



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. 2** – Proposal by Walla Walla County to amend WWCC Chapter 17.28, Development Standards – Signs; WWCC Chapter 17.16 – Permitted Uses; and WWCC Chapter 17.08, Definitions.
Docket No. ZCA20-002

Background

Some changes have been made to the proposed language since the Planning Commission reviewed the draft amendments in October. The changes were made after reviewing the proposed amendments with legal staff.

The proposed amendment would primarily affect land in the Public Reserve land use designation from the Comprehensive Plan. Lands currently under this zoning designation include the Fairgrounds, schools, fire stations, a cemetery, and area around McNary Wildlife Refuge in Burbank. As drafted, the amendments would also enable this type of signage to be used by similar rural uses.

Attachments

- A. Development Regulations Amendment Process – Walla Walla County Code Section 14.15.070 – Final docket – review and recommendation
- B. Proposed amendments dated December 4, 2020

Staff Recommendation

If the Planning Commission finds that the proposed amendments are consistent with the criteria in WWCC 14.15.070(D)(3), staff would recommend that the Planning Commission forward a recommendation for approval to the Board of County Commissioners.

A short list of options for Planning Commission consideration has been compiled by staff.

Option 1, Approval as presented

Recommend approval of the proposed amendments as shown in Attachment B.

Option 2, Denial

Recommend that the proposed amendments not be adopted by the Board of County Commissioners.

Option 3, Approval with modifications

Recommend approval of the proposed amendments with modifications.

Sample Motions

The following sample motions correspond to the options listed above. Option 3 is incomplete; the Planning Commission would need to identify recommended modifications.

Option 1, Approval as presented

"I move that the Planning Commission concur with the findings of fact and conclusions of law for Option 1 in the December 14, 2020 Staff Report for proposal ZCA20-002 and recommend to the Board of County Commissioners that the amendments be approved as presented."

Option 2, Denial

"I move that the Planning Commission concur with the findings of fact and conclusions of law for Option 2 in the December 14, 2020 Staff Report for application ZCA20-002 and recommend to the Board of County Commissioners that proposed amendments are not adopted."

Option 3, Approval with modifications

"I move that the Planning Commission concur with the findings of fact and conclusions of law for Option 3 in the December 14, 2020 Staff Report for proposal ZCA20-002 and recommend to the Board of County Commissioners that the amendments be approved with the following changes: [LIST CHANGES]."

Analysis and Summary of the Proposal

The proposal includes two amendments To Walla Walla County Code, to Chapter 17.08 and Chapter 17.25. It will add a definition for 'Electronic Changing Message Center Sign' to Chapter 17.08 and amend Chapter 17.25 to increase height limits for signs in the Public Reserve zoning district and add a section with standards for these types of signs. The revised draft also amends WWCC 17.16.014 to identify where these signs would be permitted.

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 application will allow for a bigger sign to be placed at the Fairgrounds. The proposal is consistent with and supported by the Comprehensive Plan, which describes Public Reserve designation as, "...lands that are devoted to uses such as recreation areas; federal and state habitat areas; government use areas; cemeteries; public and private rights-of-way; institutions such as schools; public services such as fire and police stations." The Comprehensive Plan doesn't include any specific goals or policies which prohibit the use of this type of signage.
- **Criteria: The amendment is consistent with other development regulations, unless accompanied by amendments to such other development regulations; and**
Staff Discussion: The proposed changes in sign code is consistent with the purpose statement in the County Code for the Public Reserve zoning district (WWCC 17.12.040). In rural areas, these amendments would enable schools and fire stations to be able to do the same if the conditional use permit criteria are met.

O. Public Reserve District. This district is intended for open space uses such as parks, playgrounds, federal and state wildlife habitats, and greenbelts; public facilities such

as schools, fire stations, and recreation centers; low intensity public cultural facilities; and limited low intensity general service uses such as utilities, cemeteries and mausoleums.

The proposed changes in zoning will allow the Fairgrounds and other public/civic uses to better advertise upcoming activities or events or provide public information.

- Criteria: The amendment is appropriate for consideration at this time.
Staff Discussion: The application was initiated by the Board of County Commissioners as a result of a project that the Walla Walla County Fairgrounds has proposed and is funded.

