

## LETTER OF TRANSMITTAL

**To:** Lewis County Board of County Commissioners  
**From:** Lewis County Planning Commission  
**Date:** December 10, 2019  
**Subject:** Transmittal to the BOCC: Amendment to Lewis County Code, Chapter 17.10, Definitions, regarding the extraction of ground and surface water for bottled water and/or facilities for producing bottled water

### Dear Commissioners:

The purpose of this report is to transmit to the Board of County Commissioners a draft amendment to the Lewis County Code Chapter 17.10, Definitions, which would:

1. Exclude the extraction of ground and surface water for bottled water and/or facilities for producing bottled water from the definition of "standalone food and beverage manufacturing" (see LCC 17.10.190, "S" Definitions); and
2. Add a definition for "bottled water" under LCC 17.10.020, "B" Definitions, which would prohibit it as a use in any Rural Area Zoning District and designated Resource Lands.

### Findings of Fact

The Lewis County Planning Commission held a public hearing on December 10, 2019 to consider amendments to the Lewis County Code specific to Chapter 17.10, Definitions. After considering provisions within Chapter 36.70A, the Growth Management Act, the Lewis County Comprehensive Plan, chapters within the Lewis County Code, and public testimony, the Planning Commission found that:

1. The scale and intensity of the extraction of ground and surface water for bottled water and/or facilities for producing bottled water constitutes a major industrial development under RCW 36.70A.365 that did not meet the original intent of the definition for "standalone food and beverage manufacturing;"
2. The scale and intensity of the extraction of ground and surface water for bottled water and/or facilities for producing bottled water was inconsistent with protecting rural county as provided under Chapter 17.150, Special Conditions – Rural Area Development, of the Lewis County Code; and,

3. The extraction of ground and surface water for bottled water and/or facilities for producing bottled water were inconsistent with the stated purposes for the Rural Area Industrial, Small Town Mixed Use, the Small Town Industrial Districts, and designated Resource Lands.

### Recommendation

Based on these findings of fact, the Planning Commission forwards the following recommendation to the Board of County Commissioners:

1. Amend the definition for "standalone food and beverage manufacturing" under LCC 17.10.190, "S" Definitions, by adding the underlined section shown below:

Standalone food or beverage manufacturing means a food or beverage processing use that is not accessory or incidental to a primary underlying agricultural use. The use may include the assembly or manufacturing of packaging for the processed product. Processing or manufacturing uses that are accessory or incidental to a primary agricultural use are considered an "agricultural" use for the purpose of Chapter 17.42 LCC. Standalone food or beverage manufacturing does not include the extraction of ground or surface water for bottled water and/or facilities for producing bottled water.

2. Add a new definition under LCC 17.10.020, "B" Definitions, for "bottled water" that reads:

Bottled water is water intended for human consumption and sealed in bottles or other containers. The definition of bottled water includes enhanced bottled water, a category of beverages marketed as water with added ingredients, such as natural or artificial flavors, sugar, sweeteners, vitamins, and minerals. The extraction of ground or surface water for bottled water and/or the facilities for producing bottled water is a major industrial development that is an inconsistent use within any designated Rural Area Zoning District, Resource Lands, and Chapter 17.150 LCC.

Submitted by Robert Whannell Date 12-16-19  
Robert Whannell, Chair  
Lewis County Planning Commission