

City of Lynden

Land Use Application

Comprehensive Plan Amendment Application

I. APPLICANT INFORMATION

Name: Vander Giessen Nursery, Inc.
Address: 401 E. Grover St, Lynden WA 98264
Telephone Number: 360-354-3097 Fax Number: _____
E-mail Address: info@vandergiessennursery.com

II. CHECK THE APPROPRIATE BOXES

Comprehensive Plan Map Amendment
Comprehensive Text Amendment

III. SUMMARIZE THE CHANGES YOU ARE PROPOSING:

Vander Giessen Nursery is proposing an amendment to the Comprehensive Plan which would change the land use designation from residential use (RS-72 zoning) to industrial commercial use (IBZ zoning) to reflect future use (315 E. Grover) and historic, current, and future use (205 Hawley).

IV. FOR MAP AMENDMENTS:

A. Tax Parcel Number(s): **4003204924590000 / 4003204904640000**

Site Address: **315 E. Grover St / 205 Hawley St**

Total Acreage: **.21 / .11 Acres** *.32 acres*

Property Owners: **Vander Giessen Nursery, Inc. / Alvin & Sherry Vos**

Mailing Address: **401. E Grover St.**

City, State & Zip Code: **Lynden, WA 98264**

Phone Number: **(360) 354-3097**

Please attach additional sheets if more than one parcel is involved

B. *Existing Comprehensive Plan Designation: **Low Density Residential***

*Existing Zoning Designation: **RS-72***

C. *Proposed Comprehensive Plan Designation:*
Industrial

D. *Proposed Zoning Designation: **IBZ***

E. *The present use of the property is:*

315 E. Grover is currently a single-family residence. 205 Hawley is currently used for growing plants and storage of shrubs and trees for nursery use.

F. *The intended future use of the property is:*

315 E. Grover will be used for future nursery expansion, specifically for storage and retail display of shrubs and trees. 205 Hawley Street will continue to be used for growing and displaying shrubs and trees.

G. *Surrounding land uses are:*

- **Single Family Residential (RS-72) to the west and south across East Grover Street**
- **Industrial Business Zoning (IBZ) to the north and east (owned and used by Vander Giessen Nursery)**

V. *For Text Amendments*

*Identify the section(s) of the Comprehensive Plan that you are proposing to amend, and provide the proposed wording (attach additional sheets as needed): **N/A***

VI. *For All Amendments:*

- A. *Describe how the proposed amendment to the plan is supported by or consistent with the existing goals and policies of the comprehensive plan and the State Growth Management Act?*

The goals of the Comprehensive Plan include the commitment to ensure the “future economic health of the City and to create a business friendly atmosphere” as well as “maintain[ing] a positive business climate that is consistent, responsive to the needs of the business community, and affordable to business owners.” Rezone of this property will allow the continued health and growth of Vander Giessen Nursery on property immediately adjacent to the location where the nursery has operated for 83 years, consistent with these goals.

One of the goals of the State Growth Management Act is to “encourage economic development...consistent with adopted comprehensive plans” and “promote the retention and expansion of existing businesses.” Allowing this amendment would ensure further expansion of Lynden’s only nursery and garden center, consistent with these goals.

- B. Have circumstances changed sufficiently since the adoption of the comprehensive plan to justify the proposed change? If so, the circumstances that have changed should be described in sufficient detail so that a finding of changed circumstances can be made and a decision as to appropriateness of the proposed plan amendment can be reached.*

Nobody can deny that Lynden is growing rapidly, and while such was true at the time the current Comprehensive Plan was adopted in 2016, it is even more so today. Lynden’s growth—and subsequent demand for plants to meet homeowner needs and desires—necessitates additional industrial and commercial-type space for growing and retailing nursery products and plants. With a disproportionate amount of land currently in use for residential relative to commercial space, changing the use and zoning of these two parcels would add a small amount of much-needed additional commercial/light industrial land within Lynden to meet consumer needs. Additionally, Lynden’s only other nursery closed in 2013 and was redeveloped into many residential lots off Northwood Road, further justifying the need to increase land use for nursery and garden center retailing.

