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ORDINANCE NO. 420 - ADOPTING A REQUEST BY RANDAL GRUDZINSKI TO AMEND THE LAND USE DESIGNATION AND ZONING DISTRICT OF 23.24 ACRES IN THE CITY OF WALLA WALLA'S URBAN GROWTH AREA FROM RESIDENTIAL TO COMMERCIAL BY AMENDING COMPREHENSIVE PLAN MAP LU-1 AND MAP LU-3, ALONG WITH APPLICABLE COUNTY ZONING MAPS

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 Numbers

See pages 7 and 8

Additional parcel number is on page ____ of document.

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

ORDINANCE NO. 420

ADOPTING A REQUEST BY RANDAL GRUDZINSKI TO AMEND THE LAND USE DESIGNATION AND ZONING DISTRICT OF 23.24 ACRES IN THE CITY OF WALLA WALLA'S URBAN GROWTH AREA FROM RESIDENTIAL TO COMMERCIAL BY AMENDING COMPREHENSIVE PLAN MAP LU-1 AND MAP LU-3, ALONG WITH APPLICABLE COUNTY ZONING MAPS.

WHEREAS, the Growth Management Act requires that the County take legislative action to review and revise, if necessary, its comprehensive land use plan to ensure that it complies with the requirements of the Growth Management Act, as described in RCW 36.70A.130; and

WHEREAS, the Growth Management Act requires that updates, amendments, or revisions to the Comprehensive Plan may not be considered more frequently than once a year except for certain limited circumstances; and

WHEREAS, RCW 36.70A.470 requires that the County include a procedure 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.

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. Randal Grudzinski requested the proposed amendment on March 30, 2012.
2. The application was to amend approximately 23.24 acres from the Low Density Residential land use designation and R-96 zoning district to a Commercial land use designation and General Commercial zoning district in the City of Walla Walla's Urban Growth Area (UGA). The properties are located on both sides of Myra Road and are generally located between Electric Avenue and Mill Creek, excluding the old Stubblefield Salvage Yard.
3. On May 2, 2012 the Planning Commission held a public workshop.
4. On May 22, 2012 the Board of County Commissioners held a public workshop.
5. On May 24, 2012 a Notice of Public Hearing was published in the Waitsburg Times, Walla Walla Union-Bulletin, and Tri-City Herald.



6. On June 6, 2012 the Planning Commission held a public hearing and recommended the proposed amendment be included on the County's 2012 final docket.
7. On June 11, 2012 the Board of County Commissioners concurred in the recommendation of the Planning Commission.
8. On June 14, 2012 the Department of Commerce acknowledged receiving the proposed amendment.
9. No comments were received from the Department of Commerce or any other public entity during the 60 day comment period.
10. The amendment was placed on the 2012 final docket; however, it was not acted on as the amendment required additional analysis related to population projections for Walla Walla County.
11. The amendment was carried over onto the 2013 final docket by Board Resolution 13-038.
12. On August 13, 2013, the Walla Walla Joint Community Development Agency issued a SEPA determination of non-significance. No appeal was filed.
13. On August 22, 2013 a Notice of Informational Public Meeting and Public Hearing was published in the Waitsburg Times, Walla Walla Union Bulletin, and Tri-City Herald.
14. On September 4, 2013 an Informational Public Meeting and Planning Commission Public Workshop were held.
15. On September 19, 2013 a Notice of Public Hearing was published in the Waitsburg Times, Walla Walla Union Bulletin and Tri-City Herald.
16. On October 2, 2013 the Planning Commission held the 2013 Comprehensive Plan and Development Regulations Amendment Final Docket hearing.
17. On October 7, 2013 the Planning Commission issued resolution 13-03, recommending approval of the proposed amendment.
18. On November 7, 2013 the Notice of Public Hearing was published in the Waitsburg Times, Walla Walla Union-Bulletin and Tri-City Herald.
19. The Board of County Commissioners held the 2013 Comprehensive Plan and Development Regulations Amendment Final Docket Hearing on November 25, 2013.

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

1. With regard to the criteria in Walla Walla County Code Section 14.10.070(B)(3):
 - a. *The proposal meets a definable public need;*
Discussion: The proposed amendment has the opportunity to expand the economic base of the County and provide for the retail and service needs



of the general public. As proposed, the commercial properties will be provided with adequate access to an arterial road and utilities, which will serve the public in a cost effective and efficient manner.

