

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

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

ORDINANCE NO. 427 - ADOPTING A REQUEST BY BERNARDO LOPEZ TO AMEND WALLA WALLA COUNTY CODE SECTION 17.08.330 – LOT TYPES, ESTABLISHING A DEFINITION FOR “FLAG LOTS” AND TO AMEND SUBSECTION 17.18.040A OF THE WALLA WALLA COUNTY CODE, DEFINING THE METHOD FOR MEASURING THE FRONT SETBACK FOR FLAG LOTS.

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)

n/a

Additional legal is on page ____ of document.

Assessors Parcel Numbers

n/a

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.



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

ORDINANCE NO. 427

ADOPTING A REQUEST BY BERNARDO LOPEZ TO AMEND WALLA WALLA COUNTY CODE SECTION 17.08.330 – LOT TYPES, ESTABLISHING A DEFINITION FOR “FLAG LOTS” AND TO AMEND SUBSECTION 17.18.040A OF THE WALLA WALLA COUNTY CODE, DEFINING THE METHOD FOR MEASURING THE FRONT SETBACK FOR FLAG LOTS.

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 that 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

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. The application was submitted to the Walla Walla Joint Community Development Agency on March 28, 2014.
2. On April 24, 2014 a Notice of Public Meeting was published in the Waitsburg Times, Walla Walla Union Bulletin and Tri-City Herald.
3. The Planning Commission held a public meeting on May 7, 2014.
4. On May 22, 2014 a Notice of Public Hearing was published in the Waitsburg Times, Walla Walla Union Bulletin and Tri-City Herald.
5. On May 29, 2014 a Notice of Public Workshop was published in the Waitsburg Times, Walla Walla Union Bulletin and Tri-City Herald.
6. On June 4, 2014 the Planning Commission held a public hearing and recommended the proposed amendments be included on the County’s 2014 final docket.
7. On June 9, 2014 the Board of County Commissioners held a public workshop and concurred with the recommendation of the Planning Commission.



8. On June 16, 2014 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. On August 21, 2014 a Notice of Informational Public Meeting and Public Hearing was published in the Waitsburg Times, Walla Walla Union Bulletin, and Tri-City Herald.
11. On September 3, 2014 an Informational Public Meeting and Planning Commission Public Workshop were held. On September 9, 2014, the Planning Commission issued Resolution 14-03, recommending approval of the proposed amendment.
12. On December 4, 2014 a Notice of Public Hearing was published in the Waitsburg Times, Walla Walla Union Bulletin, and Tri-City Herald.
13. Prior to the Public Hearing, staff and the applicant recommended clarifying language be added to the proposed amendment.
14. The Board of County Commissioners held a Public Hearing on December 15, 2014.
15. The proposed amendment would establish a definition for "Flag Lots" and define the method for measuring the front yard setback on flag lots.

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

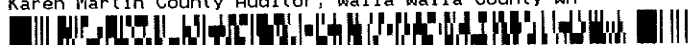
1. The proposed amendment is in compliance with Walla Walla County Code Sections 14.15.070(B)(3).
2. The proposed amendment is consistent with the Walla Walla County Comprehensive Plan.
3. As proposed, the amendment will not have a significant adverse impact on public welfare and safety.
4. The proposed amendments are in compliance with RCW 36.70A, RCW 36.70B and the Washington Administrative Code.

Section III. Adoption of the amendments to Chapter 17.08 and Chapter 1718.

Based on its review of the requirements of RCW 36.70A, the proposed amendment, staff analysis, and the recommendation proposed by the Planning Commission, the Board of County Commissioners hereby adopts the following proposed amendments to Walla Walla County Code Chapter 17.08 and Chapter 17.18:

The amendments to Walla Walla County Code Chapter 17.08 – Definitions, as shown on the attached Exhibit A.

The amendments to Walla Walla County Code Chapter 17.18 – Development Standards – Density and Dimensions, as shown on the attached Exhibit B.



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 15th day of December, 2014.

Attest:

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

James K. Johnson
James K. Johnson, Chairman, District 1

Perry L. Dozier
Perry L. Dozier, Commissioner, District 2

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

17.08.330 - Lot types.