- C. Have the underlying assumptions found in the comprehensive plan upon which the land use designation, density or other*

provisions are based changed, or is new information available which was not considered at the time the plan was adopted? If so, the changed assumptions or new information should be described in sufficient detail to enable the Planning Commission and City Council to find that the land use designation or other sections of the plan should be changed. Examples of the underlying assumptions include expected population growth, utility or roadway capacities, available land supply, or demand for land with the existing or proposed land use designation.

The underlying assumptions found in the comprehensive plan have not changed significantly. However, the 2016 Whatcom County Land Capacity Analysis showed a deficit of employment growth capacity within Lynden, indicating a need for more land to be used for business purposes. Changing the Comprehensive Plan for these parcels to industrial use (IBZ zoning) would open up more land for business use (to be used by Vander Giessen Nursery) on property consistent with uses and zoning of adjacent and nearby properties.

D. Does the proposed amendment promote a more desirable land use pattern for the community as stated in the goals and policies in the comprehensive plan? Are there environmental constraints (such as wetlands, steep slopes, significant stands of trees, etc.) present on the site to such a degree that development of the site is economically or physically unfeasible under the existing land use designation? If so, a description of the qualities of the proposed plan amendment that would make the land use pattern more desirable and/or would result in less environmental impact should be provided in sufficient detail to enable the Planning Commission and City Council to find that the proposed amendment is in the community's long term best interest.

Yes—the proposed amendment would promote a more desirable land use for the community. As Lynden continues to grow on the northeast side of town, East Grover Street is one of the busiest roads in Lynden, making the single-family residence on 315 E. Grover St less desirable as such with each passing year. Amending the comprehensive plan to use this property for commercial use would also be consistent with the goal to promote economic vitality.

There are no environmental constraints affecting either the current or proposed land use.

E. *What impacts would the proposed amendment to the plan have on the current use of other properties in the vicinity? What measures should be taken to ensure compatibility with the uses of other property in the area?*

The proposed amendment would have limited impact on the current use of other properties in the vicinity. Being bounded on the south by busy E. Grover Street, neighbors across E. Grover would see essentially no impact.

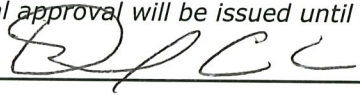
Neighboring properties to the east and north are already designated and zoned for industrial and commercial use (IBZ) and are owned and used for nursery purposes by Vander Giessen Nursery. The proposed amendment would have only positive impact on those properties.

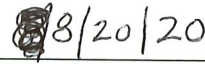
The only adjacent property the may be affected is the single-family residence immediately to the west of the proposed amendment facing E. Grover St. Any significant changes to 315 E. Grover in the future will require (per city code) proper fencing and/or landscape buffer.

F. *How will the public interest be served by this amendment?*

As Lynden continues to grow, businesses that provide for the wants and needs of its residents must be encouraged to grow as well. Allowing this amendment will provide for the economic vitality and future expansion of Vander Giessen Nursery--Lynden's only nursery and garden center—to meet the needs of a growing community.

By signing this application, I certify that all the information submitted is true and correct. I also understand that no final approval will be issued until all final review costs are paid in full.

Applicant's Signature:  **Date:** 6/18/21

Pre-application meeting date: 

Fee's (CPA \$350.00 or Final Review Cost) date paid: 6-18-21 **receipt #** _____

Rezone Application of 315 E. Grover and 205 Hawley St, Lynden

Supplemental Narratives & Statements

9.

Background

In the 1950's, as Vander Giessen Nursery was beginning to expand its business, the neighbor across Hawley Street at 315 E. Grover was unable to pay her property taxes and sold the back half of her double lot to the nursery (now listed as 205 Hawley). Since that time, 205 Hawley has been used for various nursery purposes, primarily for growing and storing plants. As Lynden grows and the nursery continues to see increased demand, the nursery was able to purchase 315 E. Grover in 2020 with plans to eventually expand the nursery onto that property as time, finances, and demand for plants allow.

Reason for Rezone

With Lynden's rapid growth over the last number of years, homeowner demand for plants and garden products has increased significantly. With the only other nursery in Lynden having closed in 2013 to make way for more homes on the east side of Lynden, Vander Giessen Nursery has continued to grow in the subsequent years.

