



Walla Walla County Community Development Department

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To: Walla Walla County Planning Commission

From: Lauren Prentice, Director
Don Sims, Associate Planner

Meeting Date: December 14, 2020

RE: **Public Hearing Agenda Item No. 1** – Application by JB George, LLC. to amend WWCC 17.16.014, Permitted Uses Table. The amendment would allow Type III Winery facilities in the Rural Residential-5 (RR-5) zoning district.
Docket No. ZCA20-001

Background

The application was received by the Community Development Department on March 26, 2020, during the 2020 application period. Due to workload and delays caused by the ongoing pandemic, review of legislative applications has been delayed.

Staff Conclusion

Community Development Department (CDD) staff concludes that the proposed amendments meet the Community Development Department's review criteria in Walla Walla County Code (WWCC) 14.15.060C(1-3) and can be considered for inclusion on the Final Docket.

Staff Recommendation

Staff recommends that if the Planning Commission finds that the application, docket number ZCA20-001, is consistent with WWCC 14.15.060D(3), it should be recommended to the Board of County Commissioners for inclusion into the Final Docket.

Recommended Motion

"I move that the Planning Commission concur with the findings of fact and conclusion of law in docket number ZCA20-001 and recommend to the Board of County Commissioners that the application by JB George, LLC. be included in the Final Docket."

Attachments

- A. ZCA20-001 Application and Exhibits A and B
- B. Development Regulations Amendment Process – Walla Walla County (WWCC) Code Section 14.15.060 – Preliminary docket – Adoption of final docket
- C. WWCC Chapter 17.22 – Development Standards – Wineries and Breweries

Analysis and Summary of the Proposal

The application includes one proposed amendment to Title 17.

1. Amend Section 17.16.014, Permitted Uses Table, to allow for Type III Wineries to be located in the Rural Residential 5-acre (RR-5) zoning district via the conditional use permit process.

Development Regulations Review Criteria for Preliminary Docket

Below is WWCC Sections 14.15.060C and 14.15.060D(3) which lists the criteria the Community Development Department and Planning Commission shall base their recommendations.

- Criteria: The amendment is consistent with the comprehensive plan; and
Staff Discussion: The applicant has provided several general explanations for how the application is consistent with and supported by the Comprehensive Plan. In their application, they present that Type III Wineries are an appropriate use to be allowed in the RR-5 zoning district because “The proposed amendment is consistent with other permitted uses in the Rural Residential 5 Rural zone including wedding and event centers, Type I and Type II Bed and Breakfasts, Type I and Type II Wineries. Permitting Type III wineries would create business opportunities and promote and enhance tourism and preserve resource lands for crop production.” According to the applicant, these types of businesses are compatible with other permitted uses in the RR-5 zoning district, “Type I & II Wineries, Type I & II 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.”
- Criteria: The amendment is consistent with other development regulations, unless accompanied by amendments to such other development regulations; and
Staff Discussion: The application highlights the purpose statement in the County Code for the Rural Residential-5 zoning district (WWCC 17.12.040H).

Rural Residential. The purpose of this district is to provide a transition or a buffer between existing rural developments and areas of higher densities and higher or lower densities in the Burbank Rural Activity Center. Land in this district typically is too far from an urban area to enable cost-effective provision of public services at this time. Typical uses include small-scale farms, dispersed single-family homes, recreation, and other uses that do not require urban services. Within the Burbank Rural Activity Center limited recreational and community-oriented cultural uses are allowed.”

The applicant states in their written statement that “No extension of urban services would be required. Also, the community would be able to incorporate tourism 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.”

- Criteria: The amendment is appropriate for consideration at this time.
Staff Discussion: The application was submitted prior to the 2020 application submittal deadline established by the Board of County Commissioners.

Recommended Findings of Fact

In making a recommendation regarding application placement on the Final Docket, the Planning Commission should be prepared to make findings of fact which would be included in the Planning Commission Resolution.

1. On March 26, 2020, an application by J B George, LLC. was submitted to the Community Development Department.
2. On December 2, 2020, the Planning Commission held a public workshop to review and discuss the proposal.
3. On December 2, 2020, a Notice of Public Hearing was emailed to the applicant.
4. On December 2, 2020, a Notice of Public Hearing was posted on the Community Development Department website.
5. On December 4, 2020, a Notice of Public Hearing was published in the Walla Walla Union Bulletin.

Recommended Conclusion of Law

In making a recommendation for inclusion on the Final Docket, the Planning Commission should be prepared to make conclusions of law, specifically related to WWCC 14.15.060E (see Attachment D) which would be included in the Planning Commission Resolution.

1. The proposed amendments have been reviewed pursuant to Walla Walla County Code Sections 14.15.060C-D.

ATTACHMENT A
Development Regulations Amendment Process

14.15.060 - Preliminary docket—Adoption of final docket.

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