

ORDINANCE NO. 2018-53

AN ORDINANCE ADOPTING AMENDMENTS TITLE 19 AND TITLE 20 OF THE WALLA WALLA MUNICIPAL CODE IMPLEMENTING THE COMPREHENSIVE PLAN AND TAKING SUCH OTHER ACTION RELATED THERETO

WHEREAS, the City of Walla Walla passed Municipal Ordinance A-2405 on May 13, 1970 which classified the City of Walla Walla as a nonchartered code city under Title 35A of the Revised Code Washington (RCW); and

WHEREAS, the Walla Walla County Board of Commissioners passed County Resolution number 90-449 on October 30, 1990 opting into planning activities under the Washington Growth Management Act, Chapter 36.70A RCW; and

WHEREAS, the Walla Walla City Council passed City Ordinance 2018-15 on June 13, 2018 adopting an updated Comprehensive Plan for the City of Walla Walla; and

WHEREAS, RCW 36.70A.130 provides that development regulations shall be subject to continuing review and evaluation by the city that adopted them; and

WHEREAS, RCW 35A.63.100 authorizes the Walla Walla City Council, by ordinance or other action to the extent the Walla Walla City Council deems necessary or appropriate, to implement or give effect to the comprehensive plan or parts thereof in developing the City of Walla Walla and in regulating the use of land herein; and

WHEREAS, the City of Walla Walla began its public participation process with a public open house held on July 31, 2018; and

WHEREAS, the City of Walla Walla issued a Notice of Application noticed on September 17, 2018 with comments due October 5, 2018; and

WHEREAS, the City of Walla Walla issued a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) on October 22, 2018; and

WHEREAS, the City of Walla Walla Planning Commission reviewed the development regulations at the regular scheduled meetings on September 10, October 1, 2018 and a special meeting on October 22, 2018; and

WHEREAS, the Notice of Public Hearing was published on October 19, 2018 in the Union Bulletin, posted on the City's website at least 14-days prior to the date of hearing, posted at City Hall, and provided to interested parties for the Planning Commission public hearings on November 5, 2018 and November 19, 2018; and

WHEREAS, the proposed code amendments were transmitted to the Washington State Department of Commerce, Growth Management Services Division, and other state agencies for the 60-day state review period in accordance with RCW 36.70A.106 on October 2, 2018; and

WHEREAS, the proposed amendments to Titles 19 and 20 were presented to the Planning Commission at the November 5, 2018 and November 19, 2018 public hearing; and

WHEREAS, at the public hearings the City of Walla Walla Planning Commission heard and considered the public testimony and the evidence and exhibits presented to it; and

WHEREAS, the City of Walla Walla Planning Commission thereafter made their recommendation on the proposed code amendments on November 19, 2018; and

WHEREAS, the Walla Walla City Council reviewed the Planning Commission's recommendations at a regular work session on December 3, 2018; and

WHEREAS, the Walla Walla City Council conducted a duly noticed public meeting on

the proposed development regulations on December 19, 2018; and

WHEREAS, the Walla Walla City Council has considered the matter during a regularly and duly called public meeting of said Council, has given said matter careful review and consideration, and finds that good government and the best interests of the City of Walla Walla will be served by passage of this ordinance.

NOW THEREFORE, the City Council of the City of Walla Walla do ordain as follows:

Section 1: Section 19.06.020 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

19.06.020 Definitions.

As used in this code, the following words and phrases shall mean:

“Access” means the right to cross between public and private property allowing pedestrians and vehicles to enter and leave property.

“Access way” means a pedestrian and/or bicycle connection between two rights-of-way, or to achieve other connectivity needs as determined by the director or designee. An access way conforms to city standards and is in either an off-street public right-of-way or a public access easement on private property.

“Adjacent” means having a common boundary and is not to be construed as that which is across a street or alley.

“Alley” means a service way providing a secondary means of public access to abutting property and not intended for general traffic circulation.

“Approving authority” means the director, city manager, planning commission, hearing examiner, or city council of the city of Walla Walla as used in this code.

“Binding site plan” means a survey together with a developer agreement which, when approved and recorded as required by this code, provides a method of land division for the purpose of sale or lease of commercial, industrial or public property, including condominiums.

“Block” means a group of lots, tracts or parcels within well defined and fixed boundaries.

“Boundary adjustment” means modification of the size or alignment of adjacent parcels through relocation of their common boundary where an additional parcel is not created, and where the existing parcel which is being reduced in size is not reduced below the minimum lot size established by the zone which applies to the property. (See Division IV of this title.)

“City engineer” means the head of the engineering division of the department of public works.

“City manager” means the chief administrative officer of the city appointed by and responsible to the city council.

“Common open space” means an area or areas within a development designed and developed for the use or enjoyment of all residents of the development, or of the public in general.

“Comprehensive plan” means the most recent generalized coordinated land use policy statement of the Walla Walla city council, as amended, adopted pursuant to Chapter 36.70A RCW.

“Concurrency requirements” means Chapter 20.51 and other ordinances, regulations and rules adopted by the city to ensure that at the time of new development, public facilities and services are in place or are adequately planned.

“Condominium” means a building, or group of buildings, in which dwelling units are owned individually, and common areas and facilities are owned by all the owners in various ways as provided by state statute.

“Contiguous land” means two or more parcels or units of land under a single ownership which are not separated by an intervening parcel of land under different ownership, including limited access right-of-way which would deny access between the two parcels under single ownership.

“Council” means the legislative authority of the city.

“Covenant” means a binding and solemn agreement made by two or more individuals, parties, etc., to do or keep from doing a specified thing or things.

“Cul-de-sac” means a street closed at one end by a circular area of sufficient size for convenient reversal of traffic movement.

“Dedication” means the deliberate appropriation of land by an owner for any general and public uses, reserving for himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. Acceptance by the public shall be evidenced by council approval of the dedication document for filing.

“Developer” means any person, corporation, partnership or other legal entity who creates a “subdivision” or “short subdivision” or “binding site plan” as defined herein and Chapter 58.17 RCW.

~~“Development authorization” means authorization issued by the director of development services that authorizes the recipient to make use of property in accordance with the requirements of this code.~~

“Development services department” (known and referred to alternatively herein as the “department,” “staff,” or “planning staff”) means the department created by Section 2.17.010(F).

“Director” (known and referred to alternatively herein as the “development services manager,” “department head,” “administrator,” or “zoning administrator”) means the official appointed by the city manager in accordance with Section 2.17.070, and such other staff granted authority to act on behalf of the director.

“Director of parks and recreation” means the head of the department of parks and recreation, appointed by and responsible to the city manager.

“Director of public works” means the head of the department of public works appointed by and responsible to the city manager.

“Grade (ground level)” means the average of the finished ground level on each exterior wall of the building.

“Hearing examiner” means the hearing examiner of the city.

“Homeowners’ association” means an incorporated, nonprofit corporation as used in this code for planned unit developments, which operates under recorded land agreements through which (1) each property owner is a member, and (2) each property owner is subject to a charge for a proportionate share of the expenses for the organization’s activities and maintenance of common property.

“Improvements” means street grading or graveling, permanent street and corner monuments, street pavement, curbs and sidewalks, pedestrian ways, water mains, storm and sanitary sewers, and other required or necessary facilities.

“Lot” means a designated parcel, tract or area of land established by plat, subdivision or as otherwise permitted by law, to be used, developed or built upon as a unit.

Lot, Double Frontage. “Double frontage lot” means a lot which fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot. Also known as a through-lot.

Lot, Flag. “Flag lot” means a lot, with only a narrow portion of which frontings on a public/private street and where access to that street is across that narrow portion for the exclusive

use of that lot only.

“Lot frontage” means that portion of a lot nearest the street or private lane. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to public streets shall be considered frontage.

Lot, Interior. “Interior lot” means a lot other than a corner lot.

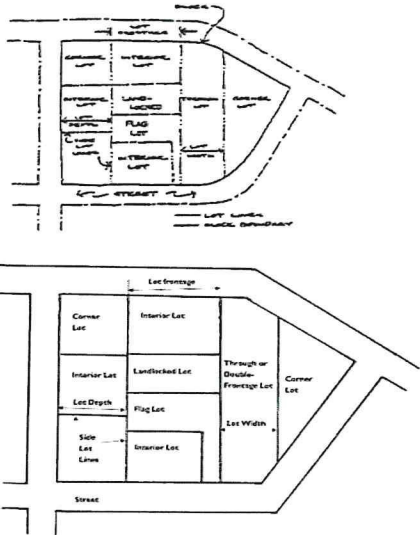


Figure 19.06-1 – Lot Layout

“Low impact development best management practice” or “LID BMP” has the same meaning as defined in Section 12.01.050.

“Monument” means an object used to permanently mark a surveyed location. The size, shape and design of the monument are to be in accordance with standards specified by the Washington State Department of Natural Resources as authorized by Chapter 58.17 RCW.

“Natural drainage systems” consist of concentrated sheet flow, swales, depressions, and stream or river channels that are used to convey runoff.

“Parcel” is synonymous with “lot.”

“Person” means every natural person, firm, partnership, association or corporation.

“Planned unit development (P.U.D.)” means a development designed as a unified combination of land uses. It may include a mixture of residential, open space or recreation areas for the direct use and benefit of all the lot owners within the development ~~and sometimes shopping or community facilities~~. A P.U.D. includes an ~~homeowners~~’ association and common open space.

“Planning commission” means the planning commission of the city of Walla Walla.

“Plat” means a map or representation of a subdivision showing thereon the division of a tract or parcel of land into lots, blocks, streets, alleys, easements or other divisions and dedications.

1. “Preliminary plat” means a neat and approximate drawing showing the general layout of streets and alleys, easements, lots, blocks and other elements of a subdivision.
2. “Final plat design” means the map of a development which conforms to the dimensional information required for final plats in Chapter 19.40, “Table of Required Information.”
3. “Final plat” means the final drawing of a subdivision prepared for filing for record with the county auditor and containing all elements and requirements set forth in Chapter 58.17 RCW and

in this code.

4. Short Plat. A “short plat” is the map of a short subdivision set forth in Chapter 58.17 RCW and in this code.

“Plat certificate” means a title report by a title insurance company certifying the ownership, deed restrictions, covenants, etc., of the land being subdivided.

“Private lane” means a privately owned and maintained access to property from a public right-of-way.

Reviewing Body. The hearing examiner reviews subdivision preliminary plats holds public hearing and makes recommendation to city council; and the planning commission reviews planned unit developments, holds public hearing and makes recommendation to city council.

“Right-of-way” means the platted portion of a development for purposes of a street or alley for vehicular and/or pedestrian traffic.

“SEPA” means State Environmental Policy Act.

“Short plat” means the division of land into nine or fewer lots, tracts or parcels for the purpose of sale or lease or transfer of ownership, a “short subdivision” as defined in Chapter 58.17 RCW.

Short Subdivision. “Short subdivision” is synonymous with “short plat.”

“Site plan review committee” means the site plan review committee (SPRC) consisting of the development services manager, director of public works, city engineer, director of parks and recreation, fire chief, chief of police, or their designee.

“Stormwater facility” has the same meaning as defined in Section 13.06.010.

“Street” means the entire width between the boundary lines of every public way for the purposes of vehicular and pedestrian traffic ~~and including the terms “road,” “highway,” “lane,” “place,” “avenue” or other similar designations.~~

Street, Arterial. “Arterial street” means a street primarily for fast through and heavy traffic, minimizing intersecting streets and direct access to abutting properties and primarily for the purpose of accommodating general traffic circulation of the community.

Street, Collector. “Collector street” means a street which carries traffic from residential streets to one or more arterial streets.

Street, Half. “Half street” means a portion of the width of a street, usually along the edge or boundary of a development, where the remaining portion of the street is to be provided by the development of adjacent property.

Street, Residential. “Residential street” means a street which primarily provides the principal means of access to abutting property.

“Subdivision” means the division of land into ten or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership and shall include all resubdivision of land.

“Turnaround” means the turnaround area of a cul-de-sac having sufficient size and shape for convenient reversal of traffic movement.

“Utility” means an agency or business which provides necessary services to the public and includes services such as telephone, gas, electric power, railroad, television cable, water, stormwater and sewer.

“Utility facilities” means any structure operated by a utility for the purpose of distributing services to customers including switching or secondary transmission facilities. Utility facility does not include administrative offices, fleet parking lots or other support services not directly connected with service delivery.

“Wetlands” means wetlands as defined in the city of Walla Walla critical areas ordinance.

Section 2: Section 19.26.011, 19.26.015, 19.26.020 and 19.26.040 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

19.26.011 Applicability.

- A. A planned unit development (P.U.D.) may be located in the following zones:
 - 1. Multifamily Residential (RM); ~~Single Family Residential (R-60), Single Family Residential (R-72) and Single Family Residential (R-96).~~ and Neighborhood Residential (RN).
 - 2. Central Commercial (CC) and Highway Commercial (CH).
- B. Uses permitted in the P.U.D. shall be governed by the use regulations of the underlying zoning classification of the subject site.
- C. This chapter shall not be applied to single-family residential lots incapable of further subdivision due to lot size or as a means to avoid other procedures more appropriately reviewed as a variance under Chapter 20.224.

19.26.015 Application requirements.

Planned unit development subdivisions ~~require~~ are a Level IV ~~Development Authorization Review~~ Review as specified in Chapter 20.27. Applications are processed according to the procedures prescribed in Chapter 19.14. The application process shall specifically include the following steps:

- A. A pre-~~submittal~~ application meeting with the development services staff and site plan review committee (SPRC) shall be required. The applicant shall ~~then~~ prepare concept-level plans to be ~~further~~ reviewed by staff and the SPRC ~~for conformance to the standards and purpose of this chapter, as provided for in Section 20.46.060.~~
- B. ~~The applicant is encouraged to share concept plans with adjacent property owners, neighborhood representatives, and other stakeholders to solicit their comments and suggestions. Only after staff and SPRC review of concept level plans at the preapplication meeting and the offering of such plans for public review shall the development services department accept detailed plans. (The neighborhood public review is mandatory for all proposed P.U.D. projects.)~~
- P.U.D. applications are ~~otherwise~~ subject to the provisions of Chapter 20.14, ~~Development Authorizations~~ Application Review – General.
- ~~C. All P.U.D.s will be processed as Level IV applications according to the provisions of Chapter 20.27.~~
- C. ~~D.~~ Each application shall comply with the minimum submittal requirements for site plan review set forth in Chapter 20.46. Applications for developments involving a subdivision shall also comply with the corresponding minimum submittal requirements set forth in Title 19. In addition to the minimum submittal requirements specified above, the application shall also contain: elevations of proposed buildings; proposed development standards including but not limited to land use, density, setbacks, site coverage, and building heights; and plans for development of common open space and amenity areas.

19.26.020 Types of planned unit development.

Planned unit development subdivision (P.U.D) applies to the following types of land development:

- A. P.U.D.s which include only the sale or lease of lots with streets and common areas for residential use. This type of development is administered as a “subdivision” in conformance with

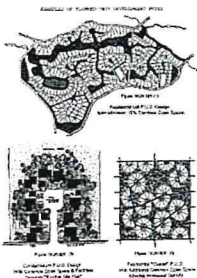
Chapters 19.10 to 19.18 or as a “short plat” in conformance with Chapters 19.22 to 19.24. (See Figures 19.26.020(1) and (3)); or

B. P.U.D.s which include only the sale or lease of condominiums or uses other than residential lot development. This type of development is administered as a “binding site plan” subdivision as provided under Chapter 19.28. See Figure 19.26.020(2); or

C. P.U.D.s which combine both types of developments as described in subsections A and B of this section.

1. The overall P.U.D. plan shall be reviewed and developed under the provisions of this chapter.
2. The overall P.U.D. plan shall include by reference and location the portion that includes condominiums or commercial development.
3. The portion containing condominiums, commercial or industrial development shall be reviewed and developed under the binding site plan provisions of Chapter 19.28 and shall be cross-referenced with the P.U.D. final plat.

~~Figures 19.26.020(1),(2) and (3) are typical examples of P.U.D. design alternatives. A P.U.D. may include any one or a combination of these examples.~~



19.26.040 Residential density and density bonus.

A. Net Developable Area Calculation. The net developable area of a P.U.D. shall be the gross area of the subject property less twenty-five percent which would account for public right-of-way under a normal subdivision design (where normal subdivision design would require the creation of new street right-of-way). If sufficient public right-of-way is already provided, the twenty-five percent reduction does not apply.

B. Base Density. The minimum development density of a parcel is determined by dividing the net developable area by the minimum lot size of the applicable zone of the subject property.

C. Density Bonus. A density bonus of up to twenty percent of the base density (development density allowed by the minimum lot size required by the applicable zone) may be allowed if:

1. The developer makes substantive improvements to the common area(s) including but not limited to: facilities for active and passive recreation or community service facilities appropriate for the residents of the development, restoration or revegetation of critical areas in accordance with an approved restoration plan, or installation of extensive landscaping; or
2. The developer provides open space/common area in excess of the minimum required fifteen percent in order to protect critical areas, environmentally sensitive areas, or other significant natural site features. The additional area must represent at least five percent of the gross acreage in order to be eligible for the density bonus.

D. Dimensional Standards. Dimensional standards and street standards may vary in order to achieve clustering and common area design objectives. Such variations shall be justified based

on consistency with the goals and policies of the ~~urban-area~~ comprehensive plan and the purpose and intent of this chapter. Variations shall be documented and become the applicable standards for the subject subdivision. Dimensional standards shall be reviewed by the city development services department and documented in the approval.

Section 3: Section 19.30.010, 19.30.020, 19.30.030, 19.30.060 and 19.30.080 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

Sections:

19.30.080 Utility easements and Access easements.

19.30.010 General provisions.

A. Conformance to Comprehensive Plan and Zoning Code. The design of subdivisions, short plats, planned unit developments and binding site plans, including but not limited to layout of streets, lots and blocks, shall be consistent with the Walla Walla ~~urban-area~~ comprehensive plan. Dimensional lot standards shall be as required by the Walla Walla Zoning Code.

19.30.020 Lot and block design standards.

A. Lot Dimensions. Lot areas and lot widths shall conform to the zoning standards applicable to the area within which the property is located. Sufficient area for the proposed use, setbacks and other area requirements shall be accommodated.

B. Double Frontage Lots.

1. No residential lots shall have road frontage along two opposite boundaries unless justified by topographical features or the need to provide separation of the lots from arterials, railways, commercial activities or similar uses.

2. The city may require a nonaccess easement to prevent access to abutting arterials or similar noncompatible uses.

C. Flag Lots. Flag lots, as defined in Section 19.06.020, may be permitted to accommodate buildable area which does not have standard frontage on a public street and where access to the buildable area is not feasible by any other standard land division method or lot design. The narrow (access) portion of the flag lot shall not be used to grant access to other property not having frontage on a public street.

D. Lot Access/Frontage.

1. Every lot shall be provided with frontage on a public street or approved private lane as provided in Section 19.30.060 connecting to an existing public street.

2. The lot frontage of a “flag lot” as provided in subsection (C) of this section, shall be at least twenty feet in width. The building site portion of the flag lot shall meet dimensional standards of the applicable zone. The length, width and improvement of the access to the building site shall comply with the requirements of the Walla Walla fire department. (See Section 19.06.020 for definition of “Flag lot” and Figure 19.06-1 for example.)

3. Developments abutting ~~primary~~ arterial streets shall be designed to provide access from interior streets. Access to arterial streets by individual lots shall only be permitted with specific findings demonstrating compelling need based on lot size, shape, topography or other property characteristics and addressing public safety. Any lots permitted to directly access an arterial shall

be required to provide adequate site circulation in order to avoid the need for vehicle backing out into the street.

E. Cul-de-Sac (Turnaround) Lots.

1. No more than four lots may be located exclusively on the turnaround of a cul-de-sac.
2. The minimum lot width for lots on cul-de-sac turnarounds shall be fifty feet measured at the required setback line.

F. Street Connectivity and Formation of Blocks. In order to promote efficient vehicular, pedestrian, and bicycle circulation throughout the city, subdivisions and site developments shall be served by an interconnected street network, pursuant to the standards in subsections (1) through (4) below. Distances are measured from the edge of street rights-of-way. Where a street connection cannot be made due to physical site constraints, approach spacing requirements, access management requirements, or similar restrictions; where practicable, a pedestrian access way connection shall be provided pursuant to 19.30.030(E).

1. Residential zones: Minimum of 200-foot block length and maximum of 600-foot length; maximum 1,400-foot block perimeter;
2. Highway Commercial (HC) zone and Light Industrial/Commercial (IL/C) zone: Minimum of 100-foot length and maximum of 600-foot length; maximum 1,400-foot perimeter; and
3. Not applicable to Central Commercial (CC), Heavy Industrial (IH), Public Reserve (PR), Airport Development District (AD), Airport Approach – Overlay Zone (AA), or Urban Planned Communities (UPC).

19.30.030 Street design standards.

A. Street Right-of-Way and Improvement Width. Street right-of-way and improvement width for residential, collector and primary arterial streets shall comply with Chapter 19.34, Public Facilities Standard Plans.

B. Subdivision Street Access. Subdivisions shall be served by one or more improved streets providing ingress and egress to and from the subdivision as follows:

1. A subdivision of fourteen or fewer lots on a cul-de-sac which does not exceed four hundred feet, or on an approved stub street which does not exceed six hundred feet in length, may have one access point.
2. A subdivision of fifteen or more lots shall have a minimum of two access points. More may be required based on factors in subsection (C)(2) of this section.

C. Conformance to Street Plan – Continuation of Streets.

1. Subdivisions and short plats shall provide for the location and necessary right-of-way to conform to the city street plan.
2. Subdivisions and short plats shall provide for the continuation or appropriate projection of residential, collector or primary arterial streets.
3. Modifications to street width or street parking requirements to accommodate low impact development stormwater facilities may be allowed upon written approval of the city engineer.

D. Cul-de-Sac Streets. Cul-de-sacs are disfavored, however, subject to the following a cul-de-sac street shall only be used where the approving authority determines that environmental or topographical constraints, existing development patterns, legal restrictions, or compliance with other applicable city requirements preclude a street extension. Where the city determines that a cul-de-sac is allowed, all of the following standards shall be met:

1. Cul-de-sac streets shall have a maximum length of ~~four~~ six hundred feet measured from its centerline intersection with the public access street right-of-way to the turnaround.

2. The turnaround at the end of a cul-de-sac street shall have a minimum right-of-way radius of forty-five feet and a minimum curb radius of thirty-eight feet.

3. The cul-de-sac shall provide, or not preclude the opportunity to later install, a pedestrian and bicycle access way between it and adjacent developable lands. Such access ways shall conform to subsection (E) of this section.

E. Access Ways. An access way that connects one street to another street, a park, or a public access way is required where a street connection cannot be provided consistent with block size or street spacing standards due to existing development, topography, and/or other natural conditions such as wetlands or stream corridors. Where an access way is required, it shall be established as a tract or right-of-way that is a minimum 15 feet wide. The access way shall feature a paved surface that is a minimum 10 feet wide.

~~F E.~~ Street Intersections. Street intersections shall be as nearly at right angles as is practicable but not less than seventy degrees. Offset street intersections of less than two hundred feet for collector and primary arterial streets or one hundred feet for residential streets will not be permitted, unless otherwise approved by the city engineer.

~~G F.~~ Stub Streets. Stub streets shall be allowed only to provide for the planned continuation of streets on adjacent property. A standard turnaround shall be required at the end of a stub street.

~~H G.~~ Half Streets. Half-width streets shall be prohibited.

~~I H.~~ Street Grades. Street grades shall comply with Chapters 19.32, Public Facility Requirements, and 19.34, Public Facilities Standard Plans.

~~J I.~~ Street Designations. Street naming for public and private streets approved for new developments under this code shall be in accordance with Chapter 12.64 and the following:

1. Streets that are in general alignment with others already existing and named shall bear the names of the existing streets. Other streets shall not bear names that duplicate or phonetically approximate the names of existing streets.

2. A street with a general north-south alignment shall be designated “avenue”; one with a general east-west alignment shall be designated “street”; a cul-de-sac shall be designated “court” or “place.”

3. The designations “drive” or “way” shall be reserved for long continuous curved streets with thoroughfare characteristics.

4. Insofar as possible, new streets shall preserve and continue any alphabetical or numerical sequence and type of name already established in nearby subdivisions.

19.30.060 Private lane standards and restrictions.

A. Private Lanes — ~~Prohibited. Except as provided in planned unit developments or binding site plans,~~ Private lanes shall not be permitted in any development of more than ~~four-nine lots,~~ shall not connect two public streets, and are limited to providing access to nine dwelling units or less. ~~or when it is determined by the director that, pursuant to Section 19.30.030(C), it is necessary to dedicate the access in order to facilitate future subdivision of surrounding property.~~

B. Private Lanes – Permitted. The following minimum standards apply to private lanes not prohibited under subsection A of this section:

1. ~~Right-of-way~~ The width of a private lane shall be at least twenty-five feet. The right-of-way radius at the turnaround shall be forty-five feet.

2. The length of a private lane shall not exceed ~~four-hundred feet~~ six hundred feet.

An improved turnaround shall be provided at the end of a private lane exceeding one hundred fifty feet in length. ~~and improved with a turnaround radius of thirty eight feet to adequately provide for emergency services.~~

3. Private lanes shall be paved with materials as defined in Section 12.01.050, shall have a pavement width of twenty feet and constructed in accordance with City standard plans.

~~3. Private lanes shall be paved with materials as defined in Section 12.01.050 and shall be eighteen feet in width and constructed in accordance with city standard plans.~~

4. Stormwater facilities shall be provided as required by Chapter 13.16.

5. Private lanes shall be named in accordance with Section 19.30.030(I).

6. A utility easement shall be dedicated to the city for the total width of the lane ~~right-of-way~~, unless easements are provided in other locations for residences being served.

7. A recorded binding covenant shall be prepared providing for maintenance of the private lane, sidewalk, stormwater facilities, curb, and gutter.

8. An approved driveway approach from the street to the lane shall be provided.

9. Private lanes which provide access to five or more lots/dwelling units shall:

A. Provide a sidewalk per City Standard Plans, adjacent to the entire length of the lane.

B. Provide pedestrian connectivity or access way to each parcel.

19.30.080 Utility and Access easements.

A. Utility easements for electric, telephone, television, water, gas and similar public utilities shall have a minimum width of ten feet or sufficient additional width to assure future maintenance as determined by the serving utility.

B. Utility easements shall be provided to permit future installation of underground utilities.

C. Utility or access easements shall be located adjacent to the lot line entirely on one lot, when not adjacent to a roadway or private lane.

Section 4: Section 19.32.020, 19.32.030, 19.32.040, 19.32.050 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

19.32.020 Street improvements.

A. Streets. All public streets shall be constructed with paving, curbs and gutters, storm drainage system, sidewalks, street lighting and street trees. Private street (lane) improvement requirements are provided in Section 19.30.060.

B. Alleys. Alleys shall be improved to private lane standards described in Section 19.30.060.

C. Sidewalks and Driveways. Sidewalks shall be included in the street improvement plans and shall be installed on both sides of the street after completion of the curb and gutter improvements. Except as provided in Section 19.18.010(D), sidewalks and driveways shall be constructed when homes are constructed on the lots and shall be completed prior to final inspection and occupancy.

D. Street Lighting System. Street lights shall be installed at all intersections (street corners), all cul-de-sac turnarounds and all substantial curves of streets (ten degrees or more), and at mid-block locations in order to provide street light spacing two hundred fifty to three hundred feet. Street lighting systems ~~intended for dedication~~ to the city shall be approved by the city engineer and shall be in accordance with the city standard plans. The developer shall make the necessary arrangements with the serving electric utility for installation of underground service for the street lighting system. ~~If alternative lighting assemblies are approved for installation, the underground system shall be constructed in a manner to make it possible to convert to a city standard lighting~~

~~system in the future. Alternative assemblies are subject to the requirements of Section 19.35.020.~~

E. Street Trees. Street trees shall be installed in accordance with the arboricultural standards and specifications adopted by the urban forestry advisory commission and administered by the municipal arborist. Street trees shall be installed according to an approved street tree planting plan. Except as provided in Section 19.18.010(D), street trees shall be planted at the time new homes are constructed and prior to final inspection and occupancy. The developer shall be responsible for the continued health and vigor of street trees abutting undeveloped lots until such lots are sold.

F. Safety Improvements. Where a need to improve safety is demonstrated by a Traffic Impact Analysis or identified as a need in an adopted Transportation Plan, the city may require the installation of safety features such as pedestrian crossings with or without median refuge islands, flashing beacons or other signage or signals, traffic circles, curb extensions, reduced street width, speed tables, speed humps, or special paving to slow traffic and improve transportation safety for all modes.

19.32.030 Water distribution system.

A. Water supply facilities shall be installed to provide potable water to each lot within a development under this code in accordance with the policies of the Walla Walla ~~urban area~~ comprehensive plan.

B. Distribution mains and fire hydrants shall be installed in accordance with Chapter 19.34, Public Facilities Standard Plans, and shall be inspected and approved by the city engineer or designee prior to construction of street improvements.

19.32.040 Sanitary sewer system and stormwater drainage systems.

A. Sanitary sewers shall be provided to each lot or unit within the development in accordance with the policies of the Walla Walla ~~urban area~~ comprehensive plan. The sewer system shall be inspected and approved by the city engineer or designee prior to construction of street improvements.

B. Stormwater facilities shall be provided as required by Chapter 13.16.

C. All required sanitary sewer lines and stormwater facilities ~~sewers~~ located within the street improvement section shall be completed in accordance with Chapter 19.34, Public Facilities Standard Plans, and inspected and approved by the city engineer or designee prior to construction of street surface improvements.

19.32.050 Fire protection.

A. Water sources and facilities adequate for fire protection purposes shall be provided in every subdivision by the developer.

B. Fire protection facilities, including fire hydrants and appurtenances, shall be provided in accordance with the ~~Uniform Fire Code Appendix III-International Fire Code, as adopted by the City,~~ under the direction and approval of the fire marshal. Such facilities shall be included in the improvement plans as approved by the city engineer.

Section 5: Section 20.02.020, 20.02.050, 20.02.080, 20.02.090 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

20.02.020 Authority.

This Code is adopted pursuant to the authority contained in Revised Code of Washington (RCW) 35A.63. Whenever any provision of this code refers to or cites a section of the Revised Code of Washington and that section is later amended or superseded, the Code shall be deemed amended to refer to the amended section or the sections. The director has the authority to designate employees as permit assistance staff.

20.02.050 Establishment of zone districts – Official zoning map.

To implement the Comprehensive Plan land use designations, and the Purpose and Intent Statements of this code, the following land use zoning districts are established by delineation on the Official Zoning Map as defined in Section 20.06.030.

A. General Zones.

Abbreviation Zone District Name

R-96	Single-Family Residential (Low-Density)
R-72	Single-Family Residential (Medium-Density)
R-60 <u>RN</u>	Single-Family (High-Density) <u>Neighborhood Residential</u>
RM	Multi-Family Residential
CC	Central Commercial
CH	Highway Commercial
IL/C	Light Industrial/Commercial
IH	Heavy Industrial
AD	Airport Development District
PR	Public Reserve
UPC	Urban Planned Community

B. Overlay Zones.

AA	Airport Approach
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20.02.080 Annexations.

A. Property may be annexed to the city as authorized by Chapter 35A.14 RCW, as amended. Annexation is a Level VI process, initiated as provided in Chapter 35A.14 RCW. Annexation proposals shall be initiated through forms approved by the department.

B. Annexations are exempt from State Environmental Policy Act (SEPA) review pursuant to RCW 43.21C.222, as amended.

C. Annexation of property shall be consistent with the land use and annexation policies of the Comprehensive Plan’s Land Use Element. As soon as practicable upon initiation of annexation proceedings, the department shall determine whether or not the proposed annexation area has been pre-zoned, and whether or not such pre-zone designation(s) are consistent with and implement the Comprehensive Plan.

D. Notice of Initiation. The department shall give at least thirty days’ advance notice of city

council meetings which will consider resolutions calling for election under RCW 35A.14.015, meetings with initiating parties under RCW 35A.14.120 or 35A.14.420, resolutions for initiation of island annexations under RCW 35A.14.295, or resolutions to commence negotiations under RCW 35A.14.460, as those statutes may be amended. The notice shall identify the area proposed for annexation and provide the date and time of the meeting.

1. Initiator Notice. The department shall deliver or mail notice of application to the initiator(s), if any, or the person or entity designated by the applicant to receive notice.

2. Public Notice.

a. The department shall deliver or mail notice to parties that have filed a special notification request in accordance with Section 20.14.015.

b. The department shall deliver or mail notice to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is included in the area to be annexed or adjacent to the area to be annexed.

3. Agency Notice. The department shall mail notice to the Walla Walla County Commission, any fire protection district serving the area to be annexed, any water district serving the area to be annexed, and any holder of any franchise or permit for operation of a public service business which will be cancelled pursuant to RCW 35A.14.900.

E. Notice of Hearing. The city council shall by resolution set public hearing(s) to the extent required by RCW 35A.14.130, 35A.14.295(2), 35A.14.430, and 35A.14.460(3), as those statutes may be amended, and notice of hearing shall be given as required by the applicable statute. Such notice shall include the proposed zoning for the property.

F. Property within the Urban Growth Area which has been prezoned by a proposed zoning regulation pursuant to RCW 35A.14.330 and 35A.14.340, as those statutes may be amended, will automatically be zoned in conformance with the land use designation prescribed for that property by the city council through the prezone process unless the proposed zoning designation is changed as provided herein.

G. Where property is prezoned, and the prezone designation is inconsistent with the Comprehensive Plan, the council, upon consideration of the annexation proposal, may determine zoning requirements as follows:

1. The prezone designation for the property may be changed concurrently with annexation by a proposed zoning regulation pursuant to RCW 35A.14.330 and 35A.14.340, as those statutes may be amended; or

2. The prezone designation will be applied and the zoning designation for the property may be amended through the rezone process after annexation.

H. Where property has not been prezoned, the council upon consideration of the annexation proposal may determine the zoning requirements as follows:

1. The city may adopt a zoning designation for the property pursuant to RCW 35A.63.100 which is consistent with and implements the Comprehensive Plan; or

2. The property shall be deemed to be included in the Zoning Map as follows:

a. Property zoned by the County as Agriculture Industrial Heavy or Heavy Industrial shall be deemed to be zoned by the city as Heavy Industrial (IH);

b. Property zoned by the County as Agriculture Industrial Light, Light Industrial, or Industrial/Business Park shall be deemed to be zoned by the city as Light Industrial/Commercial (IL/C);

c. Property zoned by the County as Airport Development District shall be deemed to be zoned by the city as Airport Development (AD);

- d. Property zoned by the County Public Reserve shall be deemed to be zoned by the city as Public Reserve (PR);
- e. Property zoned by the county as Urban Planned Community shall be deemed to be zoned by the city as Urban Planned Community (UPC);
- f. Property zoned by the county as Primary Agriculture, Exclusive Agriculture, General Agriculture, Agricultural Residential, Rural Remote, Rural Agriculture, Rural Flowing, Rural Residential, or Rural Transition shall be deemed to be zoned by the city as ~~Single Family Residential (Low Density) (R-96)~~ Neighborhood Residential; and
- g. Property given a zoning designation by the county other than those identified in this subsection shall be deemed to be zoned by the city as ~~Single Family Residential (Low Density) (R-96)~~ Neighborhood Residential.

The deemed zoning designation may be amended through the rezone process after annexation, and the department is directed to process such amendment(s) that may be necessary to make the zoning designation(s) for annexed property consistent with the Comprehensive Plan as soon as practicable following the effective date of the annexation.