Having purchased 315 E. Grover last year, we see this property immediately adjacent to our other property as a natural future expansion of our outdoor garden center display space. To match the zoning of adjacent nursery and other properties to the north and east, we desire to use the IBZ zoning on both this property and 205 Hawley. With 205 Hawley being used for nursery purposes since the 1950s, rezone to IBZ would reflect past, current, and future use of this parcel.

Allowing the rezone of both of these parcels would ensure the continued growth and vitality of our 83-year-old family business and allow us to continue to serve the Lynden community for many years to come.

Effect on Adjacent Areas

With no immediate plans to make changes to either parcel, there would be no effect on adjacent areas. The only adjacent property not owned by the nursery currently is the residence immediately to the west of 315 E. Grover St, and proper landscape buffer would be installed at the time any changes are made in removing the house currently on site for expansion of nursery display space. We have good relationships with all our neighbors and the in the rezone process wish to continue the level of mutual respect in the neighborhood.

10.

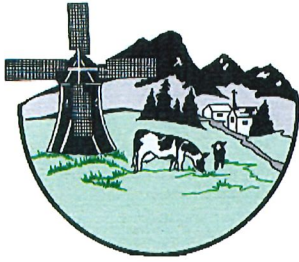
Since the adoption of the current zoning, Lynden has seen dramatic growth in its population and the loss of the only other nursery in Lynden, which has since been redeveloped into residential property. In 2011, the original nursery property across Hawley St at 401 E. Grover was rezoned to IBZ to reflect current use. With 205 Hawley used for nursery purposes since the 1950s, rezone to IBZ would reflect current and future use and 315 E. Grover should be rezoned as well to reflect future use for the nursery.

11.

The goals of the Comprehensive Plan include the commitment to ensure the “future economic health of the City and to create a business friendly atmosphere” as well as “maintain[ing] a positive business climate that is consistent, responsive to the needs of the business community, and affordable to business owners.” Rezone of this property will allow the continued health and growth of Vander Giessen Nursery on property immediately adjacent to the location where the nursery has operated for 83 years, consistent with these goals.

Within the central Lynden subarea where Vander Giessen Nursery is located, there are a wide variety of land uses and business types, including single-family and multi-family residential, retail and professional businesses, light and heavy industrial, and city infrastructure—and in many instances, multiple land uses are located within the same block or on immediately adjacent properties. Allowing this rezone would not significantly differ from any number of instances of differing adjacent land uses throughout the central Lynden subarea.

In contributing to the public welfare, Vander Giessen Nursery is located at the northeast edge of the Central Lynden subarea, close to Lynden’s heaviest residential populations in the North Lynden, Northeast Lynden, and East Lynden subareas. Allowing the proposed rezone will ensure that Vander Giessen Nursery can continue to expand as needed to provide plants and garden products on property centrally located in Lynden and within a short drive from Lynden’s main residential areas.



City of Lynden

Critical Areas Checklist

Section: 20 Township: T40N Range: R03E Parcel Number: 4003204924590000 /
4003204904640000

Site Address: 315 E Grover St / 205 Hawley St


Proposed Uses: Rezone to IBZ to reflect historic, current, and future use for retail garden center

Please answer the following questions concerning Critical Area indicators *located on or within 200-feet of the project area*:

- a. Are you aware of any environmental documentation that has been prepared related to critical areas that includes the subject area? (If yes, please attach a list of document titles).
 Yes No Unknown
- b. Are there any surface waters (including year-round and seasonal streams, lakes, ponds, swamps)?
 Yes No Unknown
- c. Is there vegetation that is associated with wetlands?
 Yes No Unknown
- d. Have any wetlands been identified?
 Yes No Unknown
- e. Are there areas where the ground is consistently inundated or saturated with water?
 Yes No Unknown
- f. Are there any State or Federally listed sensitive, endangered, or threatened species and habitats?
 Yes No Unknown
- g. Are there slopes of 15% or greater?
 Yes No Unknown
- h. Is the project located within a Flood Hazard Zone?
 Yes No Unknown
- i. Do you know of any landslide hazard areas?
 Yes No Unknown

I grant permission to the field inspector to enter the building site to determine the presence or absence of critical areas.

I understand that if the information on this form is later determined to be incorrect, the project or activity may be subject to conditions or denial as necessary to meet the requirements of Chapter 16.16 of the Lynden Critical Areas Ordinance.