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 October 7, 2020, the Planning Commission held a public workshop to review and discuss the proposal.
2. On December 2, 2020, a Notice of Informational Public Meeting and Public Hearing was posted on the Community Development Department website.
3. On December 2, 2020, a Notice of Informational Public Meeting and Public Hearing was published in the Walla Walla Union Bulletin.
4. On December 14, 2020 an Informational Public Meeting was held by Community Development Department staff.
5. On December 14, 2020 a public hearing was held by the Planning Commission.

Recommended Conclusion of Law

Staff has drafted some sample Conclusions of Law for the Planning Commission to consider. The Planning Commission's conclusions are expected to differ depending on the final recommendation. The Planning Commission's conclusions will be incorporated into the final Planning Commission resolution that would be signed by the Chairman after the recommendation is made.

Option 1, Approval as presented

1. The proposed amendments have been reviewed pursuant to Walla Walla County Code Sections 14.15.070(D)(3) and the Planning Commission concludes that the proposed amendments are consistent with the Walla Walla County Comprehensive Plan; meet a definable public need; and are in the long-term interest of the county.

Option 2, Denial

1. The proposed amendments have been reviewed pursuant to Walla Walla County Code Sections 14.15.070(D)(3) and the Planning Commission concludes that the proposed amendments DO NOT meet all three of the criteria.

Option 3, Approval with modifications

1. The proposed amendments have been reviewed pursuant to Walla Walla County Code Sections 14.15.070(D)(3) and the Planning Commission concludes that with modifications, the proposed amendments would be consistent with the Walla Walla County Comprehensive Plan; meet a definable public need; and are in the long-term interest of the county.

ATTACHMENT A
Development Regulations Amendment Process

14.15.070 - Final docket—Review and recommendation.

- 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

Chapter 17.08 - Definitions.

Add the following definition to Chapter 17.08

“Electronic message center sign” means an electrically activated changeable copy sign having variable message and/or graphic presentation capability that can be electronically programmed by computer or handheld device from a remote location. Electronic message center signs typically use light emitting diodes (LEDs) or liquid crystal display (LCD) as a lighting source.

Chapter 17.28 – Development Standards – Signs

17.28.005 - Purpose.

The purpose of this chapter is to enhance the visual environment of the county by regulating the location size and appearance of signs and outdoor advertising.

17.28.010 - Sign standards.

A. The light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness will not be a nuisance to surrounding areas. Any externally illuminated sign shall be oriented away from the surrounding residences, and away from streets.

B. Signs projecting over an internal sidewalk or vehicular traffic area shall be at least eight feet above internal walkways and at least sixteen feet above any area used for vehicular traffic.

C. Signs are permitted in all zoning districts except for residential districts.

17.28.020 - Temporary signs.

Signage for temporary events is allowed for a period not to exceed three days unless documentation is provided that the temporary event exceeds three days. In no case shall temporary signage be allowed for a period exceeding thirty days annually.

17.28.030 - Outdoor advertising display.

Outdoor advertising displays are permitted in all zones, except residential districts.

17.28.040 - Billboards.

A. Billboards are allowed in industrial, primary agriculture and agriculture residential zones.

B. Billboards along state routes are subject to permitting regulation by Washington State Department of Transportation.

C. Billboards along state scenic/historical routes, outside of the jurisdiction of the Washington State Department of Transportation will be regulated for compatibility with the scenic/historical nature of the route.

17.28.050 - Sign setbacks.

A setback minimum of one foot from the leading edge of the sign to the street right-of-way line, or fifteen feet from the edge of the traveled way, whichever is greater, is required. In no

case will signs be allowed to be placed in a location or manner that violates sight distance, clear view triangle or clear zone requirements as defined in Walla Walla County Code Title 12 and/or Chapter 3.4 of the Walla Walla County Road Design Standards, as determined by the county engineer.

17.28.060 - Sign height.

