

Staff Draft

Planning Commission Public Hearing

Yakima County Code Chapter 19.18 SPECIAL USES AND STANDARDS

Chapter 19.18

SPECIAL USES AND STANDARDS

19.18.060 Agricultural Tourist Operations.

(1) Legislative Intent. Agricultural Tourist Operations (ATOs), as defined in Section 19.01.070 and allowed under RCW 36.70A.177, and accessory sales of items promoting the agricultural tourist operation, are considered to be agricultural accessory uses and a component of a strong agricultural economy. This Section is intended to provide standards to ensure that the physical development of tourist operations and public education in farming areas enables business diversification that supports, promotes and sustains agricultural operations and production. Therefore, Agricultural Tourist Operations are defined as retail, and destination, ~~or resort~~ operations and are subject to the following minimum requirements to protect agricultural land of long-term commercial significance, ensure the operation is accessory to a principal agricultural use, and location, design, and operation that does not interfere with, and supports the continuation of, the overall agricultural use of the property and neighboring properties.

(2) Additional Accessory Uses. The ATO may include the following:

(a) Food Service. Food services associated with a use or activity allowed pursuant to this Section are those services which are incidental or accessory to a permitted use or value-added food items produced from agricultural products grown on the applicant's farm and may include sales of ancillary prepackaged foods or beverages that are not prepared on the premises for on-site consumption. Food handling is subject to a License from the Yakima Health District and may require a commercial kitchen meeting YCC Title 13 standards, depending on the specific conditions of the development authorization and the food service offered.

(b) Educational Services. Education services located on a farm shall be a subordinate element of the operation of an ongoing agricultural activity as defined by RCW 84.34.020(2).

(c) Events (Ancillary Entertainment/Special Events). Events (Ancillary entertainment/special events), including but not limited to ~~weddings/receptions, catered functions and small musical events~~ ~~weddings, receptions, meetings, and retreats~~ shall be sized and conditioned consistent with the character of permitted activities and uses. The Reviewing Official shall place a limit on the number of occupants or size of indoor and outdoor events allowed. Capacity is limited by building occupancy and parking limitations.

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(d) Commercial Uses. Accessory uses include those which support, promote, or sustain agricultural operations and production as a secondary, subordinate, and/or supplemental element of the operation of an ongoing agricultural activity as defined by RCW 84.34.020(2). Accessory commercial or retail uses shall predominantly sell regionally produced agricultural products from one or more producers, products derived from regional agricultural production, agriculturally related experiences, or products produced on-site. Accessory commercial retail uses shall offer for sale products or services produced on-site and/or limited items promoting the ATO.

(3) General Requirements. All types of Agricultural Tourist Operations shall:

- (a) Be consistent with the intent of this Section;
- (b) Be operated by the owner, operator, or occupant of the farming use;
- (c) Comply with specific provisions applicable to the type of agricultural tourist operation in this Section;
- (d) Be subject to, and limited by the appropriate licensing standards of the Yakima Health District where food handling is required; and
- (e) Be located on a at least a 3 (three) acre farm consisting of one or more contiguous parcels ~~with at least 5 (five)~~ producing ~~aeres in~~ the crops or products sold ~~used~~ in the ~~retail-product approved ATO~~;
- (f) All ATO structures and exterior spaces open to the visiting public must meet the agricultural resource setback requirements found under YCC Title 19.18.205. Locate and design the ATO accessory facilities or structures, not open to the visiting public, and permanent or overflow parking, so they will not interfere with agricultural operations on the site of the proposed use or on nearby properties;
- (g) Not locate nonagricultural accessory uses and activities, including new buildings, parking or supportive uses, outside the general area already developed for buildings and residential uses and shall not otherwise convert more than one acre of agricultural land to nonagricultural uses;
- (h) Have adequate access from a county road consistent with the standards under Chapter 19.23. ATOs that share a private road must submit a road maintenance agreement at the time of application signed by all legal property owners or their designees. Without the road maintenance agreement, the application will be considered incomplete; and

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1 (i) Provide sufficient detail with applications proposing phased development of an ATO
2 to enable the County, agencies, and adjoining property owners to consider all aspects of the
3 project at full build-out. Changes to an approved ATO that result in new uses that were not
4 considered in the original approval are subject to the level of review for the requested
5 change.

6 (4) Agricultural Tourist Operation – Retail.

7 (a) Events (Ancillary Entertainment/Special Events). Indoor event facilities shall be no
8 larger than 1,500 square feet. Events are an expected component of an ATO and shall be
9 permissible under these regulations without applying for additional Special Occasion
10 Permits. Events where the predicted total number of persons on the site is five hundred
11 persons or more at any point in time, an Outdoor Festival Permit shall be obtained under
12 YCC Title 8.10.

13 (b) Food Service. The sale of food that is incidental or accessory to a permitted use or
14 value-added food items produced from agricultural products grown on the applicant's farm
15 may be provided. Food service may include sales of ancillary prepackaged foods or
16 beverages that are not prepared on the premises for on-site consumption. Food service in the
17 Retail ATO is subject to Yakima Health District licensing requirements and no permanent
18 commercial kitchen is permitted. Food service shall only be served by licensed food vendors
19 and shall be restricted to the events.