20.02.090 Interpretation.

The director shall have the responsibility of interpreting all terms and provisions of this code. Formal interpretation shall be requested in writing on forms provided by the department. Such interpretations made by the director shall be in writing and an orderly and retrievable record of all interpretations shall be maintained in the department. The director shall mail a copy of the interpretation to the party requesting the interpretation and any other party which requested notification in writing prior to the making of the interpretation, at the party’s last known address, on the date the interpretation is made. A summary of any formal interpretation made by the director shall be posted at City Hall on the City’s website on the day the decision is made and maintained until expiration of the appeal period. Such summary shall include notification of the date upon which the summary was posted, the date by which an appeal must be filed, and the availability of a complete copy of the interpretation upon written request. Formal interpretations may be appealed to the appropriate appellate body as prescribed in Chapter 20.38, Closed Record Decisions and Appeals.

Section 6: Section 20.06.030 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

20.06.030 Definitions.

As used in this code, the following words and phrases shall mean:

“Access” means the right to cross between public and private property allowing pedestrians and vehicles to enter and leave property.

“Accessory dwelling unit” means a habitable living unit that provides the basic requirements of shelter, heating, cooking and sanitation and meets the standards provided in this code.

“Accessory structures (residential) – not for use as a dwelling unit” means an accessory building or structure as defined in this code not used for residential occupancy.

“Adjacent” shall be that having a common boundary or that which would have a common boundary but for the intervention of a public street or alley.

“Agricultural building” means a structure designed and constructed to store farm implements or hay, grain, poultry, livestock, fruit and other agricultural products. The structure shall not be used for human habitation; processing, treating or packaging agricultural products, nor shall it be a place used by the public.

“Agricultural related industry” means specifically:

A. “Packaging plants” may include but are not limited to the following activities: washing, sorting, crating and other functional operations such as drying, field crushing, or other preparation in which the chemical and physical composition of the agricultural product remains essentially unaltered. Does not include processing activities, or slaughterhouses, animal reduction yards, and tallow works.

B. “Processing plants” may include but are not limited to those activities which involve the fermentation or other substantial chemical and physical alteration of the agricultural product. Does not include slaughterhouses or rendering plants.

C. “Storage facilities” may include those activities which involve the warehousing of processed and/or packaged agricultural products.

“Agricultural stand” means a structure up to one hundred twenty square feet in area used for the retail sale of agricultural products, excluding livestock, grown on the premises in residential zoned areas; also, in commercial zoned areas subject to the standards of the applicable zone.

“Agriculture” means the tilling of soil, raising of crops and horticulture.

Airport Approach Overlay Zone Boundaries. The “Airport Approach Overlay Zone boundaries” are defined as follows: that area lying within the city limits of Walla Walla under the Walla Walla city/county airport runway 2, 50:1 clear zone having a width from one thousand feet to one thousand seven hundred feet, and a length of two thousand five hundred feet, as indicated on the official zoning map.

“Alley” means a service way providing a secondary means of public access to abutting property and not intended for general traffic circulation.

“Amendment” means a change in the Zoning Code. There are three types of zoning related amendments: those that request a reclassification of land allowing a change in the range of permitted uses on a specific piece of property (termed “rezones”); those which provide zone designations for land to be annexed to the city (termed “prezones”); and those which request a change in the text of this code. (See Chapter 20.48 for amendment procedures.)

“Amusement parks,” “carnival” or “fair” means a seasonal use operated for profit offering portable facilities and equipment for recreational and entertainment purposes.

“Animal husbandry” means the raising of domesticated farm animals when, in the case of dairy cows, beef cattle, horses, ponies, mules, llamas, goats and sheep, their primary source of food, other than during the winter months, is from grazing the pasture where they are kept.

Animal Shelter, Community. “Community animal shelter” means a place where dogs, cats or other stray or homeless animals are sheltered as part of a community animal control and protection program. Activities and services may include kenneling, animal clinic, pet counseling and sales, as well as animal disposal. (See Chapter 20.130.)

“Approving authority” means the director, city manager, planning commission, hearing examiner or city council of the city of Walla Walla as provided in this code.

“Assembly area” means any area used for the gathering or congregation of persons with or without the provision of seating and including any area designed for spectator activity.

“Automobile and trailer sales area” means an open area other than a street, used for the display, sale or rental of new or used automobiles or trailers and where no repair work is done except minor incidental repair of automobiles or trailers to be displayed, sold or rented on the premises.

“Automotive wrecking yard” means a premises used for the storage or sale of used automobile or truck parts, or for dismantling, or abandonment of junk, obsolete automobiles, trailers, trucks, machinery, or parts thereof. Automobile wrecking yards must be licensed by the Washington State Department of Licensing.

“Avigation easement” means the right to use the air space above grantor’s property in accordance with the rules and regulations regarding takeoff, landing and traffic patterns.

Base Flood – One Hundred Year Flood. See “Flood hazard area.”

“Bed and breakfast facility” is a dwelling unit which is also utilized by the owner/operator as short-term lodging for travelers and transient guests. (See Chapter 20.138 for related development standards.)

“Binding site plan” means a survey together with a developer agreement which, when approved and recorded as required by the subdivision code, Title 19, provides a method of land division for commercial and industrial property and condominiums.

“Bioretention” means a shallow depression with a designed planting soil mix and a variety of plant material, including trees, shrubs, grasses, and/or herbaceous plants. Bioretention can be designed as a cell that provides storage and treatment functions or as a linear facility that also provides conveyance in addition to storage and treatment.

“Boarding house (rooming house)” means a residential use where lodging with or without meals is provided for compensation for at least two but not more than ten guests but which rooms, separately or collectively, do not constitute separate dwelling units.

“Building” means a structure to be used as a place of occupancy, storage or shelter. (See “Structure.”)

“Building, accessory” means a minor building that is located on the same lot, or single ownership of contiguous lots, as the principal building. An accessory building is used incidentally to a principal building or that houses an accessory use and is not used for residential occupancy.

“Building height” means the vertical distance of a building measured from the finished grade of the front yard to the highest point of the roof. (See Figure 20.06-1.)

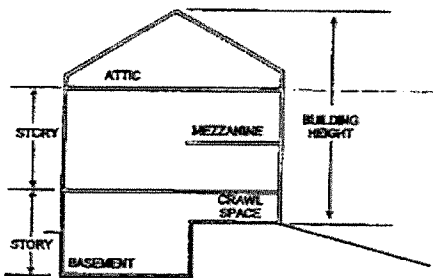


Figure 20.06-1 – Building Height

“Building, principal” means the primary building on a lot or a building that houses a principal use.

“Building setback line” means a line set by the yard requirements of this code, which line runs parallel to and is measured from a lot’s nearest property line. That area beyond the established

building setback line is permissible for placement of buildings and structures; provided, that all applicable provisions of this code are met.

“Building site” means a parcel of land which meets area requirements, setbacks and access standards, is serviceable by utilities, and meets the provisions of the zone in which the parcel is located, excepting lands with slopes greater than fifteen percent, unbuildable geology, unstable slopes, and lands which lie within the one-hundred-year floodplain.

“Cabana” means a freestanding roof supported only by columns or pillars with no enclosing walls between them and having no enclosures under the roof itself.

“Camp, tourist, or trailer park” means any area or tract of land used or designed to accommodate two or more recreational vehicles, tents or outfits, the primary purpose of which is to rent space to any person for a fee.

“Campground” means a developed area consisting of more than one campsite used for the purposes of camping.

“Cargo containers” are standardized reusable vessels that were (1) originally, specifically or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities, and/or (2) designed for or capable of being mounted or moved by rail, truck or ship by means of being mounted on a chassis or similar transport device. This definition includes the terms “transport containers” and “portable site storage containers” having a similar appearance to and characteristics of cargo containers.

“Carport” means a roofed structure providing space for the parking or storage of motor vehicles and enclosed only by the exterior walls of the associated structure if it is to be attached, and supported on all other sides by columns or pillars with no enclosing walls between them.

“Change of use” means alteration of the purpose for which land or a structure is designated, arranged, or intended from an existing use, or an actual use in the last twelve months, to a different use for the location in question.

Child Care, Home. These facilities are covered by definitions of day care center. (See “Day care center, mini” or “Day care center, family.”)

“Circulation area” means that portion of the vehicle accommodation area used for access to parking or loading areas or other facilities on the lot. Essentially driveways and other maneuvering areas (other than parking aisles) comprise the circulation area.

“City” means city of Walla Walla, Washington.

“City council” or “council” means the city council of the city of Walla Walla, Washington.

“Clearview triangle” means a triangular area at an intersection which is to be kept clear of visual obstructions for the safety of pedestrian and vehicular traffic. Clearview triangle regulations are set forth in Chapter 20.114.

“Combination use” means a use consisting of a combination of two or more principal uses on one lot separately listed in Chapter 20.100, the Table of Permitted Land Uses. (Under some circumstances, a second principal use may be regarded as accessory to the first, and thus a combination use is not established. In addition, when two or more separately owned or separately operated enterprises occupy the same lot, and all such enterprises fall within the same principal use classification, this shall not constitute a combination use.)

“Commission” means the Walla Walla city planning commission.

“Common open space” or “common areas” means an area or areas within a development designed or intended for the use or enjoyment of all residents of the development or for the use and enjoyment of the public in general.

“Community center” means a structure owned and operated by a nonprofit public or private corporation and used as a public meeting place for recreation, education, and the general good of the community.

“Comprehensive plan” means the most recent generalized coordinated land use policy statement of the Walla Walla city council, as amended, adopted pursuant to Chapter 36.70A RCW.

“Concentrated animal feeding operation” means a structure or pens for the concentrated feeding or holding of animals or poultry, including but not limited to horses, cattle, or sheep. This definition includes dairy confinement areas, slaughterhouses, shipping terminal holding pens, poultry and/or egg production facilities and fur farms but does not include animal husbandry.

“Concurrency requirements” means Chapter 20.51 and other ordinances, regulations and rules adopted by the city to ensure that at the time of new development, public facilities and services are in place or are adequately planned.

“Conditional use” means a use listed as permissible in a zone, but one which due to potential interaction with adjacent uses or public facilities, requires additional public input and which may require certain additional development standards to ensure that the purposes of this code are met. Conditional use requests are reviewed and approved by the Walla Walla city hearing examiner in accordance with Chapter 20.26, Level III Review; and Chapter 20.216, Conditional Use.

“Condominium” means a building or group of buildings, in which dwelling units are owned individually, common areas and facilities are owned by all the owners on a proportional, undivided basis as provided by the subdivision code in Title 19, and in accordance with Chapter 64.34 RCW, Condominium Act of Washington.

“Congregate care facility” means a structure, primarily for senior citizens, containing more than five living units consisting of separate or confined sleeping and living room, bathroom, but without a kitchen (hot plate and small sink may be provided for supplementary cooking in the room) with food service provided in a commons by the management of the facility.

“Contiguous land” means two or more parcels or units of land under a single ownership which are not separated by an intervening parcel of land under a separate ownership, including limited access right-of-way which would deny access between the two parcels under single ownership. Convalescent, Nursing Homes. See “Nursing care home” and “Nursing care facility.”

“Convenience store” means a one-story retail store containing less than two thousand square feet of gross floor area that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a “supermarket”). It is designed to attract and depends upon a large volume of stop-and-go traffic.

“Cottage housing” means multiple detached dwelling units sharing common areas. A dwelling unit in Cottage Housing, within the Neighborhood Residential zone shall not be more than one thousand (1,000) square feet.

“Courtyard apartments” mean one-story attached dwelling units oriented around a landscaped courtyard which is adjacent to the front public right of way.

“Critical root zone” means the line encircling the base of the tree with half the diameter of the drip line.

“Curb line” means the line at the face of the curb nearest to the street or roadway. In the absence of a curb, the curb line shall be established by the public works department according to city standard plans for future streets.

“Day care center, family” means any nursery school, preschool, child day care nursery or other structure or premises used for the day care, apart from their parents or guardians, of thirteen or more children twelve years of age or younger. ~~(See Chapter 20.158.)~~

“Day care center, mini” means any nursery school, preschool, child day care nursery or other structure or premises used for the day care, apart from their parents or guardians, of fewer than thirteen children twelve years of age or younger. ~~(See Chapter 20.158.)~~

“Deck, high level” means a structure which conforms to the description of a low level deck, but which is higher than the fence height allowance in the yard in which the deck is located.

“Deck, low level” means an unroofed exterior wood frame structure, either attached to a dwelling or freestanding, which provides a surface for outdoor activities. A low level deck, and any railings, benches or attachments must be no higher than the fence height allowed in the yard in which the deck is located.

“Deck roof” means a roof enclosed only by exterior walls of the associated dwelling and supported on all other sides by columns or pillars with no enclosing walls between them. A deck roof is a structure for calculation of setbacks and lot coverage.

“Department” (known and referred to alternatively herein as the “planning department,” “development services department,” “development services,” “planning and building department,” “staff,” or “planning staff”) means the department created by Section 2.17.010(F).

“Developer” means a person who is responsible for any undertaking that requires an approval decision development authorization, and/or additional permits such as a special use permit, conditional use permit, or sign permit.

“Development” means that which is to be done pursuant to an approval decision development authorization. Approval ~~of a development authorization~~ may be conditioned upon other permits such as a special use permit, conditional use permit, a variance, or site plan review approval.

~~“Development authorization” means authorization issued in accordance with this code that authorizes the recipient to make use of property subject to the requirements of this code.~~

“Diameter at breast height (DBH)” means the diameter of the tree measured four and one-half feet above the ground.

“Dimensional nonconformity” means a nonconforming situation that occurs when the height, size, or minimum floor space of a structure or the relationship between an existing building or buildings and other buildings or lot lines does not conform to the regulations applicable to the district in which the property is located.

“Director” (known and referred to alternatively herein as the “development services director,” “development services manager,” “administrator,” or “zoning administrator”) means the official appointed by the city manager in accordance with Section 2.17.070, and such other staff granted authority to act on behalf of the director.

“District” or “zone” means an area defined as to the boundaries and location on the official zoning map and within which area certain land use regulations as prescribed by the text of this code apply.

“Dormitory,” “fraternity,” or “sorority house” means a building occupied by and maintained exclusively for students affiliated with an academic or professional college or university or other recognized institution of higher learning, and regulated by such institution.

“Downtown” means a subset of the Central Commercial Zone, the boundaries of downtown are as identified on the Walla Walla ~~Urban Area~~ Comprehensive Plan Land Use Map. ~~(See Figure 20.06-4.)~~

~~“Downtown, historic” means a subset of the Central Commercial Zone, the boundaries of historic downtown are as identified on the Walla Walla Urban Area Comprehensive Plan Map. (See Figure 20.06-5.)~~



Figure 20.06-4—Downtown



Figure 20.06-05—Downtown, Historic

~~“Duplex” is synonymous with two-family dwelling.~~ means a building designed exclusively for occupancy by two families living independently of each other and containing two attached dwelling units on the same lot.

“Dwelling” means a building designed exclusively for residential purposes, including one-family, two-family, and multiple-family dwellings but not including hotels or motel units.

“Dwelling, Multifamily” means three or more attached or detached residential dwelling units on one lot or parcel.

~~Dwelling, Multiple. “Multiple dwelling” means a building designed exclusively for occupancy by three or more families living independently of each other and containing three or more attached dwelling units on a lot.~~

Dwelling, One-Family. “One-family dwelling” means a detached building designed exclusively for occupancy by one family and containing one dwelling unit.

Dwelling, Two-Family. “Two-family dwelling” means a building designed exclusively for occupancy by two families living independently of each other and containing two attached dwelling units on the same lot. This definition includes the term “duplex.”

“Dwelling unit” means one or more rooms designed for or occupied by one family for living and sleeping and sanitation purposes and containing permanent kitchen facilities used solely by one family. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit. (See “Accessory dwelling unit.”)

“Essential public facilities” are those facilities that are typically difficult to site and necessary to provide essential public services, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020, and include supporting facilities needed for such essential public facilities. It is not necessary that the facilities be publicly owned.

“Facilities, public” means those structures, systems, or areas, such as streets, utilities, parks and public buildings customarily provided by or on behalf of government for use by the general public. This term may also include structures or features required of a private developer which are dedicated to the public as a condition of development.

“Family” means an individual or two or more persons related by blood, marriage, ~~or~~ adoption, or guardianship or a group of not more than five persons who are not related by blood, marriage, ~~or~~ adoption or guardianship, living together in a dwelling unit.

“Family home, adult” means a regular family abode of a person or persons providing personal care, room and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services.

“Fence” means a barrier for the purpose of enclosing space or separating parcels of land.

“Fence, sight-obscuring” means a fence ~~or planting arranged in such a way as to effectively prevent vision of objects which are screened by it.~~ where more than half of the area of the fence cannot be seen through.

“Flood hazard area” means the area which has been or may be covered by a one-hundred-year flood as defined by the Federal Emergency Management Agency Flood Hazard Boundary Map.

“Flood Hazard Boundary Map” means an official map of the community furnished by the Federal Insurance Administration, labeled as Flood Hazard Boundary Map and delineating the boundaries as the special hazard areas.

“Fourplex” means a building with four dwelling units.

Foster Care, Adult. Referred to in this code as adult family home.

Frontage, Lot. “Lot frontage” means that portion of a lot nearest the street. For the purposes of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to public streets shall be considered frontage.

“Garage, private” means an enclosed building or portion of a principal building used primarily for the parking of vehicles owned or used by occupants of the principal building. Other buildings used for parking or storage of vehicles are accessory buildings as defined under “Building, accessory.”

“Garage sale” means the sale of used household personal items by the owner thereof, usually on residential premises. (See Section 20.118.060.)

“Grade (ground level)” means the average of the finished ground level at the center of each exterior wall of the building.

“Gross floor area” means the total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

“Group housing for handicapped persons” means a dwelling unit used principally for the housing of handicapped individuals, protected by the federal Fair Housing Act, with or without supervisory resident staff housed in the same unit. “Group housing for handicapped persons” does not include dwelling units made available to individual(s) whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others. “Group housing for handicapped persons” does not include secure community transition facilities as defined in RCW 71.09.020. As used in this definition, “handicaps” are as defined in the federal Fair Housing Amendments Act of 1998 (42 USC 3602), as amended.

“Habitable area” means any area usable (meeting applicable building code standards) for living purposes, including working, sleeping, eating, cooking or recreation or any combination thereof. An area used only for storage is not a habitable area.

“Hazardous substance” means any liquid, solid, gas, sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the characteristics or criteria of hazardous waste (RCW 70.105.010).

“Hazardous waste” means and includes all dangerous and extremely hazardous waste (RCW 70.105.010).

“Hazardous waste storage” means the holding of dangerous waste for a temporary period. Accumulation of dangerous waste by the generator on the site of generation is not storage as long as the generator complies with the applicable requirements of WAC 173-303-200 and 173-303-201.

“Hazardous waste storage off-site” means hazardous waste treatment and storage facilities that treat and store waste from generators on properties other than those on which the off-site facilities are located.

“Hazardous waste storage on-site” means the same, geographically contiguous, or bordering property. On-site hazardous waste treatment and storage facilities treat and store wastes generated on the same property.

“Hazardous waste treatment” means the physical, chemical, or biological processing of dangerous waste to make such wastes non-dangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

“Hearing examiner” means the hearing examiner of the city of Walla Walla appointed by the Walla Walla city manager.

“Home occupation” means the accessory use by a person of a dwelling unit or accessory structure in a residential district where the person resides for gainful employment involving the manufacture or provision of goods or services for sale, or the administrative office for an occupation, conducted away from the home. (See Chapter 20.122, Home Occupation.)

“Horses, miniature” means horses meeting a published breed definition for registration by a recognized association for breeding such miniature horses. In any event, a miniature horse shall not exceed a height of thirty-eight inches as measured at the withers.

“Impervious surface” shall have the same meaning as defined in Chapter 13.06.

“Junk” means worn or discarded materials including but not limited to old rags, plastic, glass, paper, bottles, cans, metals and rubber articles. “Junk” also means rubbish and debris as defined in Section 8.20.010.

“Kennel, animal” means a place where four or more adult dogs or cats, or other domesticated animals allowed by code, or any combination thereof are kept, whether by owners of the animals or by persons providing facilities and care, whether or not for compensation, but not including a small animal hospital or clinic or a community animal shelter. (See Chapter 20.130.)

“Lot” means a designated parcel, tract or area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon as a unit. (See Figure 20.06-2.) A “lot” in a manufactured/mobile home park refers to a space designated for a manufactured home which is not subject to the lot area requirements of this code.

“Lot area” means the total area within the lot lines of a lot, excluding any street rights-of-way.

“Lot, corner” means a lot or parcel of land abutting upon two or more streets at their intersection or upon two parts of the same street forming an interior angle of less than one hundred thirty-five degrees. (See Figure 20.06-2.)

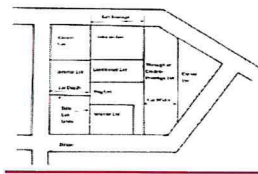
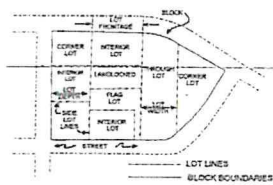


Figure 20.06-2 – Lot Layout

“Lot Coverage” Lot coverage is the percentage of net land area of a site that can be covered with roofed structures.

“Lot depth” means the distance measured from the front lot line to the rear lot line. (See Figure 20.06-2.) For lots where the front and rear lot lines are not parallel, the lot depth shall be measured by drawing lines from the front to rear lot lines, at right angles to the front lot line, every ten feet and averaging the length of these lines.

Lot, Double Frontage. See “Lot, through.”

“Lot, flag” means a lot only a narrow portion of which fronts on a public/private road and where access to the public/private road is across that narrow portion.

“Lot, frontage” means the length of the front lot line measured at the street right-of-way line. (See Figure 20.06-2.)

“Lot, interior” means a lot other than a corner lot. (See Figure 20.06-2.)

“Lot, landlocked” means a lot which has no deeded access to a public street. (See Figure 20.06-2.)

“Lot line” means a line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space. (See Figure 20.06-3.)

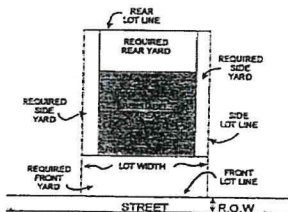


Figure 20.06-3 – Lot Lines

“Lot line, front” means the lot line separating a lot from a street right-of-way, or in the case of a flag lot, the line closest to a street right-of-way excluding the flagpole portion of the property. (See Figure 20.06-3.)

“Lot line, rear” means the lot line opposite and most distant from the front lot line; or in the case of a triangular or otherwise irregularly shaped lot, a line ten feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line. (See Figure 20.06-3.)

“Lot line, side” means any lot line other than a front or rear lot line. (See Figure 20.06-3.)

“Lot of record” means a lot legally existing prior to the effective date of this code.

“Lot through” means a lot which fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot. (See Figure 20.06-2.)

“Lot width” means the horizontal distance between the side lines of a lot measured along a straight line parallel to the front lot line at the minimum required building setback line. (See Figure 20.06-3.)

“Low impact development (LID)” is an approach to land development (or redevelopment) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features and minimizing effective imperviousness.

“Low impact development best management practices (LID BMPs)” are as defined in Chapter 12.01.

“Low-volume traffic generation” means uses such as furniture stores, carpet stores, major appliance stores, etc., that sell items that are large and bulky, that need a relatively large amount of storage or display area for each unit offered for sale, and that therefore generate less customer traffic per square foot of floor space than stores selling smaller items.

“Manufactured home within a manufactured home park” means a structure which is designed and built as a permanent dwelling unit but which is: (1) not constructed in accordance with the standards set forth in the International Residential Code (IRC) and local codes applicable to site-built homes, and (2) is constructed with an integral frame of “I” beams or tubular steel which is the structural foundation of the home itself and which provides the attachment for transport assemblies used to tow the mobile home to the point of use. This definition does not include mobile homes, modular homes, commercial coach, or recreational vehicles. ~~Manufactured homes are permitted only as provided and further defined in Chapter 20.180.~~

~~“Manufactured home subdivision” means a platted subdivision in which all lots are specifically dedicated for placement of a manufactured home on individually owned lots. (See Chapter 20.188.)~~

“Manufactured home on a single parcel” means “new” and “designated manufactured homes” as defined in RCW 35.63.160 and RCW Title 46 and is not a “used mobile home” as defined in RCW 82.45.030(2).

“Manufactured (mobile) home park” means a residential use in which more than one mobile or manufactured home is located on a parcel of land under single ownership. (See Chapter 20.184.)

“Modular home” means a dwelling unit constructed in accordance with the standards set forth in the Uniform Building Code and local codes applicable to site-built homes and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two sections transported to the site in a manner similar to a manufactured home, or a series of panels or room sections transported on a truck and erected or joined together on the site.

“Multi-use pathway” means an on-site pathway designed to provide pedestrian and bicycle access and circulation through and within a site.

“Net density” means the number of dwelling units per acre of developable land. Developable land excludes roadway dedications, critical areas and associated buffers, and public facilities (such as stormwater tracts or parks/open space).

“Nonconforming lot” means a lot existing at the effective date of this code (and not created for the purposes of evading the restrictions of this code) that does not meet the minimum area requirement of the zone district in which the lot is located.

“Nonconforming situation” means an existing lot, structure, use or activity which was lawful prior to the adoption, revision or amendment of this code, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the zone in which it is located.

“Nursery” means facilities used for the propagation and retail or wholesale of agricultural or ornamental plants and related products. This definition does not include private greenhouses with no commercial sales.

“Nursing care facility” means an institutional facility providing skilled nursing care and medical supervision at a lower level than that available in a hospital, to more than nine persons.

“Nursing care home” means an establishment providing skilled nursing care and medical supervision at a lower level than that available in a hospital, to not more than nine persons.

“Offices” means a facility where the primary activity is of a business meeting or professional service nature (doctor, lawyer, realtor, etc.). The primary activity cannot be retail in nature (where products are stocked and sold on the premises).

“Official zoning map” means the map(s), entitled “Official Zoning Maps,” designating the various land use zoning districts established in Section 20.02.050.

“Open area” means a land area exclusive of any buildings, driveways, and parking lots, intended to be retained in a natural or a landscaped state.

“Overlay zone” means a special land designation whose regulations are set forth in the text of this code, are mapped, and are imposed in addition to those of the underlying zoning district. Development within an overlay zone must conform to the requirements of both zones or the more restrictive of the two.

“Parking space, stall” means a clear, off-street area for the temporary parking or storage of one automobile. A parking space shall be directly accessible from public streets, and separate from required loading areas or other required uses.

Patio Roof. Referred to in this code as a “deck roof.”

“Permeable pavement” shall have the same meaning as defined in Chapter 12.01.

“Permit” means written governmental approval issued by an authorized official, empowering the holder thereof to take some action permitted only upon issuance of written approval.

“Person” means every natural person, firm, partnership, association or corporation.

“Permit” means an authorization issued in accordance with this code that authorizes the recipient to make use of property subject to the requirements of this code.

“Planned unit development” means a development designed as a unified combination of land uses. It may include a mixture of residential, single and multi-family types, open space or recreation areas for the direct use and benefit of all the lot owners within the development and ~~sometimes shopping or community facilities~~. A planned unit development may include a “planned unit,” a “homeowners’ association,” and “common property” (which includes common open space). A planned unit development is regulated by the subdivision code, Title 19.

“Planning commission” means the planning commission of the city of Walla Walla.

“Planning jurisdiction” means area within city limits as well as the “urban growth area” beyond the city limits within which the city is authorized to plan for and prezone for future annexation.

“Pre-existing use” means a use or activity legally existing prior to the effective date of this code.

“Prezone” means the city zone code designation assigned to a parcel of land prior to annexation to the city. A prezone is an amendment to the Walla Walla zone code official zoning map.

Produce Stand. Referred to in this code as “agricultural stand.”

“Recreational vehicle” means a vehicular type portable structure without permanent foundation designed and manufactured for recreational use, which can be towed, hauled or driven. This definition includes, but is not limited to, travel trailers, truck campers, camping trailers, self-propelled motor homes, boats, snowmobiles, go carts, motorcycles, and dune-buggies.

Recreational vehicles designed as temporary living units are prohibited as permanent dwelling units. “Permanent” for the purposes of this definition is defined as occupancy by a person for more than four weeks in one consecutive twelve-month period.

“Recreational vehicle park” means any place where two or more recreational vehicles are parked on a parcel of land, the purpose of which is to rent space or keep space for rent to any person for use of facilities, or to offer space free in connection with securing the trade or patronage of such person.

“Recycling center” means a centralized bulk storage facility where discarded household products such as aluminum and tin cans, glass, paper and other similar consumer products are deposited and stored for future processing. Recycling centers are typically the destination of materials collected at neighborhood recycling stations.

“Retail business” means establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Retail businesses may process some of their products, but processing is secondary to selling of the product. Retail businesses include retail lumber and building supply outlets, office supply sales, eating and drinking places, and produce sales outlets which bring in goods from more than one farm.

“Reviewing body” means the director, site plan review committee, planning commission or hearing examiner as used in this code.

“Reviewing official” means the director, the site plan review committee members, or their designee as used in this code.

“Rezone” means a change of zoning district classification on the official zoning map. (Also see “Amendment.”)

“Right-of-way” means a strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied or occupied by a road, sidewalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, and other similar uses.

“Sand and gravel pits” means an area where earthen materials in excess of five hundred cubic yards are extracted from the site for commercial purposes which may or may not include stockpiling.

Satellite Dishes. (See Chapter 20.170, Wireless Communication Facilities.)

SEPA – State Environmental Policy Act/Rules. Refers to Chapter 43.21C RCW and SEPA Rules in Chapter 197-11 WAC adopted by the Washington State Department of Ecology. Refers further to the city’s environmental ordinance in Title 21 and Chapter 20.134.

“Service station” means a retail facility to provide motor fuel and other petroleum products to motor vehicles and may include lubrication and minor repair service and incidental sale of motor vehicle accessories.

“Shelter” means short-term, emergency housing for homeless or abused persons. Typically, a shelter offers housing and meals to such individuals for up to thirty days; however, longer stays may be allowed according to the need.

Sight Visibility Triangle. Referred to in this code as “clearview triangle.”

“Sign” means any device, structure, fixture (including the supporting structure) or any other surface that identifies, advertises and/or promotes an activity, product, service, place, business, political or social point of view, or any other thing. (See Division VI of this title, Sign Regulations.)

“Site plan” means the development plan for one or more lots on which is shown the existing and proposed conditions of the lot including: topography, vegetation, drainage, flood plains, marshes and waterways; open spaces, walkways, means of ingress and egress, utility services, landscaping, structures and signs, lighting and screening devices; any other information that reasonably may be required in order that an informed decision can be made by the reviewing body and/or approving authority. (See Chapter 20.46, Site Plan Review Committee.)

“Special events” means circuses, fairs, carnivals, festivals, or other types of special events that (A) run for longer than one day but not longer than two weeks, (B) are intended to or likely to attract substantial crowds, and (C) are unlike the customary or usual activities generally associated with the property where the special event is to be located.

“Special use permit” means a permit issued by the hearing examiner that authorizes the recipient to make use of property which has lost its nonconforming status. (See Chapter 20.224, Special Use Permits.)

“Stall” means the parking space into which vehicles park. (See “Parking space, stall.”)

“Storage facilities, bulk” means either enclosed or outdoor areas designed for the storage of either large quantities of materials or materials of large size.

“Storage facilities, commercial” means enclosed storage areas designated as support facilities for commercial activities and used for the storage of retail materials.

“Storage facilities, residential mini-storage” means enclosed areas providing storage for residential goods and/or recreational vehicles within the structure.

“Stormwater drainage system” shall have the same meaning as defined in Chapter 13.06.

“Stormwater facility” shall have the same meaning as defined in Chapter 13.06.

“Street” means the entire width between the boundary lines of every way which provides for public use for the purposes of vehicular and pedestrian traffic and including the terms “road,” “highway,” “lane,” “place,” “avenue,” or other similar designations. Nothing may be placed or located within this area except public facilities landscaping subject to clearview triangle standards (in Chapter 20.114, and off-premises directional signs as provided in Section 20.204.160(B)).

“Structural alteration” means any change to the supporting members of a structure including foundations, bearing walls, or partitions, columns, beams, girders, or any structural change in the roof or in the exterior walls.

“Structure” or “building” means that which is built or constructed. An edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner and which requires a location on the ground or which is attached to something having a location on the ground, whether assembled on site, or assembled elsewhere and placed on the site. This definition does not include paved areas or fences under six feet in height.

“Subarea plan” means a land use plan for a subarea designated by the comprehensive plan which is adopted by the Walla Walla city council pursuant to Chapter 36.70A RCW.

Subdivision. See Title 19, Subdivisions. Refers also to Chapter 58.17 RCW.

Temporary or Emergency Housing. The terms “temporary” or “emergency housing” in this code are synonymous with “shelter.”

“Temporary structure” means a structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

“Temporary use” means a use established for a period of time fixed in the permit which authorizes the use.

“Tower” means any structure whose principal function is to support an antenna.

“Townhouse” means two or three story attached dwelling units constructed on separate lots.

Tract. The term “tract” is used interchangeably with the term “lot.”

“Urban area” means the incorporated city of Walla Walla together with the urban growth area.

“Urban growth area” means the unincorporated area surrounding the city defined in the comprehensive plan as the area designated for growth at urban densities eligible for annexation.

“Use” means the purpose for which land or a structure is designated, arranged, or intended, or for which it is occupied or maintained.

Use, Accessory. “Accessory use” means a use incidental and subordinate to the principal use and located on the same lot, or single ownership of contiguous lots, or in the same building as the principal use.

Use, Permitted. “Permitted use” means any use authorized by one of the various processing levels in each zone description.

Use, Principal. “Principal use” means the primary use for which a lot, structure, building, or the main portion thereof, is designed or actually employed.

Utility, Public. “Public utility” means an organization performing some public service and subject to government regulation. The services include, but are not limited to, electrical substations; pumping lift stations or similar regulatory appurtenances for the transmission or distribution of electricity, natural gas, water and sewer, oil or steam, and storage tanks for any of the above including water towers; solid waste disposal facilities, including transfer stations, incinerators, and sanitary landfills; radio, television, and telephone stations, exchanges, transmitting, receiving or relay structures.

“Variance” means a grant of permission by the hearing examiner that authorizes the recipient to adjust specific dimensional regulations of this code applicable to a particular piece of property. (See Chapter 20.220, Variances.)

“Variance, minor” means a variance of up to ten percent of any dimensional standard of this code, authorized by the director.

“Vegetated LID BMP” means LID BMPs that include vegetation components such as bioretention and vegetated roofs.

Vision Clearance Area. Referred to in this code as “clearview triangle.”

“Wall, retaining” means a structure necessary for support of a cut-fill grade. Retaining wall shall be a maximum of nine inches above finished grade or the fill side of the wall.

“Warehouse” means a building used for the storage and/or distribution of commercial or industrial goods.

“Waste material processing and junk handling” means a place where waste, discarded or salvaged metal, used plumbing fixtures, discarded furniture and household equipment, and other materials are bought, sold, exchanged, stored or baled, and places or yards for the storage of salvaged materials and equipment from building demolition and salvaged structural steel

materials and equipment, but excluding establishments for the processing and sorting of garbage, or of the sale, purchase, storage, or dismantling of automotive vehicles and machinery. This definition does not include the processing, storage or disposal of hazardous materials.

Wireless Communication Facilities. (See definitions in Section 20.170.020.)

“Yard” means an open space on a lot which is unobstructed from the ground upward by a structure.

“Yard, front” means a space extending the full width of the lot between any building and the front lot line and measured from the building at the closest point to the front lot line. (See Figure 20.06-3.)

“Yard, side” means a space extending from the rear line of the required front yard to the rear lot line measured perpendicular from the side lot line. (See Figure 20.06-3.)

“Rear yard” means a yard extending across the rear of the lot between inner side yard lines and opposite the required front yard; provided, that for corner lots the yards remaining after the full and half depth front yards have been established shall be considered side yards. Rear yard setbacks do not apply to corner lots.

