

**COMPARISON OF WHATCOM COUNTY RESIDENTIAL ZONES**

<b>RURAL RESIDENTIAL (RR)</b>	<b>RURAL (R)</b>
<b>20.32.050 PERMITTED USES</b>	<b>2032.050 PERMITTED USES</b>
.051 One single-family dwelling per lot.	.051 One single-family detached dwelling per lot.
.054 Agriculture, including animal husbandry, horticulture, viticulture, floriculture, silviculture, and beekeeping; and the cultivation of crops.	.052 Agriculture including animal husbandry, horticulture, viticulture, floriculture and beekeeping; and the cultivation of crops.
.052 (1) In short-term planning areas only, single-family attached dwellings; provided, that not more than two units are attached and the number of dwelling units conforms to the density requirements of this district. (2) Outside short-term planning areas, single-family dwellings only.	.053 Sod farming; provided, that removal of such material does not exceed 500 cubic yards of soil per year.
	.054 Fish farms, and aquaculture and mariculture projects; provided, that no new seafood or fish-raising facilities or ponds shall be located within 1,000 feet of agricultural operations requiring pesticide, and/or herbicide applications as part of their normal farm practices.
	.055 Small wood lot management, tree farming, commercial forestry and reforestation, including the temporary use of portable management harvesting or processing equipment.
.055 Private, noncommercial boat docks when located on a manmade canal designed for boat traffic pursuant to the Whatcom County Shoreline Management Program.	
	.056 Private, noncommercial, recreation occupancy of a recreational vehicle; provided, that the following minimum requirements and standards are met and/or followed: (1) Maximum length of stay of any recreational vehicle on a lot shall not exceed a total of 120 days per calendar year; provided, that no accessory guest RV shall remain on the subject lot for more than 14 consecutive days nor more than 30 days total per calendar year. (2) If the subject lot is located within: (a) Rural, one dwelling unit per two acres (R2A), one recreational vehicle and one accessory guest RV per lot shall be allowed. (b) Rural, one dwelling unit per five acres (R5A), or rural, one dwelling unit per 10 acres (R10A), one recreational vehicle and one accessory guest RV may be allowed per each additional two acres of the subject lot. The total number of recreational vehicles on a single lot at one time shall not exceed five. (3) In the case of a special event or occasion: (a) Any proponent of a temporary special event which requires a total allowable number of RVs that exceeds the standard maximum allowed, shall file an affidavit with the department of planning and development services which specifies the nature

**RURAL RESIDENTIAL (RR)**

**RURAL (R)**

	<p>of the special event, location, the specified days of the proposed use and the sanitation and wastewater disposal facilities proposed for the event.</p> <p>(b) The duration of the temporary special event shall include the days the use is being set up and established as well as when the event actually takes place.</p> <p>(c) A parcel shall host no more than three temporary special events within a calendar year; provided, that the time periods specified in subsection (1) of this section are not exceeded.</p> <p>(4) All recreational vehicles that remain on the site for more than 14 consecutive days shall be connected to a permitted on-site sewage system or public sewer or shall provide documentation that wastewater was removed by a licensed sanitary disposal service.</p> <p>(5) All recreational vehicles shall be screened from neighboring properties not using RVs and from public roads. Such screening may consist of landscaped buffer areas, suitable native vegetation or a fence.</p> <p>(6) Lots shall not be leased or rented out on a daily or overnight basis for recreational use.</p> <p>(7) The locations of parked RVs on vacant lots shall observe normal building setback standards for a single-family residence.</p> <p>(8) All recreational vehicles shall be supported by their own wheels or camper jacks, and not be fastened to accessory structures. Placement of a recreational vehicle on a foundation or removal of the wheels of a recreational vehicle, except for temporary purposes for repair, is prohibited.</p>
	<p>.057 Noncommercial extraction of sand, gravel or both for farm enhancement purposes; provided all materials extracted remain on land owned or leased by the farmer for agricultural purposes.</p>
	<p>.058 Gravel bar scalping projects within the jurisdiction of the Shoreline Management Program.</p>
	<p>.060 Public uses associated with government office buildings; public works maintenance yards or facilities, such as shops; storage buildings; and athletic fields and associated facilities if located within the current county complex at Northwest and Smith Roads. Other government or quasi-government uses of similar or complementary types would also be allowed if such uses are compatible with the character of existing facilities and the surrounding neighborhood. Facilities that do not conform to the current pattern of use, including, but not limited to, jail facilities or hazardous waste facilities, that could reasonably be expected to arouse the concern or alarm of the public, or that are incompatible with the surrounding neighborhood, shall require normal conditional use review.</p>
<p>.057 One one-story detached accessory storage building per lot; provided, that the floor area shall not exceed 200 square feet and shall only be used for personal storage and not for habitation or business; and provided further, that the storage building shall contain no indoor plumbing but may be served</p>	<p>.061 One one-story detached accessory storage building per lot; provided, that the floor area shall not exceed 200 square feet and shall only be used for personal storage and not for habitation or business; and provided further, that the storage building shall contain no indoor plumbing but may be served</p>

