

Staff Draft

Yakima County Code
Chapter 19.18 SPECIAL USES AND STANDARDS

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SPECIAL USES AND STANDARDS

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19.18.060 Agricultural Tourist Operations.

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(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.

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

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(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.

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(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).

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(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.

(d) Commercial Uses. Accessory uses include those which support, promote, or sustain agricultural operations and production as a secondary, subordinate, and/or supplemental

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1 element of the operation of an ongoing agricultural activity as defined by RCW
2 84.34.020(2). Accessory commercial or retail uses shall predominantly sell regionally
3 produced agricultural products from one or more producers, products derived from regional
4 agricultural production, agriculturally related experiences, or products produced on-site.
5 Accessory commercial retail uses shall offer for sale products or services produced on-site
6 and/or limited items promoting the ATO.

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

- 8 (a) Be consistent with the intent of this Section;
- 9 (b) Be operated by the owner, operator, or occupant of the farming use;
- 10 (c) Comply with specific provisions applicable to the type of agricultural tourist operation
11 in this Section;
- 12 (d) Be subject to, and limited by the appropriate licensing standards of the Yakima Health
13 District where food handling is required; and
- 14 (e) Be located on a at least a 3 (three) acre farm consisting of one or more contiguous
15 parcels ~~with at least 5 (five)~~ producing acres in the crops or products sold used in the retail-
16 product approved ATO;
- 17 (f) Locate and design the ATO accessory facilities and permanent parking so they will not
18 interfere with agricultural operations on the site of the proposed use or on nearby properties.
19 Overflow parking for larger events shall be provided for in a way that does not interfere
20 with, and supports the continuation of, the overall agricultural use of the property;
- 21 (g) Not locate nonagricultural accessory uses and activities, including new buildings,
22 parking or supportive uses, outside the general area already developed for buildings and
23 residential uses and shall not otherwise convert more than one acre of agricultural land to
24 nonagricultural uses;
- 25 (h) Have adequate access from a county road consistent with the standards under Chapter
26 19.23. ATOS that share a private road must submit a road maintenance agreement at the time
27 of application signed by all legal property owners or their designees. Without the road
28 maintenance agreement, the application will be considered incomplete; and
- 29 (i) Provide sufficient detail with applications proposing phased development of an ATO
30 to enable the County, agencies, and adjoining property owners to consider all aspects of the
31 project at full build-out. Changes to an approved ATO that result in new uses that were not
32 considered in the original approval are subject to the level of review for the requested
33 change.

34 (4) Agricultural Tourist Operation – Retail.

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

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

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

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

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

24 (b) ~~Food Service. Food may also be served to registered guests staying at overnight~~
25 ~~lodging facilities or boarding houses approved under subsection (7) below, or as provided as~~
26 ~~part of a specific event or class (e.g. wedding or seminar) subject to Yakima Health District~~
27 ~~licensing requirements, including a commercial kitchen meeting YCC Title 13 standards if~~
28 ~~required. Food Service. A restaurant developed as an accessory use to the Destination ATO~~
29 ~~may serve meals to the general public, subject to Yakima Health District licensing~~
30 ~~requirements, including a commercial kitchen meeting the Building and Fire, Life and Safety~~
31 ~~requirements of YCC Title 13.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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11 (Ord. 6-2017 § 2(C) (Exh. 1) (part), 2017: Ord. 7-2013 § 1 (Exh. A) (part), 2015).