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 comprehensive plan was last adopted; or*
2. *An error in development of the comprehensive plan as it currently exists;*

Discussion: A change in circumstances has taken place since the property was designated as residential in 2005. Myra Road, which is a principal arterial, has been improved and extended through the middle of the property in question. The road was completed in late 2008 and early 2009.

c. *The defined need conforms to the policy directives of the comprehensive plan and countywide planning policies;*

Discussion: Policy LU-38 – “On the Walla Walla County Land Use Map, include land use designations compatible with those identified in the City of Walla Walla Comprehensive Plan.” As noted by the City of Walla Walla’s August 16, 2013 letter, the proposed amendment would be in compliance with the City of Walla Walla Comprehensive Plan.

Policy LU 5 – “Encourage land use patterns that provide for the efficient use of public funds.” As noted in the letter from the City of Walla Walla, the site is currently supported by water and sewer in Myra Road and Myra Road provides nearby access.

Policy LU-15 – “Designate sufficient land in UGAs for commercial uses considering county wide population targets, employment forecasts, and the local needs of each city.” As noted in the City of Walla Walla’s letter, the designation of the property as commercial does not impact the City’s ability to accommodate future growth in the next 20 years.

Countywide Planning Policy 1.16 – “In order to maintain a sufficient tax base to support essential government services, economic development efforts to diversity [sic] and expand basic manufacturing and service related jobs are encouraged.” No specific project is proposed at this time; however, redesignating the property to Commercial and rezoning it to General Commercial will encourage the creation of service related jobs.

Countywide Planning 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.” A traffic



study generated in 2005 in connection with the Myra Road project considered that the property along the Myra Corridor would likely be developed as commercial. The traffic study, entitled "Traffic Projections and Operations Report For Myra Road Extension Project" assumed 45 acres (20 acres on the west side and 25 acres on the east side of the corridor) would be developed as commercial "business park" use over a 20-year time-frame. The study was prepared for HDR Engineering as part of the project, and stated: "As indicated, approximately 0.5-miles along the east and 0.4-miles along the west side of Myra Road, between Electric Avenue and Mill Creek, are unoccupied vacant lands. Local agencies expect these properties to be developed with commercial business within the next 10 to 20 years." (Page 17 of the study). The resulting increases in traffic from commercial development were factored into the determination that the Myra Road project was adequately designed (Page 37 of the study). However, project-specific impacts will need to be evaluated at the time of project application, in accord with WWCC Chapter 12.50.

Policy LU-19 – "Support infill development on vacant and underutilized lands within UGAs." The site is located on an arterial road, and is located near the City of Walla Walla's wastewater treatment plant and adjacent to the historic Stubblefield Salvage Yard, a site which is currently being cleaned up under the supervision of the Environmental Protection Agency. The likelihood of commercial development on this vacant and underutilized property is greater than residential development.

Finally, the Comprehensive Plan, at 5-11, states that, "Commercial lands are those lands designated primarily for retail businesses and service uses that depend on arterials or other major streets for trade or transportation." The land to be redesignated is located near other commercial areas in the City of Walla Walla and the City of College Place. Designating this property as commercial is consistent with the Plan's directive to locate businesses near arterials or other major streets.

- 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;*

Discussion: The proposed amendment will not require additional amendments to the comprehensive plan to resolve any inconsistencies.

- 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.*

Discussion: The proposed amendment is in compliance with RCW 36.70A due to the fact that the proposed commercial property will be within an Urban Growth area. Additionally, as noted by the City of Walla Walla, the amendment will not negatively impact the City of Walla Walla's ability to accommodate population growth for the next 20 years.



2. With regard to the criteria in Walla Walla County Code Section 14.15.070(B)(3):
 - a. *The amendment is consistent with the comprehensive plan; and*
 Discussion: WWJCDA Staff is of the opinion that the proposed amendment is consistent with the comprehensive plan because the site is in a UGA and has access to an arterial road and public utilities. Additionally, it will not impact the City of Walla Walla's ability to accommodate future growth. The Board concurs with Staff's analysis.
 - b. *The amendment meets a definable public need; and*
 Discussion: The proposed amendment has the opportunity to expand the economic base of the County and provide for the retail and service needs of the general public.
 - c. *The amendment is in the long term interest of the county.*
 Discussion: The proposed amendment may help provide for future service needs, economic opportunities and job growth.
3. The Board concludes the proposed amendment is in compliance with the criteria in Walla Walla County Code Sections 14.10.070(B)(3) and 14.15.070(B)(3), outlined above.
4. The proposed amendment is consistent with the Walla Walla County Comprehensive Plan at this time.
5. As proposed, the amendment will not have a significant adverse impact on public welfare and safety.
6. The proposed amendments are in compliance with RCW 36.70A and the Washington Administrative Code.