**RURAL RESIDENTIAL (RR)**

**RURAL (R)**

with electrical power for lighting.	with electrical power for lighting.
.059 Family day care homes subject to the requirements of WCC <a href="#">20.97.180</a> for home occupations.	.063 Family day care homes subject to the requirements of WCC <a href="#">20.97.180</a> for home occupations.
.053 Public parks and recreation facilities included in an adopted city or county Comprehensive Plan or Park Plan.	.064 Public parks and recreation facilities included in an adopted city or county Comprehensive Plan or Park Plan.
.056 Trails, trailheads, restroom facilities and associated parking areas for no more than 30 vehicles.	.065 Trails, trailheads, restroom facilities and associated parking areas for no more than 30 vehicles.
.088 Adult family homes as defined in Chapter 70.128 RCW.	.088 Adult family homes as defined in Chapter 70.128 RCW.
.089 Boarding homes that are similar in size, facilities and occupancy to other residential structures permitted in the zoning district.	.089 Boarding homes that are similar in size, facilities and occupancy to other residential structures permitted in the zoning district.
.090 Mental health facilities that provide residential treatment and are similar in size, facilities and occupancy to other residential structures permitted in the zoning district.	.090 Mental health facilities that provide residential treatment and are similar in size, facilities and occupancy to other residential structures permitted in the zoning district.
.091 Substance abuse facilities that provide residential treatment and are similar in size, facilities and occupancy to other residential structures permitted in the zoning district. (Ord. 2005-079 § 1, 2005; Ord. 2004-026 § 1, 2004; Ord. 2004-014 § 2, 2004; Ord. 2000-040 § 1, 2000; Ord. 99-068, 1999; Ord. 99-062, 1999; Ord. 98-083 Exh. A § 26, 1998; Ord. 97-062; Ord. 96-056 Att. A § D1, 1996; Ord. 93-056, 1993; Ord. 88-40, 1988; Ord. 87-12, 1987; Ord. 87-11, 1987).	.091 Substance abuse facilities that provide residential treatment and are similar in size, facilities and occupancy to other residential structures permitted in the zoning district. (Ord. 2005-079 § 1, 2005; Ord. 2004-026 § 1, 2004; Ord. 2004-014 § 2, 2004; Ord. 2000-040 § 1, 2000; Ord. 99-068, 1999; Ord. 99-062, 1999; Ord. 99-035 § 1, 1999; Ord. 98-083 Exh. A § 38, 1998; Ord. 97-069, 1997; Ord. 92-079, 1992; Ord. 88-29, 1988).
<b>20.32.100 ACCESSORY USES</b>	<b>2032.100 ACCESSORY USES</b>
.101 Home occupations pursuant to WCC <a href="#">20.97.180</a> .	.101 Home occupations pursuant to WCC <a href="#">20.97.180</a> .
.102 Private noncommercial boat docks, launches, ramps, floats, moorages and boathouses pursuant to the Whatcom County Shoreline Management Program.	.102 Private noncommercial boat docks, launches, ramps, floats, moorages and boathouses pursuant to the Whatcom County Shoreline Management Program.
.103 Other accessory uses incidental to the primary permitted use.	.103 Other accessory uses incidental to the primary permitted uses.
.104 Temporary dwelling units which have full living accommodations including sleeping, self-contained cooking, bathing, and toilet facilities where the plumbing is connected to permanent site sewage and water systems, including those	.104 Temporary dwelling units which have full living accommodations including sleeping, self-contained cooking, bathing, and toilet facilities where the plumbing is connected to permanent site sewage and water systems, including those

**RURAL RESIDENTIAL (RR)**

**RURAL (R)**

<p>travel trailers and recreational vehicles that meet the above description, for use by owners during the period of construction of a permanent dwelling while building permit is valid, not to exceed two years. (Ord. 87-23, 1987; Ord. 87-12, 1987; Ord. 87-11, 1987).</p>	<p>travel trailers and recreational vehicles that meet the above description, for use by owners during the period of construction of a permanent dwelling while building permit is valid, not to exceed two years.</p>
	<p>.105 (1) The usual wholesale marketing activities associated with the agricultural, aquacultural, forestry, and mineral resource uses permitted in this district.                  (2) Retail marketing, by the operator, of Whatcom County products which originate from the permitted uses stated in WCC 20.36.052 and 20.36.055 provided:                  (a) Only one stand containing not more than 500 square feet of floor area shall be permitted;                  (b) Such stand shall be subject to the setback requirements of WCC 20.80.200; and                  (c) Such stand shall be provided with a sufficient area to permit at least five automobiles to park safely off the road right-of-way and to reenter the traffic in a forward motion.</p>
	<p>. 106 Utilization of sewage sludge on land when regulated by a utilization permit issued by the Bellingham-Whatcom County district department of public health in accordance with WAC 173-304-300. This would apply to any land owned or leased by the same operator.</p>
	<p>.107 On-site treatment and storage facilities for hazardous wastes associated with outright permitted uses or approved conditional uses subject to the most current siting criteria under Chapter 173-303 WAC. (Ord. 96-056 Att. A § H1, 1996; Ord. 89-10, 1989; Ord. 87-84, 1987; Ord. 87-23, 1987; Ord. 87-12, 1987; Ord. 87-11, 1987).</p>
<p><b>20.32.130 ADMINISTRATIVE APPROVAL USES</b></p>	<p><b>20.3.130 ADMINISTRATIVE APPROVAL USES</b></p>
<p>.131 A temporary second dwelling unit of no more than 1,248 square feet in floor area, in the form of a manufactured home, a fully serviced travel trailer or motor home, to provide:</p> <p>(1) A temporary dwelling space for family members who, due to professionally documented physical or mental disorders, or risks of such disorders, require supervision and care where such care is provided by members of the family who reside on the property; or</p> <p>(2) A temporary dwelling space for a person providing care for the resident owner of the subject property when said owner needs supervision and care as described in (1) above.</p> <p>Approval Requirements:</p> <p>Administrative approval for temporary second dwelling units shall be approved if it is determined that the proposal meets the following requirements:</p> <p>(1) Temporary second dwelling units shall only be permitted</p>	<p>.131 A temporary second dwelling unit of no more than 1,248 square feet in floor area, in the form of a manufactured home, a fully serviced travel trailer or motor home, to provide:</p> <p>(1) A temporary dwelling space for family members who, due to professionally documented physical or mental disorders, or risks of such disorders, require supervision and care where such care is provided by members of the family who reside on the property; or</p> <p>(2) A temporary dwelling space for a person providing care for the resident owner of the subject property when said owner needs supervision and care as described in (1) above.</p> <p>Approval Requirements:</p> <p>Administrative approval for temporary second dwelling units shall be approved if it is determined that the proposal meets the following requirements:</p> <p>(1) Temporary second dwelling units shall only be permitted</p>

