

Staff Report

Date: November 5, 2015

To: Planning Commission

From: Tim Crose, Planning Director

RE: Request for an Amendment to Section 7 Agricultural District to allow for the preparation and consumption of fish & shellfish products processed on-site.

Introduction

The Nisbet Oyster Co., Inc. is proposing to expand its current retail business of seafood related products to include a complimentary café. The current language in Section 7, Agriculture, of Zoning Ordinance No. 162 allows for the retail and wholesale sales of fish & shellfish products produced or caught off-site but processed on-site. In order for the Nisbet Oyster Company to expand operations to include a Café, they are requesting the language in Section 7 be modified to allow this type of use.

History

When zoning was introduced to the north half of Pacific County back in 2004, updated Zoning Ordinance No. 153 established a range of uses for each new land use district. The newly zoned areas were created by blending existing development patterns with intended development strategies outlined in the Comprehensive Plan. Minimum development standards, supplementary uses, and development regulations were established for each district.

The Agriculture (AG) Zoning District designation was applied to those lands identified in the County Comprehensive Plan as long term commercially viable agricultural lands and generally included cranberry growing areas on both the Long Beach Peninsula and the Grayland Plains, some shellfish areas and some limited grazing areas. Two outlying shellfish processing facilities (Ekone Oyster and Nisbet Goose Point) located in the Bay Center area, were designated AG bringing them into conformity with the new zoning regulations as well as three other shellfish related industries located on the Long Beach Peninsula. Please see attached Zoning Maps on pages 5&6..

The newly fashioned Agricultural District language, allowed for commercial processing, farming, storage of gear, and sales of aquaculture products as an outright permitted use. Updated Zoning Ordinance No. 162 allows for the retail and wholesale sales of aquaculture products, i.e., fish, shellfish, etc., produced or caught off-site but processed

on-site. The current regulations do not allow for seafood products to be prepared in a restaurant style fashion.

Request

The proponents are requesting a change in the Agriculture Accessory Use rules to expand retail sales to allow for the preparation and consumption of seafood related products processed on-site.

Current language:

7. Retail and wholesale sales of aquacultural products, i.e., fish, shellfish, etc., produced or caught off-site but processed on-site.

Proposed Language:

7. Retail and wholesale sales of aquacultural products, i.e., fish, shellfish, etc.; prepared either for on or off-site consumption; with the end product being consistent and complimentary to the specific aquaculture products produced on-site.

SECTION 7 – AGRICULTURAL DISTRICT (AG)

A. INTENT

The Agricultural District is established to promote the economic viability of the various agriculture lands of long term commercial significance by protecting such lands from development pressures and incompatible land uses, by preserving important open space areas and by protecting environmental conditions conducive to a healthy agricultural economy. Generally, the agricultural lands of long-term commercial significance include cranberry growing areas, aquacultural and shellfish areas, and some limited livestock grazing areas.

B. PERMITTED USES

1. All agricultural uses, including animal husbandry, horticulture, viticulture, floriculture, beekeeping, crop cultivation, wholesale nurseries, and includes the processing of agricultural products.
2. The cultivation, harvest, and production of forest products or any forest crop, in accordance with Chapter 76.09 RCW and any relevant provisions of the Washington Administrative Code.

3. The cultivation, harvest, and production of ferns, moss, boughs, bark, berries, nuts, tree fruits, tree seeds, nursery stock, and Christmas trees.
4. All aquacultural farming activities, including the storage of commercial fishing gear and the sales of aquacultural products.
5. Commercial processing of aquacultural products consistent with the minimum development standards of this Ordinance and conducted in accordance with local and state health requirements.
6. One single-family residential dwelling per lot of record that meets the applicable standards in either Subsection 21.D, Residential Housing Standards, or Subsection 21.E, Mobile/Manufactured Housing Standards.
7. The management and propagation of fish and wildlife.
8. Normal public services, facilities and utilities including, but not limited to, communication and electrical power substations, water reservoirs, transmission lines, pumping service facilities, satellite fire stations, sheriff substations, communication relay stations, and wireless communication facilities.
9. Watershed management practices, including erosion control measures, drainage control structures, vegetation management to improve run-off characteristics, weather stations, stream gauging stations, and watershed research facilities.
10. Temporary Recreational Vehicle use that meet the standards in Subsection 21.I, Recreational Vehicle Usage, Occupancy and Storage.
11. Any use or activity similar in nature, usage and impacts to a listed permitted use.

