

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Dan Taylor		09-06-94	RECEIVED SEP 7 1994 WHATCOM COUNTY COUNCIL	9-13-94	Council Introduction
Division Head: Dan Taylor	DJD	9/6/94		9-27-94	P&D/Council
Dept. Head: Nate Brown	NJB	9/6/94			
Prosecutor:	KFE	9/6/94			
Purchasing/Budget:					
Executive:	sz/pal				

SUBJECT:

An Ordinance Amending Title 20 Regarding Plant Nurseries and Food Processing

ATTACHMENTS:

- Draft Ordinance
- Agency Report with attached Staff Report
- Draft Planning Commission Minutes

SUMMARY STATEMENT:

Please complete sections of box as appropriate & explain the item below.

Related County contract #:	Should Clerk schedule a hearing? NO /XX/ YES / / Requested date:
Amount budgeted for this item/project: \$	Is it (or will it be) within budget? YES / / NO / / (Please explain below)
Budget line item number(s):	

At direction from Council, the Planning Commission held a public hearing to review a request to amend Title 20, the official Whatcom County Zoning Code, to allow nurseries as a conditional use in residential zones and to allow food processing as an outright permitted use in the Light Impact Industrial zone.

Planning Commission voted unanimously to approve the requests.

ORIGINATOR'S RECOMMENDED ACTION: The Director of Planning and Development Services recommends Council uphold Planning Commission's recommendation to adopt this ordinance.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

- 9/13/94: Council introduction
- 9/27/94: Council adopted the ordinance with amendments.

Related File Numbers:

Ordinance or Resolution Number (this item only):

Ord 94-056

1 Findings

- 2 1. There have been several problems which have arisen lately which might be
3 helped with modifications to existing regulations.
- 4 2) There appears to be a market for plant nurseries in residential and the rural
5 zones, but these are not presently allowed in any of the three zones.
- 6 3) Nurseries have some attributes which make them desirable in residential zones
7 including large open areas and greenery.
- 8 4) Locating nurseries in residential zones has the potential to reduce or shorten
9 vehicular trips.
- 10 5) Plant nurseries can create a number of problems including traffic generation,
11 noise, odor, and use of chemicals.
- 12 6) Most of the negative aspects of nurseries can be dealt with under the proper
13 conditions.
- 14 7) Food processing is not addressed in the Light Impact Industrial zone, except to
15 be specifically excluded as a conditional use, whereas it is specifically called out
16 in the General Manufacturing zone and Heavy Impact Industrial zone.
- 17 8) There are a wide range of uses under the rubric of food processing, many of
18 which are benign enough to fit in the Light Impact Industrial zone or lower
19 intensity zones.
- 20 9) The difficulty lies in sorting out what use would appropriately go where. A
21 number of ways exist to handle this which eventually come down to a
22 performance standard judgement.

23 Conclusions

24 Plant Nurseries

25 Properly conditioned, nurseries could be allowed in most residential or rural areas.

26 Food Processing

27 Food processing in general is appropriate in Light Impact Industrial zones. Applying
28 performance standards as necessary and eliminating primary meat and fish processing
29 eliminates potential problems.

1 NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that:

2 Section 1. The text amendments be adopted for Title 20 as described below:

3 ~~20.32.163 20.34.163 20.36.174~~

4 ~~Plant nurseries and greenhouses for storage, propagation and culture of plants,~~
5 ~~including sales as an accessory use, provided:~~

6 1. ~~Must be located on a collector arterial or higher classified road.~~

7 2. ~~Covered sales area and associated display areas must not exceed~~
8 ~~ten percent of the total area of development.~~

9 3. ~~There shall be fixed hours of operation.~~

10 4. ~~Parking lot, indoor sales or other potential impacts related to~~
11 ~~operations shall be buffered from neighbors.~~

12 5. ~~Signage shall be aesthetically compatible with character of the~~
13 ~~neighborhood.~~

14 6. ~~All other criteria for conditional use permits must be met.~~

15 7. ~~Outdoor storage of fertilizer is prohibited.~~

16 8. ~~No aerial application of chemical products shall be allowed within~~
17 ~~50 feet of dissimilar uses.~~

18 9. ~~This type of activity will be prohibited in the Lake Whatcom~~
19 ~~Watershed and Lummi Island and in other areas deemed to be~~
20 ~~water quality sensitive, excluding retail nurseries operating~~
21 ~~chemical free.~~

22 - Amend Chapter 20.60 as follows:

23 ~~20.66.051~~

24 ~~The Manufacturing and processing of food of a nature that meets the~~
25 ~~purpose and performance standards of this district excluding primary~~
26 ~~processing of meat and fish products.~~

27 Re-number existing list

28 ~~20.66.153~~

29 ~~Collection, transfer, repacking, cutting, grading and similar nonprocessing~~
30 ~~activities for animal, dairy, fruit, vegetable, seafood, bakery and beverage~~

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~~products.~~

Re-number existing list

Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of this Ordinance shall not affect or impair the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

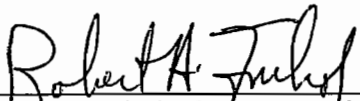
ADOPTED this 27th day of September, 1994.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON



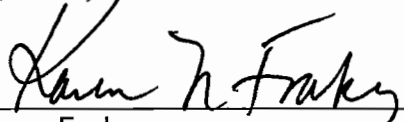
Ramona Reeves, Council Clerk



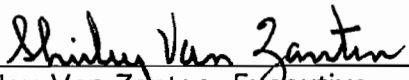
Robert A. Imhof, Council Chair

APPROVED AS TO FORM:

Approved () Denied



Karen Frakes
Civil Deputy Prosecutor



Shirley Van Zanten, Executive

Date: 11-3-94