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Proposed Changes Considered
With Public Comments

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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~~ ATO's ~~are defined as retail, and destination, or /resort operations and that~~ 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 located, designed, and operated so that they do not interfere with, and support the continuation of, the overall agricultural use of the property and neighboring properties.

(2) Additional Accessory Uses. The ATO Retail or Destination/Resort 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-~~

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1 ~~added food items produced from agricultural products grown on the applicant's farm and~~
2 ~~may include sales of ancillary prepackaged foods or beverages that are not prepared on~~
3 ~~the premises for on-site consumption. Food handling is subject to a License from the~~
4 ~~Yakima Health District and may require a commercial kitchen meeting YCC Title 13~~
5 ~~standards, depending on the specific conditions of the development authorization and the~~
6 ~~food service offered.~~ Food Service. The ATO Retail or Destination/Resort may sell food
7 and beverages. The ATO Retail or Destination/Resort may include a restaurant and/or a
8 commercial kitchen, developed as an accessory use to the ATO, that may serve meals to
9 the general public., subject to Yakima Health District licensing requirements, meeting the
10 Building and Fire Life and Safety requirements of YCC Title 13.

11 (b) Educational Services. ~~The ATO Retail or Destination/Resort may include~~ The ATO
12 Retail or Destination/Resort may include ~~E~~education services that are located on a farm
13 ~~shall be~~ as a subordinate element of the operation of an ongoing agricultural activity as
14 defined by RCW 84.34.020(2).

15 (c) ~~Events (Ancillary Entertainment/Special Events).~~ The ATO Retail or Destination/Resort
16 may include ~~E~~events ~~(Ancillary entertainment/special events),~~ including but not limited
17 to ~~weddings/receptions, catered functions and small~~ musical events weddings, receptions,
18 meetings, seminars, and retreats ~~shall be~~ that are sized and conditioned consistent with the
19 character of permitted activities and uses. ~~The Reviewing Official shall place a limit on~~
20 ~~the number of occupants or size of indoor and outdoor events allowed. Capacity is~~

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1 ~~limited by building occupancy and parking limitations.~~ Events are an expected
2 component of an ATO and shall be permissible under these regulations without
3 applying for additional Special Occasion Permits. For Events where the predicted total
4 number of persons on the site is will be five hundred persons or more at any point in
5 time, a Festival Permit shall be obtained under YCC Title 8.10.
6

7 (d) Commercial Uses. The ATO Retail or Destination/Resort may include Accessory
8 accessory uses ~~include including~~ those which support, promote, or sustain agricultural
9 operations and production as a secondary, subordinate, and/or supplemental element of
10 the operation of an ongoing agricultural activity as defined by RCW 84.34.020(2).
11 Accessory commercial or retail uses ~~shall~~may predominantly sell regionally produced
12 agricultural products from one or more producers, products derived from regional
13 agricultural production, agriculturally related experiences, ~~or~~ products produced on-site,
14 merchandise including, but not limited to gifts stores and art galleries, or and the
15 production, marketing, and distribution of value-added agricultural products. Accessory
16 ~~commercial retail uses shall offer for sale products or services produced on-site and/or~~
17 ~~limited items promoting the ATO.~~

18 (3) General Requirements. ~~All types of Agricultural Tourist Operations~~The ATO Retail or
19 Destination/Resort shall:

20 (a) Be consistent with the intent of this Section;