**RURAL RESIDENTIAL (RR)**

**RURAL (R)**

<p>on fully serviced parcels on which the applicant can meet setback, ingress, egress, height restrictions, and lot coverage requirements.</p> <p>(2) The size of the temporary dwelling shall be appropriate to the use and size of the parcel and shall be limited so as to comply with the standards set forth in (1) above.</p> <p>(3) The temporary home shall be connected to an approved water supply and adequate capacity sewage disposal system approved by the Whatcom County health department.</p> <p>(4) When care is no longer necessary, the temporary home shall be removed within 60 days.</p> <p>(5) The permit shall be valid for one year. The permit may be extended on a yearly basis; provided, that an affidavit is furnished by the permittee affirming that the circumstances allowing the original permit remain in effect.</p> <p>(6) A covenant shall be filed that restricts sale of the property while the temporary dwelling is in place.</p> <p>(7) The use will not be hazardous or disturbing to existing or future neighboring uses.</p> <p>(8) Evidence of adequate off-street parking space shall be provided.</p> <p>(9) There shall be no occupancy of the temporary dwelling outside the conditions under which the temporary dwelling is permitted pursuant to this section.</p> <p>(10) All mobile homes must demonstrate compliance with minimum HUD Fire Safety Standards and compliance with current Washington Administrative Code (WAC).</p> <p>Penalties: False statements on supporting documentation submitted with the application or failure to comply with any of the approval requirements may be cause for revocation of the permit and prosecution.</p>	<p>on fully serviced parcels on which the applicant can meet setback, ingress, egress, height restrictions, and lot coverage requirements.</p> <p>(2) The size of the temporary dwelling shall be appropriate to the use and size of the parcel and shall be limited so as to comply with the standards set forth in (1) above.</p> <p>(3) The temporary home shall be connected to an approved water supply and adequate capacity sewage disposal system approved by the Whatcom County health department.</p> <p>(4) When care is no longer necessary, the temporary home shall be removed within 60 days.</p> <p>(5) The permit shall be valid for one year. The permit may be extended on a yearly basis; provided, that an affidavit is furnished by the permittee affirming that the circumstances allowing the original permit remain in effect.</p> <p>(6) A covenant shall be filed that restricts sale of the property while the temporary dwelling is in place.</p> <p>(7) The use will not be hazardous or disturbing to existing or future neighboring uses.</p> <p>(8) Evidence of adequate off-street parking space shall be provided.</p> <p>(9) There shall be no occupancy of the temporary dwelling outside the conditions under which the temporary dwelling is permitted pursuant to this section.</p> <p>(10) All mobile homes must demonstrate compliance with minimum HUD Fire Safety Standards and compliance with current Washington Administrative Code (WAC).</p> <p>Penalties: False statements on supporting documentation submitted with the application or failure to comply with any of the approval requirements may be cause for revocation of the permit and prosecution.</p>
<p>.132 Accessory apartments or detached accessory dwelling units to single-family dwellings; provided, that all of the following approval requirements are met:</p> <p>(1) In addition to an existing or permitted dwelling, there shall be no more than one accessory apartment or detached accessory dwelling unit per lot;</p> <p>(2) The owner(s) of the single-family lot upon which the accessory apartment or detached accessory dwelling unit is located shall occupy as their primary domicile at least one of</p>	<p>.132 Accessory apartments or detached accessory dwelling units to single-family dwellings; provided, that all of the following requirements are met:</p> <p>(1) In addition to an existing or permitted dwelling, there shall be no more than one accessory apartment or detached accessory dwelling unit per lot;</p> <p>(2) The owner(s) of the single-family lot upon which the accessory apartment or detached accessory dwelling unit is located shall occupy as their primary domicile at least one of</p>

**RURAL RESIDENTIAL (RR)**

**RURAL (R)**

the dwelling units on that lot;

(3) Proof that adequate provisions have been made for potable water, wastewater disposal, and stormwater runoff for the additional dwelling unit must be obtained prior to application for a building permit;

(4) There shall be only one front entrance to the house visible from the front yard and street for accessory apartments and only one additional entrance visible from the front yard for detached accessory dwelling units;

(5) Accessory apartments and detached accessory units shall be clearly a subordinate part of an existing residence;

(6) In no case shall an accessory apartment or detached dwelling unit be larger than 1,248 square feet in floor area;

(7) Long plats and short plats which are granted after January 25, 1994, shall be marked, specifically designating lots allowed to be developed with accessory apartments or detached accessory dwelling units at the option of the developer for future individual owners. Accessory apartments and detached accessory dwelling units shall be prohibited on:

(a) All lots in long plats which received preliminary plat approval after January 25, 1994, unless those lots have been specifically marked for such use through the long plat process;

(b) All lots within short plats which received approval after January 25, 1994, unless those lots have been specifically marked for such use through the short plat process;

(c) All reserve tracts within long plats and short plats created by the cluster subdivision method;

(8) A common driveway serving both the existing unit and any accessory unit shall be used to the greatest extent possible;

(9) A deed restriction is recorded with the Whatcom County auditor prior to building permit issuance, stating:

(a) Detached accessory dwelling units and associated land cannot be financed or sold separately from the original dwelling, except in the event the zoning permits such a land division; and

(b) One of the dwellings must be the primary domicile of the owner;

(10) Outside of an urban growth area, the minimum lot size for detached accessory units shall be five acres unless the parcel is large enough to accommodate two dwelling units consistent with the underlying zoning density;

the dwelling units on that lot;

(3) Proof that adequate provisions have been made for potable water, wastewater disposal, and stormwater runoff for the additional dwelling unit must be obtained prior to application for a building permit;

(4) There shall be only one front entrance to the house visible from the front yard and street for accessory apartments and only one additional entrance visible from the front yard for detached accessory dwelling units;

(5) Accessory apartments and detached accessory units shall be clearly a subordinate part of an existing residence;

(6) In no case shall an accessory apartment or detached dwelling unit be larger than 1,248 square feet in floor area;

(7) Long plats and short plats which are granted after January 25, 1994, shall be marked, specifically designating lots allowed to be developed with accessory apartments or detached accessory dwelling units at the option of the developer for future individual owners. Accessory apartments and detached accessory dwelling units shall be prohibited on:

(a) All lots in long plats which received preliminary plat approval after January 25, 1994, unless those lots have been specifically marked for such use through the long plat process;

(b) All lots within short plats which received approval after January 25, 1994, unless those lots have been specifically marked for such use through the short plat process;

(c) All reserve tracts within long plats and short plats created by the cluster subdivision method;

(8) A common driveway serving both the existing unit and any accessory unit shall be used to the greatest extent possible;

(9) A deed restriction is recorded with the Whatcom County auditor prior to building permit issuance, stating:

(a) Detached accessory dwelling units and associated land cannot be financed or sold separately from the original dwelling, except in the event the zoning permits such a land division; and

(b) One of the dwellings must be the primary domicile of the owner;

(10) Outside of an urban growth area, the minimum lot size for detached accessory units shall be five acres unless the parcel is large enough to accommodate two dwelling units consistent with the underlying zoning density;

**RURAL RESIDENTIAL (RR)**

**RURAL (R)**

<p>(11) Accessory apartments and detached accessory dwelling units to single-family dwellings are allowed within the Lake Whatcom watershed, only under the following circumstances:</p> <p>(a) Development of the parcel with the primary residence and accessory apartment or detached accessory dwelling shall conform to the density of the zoning district in which it is located. Adjacent properties in the same ownership may be bound by covenant to comply with the underlying zoning density; and</p> <p>(b) All of the above approval requirements shall be met for so long as the accessory unit remains;</p> <p>(12) Detached accessory dwelling units shall be located so as to minimize visual impact to the public right-of-way and to adjacent properties. Location in immediate proximity to the primary residence is preferred. Location closer to property lines than to the primary residence may be considered by the administrator when such location serves the goal of reducing overall visual impact to public right-of-way and adjacent properties, and such location still meets the setback requirements as stated in Chapter <a href="#">20.80</a> WCC. To minimize environmental and visual impact the applicant may be required to provide fencing and/or planting to screen the unit from public right-of-way and adjacent properties;</p> <p>(13) All mobile homes must demonstrate compliance with minimum HUD Fire Safety Standards and compliance with Washington Administrative Code (WAC).</p>	<p>(11) Accessory apartments and detached accessory dwelling units to single-family dwellings are allowed within the Lake Whatcom Watershed, only under the following circumstances:</p> <p>(a) Development of the parcel with the primary residence and accessory apartment or detached accessory dwelling shall conform to the density of the zoning district in which it is located. Adjacent properties in the same ownership may be bound by covenant to comply with the underlying zoning density; and</p> <p>(b) All of the above approval requirements shall be met for so long as the accessory unit remains;</p> <p>(12) Detached accessory dwelling units shall be located so as to minimize visual impact to the public right-of-way and to adjacent properties. Location in immediate proximity to the primary residence is preferred. Location closer to property lines than to the primary residence may be considered by the administrator when such location serves the goal of reducing overall visual impact to public right-of-way and adjacent properties, and such location still meets the setback requirements as stated in Chapter <a href="#">20.80</a> WCC. To minimize environmental and visual impact the applicant may be required to provide fencing and/or planting to screen the unit from public right-of-way and adjacent properties;</p> <p>(13) All mobile homes must demonstrate compliance with minimum HUD Fire Safety Standards and compliance with Washington Administrative Code (WAC).</p>
	<p>.133 Surface mining subject to Washington State’s Surface Mining Act (Chapter 78.44 RCW), and accessory washing and sorting, when within a Mineral Resource Land Special District subject to the requirements of Chapter 20.73 WCC and all other applicable regulations.</p>
<p>.133 Mini-day care centers in a family dwelling.</p>	<p>.134 Mini-day care centers in a family dwelling.</p>
<p>.134 One private, noncommercial, recreational vehicle or park model trailer and one accessory guest RV per lot within pre-existing recreational subdivisions of the Foothills Subarea, as listed in WCC <a href="#">20.97.337</a>; provided, that the following minimum requirements and standards are met and/or followed:</p> <p>(1) All recreational vehicles that remain on the site for more than 14 consecutive days shall be connected to a permitted on-site sewage system or public sewer.</p> <p>(2) Maximum length of occupation of a recreational vehicle shall not exceed 120 days per calendar year; provided, that no accessory guest recreational vehicle shall stay on the lot for more than 14 consecutive days nor more than 30 days total per calendar year.</p> <p>(3) All recreational vehicles shall be screened from neighboring properties not using RVs and from public roads.</p>	

**RURAL RESIDENTIAL (RR)**

**RURAL (R)**

<p>Such screening may consist of landscaped buffer areas, suitable native vegetation or a fence.</p> <p>(4) Lots shall not be leased or rented out on a daily or overnight basis for recreational use.</p> <p>(5) Accessory structures shall be limited to storage, shop, garage, carport and/or similar personal use only and shall not exceed a total of 200 square feet in floor area per lot; provided, that the 200-square-foot limitation shall not apply to that portion of a carport covering the RV.</p> <p>(6) The locations of parked RVs on vacant lots shall observe normal building setback standards for a single-family residence.</p> <p>(7) All recreational vehicles shall be supported by their own wheels or camper jacks, and not be fastened to accessory structures.</p>	
<p>.135 Cottage industries employing no more than two on-site people other than family members residing on the premises; provided, that in addition to the criteria found in WCC 20.84.220 and 20.97.089:</p> <p>(1) The zoning administrator, at his or her discretion, may place limitations on the square footage in an existing or new structure used for a cottage industry and construction of new buildings to house said activity shall not, in any case, exceed <b>1,250</b> square feet of total floor area. The total land area used for buildings and outside storage or other uses related to the cottage industry shall not exceed 10,000 square feet.</p>	<p>.135 Cottage industries employing no more than two on-site people other than family members residing on the premises; provided, that in addition to the criteria found in WCC 20.84.220 and 20.97.089:</p> <p>(1) The zoning administrator, at his or her discretion, may place limitations on the square footage in an existing or new structure used for a cottage industry and construction of new buildings to house said activity shall not, in any case, exceed <b>2,500</b> square feet of total floor area. The total land area used for buildings and outside storage or other uses related to the cottage industry shall not exceed 10,000 square feet.</p>
	<p>.136 In R5A and R10A zoning districts, the processing of agricultural products that originate from the permitted uses in WCC 20.40.050, provided the following criteria are met:</p> <p>(1) The facility is not a slaughterhouse or mushroom substrate production facility.</p> <p>(2) The facility is supplemental and related to the primary permitted use.</p> <p>(3) The facility processes at least 50 percent agricultural goods produced in Whatcom County and which originate from permitted uses.</p> <p>(4) The facility employs no more than 10 permanent employees.</p> <p>(5) The facility does not exceed 10,000 square feet in proposed and existing buildings (as defined by WCC 20.97.035) devoted to agricultural processing. (Ord. 2006-061 § 1 (Att. A)(7), 2006; Ord. 2006-048 § 1 (Exh. A), 2006; Ord. 2005-079 § 1, 2005; Ord. 2001-012 § 1, 2001; Ord. 99-068, 1999; Ord. 98-018 § 1, 1998; Ord. 97-069, 1997; Ord. 95-031, 1995; Ord. 91-009, 1991; Ord. 87-12, 1987; Ord. 87-11, 1987).</p>
	<p style="text-align: center;"><b><u>RURAL (R)</u></b></p> <p>20.36.140 Pre-existing multifamily farmworker housing exemption.</p>
	<p>This section recognizes the existence of multifamily</p>