“Zone” is synonymous with district or zoning district.

“Zoning administrator” is synonymous with director.

Section 7: Section 20.14.020, 20.14.030, 20.14.040, 20.14.045, 20.14.050, 20.15.055, 20.14.060, 20.14.065, 20.14.080, 20.14.085, 20.14.090, 20.14.095, 20.14.100 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

Chapter 20.14

~~DEVELOPMENT AUTHORIZATIONS APPLICATION REVIEW-~~ GENERAL

Sections:

20.14.095 Compliance with ~~development authorization~~ Notice of Decision.

20.14.020 Approval required.

A. Except as provided in subsection B of this section, no use, development or modification to use or development, as those terms are defined by this code, may be established, placed, performed, constructed, made, or implemented, in whole or in part, without the issuance of a ~~development authorization permit or land use decision~~ by the city.

B. Exemptions. The following developments and actions are exempt from the review provisions of this title, except as otherwise provided in subsections C and D of this section:

1. Accessory structures under twenty square feet in area and five feet in height.
2. Exempt signs per Section 20.204.050.
3. Minor alterations to lands: includes paving, the fair market value of which does not exceed five hundred dollars, and grading, filling, stockpiling and excavation of earthen materials not exceeding fifty cubic yards or five thousand square feet of land-disturbing activity as defined in Section 13.16.020.
4. Development proposals on federally owned land.
5. Utility transmissions lines.
6. Small satellite dishes as defined in Chapter 20.170, Wireless Communication Facilities.

7. Demolition of residential accessory structures as provided in Section 20.146.040, Demolition of historic structures.
 8. Temporary street use permits which are addressed by other provisions of this code and not specified in this title. (Refer to other portions of the Walla Walla Municipal Code, as appropriate, for uses permitted and permit requirements within the public street right-of-way.)
 9. Landmark designations.
 10. Applications for building, mechanical or plumbing permits for existing residential structures which do not change the size or use of the structure; provided, however, that applications for such permits shall be made.
 11. Issuance of permits for activities for which ~~an approval development authorization~~ has already been granted, and the responsible official determines that environmental review is either categorically exempt under Chapter 43.21C RCW or previously completed in connection with other project permits; provided, however, that applications for such permits shall be made.
- C. No development or action in a critical area or a buffer zone regulated by Chapter 21.04 shall be exempt from the review provisions of this title.
- D. All developments and actions shall satisfy concurrency requirements of the city. Developments and actions otherwise exempted by subsection B of this section which do not satisfy concurrency requirements shall be subject to the review provisions of this title.
- E. Non-project actions require review and approval by the city as provided in this title.

20.14.030 Permit assistance – Consolidated project permit review – Concurrent non-project review – Pre-application process.

- A. The ~~administrative/permit coordinator and permit technicians' development services' department personnel~~ are designated as general permit assistance staff. The director may designate special permit assistance staff upon an application.
- B. Consolidated Permit Review Process. ~~Permit assistance-Development Services'~~ staff shall attempt to determine if more than one permit approval or action under this code is required for a proposal, and notify the applicant prior to issuance of a determination of completeness; provided, however, that the failure of staff to notify the applicant shall not extend the time to elect to consolidate review processes. An applicant may elect in writing to consolidate the review processes for project permits subject to the following:
1. A project permit review process shall not be consolidated with a non-project action approval process;
 - a. Director interpretations, Level I matters, Level II matters, Level III matters, and Level IV matters shall not be consolidated with Level V or Level VI processes;
 2. The election to consolidate project permit review processes must be filed with the department prior to issuance of a determination of completeness or it is deemed waived; provided, however, that the director may consolidate project permit review processes in his or her discretion even if an election is not timely made;
 3. In the event that project permit review processes are consolidated, the determination of completeness, notice of application, and notice of final decision must include all project permits being reviewed through the consolidated review process;
 4. In the event that consolidated review processes involve open record hearings before the same hearing body, they will be consolidated into one joint hearing;
 5. In the event that consolidated review processes involve open record hearings before more than one hearing body, they will be consolidated into one joint hearing; provided, however, that one hearing body may designate another to conduct the joint hearing on its behalf and without its presence. The hearing bodies shall separately consider the application as

soon as practicable upon the record after the hearing has been conducted;

6. Consolidation shall not change the designation of the approving authority for any review process. The department shall determine the order of processing subject to the following unless otherwise ordered by the director after reviewing special processing considerations presented by a particular proposal:

a. If processes are consolidated which involve the same approving authority, they shall be scheduled in a manner which allows the approving authority to consider all matters contemporaneously, and the approving authority shall issue a consolidated final decision;

b. If processes requiring director or department decisions are consolidated with a Level III process, the director or department decisions shall be made first, and the administrative appeal, if any, of such decisions shall be consolidated and presented to the hearing examiner in a manner which allows the hearing examiner to consider the appeal and the Level III decision contemporaneously, and the hearing examiner shall issue a consolidated final decision on the appeal and the Level III matter;

c. If processes requiring director or department decisions are consolidated with a Level IV project permit process, the director or department decisions shall be made first; the appeal, if any, of such decisions shall be consolidated and decided by the hearing examiner prior to the Level IV public hearing; and the hearing examiner's appeal decision shall be made part of the record in the Level IV public hearing, but it is not subject to revision through the Level IV process. In such cases, the hearing examiner's appeal decision shall be deemed final for purposes of further appeal, if available, at the time of issuance of the final decision by the city council on the Level IV matter;

d. If processes requiring director or department decisions are consolidated with a Level III process and a Level IV project permit process, the director or department decisions shall be made first; the appeal, if any, of such decisions shall be consolidated and decided by the hearing examiner prior to the consolidated Level III and Level IV public hearing; the hearing examiner's appeal decision shall be made part of the record in the consolidated Level III and Level IV public hearing, but it is not subject to revision through the Level III or Level IV processes; the hearing examiner decision on the Level III matters and, if applicable, any hearing examiner recommendation on Level IV matters shall be consolidated into a joint final decision on the Level III matter and recommendation on any Level IV matter; and all hearing examiner and planning commission recommendations on Level IV matters shall be contemporaneously presented to the city council. In such cases, the hearing examiner's appeal decision and Level III decision shall be deemed final for purposes of further appeal, if available, at the time of issuance of the final decision by the city council on the Level IV matter;

e. If a Level III process is consolidated with a Level IV project permit process, the hearing examiner's decision on the Level III matters and, if applicable, any hearing examiner recommendation on Level IV matters shall be consolidated into a joint final decision on the Level III matter and recommendation on any Level IV matter; and all hearing examiner and planning commission recommendations on Level IV matters shall be contemporaneously presented to the city council, but any hearing examiner final decision on the Level III matter is not subject to revision through the Level IV process. In such cases, the hearing examiner's Level III decision shall be deemed final for purposes of further appeal, if available, at the time of issuance of the final decision by the city council on the Level IV matter;

f. If Level IV project permit processes are consolidated, the recommendations of hearing examiner and planning commission shall be contemporaneously presented to the city council.

C. Concurrent Non-Project Review.

1. Except as provided in RCW 36.70A.130 proposals to amend the Comprehensive Plan shall be considered no more frequently than once a year and all proposals shall be considered concurrently so the cumulative effect of the various proposals can be ascertained.
2. Non-project approvals may be processed concurrently with other non-project approvals at the discretion of the director, but they shall not be consolidated.

D. A pre-application conference may be required by the department prior to filing of an application, and a pre-application conference shall be required for subdivisions, short plats, ~~boundary adjustments~~, planned unit developments, binding site plans, or if permit assistance staff determines prior to filing of the application that more than one permit approval or action under this code is required for a proposal. The applicant shall arrange such conference with the ~~planning- Development Services~~' department to review the proposed action, to become familiar with the policies, plans and development requirements of the city of Walla Walla and to coordinate all necessary permits and procedures. Any information or opinions expressed by the ~~planning staff city~~ shall not be binding or constitute approval of the project.

~~E. The director may refer a pre-application proposal to the site plan review committee as part of the pre-application process (see Section 20.46.060, Preliminary site plan conference); provided, however, that pre-application review by the site plan review committee shall not substitute for formal site plan review of completed applications, if required.~~

~~FE.~~ At any time prior to issuance of a determination of completeness, the applicant may request that the following be provided:

1. A form which lists the requirements for a completed application;
2. A general summary of the procedures to be used for processing the application;
3. The references to the relevant code provisions, development standards, and regulations which may apply to the approval of the application; and
4. The city's design guidelines.

~~GF.~~ It is not possible for permit assistance by staff or the conference to be an exhaustive review of all possible issues. Neither staff advice nor information provided by the city to the applicant shall bind the city or prohibit the city's future application or enforcement of all applicable law and other requirements.

20.14.040 Application required.

Unless exempted or excepted by this title, an application must be filed for any action requiring city approval ~~or development authorization~~. An application for a ~~development authorization~~ land use decision shall consist of the materials specified in this section:

A. A completed application form, signed by the owner and applicant or authorized representative, which includes the applicant's current address; signature by the owner may be submitted via email. The applicant shall be required to designate a single person or entity to receive determinations and notices upon an application and provide a single address which shall serve as the address for all correspondence and any required notices regarding the application. It shall be the applicant's responsibility to notify the city in writing of any change of address or designation.

B. An explanation of intent, stating the nature of the proposal, reasons for the request, pertinent background information, information required by the pertinent sections of this code, and other information that may have a bearing on the processing of the application.

C. Proof that the property affected by the application is in the exclusive ownership of the applicant, or that the applicant has the consent of all partners in ownership of the affected property, or that the applicant has the authority to act as agent for the owner of the property.

D. A property or legal description of the property affected by the application.

- E. Application fee.
- F. Evidence of water and sewer availability.
- G. A general or detailed site plan, as determined by the director to be necessary based on the scope of the proposal.
- H. Information required by other Municipal Code sections for the particular type of proposal.
- I. All of the information needed by the department to make determinations required by Section 20.14.060(C).
- J. Additional information requested by the department such as, without limitation, a SEPA environmental checklist when required or sufficient materials to determine that an application is exempt from SEPA threshold determination requirements.

20.14.045 Application exemptions.

- A. An application need not be filed for non-project actions initiated by the city; provided, however, such actions shall be processed in accordance with the provisions of this title except as provided herein; and nothing herein prohibits the city from filing an application.
- B. A ~~land use n~~ application ~~for development authorization~~ need not be filed for annexations, and, except as provided in Section 20.02.080, 20.14.090, and Chapter 20.30, annexations shall be processed in accordance with the provisions of Chapter 35A.14RCW instead of this title.
- C. A ~~land use n~~ application ~~for development authorization~~ need not be filed for street vacations, and, except as provided in Section 20.14.085, 20.14.090 and Chapter 20.30, street vacations shall be processed in accordance with the provisions of Chapter 35.79 RCW instead of this title; provided, however, that petitions for street vacations shall be filed with the department rather than the city or town clerk, and the department may require the petitioner(s) to provide information at the expense of petitioner(s) needed to consider the petition, including without limitation legal descriptions, title information and certificates, site maps, and appraisals.
- D. Applications for plumbing and mechanical permits and other applications for modifications to existing residential structures which do not result in a change of use or size of a structure will serve as the application for that purpose and are required only to obtain the necessary building permits from ~~the building official the department~~. The resulting building permit will serve as the ~~development authorization~~ City's approval.
- E. Applications for plumbing and mechanical permits ~~or other applications for modifications to issued solely for the maintenance of an~~ existing commercial structures ~~and which do not alter any aspect of the use of the structure or the size of the structure~~ will serve as the application for that purpose and are required only to obtain the necessary building permits from ~~the building official the department~~. The resulting building permit will serve as the ~~development authorization city's approval~~.

20.14.050 Filing and service.

- A. All applications and any notices or other materials required by this code shall be filed with the department during office hours at the department's office.
- B. Applications, notices, and other materials which require payment of a fee or charge to the city shall not be deemed filed until the fee or charge is actually paid.
- C. Subject to subsection B of this section, the date of filing of applications, notices and other materials shall be the date of actual receipt by the department at its office. The date ~~stamp placed on the document(s) on the email received~~ by the department shall be presumptive evidence of the date of receipt based on the following:
 1. Filing of any documents with the department by electronic mail ~~or telefacsimile~~ transmission is at the risk of the sender and shall not be deemed complete unless the following procedures are strictly observed:

a. An electronic mail ~~or facsimile~~ document will only be stamped "received" by the department between the hours of 8:00 a.m. and 5:00 p.m. excluding Saturdays, Sundays, and legal holidays. Any transmission not completed before 5:00 p.m. will be stamped-considered received on the following business day. ~~The date and time indicated by the department's facsimile machine or receiving computer shall be presumptive evidence of the date and time of receipt of transmission.~~

~~b. The original document must be mailed and postmarked or otherwise transmitted to the department on or before the date of sending the facsimile transmission or electronic mail.~~

~~c. Documents over fifteen pages in length may not be filed by fax without prior approval of the director.~~

~~d. A fax or electronic mail copy shall constitute an original solely for the purpose of establishing the date a document was filed.~~

D. Proof of personal service in the following form executed by department personnel shall be presumptive evidence of the date of service:

CERTIFICATE

I certify under penalty of perjury under the laws of the state of Washington that I personally served a copy of the attached document upon the following named person(s) on the stated date(s): _____.

(Date and Place of Signing)

(Signature)

E. Service of any notice by the department shall be deemed timely if the notice is placed in the mail within the time permitted. Service of any notice by the department by mail shall be deemed complete for purposes of computation of subsequent time periods upon the third day following the day upon which the notice is placed in the mail, unless the third day falls on a Saturday, Sunday, or legal holiday, in which case service shall be deemed complete on the first day other than a Saturday, Sunday or legal holiday, following the third day.

1. Proof of service by mail in the following form executed by department personnel shall be presumptive evidence of the date of service:

CERTIFICATE

I certify under penalty of perjury under the laws of the state of Washington that I mailed a copy of the attached document, postage prepaid, to the following named person(s) at the stated address(es) on the stated date(s): _____.

(Date and Place of Signing)

(Signature)

20.14.055 Publication and posting.

A. The department shall publish notices for which publication is required in the Walla Walla Union Bulletin. Publication is deemed complete on the date of publication. Proof of publication in the following form executed by department personnel shall be presumptive evidence of the date of publication:

CERTIFICATE

I certify under penalty of perjury under the laws of the state of Washington that the content of the attached form of notice was published in the Walla Walla Union Bulletin on the following stated date(s): _____.

(Date and Place of Signing) (Signature)

B. The department shall post notices in the manner required by this code. Proof of posting in the following form executed by department personnel shall be presumptive evidence of the date of posting:

CERTIFICATE

I certify under penalty of perjury under the laws of the state of Washington that the content of the attached form of notice was posted in the following described manner on the following stated date(s): _____.

(Date and Place of Signing) (Signature)

20.14.060 Initial application processing.

Upon receipt of an application for ~~development authorization a Level 1 – Level IV Review~~, the development services department shall proceed as follows:

A. Determination of Completeness. ~~The application shall be reviewed for completeness.~~ A determination of completeness shall be made within twenty-eight days of receipt of the application. During the completeness review, the department shall attempt to identify other local, state, or federal departments and agencies which may have jurisdiction over some aspect of the application, and the department shall determine the lead agency for the proposal in accordance with Title 21 of the Municipal Code. The department shall provide a written determination which states either: (1) that the application is complete; or (2) that the application is incomplete and what is necessary to make the application complete. The determination of completeness shall be made when the application is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. An ~~development authorization~~ application is complete when it meets the submission requirements of Section 20.14.040 and other applicable code sections.

1. An application shall be deemed complete upon the expiration of the review period if the department does not provide the written determination that the application is incomplete within the time allowed. An application that has been deemed complete shall still be subject to all other applicable requirements and procedures.

2. The department’s determination of completeness shall not preclude the city from requesting additional information or studies either at the time of the notice of completeness or at some later time, if new information is required or where there are substantial changes in the proposed action.

B. Incomplete Application Procedure.

1. If the applicant receives a determination that an application is not complete, the applicant shall have ninety days to submit the necessary information. Within fourteen days after the applicant has submitted the requested information, the department shall make the determination as described in subsection A of this section, and notify the applicant in the same manner. An application shall be deemed complete upon the expiration of the extended review period if the department does not provide the written determination that the application remains incomplete within the time allowed. An application that has been deemed complete shall still be subject to all other applicable requirements and procedures.

2. If the applicant either refuses in writing to submit the additional information or does not submit the required information within the ninety-day period, the application shall lapse and be considered void ab initio; provided, however, the applicant shall not be entitled in such event to a refund for any fees or charges paid to the city.

C. Determination of Completeness – Contents. The determination shall be prepared in a manner to provide notice to the applicant and to integrate its use, when required, with the notice of application/proposal to the public and agencies with jurisdiction. Preliminary determinations and information contained in a determination of completeness shall not bind the city and are subject to continuing review and modification. The determination of completeness may incorporate by reference the application to the extent that it substantially provides the information required herein. In such case, the determination of completeness and copies thereof shall attach a copy of the application and additionally provide the information required herein that is not provided by the application. Each determination of completeness shall include:

1. The date of the application and the date of the notice of completion;
2. A description of the proposed action;
3. The determination of the lead agency for the proposal under SEPA;
4. A preliminary determination whether the proposal is categorically exempt under SEPA or subject to threshold determination requirements; if subject to threshold determination requirements, the preliminary threshold determination that it expects will issue;
5. Preliminary identification of existing environmental documents that evaluate the proposal and the location where the application and studies can be reviewed;
6. A preliminary determination and reference to the relevant code provisions, development standards, and regulations which may apply to the approval of the application; a preliminary list of those regulations that will be used for project mitigation; and, if a mitigated DNS is expected to issue, a preliminary list of conditions being considered to mitigate environmental impacts;
7. A preliminary determination of consistency for project permit proposals;
8. A list of the project permits included in the application and, to the extent known to the department, a list of other permits not included in the application which are required for the proposal;
9. A preliminary determination indicating which Municipal Code review level(s) will be used to process the application;
10. A preliminary determination identifying additional information or studies requested from the applicant;
11. To the extent known by the department, a preliminary determination and identification of other departments and agencies with jurisdiction over the project permit application;
12. A preliminary determination and identification of parties entitled to notice of application; and
13. Other information that the department determines to be appropriate to include.

D. The department shall electronically deliver or mail notice of any determination made under this section to the applicant, or the person or entity designated by the applicant to receive determinations and notices. The department should document the date and manner by which notice is given.

20.14.065 Notice of application/proposal.

A. Notice of Application/Proposal – Contents. Notice of application/proposal shall be given no later than fourteen days after the application has been determined to be complete. Notice of application/proposal is not required for interpretation requests or Level I proposals that are categorically exempt under SEPA, unless a special notification request has previously been made in accordance with Section 20.14.015. If the proposal requires an open record hearing, notice of application shall be given at least fifteen days prior to the hearing.

1. Notice of application/proposal shall include:

- a. The identity of the applicant;
 - b. The date of the notice of application/proposal;
 - c. Project description;
 - d. Preliminary identification of existing environmental documents that evaluate the proposal and the location where the application and studies can be reviewed;
 - e. A preliminary determination and reference to the relevant code provisions, development standards, and regulations which may apply to the approval of the application; a preliminary list of those regulations that will be used for project mitigation; and, if a mitigated DNS is expected to issue, a preliminary list of conditions being considered to mitigate environmental impacts;
 - fe. On the first page, notice that:
 - i. The city uses the optional threshold determination process authorized by WAC 197-11-355;
 - ii. The application comment period for nonexempt proposals may be the only opportunity to comment on the environmental impacts of the proposal;
 - iii. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an environmental impact statement is prepared; and
 - iv. A copy of the subsequent threshold determination on the proposal may be obtained upon request;
 - gd. The information required by Section 20.14.060(C);
 - he. A statement identifying the public comment period, the right to comment on the application, receive notice of and participate in hearings, request a copy of decision on the proposal once made, and any appeal rights;
 - if. To the extent applicable, the date, time, place, and type of hearing upon the application if such hearing has been scheduled at the time the notice of application/proposal is given; and
 - ig. Other information that the department determines to be appropriate to include.
2. The notice of application/proposal may incorporate by reference the determination of completeness to the extent that it substantially provides the information required herein. In such case, the notice of application/proposal and copies thereof shall attach a copy of the determination of completeness and additionally provide the information required herein that is not provided by the determination of completeness. A notice of application/proposal and copies thereof which by reference incorporates a determination of completeness shall also attach any copies of documents incorporated through reference by the determination of completeness. The department shall prepare and provide a separate notice of application/proposal containing the information required by this section if either:
- a. A determination of completeness was not required for the proposal;
 - b. A determination of completeness was not timely prepared for the proposal; or
 - c. The determination of completeness substantially omits the information required by Section 20.14.060(C).
- B. Notice of Application – How Given.
- 1. Applicant Notice. The department shall electronically deliver or mail notice of application/proposal to the applicant, or the person or entity designated by the applicant to receive notice. The notice of application/proposal may be provided to the applicant or applicant's designee contemporaneously with the determination of completeness.
 - 2. Agency Notice. The Department shall electronically mail notice of applications/proposals that are not categorically exempt under SEPA to departments and agencies with jurisdiction over the project permit application.
 - 3. Site Plan Review Committee Notice. The department shall electronically deliver ~~or mail~~

notice of application/proposal to members of the site plan review committee if the proposal requires site plan review.

4. Sustainability Committee. The department shall electronically mail notice of applications/proposals that are not categorically exempt under SEPA to the city's sustainability committee.

5. Public Notice.

a. The department shall electronically deliver or mail notice of application/proposal of interpretation requests and Level I proposals that are categorically exempt under SEPA to parties that have filed a special notification request in accordance with Section 20.14.015. Such notice shall explain that there is no comment period, and that the proposal is categorically exempt under SEPA.

b. Anyone who has filed a special notification request in accordance with Section 20.14.015 shall receive the notice of application.

c. The Notice of Application shall be provided as follows:

<u>Review Level</u>	<u>Notice Provided(1)</u>
<u>Non SEPA exempt Level I</u>	<ul style="list-style-type: none"> • <u>Mailed to adjacent property owners (2)</u> • <u>City's website</u>
<u>Level II</u>	<ul style="list-style-type: none"> • <u>Mailed to adjacent property owners (2)</u> • <u>City's website</u>
<u>Level III</u>	<ul style="list-style-type: none"> • <u>Property owners within 300 feet of project site boundaries</u> • <u>City's website</u> • <u>Post the project site in a conspicuous location</u> • <u>Publish in the Union Bulletin</u>
<u>Level IV (3)</u>	<ul style="list-style-type: none"> • <u>Property owners within 400 feet of project site boundaries</u> • <u>City's website</u> • <u>Post the project site in a conspicuous location</u> • <u>Publish in the Union Bulletin</u>
<u>Level IV – Shoreline Substantial Development Permits, Shoreline Conditional Use Permit, or Shoreline Variance (4)</u>	<ul style="list-style-type: none"> • <u>Property owners within 400 feet of project site boundaries</u> • <u>City's website</u> • <u>Post the project site in a conspicuous location</u> • <u>Publish in the Union Bulletin two consecutive weeks on the same day of the week</u>
<u>Level V</u>	<ul style="list-style-type: none"> • <u>City's website</u> • <u>Publish in the Union Bulletin</u>
<u>Level VI</u>	<ul style="list-style-type: none"> • <u>City's website</u>

	<ul style="list-style-type: none"> • <u>Publish in the Union Bulletin</u>
<u>Annexation Proposals</u>	<ul style="list-style-type: none"> • <u>In accordance with 20.02.080 instead of this section</u>
<u>Prezone Proposals</u>	<ul style="list-style-type: none"> • <u>In accordance with the provisions of Chapter 35A.14 RCW instead of this section</u>
<u>Street Vacations</u>	<ul style="list-style-type: none"> • <u>In accordance with the provisions of Chapter 35.79 RCW instead of this section.</u>

(1) Notice is provided to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office.

(2) If the owner of the proposal site owns another parcel or parcels of real property which lie adjacent to the proposal site, the notice of application/proposal shall be given to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is adjacent to any portion of the boundaries of the proposal site or such other adjacently located parcels owned by the same owner as the proposal site.

(3) Notice of subdivision preliminary plat proposals shall be given to the Washington State Secretary of Transportation if a proposed subdivision preliminary plat is located adjacent to the right-of-way of a state highway or within two miles of the boundary of a state or municipal airport.

(4) Notices regarding shoreline substantial development proposals shall additionally include a statement that any person desiring to submit written comments concerning an application, or desiring to receive notification of the final decision concerning the proposal as expeditiously as possible after the issuance of decision, may submit the comments or requests for decisions to the department within thirty days following the date of final publication of the notice of application; unless the proposal is for a limited utility extension or for the construction of a bulkhead or other measures to protect a single-family residence and its appurtenant structures from shoreline erosion, in which case comments must be submitted within twenty days following the date of final publication of the notice of application.

~~b. The department shall deliver or mail notice of application/proposal of Level II proposals and Level I proposals that are not categorically exempt under SEPA to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is adjacent to the proposal site.~~

~~i. If the owner of the proposal site owns another parcel or parcels of real property which lie adjacent to the proposal site, the notice of application/proposal shall be given to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is adjacent to any portion of the boundaries of the proposal site or such other adjacently located parcels owned by the same owner as the proposal site.~~

~~ii. The department shall additionally post notice on the city Internet website which states:~~

~~(A) The identity of the applicant;~~

~~(B) The date of the application and the date of the determination of completeness;~~

~~(C) A brief description of the proposed action;~~

~~(D) A statement that a preliminary determination has been made that the proposal is subject to threshold determination requirements and the preliminary threshold determination that it~~

expects to issue;

~~(E) A statement identifying the public comment period and where comments may be made, and a warning that the application comment period may be the only opportunity to comment on the environmental impacts of the proposal; and~~

~~(F) A statement explaining how interested parties may request special notice.~~

~~iii. The department shall additionally deliver or mail notice of application to parties that have filed a special notification request in accordance with Section 20.14.015.~~

~~e. The department shall deliver or mail notice of application/proposal of Level III proposals to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is adjacent to the proposal site.~~

~~i. If the owner of the proposal site owns another parcel or parcels of real property which lie adjacent to the proposal site, the notice of application/proposal shall be given to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is adjacent to any portion of the boundaries of the proposal site or such other adjacently located parcels owned by the same owner as the proposal site.~~

~~ii. The department shall additionally post conspicuous notice at the proposal site and post notice on the city Internet website which states:~~

~~(A) The identity of the applicant;~~

~~(B) The date of the application and the date of the determination of completeness;~~

~~(C) A brief description of the proposed action;~~

~~(D) A statement that a preliminary determination has been made whether the proposal is categorically exempt under SEPA or subject to threshold requirements, the preliminary threshold determination that it expects to issue;~~

~~(E) A statement identifying the public comment period and where comments may be made, and a warning that the application comment period may be the only opportunity to comment on the environmental impacts of the proposal; and (F) A statement explaining how interested parties may request special notice, and that a copy of the threshold determination upon a proposal may be obtained by filing a special notice request.~~

~~iii. The department shall additionally deliver or mail notice of application/proposal to parties that have filed a special notification request in accordance with Section 20.14.015.~~

~~d. The department shall deliver or mail notice of application/proposal of Level IV proposals to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is within four hundred feet of the proposal site, as measured from each property line of the proposal site.~~

~~i. If the owner of the proposal site owns another parcel or parcels of real property which lie adjacent to the proposal site, the notice of application/proposal shall be given to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is within four hundred feet of any portion of the boundaries of the proposal site or such adjacently located commonly owned parcels, as measured from each property line.~~

~~ii. The department shall additionally post conspicuous notice at the proposal site and post notice on the city Internet website which states:~~

~~(A) The identity of the applicant;~~

~~(B) The date of the application and the date of the determination of completeness;~~

~~(C) A brief description of the proposed action;~~

~~(D) A statement that a preliminary determination has been made whether the proposal is~~

~~categorically exempt under SEPA or subject to threshold determination requirements; and, if subject to threshold determination requirements, the preliminary threshold determination that it expects to issue; (E) A statement identifying the public comment period and where comments may be made, and a warning that the application comment period may be the only opportunity to comment on the environmental impacts of the proposal; and (F) A statement explaining how interested parties may request special notice.~~

~~iii. The department shall additionally give notice of subdivision preliminary plat proposals to the appropriate county officials.~~

~~iv. The department shall additionally give notice of subdivision preliminary plat proposals to the Washington State Secretary of Transportation if a proposed subdivision preliminary plat is located adjacent to the right of way of a state highway or within two miles of the boundary of a state or municipal airport.~~

~~v. The department shall additionally deliver or mail notice of application/proposal to parties that have filed a special notification request in accordance with Section 20.14.015.~~

~~vi. Notices regarding shoreline substantial development proposals shall additionally include a statement that any person desiring to submit written comments concerning an application, or desiring to receive notification of the final decision concerning the proposal as expeditiously as possible after the issuance of decision, may submit the comments or requests for decisions to the department within thirty days following the date of final publication of the notice of application; unless the proposal is for a limited utility extension or for the construction of a bulkhead or other measures to protect a single family residence and its appurtenant structures from shoreline erosion, in which case comments must be submitted within twenty days following the date of final publication of the notice of application.~~

~~(A) The department shall additionally publish notice of application/proposal of shoreline substantial development proposals, containing the information required by subsections (B)(5)(d)(ii) and (B)(5)(d)(vi) of this section, in the Walla Walla Union Bulletin for two consecutive weeks on the same day of the week. e. The department shall give notice of Level V proposals as follows:~~

~~i. Notice of Level V proposals shall be published once in the Walla Walla Union Bulletin and posted on the city Internet website which states: (A) The identity of the applicant;~~

~~(B) The date of the application, or, if applicable, date that the proposal was made without application for non-project actions initiated by the city, and the date of the notice of completion;~~

~~(C) A brief description of the proposed action;~~

~~(D) A statement that a preliminary determination has been made whether the proposal is categorically exempt under SEPA or subject to threshold determination requirements; and, if subject to threshold determination requirements, the preliminary threshold determination that it expects to issue; (E) A statement identifying the public comment period and where comments may be made, and a warning that the application comment period may be the only opportunity to comment on the environmental impacts of the proposal; and (F) A statement explaining how interested parties may request special notice.~~

~~ii. The department shall additionally deliver or mail notice of application/proposal to parties that have filed a special notification request in accordance with Section 20.14.015.~~

~~f. Notice of Application/Proposal of Level VI Proposals.~~

~~i. Notice of annexation proposals shall be given in accordance with Section 20.02.080 instead~~

~~of this section.~~

~~ii. Notice of prezone proposals shall be given in accordance with the provisions of Chapter 35A.14 RCW instead of this section.~~

~~iii. Notice of street vacation proposals shall be given in accordance with the provisions of Chapter 35.79 RCW instead of this section.~~

~~iv. The department shall deliver or mail notice of comprehensive plan or subarea plan adoption or amendment proposals to parties that have filed a special notification request in accordance with Section 20.14.015. The department shall additionally publish notice of such proposals once in the Walla Walla Union Bulletin and post notice on the city Internet website. A consolidated notice may be given for proposals that will be considered concurrently. For each proposal, the notice shall state:~~

~~(A) The identity of the applicant(s);~~

~~(B) The date of the application(s), or, if applicable, date that the proposal was made without application for non-project actions initiated by the city, and the date of the determination of completeness;~~

~~(C) A brief description of the proposed action(s);~~

~~(D) A statement that a preliminary determination has been made whether the proposal(s) are categorically exempt under SEPA or subject to threshold determination requirements; and, if subject to threshold determination requirements, the preliminary threshold determination(s) that it expects to issue; (E) A statement identifying the public comment period and where comments may be made, and a warning that the application comment period may be the only opportunity to comment on the environmental impacts of the proposal(s); and~~

~~(F) A statement explaining how interested parties may request special notice.~~

C. Combined Notice. Notice of application/proposal may be Combined with notice of hearing if the hearing date has been set at the time notice of application/proposal is given. Each combined notice shall contain the notice of application/proposal information required herein and the notice of hearing information required by Section 20.14.085.

D. The department should document the date and manner by which any notice is given.

E. The department may remove posted notice upon expiration of the comment period.

F. Publication costs and costs incurred to post and remove notice at the proposal site shall be borne by the applicant in addition to other costs and fees which apply.

20.14.080 Determination of consistency/SEPA determination.

A. A determination of consistency and SEPA determination shall be made within ninety days after an application is determined to be complete; unless the applicant requests an additional thirty days for such determinations, in which case the determinations shall be made within one hundred twenty days after an application is determined to be complete.

B. The department shall make a determination of consistency upon project permit applications as provided herein:

1. Level I proposals that are categorically exempt under SEPA are deemed consistent with the city's development regulations, and a determination of consistency is not required to be made upon individual proposals.

2. A determination of consistency is not required for non-project actions.

3. The determination of consistency shall be made after the comment period for a project permit proposal expires; or, with respect to proposals for which there is no comment period, after the application is determined to be complete. The determination of consistency shall not

be made until such time that the department has sufficient information to make a determination whether the proposal is categorically exempt under SEPA or subject to threshold determination requirements; and, if subject to threshold determination requirements, the threshold SEPA determination.

4. The determination of consistency may be different than the preliminary determination of consistency made in a determination of completeness.

5. The department shall determine whether the proposed project is consistent with city development regulations, or, in the absence of applicable development regulations, the appropriate elements of the Comprehensive Plan.

a. The department shall review development regulations and Comprehensive Plan elements which apply to the proposal. The development regulations reviewed shall, without limitation, include the codes, ordinances, resolutions and plans designated in Section 21.08.160. Such development regulations and Comprehensive Plan elements shall be determinative of the:

i. Type of land use permitted at the proposal site, including uses that may be allowed under certain circumstances, such as planned unit developments and conditional and special uses, if the criteria for their approval have been satisfied; ii. Density of residential development; and iii. Availability and adequacy of public facilities identified in the Comprehensive Plan, if the plan or development regulations provide for funding of these facilities.

b. During project review, the reviewing body shall not reexamine alternatives or hear appeals on the items identified in subsection (B)(5)(a) of this section, except issues of code interpretation.

c. Determination of items identified in subsection (B)(5)(a) of this section shall not preclude future amendment proposals for docketed deficiencies; provided, however, that amendment proposals shall be considered through the normal amendment process.

d. When making a determination of consistency, the department shall consider:

i. The type of land use proposed;

ii. The level of development proposed, such as units per acre or other measures of density;

iii. Infrastructure, including public facilities and services needed to serve the proposed development; and

iv. The characteristics of the development, such as development standards.

e. When making a consistency determination, the department should use the advisory criteria established by Chapter 365-197 WAC, as amended.

f. The determination of consistency may be contained within the staff report for the land use decision.

6. The department shall deliver, or mail notice of any determination made under this section to anyone who has filed a request for special notice in accordance with Section 20.14.015, parties entitled to notice of the SEPA threshold determination for the proposal, and the applicant, or the person or entity designated by the applicant to receive determinations and notices.

C. The department shall make a SEPA determination as provided herein:

1. The department shall issue its decision whether a Level I proposal is categorically exempt under SEPA at the time the determination of completeness is made or as soon as practicable thereafter. The department may note on the application or place a determination that a proposal is categorically exempt in the department file for the proposal, and the department is not required to separately document that a proposal is categorically exempt.