Section III. Adoption of the Amended Land Use and Zoning Maps, changing the land uses from residential to commercial:

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

The amendment to Walla Walla County Comprehensive Land Use Map LU-1, LU-3 and applicable county zoning maps as presented to the Board of County Commissioners on this date is adopted as shown in Exhibit A. The Director of the Walla Walla Joint Community Development Agency is directed to replace the existing maps with the amended maps.

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 16th day of December, 2013.

Attest:

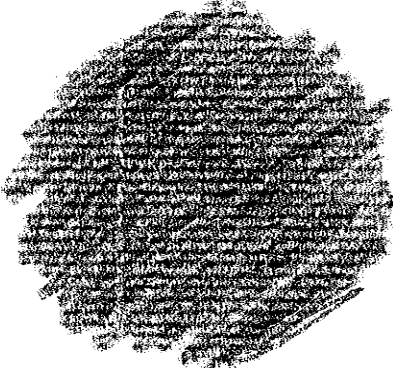
Connie R Vinti
Connie R. Vinti, Clerk of the Board

Perry L. Dozier
Perry L. Dozier, Chairman, District 2

absent
James K. Johnson, Commissioner, District 1

Gregory A. Tompkins
Gregory A. Tompkins, Commissioner, District 3

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

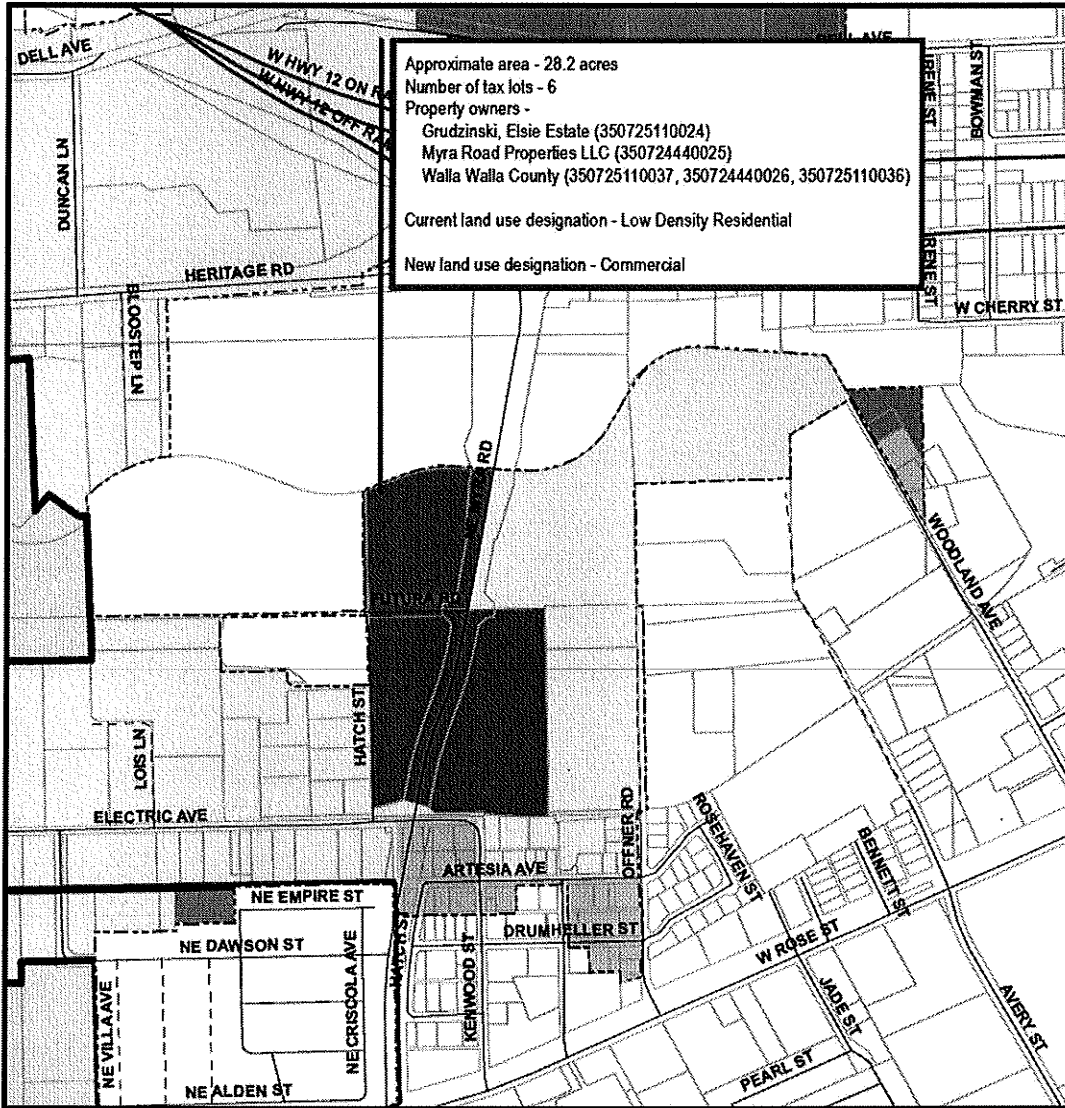


Approved as to form

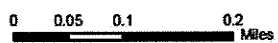
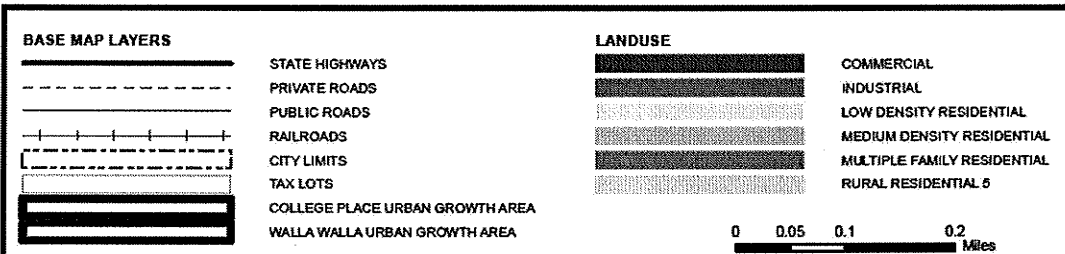
Jesse D. Nolte
Jesse D. Nolte, Deputy Prosecuting Attorney

Exhibit A

Grudzinski Land Use Map Amendment (CPA2012-009)