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- 1 (b) Be operated by the owner, operator, or occupant of the farming use;
- 2 (c) Comply with specific provisions applicable to the type of ~~agricultural tourist~~
3 ~~operation~~ ATO in this Section;
- 4 (d) Be subject to, and limited by the appropriate licensing standards of the Yakima Health
5 District where food handling is required; and
- 6 (e) Be located on a farm consisting of one or more contiguous parcels with at least
7 ~~five~~three/one) ~~producing~~ acres ~~in the crops or products sold used in the retail~~
8 ~~product~~ approved ATO; in an agricultural operation;
- 9 (f) Locate and design the ATO accessory facilities ~~or structures~~ and permanent or
10 overflow parking so they will not interfere with agricultural operations on the site of the
11 proposed use or on nearby properties; ~~Temporary overflow parking for events may be~~
12 ~~approved~~ is permissible in other areas of the property if determined not to it will not
13 interfere with existing agricultural operations.
- 14 (g) Not locate non-agricultural accessory uses and activities, including new buildings,
15 parking (other than temporary overflow parking) or supportive uses, outside the general
16 area already developed for non-agricultural buildings and residential uses and ~~shall~~ not
17 otherwise convert more than one acre of agricultural land to nonagricultural uses;
- 18 (h) Have adequate access from a county road consistent with the standards under Chapter
19 19.23. ATOs that share a private road must submit a road maintenance agreement at the

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1 time of application signed by all legal property owners along the road or their designees.

2 If a road maintenance agreement is not available, ATOs must submit written permission

3 from each property owner along the road, indicating their approval of the applicant's

4 proposed use—Without the road maintenance agreement or written approval, ~~the an~~

5 application will be considered incomplete; and

- 6 (i) Provide ~~sufficient~~ detailed information with applications proposing phased development
7 of an ATO to enable the ~~County~~county, agencies, and adjoining property owners to
8 consider all aspects of the project at full build-out. ~~Changes to an approved ATO that~~
9 ~~result in new uses that were not considered in the original approval are subject to the~~
10 ~~level of review for the requested change.~~

- 11 (j) Meet all applicable Building and Fire Life and Safety permit requirements of YCC Title
12 13.

13 ~~(4) Agricultural Tourist Operation—Retail.~~

14 ~~(a) Events (Ancillary Entertainment/Special Events). Indoor event facilities shall be no larger~~
15 ~~than 1,500 square feet.~~

16 ~~(b) Food Service. The sale of food that is incidental or accessory to a permitted use or~~
17 ~~value-added food items produced from agricultural products grown on the applicant's~~
18 ~~farm may be provided. Food service may include sales of ancillary prepackaged foods or~~
19 ~~beverages that are not prepared on the premises for on-site consumption. Food service in~~

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1 ~~the Retail ATO is subject to Yakima Health District licensing requirements and no~~
2 ~~permanent commercial kitchen is permitted. Food service shall only be served by~~
3 ~~licensed food vendors and shall be restricted to the events.~~

4 ~~(e) Commercial Uses. Accessory commercial retail uses may sell products or services~~
5 ~~produced onsite and/or limited items promoting the ATO.~~

6 ~~(Se4)~~ Agricultural Tourist Operation – Destination/Resort. A Destination/Resort ATO ~~is one~~
7 ~~that consists of an assortment of uses over and above any~~ may include all the uses associated
8 with a Retail ATO, but may also include: guest overnight Lodging Facilities.

9 ~~(a) Events (Ancillary Entertainment/Special Events). Indoor event facilities shall be no~~
10 ~~larger than 7,500 square feet.~~

11 ~~(b) Food Service. Food may also be served to registered guests staying at overnight lodging~~
12 ~~facilities or boarding houses approved under subsection (7) below, or as provided as part~~
13 ~~of a specific event or class (e.g. wedding or seminar) subject to Yakima Health District~~
14 ~~licensing requirements, including a commercial kitchen meeting YCC Title 13 standards~~
15 ~~if required. the Building and Fire, Life and Safety requirements of (c) Commercial~~
16 ~~Uses. Other commercial uses directly related to the ATO may be allowed, such as gift~~
17 ~~stores, art galleries or the like.~~

18 ~~(dfa) Overnight Guest Lodging Facilities Boarding or Lodging Houses. The ATO~~
19 ~~Destination/Resort may include Overnight Gguest lodging facilities, to include such as~~

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1 stick built units, recreational vehicles, and membrane structures (e.g. teepees, yurts, or
2 tents) and boarding or lodging houses~~and boarding or lodging houses are allowed as~~
3 accessory uses to the ATO are allowed as accessory uses to the ATO. if they meet the
4 following additional requirements:~~shall be limited to 12 overnight accommodations, as~~
5 ~~provided in subsection (7) below.~~