2. When a comment period is required for a proposal by Section 20.14.070, the department

shall consider timely comments and other materials on the proposal and decide after the comment period expires whether the proposal is categorically exempt under SEPA or subject to threshold determination requirements.

a. If a proposal is categorically exempt, the department may note on the application or place a determination that a proposal is categorically exempt in the department file for the proposal, and the department shall deliver or mail notice to anyone who has filed a request for special notice in accordance with Section 20.14.015 and the applicant, or the person or entity designated by the applicant to receive notice.

b. If the proposal is subject to threshold determination requirements, the responsible official shall ~~either follow the procedures outlined in Chapter 21.08, 197-11 WAC, and 43.21C RCW.~~

~~i. Issue a DNS or MDNS, with no additional comment period, and deliver or mail a copy of such threshold determination to the Department of Ecology, agencies with jurisdiction, those who have commented and are identifiable and provided addresses, anyone who has requested a copy by filing a request for special notice in accordance with Section 20.14.015, and the applicant, or the person or entity designated by the applicant to receive notice;~~

~~ii. Issue a DNS or MDNS, with an additional comment period if the responsible official determines that an additional comment period is necessary, and deliver or mail a copy of such threshold determination to the Department of Ecology, agencies with jurisdiction, those who have commented and are identifiable and provided addresses, anyone who has requested a copy by filing a request for special notice in accordance with Section 20.14.015, and the applicant, or the person or entity designated by the applicant to receive notice;~~

~~(A) The responsible official should require an additional comment period if the applicant submits a changed or clarified proposal after the comment period for the proposal has commenced;~~

~~(B) The responsible official shall require an additional comment period if the notice of application/proposal does not contain or incorporate a preliminary SEPA determination;~~

~~(C) The responsible official shall require an additional comment period if a DNS or MDNS is issued pursuant to WAC 197-11-340(2) rather than the optional WAC 197-11-355 process;~~

~~iii. Issue a determination of significance and deliver or mail a copy of such threshold determination to agencies with jurisdiction and expertise, if any, affected tribes, anyone who has requested a copy by filing a request for special notice in accordance with Section 20.14.015, and the applicant, or the person or entity designated by the applicant to receive notice; or~~

~~iv. Require additional information or studies prior to making a threshold determination as provided in Section 21.08.055 and deliver or mail notice to the applicant, or the person or entity designated by the applicant to receive notice.~~

~~e. When making a threshold determination, the department shall determine whether the requirements for environmental analysis, protection, and mitigation measures in the city's development regulations and Comprehensive Plan, and in other applicable local, state, or federal laws and rules, provide adequate analysis of and mitigation for the specific adverse environmental impacts of the project action to which the requirements apply.~~

~~i. When making this determination, the department shall use the procedure established by WAC 197-11-158, as amended.~~

~~ii. In situations where all adverse environmental impacts will be mitigated below the level of significance as a result of mitigation measures included by changing, clarifying, or conditioning of the proposed action and/or regulatory requirements of city development~~

~~regulations or other local, state or federal laws, a determination of nonsignificance or a mitigated determination of nonsignificance is the proper threshold determination.~~

~~iii. If the department determines that all of the project's impacts are adequately addressed by other applicable laws and no conditions will be required under SEPA, the department shall include the following statement on any threshold determination that:~~

~~The lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197 11 158. Our agency will not require any additional mitigation measures under SEPA.~~

~~3. The issuance of a threshold determination shall be delayed pending processing of a request for early notice under Section 21.08.100.~~

~~4. If the proposal requires an open record hearing, the threshold determination shall be issued least fifteen days prior to the hearing.~~

~~D. The determination of consistency and threshold SEPA determination should be made concurrently.~~

~~CE.~~ Nothing herein shall limit the authority of the city to approve, condition, or deny a proposal as provided in its development regulations or its policies designated in Section 21.08.160.

~~DF.~~ The department should document the date and manner by which any notice is given.

20.14.085 Notice of hearing.

A. Notice of Hearing – Contents and Timing. Notice of hearing shall include (1) the identity of the applicant, (2) the purpose of the hearing, including, when applicable, the location of the proposal site, (3) the date, time, and place of the hearing, and (4) the identity of the hearing body. Notice of hearing shall be given not less than fifteen days and not more than thirty days prior to the date set for public hearing.

B. Notice of Hearing – How Given.

1. Applicant/Appellant Notice. The department shall electronically deliver or mail notice of hearing on all matters to the applicant, or the person or entity designated by the applicant to receive notice. The department shall electronically deliver or mail notice of hearing on administrative appeals to the appellant(s), or the person or entity designated by the appellant(s) to receive notice.

2. The Notice of Hearing shall be provided as follows:

<u>Review Level</u>	<u>Notice Provided (1)</u>
<u>Level III</u>	<ul style="list-style-type: none"> • <u>Property owners within 300 feet of project site boundaries (2)</u> • <u>City's website</u> • <u>Post the project site in a conspicuous location</u> • <u>Publish in the Union Bulletin</u>
<u>Level IV</u>	<ul style="list-style-type: none"> • <u>Property owners within 400 feet of project site boundaries (2)</u> • <u>City's website</u>

	<ul style="list-style-type: none"> • <u>Post the project site in a conspicuous location</u> • <u>Publish in the Union Bulletin</u>
<u>Level V</u>	<ul style="list-style-type: none"> • <u>City's website</u> • <u>Publish in the Union Bulletin</u>
<u>Level VI</u>	<ul style="list-style-type: none"> • <u>City's website</u> • <u>Publish in the Union Bulletin</u>
<u>Annexation Proposals</u>	<ul style="list-style-type: none"> • <u>Follow Section 20.02.080</u>
<u>Street vacation proposals</u>	<ul style="list-style-type: none"> • <u>Follow Chapter 35.79 RCW</u> • <u>Record owner of property, as shown in the Walla Walla County Assessor's records which is adjacent to the area of the street to be vacated.</u>
<u>Prezone proposals</u>	<ul style="list-style-type: none"> • <u>Follow Chapter 35A.14 RCW</u>

1) Notice is provided to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office.

~~(1)2.~~ If the owner of the proposal site owns another parcel or parcels of real property which lie adjacent to the proposal site, the notice of application/proposal shall be given to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is adjacent to any portion of the boundaries of the proposal site or such other adjacently located parcels owned by the same owner as the proposal site.

~~2. Public Notice. The department shall give public notice of hearing on matters other than Level VI proposals as follows:~~

~~a. The department shall post notice of hearing at City Hall and post notice on the city Internet website.~~

~~b. The department shall deliver or mail notice of hearing to parties that have filed a special notification request in accordance with Section 20.14.015.~~

~~c. The department shall additionally deliver or mail notice of hearing on Level III proposals to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is adjacent to the proposal site.~~

~~i. If the owner of the proposal site owns another parcel or parcels of real property which lie adjacent to the proposal site, the notice of hearing shall be given to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is adjacent to any portion of the boundaries of the proposal site or such other adjacently located parcels owned by the same owner as the proposal site.~~

~~d. The department shall additionally deliver or mail notice of hearing on Level IV proposals to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is within four hundred feet of the proposal site, as measured from each property line of the proposal site.~~

~~i. If the owner of the proposal site owns another parcel or parcels of real property which lie adjacent to the proposal site, the notice of hearing shall be given to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is within four hundred feet of any portion of the boundaries of the proposal site or such~~

~~adjacently located commonly owned parcels, as measured from each property line.~~

~~e. The department shall additionally publish notice of hearing on Level IV and Level V proposals once in the Walla Walla Union Bulletin.~~

~~3. Notice of Hearing on Level VI Proposals. The department shall give public notice of hearing on Level VI proposals as follows:~~

~~a. Public notice of hearing on annexation proposals shall be given in accordance with Section 20.02.080 instead of this section.~~

~~b. Public notice of hearing on prezone proposals shall be given in accordance with the provisions of Chapter 35A.14 RCW instead of this section.~~

~~c. Public notice of hearing on street vacation proposals shall be given in accordance with the provisions of Chapter 35.79 RCW. The department shall additionally deliver or mail notice of hearing on street vacation proposals to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is adjacent to the area of the street to be vacated.~~

~~d. The department shall deliver or mail notice of hearing on Comprehensive Plan or Subarea Plan adoption, or amendment proposals, to parties that have filed a special notification request in accordance with Section 20.14.015. The department shall additionally publish notice of each hearing on such proposals once in the Walla Walla Union Bulletin and post notice on the city Internet website. Consolidated notices may be given for proposals that will be considered concurrently.~~

C. Combined Notice. Notice of hearing may be combined with notice of application/proposal if the hearing date has been set at the time notice of application/proposal is given. Each combined notice shall contain the notice of hearing information required herein and the notice of application/proposal information required by Section 20.14.065.

D. The department should document the date and manner by which any notice is given.

E. Continued hearings may be held at the discretion of the hearing body, but no additional notice need be given if the date, time, and place of the hearing is publicly announced at the time the hearing is continued.

F. The department may remove posted notice after the date of the public hearing even if it is continued as provided herein.

G. Publication costs and costs incurred to post and remove notice at the proposal site shall be borne by the applicant in addition to other costs and fees which apply.

20.14.090 Decision/action – Notice.

A. Project Permit Proposals.

1. A decision on a project permit proposal should be made no later than one hundred twenty days after an application is determined to be complete; provided, however, that preliminary plats, final plats, and short plats shall be approved, disapproved, or returned to the applicant for modification or correction within the time limits specified in RCW 58.17.140. The director may extend the time period for decision and the time limits specified in RCW 58.17.140 by making written findings that a specified amount of additional time is needed to process an application.

2. Final decisions by the hearing examiner shall be made within the time limits established pursuant to subsection (A)(1) of this section. Subject to those time limits, final decisions by the hearing examiner shall additionally be rendered within ten working days following the conclusion of all testimony and hearings unless a longer period is mutually agreed to in

writing by the applicant and the hearing examiner; provided, that the hearing examiner may determine the time and manner by which testimony and hearings shall be deemed to be concluded.

3. The department shall electronically deliver or mail notice of decision to:

- a. The applicant, or the person or entity designated by the applicant to receive notice;
- b. The appellant, if any;
- c. Parties that have filed a special notification request in accordance with Section 20.14.015 prior to rendering of the decision;
- d. Identifiable parties who have provided addresses and have submitted substantive written comments on the proposal prior to rendering of the decision;
- e. The office of the County Assessor; and
- f. Certain other parties identified herein:
 - i. The department shall additionally deliver or mail notice on Level III proposals, Level II proposals, and Level I proposals that are not categorically exempt under SEPA to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is adjacent to the proposal site. If the owner of the proposal site owns another parcel or parcels of real property which lie adjacent to the proposal site, the notice shall be given to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is adjacent to any portion of the boundaries of the proposal site or such other adjacently located parcels owned by the same owner as the proposal site.
 - ii. The department shall additionally deliver or mail notice on Level IV proposals to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is within four hundred feet of the proposal site, as measured from each property line of the proposal site. If the owner of the proposal site owns another parcel or parcels of real property which lie adjacent to the proposal site, the notice shall be given to the record owner(s) of property, as shown by the records of the Walla Walla County Assessor's office, which is within four hundred feet of any portion of the boundaries of the proposal site or such adjacently located commonly owned parcels, as measured from each property line.
 - iii. The notice given to affected property owners described by this subsection shall additionally state that the affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

4. Notice to the County Assessor required herein may be given by periodic summaries which consolidate notice of decision on proposals made within a time period specified in the notice.

5. Notice of decision on project permit proposals shall include a statement of any threshold SEPA determination that has been made.

6. Notice of decision on Level I and Level II decisions shall include a statement that gives notice regarding the procedure for administrative appeal.

7. Notice of decision on Level I and Level II administrative appeals, Level III decisions, and Level IV decisions shall include the time limit for commencing an appeal of the underlying governmental action and SEPA issues if the decision is appealable, citation to the statute or ordinance establishing the time limit, and where an appeal may be filed.

8. The city shall additionally publish a summary and notice of adoption in the Walla Walla Union Bulletin for site specific amendments to the zoning map.

B. Nonproject Proposals.

1. The department shall deliver or mail notice of decision to:

- a. The applicant, or the person or entity designated by the applicant to receive notice
 - b. Parties that have filed a special notification request in accordance with Section 20.14.015 prior to rendering of the decision;
2. The city shall additionally give public notice as follows:
- a. The city shall publish a summary and notice of adoption in the Walla Walla Union Bulletin for:
 - i. Zoning Code text amendments;
 - ii. Zoning Map amendments of general applicability;
 - iii. Subdivision Code amendments;
 - iv. Planning-related regulations determined by the director to implement the Comprehensive Plan or a Subarea Plan; and
 - v. Adoption of a Comprehensive Plan or Subarea Plan, or amendments thereto;
 - b. The summary and notice of adoption shall include the time limit for commencing an appeal of the underlying governmental action and SEPA issues if the final action is appealable, citation to the statute or ordinance establishing the time limit, and where an appeal may be filed.

C. Exceptions.

- 1. Notice of annexations, prezones, and street vacations shall be given by publication of an ordinance summary in the Walla Walla Union Bulletin in accordance with RCW 35A.12.160 and 35A.13.200, as amended.
- 2. Amendments to the local Shoreline Master Program require Department of Ecology approval and are processed pursuant to RCW 90.58.090, as amended, following local legislative action. The department shall submit any amendments to the Department of Ecology for approval, and the Department of Ecology will give public notice in accordance with its procedure and rules.

D. Notice of decision on Level I and Level III administrative appeals, Level III decisions, Level IV decisions, Level V decisions, and Level VI decisions shall include the time limit for commencing an appeal of the underlying governmental action and SEPA issues if the decision is appealable, citation to the statute or ordinance establishing the time limit, and where an appeal may be filed.

E. The city may include notice of SEPA action with any notice given under this section. If a notice of decision is combined with a notice of action, the notice shall be given both as provided in this section and as required by RCW 43.21C.080, as amended.

F. The department should document the date and manner by which any notice is given.

20.14.095 Compliance with ~~development authorization~~ Notice of Decision.

A. ~~Development Authorization~~ Notice of Decision Compliance Required.

~~Development authorizations~~ Decisions issued on the basis of approved plans and applications and conditions of approval imposed by the approving authority authorize only the use, arrangement and construction set forth in the approved plans and application together with any associated conditions of approval and the final site plan. Any use, arrangement, or construction at variance with that authorized is a violation of this code and is punishable as provided in Chapter 20.42, Violations and Enforcement.

B. Site Inspection Authorized. The director, the building official, and other city officials having responsibilities under this code, or their designees, are authorized to perform interim and final inspections of all development and modifications to development to assure that it has

been established and/or constructed in conformance with the final site plan and associated terms and conditions of approval. Such inspections may be coordinated with the inspections required by other applicable codes or ordinances.

C. ~~Development Authorization Approval~~ Extension. A valid ~~development authorization decision~~ for project permit action may be extended one time only for up to one additional year by action of the director. Requests for extensions shall be in writing to the department and shall be accompanied by the previously approved final site plan showing the location and size of any development or work already completed on the project. The director shall review the request without public notice or hearing and issue his or her decision within ten days from the receipt of the extension request. The director may (1) approve the extension, (2) approve the extension with conditions to assure the work will be timely completed, or (3) disapprove the extension. An extension shall be issued for good cause only and the burden of showing cause shall be upon the applicant. The director shall mail his or her decision to the applicant and shall specify his or her decision as final unless appealed under the provisions of Chapter 20.38, Closed Record Decisions and Appeals.

D. ~~Development Authorization Decision~~ Expiration. An ~~approval development authorization~~ for project permit action shall automatically expire and be terminated when:

1. A new or modified ~~development authorization decision~~ is issued for the parcel or parcels affected;
2. The work or action authorized in the ~~development authorization decision~~ has not begun within one hundred eighty days from the date of issuance thereof, unless a longer or shorter time is specified in the approval itself; or
3. The work or action authorized in the ~~development authorization decision~~ has not been completed within two years from the date of issuance, unless a longer or shorter time is specified in the approval itself.

Knowledge of expiration date and initiation of a request for extension of approval time is the responsibility of the applicant. The city shall not be held responsible for the notification of expiration, although it may notify the applicant of date of expiration. All requests for additional times must be submitted to the development services office prior to expiration of ~~development authorization the decision approval~~.

20.14.100 Official index for approvals to be maintained as public record.

The Department shall maintain an official index of all ~~Development Authorizations applications~~ requiring review and approval by the Reviewing Body and/or Approving Authority. The official index shall include the application number, the applicant's name, address and type of request and will reference the application, permits and site plan which will be kept in the appropriate ~~address~~-file. The Department shall immediately, upon issuance of a ~~Development Authorization decision~~, place the ~~original or certified duplicate in the official index noting the date and time of filing of the document in the index decision with the electronic permit file~~. The official index required by this Section shall constitute authority as to the current applicable limitations and requirements pertaining to specific approvals issued under this code and shall constitute constructive notice to third parties of the existence and terms of said approval. The director, or designee, shall be the official custodian of said index and is authorized to issue certified copies. Any unauthorized change of any kind by any person to the documents or records in the official index required by this section shall constitute a

violation of this code and be punishable as provided under Chapter 20.42.

Section 8: Section 20.18.010, 20.18.020, 20.18.030, 20.18.040, 20.18.050 and 20.18.070 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

Sections:

20.18.030 ~~Development authorization~~ Land Use application – Level I.

20.18.010 Purpose.

The purpose of Level I procedure is to handle applications which are listed as outright permitted uses which involve no deviation from ordinance development standards. Level I applications receive administrative staff review only, with ~~development authorization~~ a decision issued by the director or designee.

20.18.020 When required.

Level I ~~development authorization~~ land use applications are required for:

- A. Utility extension agreements;
- B. Boundary adjustments (see Title 19, Subdivisions);
- C. Uses listed as Level I in Chapter 20.100, Table of Permitted Land Uses;
- D. Home occupations listed as Level I in Chapter 20.123, Table of Permitted Home Occupations;
- E. Certain building, mechanical and plumbing permits;
- F. Right-of-way permits; and
- G. All other proposals determined by the director to be Level I uses.

20.18.030 ~~Development authorization~~ Land Use application – Level I.

Level I applications shall be made in writing to the department on forms supplied by the department. The application shall contain the information required in Section 20.14.040. A general or detailed site plan as may be required shall accompany the application. The director or ~~his~~ their designee may request any other information necessary to clarify the application or determine compliance with, and provide for the enforcement of this code.

20.18.040 Review procedures, decision – Level I.

- A. Upon acceptance of a completed application for a Level I ~~development authorization~~ review, the department shall determine whether the proposal is categorically exempt under SEPA or subject to threshold determination requirements.
- B. Site Plan Review Committee. Proposals requiring site plan review will be sent to the site plan review committee by the ~~director~~ department no later than fourteen days after the application has been determined to be complete. The site plan review process shall be as set forth in Chapter 20.46, Site Plan Review Committee.
- C. The director or designee may also, but is not required to, solicit comments from other resource persons or public agencies he or she may determine may be affected by a proposal that is categorically exempt under SEPA.
- D. SEPA Review. All ~~development authorization~~ land use applications will be reviewed by the department and if SEPA review is required, such review will be conducted by the responsible official in accordance with the provisions of Chapter 20.14 and Title 21 of this code and

Chapter 197-11 WAC. No approval or permit shall be issued on the proposal until SEPA review is complete.

E. Director's Decision. After considering the proposal and all relevant materials and timely comments, if any, the director shall take one or more of the following actions:

1. Approve the proposal and issue a ~~development authorization notice of decision~~;
2. Establish conditions for approval, or require other changes in the proposed site plan;
3. Request additional or more detailed information including, but not limited to, a written program for development;
4. Determine a higher review level is needed and/or refer the proposal to the city council, planning commission or hearing examiner for review and direction; or
5. Disapprove the proposal.

20.18.050 Approval.

The director shall issue a ~~development authorization decision~~ when ~~he~~ determines that the proposal complies with the provisions of this code and the Comprehensive Plan.

20.18.070 Appeal.

Any decision by the director to grant or deny issuance of a Level I ~~development authorization decision~~ ~~use~~ may be appealed to the hearing examiner under the provisions of Chapter 20.38, Closed Record Decisions and Appeals. Requests for additional or more detailed information and determinations that a higher review level is needed are not appealable.

Section 9: Section 20.22.010, 20.22.030, 20.22.040, 20.22.050, 20.22.060, 20.22.080 and 20.22.090 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

Sections:

20.22.030 ~~Development authorization~~ Land Use applications – Level II.

20.22.010 Purpose.

The purpose of Level II procedures is to handle applications listed as Level II uses in Chapter 20.100.040, Table of Permitted Land Uses. These are generally more complex than Level I uses, involving potential impacts on neighboring properties and public service systems. The proposal requires individual notice to adjacent property owners and may require public agency participation to protect the public interest. ~~Development authorizations~~ Decisions are issued by the director or designee.

20.22.030 ~~Development authorization~~ Land Use applications – Level II.

Level II land use applications ~~for development authorization~~ shall be made in writing to the department on forms supplied by the department. The application shall contain the information required in Section 20.14.040. A general or detailed site plan as may be required shall accompany the application. The director or designee may request any additional information necessary to clarify the application or determine compliance with and provide for the enforcement of this code.

20.22.040 Review procedures, decision – Level II.

Upon acceptance of a completed application for a Level II ~~development authorization review~~, the department shall determine whether the proposal is categorically exempt under SEPA or subject to threshold determination requirements.

A. Site Plan Review Committee. Proposals requiring site plan review will be sent to the site plan review committee by the ~~director~~ department no later than fourteen days after the application has been determined to be complete. The site plan review process shall be as set forth in Chapter 20.46, Site Plan Review Committee.

B. The director may, but is not required to, solicit comments during any comment period from other resource persons or public agencies he or she may determine may be affected by the proposal.

C. SEPA Review. All ~~development authorization~~ applications will be reviewed by the department and if SEPA review is required, such review will be conducted by the responsible official in accordance with the provisions of Chapter 20.14 and Title 21 of this code and Chapter 197- 11 WAC. No approval or permit shall be issued on the proposal until SEPA review is complete.

D. Director's Decision. After considering the proposal and all relevant materials and timely comments, if any, the director shall take one or more of the following actions:

1. Approve the proposal and issue a ~~development authorization decision~~;
2. Establish conditions for approval, or require other changes in the proposed site plan;
3. Request additional or more detailed information including but not limited to a written program for development;
4. Determine a higher review level is needed and/or refer the proposal to the city council, planning commission or hearing examiner for review, public hearing and decision; or
5. Disapprove the proposal.

E. Conditional Approval. The director may attach conditions to his or her approval in order to ensure the development is consistent with the applicable development standards of the Walla Walla Municipal Code and the policies of the Comprehensive Plan.

20.22.050 Issuance of a building permit – Level II.

No use requiring a Level II ~~development authorization decision~~ shall be entitled to a building permit until and unless the director ~~authorizes issuance of a development authorization issues a notice of decision~~. The ~~development authorization Level II decision~~ is not a building permit and does not by itself authorize the construction or occupancy of any use or structure.

20.22.060 Appeals.

Decisions by the director to grant or deny issuance of a Level II ~~development authorization decision~~ may be appealed to the hearing examiner in accordance with Chapter 20.38, Closed Record Decisions and Appeals. Requests for additional or more detailed information and determinations that a higher review level is needed are not appealable.

20.22.080 Site plan review.

When Level II ~~development authorization~~ proposals are subject to site plan review, such review shall be as set forth in Chapter 20.46, Site Plan Review Committee.

20.22.090 SEPA review.

All ~~development authorization Level II~~ applications will be reviewed by the department and if SEPA review is required, such review will be conducted by the responsible official in accordance with the provisions of Chapter 20.14 and Title 21 of this code and Chapter 197- 11 WAC. No approval or permit shall be issued on the proposal until SEPA review is complete.

Section 10: Section 20.26.010, 20.26.020, 20.26.030 and 20.26.040 of the Walla Walla Municipal Code is amended as follows added terms are underlined and removed terms are stricken):

Sections:

20.26.030 ~~Development authorization~~ Land Use applications – Level III.

20.26.010 Purpose.

The purpose of Level III procedures is to handle applications which require a quasi-judicial public hearing before and final decision by the hearing examiner. The Level III review process provides for public involvement in the hearing process with mailed notice to ~~the~~ surrounding property owners pursuant to Chapter 20.14. The purpose of the public hearing for Level III applications is to obtain information on the proposal and its relationship to the relevant criteria and standards of this code and the policies of the Comprehensive Plan.

20.26.020 When required.

Level III ~~development authorization~~ Land Use applications are required for:

- A. Conditional uses (Chapter 20.216);
- B. Variances (Chapter 20.220);
- C. Most enlargements of nonconforming situations (Chapter 20.212);
- D. Special use permits (Chapter 20.224);
- E. Level III home occupations (Chapter 20.123, Table of Permitted Home Occupations); and
- F. All other proposals determined by the director to be Level III proposals.

20.26.030 ~~Development authorization~~ Land Use applications – Level III.

Level III applications shall be made in writing to the department on forms supplied by the department. The application shall contain the information required in Section 20.14.040. A general or detailed site plan as required by the director shall accompany the application. The director or designee may request any additional information necessary to clarify the application, or determine compliance with this code.

20.26.040 Review procedures, decision – Level III.

The following procedures will be followed for the review of Level III ~~development authorization~~ applications:

- A. Approving Authority. Level III ~~development authorizations~~ decisions are processed according to Chapter 20.14 with final decision made by the approving authority (hearing examiner) after public hearing.
- B. Site Plan Review/Staff Report. Proposals requiring site plan review will be sent to the site plan review committee by the department no later than fourteen days after the application has been determined to be complete. The site plan review process shall be as set forth in Chapter 20.46, Site Plan Review Committee. The department shall coordinate and assemble the comments received. These comments shall be included in a staff report prepared by the department. The staff report shall summarize the proposal with the department's proposed findings, conclusions, and recommendations. The staff report is then submitted to the hearing examiner for consideration at a public hearing.
- C. SEPA Review. All ~~development authorization~~ Level III applications will be reviewed by the department and if SEPA review is required, such review will be conducted by the responsible official in accordance with the provisions of Chapter 20.14 and Title 21 of this code and Chapter 197-11 WAC. No approval or permit shall be issued on the proposal until SEPA review is complete.
- D. The hearing examiner shall approve, deny, or approve the application with such conditions as are necessary to bring the proposal into conformance with the standards of this code and the

policies of the Comprehensive Plan. Conditions of approval may include actions necessary to avoid imposition of undue public service obligations on the city, or mitigation of adverse impacts.

E. Decision. Following the public hearing and upon completion of its action, the hearing examiner shall issue a written decision.

F. Issuance of Building Permits. No use requiring a Level III ~~development authorization decision~~ shall be entitled to a building permit until and unless the hearing examiner approves the application ~~authorizing the issuance of the development authorization~~. The ~~development authorization Level III decision~~ is not a building permit and does not by itself authorize the construction or occupancy of any use or structure.

Section 11: Section 20.27.020, 20.27.030 and 20.27.040 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

Sections:

20.27.030 ~~Development authorization~~ Land Use applications – Level IV.

20.27.020 When required.

Level IV ~~development authorization~~ applications are required for:

- A. Site specific amendments to the Official Zoning Map;
- B. Subdivision preliminary plats;
- C. Shoreline substantial developments;
- D. All other proposals determined by the director to be Level IV proposals.

20.27.030 ~~Development authorization~~ Land Use applications – Level IV.

Level IV applications shall be made in writing to the department on forms supplied by the department. The application shall contain the information required in Section 20.14.040. Any required site plan as determined by the applicable regulation shall accompany the application. The department may request any additional information necessary to clarify the application, or determine compliance with this code.

20.27.040 Review procedures, decision – Level IV.

The following procedures will be followed for the review of Level IV ~~development authorization~~ applications:

A. Approving Authority/Reviewing Body. Final decision on Level IV applications is made by the approval authority (city council) following receipt of recommendation from the reviewing body (hearing examiner or planning commission) after public hearing. The city council does not hold an additional public hearing on Level IV applications. The city council may require or permit

corrections of ministerial errors or inadvertent omissions from the record. For site specific rezones, the reviewing body will follow the procedures and review criteria as provided in Chapter 20.48. The reviewing body responsible for the type of application specified in Section 20.27.020 is as follows:

1. Hearing Examiner.

- a. Site-specific zoning amendments to the Official Zoning Map.
- b. Subdivision preliminary plats, except planned unit developments.
- c. Other proposals determined by the director to require Level IV review by the hearing examiner.

2. Planning Commission.

- a. Planned unit development preliminary plats.
- b. Shoreline substantial developments pursuant to the Shoreline Master Program and the

applicable provisions of this code.

c. Other proposals determined by the director to require Level IV review by the planning commission.

B. Site Plan Review/Staff Report. Applications for site-specific zone changes do not require a site plan. However, for this type of application, the applicant has the option of submitting a site plan as would be required if the change of zone were approved and consistent with the Comprehensive Plan designation. Proposals requiring site plan review will be sent to the site plan review committee by the department no later than fourteen days after the application has been determined to be complete. The site plan review process shall be as set forth in Chapter 20.46, Site Plan Review Committee. The department shall coordinate and assemble the comments received. The comments shall be included in a staff report prepared by the department. The staff report shall summarize the proposal with the department's proposed findings, conclusions, and recommendations. The staff report is then submitted to the reviewing body for consideration at a public hearing and recommendation to the approving authority (city council).

C. SEPA Review. All ~~development authorization~~ Level IV applications will be reviewed by the department and if SEPA review is required, such review will be conducted by the responsible official in accordance with the provisions of Chapter 20.14 and Title 21 of this code and Chapter 197-11 WAC. No approval or permit shall be issued on the proposal until SEPA review is complete.

D. Reviewing Body Recommendation. The reviewing body shall, following the public hearing, forward its recommendation to the city council to approve, deny, or approve with such conditions as are necessary to bring the proposal into conformance with the standards of this code and the policies of the Comprehensive Plan. Conditions of approval may include actions necessary to avoid imposition of undue public service obligations on the city, or mitigation of detrimental effects on other property owners. Conditions of approval shall be based on the standard or policy which permits or requires such condition.

E. City Council Decision. The city council shall at a public meeting review the recommendation of the reviewing body and consider the same. The city council shall vote to approve, disapprove or modify the proposal, or shall vote to refer the matter back to the reviewing body. The city council may uphold, amend, or reverse a finding or recommendation of the reviewing body.

F. Issuance of Building Permits. No use resulting from or requiring a Level IV ~~development authorization decision~~ shall be entitled to a building permit unless and until the approving authority approves the application ~~authorizing the issuance of the development authorization~~. The ~~development authorization~~ Level IV decision is not a building permit and does not by itself authorize the construction or occupancy of any use or structure.

Section 12: Section 20.50.10, 20.50.20, 20.50.50, 20.50.55, 20.50.60, 20.50.65, 20.50.70, 20.50.75, 20.50.75, 20.50,80, 20.50.85 and 20.50.90 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

Sections:

20.50.020 RN Neighborhood Residential

~~20.50.050~~ ~~R 96 Single Family Residential (Low Density).~~

~~20.50.055~~ ~~R 72 Single Family Residential (Medium Density).~~

~~20.50.060~~ ~~R 60 Single Family Residential (High Density).~~

20.50.03065 RM Multi-Family Residential.

20.50.0470 CC Central Commercial District.

- 20.50.0750 CH Highway Commercial.
- 20.50.0680 IL/C Light Industrial/Commercial.
- 20.50.07085 IH Heavy Industrial.
- 20.50.0890 PR Public Reserve.
- 20.50.0905 AD Airport Development District.
- 20.50.11005 UPC Urban Planned Communities.

20.50.010 General intent of zones.

The zoning districts established ~~in Section 20.02.050~~ and described in this chapter are intended to implement the Land Use Element and Housing Element policies of the Walla Walla Urban Area Comprehensive Plan consistent with the Washington Growth Management Act by establishing minimum site dimensional and design criteria to assure land use compatibility and promote public health, safety, and welfare.

20.50.020 Neighborhood Residential.

The Neighborhood Residential Zone is intended to provide for a variety of housing types such as single family residential up to fourplexes, townhomes, cottage housing, and tiny homes that are compatible with the neighborhood characteristic.

A. Level of Uses. The uses allowed by Level I, II, III, or IV procedures in this zone are designated by a 1, 2, 3, or 4 respectively on the Table of Permitted Land Uses, Section 20.100.040.

B. The Neighborhood Residential Zone has a minimum net density requirement of four dwelling units per acre.

C. Minimum yard requirements.

1. Front yard: twenty feet. Corner lots have two front yards: primary and secondary. The primary front yard (generally off-street parking side) shall be full depth; the secondary front yard shall be one-half the required front yard depth.

2. Side yard: five feet; attached housing with a shared wall/property line can be zero feet except for end units that shall be five feet.

3. Rear yard: twenty feet. Rear yards for detached accessory see Chapter 20.118. Corner lots are not considered to have rear yards.

4. For exceptions to these minimum standards, see Section 20.102.020.

D. Lot coverage. Buildings shall occupy a maximum of fifty percent of the lot.

E. Building Height. No building shall exceed thirty-five feet.

F. Off-street parking. See Chapter 20.127 for residential parking requirements.

~~20.50.050 R-96 Single Family Residential (Low Density).~~

~~The low density R-96 Single Family Residential Zone is intended to provide for larger-home sites than the other residential zones.~~

~~A. Level of Uses. The uses allowed by Level I, II, III or IV procedures in this zone are designated by a 1, 2, 3 or 4 respectively on the Table of Permitted Land Uses, Section 20.100.040.~~

~~B. Minimum Lot Dimensions:~~

~~1. Area: nine thousand six hundred square feet.~~

~~a. Single family dwelling unit: nine thousand six hundred square feet.~~

- b. ~~Level II and Level III residential units: five thousand square feet per unit.~~
- e. ~~Congregate care facilities, nursing care homes, and nursing care facilities: six thousand square feet for the first unit plus one thousand five hundred square feet per sleeping room.~~
- 2. ~~Width: seventy five feet.~~
- 3. ~~Depth: eighty feet.~~
- C. ~~Minimum Yard Requirements.~~
 - 1. ~~Front yard: twenty feet. Corner lots have two front yards: primary and secondary. The primary front yard (generally off street parking side) shall be full depth; the secondary front yard shall be one half the required front yard depth.~~
 - 2. ~~Side yard: ten feet. Side yards for detached accessory structures less than nine hundred square feet may be five feet from the property line.~~
 - 3. ~~Rear yard: twenty feet. Rear yards for detached accessory structures less than nine hundred square feet may be five feet from the property line. Corner lots are not considered to have rear yards.~~
 - 4. ~~For exceptions to these minimum standards, see Section 20.102.030.~~
- D. ~~Lot Coverage. Buildings shall occupy a maximum of thirty five percent of the lot.~~
- E. ~~Building Height. No building shall exceed thirty five feet.~~
- F. ~~Off-Street Parking. Residential parking shall be provided at a minimum rate of two stalls per dwelling unit.~~

~~20.50.055 R-72 Single Family Residential (Medium Density).~~

~~The medium density R-72 Single Family Residential Zone is intended to provide a greater range of housing densities than the R-96 Zone, while maintaining the general character of a single-family residential neighborhood.~~

- A. ~~Level of Uses. The uses allowed by Level I, II, III or IV procedures in this zone are designated by a 1, 2, 3 or 4 respectively on the Table of Permitted Land Uses, Section 20.100.040.~~
- B. ~~Minimum Lot Dimensions.~~
 - 1. ~~Area: seven thousand two hundred square feet.~~
 - a. ~~Single family dwelling unit: seven thousand, two hundred square feet.~~
 - b. ~~Level II and Level III residential units: five thousand square feet per unit.~~
 - e. ~~Congregate care facilities, nursing care homes, and nursing care facilities: six thousand square feet for the first unit plus one thousand five hundred square feet per sleeping room.~~
 - 2. ~~Width: fifty feet.~~
 - 3. ~~Depth: sixty feet.~~
- C. ~~Minimum Yard Requirements.~~
 - 1. ~~Front yard: twenty feet. Corner lots have two front yards: primary and secondary. The primary front yard (generally off street parking side) shall be full depth; the secondary front yard shall be one half the required front yard depth.~~
 - 2. ~~Side yard: five feet.~~
 - 3. ~~Rear yard: twenty feet. Rear yards for detached accessory structures less than nine hundred square feet may be five feet from the property line. Corner lots are not considered to have rear~~

yards.