20 (c) Commercial Uses. Accessory commercial retail uses may sell products or services
21 produced on-site and/or limited items promoting the ATO.

22 (5) Agricultural Tourist Operation – Destination. A Destination ATO is one that consists of
23 an assortment of uses over and above any uses associated with Retail ATO, but may include:

24 (a) Events (Ancillary Entertainment/Special Events). Indoor event facilities shall be no
25 larger than 7,500 square feet. Events are an expected component of an ATO and shall be
26 permissible under these regulations without applying for additional Special Occasion
27 Permits. For events where the predicted total number of persons on the site is five hundred
28 persons or more at any point in time, an Outdoor Festival Permit shall be obtained under
29 YCC Title 8.10.

30 (b) ~~Food Service. Food may also be served to registered guests staying at overnight~~
31 ~~lodging facilities or boarding houses approved under subsection (7) below, or as provided as~~
32 ~~part of a specific event or class (e.g. wedding or seminar) subject to Yakima Health District~~
33 ~~licensing requirements, including a commercial kitchen meeting YCC Title 13 standards if~~

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1 ~~required. Food Service. A restaurant developed as an accessory use to the Destination ATO~~
2 ~~may serve meals to the general public, subject to Yakima Health District licensing~~
3 ~~requirements, including a commercial kitchen meeting the Building and Fire, Life and Safety~~
4 ~~requirements of YCC Title 13.~~

5 (c) Commercial Uses. Other commercial uses directly related to the ATO may be
6 allowed, such as gift stores, art galleries or the like.

7 (d) Overnight Lodging Facilities and ~~Short-term Rentals Boarding or Lodging Houses~~.
8 Overnight lodging facilities and ~~Short-term Rentals boarding or lodging houses~~ shall be
9 limited to ~~12~~ 6 (six) overnight accommodations, as provided in subsection (7) below.

10 (6) ~~Agricultural Tourist Operation—Resort. A Resort ATO is one that consists of an~~
11 ~~assortment of uses over and above any uses associated with Retail or Destination ATO but may~~
12 ~~include:~~

13 (a) ~~Ancillary Entertainment/Special Events. Indoor and outdoor event facilities are not~~
14 ~~limited in size; provided the proposed facility conforms to the requirements set forth in~~
15 ~~subsection (3)(g) above.~~

16 (b) ~~Food Service. A restaurant developed as an accessory use to the Resort ATO may~~
17 ~~serve meals to the general public, subject to Yakima Health District licensing requirements,~~
18 ~~including a commercial kitchen meeting YCC Title 13 standards.~~

19 (c) ~~Commercial Uses. Other commercial uses directly related to the ATO may be~~
20 ~~allowed, such as gift stores, art galleries or the like.~~

21 (d) ~~Overnight Lodging Facilities and Boarding or Lodging Houses. Overnight lodging~~
22 ~~facilities and boarding or lodging houses may include more than 12 overnight~~
23 ~~accommodations, as provided in subsection (7) below.~~

24 (7) ~~Accessory Overnight Lodging Facilities and Boarding or Lodging Houses~~ ~~Short-term~~
25 ~~Rentals~~. Overnight lodging facilities, ~~to include stick built units, recreational vehicles, and~~
26 ~~membrane structures (teepees, yurts, or tents)~~ ~~and boarding or lodging houses~~ are subject to
27 additional requirements when proposed within an Agricultural Tourist Operation:

28 (a) ~~Overnight Lodging Facilities and Short-term Rentals Boarding or Lodging Houses~~.
29 Overnight lodging facilities and ~~Short-term Rentals boarding or lodging houses~~ as defined in
30 Section 19.01.070 shall be subject to the following conditions:

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1 (i) Facilities proposed within the Agriculture (AG) zone shall only be considered
2 when being proposed as an accessory use to a Destination ~~or Resort~~ Agricultural Tourist
3 Operation.

4 (ii) In all allowed zones, such facilities being proposed as an accessory use to a
5 Destination Agricultural Tourist Operation shall be limited to ~~126 (six)~~ overnight
6 accommodations.

7 (iii) The facilities and permanent parking shall be located and designed so they will
8 not interfere with agricultural operations on the site of the proposed use or on nearby
9 properties.

10 (iv) The facilities and permanent parking shall be located within the general area
11 already developed for buildings and residential uses and shall not convert more than one
12 acre of agricultural land to nonagricultural uses.

13 (b) Membrane Structures. The use of a membrane structure, such as a tepee or yurt that
14 meets the following criteria may be allowed in conjunction with approval of an overnight
15 lodging facility or boarding or lodging house. The membrane structure:

16 (i) Shall be placed on a permanent foundation or pad;

17 (ii) ~~Is not a camping unit or recreational vehicle as defined in Section 19.01.070;~~

18 (v) If the facility is a membrane structure, it shall ~~Meets~~ meet the current building
19 code and Yakima Health Department requirements for transient accommodations; and

20 (vi) If the facility is a membrane structure, it ~~Does~~ does not contain indoor cooking
21 facilities.

22
23 ~~(Ord. 6-2017 § 2(C) (Exh. 1) (part), 2017; Ord. 7-2013 § 1 (Exh. A) (part), 2015).~~