



COUNTY COMMISSIONERS

Cathy Wolfe
District One
Sandra Romero
District Two
Karen Valenzuela
District Three

RESOURCE STEWARDSHIP DEPARTMENT

Creating Solutions for Our Future

Cliff Moore
Director

MEMORANDUM

TO: Thurston County Planning Commission

FROM: Scott Longanecker, Associate Planner

DATE: July 20, 2011

SUBJECT: 2009/2010 Development Code Docket, Item A-7 – Retail sales of agricultural products. (Title 20).

Following the May 18, 2011 Planning Commission hearing, staff was asked to provide additional information regarding the proposed requirement for a 20-foot wide vehicular access for a farm stand. This particular requirement comes directly from the Thurston County Road Standards and is related to traffic safety (ingress and egress). Kevin Hughes with the Public Works Department attended the June 1, 2011 Planning Commission meeting and discussed the reasons for this requirement in terms of traffic safety. Mr. Hughes explained the process of requesting a variance from this standard if an applicant is unable to meet the required access width.

Staff was asked to prepare a draft motion and findings for the proposed policy changes to Thurston County Development Code, Title 20 and to include recommendations for future policy changes regarding exempt signs and exempt tent type structures. The amendment being recommended by staff is the same as that presented at the last Planning Commission meeting / hearing. For your convenience staff has attached the proposed policy changes.

For more information, including the staff report and supporting documents, please go to:

http://www.co.thurston.wa.us/planning/docket/docket_home.htm

2009/2010 Thurston County Development Code Docket, Item A-7 –Retail sales of agricultural products. (Title 20), Amendment Motion and Findings.

Move to recommend approval of amendments to Title 20, Chapter 20.54.070, and 20.54 – Table 1 of the Thurston County Development Code to permit farm stands in most zoning districts and provide uniform standards for their placement and operation.

Findings:

1. The proposed amendment is consistent with the Growth Management Act 36.70A RCW.
2. The proposed amendment is consistent with the Thurston County County-Wide Planning Policies.
3. The proposed amendment is consistent with the Thurston County Comprehensive Plan.
4. The proposed amendment is consistent with other sections of the Thurston County Code.
5. The Thurston County Planning Commission held a briefing on February 2, 2011 and April 6, 2011 regarding the proposed amendments.
6. The Thurston County Planning Commission held a duly advertised public hearing on May 18th, 2011 to take public testimony as required by Thurston County Code Chapter 2.05 Growth Management Public Participation.
7. The Thurston County Planning Commission held a follow-up briefing on June 1, 2011 to address questions and issues brought forward during and after the public hearing on May 18th, 2011.
8. The Thurston County Planning Commission was in favor of further building permit exemptions for farm stands. These proposed exemptions relate to International Building and Fire Codes which only allow a two (2) foot by two (2) foot sign or smaller to be exempt from a building permit. A second issue raised by the Planning Commission was the current six (6) month limit per year on the length of time that a tent or membranous type farm stand could be used pursuant to the International Fire Code (IFC). The IFC allows the County Building Official to grant exemptions to this six (6) month per year limit on tent type structures. The Planning Commission recommends that Thurston County develop an internal policy which allows tent or membranous type farm stands, within certain parameters, to remain up year around.
9. The Thurston County Planning Commission recommends a specific sign exemption for farm stands which would allow one thirty-two (32) square foot sign to be exempt from a building permit. The Planning Commission further recommends that the Board of County Commissioners (BoCC) submit a request to the State Building Code Council to allow farm stands to have an exempt advertising sign up to 32 square feet on-site.
10. The proposed change will provide standards for the review and approval of farm stands in Thurston County and will help guide current and future farm stand operators and minimize potential traffic safety and land use conflicts.
11. The proposed change will benefit public health, safety, and general welfare of Thurston County residents by improving access to healthy, local foods and increasing potential sources of farm revenue.

Attachment A:

Proposed new language:

Title 20 Zoning would be amended as follows:

Deleted Text: ~~Strikethrough~~ Proposed Changes: Underlined
Staff Comments: *Italics* Unaffected Omitted Text: (...)

