



BOARD OF YAKIMA COUNTY COMMISSIONERS

Agenda Request Form (ARF)

Deliver completed ARF and finalized agenda item to the Clerk or Deputy Clerk of the Board at the Yakima County Commissioners' Office, Room 232.

Prepared by: Tommy Carroll

Department: Public Services - Planning Division

Requested Agenda Date: 12/9/25

Presenting: Olivia Story

Board of County Commissioners Record Assigned

#

004-2025

Action Requested – Check Applicable Box:

☐ PASS RESOLUTION

☒ PASS ORDINANCE

☐ ISSUE PROCLAMATION

☐ EXECUTE or AMEND

AGREEMENT, CONTRACT, or GRANT

☐ OTHER _____

Document Title:

IN THE MATTER OF CONSIDERING AMENDMENTS TO YAKIMA COUNTY DEVELOPMENT REGULATIONS, YCC TITLE 19 UNIFIED LAND DEVELOPMENT CODE, AND YCC TITLE 8 PUBLIC PEACE, SAFETY AND MORALS

Background Information:

A little over five years ago the Board of Yakima County Commissioners asked the Yakima County Planning Division to convene an Agritourism Advisory Group, consisting of industry members, to provide feedback on the staff proposed Agritourism and outdoor festival development regulations (YCC Title 19 Unified Land Development Code and YCC Title 8 Public Peace, Safety and Morals) and then move those changes forward for the Board's consideration.

Describe Fiscal Impact:

None

Summary & Recommendation:

Ordinance XX-2025 proposes a number of text amendments to the County's agritourism and outdoor festival development regulations and is presented for the Board's consideration to either approve, deny or modify.

Department Head/Elected Official Signature

Corporate Counsel Initial (for Agreements Only)

BOARD OF YAKIMA COUNTY COMMISSIONERS

ORDINANCE 4-2025

IN THE MATTER OF CONSIDERING AMENDMENTS TO YAKIMA COUNTY DEVELOPMENT REGULATIONS, YCC TITLE 19 UNIFIED LAND DEVELOPMENT CODE, AND YCC TITLE 8 PUBLIC PEACE, SAFETY, AND MORALS

GENERAL

WHEREAS, in compliance with the Washington State Growth Management Act (GMA), Chapter 36.70A RCW, the Board of Yakima County Commissioners adopted the Yakima County Comprehensive Plan – *Horizon 2040*, on June 27, 2017, and adopted development regulations – Yakima County Code Title 19, on May 5, 2015; **and**,

WHEREAS, RCW 36.70A.130 requires that Yakima County as a “fully planning” county; shall update its comprehensive plan and development regulations, as necessary, to reflect local needs, new data, and current laws; **and**,

WHEREAS, under RCW 36.70A.130, the plan and development regulations are subject to continuing review and evaluation, but the plan may be amended no more than one time per year; **and**,

WHEREAS, Yakima County Planning Division initiated development regulation text amendments (LRN2019-00010/SEP2022-003 – Agritourism, to amend portions of YCC Title 19 Unified Land Development Code and YCC Title 8 Public Peace, Safety and Morals); **and**,

WHEREAS, Yakima County Planning Division initiated an Agritourism Advisory Group, consisting of industry members, to provide feedback on the staff proposed development regulation text amendments (YCC Title 19 Unified Land Development Code and YCC Title 8 Public Peace, Safety and Morals); **and**,

WHEREAS, LRN2019-00010 Agritourism text amendments to YCC Title 19 and YCC Title 8, were presented to the Agritourism Advisory Group for their review on April 7, 2021, May 5, 2021, May 19, 2021, June 2, 2021, June 23, 2021, and July 7, 2021; **and**,

WHEREAS, LRN2019-00010 Agritourism text amendments to YCC Title 19 and YCC Title 8, were presented to the Planning Commission for their review on September 9, 2020, October 13, 2021, November 10, 2021, December 8, 2021, and January 12, 2022; **and**,

WHEREAS, on January 26, 2022, Yakima County provided a 60-Day notice to the Department of Commerce, as required by RCW 36.70A.106 on the proposed development regulation amendments; **and**,