~~4. For exceptions to these minimum standards, see Section 20.102.030. D. Lot~~

~~Coverage. Buildings shall occupy a maximum of forty percent of the lot. E.~~

~~Building Height. No building shall exceed thirty five feet.~~

~~F. Off Street Parking. Residential parking shall be provided at a minimum rate of two stalls per dwelling unit.~~

20.50.060 R-60 Single-Family Residential (High Density).

The high density R-60 Single-Family Residential Zone is intended to provide a greater range of housing densities than the other single family zones. Duplexes are permitted in this zone.

A. Level of Uses. The uses allowed by Level I, II, III or IV procedures in this zone are designated by a 1, 2, 3 or 4 respectively on the Table of Permitted Land Uses, Section 20.100.040.

B. Minimum Lot Dimensions.

1. Area: six thousand square feet.

a. Single-family dwelling unit: six thousand square feet;

b. Duplex: seven thousand two hundred square feet (three thousand six hundred square feet per dwelling unit);

c. Congregate care facilities, nursing care homes, and nursing care facilities: six thousand square feet for the first unit plus one thousand five hundred square feet per sleeping room;

2. Width: fifty feet;

3. Depth: sixty feet.

C. Minimum Yard Requirements.

1. Front yard: twenty feet. Corner lots have two front yards: primary and secondary. The primary front yard (generally off street parking side) shall be full depth; the secondary front yard shall be one half the required front yard depth.

2. Side yard: five feet.

3. Rear yard: twenty feet. Corner lots are not considered to have rear yards.

4. For exceptions to these minimum standards, see Section 20.102.030.

D. Lot Coverage. Single family units shall occupy a maximum of forty percent of the

lot. Duplexes shall occupy a maximum of forty five percent of the lot. Level II and

Level III residential uses shall occupy a maximum of forty five percent of the lot.

E. Building Height. No building shall exceed thirty five feet.

F. Off Street Parking. Residential parking shall be provided at a minimum rate of two stalls per dwelling unit.

20.50.030~~65~~ RM Multi-Family Residential.

The Multi-Family Residential Zone is intended to accommodate a compatible mixture of multifamily residential uses. Such areas generally serve as transition or buffer zones between major arterials or more intensively developed commercial areas and residential districts.

A. Level of Use. The uses allowed by Level I, II or III procedures in this zone are designated by a 1, 2 or 3 respectively on the Table of Permitted Land Uses, Section 20.100.040.

B. The Multi-Family Residential Zone shall have a minimum density of twenty dwelling units

per acre and maximum density of seventy-five dwelling units per acre.

Minimum Lot Dimensions:

1. Area: six thousand square feet.

a. Duplex: seven thousand two hundred square feet;

b. Multifamily: six thousand square feet for the first unit plus one thousand five hundred square feet for each additional unit;

c. Congregate care facilities, nursing care homes, and nursing care facilities: six thousand square feet for the first unit plus one thousand five hundred square feet per sleeping room;

d. Other Level II and Level III uses: three thousand five hundred square feet per residential unit.

2. Width: fifty feet.

3. Depth: sixty feet.

C. Minimum Yard Requirements.

1. Front yard: fifteen feet. Corner lots have two front yards: primary and secondary. The primary front yard (generally off-street parking side) shall be full depth; the secondary front yard shall be one-half the required front yard depth.

2. Side yard: five feet.

3. Rear yard: twenty-ten feet. Corner lots are not considered to have rear yards.

4. For exceptions to these minimum standards, see Section 20.102.0230.

D. Lot Coverage. Buildings shall occupy a maximum of forty-sixty-five percent of the lot.

E. Building Height. No building shall exceed fifty-sixty feet.

F. Off-Street Parking. Specific standards depend on use. See Chapter 20.126, Off-Street Parking and Loading Standards, and Chapter 20.127, Table of Off-Street Parking Standards.

20.50.0470 CC Central Commercial District.

The Central Commercial Zone is intended to accommodate a wide variety of commercial activity (particularly those that are pedestrian oriented) together with compatible residential life styles and uses of upper story levels which will result in the most intensive and attractive use of the city's Central Business District.

A. Level of Use. The uses allowed by Level I, II or III procedures in this zone are designated by a "1," "2" or "3" respectively on the Table of Permitted Land Uses, Section 20.100.040.

B. Minimum Lot Dimensions.

1. Area: no restrictions.

2. Width: no restrictions.

3. Depth: no restrictions.

C. Minimum Yard Requirements.

1. Infill commercial and mixed use development in the area designated as "Downtown" shall extend to the above-ground building line (which shall be the edge of the public right-of-way line) along any street frontage. Parking, if any, must be provided at the rear of the property.

2. Front: No setbacks in the Central Commercial zone except as noted in Section 20.50.060(C); no restrictions.

~~3. Side: except as noted in Section 20.50.060(C), no restrictions unless abutting residential districts, then ten feet.~~

~~4. Rear: except as noted in Section 20.50.060(C), no restrictions unless abutting residential districts, then twenty feet.~~

~~5. For exceptions to these minimum standards, see Section 20.102.030.~~

D. Lot Coverage. Buildings may occupy up to one hundred percent. ~~except as noted in Section 20.50.060(C), Minimum Yard Requirements.~~

E. Building Height. No restrictions.

F. Off-Street Parking. A portion of the Central Commercial Zone is exempt from off-street parking requirements as provided in Section 20.126.050(C), Downtown Area Exempt. Other standards depend on use. See Chapter 20.126, Off-Street Parking and Loading Standards, and Chapter 20.127, Table of Off-Street Parking Standards.

20.50.050~~75~~ CH Highway Commercial.

The Highway Commercial Zone is intended to accommodate a wide range of commercial activities which largely depend upon proximity to major streets and arterials for trade and transportation. The types of uses permissible in this zone are generally similar to the types permissible in the Central Commercial Zone, except that additional automobile-oriented businesses and land extensive commercial activities such as automobile sales lots, greenhouses and nurseries, lumber yards, etc., are permissible.

A. Level of Uses. The uses allowed by Level I, II or III procedures in this zone are designated by a "1", "2" or "3" respectively on the Table of Permitted Land Uses, Chapter 20.100, Section 20.100.040.

B. A residential use proposed in the Highway Commercial zone shall have a minimum density of twenty dwelling units per acre and maximum density of seventy-five dwelling unit per acres.

~~C.~~ D. Minimum Lot Dimensions.

1. Area: no restrictions.

2. Width: no restrictions.

3. Depth: no restrictions.

~~C.~~ D. Minimum Yard

Requirements.

1. Front: ~~Twenty~~ Ten feet;

~~Twenty feet, except as provided in this subsection. Corner lots have two front yards: primary and secondary. The primary front yard (generally off street parking side) shall be full depth; the secondary front yard shall be one-half the required front yard depth.~~

~~Front yard setbacks in the Highway Commercial Zone may, at the discretion of the city, be reduced from the normal twenty foot standard. This option is presented for developers who wish to put more effort into design and execution of landscaping in trade for reduced front yard setback. It is expected that persons wanting to take advantage of this option will involve the director early in the development process. This option will only be available if the developer engages in a collaborative design process involving the city. It is intended to provide a pedestrian friendly streetscape which complements development on the property and in the vicinity.~~

~~The city's determination shall be based on its judgment of the degree to which the landscape proposed addresses the following items:~~

~~a. The reduction may be in any amount up to fifteen feet but shall result in a foundation line setback not less than five feet from the private property line.~~

~~b. Required vehicle parking and maneuvering areas generally need to be provided in side and rear yards.~~

~~c. The entire remaining front setback area shall be landscaped and according to a fully designed landscape plan approved by the parks director (municipal arborist). The criteria applied by the parks director are:~~

~~i. The landscape design supports the building design.~~

~~ii. The landscape design is complementary to the streetscape in the general vicinity, and to anticipated future development.~~

~~iii. Interests of the public right of way are protected including street trees, street furniture, and signage.~~

~~iv. The landscape design is encouraged to incorporate compost-amended soils in landscaped areas, vegetated LID BMPs, and native, drought-tolerant vegetation in accordance with the Eastern Washington Low Impact Development Guidance Manual.~~

~~d. The design shall be approved by the city engineer to determine that the interests of the public right of way are protected including sidewalks, signage, and future street expansion plans. The plan may include public sidewalk partially or fully on the private property by public access easement.~~

2. Side: no restrictions, except where abutting residential districts, then ten feet.

3. Rear: no restrictions, except where abutting residential districts, then twenty feet. Corner lots are not considered to have rear yards.

~~4. Exception. The front yard area for commercial uses may include service station fuel pump canopies; open recreational amusement accessory facilities to a principal use; subject to approval of the site plan review committee.~~

~~D. E.~~ Lot Coverage. Buildings may not exceed eighty percent lot coverage.

~~E. F.~~ Building Height. No building may exceed ~~sixty~~ ~~fifty~~ feet, except when abutting ~~R-96, R-72, and R-60 residential~~ RN zones, then maximum building height is thirty-five feet. For every one additional foot of setback, an additional foot of height may be granted.

~~F. G.~~ Off-Street Parking. Specific standards depend on use. See Chapters 20.126, Off-Street Parking and Loading Standards, and 20.127, Table of Off-Street Parking Standards. If possible, parking shall be located to side and rear of the structure.

20.50.0680 IL/C Light Industrial/Commercial.

The Light Industrial/Commercial Zone is intended to: (A) provide for the development of areas near designated truck routes, highways and railroads in which certain types of industrial activities, which do not generate noise levels, light, or odor of fumes that would constitute a nuisance or hazard and which do not create exceptional demands upon public facilities and services may be located; (B) permit in the same areas such commercial uses as may be compatible with the light industrial activities; and (C) protect such areas from other uses which may interfere with the stated purposes and efficient functioning of those purposes.

A. Level of Uses. The uses allowed by Level I, II or III procedures in this zone are designated by a 1, 2 or 3 respectively on the Table of Permitted Land Uses, Section 20.100.040.

B. Minimum Lot Dimensions.

1. Area: no restrictions.
2. Width: no restrictions.
3. Depth: no restrictions.

C. Minimum Yard Requirements.

1. Front: no restrictions.
2. Side: no restrictions, except where abutting a residential district, then ten feet.
3. Rear: no restrictions, except where abutting a residential district, then twenty feet.
4. For exceptions to these minimum standards, see Section 20.102.030.

D. Lot Coverage. Up to one hundred percent lot coverage is allowed, provided all other development standards are met, such as off-street parking , landscaping, etc.

E. Building Height. No building may exceed fifty feet, except when abutting ~~R-96, R-72, and R-60 residential~~ the RN zones, then maximum building height is thirty-five feet.

F. Off-Street Parking. Specific standards depend on use. See Chapter 20.126, Off-Street Parking and Loading Standards, and Chapter 20.127, Table of Off-Street Parking Standards.

20.50.07085 IH Heavy Industrial.

The Heavy Industrial Zone is intended primarily to provide adequate land area for the location of a broad range of industrial activities which may, by their nature, create a greater degree of hazard or annoyance than would be permitted in any other zoning district. Certain uses such as residential and retail businesses are not permitted in this zone in order to promote a viable heavy industrial area which will not be injurious to nor hindered by incompatible uses.

A. Level of Uses. The uses allowed by Level I, II or III procedures in this zone are designated by a 1, 2 or 3 respectively on the Table of Permitted Land Uses, Section 20.100.040.

B. Minimum Lot Dimensions.

1. Area: no restrictions.
2. Width: no restrictions.
3. Depth: no restrictions. C.

Minimum Yard Requirements.

1. Front: no restrictions.
2. Side: no restrictions, except where abutting a residential district, then ten feet.
3. Rear: no restrictions, except when abutting a residential district, then twenty feet.
4. For exceptions to these minimum standards, see Section 20.102.030.

D. Lot Coverage. Up to one hundred percent lot coverage is allowed, provided all other development standards are met, such as off-street parking, landscaping, etc.

E. Building Height. No building shall exceed eighty feet, except when abutting ~~R-96, R-72, and R-60 the RN residential districts zone~~, then maximum building height is ~~thirty-five~~ fifty feet.

F. Off-Street Parking. Specific standards depend on use. See Chapter 20.126, Off-Street Parking and Loading Standards, and Chapter 20.127, Table of Off-Street Parking Standards.

20.50.0890 PR Public Reserve.

The Public Reserve Zone is intended to: (A) protect and preserve certain areas of land devoted to existing and future use for civic, cultural, educational and similar facilities; (B) provide for the social needs of the community as those needs relate to public services, open space and institutions, whether publicly or privately sponsored; (C) enhance the identity and image of the community as a desirable place for human growth and development; (D) provide opportunities and facilities for the various activities and needs of a diverse and dynamic population; and (E) provide and protect parks, open space and other natural, physical assets of the community to improve the aesthetic and functional features of the community.

A. Level of Uses. The uses allowed by Level I, II or III procedures in this zone are designated by a 1, 2 or 3 respectively on the Table of Permitted Land Uses, Section 20.100.040.

B. Minimum Lot Dimensions. Due to the wide range of land uses, structure types, and lot sizes inherent in the generalized category of Public Reserve, lot dimensions are best determined through the site plan review process. When a proposed use is permitted in another zone with specified lot dimensions, the requirements of that zone generally shall apply in the Public Reserve zone. In any case, lot dimensions shall be sufficient to accommodate parking, vehicle maneuvering areas, landscaping, open space, and other development standards required by this title for the use as determined by the site plan review process (Chapter 20.46).

C. Minimum Yard Requirements. When a proposed use is permitted in another zone with specified yard requirements, the requirements of that zone generally shall apply in the Public Reserve zone. In any case, yard requirements shall be sufficient to meet fire and other standards as determined by the site plan review process.

D. Lot Coverage. Buildings may not exceed eighty percent lot coverage.

E. Building Height. Building height shall be determined by the site plan review process to be compatible with appropriate use of adjacent properties.

F. Off-Street Parking. Specific standards depend on the use. See Chapter 20.126, Off-Street Parking and Loading Standards, and Chapter 20.127, Table of Off-street Parking Standards.

20.50.0905 AD Airport Development District.

The Airport Development District Zone is intended for the development and use of land within the boundaries of the Walla Walla Regional Airport, primarily for aviation and industrial development. Public and quasi-public uses, agricultural development, and commercial activity which functions as a secondary support to aviation and agriculture are also permitted. Review of proposed development is to ensure compatibility with aviation facilities and adjacent properties, and to enhance the potential for future commercial, industrial, public and quasi-public development, and will include input from the management of the Walla Walla Regional Airport. The airport manager will be responsible for application of specific airport development standards and aviation related standards of the Federal Aviation Administration (FAA).

A. Level of Uses. The uses allowed by Level I, II or III procedures in this zone are designated by a 1, 2 or 3 respectively on the Table of Permitted Land Uses, Section 20.100.040.

B. Minimum Lot Dimensions. Due to the wide range of land uses, structure types, and lot sizes inherent in the generalized category of the Airport Development District Zone, lot dimensions are best determined through the site plan review process. When a proposed use is permitted in

another zone with specified lot dimensions, the requirements of that zone generally shall apply in the Airport Development District Zone. In any case, lot dimensions shall be sufficient to accommodate parking, vehicle maneuvering areas, landscaping, open space, and other development standards required by this title for the use as determined by the site plan review process (Chapter 20.46).

C. Minimum Yard Requirements. When a proposed use is permitted in another zone with specified yard requirements, the requirements of that zone generally shall apply in the Airport Development District Zone. In any case, yard requirements shall be sufficient to meet fire and other standards as determined by the site plan review process.

D. Lot Coverage. Specific standards will be determined by the site plan review committee depending on the proposed use.

E. Building Height. All building heights must conform to standards provided by the FAA.

F. Off-Street Parking. Specific standards depend on use. See Chapter 20.126, Off-Street Parking and Loading Standards.

20.50.1105 UPC Urban Planned Communities.

The purpose of the Urban Planned Communities (UPC) Zone is to provide greater flexibility and encourage more creative land planning solutions on large parcels of land than would be achieved by traditional lot-by-lot development using the other zoning districts in this ~~code and the county code~~, while at the same time ensuring substantial compliance with the goals and policies of the Comprehensive Plan and permitting more advantageous and efficient use of sites and infrastructure through the location and arrangement of structures, circulation, parking, and open spaces. The purposes of this district also are to provide flexibility to achieve public benefits and to respond to changing community needs. ~~Due to the wide range of land uses, structure types, and lot sizes inherent in the generalized category of the UPC zone, and the need for consistency with county regulations regarding such zones, the city of Walla Walla adopts exhibit pages F-13 through F-16 of Walla Walla County Ordinance No. 322, passed on October 31, 2005, as development regulations for urban planned communities, except that UPC zones within the city limits may be on sites of at least ten acres or more.~~

20.50.120 - Applicability.

The UPC zone is allowed only on sites of ten acres or more and designated on the Comprehensive Plan land use map as an Urban Planned Community. "Sites," for purposes of this subsection, mean contiguous land under one ownership or under the control of a single legal entity responsible for submitting an application and carrying out the provisions of a development agreement.

20.50.130 - Application.

An application for development of a UPC site shall be on forms prepared by Development Services Department and a draft development agreement. The information required on the application forms shall take into account that detailed information may not be available at the time of the application and may be developed through the environmental review process.

20.50.140 - Uses permitted.

Development on a UPC site may contain any nonindustrial land use contained in this chapter. The primary land uses shall be commercial, residential, and active and passive open space. All uses are subject to standards, limitations and conditions specified in a development agreement.

20.50.150 - Development agreement.

The applicant shall submit a draft development agreement under Chapter 36.70B RCW and as provided below:

A. A development plan that includes, at a minimum:

1. A conceptual site plan showing parcel boundaries; location and acreage of active and passive recreational areas; location, acreage and range of densities for residential

development; location and range of types of uses of nonresidential development; location and size of critical areas and buffers; perimeter buffers, if any; and motorized and nonmotorized circulation routes, including connections to streets and pedestrian routes servicing and/or abutting the site;

2. A parks and open space plan, including trails. The plan must also include the amount of acreage devoted to parks and to open space and the total length of trails;

3. The expected buildout period;

4. A phasing plan;

5. Conceptual road, sewer, water and stormwater plans;

6. Conceptual grading plan;

7. ~~Minimum amount of required recreation space and/or open space;~~

8. Minimum and maximum number of residential units allowed. The minimum number of residential units shall not be less than four dwelling units per net acre of land devoted to residential uses;

9. Minimum and maximum amount of nonresidential uses allowed;

10. Provisions for the termination of the development agreement and rezoning of the property if substantial progress has not been achieved within a prescribed time period.

B. Measures to adequately address potential land use conflicts between the urban planned community site and adjacent land uses.

C. Measures to adequately address impacts to public services and facilities.

DE. Development standards which may differ from those otherwise imposed under the City of Walla Walla Municipal Code in order to provide flexibility to achieve public benefits and encourage modifications that provide the functional equivalent or adequately achieve the purposes of City standards. Any approved development standards that differ from those in the Walla Walla Municipal Code shall not require any further zoning reclassification, variance from City standards or other City approval apart from that specified in the development agreement. The development standards as approved in the development agreement shall apply to and govern the development and implementation of each area within the site in lieu of any conflicting or different standards or requirements elsewhere in the Walla Walla Municipal Code. Subsequently adopted standards which differ from those in the development agreement shall apply to the urban planned community site only where necessary to address imminent public health and safety hazards or where the development agreement specifies a time period or phase after which certain identified standards may be modified. Building permit applications shall be subject to the building codes in effect when the application was deemed complete.

20.50.160 - Urban planned community application and review/approval process.

A. The application process for development of a UPC site shall be as prescribed in Chapter 20.27 of the Walla Walla Municipal Code.

B. The review and approval process for development of a UPC site shall be as prescribed in Chapter 20.27 of the Walla Walla Municipal Code ~~with the review classification to be legislative review.~~

C. Additional review criteria shall include:

1. Creative site planning solutions;

2. The provision of substantial active and passive open spaces;

3. An interconnected network of nonmotorized circulation systems;

D. Review and approval of multiple implementing development actions such as subdivision (plat) approval or other specific regulatory permit actions may be processed concurrently with or subsequent to approval of the development agreement.

20.50.170 - Urban planned community modifications.

A. Site elements or conditions of approval may be amended or modified at the written request of the applicant or the applicant's successor in interest designated in writing by the applicant.

B. Minor modifications of the urban planned community may be authorized by the Development Services Director and shall be established in the development agreement.

C. Major modifications require City Council approval following a public hearing. A decrease of more than five percent in the minimum amount of total required recreation and open space shall be deemed a major modification. Any decrease in the minimum number of residential dwelling units or increase in the maximum number of residential dwelling units shall be deemed a major modification. Any increase in the maximum amount of nonresidential uses shall be deemed a major modification. The development agreement may specify additional criteria for determining whether proposed modifications are minor or major.

Section 13: Section 20.100.040 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

Table of Permitted Land Uses

1. Level I (Chapter 20.18) (See Note 1) 2. Level II (Chapter 20.22) (See Note 1) 3. Level III (Chapters 20.26 and 20.216) 4. Level IV (Chapter 20.27) 5. Level V (Chapter 20.28) 6. Level VI (Chapter 20.30) x Not Permitted	Zoning Districts							
	R-60 R-72 R-96 <u>Neighborhood Residential</u>	RM	PR	CC	CH	IL/C	IH	AD
Agricultural (Commercial)								
Agriculture, Horticulture, Gen. Farming (Not feedlots and stockyards)	1	1	1	x	1	1	1	1
Agricultural Stand (*)	1	1	x	1	1	1	x	x
Agriculturally Related Industries (*) (Also see Wineries, Distilleries and Breweries under Manufacturing)	x	x	x	x	x	1	1	1
Animal Husbandry *(3)	See Chapter 20.130, Animals							
Aquaculture	x	x	x	x	x	1	1	3
Concentrated Animal Feeding Operation (*)	x	x	x	x	x	x	x	x
Marijuana Production Facilities	x	x	x	x	See Chapter 20.173		x	See Chapter 20.173
Marijuana Cooperatives	x	x	x	x	x	x	x	x
Floriculture	1	1	1	1	1	1	x	1
Amusement and Recreation								
Amateur Radio Towers	3	3	3	1	1	1	1	1
Amusement Park (Permanent)	x	x	x	2	2	3	x	2
Bowling Alleys	x	x	x	1	1	x	x	x
Campground (*)	x	x	1	x	1	1	x	3
Drive-In Theaters	x	x	x	x	1	1	x	x
NOTES: 1. Level I and Level II uses may require a higher level of review if the use or development is in an overlay zone. 2. (*) refers to definition in Chapter 20.06. 3. No closer than 300' from any residential dwelling units.								
Fairgrounds	x	x	2	x	x	x	x	2
Game Rooms, Card Rooms, Electronic	x	x	x	2	2	x	x	3

Game Rooms								
Golf Courses, Clubhouses, Golf Driving Ranges	3	3	1	x	1	1	x	2
Gymnasiums, Exercise Facilities	x	3	1	1	1	1	X	1
Horse Racing Tracks	x	x	x	x	x	3	x	3
Miniature Golf Courses	x	x	x	1	1	3	x	x
Movie Theaters, Auditoriums, Exhibition Halls	x	x	2	1	1	3	x	3
Outdoor Swimming Pools, Public	3	3	1	1	1	1	x	3
Public Parks and Playgrounds	3	3	1	1	1	x	x	2
Roller Skating Rink	x	x	3	1	1	1	x	2
Special Event (*)	x	x	2	2	2	2	x	2
Community Services								
Cemetery	x	x	1	x	x	x	x	x
Churches, Synagogues, Temples	3	3	1	1	1	3	X 3	3
Colleges (other than state education facilities)	3	3	1	1	1	2	x	3
Community Animal Shelters	x	x	x	x	3	1	1	3
Community Center, Services Clubs, Fraternal Lodges	3	2	1	1	1	2	x	2
Day Care Centers: Mini (1 – 612 children) (*)	1	1	1	1	1	1	x	1
Day Care Centers: Mini (7 – 12 children) (*)	1	1	1	1	1	1	X	1
Day Care Centers: Family (13 or more children) (*)	3	3	3	3	3	3	x	1
Essential Public Facilities (•)	3	3	3	3	3	3	3	3
NOTES: 1. Level I and Level II uses may require a higher level of review if the use or development is in an overlay zone. 2. (*) refers to definition in Chapter 20.06. 3. (•) The facility must be sited in accordance with Chapter 20.176, or, in the case of preemption, such other applicable process established by law, before proceeding with Level III conditional use review.								
Fire Stations, Police Stations and Ambulance Service	3	3	1	1	1	1	X 1	1
Funeral Homes, Crematories, Mausoleums	x	3	1	1	1	3	x	x

and Columbariums								
Government Offices, Quasi-Government Offices, Community Services Agencies Offices	x	3	1	1	1	1	1	1
Hospitals	3	3	1	x	3	3	x	x
Libraries	3	3	1	1	1	3	x	x
Museums, Art Galleries	3	3	1	1	1	3	x	x
Schools, Public/Private Schools	3	3	1	2	2	x	x	x
Schools, Vocational Schools	3	3	2	2	2	2	x	2
Shelters, Temporary Housing – Emergency	3	1	1	1	1	X ₁	X ₁	X
Storage of Gravel and Equipment for Street Construction (Permanent)	x	x	X ₁	x	x	3	1	3
Designated Camping Area (□)	x	x	1	x	x	x	X ₁	x
Zoo	x	x	1	x	x	x	x	x
Manufacturing								
Apparel and Accessories	x	x	x	x	1	1	1	1
Bakery Products (Wholesale)	x	x	x	1	1	1	1	1
Beverage Industry: Nonalcoholic	x	x	x	1	1	1	1	1
Beverage Industry: Breweries	x	x	x	See Ch. 20.172				
Beverage Industry: Craft Distilleries	x	x	x	See Ch. 20.172				
Beverage Industry: Distilleries	x	x	x	x	x	See Ch. 20.172		X ₁
Beverage Industry: Wineries	x	x	x	See Ch. 20.172				
NOTES:								
1. Level I and Level II uses may require a higher level of review if the use or development is in an overlay zone.								
2. (*) refers to definition in Chapter 20.06.								
3. (□) refers to an area designated in accordance with Chapter 9.18.								
Canning, Preserving and Packaging Fruits, Vegetables and Other Foods	x	x	x	x	x	3 ₂	1	1
Cement and Concrete Plants	x	x	x	x	x	x	1	x
Chemicals (Industrial, Agricultural, Wood, etc.)	x	x	x	x	x	3	1	1
Concrete, Gypsum and Plaster Products (Wholesale)	x	x	x	x	x	x	1	x
Confectionery and Related Products	x	x	x	1	1	1	1	x

(Wholesale)								
Cutlery, Hand Tools and General Hardware	x	x	x	x	1	1	1	x
Electrical Transmission and Distribution Equipment	x	x	x	x	x	1	1	x
Electronic Components and Accessories	x	x	x	x	x	1	1	1
Engineering, Medical, Optical, Dental and Scientific Instruments	x	x	x	3	x	1	1	x
Fabricated Structural Metal Products	x	x	x	x	x	x	1	x
Food Processing	x	x	x	x	x	3 2	1	x 1
Furniture and Custom Cabinet Shops	x	x	x	3	3	1	1	x 1
Glass, Pottery and Related Products	x	x	x	3	3	1	1	x 1
Grain Mill Products	x	x	x	x	x	1	1	x
Heating Apparatus Wood Stoves	x	x	x	x	x	1	1	1
Leather Products	x	x	x	x	x	1	3	1
Leather Tanning and Finishing	x	x	x	x	x	x	1	x
Machinery and Equipment	x	x	x	x	x	1	1	x 1
Marijuana Processing Facilities	x	x	x	x	See Chapter 20.173			x
Meat, Poultry and Dairy Products	x	x	x	x	x	3	1	x
Mechanical Parts	x	x	x	x	x	2	1	1
Metal Cans	x	x	x	x	x	1	1	x
Paints, Varnishes, Lacquers, Enamels and Allied Products	x	x	x	x	x	3	3	x
NOTES:								
1. Level I and Level II uses may require a higher level of review if the use or development is in an overlay zone.								
2. (*) refers to definition in Chapter 20.06.								
Paperboard Containers and Boxes	x	x	x	x	x	1	1	x
Pharmaceuticals	x	x	x	x	x	1	1	1
Plastic Products, Product Assembly	x	x	x	x	x	1	1	1
Prefabricated Structural Wood Products and Containers	x	x	x	x	x	1	1	x
Printing, Publishing and Binding	x	x	x	3	1	1	1	1
Printing Trade (Service Industries)	x	x	x	1	1	1	x	x
Rendering Plants, Slaughterhouses	x	x	x	x	x	x	x	x

Sawmills and Planing Mills	x	x	x	x	x	3	1	x
Sheet Metal and Welding Shops	x	x	x	x	x	1	1	1
Stone Products (Such as Finishing of Monuments for Retail Sale)	x	x	x	x	1	1	1	x <u>1</u>
Transportation Equipment, Including Trailers and Campers	x	x	x	x	x	1	1	1
Mining/Refining/Hazardous Waste Storage and Treatment								
Asphalt Paving and Roofing Materials	x	x	x	x	x	x	3	x
Excavation or Stockpiling of Earthen Materials Not Associated with an Approved Use	x	x	3	x	3	3	1	2
Off-Site Hazardous Waste Treatment and Storage Facilities	x	x	x	x	x	x	3	x
On-Site Hazardous Waste Treatment and Storage Facilities	Permitted at same level as Permitted Use Generator							
Sand and Gravel Pits (*)	x	x	3	x	x	x	3	x
Residential								
Accessory Dwelling Unit, Attached	1	1	x	x	x	x	x	x
Accessory Dwelling Unit, Detached	2 <u>1</u>	2 <u>1</u>	x	x	x	x	x	x
Adult Family Home	1	1	1	x	x	x	x	x
NOTES: 1. Level I and Level II uses may require a higher level of review if the use or development is in an overlay zone. 2. (*) refers to definition in Chapter 20.06.								
Animals	See Chapter 20.130							
Boarding House (*)	3 <u>2</u>	1	x	x	x	x	x	x
Congregate Care Facility (*)	3	3	3	1	1	x	x	x
Conversion of Historic Structures to Non-Residential Use	See Chapter 20.146							
<u>Cottage Housing</u>	<u>1</u>	<u>1</u>	x	x	<u>2</u>	x	x	x
Detached Single-Family Dwelling	1	1	x	x	x	x	x	x
Dwelling Unit, Security Personnel	x	x	x	x	1	1	1	1
<u>Duplex, Tri-plex, and Four-plex</u>	<u>1</u>	<u>1</u>	x	x	x	x	x	x
Garage Sales (*) (4)	1	1	1	1	1	x	x	x

Group Housing for Handicapped Persons (6 or fewer clients)	1	1	1	x	x	x	x	x
Group Housing for Handicapped Persons (More than 6 clients)	3	1	1	x	x	x	x	x
Home Occupations	See Chapter 20.122							
Manufactured Home Parks (*)	3	3 <u>2</u>	x	x	1	x	x	x
Single-Family, Including Manufactured Home Subdivision (*)	4	X	X	X	X	X	X	X
Notes: 1. Level I and Level II uses may require a higher level of review if the use or development is in an overlay zone. 2. (*) refers to definition in Chapter 20.06. 3. Subject to specific development standards. See Chapter 20.170. 4. No residential premises shall have more than 4 per year for a total of 12 days a year. See Section 20.118.060.								
Mobile Home (*) or Manufactured Homes (*) (3)	2 <u>1</u>	2 <u>1</u>	2 <u>X</u>	x	x	x	x	x
Multi-Family Dwelling	x	1	3 <u>2</u>	X <u>2</u>	3 <u>2</u>	x	x	x
Nursing Care Home (9 or fewer clients)	3	2	2	2	2	x	x	x
Nursing Care Facility (10 or more clients)	3	3	3	3	3	x	x	x
Planned Residential Development (Level 4 Review)	See Title 19, Subdivisions Code							
Residential Use, Commercial Districts (4)	x	x	x	1	1	1	x	x
Satellite Dishes, Receive Only Earth Station, Residential Use (5)	1	1	x	x	x	x	x	x
Short-Term Rental Type 1 (Principal Residence)	1	1	x	1	1	x	x	x
Short-Term Rental Type 2 (Not Owner-Occupied)	x	x	x	X <u>1</u>	X <u>1</u>	x	x	x
Temporary Hardship Units (Mobile Home) (3)	2	2	2	x	x	x	x	x
Two-Family Dwelling (Duplex) (*)	1 <u>X</u> <u>X</u>	1	*	*	*	*	*	*
Retail Trade and Service								
Addressing, Mailing and Stenographic Services	x	x	x	1	1	1	x	x
Advertising Agencies	x	x	x	1	1	X <u>1</u>	x	x
Animal Clinic/Hospital	x	x	x	1	1	1	x	x
Antique Stores	x	x	x	1	1	1	x	X <u>1</u>

Artist's Supplies	x	x	x	1	1	1	x	X 1
Automobile Sales (interior only, no surface lots)	x	x	x	1	1	1	1	1
Automobile, Truck, Manufactured Home and Travel Trailer Sales (includes exterior surface lots)	x	x	x	x	1	1	X 1	1
Automotive: Car Wash	x	x	x	1	1	1	X 1	X 1
Automotive: Commercial Parking Lots and Garages	x	x	x	1	1	1	1	X 1
NOTES: 1. Level I and Level II uses may require a higher level of review if the use or development is in an overlay zone. 2. (*) refers to definition in Chapter 20.06. 3. Subject to specific development standards. See Division V. 4. Second story and above. 5. Subject to specific development standards. See Chapter 20.170.								
Automotive: Maintenance and Service Shops	x	x	x	1	1	1	1	X 1
Automotive: Paint and Body Repair Shops	x	x	x	x	1	1	1	X 1
Automotive: Paint and Accessories (Tires, Batteries, etc.)	x	x	x	1	1	1	1	X 1
Automotive: Service Station	x	x	x	1	1	1	1	x
Automotive: Specialized Repair Shops (Radiator, Engine, etc.)	x	x	x	x	1	1	1	x
Automotive: Towing Services	x	x	x	x	1	1	X 1	x
Automotive: Wrecking and Dismantling Yard	x	x	x	x	x	x	1	x
Bakery (4)	X 2	3	x	1	1	1	x	X 1
Beauty and Barber Shops (4)	X 2	x	x	1	1	1	x	x
Bed and Breakfast (3)	1	1	x	1	1	x	x	x
Boats and Marine Accessories	x	x	x	x	1	1	X 1	X 1
Books, Stationery, Office Supplies	x	x	x	1	1	1	x	x
Building and Trade (e.g., Plumbing, Heating, Electrical)	x	x	x	1	1	1	1	x
Butcher Shop	x	x	x	1	1	1	x	x
Camera Stores and Photographic Studios	x	x	x	1	1	1	x	x
Candy Store	x	x	x	1	1	1	x	x

Christmas Tree Sales Lot	2	2	x	1	1	1	x	x
Clothing and Accessories	x	x	x	1	1	1	x	x
Coin and Stamp Shops	x	x	x	1	1	1	x	x
Convenience Store (*) ⁽⁴⁾	3 2	3	x	1	1	1	X 1	X 1
NOTES: 1. Level I and II uses may require a higher level of review if the use or development is in an overlay zone. 2. (*) refers to definition in Chapter 20.06. 3. Subject to specific development standards. See Chapter 20.138. 4. Subject to specific development standards. See Chapter 20.1676.								
Delicatessen	x	3	x	1	1	1	x	x
Department, Discount, Variety Stores	x	x	x	1	1	1	x	x
Drug Stores (Optical Goods, Orthopedic Supplies)	x	x	x	1	1	1	x	x
Dry Cleaners ing Plants	x	x	x	1	1	1	x	x
Employment Agencies (Private)	x	x	x	1	1	1	x	x
Fabric Store	x	x	x	1	1	1	x	x
Farm Implements, Tools and Heavy Construction Equipment	x	x	x	x	1	1	1	X 1
Farm Supplies	x	x	x	1	1	1	1	X 1
Financial Institutions	x	x	x	1	1	1	x	x
Florist Shop ⁽³⁾	X 2	x	x	1	1	1	x	x
Food Store, Specialty or Super Market	x	x	x	1	1	1	x	x
Fuel, Oil and Coal Distributors	x	x	x	x	1	1	1	x
Furniture, Home Furnishings, Appliances	x	x	x	1	1	1	X	X 1
General Hardware, Garden Equipment and Supplies	x	x	x	1	1	1	X 1	x
Heating and Plumbing Equipment Stores	x	x	x	1	1	1	X 1	x
Horse and Pony Boarding, Riding Stables, Schools (Commercial)	x	x	x	x	3	1	x	2
Insurance Agents, Brokers and Service Agencies	x	3	x	1	1	1	x	x
Jewelry, Watches, Silverware Sales and Repair	x	x	x	1	1	1	x	x
Kennels (*)	x	x	x	x	1	1	x	3
Laundries	x	x	x	1	1	1	x	x

Laundromats	x	3	x	1	1	1	x	1
NOTES: 1. Level I and II uses may require a higher level of review if the use or development is in an overlay zone. 2. (*) refers to definition in Chapter 20.06.								
Liquor Stores	x	x	x	1	1	x	x	x
Lumber Yards	x	x	x	x	1	1	1	X 1
Malls, Multi-Tenant, Retail Complex	x	x	x	1	1	X 1	x	x
Marijuana Retail Outlets	x	x	x	x	See Chapter 20.173	x	x	x
Medical and Dental Facilities (3)	X 2	3 2	1	1	1	1	x	x
Motels and Hotels	x	x	x	1	1	1	x	x
Motorcycle Sales and Repairs (Including Maintenance and Parts)	x	x	x	1	1	1	X 1	X 1
Music Stores	x	x	x	1	1	1	x	x
Nursery (*)	x	x	x	1	1	1	X 1	1
Outside Advertising (Billboards)	See Chapter 20.204							
Paint, Glass and Wallpaper Stores	x	x	x	1	1	1	X 1	x
Pet Stores, Pet Supplies, and Dog Grooming	x	x	x	1	1	1	x	x
Printing, Photocopy Service	x	x	x	1	1	1	x	x
Professional Office Buildings (3)	X 2	3 2	x	1	1	1	x	X 1
Real Estate Offices (3)	X 2	x	x	1	1	1	x	x
Recycling Center (*)	x	x	x	x	1	1	1	1
Rental: Auto, Truck and/or Trailer, Fleet Leasing Services	x	x	x	x	1	1	1	1
Rental: Heavy Equipment (Except Automotive)	x	x	x	x	X 1	1	1	X 1
Rental: Small Tools, Lawn/Garden Equipment, etc.	x	x	x	x	1	1	1	X 1
Rental: Small Tools, Lawn/Garden Equipment, Sporting Goods, etc.	x	x	x	1	1	1	x	X 1
NOTES: 1. Level I and Level II uses may require a higher level of review if the use or development is in an overlay zone.								

