

BOCC DRAFT
Proposed Changes Considered
With Public Comments

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Chapter 19.18.060

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 (ATOs) are defined as retail, 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 ([Retail or Destination/Resort](#)) may include the following:

- (a) Food Service. [The ATO \(Retail or Destination/Resort\) may sell food and beverages. The ATO Retail or Destination/Resort may include a restaurant and/or a commercial kitchen, developed as an accessory use to the ATO, that may serve meals to the general public.](#)~~Food~~

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~~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. The ATO (Retail or Destination/Resort) may include Eeducation services that are located on a farm ~~shall be~~as a subordinate element of the operation of an ongoing agricultural activity as defined by RCW 84.34.020(2).

(c) ~~Ancillary Entertainment/Special~~ Events. The ATO (Retail or Destination/Resort) may include Ancillary entertainment/special events, including but not limited to weddings/receptions, catered functions and small musical events, weddings, receptions, meetings, seminars, and retreats ~~shall be~~ that are 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.~~ Events are an expected component of an ATO and are permissible without applying for additional Special Occasion Permits. For events where the predicted total number of persons on the site will be five hundred persons or more at any point in time, a Festival Permit shall be obtained under YCC Title 8.10.

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- (d) Commercial Uses. The ATO (Retail or Destination/Resort) may include ~~A~~ accessory uses includeing 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~~ may 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~~, merchandise including, but not limited to gifts and art, and the production, marketing, and distribution of value-added agricultural products. ~~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~~ The ATO (Retail or Destination/Resort) 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~~ ATO 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

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- (e) Be located on a farm consisting of one or more contiguous parcels with at least ~~five-one~~ producing acres in the crops used in the retail product tied to the production;
- (f) Locate and design the ATO accessory facilities and permanent or overflow parking so they will not interfere with agricultural operations on the site of the proposed use or on nearby properties; Temporary overflow parking is permissible in other areas of the property if it will not interfere with existing agricultural operations.
- (g) Not locate nonagricultural accessory uses and activities, including new buildings, parking (other than temporary overflow parking) or supportive uses, outside the general area already developed for non-agricultural 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 along the road or their designees. If a road maintenance agreement is not available, ATOs must submit written permission from each property owner along the road, indicating their approval of the applicant's proposed use - Without the road maintenance agreement or written approval, ~~the~~ an application will be considered incomplete; and
- (i) Provide ~~sufficient~~ detailed information with applications proposing phased development of an ATO to enable the ~~c~~County, agencies and adjoining property owners to consider all aspects of the project at full build-out. ~~Changes to an approved ATO that result~~

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~~in new uses that were not considered in the original approval are subject to the level of review for the requested change.~~

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

~~(4) Agricultural Tourist Operation – Retail.~~

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

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

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

(54) Agricultural Tourist Operation – Destination/Resort. A Destination/Resort ATO ~~is one that consists of an assortment of uses over and above any~~may include all the uses associated with a Retail ATO, but may also include: guest lodging facilities.

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- ~~(a) Ancillary Entertainment/Special Events. Indoor event facilities shall be no larger than 7,500 square feet.~~
- ~~(b) Food Service. Food may also be served to registered guests staying at overnight lodging facilities or boarding houses approved under subsection (7) below, or as provided as part of a specific event or class (e.g. wedding or seminar) subject to Yakima Health District licensing requirements, including a commercial kitchen meeting YCC Title 13 standards if required.~~
- ~~(c) Commercial Uses. Other commercial uses directly related to the ATO may be allowed, such as gift stores, art galleries or the like.~~
- ~~(d) Overnight Guest Lodging Facilities and Boarding or Lodging Houses. Overnight ~~lodging~~The ATO (Destination/Resort) may include guest lodging facilities such as stick-built units, recreational vehicles, membrane structures (e.g. teepees, yurts, or tents) and boarding or lodging houses as accessory uses to the ATO.~~shall be limited to 12 overnight accommodations, as provided in subsection (7) below.~~~~
- ~~(6) Agricultural Tourist Operation—Resort. A Resort ATO is one that consists of an assortment of uses over and above any uses associated with Retail or Destination ATO but may include:
 - ~~(a) Ancillary Entertainment/Special Events. Indoor and outdoor event facilities are not limited in size; provided the proposed facility conforms to the requirements set forth in subsection (3)(g) above.~~~~

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

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

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

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

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

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

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

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

(iv**b**) The guest lodging facilities ~~and permanent parking~~ shall be located within the general area already developed for buildings and residential uses, shall be located and designed so they will not interfere with agricultural operations on the site of the proposed use or on nearby properties, and shall not convert more than one acre of agricultural land to nonagricultural uses.

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

- (i) Shall be placed on a permanent foundation or pad;
- (ii) ~~Is not a camping unit or recreational vehicle as defined in Section 19.01.070;~~
- (iii) Shall ~~M~~meets the current building code and Yakima Health Department requirements for transient accommodations; and
- (iv) ~~Does n~~Shall not contain indoor cooking facilities.

(d) Recreational Vehicles. Recreational vehicles, such as travel trailers, motor homes, or park models (tiny homes) that meet the following criteria, are allowed as guest lodging facilities. The recreational vehicle must:

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- (i) Shall be placed on a dedicated space;

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

- (iii) If a recreational vehicle used does not have a functioning washroom and/or kitchen, the ATO operator must provide ADA-compatible washroom facilities and potable water stations to accommodate all overnight recreational vehicle guests; and

- (iv) Recreational vehicles are regulated by the Washington State Department of Labor and Industries as vehicles, not as structures to be used as transient accommodations. Yakima County lacks any authority to inspect or verify the operational or safety status or condition of a recreational vehicle, whether it is used as a vehicle or as a guest lodging facility. Therefore, prior to permit approval for a guest lodging facility utilizing recreational vehicles for lodging, the ATO operator must sign a liability waiver that releases, indemnifies, and holds harmless Yakima County from liability for the recreational vehicle(s) at the ATO to the full extent permitted by law.