The following diagrams illustrates terminology used in this title with reference to "corner lots," "interior lots," and "through lots," and "flag lots":

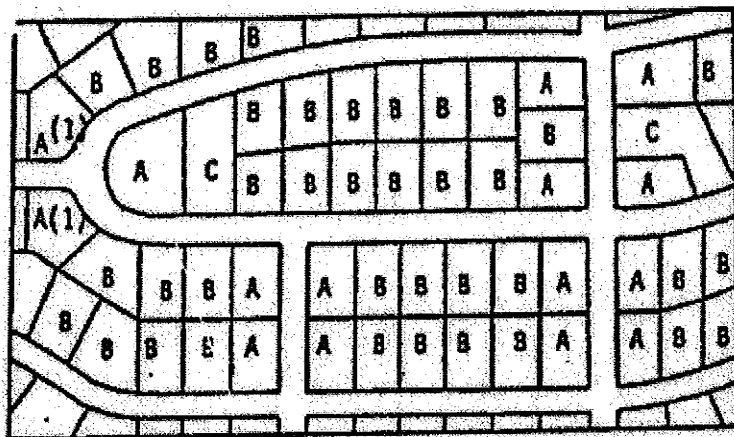
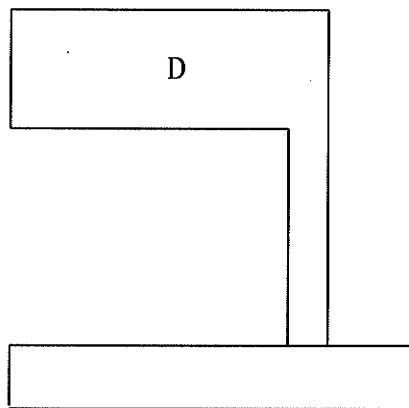


Diagram 1



STREET

Diagram 2

- A. "Corner lot" means a lot located at the intersection of two or more streets (see A in diagram). A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet an interior angle of less than one hundred thirty-five degrees (see lots marked A (1) in the diagram).



- B. "Interior lot" means a lot other than a corner lot with only one frontage on a street other than an alley (see B in diagram).
- C. "Through lot" means a lot other than a corner lot with only one street other than an alley. Through lots with frontage on two streets, may be referred to as "double frontage lots" (see C in diagram). (Ord. 269 (part), 2002)
- D. "Flag Lot" means a lot that has access to a road, street, or public highway, by means of a narrow strip of the lot, as illustrated (see D in Diagram 2). New flag lots shall not be created.

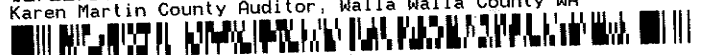


Exhibit B

17.18.040 - Measurement methods.

- A. Setback, Front. "Front setback" means a setback extending between side lot lines across the front of a lot. In any required front setback, no fence or wall shall be permitted which materially impedes vision across such setback above the height of forty-two inches. No hedge or other vegetation shall be permitted which impedes vision across such setback greater than forty-two inches, and no fall-out shelter shall be permitted, either above-ground or underground.
1. In the case of "through lots," unless the prevailing front setback pattern on adjoining lots indicates otherwise, front setbacks shall be provided on all frontages. Where one of the front setbacks that would normally be required on a through lot is not in keeping with the prevailing setback pattern, the director of planning may waive the requirement for the normal front setback and substitute therefore a special setback requirement which shall not exceed the average of the setbacks provided on adjacent lots.
 2. In the case of "corner lots" a front setback of the required depth shall be provided in accordance with the prevailing setback pattern and a second front setback of half the depth required generally for front setbacks in the district shall be provided on the other frontage.
 3. In the case of "corner lots" with more than two frontages, the director of planning shall determine the front setback requirements, subject to the following limitations:
 - a. At least one front setback shall be provided having the full depth required generally in the district.
 - b. No other front setback on such lot shall have less than half the full depth required generally.
 4. In the case of "flag lots," the front setback shall be measured from the property lines that are closest, and run parallel to, the lot's access street. (i.e., the property line at the bottom of the flag pole, as depicted in Diagram 2).
- B. Setback, Rear. "Rear setback" means a setback extending across the rear of the lot between inner side setback lines. In the case of "through and corner lots," there will be no rear setback. In the case of "corner lots" the rear setback shall extend from the inner side setback line of the side setback adjacent to the interior lot to the rear line of the half-depth front setback.
- C. Setback, Side. "Side setback" means a setback extending from the rear line of the required front setback to the rear lot line. In the case of "through lots," side setbacks shall extend from the rear lines of the front setbacks required. In the case of "corner lots" there will be only one side setback adjacent to the interior lot. In the case of "flag lots", all lot lines other than the front lot line and the rear lot line are considered side lot lines. (Ord. 269 (part), 2002)