**RURAL RESIDENTIAL (RR)**

**RURAL (R)**

	<p>farmworker housing located within the Rural Zone and the need to retain existing multifamily farmworker housing whenever possible to maintain the necessary infrastructure for the local farm economy. This section allows for the transfer of ownership of existing multifamily farmworker housing developments to recognized not-for-profit housing agencies or individuals or enterprises whose primary business is agricultural production by administrative approval when the following criteria are met:</p> <p>(1) The structure(s) were constructed before January 1, 1990, within the Rural Zoning District, for the purpose of providing multifamily full-time or part-time accommodation of individuals and their families engaged in farm work as their primary employment.</p> <p>(2) The minimum parcel size shall comply with the specific Rural acreage designation (R5A, R10A) but shall not be less than five acres.</p> <p>(3) The parcel was created by short plat or exempt subdivision pursuant to the requirements of WCC Title <a href="#">21</a>, Land Division Regulations.</p> <p>(4) The structure was constructed in accordance with all building, health, safety and land use requirements in effect at the time of original construction.</p> <p>(5) There is evidence of adequate potable water and sewage disposal.</p> <p>(6) The development shall retain all the specified components and amenities as identified in the original permit approval. Units originally approved as part-time units may be established as full-time units if the administrator finds that adequate services and local infrastructure are available to accommodate the conversion and the approval of such conversions will not seriously alter the existing or future neighborhood uses.</p> <p>(7) Restrictions on the title of the parcel containing the multifamily development which:</p> <p>(a) Restrict future use of the structure as multifamily housing for farmworkers and their families for the life of the structure;</p> <p>(b) Restrict sale of the structure to not-for-profit housing agencies, or individuals or enterprises whose primary business is agricultural production. (Ord. 2006-049 § 1 (Exh. A), 2006; Ord. 2003-021).</p>
<p><b>20.32.150 CONDITIONAL USES</b></p>	<p><b>20.36.150 CONDITIONAL USES</b></p>
<p>.151 Public and community facilities including police and fire stations, libraries, community centers, recreation facilities, and other similar noncommercial uses, excluding correction facilities.*</p>	<p>.151 Public and community facilities including police and fire stations, libraries, community centers, recreation facilities, and other similar noncommercial uses, excluding correction facilities.*</p>
<p>.152 Public schools; and parochial or private schools; provided such schools shall be approved by the State Superintendent of Public Instruction.*</p>	<p>.152 Public schools; and parochial or private schools; provided such schools shall be approved by the State Superintendent of Public Instruction.*</p>
<p>.153 Churches, educational and religious training institutions,</p>	<p>.153 Churches, educational and religious training institutions,</p>

**RURAL RESIDENTIAL (RR)**

**RURAL (R)**

<p>summer camps and cemeteries.</p>	<p>summer camps and cemeteries.</p>
<p>.154 Retirement and convalescent homes; social and health rehabilitation centers; day care centers; mini-day care centers and adult care centers not in a family dwelling; and other health-related services consistent with the purpose of the district.*</p>	<p>.154 Retirement and convalescent homes; social and health rehabilitation centers; day care centers; mini-day care centers and adult care centers not in a family dwelling; and other health-related services consistent with the purpose of the district.*</p>
	<p>.155 Animal hospitals and accessory kennels and stables provided:          (1) No building or animal enclosure shall be located closer than 50 feet from the external property lines;          (2) Such facilities must have a waste disposal program approved by the county health department; and          (3) Such facilities shall be operated at all times in a manner specifically designed to prevent the use of the facilities from becoming a nuisance, either public or private; and the hearing examiner shall require of the applicant a detailed program to minimize potential annoying effects; said program to be recorded as one of the conditions attached to the permit.</p>
	<p>.156 Commercial kennels and stables intended for the boarding or training of domestic animals</p>
	<p>.157 Housing or camping facilities to accommodate seasonal or permanent agricultural employees provided:          (1) Such facilities shall be located at least 50 feet from the external property lines;          (2) Such facilities shall conform with applicable building and health regulations;          (3) Such facilities shall be occupied only by agricultural employees and their immediate families; and          (4) Permanent housing shall not exceed the density of the zone and a covenant shall be filed with the county auditor stating the residence cannot be sold or leased without proper subdivision approval.</p>
	<p>.158 Aircraft landing areas when solely for personal (aircraft based at those landing areas are owned or controlled by the landowner or tenant and subject to any limitations deemed necessary by the hearing examiner) uses; provided the centerline of any such landing area shall not be located within 500 feet of any property line, building, or structure; except that a legal affidavit from adjacent property owner(s) allowing all, or a portion, of that 500 feet as a recorded easement on their property, presented as part of a conditional use permit application, shall be acceptable. The surface of any such landing areas shall be grass or sod and not longer than 2,500 feet. It shall be unlighted and for daytime use only.          Fuels and lubricants associated with the operation of personal use aircraft will be stored and handled in accordance with pertinent state and county codes. All aircraft and pilots must comply with all current Federal Aviation Regulations for the</p>