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

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

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

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

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

4 ~~(7) Accessory Overnight Lodging Facilities and Boarding or Lodging Houses. Overnight lodging~~
5 ~~facilities and boarding or lodging houses are subject to additional requirements when~~
6 ~~proposed within an Agricultural Tourist Operation:~~

7 ~~(a) Overnight Lodging Facilities and Boarding or Lodging Houses. Overnight lodging~~
8 ~~facilities and boarding or lodging houses as defined in Section 19.01.070 shall be subject~~
9 ~~to the following conditions:~~

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

13 ~~(ii) In all allowed zones, such facilities being proposed as an accessory use to a~~
14 ~~Destination/Resort Agricultural Tourist Operation shall be limited to 12 overnight~~
15 ~~accommodations.~~

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

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1 (~~ivhb~~) The guest lodging facilities ~~and permanent parking~~ shall be located within the
2 general area already developed for buildings and residential uses, shall be located and
3 designed so they will not interfere with agricultural operations on the site of the proposed
4 use or on nearby properties, and shall not convert more than one acre of agricultural land
5 to nonagricultural uses. ~~Temporary overflow parking for events may be approved in~~
6 ~~other areas of the property if determined not to interfere with existing agricultural~~
7 ~~operations.~~

8 (~~idbc~~) Membrane Structures. ~~The use of a m~~Membrane structures, such as ~~a teepees, or yurts,~~
9 ~~or and tents~~ that meets the following criteria, may be allowed ~~in conjunction with~~
10 ~~approval of~~as an overnight-guest lodging facility ~~or boarding or lodging house~~. The
11 membrane structure:

12 (A~~i~~) Shall be placed on a permanent foundation or pad. ~~Shall be placed on a~~
13 ~~permanent foundation or pad. The type of pad will be determined based on the~~
14 ~~proposed membrane structure in accordance with Building and Fire Life Safety~~
15 ~~requirements set forth in YCC Title 13;~~

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

17 (B~~iii~~) Shall meetMeets the current building code and Yakima Health Department
18 requirements for transient accommodations; and

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1 ~~(Civ)~~ Shall not contain indoor cooking facilities.

2 ~~(j)~~ Recreational Vehicles. Recreational vehicles, such as a travel trailers or motor homes
3 that meet the following criteria, may be allowed in conjunction with approval of as a
4 guest overnight lodging facility. ~~under the following criteria~~The recreational vehicle
5 must:

6 ~~(Ai)~~ Shall be placed on a dedicated space. ~~Be placed on a dedicated space;~~
7 adequately designed to accommodate the recreational vehicle being used; and

8 ~~(Bii)~~ If ~~the~~a recreational vehicle used has either a functioning washroom and/or
9 kitchen, the vehicle must be connected to both a potable water system and
10 sanitary sewer facilities; and

11 ~~(iii)~~ € If ~~the~~a recreational vehicle(s) used does not have a functioning washroom
12 and/or kitchen, the ATO operator must provide ADA compatible washroom
13 facilities and potable water stations to accommodate all overnight RV guests;
14 and

15 ~~(iv)~~ € Recreational vehicles are regulated by the Washington State Department of
16 Labor and Industries as vehicles, not as structures to be used as transient
17 accommodations. Yakima County lacks any authority to inspect or verify the
18 operational or safety status or condition of a recreational vehicle whether used
19 as a vehicle or as a guest overnight lodging facility. Therefore, prior to permit

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1 approval for a guest ~~overnight~~ lodging facility utilizing recreational vehicles for
2 lodging, the ATO operator must sign a liability waiver that ~~assumes full~~
3 ~~responsibility for all injuries and/or death to those using said recreational~~
4 ~~vehicle and~~ releases, indemnifies and holds harmless Yakima County from
5 ~~negligence~~ liability for the recreational vehicle(s) at the ATO to the full extent
6 permitted by law.

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