Applicant's Signature

6/18/21
Date

SECTION 20, TOWNSHIP 40 NORTH,
RANGE 3 EAST OF W.M.

315 E Grover

NE STREET

N 66°33'59" E 260.00'

RECORD OF SURVEY
A.F. No. 2016-1203547

BLOCK 19
HAWLEY AND LAWRENCE'S
ADDITION TO LYNDEN

ALLEY

RECORD OF SURVEY
A.F. No. 2091202536

(FORMERLY MILL STREET)



(VACATED)

BLOCK 19

GROVER STREET

Y, INC

W.M.



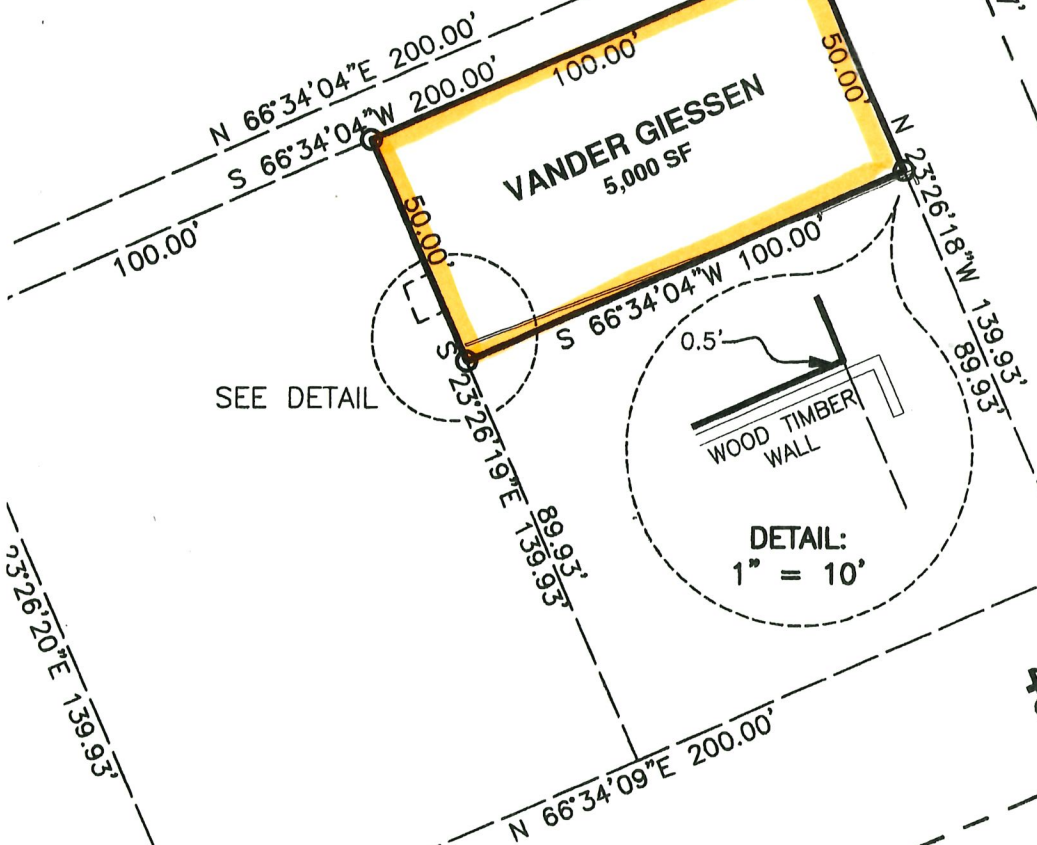
COMPASS POINT

33°59'E 200.00'

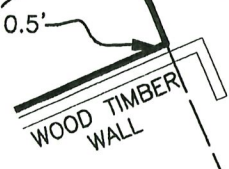
STOCK
19

205 Hawley

STREET (FORMERLY MILL STREET)



SEE DETAIL



DETAIL:
1" = 10'

RECORD POSITION OF
MONUMENT
(TEMPORARILY REMOVED
FOR ROAD
CONSTRUCTION)

12-21-09



Scott G. Harksell, L.S. 32430
523 Front Street, Lynden WA 98264

