of meal service.
 - 2. No food will be cooked to order, although a list of prepackaged foods may be posted. (Ord. 364 § 3(part), 2008)

17.22.070 - Ancillary retail sales.

Ancillary retail sales must be clearly accessory to the primary use. These sales may include, but will not be limited to, items such as: trademark items, items which promote the region or the wine and beer industry, other regional value-added agricultural products, art, prepackaged foods and cheese. (Ord. 364 § 3(part), 2008)

17.22.080 - Permit application.

A permit is required for all wineries and breweries. A permit may be revisited by the Walla Walla County community development department if any of the above activities are deemed outside of the scope, purpose and/or use of a winery or brewery. (Ord. 364 § 3(part), 2008)