Possible language for Title 20:

Long Term Ag. District (LTA)

20.08A.020 – Primary uses.

Subject to the provisions of this title, the following uses are permitted within this district:

1. Agriculture, including forest practices;
2. Single-family dwellings with lots conforming to provisions of Section 20.08A.035(3);
3. Greenhouses—wholesale;
4. Accessory uses and structures including, but not limited to, a farm residence, barns, garages, storage buildings for crops, feed and equipment sheds, nurseries, shipping, receiving and handling facilities, and retail facilities for the sale of agricultural products primarily produced on the premises and related products;
- 4.5 Farm stands for retail sale of agricultural products grown in the Pacific Northwest are permitted as a matter of right, i.e. no land use approval is required, provided the farm stand is a membranous structure (i.e. tent or canopy), does not exceed 400-square feet if enclosed on one or more sides, or 700 square feet if open on all sides and meets the standards contained in section 20.54.070 11.7(a.), and the stand is in place for no more than six (6) months out of the year. Wood or metal framed structures meeting all applicable Building Code requirements and the standards contained in this section may operate year around.
- 4.6 An on-site advertising sign of no more than four square feet meeting the standards of section 20.40.035 TCC is exempt from Thurston County review and approval. Larger signs are permitted pursuant to TCC 20.40 and may require a building permit.

...

20.08C - Nisqually Agricultural District (NA)

...

20.08C.020 – Primary uses.

Subject to the provisions of this title, the following uses are permitted within this district:

1. Agriculture, including forest practices (refer to the definition in Section 20.03.040; does not include wholesale greenhouses);
2. Accessory uses and structures including but not limited to farm residences, barns, garages, storage buildings for crops, feed and equipment sheds, shipping, receiving and handling facilities; and retail facilities for the sale of agricultural products primarily produced on the premises and related products;
- ~~3.~~ ~~Farm stands which sell agricultural products, provided these products are raised on the premises, the stand does not exceed five hundred square feet, and customer parking is provided on the site;~~
3. Farm stands for retail sale of agricultural products grown in the Pacific Northwest are permitted as a matter of right, i.e. no land use approval is required, provided the farm stand is a membranous structure (i.e. tent or canopy), does not exceed 400-square feet if enclosed on one or more sides, or 700 square feet if open on all sides and meets the standards contained in section 20.54.070 11.7(a.), and the stand is in place for no more than six (6) months out of the year. Wood or metal framed structures meeting all applicable Building Code requirements and the standards contained in this section may operate year around.
4. An on-site advertising sign of no more than four square feet meeting the standards of section 20.40.035 TCC is exempt from Thurston County review and approval. Larger signs are permitted pursuant to TCC 20.40 and may require a building permit.
5. 4- Bare root nurseries for the growing and raising of nursery stock and/or Christmas trees, provided that the plants are grown in the ground and not in containers;
6. 5- Single-family dwellings with lots conforming to provisions of Sections 20.08C.040 and 20.08C.050; and
7. 6- Farm housing facilities accessory to the main farm residence to accommodate agricultural workers and their families employed on the premises, or housing for family members of the farm owners as provided:
 - a. These housing facilities are only permitted on parcels containing at least twenty acres and shall not exceed two farm housing units for parcels in excess of forty acres,

...

20.54.070 – Use Specific Standards.

Subsection 11.7 - Farm stands.

- a. Farm stands for retail sale of agricultural products are permitted as a matter of right, i.e.no land use approval is required, provided the farm stands meet the following standards;
 - i. The roofed area or associated structure does not exceed 400 square feet if enclosed on one or more sides, or 700 square feet if open on all sides and the structure is a tent or similar membranous structure, or licensed as a vehicle and the stand is in place for no more than six (6) months out of the year. Wood or metal framed structures meeting all applicable Building Code requirements and the standards contained in this section may operate year around.
 - ii. Product display area does not exceed 1,000 square feet.