C. ACCESSORY USES

1. Uses incidental to the primary permitted forestry, agricultural and aquacultural uses.
2. Uses incidental to a primary permitted residential use including, but not limited to, garages, storage buildings, ponds, accessory residential dwellings, etc.
3. Uses incidental to the primary permitted agricultural use including, but not limited to, barns, storage buildings, loafing sheds, animal confinement lots, ponds, corrals, temporary worker housing, etc.

4. Home occupation uses according to the standards contained in Subsection 21.K, Home Occupations.
5. A detached accessory living quarter for the sole use by the owner, his temporary guest(s) or employee(s) that meets the standards contained in Subsection 21.F, Accessory Structures/Uses.
6. Retail sales of agriculture and horticulture products provided they are produced on the premises upon which such products are being sold. This accessory use specifically excludes the retail sales of products grown or produced off-site and imported specifically for the purpose of retail sales.
7. Retail and wholesale sales of aquacultural products, i.e., fish, shellfish, etc., produced or caught off-site but processed on-site.
8. Level 1, 2 and 3 electric vehicle charging stations.
9. Any use or activity similar in nature, usage, and impacts to a listed accessory use.

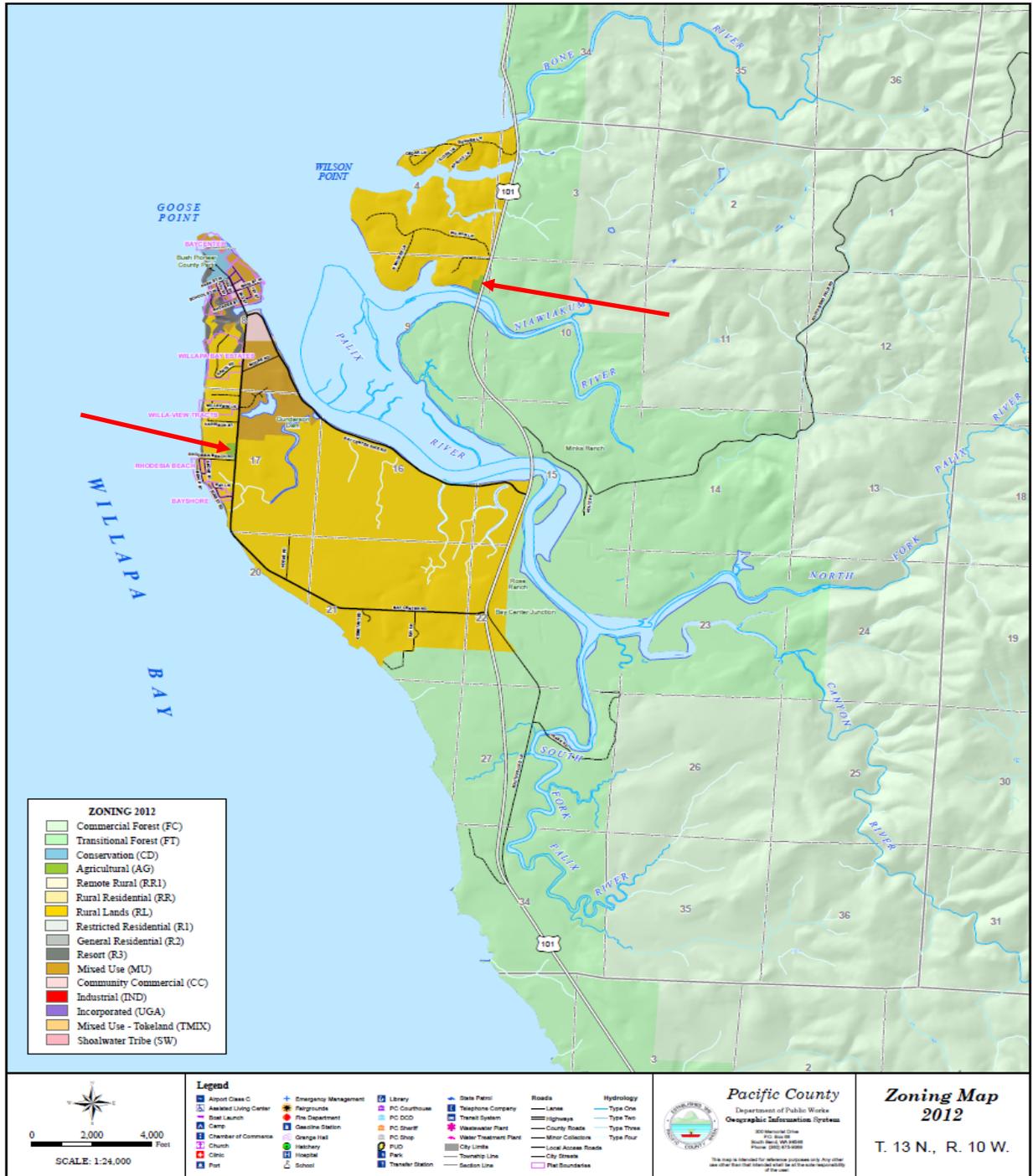
Location

The Nisbet Oyster Company is located on the Niawakum River, 7081 HWY 101 Bay Center, Washington.