- A. For industrial districts a maximum of eighty feet, measured from average grade to the highest point on the sign, is allowed.
- B. For commercial and Public Reserve districts a maximum of fifty feet, measured from average grade to the highest point on the sign, is allowed.
- C. For all other districts, a maximum of thirty-five feet, measured from the average grade to the highest point on the sign, is allowed.

17.28.090 - Prohibited signs.

- A. The following signs are prohibited:
 - 1. Signs on any vehicle or trailer that is parked on public or private property and visible from a public right-of-way for the purpose of circumventing the provisions of this chapter. This provision shall not prohibit signs that are painted on or magnetically attached to any vehicle operating in the normal course of business;
 - 2. Signs that purport to be, are an imitation of, or resemble an official traffic sign or signal, could cause confusion with any official signs, or which obstruct the visibility of any traffic/street sign or signal;
 - 3. Signs attached to utility, street light, and traffic control standard poles;
 - 4. Signs attached to trees or rocks;
 - 5. Swinging projecting signs;
 - 6. Signs, together with their supports, braces, guys and anchors that are not maintained in a neat, clean and attractive condition, free from rust, corrosion, peeling paint or other surface deterioration;
 - 7. Abandoned signs;
 - 8. Flashing, blinking or fluttering parts of signs;
 - 9. Signs that are unsafe or hazardous;
 - 10. Signs on doors, windows, or fire escapes that restrict free ingress or egress;
 - ~~11. Unique signs unless specifically approved by the regional planning director when deemed necessary. Approval of the sign is based on the effect of the proposed sign not contributing to a cluttered, confusing or unsafe condition, or would not be in conflict with the character of the zoning district;~~
 - ~~11~~2. Signs on public property without prior approval;
 - ~~12~~3. Searchlights or beacons;
 - ~~13~~4. ~~Changing message centers;~~ Electronic message center signs which display motion or flashing as part of the sign;
 - ~~14~~5. Any other sign not meeting the provisions of this chapter.

Add new section to Chapter 17.08 for electronic message signs

17.28.100 – Electronic Message Center Signs

- A. Electronic message center signs shall comply with this Chapter.
- B. Size. One double-faced electronic message sign is permitted per street frontage and shall be 1/2 square foot per foot of street frontage, up to a maximum of 150 square feet per face.
- C. Setbacks. Signs shall meet all setback and sight distance requirements as required in Section 17.25.050.
- D. Signs located adjacent to or across the street from residential zones shall not operate between the hours of 10:00 p.m. and 6:00 a.m.
- E. Signs shall be located on the same site as the use for which it is associated.
- F. Information on the sign shall only include alphanumeric characters, punctuation, static images, graphics, logos and symbols.
- G. All displays shall be static messages only. No video, scrolling, streaming, flashing, or trailing content, animations, or similar displays are permitted.
- H. The change from one message to another shall be no more frequent than once every 8 seconds when along major arterials and 20 seconds along all other roadways, unless otherwise specified by the Director or Hearing Examiner.
- I. Electronic message signs shall be equipped with a mechanism that automatically adjusts the brightness in response to ambient conditions and equipped with a means to immediately turn off the display if it malfunctions or is not complying with the regulations in this Section. Manual override function shall be accessible to emergency responders.
- J. When an electronic message center sign is proposed adjacent to a Washington State Department of Transportation (WSDOT) right-of-way, the County shall request comment from the agency.

Chapter 17.16 – Permitted Uses

Amend Permitted Uses Table, WWCC 17.16.014

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

ZCA20-002 Proposed Sign Code Amendments – Electronic Message Center Signs

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	EA	GA	AR	RR	RR	RA	RA	RRM	RR	RR	R	R	R	R	RD	RD	RF	RA	
	-	-	-	-	-	-	-	-	C-	-	-	-	-	-	-	R	R	C	C	
	40	120	20	10	40	20	10	5	5	2	5	96	72	60	M	R	CI			
Specific Use																				
<u>*Electronic message center sign</u>																			<u>C</u> <u>(6)</u>	<u>C</u> <u>(6)</u>

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

SPECIFIC USE	Zone									
	Industrial and Commercial									Misc.
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR
<u>* Electronic message center sign</u>										<u>P</u>

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

6. Allowed only at schools and fire stations.