2. (*) refers to definition in Chapter 20.06.

~~3. In an RM Zone, subject to specific development standards. See Chapter 20.168.~~

3. Subject to specific development standards. See Chapter 20.167.

Repairs: Small Appliances, T.V.s, Business Machines, etc.	x	x	x	1	1	1	X 1	X 1
Repairs: Locksmiths and Gunsmiths	x	x	x	1	1	1	X 1	X 1
Repairs: Re-Upholstery and Furniture	x	x	x	1	1	1	X 1	1
Repairs: Small Engine and Garden Equipment	x	x	x	1	1	1	X 1	x
Restaurants, Cafes and Drive-In Eating Facilities	x	x	x	1	1	1	x	1
Second Hand Store	x	x	x	1	1	1	x	X 1
Shoe Repair and Shoe Shine Shops	x	x	x	1	1	1	x	x
Sporting Goods, Bicycle Shops	x	x	x	1	1	1	x	x
Taverns and Bars, Dine, Drink and Dance Establishments	x	x	x	1	1	3 1	x	X 1
Taxidermy	x	x	x	x	x	1	1	1
Toy and Hobby Stores	x	x	x	1	1	1	x	x
Truck Service Stations and Shops	x	x	x	x	1	1	1	X 1
Waste Material Processing and Junk Handling (*)	x	x	x	x	x	3	1	x
Transportation								
Electric Vehicle Level 1 and 2 Charging Stations (3)	1(4)	1(4)	1(4)	1	1	1	1	1
Electric Vehicle Level 3 Charging Station (5)	x	x	1(4)	1	1	1	1	1
Electric Vehicle Battery Exchange Station (6)	x	x	x	1	1	1	1	1
Bus Terminals	x	x	1	1	1	1	x	1
Transportation Brokerage Offices: Without Truck Parking	x	x	x	1	1	1	X 1	1

NOTES:

1. Level I and II uses may require a higher level of review if the use or development is in an overlay zone.

2. (*) refers to definition in Chapter 20.06.

3. See Chapter 20.156. Level 1 and 2 charging permitted in aquifer recharge areas and in other critical areas when serving an existing use.

4. See Chapter 20.156. Allowed only as accessory to a principal outright permitted use or permitted conditional use.

5. See Chapter 20.156. The term “rapid” is used interchangeably with Level 3 and fast charging. Only “electric vehicle charging stations-restricted” as defined in Chapter 20.156.

6. See Chapter 20.156.

Transportation Brokerage Offices: With Truck Parking	x	x	x	x	1	1	1	1
Air, Rail, Truck Terminals (Short-Term Storage, Office, etc.) (other than regional transportation facilities)	x	x	x	x	1	1	1	1
Railroad Switch Yards, Maintenance and Repair Facilities, etc. (other than regional transportation facilities)	x	x	x	x	x	x	1	x
Taxicab Terminals, Maintenance and Dispatching Centers, etc.	x	x	x	1	1	1	x	1
Utilities								
Power Generating Facilities	x	x	x	x	x	x	5	5
Local Utility Service Systems	3	3	1	1	1	1	1	1
Regional Transmission Storage/Collection Systems	3	3	3	3	3	3	3	3
Wireless Communication Facilities and Related Structures (3)	x	x	3	1	1	1	1	1
Large Satellite Dish Antennas (3)	2	2	1	1	1	1	1	1
Wholesale Trade/Storage								
Warehouses (*)	x	x	x	1	1	1	1	1
Wholesale Trade	x	x	x	1	1	1	1	1
Storage Facilities, Bulk (*)	x	x	x	x	x	1	1	1
Commercial (*)	x	x	x	x	1	1	<u>2</u>	1
Residential Mini-Storage (*) (4)	x	x	x	1	1	1	1	1

NOTES:

1. Level I and II uses may require a higher level of review if the use or development is in an overlay zone.

2. (*) refers to definition in Chapter 20.06.

3. Subject to specific regulations provided in Chapter 20.170.

4. No sales, storage of commercial goods, repair facilities, offices, light manufacturing or other uses shall be permitted in residential mini-storage facilities.

Section 14: Section 20.102.010, 20.102.20, 20.102.30, 20.102.040, 20.102.050, 20.102.060, 20.102.070 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

20.102.010 Purpose.

~~20.102.020 Lot dimensions.~~

20.102.0230 Setbacks and yard requirements.

~~20.102.040 Lot coverage.~~

~~20.102.050 Maximum building height.~~

20.102.0360 Building height exemptions.

~~20.102.070 Frontage and access.~~

20.102.040 Pedestrian and bicycle access and circulation

20.102.010 Purpose.

The purpose of this chapter is to establish certain basic development requirements pertaining to site design, density and dimensional regulations. These are the minimum criteria which must be met to assure land use compatibility and promote the public health, safety and welfare. ~~Some of these requirements possess a certain degree of flexibility and may be adjusted by the director or the hearing examiner under the provisions of Chapter 20.220, Variances, or under approved planned unit developments or binding site plans as regulated by Title 19.~~

~~20.102.020 Lot dimensions.~~

~~A. Standard lot width is the minimum lot width permitted in a particular zoning district. The intent of this standard is to prevent irregularly shaped lots along and control access to rights-of-way. The standard lot width for each zoning district is described in Chapter 20.50.~~

~~B. Minimum lot size is the smallest lot size permitted in a particular zoning district. In residential districts, this standard is intended to maintain the residential character of the area and will vary by zoning district. Lot sizes in other than residential districts are not restricted except if used for residential purposes. The standard lot size for each zoning district is described in Chapter 20.50.~~

~~C. Minimum lot depth is the distance measured from the front lot line to the rear lot line. For lots where the front and rear lot lines are not parallel, the lot depth shall be measured by drawing lines from the front to rear lot lines, at right angles to the front lot line, every ten feet and averaging the length of these lines.~~

20.102.0230 Setbacks and yard requirements.

~~A. Structure setbacks are the minimum structure setbacks permitted in a particular zoning district. In the residential districts, structure setbacks are intended to provide privacy, light, air, and emergency access. Setbacks along easements and rights-of-way are intended to minimize the impacts from traffic on adjoining property owners. In the commercial districts, building setbacks provide visual clearance along streets and areas for site screening and landscaping. Structure setbacks are required in the industrial districts to provide fire protection, emergency access, and to reduce impacts on adjacent districts of lower intensity. No structure shall be built or located on or in a utility easement unless written permission is obtained from the easement grantee. The standard structure setback in each district is described in Chapter 20.50.~~

~~B. Setbacks for Residential Accessory Structures:~~

~~1. A residential accessory structure not exceeding nine hundred square feet shall sit a minimum of five feet from the side property line, five feet from the rear property line, and up to, but not within, the required front yard.~~

~~2. Accessory structures larger than nine hundred square feet up to the size permitted by this code shall observe the same setback requirements as the primary residential structure.~~

~~3. In the residential districts, an accessory structure not requiring a building permit may be placed not closer than three feet from a side or rear property line if the structure will not encroach on a public easement and applicable clearview setbacks are observed.~~

~~4. Accessory structures are prohibited from encroaching onto a public easement or right-of-way reservation or into a clearview triangle.~~

~~5. On corner lots, where a structure for vehicular use is located on the secondary front yard side of the corner lot, the minimum setback shall be twenty feet to prevent parking encroachment within the public right-of-way.~~

CA. Additional Yard Requirements.

1. All yards shall be measured from the property line to the foundation line of the structure.

2. The following intrusions may extend up to two feet into a front, rear, or side yard:

a. Eaves, bay windows, dormers, chimneys, solar collectors.

b. Stairways, fire escapes.

c. Planting boxes.

d. Other architectural features similar to those listed above.

3. The yard requirements for property abutting future street rights-of-way are as follows:

a. If a lot abuts a street having only a portion of its required width dedicated, no building or structure shall be constructed on that portion of the lot needed to complete the road width plus width and/or depth of the yards required on the lot measured from the future right-of-way line.

b. Where a precise plan adopted pursuant to law includes the plans for widening the existing streets, the connecting of existing, or the establishment of new streets, the placement of buildings and maintenance of yards, where required by this title, shall adhere to the future street boundaries as determined by said precise plans.

4. No required yard or other open space dedicated to a particular structure or use shall be considered as providing required yard or open space for any other structure or use.

5. The following exceptions to the front yard requirement are authorized for a residential lot:

a. If there are dwellings on both abutting lots with front yards of less than the required depth for the zone, the front yard for the lot need not exceed the average front yard of the abutting dwellings.

b. If there is a dwelling on one abutting lot with a front yard of less than the required depth for the zone, the front yard for the lot need not exceed a depth halfway between the depth of the abutting lot and the required front yard depth.

6. Low impact development best management practices, if required, may be permitted in the setback/yard area.

BD. Residential Covered Porches.

1. Covered entry porches on dwelling units may extend eight feet into the front yard setback, if:

a. The porch is covered and no higher than one story;

b. Three sides of the porch are open;

c. The porch roof form is architecturally compatible with the roof form of the main house; and

d. Provided a porch meets the criteria of this section, the following are also permitted:

i. Solid walls or railings may extend up to forty-two inches above the porch floor;

ii. Eaves on the porch roof may extend an additional two feet into the required front yard;

iii. Steps may extend an additional five feet into the required front yard.

2. Uncovered porches may extend eight feet into the front yard setback.

3. On the secondary front yard of a corner lot, a porch may not be less than five feet from the property line.

4. An uncovered deck or balcony may be placed on the roof of the porch within the required front yard.

~~CE.~~ The following exceptions to the front yard requirement are authorized for a commercial property:

1. The front yard area for commercial uses may include service station fuel pump canopies; open recreational amusement accessory facilities to a principal use; subject to approval of the site plan review committee.
- ~~2. See Section 20.50.075 for additional front yard options in Highway Commercial Zone.~~
- ~~3. See Section 20.50.070 for additional setback and yard requirements in the downtown area of the Central Commercial Zone.~~

~~20.102.040 Lot coverage.~~

~~Lot coverage is the percentage of net land area of a site that can be covered with roofed structures. In the residential districts this standard is intended to protect the open character of each district, and to provide areas for landscaping, stormwater management, and recreation. Maximum lot coverage requirements in the commercial districts are intended to promote development consistent with the character of the district, protect setbacks, and provide the opportunity to integrate open space, stormwater management, and landscaping plans into the design and placement of the structure and off-street parking. The maximum lot coverage in each district is described in Chapter 20.50.~~

~~20.102.050 Maximum building height.~~

~~Maximum building height is intended to maintain building heights compatible with the character and intent of the district. The maximum building height in each district is described in Chapter 20.50.~~

20.102.0360 Building height exemptions.

The following types of structures or structural parts may exceed the building height limitations upon issuance of a conditional use permit as provided in Chapter 20.216: chimneys, cupolas, tanks, church spires, belfries, domes, derricks, monuments, fire and hose towers, smokestacks, flagpoles, radio and television towers, masts, aerials, cooling towers, water towers, elevator shafts, windmills, conveyors, and other similar projections.

~~20.102.070 Frontage and access.~~

~~A. Residential lots have a minimum frontage as designated in Chapter 20.50 on a dedicated public street or approved private street in certain types of developments where authorized under Title 19, Subdivisions. (Does not include alleys.)~~ B. Exceptions:

- ~~1. Newly created lots resulting from approved short plats or long plats may allow lot frontage to be on a private lane as specified in Title 19.~~
- ~~2. Cul-de-sac frontage shall be as provided in Section 19.30.020.~~
- ~~3. Flag Lot: The narrow access portion of a flag lot shall be a minimum of twenty feet wide.~~

20.102.040 Pedestrian and bicycle access and circulation.

A. Purpose and Intent. Section 20.102.040 implements the pedestrian and bicycle access and connectivity policies of City of Walla Walla Transportation Plan. It is intended to provide for safe, reasonably direct, and convenient pedestrian and bicycle access and circulation.

B. Applicability. The standards of this section apply to new development, changes of use resulting in increased vehicle or pedestrian traffic, and expansions or renovations that increase the total floor area of the development by more than 20 percent.

C. Standards. Developments shall conform to all of the following standards for pedestrian and

bicycle access and circulation:

1. Continuous Walkway System. A pedestrian walkway system shall extend throughout the development site and connect to adjacent sidewalks, to all future phases of the development, and to existing and planned walkways on adjacent properties, as applicable.
2. Safe, Direct, and Convenient. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas, playgrounds, and public rights-of-way conforming to the following standards:
 - a. The walkway is reasonably direct. A walkway is reasonably direct when it follows a route that does not deviate unnecessarily from a straight line or it does not involve a significant amount of out-of-direction travel.
 - b. The walkway is designed primarily for pedestrian safety and convenience, meaning it is reasonably free from hazards and provides a reasonably smooth and consistent surface and direct route of travel between destinations. The approving authority may require landscape buffering between walkways and adjacent parking lots or driveways to mitigate safety concerns.
 - c. The walkway network connects to all primary building entrances, consistent with Americans with Disabilities Act (ADA) standards, where required.
3. Vehicle/Walkway Separation. Except as required for crosswalks, per Subsection 20.102.040(C)(4), below, where a walkway abuts a driveway or street it shall be raised six inches and curbed along the edge of the driveway or street. Alternatively, the approving authority may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is physically separated from all vehicle maneuvering areas.

An example of such separation is a row of bollards (designed for use in parking areas) with adequate minimum spacing between them to prevent vehicles from entering the walkway.
4. Parking Area Walkways. Where a walkway crosses a parking area or driveway, it shall be clearly marked with contrasting paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrasting material) or painted/thermos- plastic striping. The crosswalk may be part of a speed table to improve driver-visibility of pedestrians.
5. Walkway Width and Surface. Walkways, including access ways required for subdivisions pursuant to Section 19.30.030, shall be constructed in accordance with Chapter 12.04. Multi-use pathways, designed for shared use by bicyclists and pedestrians, shall be concrete or asphalt and shall conform to the transportation standards of Title 12.
6. Walkway Construction. Walkway surfaces may be concrete, asphalt, brick or masonry pavers, or other city-approved durable surface meeting ADA requirements.

Walkways shall be not less than four feet in width, except that concrete walkways a minimum of six feet in width are required in commercial developments and where access ways are required for subdivisions pursuant to Section 19.30.030. The approving authority may also require six-foot wide, or wider, concrete walkways in other developments where pedestrian traffic warrants walkways wider than four feet.

Section 15: Section 20.106.020, 20.106.030, 20.106.040, 20.106.045, 20.106.050, 20.106.060, 20.106.070, 20.106.080, 20.106.110, 20.106.120 and 20.106.130 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

Sections:

20.106.045 General landscape requirements –~~All zones.~~

~~20.106.050 Commercial and industrial zones.~~

~~20.106.070 Landscaping of parking areas.~~

~~20.106.080 Screening requirements.~~

20.106.130 Removal of trees from private property in connection with new development and redevelopment.

20.106.020 Applicability.

The provisions of this chapter shall apply to all new developments within the city of Walla Walla except for single family residential development and lots of less than ten thousand square feet. Properties being redeveloped shall be subject to the provisions of this chapter related to street frontage landscaping. The SPRC may recommend waiver of the strict compliance with the requirements of this chapter and Section 12.04.190 upon the following conditions:

- A. The proposed project permit, use, or activity is consistent with the comprehensive plan and Zoning Code, and the granting of the waiver will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the use or activity is situated;
- B. The proposed project permit, use, or activity is consistent with the general purpose and intent of this title;
- C. The waiver is necessary, because of special circumstances relating to the size, shape, topography, location, or surroundings of the property where the use or activity is situated, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located, or because a project is a public improvement planned in accordance with the comprehensive plan; and
- D. Written findings and conclusions are made which state the reasons for the waiver and determine that appropriate provisions are made in substitute for any and all waived requirements.

20.106.030 Landscaping development standards.

- A. The landscape development standards contained in this chapter shall be administered by the director. The city arborist staff shall be responsible for reviewing and approving planting specifications in the implementation of this chapter. The director, ~~with the concurrence of the city arborist,~~ is authorized to make modifications when reviewing site plans based on topographical conditions or other factors unique to the site.
- B. Credit may be given against the requirements of this chapter for certain existing trees that are preserved in accordance with the provisions of this chapter for preservation and protection of existing trees. Credit towards landscaping requirements may also be provided for installation of vegetated LID BMPs.
- C. All required plant materials shall be compatible with ~~the~~ USDA Hardiness Zone ~~for Walla Walla 7a~~ and shall not have characteristics detrimental to the public welfare such as susceptibility to disease and wind damage or a tendency to interfere with utilities or public rights-of-way. Species shall include those native to the southeastern region of Washington State or noninvasive species which are appropriate for Hardiness Zone 7a.
- D. No tree shall be planted where the soil is too poor to ensure growth. An adequate-sized hole shall be excavated with the unsuitable soil removed and replaced with suitable soil.
- E. Irrigation systems, root barriers, structural systems that ensure access to adequate soil volume, and other devices may be required to assure planting viability.
- ~~DF.~~ No permits are required for normal maintenance or the replacement of dead or diseased plants, except for the removal or replacement of street trees and.

20.106.040 Landscape plans/approval.

A. A plan of the proposed landscaping and screening shall be provided, which may be incorporated into plans submitted for preliminary plat, site plan or building permit review. Landscaping plans shall be approved by the director prior to issuance of development permits. Preliminary landscape plans with general descriptions of types, locations, and quantities of required landscape elements will be sufficient for applications for conditional use permits, subdivisions and planned developments; provided, however, that final landscape plans shall be approved by the director prior to ~~notice of decision~~ issuance of building permits. Director approval is not required for landscaping of public improvement projects planned in accordance with the comprehensive plan; provided, however, such projects are subject to the requirements of the Walla Walla Municipal Code, and all other applicable review and approval processes.

~~B. Landscaping Plans—General.~~

~~1. All landscaping plans shall be submitted to and at a scale as required by the director. All landscaping plans shall be consistent with the provisions of this chapter.~~

~~2. Unless otherwise approved by the director, landscaping plans shall be prepared by a certified landscape architect, Washington State certified nursery professional, Washington State certified landscaper or other qualified person with experience in landscape design.~~

~~3. Landscaping plans are not required for single family residential development or on lots of ten thousand square feet or less.~~

~~C. Plan Requirements.~~

~~1. Landscaping plans shall be prepared by a certified landscape architect, Washington State certified nursery professional, Washington State certified landscaper, or other qualified person with experience in landscape design~~

~~2.~~ Landscape design plans ~~shall~~ ~~should~~ include the following:

a. Landscaping plans shall identify the location, species and size of all existing trees greater than six inches in diameter at breast height and any such trees proposed to be removed;

b. Natural features or vegetation left in natural state and protective measures for retained vegetation including the means of providing water to and protection of the root system during the construction period;

c. Quantity, size, location and type of material to be planted including trees by caliper inch measured at breast height. All plant material listed shall be keyed to plan(s) and defined by botanical and common name. By separate plan or overlay, show plants to scale at mature size;

d. Existing and proposed structures, fences, curbing, existing and proposed stormwater LID BMPs, and other impervious surfaces, including parking lots;

e. The location, type, size and height of existing or proposed fencing or structural screening and buffer plantings required by ordinance;

f. The location of outdoor storage areas and trash receptacles and the type and size of screening;

g. Natural or manmade features and water bodies;

h. An irrigation plan that displays full coverage for planted areas;

i. Grading plan showing existing and proposed contours shown by contour lines, spot elevations, sections or other means; and

j. Name, address and qualifications of person, firm or organization that prepared the landscape plans.

20.106.045 General landscape requirements - ~~All zones.~~

A. Coverage. All planting areas should have plant materials that provide at least seventy-five percent coverage within four years.

B. Irrigation.

1. To the extent practicable, all landscaping which needs regular watering should have a permanent irrigation system;
2. All irrigation systems shall be equipped with an approved means of providing premises isolation;
3. All irrigation systems ~~should~~must be equipped with a controller capable of programming (timers should be set to reduce evaporation);
4. Irrigation systems shall be designed and operated to minimize runoff and over spray to non-irrigated areas;

~~5. Irrigation requirements for remodels on lots less than seven thousand five hundred square feet may receive special consideration and exceptions as approved by the director;~~

~~56.~~ Rain barrels and cisterns are encouraged for irrigation of vegetated LID BMPs and landscaping;

~~67.~~ The landscape design is encouraged to incorporate compost-amended soils in landscaped areas, vegetated LID BMPs, and native, drought-tolerant vegetation in accordance with the Eastern Washington Low Impact Development Guidance Manual.

C. Landscape Materials.

~~1. New landscaping materials should include species native to the southeastern region of Washington State or noninvasive species adapted to the climatic conditions of the southeastern region of Washington State.~~

~~21.~~ Deciduous trees must should have a caliper of at least two inches diameter at breast height at the time of planting. ~~Caliper of all the trees may be averaged, but no individual tree should have a caliper of less than one and three-quarter inches.~~

~~32.~~ Evergreen trees should-must be at least six feet in height measured from treetop to the ground at the time of planting.

~~43.~~ All specified plant materials shall should meet standards as found in the latest edition of American Standard for Nursery Stock (ANSI Z60.1).

~~54.~~ Shrubs shall should be:

- a. Equivalent to two-gallon size at time of planting;
- b. At least eighteen to twenty-four inches in height at time of planting;
- c. Maintained at a height not exceeding four feet above the ground surface for parking lot landscaping.

~~65.~~ Ground covers shall should be planted and spaced to result in total coverage of the required ground cover planting area within four years as follows:

- a. Rooted cuttings, twelve inches on center; or
- b. Four-inch pots at eighteen to twenty-four inches on center; or
- c. One-gallon or greater sized containers at twenty-four to thirty inches on center; provided, however, that spacing up to sixty inches may be allowed for larger initial planting sizes or species better suited for wider spacing; or
- d. In landscaping areas not intended to serve as a full screen, grass may be used as ground cover. It should:

i. Constitute no more than seventy percent of such landscape areas, and

ii. Be at least five feet wide at the smallest dimension;

e. In landscaping areas not intended to serve as a full screen, LID BMPs may be used as ground cover.

~~76.~~ All fences shall be placed on the inward side of any required perimeter landscaping.

~~87.~~ Required street frontage landscaping may be placed within city of Walla Walla ~~street rights-of-way planting strip~~ subject to (a) the permit requirements of Chapter 12.49 and (b) approval of the city engineer ensuring that the landscaping ~~-planting-~~ is current compatible with current and planned infrastructure designs ~~or-and that~~ adequate space is available on the subject property to replant the required street frontage landscaping should ~~subsequent street~~

infrastructure improvements or other City projects require the removal of landscaping within the rights-of-way.

D. Landscape Installation. All landscaping shall be installed ~~in a sound workmanlike manner and~~ according to accepted planting procedures for the type of plant materials called for in this chapter ~~and or~~ any approved planting plan. Landscaped areas shall be protected from vehicular and pedestrian encroachment during and after construction. The director or designee may will inspect all completed landscaping and no certificates of occupancy or similar authorization will be issued unless the landscaping meets the requirements herein provided or performance assurance is provided pursuant to this chapter.

20.106.050 Commercial and industrial zones.

EA. Landscaping within commercial and industrial zones should enhance the aesthetic and environmental quality of these zones within the city; minimize the impact of lighting, noise and views of surface parking areas; break up large building facades; provide a transition between buildings and parking or transportation corridors; and to provide a buffer when adjoining residential zoning districts, public parks and schools. The following are required standards:

<u>Location</u>	<u>Size and Location of Landscaped Area</u>	<u>Tree Standards</u>	<u>Other Standards</u>
<u>Street Frontage</u>	<u>Length of street frontage, excepting driveways and building entrances. When not located in planting strip, minimum depth of 6 foot landscaped area</u>	<u>Tree spacing is based on tree class (I through IV)</u> <ul style="list-style-type: none"> <u>• Class I – 20'</u> <u>• Class II – 25'</u> <u>• Class III – 30'</u> <u>• Class IV – 40'</u> <u>Trees shall not be located closer than three feet to a paved surface</u>	<u>Shrubs not to exceed four feet tall. One shrub for every fifty square feet of planting area.</u>
<u>Property perimeters</u>	<u>Minimum ten feet in width.</u>	<u>No more than sixty percent of trees shall be deciduous. Trees spaced no more than 30'. Spacing may be adjusted to accommodate LID BMPs.</u>	<u>Outdoor storage areas, dumpsters, and parking lots shall be screened with sight obscuring fences when viewed from adjacent residential zoned properties.</u>

<u>Facade buffer</u>	<u>Minimum five feet in width. Facades facing public right of way (excluding alleys) which are set back at least 10 feet. Minimum of fifty percent of facade shall have landscaping.</u>	<u>Trees required when facades are two thousand square feet or more, or forty feet or longer with no windows/doors. Where trees are required, width of planting area increases to six feet.</u>	<u>If vegetated low impact development best management practices are within 10 feet of the building foundation, then that would satisfy the facade buffer requirement.</u>
<u>Parking areas</u>	<u>Parking lots with more than 10 parking stalls shall require ten percent of the parking area be devoted to landscaping. Parking landscaping areas shall not be less than 60 square feet, with no dimension less than 10 feet.</u>	<u>Deciduous trees shall be used in parking area landscaping, unless a protected and retained evergreen tree is being used. Class III or Class IV trees shall be used. One tree per ten parking stalls.</u>	<u>No parking stall shall be located more than fifty feet from a landscaped area. Landscaped areas should be placed at the end of parking rows and as needed to meet the spacing requirements. Curbing, wheel stops, or similar are required to protect landscaping. Landscaping shall also include shrubs and groundcover.</u>

B. Landscaping—Street Frontages:

1. A continuous area of landscaping along the street right of way may be required.
2. The length of landscaping areas should be the entire frontage of property along the street right of way, except driveway entrances and building entrances. In no event, however, should the length of the landscaping area be less than fifty percent of the length of the property line along the street right of way. In those circumstances where access, building location, utilities, or other factors restrict the ability to meet the minimum fifty percent standard, the applicant shall be required to provide the landscaping elsewhere on the property.
3. The landscaping area should consist of trees, shrubs, and ground cover as follows:
 - a. Trees spaced no more than forty feet on center:
 - i. Tree spacing will be based on tree class (I through IV).

Class I spacing:	20' on center
Class II spacing:	25' on center
Class III spacing:	30' on center
Class IV spacing:	40' on center

- ii. Trees shall not be located closer than three feet to the curb of the public right of way or

parking lot.

~~iii. Tree spacing may be adjusted to accommodate the installation of LID BMPs. b. Shrubs not exceeding a height of four feet spaced with at least an average of one shrub for each fifty square feet of planting area.~~

~~c. Ground cover pursuant to the general landscape material requirements set forth in this chapter.~~

~~d. In no case shall sight-obscuring landscaping be located within the clearview triangle area.~~

~~C. Perimeter Landscaping.~~

~~1. Landscape buffers shall be required along those commercial development perimeter property lines located abutting or facing residential zoning districts, public parks or schools, except along street frontage as required above. Consideration shall be given to terrain (slope) when applying these requirements and developing plans.~~

~~2. Perimeter landscape buffers, when required, should be at least ten feet in width; except, where abutting a public park, then such landscaping strip should be increased to twenty feet in width.~~

~~3. The perimeter landscaping area (buffer) should generally consist of a mix of evergreen plantings, deciduous trees, shrubs, ground cover, and fencing.~~

~~a. No more than sixty percent of the trees shall be deciduous;~~

~~b. Trees should be planted at intervals no greater than thirty feet on center;~~

~~c. Tree spacing may be adjusted to accommodate the installation of LID BMPs.~~

~~D. Perimeter Landscape Screening.~~

~~1. Perimeter landscape screening should achieve one hundred percent sight obstruction of outdoor storage areas and waste dumpsters, and eighty percent sight obstruction of parking lots, when viewed from abutting or facing residentially zoned property or public parks or schools.~~

~~2. Perimeter landscape screening should also provide visual relief of outside lighting, buildings, or other parts of the development that might cause a nuisance characteristic to the abutting or facing residential zoning district, public parks or schools.~~

~~E. Facade Buffer — Foundation Planting.~~

~~1. Landscaping along the perimeter of buildings facing the public right of way, except alleys, may be required for any building set back more than fifteen feet from the front property line to create a softening effect by reducing the amount of visual, straight line architecture. Landscaping within ten feet of the building foundation, including any landscaping required elsewhere by this chapter, shall satisfy this requirement.~~

~~a. The facade buffer or foundation planting area should be at least five feet in width (average) and should occupy at least fifty percent of the perimeter of the building facade facing the public right of way.~~

~~b. The plantings should include ground cover and shrubs.~~

~~2. Any building facade set back more than fifteen feet from the front property line with a wall surface greater than two thousand square feet shall include a facade buffer or foundation planting meeting the following standards:~~

~~a. Trees planted at an interval averaging twenty-five feet except for buildings set back less than fifteen feet from the front property line.~~

~~b. Ground cover and shrubs pursuant to the general landscape material requirements set forth in this chapter.~~

~~c. A planting area with an average width of at least six feet in width which occupies at least fifty percent of the perimeter of each building facade facing the public right of way.~~

20.106.060 Maintenance requirements.

A. All shrubs, trees and vegetative material used in the screening or landscaping shall be perpetually maintained in a healthy, growing condition. Irrigation systems shall be kept operational. Dead, diseased or dying plant material shall be replaced immediately, and planting areas shall be maintained reasonably free of trash and weeds.

B. Fences used in screening and landscaping shall be perpetually maintained in an attractive and structurally sound condition.

C. A maintenance surety in the form of a bond, ~~cash deposit~~, or other security acceptable to the city covering twenty percent of the cost of the original plant materials in place may be required for one year following installation to ensure compliance with this code.

1. If a maintenance surety is required under this section, the property owner shall provide the city with a nonrevocable notarized agreement granting the city and its agents the right to enter the property and perform any necessary work.

2. The maintenance surety may be used by the city to perform any maintenance, and to reimburse the city for documented administrative costs associated with the maintenance activity.

3. Upon completion of the one-year maintenance period, the city shall promptly release the maintenance surety or any remaining portion thereof.

~~20.106.070 Landscaping of parking areas.~~

~~The following requirements apply to landscaping of all off street parking and outdoor automobile sales lots in order to provide visual relief along the street frontage of off street parking areas, and to break up continuous surfaces of parking lots within and between off street parking areas and to locate parking lots in areas that are as visually unobtrusive as possible. Parking lot landscaping should be used to reinforce pedestrian and vehicular circulation, including: parking lot entrance and exit, ends of drive aisles and defining pedestrian walkways through parking lots.~~

~~A. The standard for landscaping of parking lots with more than five spaces shall be ten percent of the total parking area, in addition to the specific screening requirements, perimeter landscaping requirements and street tree requirements.~~

~~B. Landscaping should consist of combinations of trees, shrubs, and ground cover with careful consideration to eventual size and spread, susceptibility to disease and pests, durability, and adaptability to existing soil and climatic conditions.~~

~~C. Every parking and automobile sales lot area that abuts property in any residential district shall be separated from such property by a combination of solid wall or view obscuring fence, and compact evergreen composition landscaping at least six feet in height.~~

~~D. No parking stall should be located more than fifty feet from a landscaped area.~~

~~E. Landscaping of parking lots and automobile sales lots which border directly on a street should include a minimum eight foot wide planting area along the entire street frontage (except for driveways) between the property line and the parking area.~~

~~F. Landscaping should be proportionately distributed throughout the parking or automobile sales lot area in a manner which best fulfills the objectives of the chapter.~~

~~G. Wherever possible, landscaping should include deciduous trees in order to provide shade for up to at least twenty percent of the vehicle accommodation area.~~

~~H. Existing trees retained on a lot in accordance with this chapter may reduce the number of parking spaces required by Chapter 20.126.~~

~~I. Site plans shall specifically demonstrate how each of the requirements of this section are met.~~

~~J. A bond or other security acceptable to the city in an amount sufficient to secure the completion of all landscaping required in this section and its survival in a healthy condition or replacement for a minimum period of twelve months from the date of completion shall be submitted to the city. Upon completion of the landscape installation and expiration of the~~

twelve-month survival period, the city shall promptly release the performance surety.