**RURAL RESIDENTIAL (RR)**

**RURAL (R)**

	<p>maintenance and operation of aircraft. Notification of conditional use permit application hearing shall go, by first class mail, to residents within 1,000 feet from any point on a proposed aircraft landing area; the applicant shall pay the cost of such mailings.</p>
	<p>.159 Surface mining and accessory washing and sorting outside of short-term planning areas; provided, that:</p> <ol style="list-style-type: none"> <li>(1) The activity is not subject to Washington State’s Surface Mining Act (Chapter 78.44 RCW).</li> <li>(2) The activity will not result in excavation or equipment within 50 feet of county road rights-of-way.</li> <li>(3) The activity will not result in excavation or equipment within 50 feet of the exterior property lines of the site, except in the case of two contiguous operations in which case by mutual consent this setback can be zero.</li> <li>(4) Reclaimed side slopes shall not be steeper than three feet horizontal to one foot vertical for unconsolidated materials.</li> <li>(5) At minimum, the operations shall adhere to the development and performance standards of WCC <a href="#">20.73.650</a> and <a href="#">20.73.700</a>.</li> <li>(6) All topsoil remains on site for use in subsequent reclamation.</li> <li>(7) No soil erosion or sedimentation will occur beyond the exterior property lines of the site.</li> <li>(8) No excavation shall occur within the five-year zone of contribution for designated wellhead protection areas. Excavations may occur within the 10-year zone of contribution outside of the five-year zone of contribution if they are not within 10 vertical feet of the seasonal high water table. Wellhead protection boundaries may be adjusted in accordance with WCC <a href="#">20.73.131</a>(2).</li> <li>(9) A cumulative maximum of three acres may be mined within the outer boundary of the parcel as it existed at the time of adoption of the amendment codified in this subsection. The intent of this provision is to prevent multiple conditional use permits for three-acre surface mines on a single parcel and prevent lots that were divided from a parent parcel after adoption of the amendment codified in this subsection from each having a three-acre surface mine.</li> </ol>
<p>.155 Neighborhood grocery stores only in small towns and crossroads commercial areas; provided, that:</p> <ol style="list-style-type: none"> <li>(1) The gross commercial floor area, including sales and storage areas, shall not exceed 2,500 square feet;</li> <li>(2) Storage areas shall be located entirely within the structure; however, outside storage of solid waste receptacles shall be permitted if the receptacles are enclosed and screened from public view;</li> <li>(3) The owner may have no more than two gasoline pumps;</li> <li>(4) Minor auto repairs may be provided; however, engine</li> </ol>	<p>.160 Neighborhood grocery stores in small towns and crossroads commercial areas only; provided, that:</p> <ol style="list-style-type: none"> <li>(1) The gross commercial floor area, including sales and storage areas, shall not exceed 2,500 square feet except that the overall floor area may be increased to a maximum of 3,500 square feet where an ancillary use is approved by the hearing examiner. All ancillary uses shall not exceed 30 percent of the total floor area and must have similar type and level of impacts as generated by a neighborhood grocery store. Such ancillary uses may include but not be limited to post office, soda fountain, hardware sales or clothing sales;</li> <li>(2) Storage areas shall be located entirely within the structure;</li> </ol>

**RURAL RESIDENTIAL (RR)**

**RURAL (R)**

<p>overhaul, body and fender work, tire recapping and vehicle sales are prohibited;</p> <p>(5) Hours of operation shall be limited to 7:00 a.m. through 11:00 p.m.;</p> <p>(6) Height of the building shall not exceed 28 feet from the average grade;</p> <p>(7) The site shall be full fronting on two or more improved public roads or streets;</p> <p>(8) Internal structural lighting shall be limited to hours of operation and shall be designed and installed to prevent the illumination of adjacent properties; however, lighting for security purposes may be used after business hours if such lighting is consistent with the above statement;</p> <p>(9) Not more than two identification signs, not exceeding 40 square feet in area for each road frontage, shall be permitted; provided, that said sign(s) shall be attached flush against the building, but shall not project above any part of the roofline nor extend more than 18 inches from the wall of the building to which it is attached. Said sign(s) shall be harmonious and compatible in appearance with the character of the surrounding area. Signs may only be illuminated by indirect external source.</p>	<p>however, outside storage of solid waste receptacles shall be permitted if the receptacles are enclosed and screened from public view;</p> <p>(3) The owner may have no more than two gasoline pumps;</p> <p>(4) Minor auto repairs may be provided; however, engine overhaul, body and fender work, tire recapping and vehicle sales are prohibited;</p> <p>(5) Hours of operation shall be limited to 7:00 a.m. through 11:00 p.m.;</p> <p>(6) Height of the building shall not exceed 28 feet from the average grade;</p> <p>(7) The site shall be full fronting on two or more improved public roads or streets;</p> <p>(8) Internal structural lighting shall be limited to hours of operation and shall be designed and installed to prevent the illumination of adjacent properties; however, lighting for security purposes may be used after business hours if such lighting is consistent with the above statement; and</p> <p>(9) Not more than two identification signs, not exceeding 40 square feet in area for each road frontage shall be permitted; provided, that said sign(s) shall be attached flush against the building, but shall not project above any part of the roofline nor extend more than 18 inches from the wall of the building to which it is attached. Said sign(s) shall be harmonious and compatible in appearance with the character of the surrounding area. Signs may only be illuminated by an indirect external source.</p>
	<p>.161 Cottage industries employing no more than four people on-site, other than family members residing on the premises, conducted in a structure(s) other than the dwelling unit; provided, that in addition to the criteria found in WCC <a href="#">20.84.220</a> and <a href="#">20.97.087</a>:</p> <p>(1) The hearing examiner, at his discretion, may place limitations on the square footage used in an existing or new structure used for a cottage industry and construction of new buildings to house said activity shall not, in any case, exceed 2,500 square feet of total floor area. The total land area used for buildings and outside storage or uses related to the cottage industry shall not exceed one acre or 25 percent of the site, whichever is less.</p> <p>(2) In the event materials will be stored outdoors, the hearing examiner shall require adequate landscaping, screening or other devices in order that the material will not be visible by surrounding uses or roads.</p> <p>(3) One nonilluminated freestanding sign, visible from the road, and not exceeding six feet in height, may be permitted. One additional nonilluminated sign may be attached to the building for a maximum total signage of 16 square feet. No portion of any sign shall extend above the lowest portion of the</p>