- iii. Safe vehicular access and customer parking is provided on site, such that vehicles are not required to back onto County roads.
 - iv. Farm stand and associated parking shall be located outside of public right-of-ways. Structures and canopies associated with a farm stands must be set back a minimum of 10-feet from public right of ways.
 - v. The agricultural products sold are grown or produced in the Pacific Northwest.
 - vi. Ancillary products and services are permitted, however they shall not exceed twenty five (25)% of product display area.
 - vii. Farm stands operated by separately owned farms are encouraged to be collocated in the same area, using shared vehicular access and parking, or they shall be separated by a minimum of 1,000 feet between access points. The Director of Resource Stewardship may consider exceptions to this separation standard on a case by case basis. Up to three (3) separately operated, exempt farm stands meeting the standards of subsection 11.7(a.) of this section are permitted on one site, but must be separated by twenty (20) feet minimum pursuant to International Fire Code requirements.
 - viii. All other applicable state and local regulations related to public health, safety, including food safety and general welfare shall be met.
 - ix. Unless a twenty (20) foot wide, existing, legal vehicular access is used, a new farm stand requires a Thurston County Public Works encroachment permit to provide access, or to improve an existing access from a County road.
 - x. An on-site advertising sign of no more than four square feet meeting the standards of section 20.40.035 TCC is exempt from Thurston County review and approval. Larger signs are permitted pursuant to TCC 20.40 and may require a building permit.
- b. Farm stands for retail sale of agricultural products shall be reviewed through an administrative special use permit if the following standards are met:
- i. The roofed area or associated structure does not exceed 1,000 square feet.
 - ii. The total product display area of each farm stand does not exceed 1,500 square feet.
 - iii. Safe vehicular access and customer parking is provided on site , such that vehicles are not required to back onto County roads.
 - iv. Farm stand and associated parking shall be located outside of public right-of-ways.
 - v. The agricultural products sold are grown or produced in the Pacific Northwest.
 - vi. Ancillary products and services are permitted, however they shall not exceed twenty five (25)% of product display area.
 - vii. Farm stands operated by separately owned farms are encouraged to be collocated, using shared vehicular access and parking, or they shall be separated by a minimum of 1,000 feet between access points. The Director of Resource Stewardship may consider exceptions to this separation standard on a case by case basis.
 - viii. All applicable state and local regulations related to public health, safety, including food safety and general welfare shall be met.

- ix. Unless a twenty (20) foot wide, existing, legal vehicular access is used, a new farm stand requires a Thurston County Public Works encroachment permit to provide access, or to improve an existing access from a County road.
 - x. Four (4) or more separately operated, co-located farm stands meeting the standards of subsection 11.7(a.) of this section are permitted through an Administrative Special Use Permit and must be separated by a minimum of twenty (20) feet pursuant to International fire and building codes.
 - xi. Advertising signage shall comply with TCC 20.40.
- c. Farm stands for retail sale of agricultural products meeting the following standards shall be reviewed and approved by the Thurston County Hearings Examiner through a special use permit when the roofed area or associated structure is greater than 1,000 square feet and less than 2,000 square feet in size, and the total product display area, covered and uncovered, does not exceed 2,500 square feet in area. Such farm stands shall meet the following standards;
- i. Safe vehicular access and customer parking shall be provided on site, such that vehicles are not required to back onto County roads.
 - ii. Farm stand and associated parking shall be located outside of public right-of-ways.
 - iii. Ancillary products and services are permitted, however they shall not exceed twenty five (25)% of product display area.
 - iv. The agricultural products sold are grown or produced in the Pacific Northwest.
 - v. Farm stands operated by separately owned farms are encouraged to be collocated, using shared vehicular access and parking, or they shall be separated by a minimum of 1,000 feet between access points. The Director of Resource Stewardship may consider exceptions to this separation standard on a case by case basis.
 - vi. All applicable state and local regulations related to public health, safety, including food safety and general welfare shall be met.
 - vii. Unless a twenty (20) foot wide, existing, legal vehicular access is used, a new farm stand requires a Thurston County Public Works encroachment permit to provide access, or to improve an existing access from a County road.
 - viii. Advertising signage shall comply with TCC 20.40.