~~K. All landscaping shall be installed prior to occupancy unless seasonally impractical, in which case the director may grant an extension to a specified date when such installation will be practical, subject to the bonding requirements of this chapter.~~

~~L. Landscaping Street Frontages. Off-street parking and outdoor automobile sales areas shall provide landscaping areas along the street frontage consistent with the requirements in the underlying zoning district in which the activity will be located.~~

~~M. Landscaping Interior. The following amounts of landscaping should be provided in the internal area of parking lots and outdoor automobile sales areas. These are in addition to the landscaping required to be provided along street frontages or perimeter landscaping.~~

~~1. If the parking area contains more than five but not more than fifty spaces, the following landscaping may be required:~~

~~a. At least thirty square feet of landscaping for each parking space;~~

~~b. One class III or class IV tree per ten parking spaces;~~

~~c. Landscaped islands planted with shade trees and shrubs or ground cover;~~

~~d. Landscaped areas should be placed at the end of each parking row and between adjoining parking lots under separate ownership or control, and as needed to fulfill the area requirements of this chapter.~~

~~2. If the parking area contains more than fifty spaces, the following landscaping may be required:~~

~~a. At least thirty square feet of landscaping for each parking space for the first fifty parking spaces, and at least forty square feet of landscaping for each parking space in excess of fifty parking spaces;~~

~~b. One class III or class IV tree per eight parking spaces;~~

~~c. Landscaped islands planted with shade trees and shrubs or ground cover;~~

~~d. Landscaped areas should be placed at the end of each parking row and between adjoining parking lots under separate ownership or control, or as needed to fulfill the area requirements of this chapter.~~

~~3. Required interior landscaped areas should not be less than sixty-four square feet in area or eight feet in width.~~

~~4. No parking stall should be located more than fifty feet from a landscaped area.~~

~~5. Landscaping planted within interior parking areas shall be planted and maintained to prevent the obstruction of driver visibility of pedestrians and other vehicles.~~

~~6. Landscaping should be selected and planted so as to withstand foot traffic.~~

~~7. All landscaping areas bordering driveways and parking areas shall be protected therefrom by curbing, wheel stops, or other similar protective devices. Such protective devices shall be shown on landscape plans.~~

~~8. When off-street parking is located within a parking structure under a building or within an enclosed garage, the landscaping required in the internal area of parking lots need not be provided for the parking spaces contained within such structures.~~

~~9. Landscaping requirements may be adjusted to accommodate the installation of LID BMPs.~~

20.106.080 Screening requirements.

~~A. At a minimum, all developments except single-family residences and duplexes shall provide a sight-obscuring fence (six feet in height minimum) or dense evergreen landscaping designed to constitute a solid planting to a minimum height of six feet in the following situations:~~

~~1. On common property lines which abut residential districts.~~

~~2. On common property lines which abut districts designated for less-intensive uses.~~

~~3. On property lines in commercial or industrial districts, the director shall evaluate the need for screening between uses, and may require screening on a case-by-case basis.~~

- ~~4. Around the perimeter of any parking area abutting residential districts.~~
- ~~5. Screening of Trash Collection and Recycling Areas, Service Areas, and Loading Areas. Trash collection and recycling areas, service areas, and loading areas should be screened on all sides so that no portion of such area is visible from public streets and alleys and adjacent properties. Required screening shall include walls/fences and plantings.~~
- ~~6. Outdoor Service Yards and Storage Areas. Service yards and outdoor storage areas in commercial and industrial areas shall be screened from public areas, streets, alleys, and adjacent areas through the use of a combination of walls/fencing and plantings.~~
- ~~B. Screening requirements for loading areas for commercial and industrial uses shall be determined on a case-by-case basis by the director.~~
- ~~C. Blank building walls that are forty feet or more in length and not located on a property line shall be buffered by landscaping including trees planted in front of the wall.~~

20.106.110 Street trees.

Street trees shall be provided in all new developments and redevelopments, in conformance with Chapter 12.49.

20.106.120 Preservation and protection of trees.

- A. Every development shall retain all existing trees six inches or more in DBH (measured at four and one-half feet from ground level), which are healthy trees appropriate to the location, unless the retention of such trees would unreasonably burden the development. (See Section 20.106.130(B).) The site plan submitted with an development authorization application shall include the location, size and plant name of all existing trees six inches or more in DBH.
- B. No type of construction activity shall occur within ten feet of the critical root zone of any tree retained on the site and no impervious surface (including, but not limited to, paving or buildings) may be located within ten feet of the critical root zone unless approved by the city arborist.
- C. An unreasonable burden to a development may exist if the retention or protection of trees six inches or more in diameter as provided in subsections A and B of this section substantially alters the desired location of improvements on a lot or the proposed activities on a lot and such alteration would work an unreasonable hardship on the developer. (See tree removal provisions of Section 20.106.130.)
- D. If space that would otherwise be devoted to parking cannot be used because of the requirements of subsections A and B of this section, and, as a result, the parking requirements set forth in Chapter 20.126 cannot be satisfied, the number of required spaces may be reduced, as determined by the director, by the number of spaces “lost” because of the provisions of subsections A and B of this section up to a maximum of fifteen-twenty percent of the required spaces.

20.106.130 Removal of trees from private property in connection with new development and redevelopment.

Any person desiring to remove a tree in connection with any new development shall first obtain approval from the city ~~arborist~~ as provided in this section and proposed tree removal shall be shown on the landscape plan(s). ~~(See Section 20.106.040 for required information when making an application for development authorization.)~~

- A. For purposes of this section, “tree” is any self-supporting woody plant together with its root system, usually with one trunk of at least six inches in diameter at breast height or at the point of major branching, if lower, or a multi-stemmed trunk system with a combined diameter at breast height of nine inches.
- B. The following considerations shall be used as criteria in determining when to approve tree

removal:

1. The condition of the tree(s) with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures, fences and interference with utility facilities.
2. Removal of no more trees than are reasonably necessary to achieve the proposed development.
3. Whether any tree in question is a “potential heritage tree” defined in Chapter 12.50 worthy of preservation as determined by the city arborist.
4. The ease with which the applicant can alter or revise the proposed development to accommodate existing trees.

C. These provisions shall not apply to the following:

1. The removal of trees from horticultural properties such as nurseries, orchards, or public parks.
2. The removal of trees on public right-of-ways conducted by or on behalf of a federal, state, county, municipal or other governmental agency in pursuance of its lawful activities within the public rights-of-way, except as provided in Chapter 12.49.
3. The removal of diseased, dangerous or dead trees as determined by the city arborist.

Section 16: Section 20.110.010, 20.110.020, 20.110.030, 20.110.035, 20.110.040, 20.110.050, 20.110.060, 20.110.080, 20.110.090 and 20.110.100 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

Sections:

~~20.110.020 — Fences, defined.~~

20.110.010 Purpose.

The purpose of this Chapter is to establish the procedures and standards by which fences may be erected within the City of Walla Walla. The fence standards promote the positive benefits of fences without negatively affecting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access and the safe movement of pedestrians and vehicles, and create an unattractive appearance.

~~20.110.020 Fences, defined.~~

~~“ Fence” means a barrier constructed for the purpose of enclosing space or separating parcels of land.~~

20.110.030 Permit, required when.

All fences anywhere on the lot are subject to provisions of this Ordinance and require a Fence Permit ~~Development Authorization~~ prior to construction ~~or modification~~. Fence permits are to be processed under Level I procedures.

20.110.035 Application requirements.

A. A ~~Development Authorization~~ Fence Permit application ~~for a fence~~ shall include a general site plan showing:

1. A drawing of the property with actual dimensions of property lines, particularly those which

are the public right-of-way lines.

2. Location of the proposed fence on the property, to include height and type of construction.

3. North arrow and scale of drawing.

B. A legal description of the property may be required for accurate property identification.

20.110.040 General standards.

A. Fences shall not conflict with requirements for Clearview Triangle in Chapter 20.114.

For public safety reasons, no variances from these provisions shall be applied for or permitted.

B. Fences shall always be required to be built on private property and never on public right-of-way. Private property lines may be a considerable distance ~~back~~ from ~~actual~~ street surfaces or curb lines.

C. It shall be the property owner's responsibility and obligation to identify ~~his~~ the property line when proposing to construct a fence on said property line. A property survey may be required.

D. All fences shall be constructed and maintained in a structurally sound manner. Fences which are structurally unsound and/or hazardous are subject to abatement.

E. Fences may be constructed of wood, masonry, wire or similar materials employed by standard building practice. ~~Fences may also be formed of dense landscaping.~~ Fences shall not be made of tires or similar salvage materials not originally designed as structural components of fences or buildings.

F. All fences (~~except dense landscaping~~) ~~over six~~ seven (~~76~~) feet and taller shall require a Building Permit, as well as a Fence Permit-Development Authorization.

20.110.050 Retaining walls, fence height.

A. Any free-standing property perimeter wall which is not a retaining wall shall be considered a fence. Retaining walls may be constructed to the height necessary to protect a cut-fill grade, but shall be a maximum of nine (9) inches above finished grade on the fill side of the wall.

B. Where a retaining wall is located on a line separating lots, the retaining wall may be topped by a fence of the height permitted in the ~~particular~~ yard in which the wall is located. The allowable height of the fence shall be determined by measuring from the finished grade of the wall.

20.110.060 Earthen berms, fence height.

Where an earthen berm is required, the size shall be determined by the appropriate reviewing body. The berm may be topped by a fence, wall or hedge of the height permitted in the ~~particular~~ yard in which the berm is located. The height shall be measured from the highest finished grade of the berm.

20.110.080 Residential zone fences.

~~The following fence height and location standards apply to interior and corner lots. Corner lots have two front yards (primary and secondary with the primary most commonly being the address side), two side yards and no rear yard. Ref. Chapter 20.103.~~

A. Rear and Side Yards. Fences not to exceed six (6) feet in height are permitted in side and rear yards, but shall not extend into the front yard setback.

B. Front Yard. From the front yard setback to the front property line, chain link, woven wire,

and split rail fences not to exceed five (5) feet in height are permitted. ~~Fences of other materials and Sight-obscuring fences shall not exceed three and one-half (3-1/2) feet.; except that, fence heights permitted for rear yards on through lots shall be as provided for secondary front yards in Section 20.110.080(B).~~

1. ~~Sight-obscuring fences not exceeding five (5) feet in height are permitted to within five feet of the property line of the secondary front yard, provided that approved landscaping is installed and maintained between the fence and the property line.~~

2. ~~All shrubs, trees and vegetation material used in conjunction with five (5) feet high fences within the secondary front yard setback shall be permanently maintained in a healthy growing condition. Dead, diseased and dying material shall be replaced immediately. Planted areas shall be maintained clear of rubbish and debris.~~

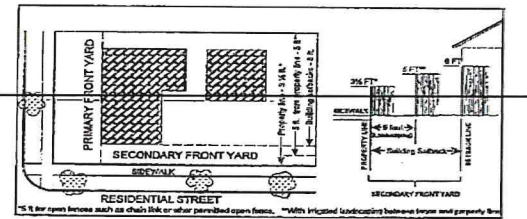


Figure 20.110-1, Fence Height Standards for Secondary Front Yards

~~C. Subdivision Border Fences. Border fences not to exceed six (6) feet in height along streets bordering the subdivision may be permitted for new subdivisions under the following conditions:~~

1. ~~The subdivision must be designed for interior street access to all lots abutting the border street(s).~~
2. ~~The fence may be installed along the public right-of-way line provided there is a minimum of five (5) feet of irrigated landscaping between the fence and the street improvements (sidewalk, curb, gutter, street trees). Border fences may not extend into the primary front yard on corner Lots.~~
3. ~~The type and design of the fence and landscaping shall be reviewed and approved as part of the subdivision review process.~~
4. ~~A funded Home Owners Association shall be established with recorded Covenants which shall provide that:~~
 - a. ~~Abutting property owners shall be responsible to the City for the permanent maintenance of the fence and landscaping between the fence and the border street improvements.~~
 - b. ~~All shrubs, trees and vegetation material used in conjunction with subdivision border fences shall be permanently maintained in a healthy growing condition. Dead, diseased and dying material shall be replaced immediately. Planted areas shall be maintained clear of rubbish, debris and weeds.~~

~~D. Swimming Pool Fences. All swimming pools to be constructed shall be enclosed by a fence~~

~~which shall be at least four (4) feet in height and which shall be of a type not readily climbed by children. The gate shall be a self-closing and latching type with the latch on the inside of the gate not readily available for children to open; except that the following fence heights are permitted within the secondary front yard on corner lots: (See Figure 20.110-1).~~

20.110.090 Commercial zone fences.

~~A. Front, Rear and Side Yards. Eight (8) feet shall be the maximum height. in a rear yard and in a side yard behind the required front yard setback.~~

~~B. Front Yards. Fences constructed within the front yard setback shall not exceed six (6) feet. Front yard fences behind the required front yard setback line shall not exceed eight (8) feet.~~

~~C. Swimming Pool Fences. See Section 20.110.080(C).~~

~~D. The Director and/or Site Plan Review Committee shall determine the front yard setback requirement in the Light Industrial/Commercial zone, based on the proposed and adjacent uses.~~

20.110.100 Industrial zone fences.

A. Rear, Side, Front Yards. Eight (8) feet shall be the maximum fence height in industrial zones except as may be provided under Subsection B below for wrecking yards or junk yards. Fencing of other industrial areas shall comply with the outdoor storage standards specified Section 20.134.060(B).

B. Fences for Wrecking or Junk Yards. Motor vehicle wrecking yards must be enclosed by a view obscuring fence or wall at least eight (8) feet high. A higher fence or wall may be required by the Director or Site Plan Review Committee. Such fence or wall shall not extend into the “clearview triangle” as specified in Chapter 20.114. Such wall or fence shall be painted or stained a neutral shade which shall blend with the surrounding premises, and such wall or fence must be kept in good repair. A living hedge of sufficient density to prevent a view of the confined area may be substituted or such wall or fence when used in combination with a security fence which is not sight obscuring. Any dead or dying portion of such hedge shall be replaced by the property owner or occupant.

~~C. The Director shall determine the front yard setback requirement in the Light Industrial/Commercial zone based on the proposed and adjacent uses.~~

Section 17: Section 20.118.020, 20.118.030, 20.118.040, 20.118.050 and 20.118.060 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

Sections:

~~**20.118.020 Residential dwelling standards.**~~

~~**20.118.020 Residential dwelling standards.**~~

~~All dwellings shall conform to the codes, regulations, and statutes adopted by reference in Section 15.04.010.~~

20.118.030 Accessory dwelling units.

A. An accessory dwelling unit (ADU) is a habitable living unit that provides the basic requirements of shelter, heating, cooking and sanitation. The purpose of accessory dwelling units is to:

1. Provide homeowners with a means of obtaining, through tenants in either the ADU or the principal unit, rental income, companionship, security, and services.
2. Add affordable units to the existing housing.
3. Make housing units available to moderate- income people who might otherwise have difficulty finding homes within the city.
4. Develop housing units in single-family neighborhoods that are appropriate for people at a variety of stages in the life cycle.
5. Protect neighborhood stability, property values, and the single-family residential appearance of the neighborhood by ensuring that ADUs are installed under the conditions of this code.

B. Accessory dwelling units are permitted in residential zones subject to the following standards:

1. Accessory dwelling units ~~are subject to the codes, regulations, and statutes adopted by reference in Section 15.04.010. are permitted only as an accessory use to a single-family residence in a residential zone.~~
2. The maximum size of an accessory dwelling shall be eight hundred square feet. ~~or thirty-three percent of the living area of the primary structure, whichever is smaller; except that, if the accessory dwelling unit is located on a single floor, and there is no increase in the size of the house, the director may allow an increase up to ten percent of the floor area to efficiently use the floor area.~~
3. A ~~development authorization- building permit~~ application is required for all accessory dwelling units. ~~An application for an attached accessory dwelling unit is subject to Level I review. An application for a detached accessory dwelling unit is subject to Level II review.~~
4. There shall be only one entrance on the front of a house. Separate entrances to an accessory dwelling unit are permitted at the side or rear of the principal dwelling unit.
5. One off-street parking space is required in addition to the off-street parking spaces required for the principal residence. Parking must be provided in the rear of the lot or on a driveway.
6. ~~Either the primary residence or the accessory dwelling unit must be occupied by an owner of the property.~~
7. ~~In order to encourage the development of housing units for people with disabilities, the building official may allow reasonable deviation from the stated requirements to install features that facilitate accessibility. Such facilities shall be in conformance with the codes, regulations, and statutes adopted by reference in Section 15.04.010.~~

C. Application for an ADU shall be made in accordance with the permit procedures established in Chapter 20.14.

20.118.040 Accessory structures – Non-dwelling units.

Accessory structures not used for dwelling units are permitted only as accessory use to a residence in any zone subject to the following requirements:

A. Permitted Uses. Accessory structures are limited to private garages, carports, garden houses, tool sheds, playhouses, or the like, or structures which house a use permitted as a home occupation.

B. Small Structures ~~Exempt~~. Accessory structures of less than twenty square feet in area and five feet in height may be placed in any required rear or side yard setback. ~~and do not require~~

~~development authorizations. Accessory structures of less than one hundred twenty square feet do not require a building permit. Accessory structures of less than 200 square feet in area shall not be placed in the front yard setback and shall have a three-foot side and or rear yard setback. Easements and clearview tri-angle requirements must be observed regardless of size.~~

C. Permit Required. Prior to construction of an accessory structure (except small structures discussed in subsection B of this section) a ~~development authorization and a~~ building permit shall be obtained. Applications for these structures shall be processed by Level I procedures. For purposes of this code, structures made of canvas, plastic, or other fabric, regardless of the number of open sides, shall be considered accessory structures if they will remain on the subject property for more than thirty days.

D. Limitation on Size and Number of Accessory Structures.

1. Attached. One attached garage is permitted for each residence. The size of the garage is limited to a maximum of nine hundred square feet or fifty percent of the living area of the principal dwelling, whichever is greater, to a maximum of one thousand two hundred square feet. ~~An additional four hundred square feet for use as an approved home occupation may be required.~~

2. Detached. No detached accessory structure shall be larger than nine hundred square feet or fifty percent of the living area of the principal dwelling, whichever is greater to a maximum of one thousand two hundred square feet. ~~An additional four hundred square feet for use as an approved home occupation may be permitted.~~

E. Lot Coverage. No standard of this section shall be construed to permit maximum lot coverage standards to be exceeded. ~~See Table 20.103 for maximum lot coverage applicable to each zone.~~

F. Setbacks. A residential accessory structure not exceeding nine hundred square feet shall sit a minimum of five feet from the side property line, five feet from the rear property line, and up to, but not within, the required front yard; provided, that the accessory structure(s) shall not encroach on a public easement and applicable clearview setbacks are observed. Larger accessory structures shall observe all standard setback requirements; provided that on corner lots, where a structure for vehicular use is located on the secondary front yard side of the corner lot, the minimum setback shall be determined by the reviewing official to be adequate to prevent parking encroachment within the public right-of-way. ~~In the residential districts, an accessory structure not requiring a building permit may be placed not closer than three feet from a side or rear property line if the structure will not encroach on a public easement and applicable clearview setbacks are observed.~~

G. ~~Separation Required. Detached accessory structures shall be separated from the residence and all other structures by at least six feet measured from the foundation line.~~

H. ~~“Acceptable Similarity” Appearance Standards.~~ In addition to meeting all other standards for residential accessory structures, non-dwelling accessory structures in excess of nine hundred square feet must be similar in design and appearance to site built housing:

1. Roof Construction. The pitch of the roof has a minimum vertical rise of one foot for each five feet of horizontal run, and the roof is finished with a type of shingle that is commonly used in standard residential construction.

2. Exterior Finish. The exterior siding consists of wood, hardboard, aluminum, vinyl, plastic, ~~steel~~, or other siding material (covered or painted, but in no case exceeding the reflectivity of gloss white paint), plastic, ~~steel~~ (or other siding materials) comparable in composition,

appearance, and durability to the exterior siding commonly used in standard residential construction. Corrugated metal **or steel** siding or similar industrial-type siding is not permitted.

3. Compatibility with Surrounding Residential Uses. To assure that an accessory structure in excess of nine hundred square feet is architecturally and aesthetically in harmony with the surrounding residential uses, and preserves the general character and integrity of the neighborhood, it shall be similar in height to the five nearest residential accessory structures; provided, an accessory structure may be built to a height that will accommodate a motor home or recreational vehicle, or a second story accessory dwelling, without accessory structures of similar height in the neighborhood.

20.118.050 Swimming pools.

A. Swimming pools are permitted as an accessory use to residential uses, hotel/motels, schools and recreational facilities when the following provisions are met:

1. Setbacks:

- a. The swimming pool, apron and pump house meet the required front yard setback;
- b. The swimming pool and pump house are setback at least three feet from the property line. The swimming pool apron may extend to the property line.

2. Fences. All swimming pools to be constructed shall be enclosed by a fence which shall be at least four feet in height and which shall be of a type not readily climbed by children. The gate shall be of a self-closing and latching type with the latch on the inside of the gate not readily available for children to open.

~~3. Installation. All swimming pool installations shall be in compliance with the Uniform Swimming Pool, Spa and Hot Tub Code.~~

20.118.060 Garage and yard sales.

A. "Garage sale" means the sale of used household personal items by the owner thereof under the following conditions:

- 1. No residential premises shall have more than four sales per year for a total of not more than twelve days per year.
- 2. All signs advertising garage or yard sales shall be removed twenty-four hours after the sale is completed. Sale signs shall not be attached to any public structures, signs or traffic control devices, nor to any utility poles.
- 3. A garage sale complying with the above conditions shall be considered as being an allowable accessory use to all residential land uses. A garage sale violating one or more of the above conditions shall be considered as being a commercial use and will be disallowed.

B. Garage sales do not require a development authorization permit.

Section 18: Section 20.123.010 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

20.123.010 Table of permitted home occupations.

- 1. Permitted Home Occupations Level I Review (Administrative)
- 2. Permitted Home Occupations Level II Review (Notice to Adjacent Property Owners)
- 3. Permitted Home Occupations Level III Review (Hearings Examiner Public Hearing Required)

Not Permitted: See Section 20.122.070

Permitted Uses	Zoning Districts			
	RM	<u>RN R-60</u>	<u>R-72</u>	<u>R-96</u>
Accountant	1	1	1	1
Architect	1	1	1	1
Artist, arts and crafts	1	1	1	1
Attorney	1	1	1	1
Author	1	1	1	1
Bakery, off-site sales	1	1	1	1
Barbershop, beauty parlor	2	2	2	2
Bed and breakfast (see Section 20.138)	1	1	1	1
Business administration	1	1	1	1
Cabinet, carpentry work	2	2	2	2
Caterer	1	1	1	1
Ceramics and sculpting	1	1	1	1
Composer	1	1	1	1
Computer programmer/data processing	1	1	1	1
Consulting services (engineer, planner, financial, tax, etc.)	1	1	1	1
Daycare, mini—1 thru 6 children	1	1	1	1
mini—7 thru 12 children	2	2	2	2
family—13 or more children	3	3	3	3

Permitted Uses	Zoning Districts			
	RM	<u>RN R-60</u>	<u>R-72</u>	<u>R-96</u>
Dentist	1	2	2	2
Direct sales/Product Distribution (Amway, Avon,	1	1	1	1
Dog Grooming	2	2	2	2
Dressmaker, seamstress, tailor	1	1	1	1
Drafting and graphic	1	1	1	1

Engineer	1	1	1	1
Flower arrangement	1	1	1	1
Insurance agent	1	1	1	1
Locksmith	1	1	1	1
Photographer (not including productions studio)	1	1	1	1
Physician	1	2	2	2
Mail Order/Phone	1	1	1	1
Music Teacher	1	1	1	1
Production of small articles by hand without the use of automated or production line equipment	1	2	2	2
Radio and television repair	3	3	3	3
Real estate agent	1	1	1	1
Small engine repair	3	3	3	3
Tutor	1	1	1	1
Typing/Secretarial service	1	1	1	1
Watch/Clock repair	1	1	1	1
Unclassified home occupations	See Section 20.122.060			

Section 19: Section 20.126.025, 20.126.050, 20.126.120, 20.126.135 and 20.126.40 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

20.126.025 Bicycle parking.

Bicycle parking is required whenever practicable to encourage the use of bicycles by providing safe and convenient places to park bicycles.

A. Minimum Required Bicycle Parking. Bicycle parking facilities, either off-street or in the street right-of-way, shall be provided with commercial, industrial, office, institutional, active-recreation parks, park-and-rides, and multi-family, multi-tenant residential development projects or for any new use which requires twenty ten or more automobile parking spaces. ~~All bicycle parking facilities in the street right of way shall conform to city engineering services department standards.~~

The number of required bicycle parking spaces shall be five-ten percent of the number of required off-street auto parking spaces; provided, that at least one-two bicycle parking spaces shall be provided if less than ~~twenty ten~~ off-street auto parking spaces are required, whichever number of bicycle parking spaces is greater. For land uses not specified in the Table of Off-

Street Parking Standards (Section 20.127.010), bicycle parking requirements shall be determined by the reviewing official based upon the requirement for similar uses.

B. Location and Design.

1. Bicycle parking shall be no farther from the primary building entrance than the distance to the closest vehicle space, or 50 feet, whichever is less.
2. Bicycle parking shall consist of staple-design steel racks or other City-approved racks, lockers, or storage lids providing a safe and secure means of storing a bicycle. In the Downtown Master Plan area, bicycle racks shall meet the standards of that plan.
3. When any covered automobile parking is provided, all bicycle parking shall be covered.
4. All bicycle parking facilities in the street right-of-way shall conform to city design standards.
5. ~~C.~~ Bicycle and automobile parking areas shall be separated by a barrier or painted lines.
6. Lighting. For security, bicycle parking shall be lit.
7. Reserved Areas. Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.
8. Hazards. Bicycle parking shall not impede or create a hazard to pedestrians. Bicycle parking shall be located so as to not conflict with clearview triangle standards (Chapter 20.114).

20.126.050 Off-street parking standards.

A. Table of Off-Street Parking Standards. The parking standards in Chapter 20.127, Table of Off-Street Parking Standards are hereby established as the parking standards for the uses indicated. These parking requirements are based on gross floor area. For the purpose of this chapter, gross floor area means the total square footage of all floors in a structure as measured from the interior surface of each exterior wall of the structure, and including halls, lobbies, enclosed porches and fully enclosed recreation areas and balconies, but excluding stairways, elevator shafts, attic space, mechanical rooms, restrooms, uncovered steps and fire escapes, private garages, carports, and off-street parking and loading spaces.

B. Reductions to Off-Street Parking Standards.

All required off-street parking shall be subject to the procedures of this code and the standards of this section; provided, however, that the required off-street parking may be modified under the following conditions:

1. Parking Analysis. The approving authority may modify off-street parking standards if the applicant can demonstrate that ~~by the approving authority when~~ the use is projected to generate more or less traffic than anticipated by the Table of Off-Street Parking Standards in Chapter 20.127. The director shall prepare findings upon which such modification is based and based and may submit a preliminary determination to the SPRC prior to issuance of a permit. A permit for modification may be conditioned on alternate means of transportation such as public or private bussing or ride sharing. A ~~condition of approval developer agreement~~ stating the alternate form of transportation and means of program maintenance shall be certified by the applicant prior to issuance of a permit. The agreement shall be binding and shall provide that the developer will provide all necessary off-street parking as required by this section in the event of a change of use.

2. Outright Reductions. The approving authority may permit reductions to off-street parking standards without a Parking Analysis for sites with one or more of the following features:

- a. Site has a bus stop with frequent transit service, as defined by the transit service provider, located adjacent to it, and the site's frontage is improved with a bus stop shelter, consistent with the standards of the applicable transit service provider: Allow up to a 20 percent reduction to the standard number of automobile parking spaces.
- b. Site has dedicated parking spaces for carpool or vanpool vehicles: Allow up to a 10percent reduction to the standard number of automobile parking spaces.

c. Site has more than the minimum number of required bicycle parking spaces: Allow up to a 10 percent reduction to the standard number of automobile parking spaces.

d. Site has off-street electric vehicle charging station developed pursuant to Chapter 20.156, Electric Vehicle Infrastructure: Allow a reduction of two spaces to the standard number of automobile parking spaces for every off-street electric vehicle charging station. The total reduction shall not exceed 20 percent of the standard number of automobile parking spaces.

~~B-C.~~ Uses Not Specified. Off-street parking requirements for uses not specifically listed in the Table of Off-Street Parking Standards shall be determined by the reviewing official based upon the requirement for similar uses.

~~C-D.~~ Downtown Area Exempt. A portion of the downtown area of Walla Walla, as shown in ~~in~~ Figure 20.126-1 on the Walla Walla Comprehensive Plan Map and hereby adopted as part of this chapter, shall be exempt from the provisions of this chapter as they relate to the number of parking spaces required; provided, that all the other requirements of this chapter shall apply to any parking provided by the applicant.

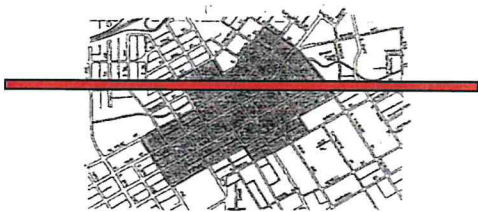


Figure 20.126-1 Downtown Parking Exempt Area

20.126.120 Design and construction.

All off-street parking, including motor vehicle sales lots, shall be constructed in the following manner.

A. Surfacing.

1. Required off-street parking, loading and maneuvering areas, motor vehicle sales lots and employee parking for industrial and commercial uses having a capacity of more than five vehicles shall have paved surfaces; surfaces may include permeable pavement.
2. Industrial uses in industrial zones shall have a paved area for employee parking as required in subsection (A)(1) of this section. All other areas used for maneuvering, loading access and parking of trucks or other vehicles or equipment associated with the industrial use must be surfaced with an all-weather gravel surface on a stable substrate.
3. Off-street parking facilities providing five or fewer parking spaces may be surfaced with all- weather gravel on a stable substrate, permeable pavement, or an equivalent surfacing acceptable to the reviewing official, so as to eliminate dust or mud, provided all spaces are improved with wheel stops.

B. Grading and Drainage. Grading and stormwater facilities shall be designed in accordance with Chapter 13.16.

C. Border Barricades. Any parking lot or motor vehicle sales area abutting the street property line shall provide a concrete curb or timber barrier at least six inches in height and located at least two feet from the street property line. The curb or barrier shall be securely anchored. No curb or barrier shall be required across a parking lot separated from the street by a fence or hedge.

D. Markings. All parking spaces (except motor vehicle sales area) shall be marked by durable painted lines at least four inches wide and extending the length of the stall or by curbs or

other means approved by the reviewing official to indicate individual parking stalls. Signs or markers located on the parking lot surface shall be used as necessary to ensure safe and efficient use of the parking lot.

E. Minimum Parking Area Dimensions. Minimum parking area dimensions shall be as provided in Figure 20.126-2, Parking Stall Specifications.

F. Slope. The slope of entrance and exit driveways providing access to public streets for off-street parking areas shall not exceed ten percent unless otherwise recommended by the site plan review committee and approved by the city engineer.

G. Driveways and Maneuverability.

1. All required parking spaces shall be properly maintained and adequate ingress to and egress from each space shall be provided without the need to move another vehicle.

2. Turning and maneuvering space shall be located entirely on private property unless specifically approved by the site plan review committee.

3. All parking spaces shall be internally accessible to one another without re-entering adjoining public streets unless otherwise approved by the site plan review committee.

4. Ingress and egress to and from any off-street parking area shall not be located closer than twenty feet from point of tangent to an intersection or pedestrian crosswalk unless otherwise approved by the site plan review committee.

5. The site plan review committee may require ingress separate from egress for smoother and safer flow of traffic.

6. The number of curb cuts shall be kept to a minimum whenever possible so as to reduce the potential traffic flow conflict of vehicles and pedestrians.

~~7. All parking areas shall have specific ingress and egress areas to the street not exceeding thirty feet in width at the property line in commercial, industrial, and multifamily residential districts, and twenty feet in width at the property line in single family residential districts unless otherwise recommended by the site plan review committee and approved by the city engineer.~~

20.126.135 Drive-through facilities.

The standards of this section are intended to allow for drive-through facilities by reducing the negative impacts they may create. Of special concern are noise from idling cars and voice amplification equipment, lighting and queued traffic interfering with on-site and off-site traffic and pedestrian flow. The specific purposes of this section are to: (A) reduce noise, lighting and visual impacts on abutting uses, particularly residential uses; (B) promote safer and more efficient on-site vehicular and pedestrian circulation and (C) minimize conflicts between queued vehicles and traffic on adjacent streets.

A. When These Standards Apply.

1. The standards of this chapter apply to all uses that have drive-through facilities, including vehicle repair and quick vehicle servicing.

2. The standards of this chapter apply only to the portions of the site development that comprise the drive-through facility. The standards apply to new developments, the addition of drive-through facilities to existing developments, and the relocation of an existing drive-through facility.

a. A drive-through facility is composed of two parts: the stacking lanes and the service area.

A drive-through facility may also have a third component, an order menu, affecting the size and location of these two parts. The stacking lanes are the space occupied by vehicles queuing for the service to be provided. The service area is where the service occurs. In uses with service windows, the service area starts at the service window(s). In uses where the service occurs indoors, the service area is the area within the building where the service occurs. For other development, such as gas pumps, air compressors and vacuum cleaning stations, the service area

is the area where the vehicles are parked during the service.

B. Setbacks, Screening and Landscaping. All drive-through facilities must provide the setbacks and landscaping stated in this subsection.

1. Service areas and stacking lanes must be set back five feet from all lot lines which abut residential zones and meet the landscaping and screening requirements of this code.

2. Service areas and stacking lanes must be set back five feet from all street lot lines and meet the landscaping and screening requirements of this code.

C. Vehicular Access. All driveway entrances, including stacking lane entrances, must be spaced at least one hundred twenty-five feet from adjacent intersections unless otherwise authorized by the director of engineering services. The distance is measured along the property line from the junction of the two street lot lines to the nearest edge of the entrance.

D. Stacking Lane Standards. These standards ensure that there is adequate on-site maneuvering and circulation areas, ensure that stacking vehicles do not impede traffic on abutting streets, and that stacking lanes will not have nuisance impacts on abutting residential lands.

1. Gasoline Pumps. A minimum of thirty feet of stacking lane is required between a lot line and the nearest gasoline pump. The applicant must demonstrate to ~~the City engineering services~~ that sufficient queuing area is available such that vehicles in queue do not interfere with adjacent street traffic.

2. Other Drive-through Facilities.

a. Primary Facilities. A minimum of ~~eighty-one hundred and feet-twenty feet~~ for a single stacking lane or eighty feet per lane when there is more than one stacking lane, is required for all other drive-through facilities. Non-food and/or non-beverage businesses may reduce the stacking lane to a minimum of sixty feet. A stacking lane is measured from the curb cut to the service area or the order area if an outdoor order area precedes the service area. Stacking lanes do not have to be linear.

b. Accessory Facilities. A stacking lane is not required for accessory facilities where vehicles do not routinely stack up while waiting for the service. Examples are window washing, air compressor, and vacuum cleaning stations.

E. Stacking Lane Design and Layout. Stacking lanes must be designed so that they do not interfere with parking, parking access and vehicle circulation. No part of a required stacking lane may encroach into the right-of-way.

F. Stacking Lanes Identified. All stacking lanes must be clearly identified, through the use of means such as striping, landscaping and signs.

G. Off-Site Impacts.

1. When abutting land zoned residential, drive-through facilities with noise-generating equipment must document in advance that the facility will meet the off-site impact noise standards. Noise generating equipment includes items such as speakers, mechanical car washes, vacuum cleaners and exterior air compressors.

2. Lights and headlight impacts shall be mitigated with directional lighting and visual buffering.

20.126.140 Off-street loading.

Off-street loading and unloading spaces shall be required for any use requiring frequent loading or unloading from trucks or other large vehicles.

A. Loading Space Size. The required loading space shall be of adequate size to accommodate the maximum number and size of vehicles simultaneously loading or unloading at the structure. Each off-street loading space shall have the minimum dimensions of twelve feet in width and twenty-five feet in length or as otherwise determined by the reviewing authority based on the dimensions and type of delivery vehicles serving the proposed use(s). On-site maneuvering

space of not less than fifty-two feet in length shall be provided adjacent to the loading dock.