**RURAL RESIDENTIAL (RR)**

**RURAL (R)**

	<p>roof.</p> <p>(4) In the R-10A zone, where the cottage industry involves production or processing of forestry or agricultural related products on parcels larger than 10 acres, the maximum number of employees outside the family may be increased at the rate of one additional employee for each additional 10 acres to a maximum of 10 employees outside the family. In the event that the property is reduced in size below the acreage used to qualify for additional employees under this section, the number of employees shall be proportionately reduced.</p> <p>(5) Seasonal employees working less than 21 days per year will not be counted as employees if they are engaged in work directly related to agriculture or forestry.</p>
	<p>.162 Small scale commercial processing of forestry products on a permanent basis, utilizing permanently installed equipment, and provided the use is compatible and augments the economic viability of the forest community, appropriate provision is made of water to meet fire flow standards, and is consistent with applicable local, state and federal standards and regulations.</p>
	<p>.163 In R5A and R10A zoning districts, the processing of agricultural products that originate from the permitted uses in WCC <a href="#">20.40.050</a>, provided the following criteria are met:</p> <p>(1) The facility is not a slaughterhouse or mushroom substrate production facility.</p> <p>(2) The facility processes at least 50 percent agricultural goods produced in Whatcom County and which originate from permitted uses.</p> <p>(3) The facility employs over 10 permanent employees.</p> <p>(4) The facility exceeds 10,000 square feet in proposed and existing buildings (as defined by WCC <a href="#">20.97.035</a>) devoted to agricultural processing.</p>
<p>.156 Golf course.</p> <p>.164 Athletic fields.</p>	<p>.165 Private or public, commercial and noncommercial sports facilities and clubs including golf courses, playing fields for outdoor sports and other facilities consistent with the purpose of this district.</p>
	<p>.166 Hydroelectric projects of five megawatts or less</p>
	<p>.168 Coin-operated laundry where developed in association with a neighborhood grocery store as provided in WCC <a href="#">20.36.160</a>. Maximum total floor area of the laundry and grocery store shall be 4,500 square feet.</p>
<p>.159 Bed and breakfast lodgings.</p>	<p>.170 Bed and breakfast lodgings.</p>
<p>.160 Confinement feeding operations and feedlots.</p>	<p>.171 Confinement feeding operations and feedlots; provided, however, that such uses shall not be allowed inside urban growth areas.</p>
	<p>.172 Commercial operations that directly provide goods or services to agricultural operators with the intent of augmenting agricultural operations, including but not limited to hay sales</p>

**RURAL RESIDENTIAL (RR)**

**RURAL (R)**

	<p>and storage, sawdust sales and storage, farm equipment service and repair, and farm chemical applicator establishments; provided, that the prospective commercial operation is limited to directly serving agricultural operators; does not include the manufacture of farm-related implements; does not include livestock auction facilities; and is located on a parcel that is surrounded by agricultural operations or is in an area that is predominantly used for agriculture or forestry or mining.</p>
	<p>.173 Rock crushing and asphalt and concrete batch plants, when within an MRL Special District</p>
<p>.163 Plant nurseries and greenhouses for storage, propagation and culture of plants, including sales as an accessory use provided:</p> <ol style="list-style-type: none"> <li>(1) Must be located on a collector arterial or higher classified road.</li> <li>(2) Covered sales area and associated display areas must not exceed 10 percent of the total area of development.</li> <li>(3) There shall be fixed hours of operation.</li> <li>(4) Parking lot, indoor sales or other potential impacts related to operations shall be buffered from neighbors.</li> <li>(5) Signage shall be aesthetically compatible with the character of the neighborhood.</li> <li>(6) All other criteria for conditional use permits must be met.</li> <li>(7) Outdoor storage of fertilizer is prohibited.</li> <li>(8) No aerial application of chemical products shall be allowed within 50 feet of dissimilar uses.</li> <li>(9) This type of activity will be prohibited in the Lake Whatcom watershed and Lummi Island and in other areas deemed to be water quality sensitive, excluding retail nurseries operating chemical free.</li> </ol>	<p>.174 Plant nurseries and greenhouses for storage, propagation and culture of plants, including sales as an accessory use provided:</p> <ol style="list-style-type: none"> <li>(1) Must be located on a collector arterial or higher classified road.</li> <li>(2) Covered sales area and associated display areas must not exceed 10 percent of the total area of development.</li> <li>(3) There shall be fixed hours of operation.</li> <li>(4) Parking lot, indoor sales or other potential impacts related to operations shall be buffered from neighbors.</li> <li>(5) Signage shall be aesthetically compatible with the character of the neighborhood.</li> <li>(6) All other criteria for conditional use permits must be met.</li> <li>(7) Outdoor storage of fertilizer is prohibited.</li> <li>(8) No aerial application of chemical products shall be allowed within 50 feet of dissimilar uses.</li> <li>(9) This type of activity will be prohibited in the Lake Whatcom watershed and Lummi Island and in other areas deemed to be water quality sensitive, excluding retail nurseries operating chemical free.</li> </ol>
	<p>.175 Indoor and outdoor, live commercial entertainment; provided, that:</p> <ol style="list-style-type: none"> <li>(1) The use is located within a Rural 10 Acre (R10A) District, and upon at least a 10 acre parcel.</li> <li>(2) The use requires a rural setting to be compatible with its entertainment theme.</li> <li>(3) Maximum attendance is limited to 1,000 persons per day.</li> <li>(4) Accessory food service and gift shop activity is limited to five hours per day, liquor service is prohibited.</li> <li>(5) The use shall not exceed maximum environmental noise levels established by state law (Chapter 173-60 WAC).</li> </ol>