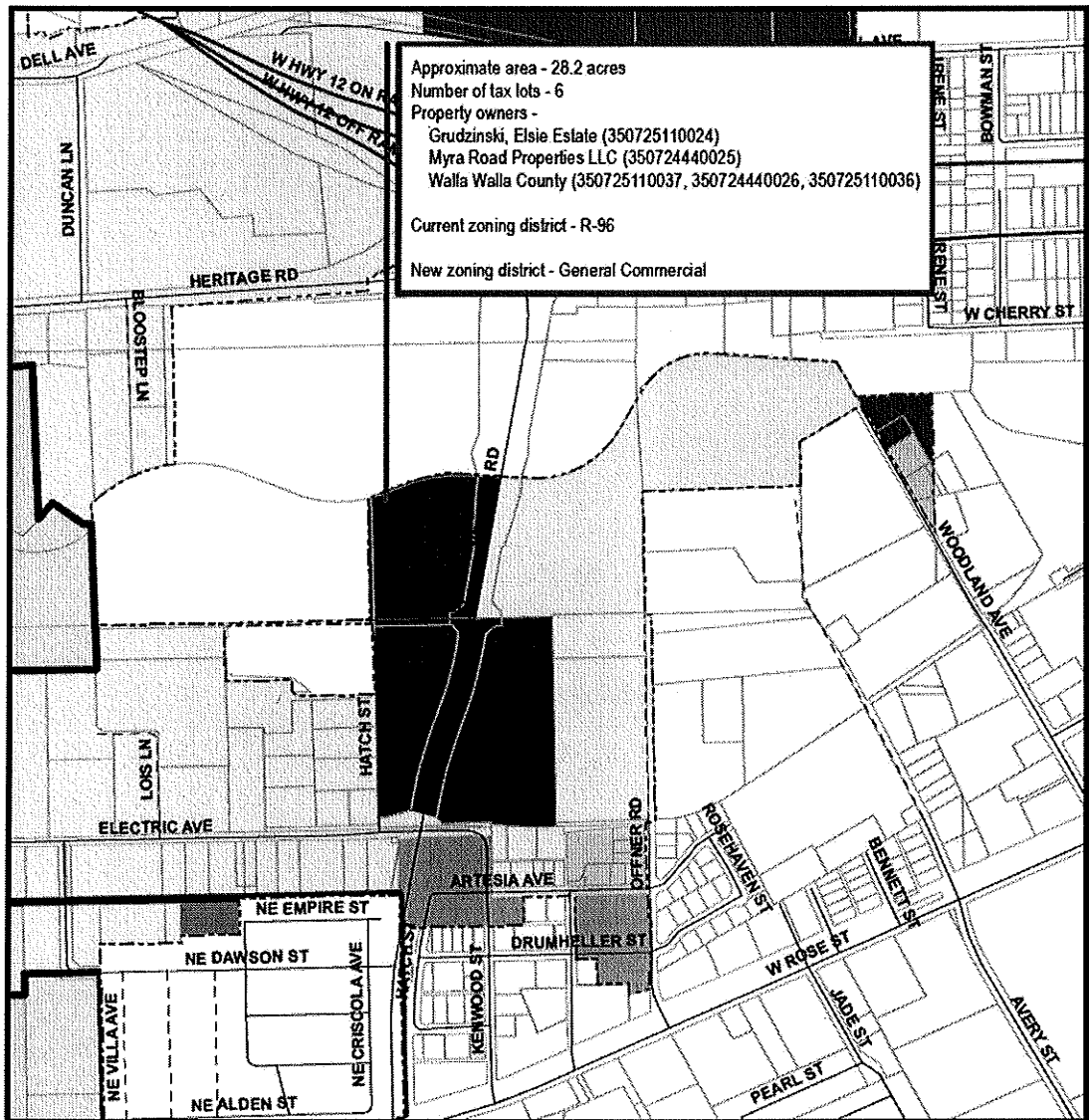
Approximate area - 28.2 acres
 Number of tax lots - 6
 Property owners -
 Grudzinski, Elsie Estate (350725110024)
 Myra Road Properties LLC (350724440025)
 Walla Walla County (350725110037, 350724440026, 350725110036)
 Current land use designation - Low Density Residential
 New land use designation - Commercial



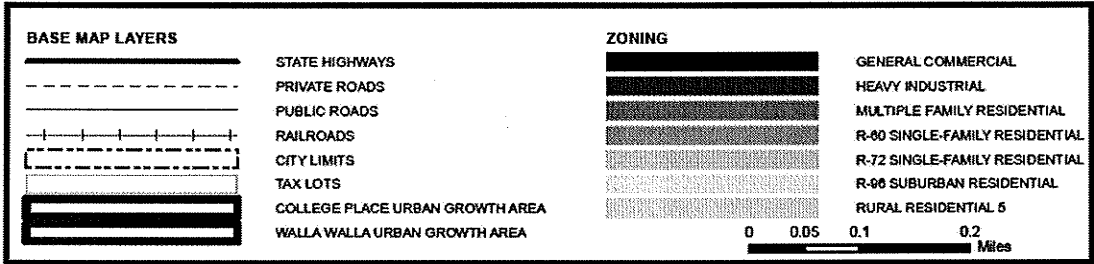
Print Date: 09/20/2013
 Walla Walla Joint Community Development Agency (WWJCA) - 55 E. Moore Street, Walla Walla WA 99362 - (509) 524-4710



Grudzinski Zoning Map Amendment (REZ2012-007)



Approximate area - 28.2 acres
 Number of tax lots - 6
 Property owners -
 Grudzinski, Elsie Estate (350725110024)
 Myra Road Properties LLC (350724440025)
 Walla Walla County (350725110037, 350724440026, 350725110036)
 Current zoning district - R-96
 New zoning district - General Commercial



Print Date: 09/20/2013

Walla Walla Joint Community Development Agency (WWJCDA) - 55 E. Moore Street, Walla Walla WA 99362 - (509) 524-4710