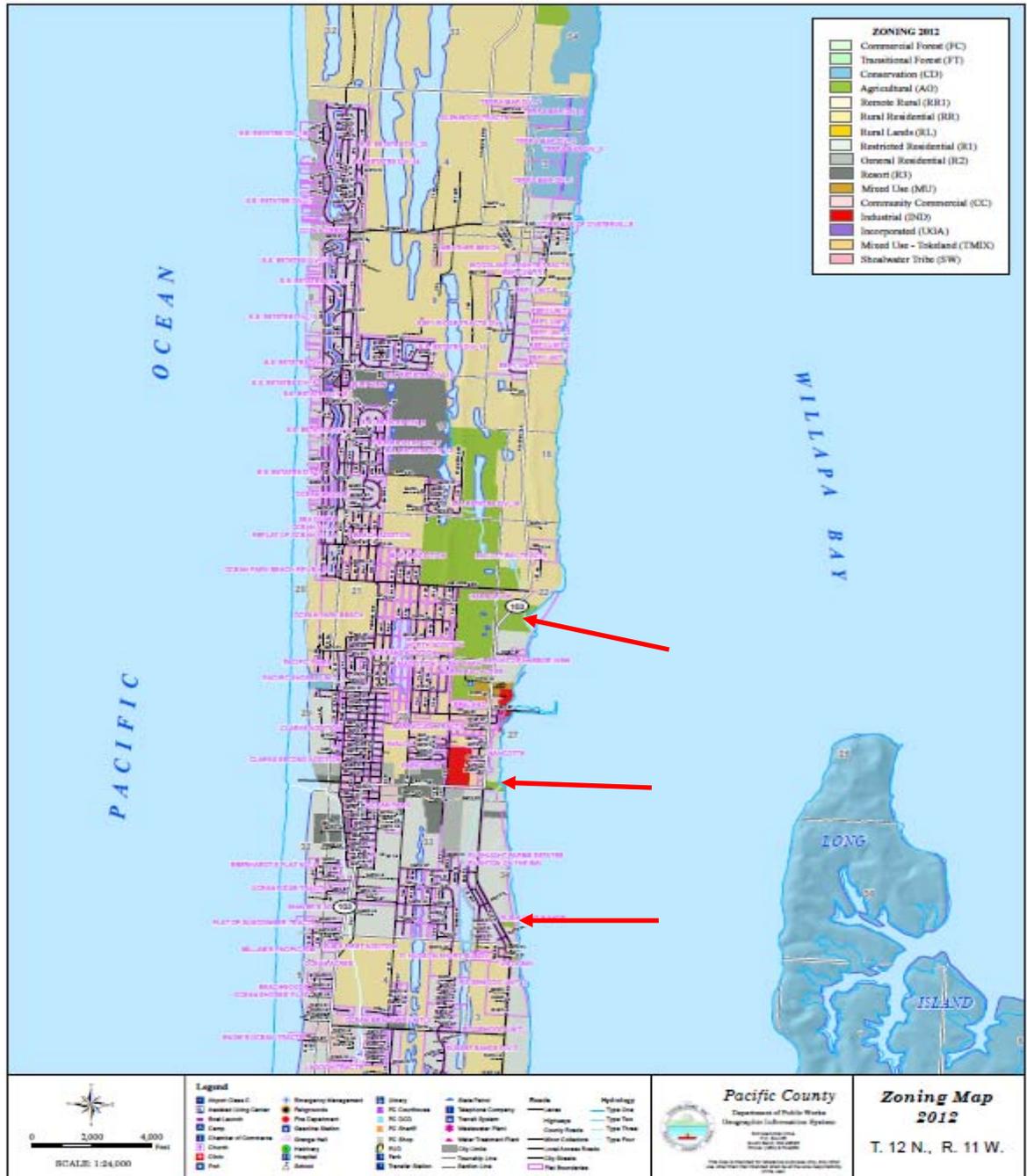


Parcel Location

Highway 101



Red arrows identify Agricultural Zones with shellfish related practices.



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