**RURAL RESIDENTIAL (RR)**

**RURAL (R)**

	<p>(6) The use will not generate primary traffic flows on local access roads where adjacent residential density exceeds one unit per five acres.</p> <p>(7) Minimum buffering shall be required as established in WCC <a href="#">20.80.345</a>; provided, that minimum side and rear yard buffers are at least 50 feet.</p> <p>(8) Limited hours and seasons of operation are established.</p> <p>(9) One on-premises freestanding sign is permitted only, not to exceed 10 feet in height and 24 square feet in surface area per face, and not exceeding two faces per sign.</p> <p>(10) Off-street parking is provided for, consistent with WCC <a href="#">5.40.040</a>; overnight RV parking and/or camping is prohibited.</p>
	<p>.176 Rental cabins, together with associated meeting facilities and other customary accessory uses, including but not limited to cooking and dining facilities, retail sales of meeting supplies and gifts, swim pools and exercise rooms in the Foothills Subarea, provided the following standards are met:</p> <p>(1) Density shall not exceed five sleeping units per five gross acres.</p> <p>(2) Legally established resorts or rental cabins existing as of the date of the adoption of the ordinance codified in this section which meet the criteria in subsection (1) of this section shall be permitted outright. However, expansions shall only be allowed by conditional use and shall be bound by the density standards above; and</p> <p>(3) Each cabin shall have a maximum of three sleeping units</p>
.157 Activity centers.	.177 Activity centers.
.158 Public or private parks that are not included in an adopted city or county Comprehensive Plan or Park Plan.	.178 Public or private parks that are not included in an adopted city or county Comprehensive Plan or Park Plan.
.161 Public campgrounds.	.179 Public campgrounds.
.165 Trailheads with parking areas for more than 30 vehicles.	.180 Trailheads with parking areas for more than 30 vehicles.
.183 State education facilities.	.183 State education facilities.
.185 Type I solid waste handling facilities.	.185 Type I solid waste handling facilities.
.186 Type II solid waste handling facilities.	.186 Type II solid waste handling facilities.
	.187 Type III solid waste handling facilities only in those areas specified as suitable for solid waste sites in the applicable subarea Comprehensive Plan.
.189 Boarding homes that are larger than other residential structures permitted in the zoning district.*	.189 Boarding homes that are larger than other residential structures permitted in the zoning district.*
.190 Mental health facilities that provide residential treatment and are larger than other residential structures permitted in the zoning district.*	.190 Mental health facilities that provide residential treatment and are larger than other residential structures permitted in the zoning district.*
.191 Substance abuse facilities that provide residential treatment and are larger than other residential structures permitted in the zoning district.*	.191 Substance abuse facilities that provide residential treatment and are larger than other residential structures permitted in the zoning district.*
.190 Mental health facilities that provide residential treatment and are larger than other residential structures permitted in the zoning district.*	.192 Mental health facilities that provide crisis care.*
.191 Substance abuse facilities that provide residential treatment and are larger than other residential structures	.193 Substance abuse facilities that provide crisis care.*

**RURAL RESIDENTIAL (RR)**

**RURAL (R)**

permitted in the zoning district.*	
	.194 Outpatient mental health facilities.*
	.195 Outpatient substance abuse treatment facilities, including opiate substitution treatment clinics.*
.192 Mitigation banks as a form of compensatory mitigation for wetland and habitat conservation area impacts when permitted in accordance with the provisions of Chapter <a href="#">16.16</a> WCC; provided, applications for mitigation banks shall be processed as a major development project pursuant to Chapter <a href="#">20.88</a> WCC. (Ord. 2005-068 § 2, 2005; Ord. 2004-026 § 1, 2004; Ord. 2004-014 § 2, 2004; Ord. 2001-012 § 1, 2001; Ord. 99-068, 1999; Ord. 98-083 Exh. A § 27, 1998; Ord. 98-018 § 1, 1998; Ord. 96-056 Att. A § E1, 1996; Ord. 95-031, 1995; Ord. 94-056, 1994; Ord. 94-002, 1994; Ord. 90-41, 1990; Ord. 88-93, 1988; Ord. 88-40, 1988; Ord. 88-13, 1988; Ord. 87-12, 1987; Ord. 87-11, 1987; Ord. 82-58, 1982).	.196 Mitigation banks as a form of compensatory mitigation for wetland and habitat conservation area impacts when permitted in accordance with the provisions of Chapter <a href="#">16.16</a> WCC; provided, applications for mitigation banks shall be processed as a major development project pursuant to Chapter <a href="#">20.88</a> WCC. (Ord. 2006-048 § 1 (Exh. A), 2006; Ord. 2005-068 § 2, 2005; Ord. 2004-026 § 1, 2004; Ord. 2004-014 § 2, 2004; Ord. 2001-047 § 1, 2001; Ord. 2001-012 § 1, 2001; Ord. 99-068, 1999; Ord. 98-083 Exh. A § 39, 1998; Ord. 98-078 Exh. A, 1998; Ord. 98-018 § 1, 1998; Ord. 97-069, 1997; Ord. 96-056 Att. A §§ H2, H3, 1996; Ord. 95-031, 1995; Ord. 94-056, 1994; Ord. 94-028, 1994; Ord. 94-002, 1994; Ord. 93-076, 1993; Ord. 92-079, 1992; Ord. 91-013, 1991; Ord. 90-41, 1990; Ord. 88-93, 1988; Ord. 88-29, 1988; Ord. 88-13, 1988; Ord. 87-84, 1987; Ord. 87-64, 1987; Ord. 87-12, 1987; Ord. 87-11, 1987; Ord. 86-42, 1986; Ord. 85-17, 1985; Ord. 82-58, 1982).