

CITY OF LYNDEN  
PLANNING COMMISSION RESOLUTION #22-07

**A resolution of recommendation for the approval of  
Conditional Use Permit 22-02, Project Zebra / Premier Packing**

WHEREAS, JP Slagle, Freeland and Associates, Inc, hereinafter called the "Proponent," submitted a complete application to the City of Lynden, hereinafter called "the City," for a conditional use permit to allow food processing within the Industrial Business Zone (IBZ). The application details construction of a 194,250 square foot seafood processing facility with associated truck access, employee parking, and utility infrastructure. The proposal also includes a request to build an additional 5 feet in height for the freezer portion of the structure to a maximum of 50-feet. Additionally, the facility may expand an additional 74,000 square feet as shown within the application.

WHEREAS, the application was determined to be complete on September 20, 2022, and the notice of application was published in the Lynden Tribune on October 12, 2022; and

WHEREAS, the Proponent has provided the City with receipts for the certified mailing of all required notices to all property owners within three hundred feet of the subject property together with the affidavits of posting said notices; and

WHEREAS, the Lynden Planning Commission held a public hearing on November 17, 2022, to accept public testimony on the proposed conditional use permit request, and that meeting was duly recorded;

WHEREAS, the City's Technical Review Committee has reviewed the request for the conditional use permit and has provided comments and recommendations to the Planning Commission in a report dated November 14, 2022,

WHEREAS, the Lynden Planning Commission has reviewed the conditional use permit request and has found that the application meets the criteria for granting a conditional use permit under Chapter 19.49.020 of the Lynden Municipal Code; and

WHEREAS, the proposed use in the proposed location will not be detrimental to surrounding uses legally existing or permitted outright within the zoning district as seafood processing, freezing, and storing is consistent with surrounding industrial property uses such as freezer storage and pet food manufacturing; and

WHEREAS, the proposed use, together with proposed mitigation, will not be detrimental to public health or safety and will be compatible with the surrounding area and land uses with respect to traffic and circulation as property development will include improvements to Alderwood Street and the payment of traffic, fire, and park impact fees as well as the installation of landscape buffers adjacent to public streets; and

WHEREAS, noise, smoke, fumes, glare, or odors will not exceed the required performance standards associated with industrial uses. Site lighting will be directed

downward to prevent glare and the use is anticipated to create little to no impact to adjacent industrial uses. Additionally, the city will monitor these standards annually especially as it relates to noise and smell and will require mitigation if standards are not met; and

WHEREAS, the building and site design will be consistent with other industrial development nearby and, in addition, this project will orient parking areas and truck traffic to the interior of the site with the perimeter buffered by landscaping. Screening of rooftop equipment is recommended, and

WHEREAS, the proposed use is supported by adequate public facilities and services and the traffic generated by the proposed use will not cause the traffic circulation system in the vicinity to deteriorate below the adopted level of service; and

WHEREAS, the proposed use must comply with the industrial performance standards of LMC 19.25.040 and 19.25.050, the site is proposed with adequate parking, the additional height provision of 5 feet is requested, industrial setbacks and lot coverage requirements are met, landscaping standards and other provisions of the Lynden Municipal Code with adequate buffering to enhance the public streetscape and to protect the adjacent properties from adverse impacts of the proposed use; and

WHEREAS, the proposed use will not destroy or substantially damage any natural, scenic or historic feature of major importance as it is proposed on vacant property which is industrially zoned; and

WHEREAS, the proposed use of seafood processing and frozen storage is consistent with the purposes and objectives of the City's Comprehensive Plan and West Lynden Sub-Area; and

WHEREAS, the Lynden Planning Commission also reviewed the conditional use permit request and has found that the application meets the similar criteria for granting a recommendation of a land use action under Chapter 19.49.040 of the Lynden Municipal Code.

**NOW THEREFORE, BE IT RESOLVED** by the Lynden Planning Commission to recommend approval by a vote of 6-0, to the Lynden City Council, of Conditional Use Permit #22-02, Project Zebra / Premier Packing, for a 194,250 square foot seafood processing facility including the potential future addition of up to 74,000 square feet and granting a maximum building height of 50 feet. This approval is subject to the conditions of the Technical Review Committee Report dated November 14, 2022, and further subject to the following conditions:

- 1) Prior to issuance of the building permit, a sewer discharge study to the city's system is required to verify impacts, treatment loads and pipe size. Be advised, this study will require 3<sup>rd</sup> party review.**
- 2) Roof-mounted condenser units must be screened from view so that this mechanical equipment is not visible from public streets.**

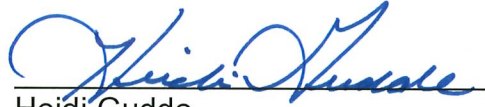
**3) The Conditional Use Permit will be evaluated annually to ensure that compliance with the performance standards as described in LMC 19.25.040 are met, especially as it related to noise and smell.**

PASSED by the Planning Commission of the City of Lynden, Whatcom County, by a vote of 6-0, at their regular meeting held on the 17<sup>th</sup> day of November 2022.



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Tim Faber, Chair  
Lynden Planning Commission



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Heidi Gudde  
Planning Director