This maneuvering space shall not include any area designated for off-street parking.

B. Loading Space Location. Required off-street loading and related maneuvering space shall be located only on or abutting the property served. No part of any vehicle using the loading space will be allowed to project into the right-of-way of any public or private road.

~~C. Off Street Loading—School and Day Care Centers. A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children shall be located on the site of any school or day care center having a capacity of thirteen or more students or clients.~~

Section 20: Section 20.127.010 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

20.127.010 Table of off-street parking standards.

How to use Table of Off-Street Parking Standards:

1. Calculate the gross floor area for the structure. (See Section 20.126.050 to determine gross floor area.)
2. Determine the amount of gross floor area used for storage rooms.
3. Required off-street parking for storage rooms is one space per five hundred square feet.
4. Find the proposed use in the Table of Off-Street Parking Standards to determine the off-street parking requirement for the rest of the structure.

Example:

–The gross floor area of the structure is 3,000 sq. ft.

–1,000 sq. ft. of the structure is used for storage. The parking standard for storage rooms is one space per 500 sq. ft. (Section 20.126.060.)

$1,000/500 = 2$ off-street parking spaces for the storage area.

–The proposed use is a shoe shop. According to the Table of Off-Street Parking Standards, shoe shops require one off-street parking space for each 300 sq. ft. of gross floor area.

$2,000/300 = 6.6$ or seven spaces since fractions of parking spaces are rounded up.

–The total required off-street parking for this use is:

2 spaces (for storage area)

+ 7 spaces (for the rest of the gross floor area)

a total of 9 spaces

Table of Off-Street Parking Standards

Land Use	Parking Standards
Agricultural (Commercial)	
Agriculturally related industries:	
packing processing plants	1 sp. for ea. 300 <u>1,000</u> sq. ft. of gross floor area
storage facilities	1 sp. for ea. 1,000 sq. ft. of gross floor area
Amusement and Recreation	

Land Use	Parking Standards
Game rooms, card rooms, electronic game rooms	1 sp. for ea. playing table, or ea. 3 machines, whichever is greater
Horse racing tracks, speedways, grandstands	1 sp. for ea. 3 fixed seats or 54" of bench seating
Bowling alleys	5 sp. for each lane <u>1 sp. per 300 sq. ft.</u>
Gymnasiums, exercise facilities	1 sp. for ea. 100 <u>500</u> sq. ft. of gross floor area
Roller skating rink	1 sp. for ea. 250 <u>300</u> sq. ft. of skating surface area
Swimming pools	1 sp. for ea. 150 sq. ft. of water surface area
Movie theaters	1 sp. for ea. 4 <u>6</u> seats
Auditoriums, exhibition halls	1 sp. for ea. 100 sq. ft. of gross floor area
Community Services	
Churches, synagogues, temples and funeral homes	1 sp. for ea. 3 fixed seat (or 54" of bench type seating) + 1 sp. for ea. 40 sq. ft. of general reception/ gathering area 1 space per 75 sq. ft. of main assembly area <u>1 space per 75 sq. ft. of main assembly area</u>

Land Use	Parking Standards
Convalescent, nursing homes	1.5 sp. for ea. <u>4</u> beds + 1 sp. for each employee on maximum shift
Fire and police stations	1 sp. for ea. 200 sq. ft. of gross floor area
Halfway house (detention center)	1 sp. for ea. 2 <u>4</u> beds
Hospital	1.5 sp. for ea. Bed <u>1 sp. per 300 sq. ft.</u>
Schools: Primary, Elementary Junior, Senior	3 sp. for ea. classroom, or 1 sp. for ea. 3 seats (54" bench type seating) in the assembly area, whichever is greater Same as Primary/Elementary and 1 sp. for ea. 4 students over 16 yrs.
Junior or community colleges	1 sp. for ea. 400 sq. ft. of gross floor area
Juvenile detention centers	1.5 <u>4</u> sp. for ea. bed
Libraries	1 sp. for ea. 100 sq. ft. of gross floor area
Museums, art galleries	1 sp. for ea. 10 <u>200</u> sq. ft. of gross floor area
Preschools, daycare centers	1 sp. for ea. employee + 1 sp. for ea. 250 sq. ft. of gr. floor area <u>1 sp. per 400 sq. ft.</u>

Land Use	Parking Standards
Vocational schools	1 sp. for ea. 400 sq. ft. of gross floor area
Manufacturing (Mass Production)	
All uses listed under manufacturing in Table 20.100.040	1 sp. for ea. employee per maximum shift
Residential	
Each Residential Unit	2 spaces
<u>Accessory Dwelling Unit</u>	<u>1 space</u>
<u>Duplex</u>	<u>2 spaces per unit</u>
<u>Multi-Family Dwelling</u>	<u>1.5 space per unit</u>
<u>Single Family Dwelling</u>	<u>2 spaces per unit</u>
<u>Studio Apartment, Cottage housing unit</u>	<u>1 space per unit</u>
Congregate Care Facilities	1 space for each residential unit
Retail Trade and Services	
Addressing, mailing, and stenographic services	1 sp. for ea. 300 <u>500</u> sq. ft. of gross floor area
Advertising agencies	1 sp. for ea. 300 <u>500</u> sq. ft. of gross floor area
Automobile and truck, manufactured home, travel trailer sales	1 sp. for ea. 500 sq. ft. of showroom and 1 sp. for ea. 1,000 sq. ft. of retail sales floor area
Automotive: Automobile maintenance and service shops	2 sp. per service area including work bays
Car wash	1 sp. per wash bay
Land Use	Parking Standards

Paint and body repair	2 sp. per service area including work bays
Specialized repair shops	2 sp. per service area including work bays
Wrecking and dismantling yards	1 sp. for ea. 500 <u>1000</u> sq. ft. of gross floor area
Beauty and barber shops	1 sp. for ea. 75 <u>400</u> sq. ft. of gross floor area
Bed and breakfast inns	1 sp. per ea. guest room and one space for each 2 employees. <u>0.75 space per guest room, plus 1 space per 200 sq. ft. of restaurant area if open to public (not guests)</u> B&Bs shall also provide one <u>two</u> spaces for the primary residence
Building and contractors	1 sp. for ea. 800 <u>1000</u> sq. ft. of gross floor area
Bulk retail, storage and warehousing (e.g., auto, boat, trailers, nurseries, lumber and construction materials, furniture, appliances and similar sales)	1 sp. for ea. 500 <u>1000</u> sq. ft. of structure and covered storage area
Drug stores	1 sp. for ea. 200 <u>400</u> sq. ft. of gross floor area

Land Use	Parking Standards
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Employment agencies (private)	1 sp. for ea. 200 <u>400</u> sq. ft. of gross floor area
Farm supplies	1 sp. for ea. 800 <u>1000</u> sq. ft. of gross floor area
Financial institutions	1 sp. for ea. 200 sq. ft. of gross floor area
Furniture, home furnishings, appliance	1 sp. for ea. 800 sq. ft. of gross floor area
Hardware store	1 sp. for ea. 300 sq. ft. of gross floor area of structure and permanent outside display sales area
Health clubs and gyms	1 sp. for ea. 500 sq. ft. of gross floor area
Heating and plumbing equipment stores	1 sp. for ea. 400 sq. ft. of gross floor area
Heavy equipment, tractor and farm equipment repair	1 sp. for ea. 300 sq. ft. of gross floor area
Household appliance, small engine, TV and furniture repair	1 sp. for ea. 300 sq. ft. of gross floor area
Insurance agents, brokers and service agencies	1 sp. for ea. 200 sq. ft. of gross floor area
Liquor stores	1 sp. for ea. 300 sq. ft. of gross floor area
Lumber yards	1 sp. for ea. 400 sq. ft. of gross floor area of structure

Land Use	Parking Standards
	and covered storage area

Nursery	1 sp. for ea. 400 sq. ft. of gross floor area of structure and permanent outside display and sales area
Medical and dental laboratories, offices and clinics	1 sp. for ea. 200 sq. ft. of gross floor area
Motels and hotels	1 sp. for ea. guest room + 1 sp. for each 2 employees + standards for any associated use
Paint, glass and wallpaper stores	1 sp. for ea. 400 sq. ft. of gross floor area
Professional office building for use by accountants, architects, attorneys, etc.	1 sp. for ea. 200 sq. ft. of gross floor area
Radio and TV studios, offices	1 sp. for ea. 200 sq. ft. of gross floor area
Real estate offices	1 sp. for ea. 200 sq. ft. of gross floor area
Residential mini-storage	1 sp. for ea. storage space
Restaurants, cafes, drive-in eating facilities, and tasting rooms	1 sp. for ea. 100 sq. ft. of gross floor area
Retail trade establishments in Table but not listed above: – having less than	1 sp. for ea. 300 sq. ft. of gross floor

Land Use	Parking Standards
7,000 sq. ft. of G.F.A. – having more than 7,000 sq. ft. of G.F.A.	area 1 sp. for ea. 300 sq. ft. of G.F.A. up to 7,000 sq. ft.

Service stations	2 sp. for working/service area, including bays
Shoe repair and shoe shops	1 sp. for ea. 300 sq. ft. of gross floor area
Taverns and bars, dine, drink and dance establishments	1 sp. for ea. 75 <u>100</u> sq. ft. of gross floor area
Transportation	
Bus terminals, storage and maintenance facilities	1 sp. for ea. 500 sq. ft. of gross floor area
Air, rail and truck terminals	1 sp. for ea. 300 sq. ft. of gross floor area
Taxicab terminals, maintenance and dispatching centers	1 sp. for ea. 300 sq. ft. of gross floor area
Utilities	
Utility services	1 sp. for ea. 800 sq. ft. of gross floor area
Wholesale Trade	
Wholesale trade/warehouses	1 sp. for ea. 500 sq. ft. of gross floor area
Residential mini-storage	See residential mini-storage under retail, trade and service

Section 21: Section 20.146.010 and 20.146.040 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

20.146.010 Purpose.

The purpose of this Chapter is to establish a means by which the beauty and authenticity of Walla Walla's historic structures may be conserved as reminders of the community's heritage. Properties listed on the Walla Walla ~~inventory of historic places (HI) or Walla Walla register of historic places (HR)~~ local historic register are subject to the requirements set forth in the city of Walla Walla historic commission bylaws, rules and procedures for design review, and

special valuation.

20.146.040 Demolition of historic structures.

A. A ten (10) day holding period shall be observed, following notification to the local newspaper, prior to issuance of a ~~Development Authorization for~~ demolition ~~permit for of~~ structures over fifty (50) years old, or places of historic value, during which time staff will invite comments from the Washington State Office of Archaeology and Historic Preservation and local interest groups having on file a request for notification of such applications, on the possible historic or architectural significance of the structure or place to the community.

B. If, based on comments received from the Office of Archaeology and Historic Preservation or local interest groups notified as per Subsection A, staff determines that the subject structure or place possesses sufficient community-wide historic or architectural significance that further public input is warranted, the proposal will be subject to the following:

1. A sixty (60) day staff level stay during which the Director may consult with local and/or state organizations concerned with historic or architectural values. If the structure or place is found to be significant, staff or the concerned group(s) or agency(s) may petition the Planning Commission for a public hearing to consider significance of the structure or place and options available to preserve the public interest.

2. Based on input received at the public hearing, ~~the Planning Commission-Hearing Examiner~~ may:

- a. Authorize issuance of a ~~Development Authorization demolition permit~~; or
- b. Issue a continuance of the stay for no longer than one (1) year to provide opportunity for acquisition, easement, or other preservation mechanism to be negotiated; or
- c. Take other action as required by State statutes or administrative code as advised by authorized representatives of the ~~Washington State Department~~ Archaeology and Historic Preservation ~~Division of the State Department of Community Development~~.

Section 22: Chapters 20.158, 20.166 and 20.168 of the Walla Walla Municipal Code are hereby repealed

Section 23: Chapter 20.167 of the Walla Walla Municipal Code is hereby added.

Chapter 20.167

Adaptive Reuse of Nonresidential Buildings in Residential Zones

Sections:

20.167.010 Purpose

20.167.020 Location Criteria

20.167.030 Specific Use Standards

20.167.040 Permitted Uses

20.167.050 Inappropriate Applications

20.167.010 Purpose.

The purpose of this chapter is to allow existing nonresidential buildings in residential zones to be converted to or used for nonresidential purposes as a Level II Use. This will support active, healthy neighborhoods and prevent blight and demolition of buildings by allowing for functional reuse without drastic structure overhauls.

20.167.020 Location Criteria.

A. Adaptive reuse of nonresidential buildings, as described in this chapter, shall be limited to streets identified as major and minor arterials and collector streets in the Transportation Plan.

20.167.030 Specific Use Standards.

A. Nonresidential uses allowed by this chapter shall be screened from adjacent residential properties by a six foot tall sight-obscuring fence or hedge.

B. Nonresidential uses shall follow the provisions for the underlying residential zone regarding signage.

C. Parking standards identified in Chapters 20.126 and 20.127 shall apply to all nonresidential uses allowed by this chapter.

D. Drive-thru facilities are prohibited.

20.167.040 Permitted Uses.

A. Only uses identified in this section are allowed as Level II uses under this chapter. Uses identified herein are recognized to have benefits to a neighborhood, and to have lower impacts on a neighborhood.

1. Medical and dental offices

2. Convenience stores

3. Professional offices, including lawyers, accountants, architects, insurance agents, and similar.

4. Retail bakeries and coffee shops

5. Florists

6. Seamstress, tailor, and similar

Section 24: Section 20.169.010 and 20.169.020 of the Walla Walla Municipal Code are amended as follows (added terms are underlined and removed terms are stricken):

20.169.010 Purpose.

The ~~Walla Walla urban area comprehensive plan has established goals and~~ policies in the comprehensive plan ~~that~~ encourage an increase in the amount of multifamily zoning and housing opportunities within the city. ~~near employment centers, industrial areas, and along major arterial streets. Allowing multifamily residential development as a conditional use in Highway Commercial zones complies with this policy.~~

The purpose of this chapter is to address development issues specific to multifamily and duplex dwelling units ~~as conditional uses~~ in Highway Commercial (CH) zones. ~~Standards in this chapter are supplemental to the conditional use permit criteria of Chapter 20.216.~~ These standards are designed to ensure that public health and safety issues are addressed, and, if approved, the residential development will be reasonably compatible with existing and future uses customarily permitted in the CH zone.

20.169.020 Specific use standards.

A. Open Space. A multifamily residential development shall incorporate open space to serve the residents of the development. Suggested amenities include, but are not limited to, playgrounds and play equipment, picnic shelters, balconies, and similar facilities.

The area devoted to open space shall be at least one hundred square feet ~~per person~~ per dwelling unit but shall be not less than two thousand square feet. ~~The U.S. Census housing~~

~~statistics for multifamily units will be used to determine the average number of persons per dwelling unit.~~

B. Multi-Modal Opportunities. Plans shall provide for pedestrian, bicycling, and public transit for shopping, schools, recreation and similar improvements.

C. Screening and Buffering. It shall be the responsibility of every multifamily residential development within a Highway Commercial Zone to provide sufficient screening in accordance with Section 20.106.080 and buffering of noise, dust, glare and visual pollution (conditions which degrade the city's scenic attractiveness and livability and its economic development) so that:

1. Neighboring properties' adjacent uses are reasonably shielded from adverse external effects of the development; and

2. The development is reasonably shielded from the adverse effects of existing or reasonably foreseeable adjacent uses, including streets.

Except as would create a public safety hazard which would obstruct vision and impair pedestrian and vehicular safety as described in Chapter 20.114, a multifamily residential development shall, at a minimum, provide screening in accordance with Section 20.106.080. A landscaping plan incorporating street trees, parking lot screening and right-of-way buffer will be required along any street frontage.

D. Setbacks. ~~Shall be consistent with Section 20.50.050. All yards shall maintain a minimum ten-foot setback. Setbacks greater than ten feet may be required through the site plan review process for cause related to existing or projected adjacent uses, traffic safety, open space requirements, and similar factors.~~

Section 25: Section 20.170.095 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

20.170.095 Wireless communication facilities and related structures prohibited in residential zones.

Wireless communications facilities, antenna support structures, and all related structures are prohibited on properties zoned ~~low density single family (R-96), medium density single family residential (R-72), high density single family residential (R-60)~~ Neighborhood Residential (RN), or multi-family residential (RM). No structure located upon a property zoned ~~low density single family residential (R-96), medium density single family residential (R-72), high density single family residential (R-60), Neighborhood Residential (RN)~~ or multi-family residential (RM) may be used as an alternative support structure. This section shall not preclude co-location of facilities upon existing legally located antenna support structures or existing legally located attached antennas; provided, that such co-location does not materially change the existing use or materially expand the size of the facilities at that location.

Section 26: Chapter 20.172 Title and Section 20.172.030 of the Walla Walla Municipal Code are amended as follows (added terms are underlined and removed terms are stricken):

Chapter 20.172 WINERIES, ~~AND~~ BREWERIES AND DISTILLERIES

20.172.030 Uses permitted by zone.

This table determines the level of review by which applications for various types of wineries, breweries, and distilleries will be processed. If a zone is not listed in the table, wineries,

breweries, and distilleries are not permitted in that zone. If a listed zone contains the symbol “X” in a cell corresponding to a particular type of winery, brewery, or distillery as defined above, that type of facility is not permitted in that zone. Level I review process is found in Chapter 20.18. Level II review process is found in Chapter 20.22. Level III review process is found in Chapter 20.26.

**Table 20.172.030-1
Permitted Zones and Required Review Levels**

	Central Commercial	Highway Commercial	Light Industrial Commercial	Heavy Industrial	Airport Development
Type A Winery	Level I	Level I	Level I	X	X-Level I
Type B Winery	Level III	Level III - <u>Level II</u>	Level I	X-Level I	Level III - <u>Level I</u>
Type C Winery	X	X	Level I	Level I	Level I
Type A Brewery	Level I	Level I	Level I	X	Level III - <u>Level I</u>
Type B Brewery	X	X <u>Level II</u>	Level I	Level I	Level I
Distillery	X	X	Level I	Level I	X-Level I
Craft Distillery	Level II	Level III <u>I</u>	Level I	Level I	Level I

Section 27: Section 20.204.230 of the Walla Walla Municipal Code is amended as follows (added terms are underlined and removed terms are stricken):

Sections:

20.204.230 Signs allowed in the ~~R-96, R-72 and R-60~~ (Single-Family RN (Neighborhood Residential) zones.

20.204.230 Signs allowed in the ~~R-96, R-72 and R-60~~ (Single-Family RN (Neighborhood Residential) zones.

A. The following regulations apply to signs in ~~R-96, R-72, and R-60~~ RN zones:

1. Permitted as an accessory use to an approved principal use.
 - a. Name Plate: Signs for home occupation are restricted to name plates.
2. Permitted as an accessory use to an approved Level II or III, subject to specific limitations of the Level II or III approval.
 - a. Free-standing signs.
 - b. Projecting signs.
 - c. Portable signs (excluding sidewalk signs).
 - d. Subdivision/Project ID signs.
3. Not permitted in ~~Single-Family Neighborhood~~ Residential zones:
 - a. Roof signs.

- b. Off-premises signs (including Special District and off-premises direction).
- c. Internally lit signs.
- d. Portable sidewalk signs.
- e. All signs prohibited by Section 20.204.060.
- 4. Number signs permitted in a Single-Family-Neighborhood Residential zone:
 - a. Name plate – One (1) per permitted use.
 - b. Subdivision/Project ID Sign – One (1) per permitted use.
 - c. Free-standing, projecting or portable signs – One (1) per permitted use.
 - d. Wall sign – One (1) per permitted use.
- 5. Maximum area per sign in a Single-Family-Neighborhood Residential zone, provided no combination of sign areas shall exceed twenty-four (24) square feet (excluding subdivision and project ID signs):
 - a. Name plate – up to two (2) square feet.
 - b. Subdivision/Project ID Sign – up to thirty-two (32) square feet.
 - c. Free-standing, projecting or portable sign – up to twelve (12) square feet.
 - d. Wall sign – up to twelve (12) square feet.
- 6. Setbacks from property line in a Single-Family-Neighborhood Residential zone (See Section 20.114):
 - a. Name plate – none.
 - b. All other permitted signs:
 - Fifteen (15) feet front yard.
 - Fifteen (15) feet side yard.
 - Fifteen (15) feet back yard.
- 7. Minimum height above grade (to bottom of sign) in a Single-family-Neighborhood Residential zone: Not applicable.
- 8. Maximum height above grade (to top of sign) in a Single-family-Neighborhood Residential zone: 10 feet
- 9. Maximum projection beyond property line in a Single-family-Neighborhood Residential zone: Not permitted

Section 28: The Walla Walla City Council hereby amends the official zoning map to implement the future land use map adopted within the Walla Walla Comprehensive Update, Walla Walla 2040 through Ordinance No. 2018-14 by rezoning all property designated R-96, R-72, and R-60 to Neighborhood Residential (RN). The following describes the specific rezones implementing the future land use map:

Parcel Number(s)	Current Zoning Designation	New Zoning Designation
350724130036	R-96, Single Family Residential	Light Industrial/Commercial
350724420023 350724420022 350724410071	R-96, Single Family Residential	Highway Commercial
360719330002	R-96, Single Family Residential	Light Industrial/Commercial
360719330027	R-60, Single Family Residential	Light Industrial/Commercial

360719340032	R-72, Single Family Residential	Light Industrial/Commercial
360719500902	Heavy Industrial	Neighborhood Residential
360731510115	Multifamily Residential	Public Reserve
360731410067 360731410061	R-96, Single Family Residential	Public Reserve
360729520804 360729520805	Multifamily Residential	Public Reserve
360722140049	Public Reserve	Multifamily Residential
360732120027	Highway Commercial	Public Reserve
360732120010 360732120009 360732120014	R-72, Single Family Residential	Public Reserve
360730210012	R-72, Single Family Residential	Multifamily Residential
360716650002 360716320029	R-96, Single Family Residential	Light Industrial/Commercial
360720420044	Central Commercial	Public Reserve

Section 29: The Walla Walla City Council finds that the development regulation amendments and rezones adopted by this Ordinance and the Comprehensive Plan as adopted by Ordinance No. 2018-15 conform to the requirements of Chapter 36.70A RCW and are consistent with and implement the Walla Walla Comprehensive Plan Update 2040. The Walla Walla City Council finds that the amendments adopted herein advance state interests which are stated in RCW 36.70A.010 and in the policies, goals, and other provisions of the City of Walla Walla's comprehensive plan, as amended. The specific policies supporting the amendments and rezones are as follows:

Community Character Policy 1.1: Use the land use code and design guidelines to ensure that new development reinforces and is guided by the character of existing land use patterns and the architectural attributes of the applicable character areas.

Land Use Policy 1.4: Review new development proposals to ensure they support the objectives of the Comprehensive Plan such as land use, transportation, community character, historic preservation, and sustainability.

Land Use Policy 1.5: Establish future land use and zoning designations that minimize and mitigate potential land use conflicts.

Land Use Policy 3.6: Allow commercial development that provides daily goods and services to adjacent residential neighborhoods.

Land Use Policy 3.7: Support a variety of housing types such as tiny homes, duplexes, multi-family development, cottage housing, and single family residential.

Land Use Policy 5.1: Consider physical activity and health when adopting land use policies and regulations and in the siting of community facilities.

Land Use Policy 5.2: Ensure that new subdivisions and housing are designed to accommodate pedestrian and bicycle access within the development and to nearby community facilities and amenities such as schools, parks, shopping areas, transit corridors, and employment centers.

Housing Policy 1.1: Provide an array of housing choices such as apartments, small lot single-family housing, accessory dwelling units, townhomes, manufactured homes, and cottages to meet the needs of people of all incomes throughout their lifespan.

Housing Policy 1.4: Develop incentives for construction of housing affordable to households with low and moderate incomes such as density bonuses, waived fees, multi-family property tax exemption, or a transfer of development rights program.

Housing Policy 1.7: Allow manufactured housing and accessory dwelling units in single-family residential areas.

Housing Policy 2.1: Integrate housing for lower and moderate-income households and those with special needs into a variety of geographical locations throughout the city.

Housing Policy 2.4: Enhance the character of neighborhoods through superior design, responsible stewardship, the application of sustainability principles, and historic preservation.

Transportation Policy 5.3: Provide, require, or encourage adequate and attractive end-of-trip facilities, including bicycle parking and changing and showering facilities, for active transportation arriving at workplaces and institutional uses such as colleges.

Transportation Policy 5.5: Encourage active transportation and transit use and reduced single-occupancy vehicle use through measures such as reduced off-street vehicle parking requirements for sites with features including access to transit, dedicated rideshare parking, travel options programs, and/or bicycle parking that exceeds minimum requirements.

Section 30: The Walla Walla City Council finds that this matter was duly scheduled for the City Council's regular meeting for December 19, 2018 in accordance with section 2.05.040 of the Walla Walla Municipal Code and notice regarding the Council agenda was made publicly available in advance of the meeting. The City Council further finds that proper notice was given and an opportunity for appropriate public participation was provided prior to adoption of this ordinance.

Section 31: The notice given by the City of Walla Walla for the Planning Commission public hearing conducted on November 5, 2018 and November 19, 2018, review by the City Council at their work session on December 3, 2018, and the duly noticed public meeting before the City Council on December 19, 2018 constitutes the City's public participation procedures for this ordinance which are adopted pursuant to RCW 36.70A.035.

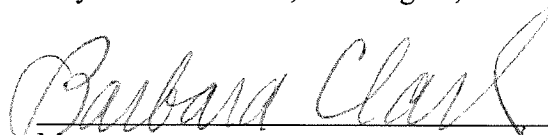
Section 32: If any part of this ordinance is for any reason declared or held to be invalid or unconstitutional by any court or tribunal of competent jurisdiction, such part shall be deemed a separate and distinct and independent provision and such holding shall not affect the validity of the remaining parts hereof.

Section 33: The Walla Walla City Clerk is directed to publish a copy of a summary and notice of adoption of this ordinance as permitted by section 36A.12.160 of the Revised Code of Washington.

Section 34: The Walla Walla City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section subsection numbers and any references thereto.


Section 35: Notice is hereby given that any petition requesting Growth Board review of this zoning ordinance must be filed with the Eastern Washington Growth Management Hearings Board within sixty (60) days after publication of this summary and notice of adoption in accordance with Chapter 36.70A of the Revised Code of Washington.

PASSED by the City Council of the City of Walla Walla, Washington, this 19th day of December, 2018.




Mayor

Attest:



City Clerk

Approved as to form:



City Attorney

SUMMARY AND NOTICE OF ADOPTION OF ORDINANCE NO. 2018-53

AN ORDINANCE ADOPTING AMENDMENTS TITLE 19 AND TITLE 20 OF THE WALLA WALLA MUNICIPAL CODE RELATING TO THE PERIODIC UPDATE TO THE COMPREHENSIVE AND TAKING SUCH OTHER ACTION RELATED THERETO

The Walla Walla City Council passed Ordinance No. 2018-53 at its December 19, 2018 open public meeting which in summary:

- Amends various provisions of the Walla Walla Municipal Code related to the implementation of the Walla Walla Comprehensive Plan Update 2040.
- Repeals Chapters 20.158, 20.166 and 20.168 of the Walla Walla Municipal Code.
- Implements the zoning code map amendments including changing residential zones R-96, R-72, and R-60 to Neighborhood Residentials (RN) and other amendments implementing the future land use map of the Walla Walla Comprehensive Plan Update 2040.

The Walla Walla City Council finds that the development regulation amendments as adopted by this Ordinance and the comprehensive plan as adopted by Ordinance No. 2018-15 conform to the requirements of Chapter 36.70A RCW as evidenced in the staff report to the Planning Commission. The Walla Walla City Council finds that the amendments adopted herein are consistent with and implement the City of Walla Walla's comprehensive plan, as amended. The Walla Walla City Council finds that the amendments adopted herein advance state interests which are stated in RCW 36.70A.010 and in the policies, goals, and other provisions of the City of Walla Walla's comprehensive plan, as amended.

The full text of the ordinance will be mailed upon request made to the Walla Walla City Clerk at Walla Walla City Hall, 15 N. 3rd Avenue, Walla Walla, WA 99362.

Notice is hereby given that any petition requesting Growth Board review of the comprehensive plan map amendment must be filed with the Eastern Washington Growth Management Hearings Board within sixty (60) days after publication of this summary and notice of adoption in accordance with Chapter 36.70A of the Revised Code of Washington.

Summary approved as to form:



City Attorney



ar-3223

Pgs. 183-306

City Council - Regular Meeting

Meeting Date: 12/19/2018

Item Title: Municipal Code Text and Map Amendments to implement the Walla Walla Comprehensive Plan 2040.

Submitted For: Jon Maland, Development Services Department

Project No:
ZCA-18-0002

Financial Comments:
N/A

Federal Funds?: No

If yes, contractor verification completed?: Not Applicable

Brief Summary of Requested Action:

Text and Map Amendments to the Walla Walla Municipal Code to implement the Goals and Policies Walla Walla Comprehensive Plan 2040.

Information

HISTORY:

June 18, 2018- Development Services staff met with various City Departments. This meeting set the schedule for the Code Amendments to implement the newly adopted Comprehensive Plan 2040 and allowed planning staff to receive feedback from City Departments.

July 16, 2018 - The roster from the Walla Walla Comprehensive Plan 2040 was utilized to gather a Stakeholder Advisory Committee (SAC). The Stakeholder Advisory Committee met and was introduced to the proposed Code Amendments' Project.

July 31, 2018- A Public Open House was conducted at the Walla Walla Public Library to discuss with the public the changes to the Municipal Code and asked the public for feedback.

August 6, 2018- Planning Commission review of and discussion on the following Municipal Code provisions: Housing Types, Land Use Density, Zoning, Minimum Lot Sizes and Accessory Dwelling Units (ADU).

September 10, 2018- Stakeholder Advisory Committee continued the review of the draft code amendments to Chapter 20.106 Landscaping, 20.110 Fences, 20.169 Multifamily Dwellings in the Highway Commercial and additional areas of Chapter 20 which included Adaptive Reuse, Urban Planned Communities and Non-Residential Development Standards. September 10, 2018- Planning Commission continued on the review of draft code amendments to Chapter 20.02 General Provisions, Chapter 20.06 Construction and Definitions, Chapter 20.14 Development Authorization, Chapter 20.50 Land Use Zones, Chapter 20.100 Table of Permitted Land Uses, Chapter 20.102 Site Design, Density and Dimensional Regulations and Chapter 20.118 Residential Dwelling and Accessory Use Standards. This meeting included a review of current Multifamily zoned properties, the existing land uses and rezone discussion.

September 17, 2018- A Notice of Application was posted and publish with a Public comment period ending on October 5, 2018. The Notice of Application was circulated to the SEPA distribution list and City of Walla Walla Site Plan Review Committee (SPRC). The Notice of Application posted on the city web site and published in the Union Bulletin.

October 1, 2018- Planning Commission continued the review of the draft code amendments to Chapter 20.110 Fences, Chapter 20.126 Off Street Parking Standards, Chapter 20.127 Parking Table, Chapter 20.146 Conversion

or Demolition of Historic Structures, Chapter 20.158 Day Care Center/Private Schools, Chapter 20.172 Wineries and Breweries and Title 19 Subdivisions, which included Chapters 19.06, 19.26, 19.30 and 19.32

October 10, 2018- State Environmental Policy Act (SEPA) determination issued.

October 19, 2018- Notice of Public Hearing- Posted on the City web site, posted at City Hall and published in the Union Bulletin. October 22, 2018- Final Stakeholder Advisory Committee meeting and final discussion on the draft code amendments . October 22, 2018- Final Planning Commission review meeting and review of Chapter 20.106 Landscaping and Screening, Chapter 20.167 Adaptive Reuse of Nonresidential Buildings in Residential Zones and Chapter 20.169 Multifamily Dwellings in Highway Commercial zone. This meeting included review of the draft amendments to the zoning map to implement the Comprehensive Plan. November 5, 2018- The Planning Commission Public Hearing was conducted and continued to November 19th.

November 19, 2018- The Zoning Map Amendments were presented on this date. The Public Hearing was concluded and the Planning Commission recommended approval of the Text Amendments and Map Amendments as presented. Click here for a copy of the staff report:

<https://www.dropbox.com/s/wjueel03tlqemyn/ZCA-18-0002%20Complete%20Packet%20CC.pdf?dl=0>

POLICY ISSUES:

The below Comprehensive Policies provide the framework for the proposed code changes. The Staff Report to the Planning Commission provides the policy analysis (see attached).

Community Character Policy 1.1 - Use the land use code and design guidelines to ensure that new development reinforces and is guided by the character of existing land use patterns and the architectural attributes of the applicable character areas.

Land Use Policy 1.4 - Review new development proposals to ensure they support the objectives of the Comprehensive Plan such as land use, transportation, community character, historic preservation, and sustainability.

Land Use Policy 1.5 - Establish future land use and zoning designations that minimize and mitigate potential land use conflicts.

Land Use Policy 3.6 - Allow commercial development that provides daily goods and services to adjacent residential neighborhoods.

Land Use Policy 3.7 - Support a variety of housing types such as tiny homes, duplexes, multi-family development, cottage housing, and single family residential.

Land Use Policy 5.1 - Consider physical activity and health when adopting land use policies and regulations and in the siting of community facilities.

Land Use Policy 5.2 - Ensure that new subdivisions and housing are designed to accommodate pedestrian and bicycle access within the development and to nearby community facilities and amenities such as schools, parks, shopping areas, transit corridors, and employment centers.

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PLAN COMPLIANCE:

STRATEGIC PLAN:

Strategic Initiative 4 — Long Term - Encourage Economic development to strengthen the community Objectives:

1. Attract and support small businesses
2. Recruit retail shopping to Walla Walla
3. Encourage affordable housing and reduce homelessness

COMPREHENSIVE PLAN:

The City of Walla Walla Comprehensive Plan 2040 was adopted on June 13, 2018. The Comprehensive Plan contains the Goals and Policies for the proposed Municipal Code Text and Map Amendments to implement.

ALTERNATIVES:

Remand the proposed Municipal Code Text and Map Amendments back to the Planning Commission for further review and recommendation.

STAFF RECOMMENDATION:

The Planning Commission recommends approval of the Text Amendments and Map Amendments as presented.

CITY MANAGER COMMENTS:

Approved for City Council action.

Attachments

Ord 2018-53

Proposed Rezone Map

Affidavit of Publication

STATE OF WASHINGTON, }
County of Walla Walla } ss.

Silvia Richendollar, being first duly sworn upon oath deposes and says:

I am Receptionist of the Walla Walla Union-Bulletin, Inc., Publisher of the

WALLA WALLA UNION
WALLA WALLA DAILY BULLETIN

approved as a legal newspaper by order of the Superior Court of the State of Washington, in and for Walla Walla County; as such officer I make this affidavit on behalf of said publisher.

The legal ad, a true copy of which is annexed hereto, was published in the regular issues (and not in supplement form) of said newspaper, for a period of 1 day day(s), commencing on

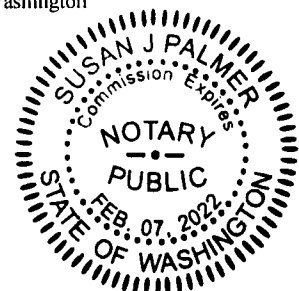
the 27th day of Dec, 2018, and

ending on the 27th day of Dec, 2018, both dates inclusive, and said newspaper was regularly distributed to its subscribers during all of said period. The full amount of the fee charged for the foregoing publication is the sum of \$ 140.92; which amount has been paid in full.

Silvia Richendollar

Subscribed and sworn to before me this 27th day of Dec, 2018.

Susan J Palmer
Notary Public in and for the State of Washington
Residing at Walla Walla, Washington



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Summary approved as to form: City Attorney (Pub. Dec. 27, 2018)