WHEREAS, the Planning Commission conducted a properly advertised and noticed public hearing on February 9, 2022, to hear testimony on the proposed text amendments; **and**,

WHEREAS, the Planning Commission held their deliberations on March 9, 2022, April 13, 2022, May 11, 2022, and June 8, 2022; **and**,

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WHEREAS, Yakima County issued a SEPA Determination of Non-Significance for LRN2019-00010/SEP2022-003 on March 17, 2022. All SEPA reviews analyze the environmental and growth management impacts of all proposed actions and considered all submitted comments from agencies and parties of record; **and**,

WHEREAS, the Planning Commission, having carefully considered the staff recommendation, Agritourism Advisory Group recommendation and the written and oral testimonies in its deliberations approved their Findings and Recommendations on June 8, 2022, for the proposed text amendments (LRN2019-00010/SEP2022-003); **and**,

WHEREAS, the Board of Yakima County Commissioners held work sessions on June 26, 2023, and July 10, 2023, on the proposed amendments; **and**,

WHEREAS, the Board of Yakima County Commissioners conducted two properly advertised public hearings on December 12, 2023, to hear testimony on the proposed text amendments outlined in the Planning Commission recommendations; **and**,

WHEREAS, Board of Yakima County Commissioners continued their December 12, 2023, public hearings to allow for additional testimony and discussion regarding the proposed text amendments; **and**,

WHEREAS, the Board of Yakima County Commissioners held additional work sessions on January 18, 2024, February 26, 2024, April 22, 2024, March 3, 2025, to receive updates on the continued discussions regarding the proposed amendments; **and**,

WHEREAS, on April 15, 2025, at their regularly schedule agenda meeting the Board of Yakima County Commissioners took additional testimony on the proposed agritourism code changes (LRN 2019-00010/SEP2022-003); **and**,

WHEREAS, the Board of Yakima County Commissioners held a continuation hearing on August 26, 2025, and then closed the hearing; **and**,

WHEREAS, at a work session on September 8, 2025, the Board of Yakima County Commissioners instructed staff to move the proposed text amendments for deliberations; **and**,

WHEREAS, on October 28, 2025, the Board of Yakima County Commissioners did adopt motions approving, denying or modifying the proposed text amendments; **now, therefore**,

BE IT HEREBY ORDAINED by the Board of Yakima County Commissioners:

Section 1. Reasons for Action.

The Board of Yakima County Commissioners are considering the proposed amendments as follows:

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- A. At the direction of the Board of Yakima County Commissioners the Planning Division created an Agritourism Workgroup made up of industry specific individuals to assist the Planning Division with reviewing the County existing agritourism and Outdoor Festival development standards and making recommendations for changes.
- B. The proposed development regulation text amendments are considered an official control under state law and must be reviewed by the Yakima County Planning Commission.
- C. The proposed development regulation text amendments were presented by staff to the Planning Commission to address a number of potential issues between existing agritourism businesses, changes in the industry and the existing code language found in YCC Title 19 and YCC Title 8.
- D. Many of the staff proposed changes to the existing code were to add clarifying language, including new definitions and changes to the land use table that required the Planning Commission to consider.
- E. The Planning Commission must hold an open record public hearing on any Title 19 amendment proposal before providing a recommendation to the Board of Yakima County Commissioners.

A Staff report for the development regulation text amendments was provided to the Planning Commission that identified specific issues and recommended approval, modification, or denial of the proposed amendments. Following public testimony and deliberations, the Planning Commission has determined which of the proposed amendments are needed to correct errors, address deficiencies or more closely correspond to the goals, policies and intent of **Horizon 2040** and presented their findings and recommendations to the Board of Yakima County Commissioners for their consideration.

The Board of Yakima County Commissioners reviewed said amendments, held a public hearing, and decided to approve, modify, and/or deny the proposed amendments.

Section 2. Findings.

- A. Compliance with Growth Management Act. The Board of Yakima County Commissioners finds that the amendments to YCC Title 8 and YCC Title 19, adopted by this ordinance are in substantial compliance with RCW 36.70A (the Growth Management Act, or GMA). The Comprehensive Plan – **Horizon 2040** is internally consistent and policies within and among elements are complementary, not contradictory. The Comprehensive Plan – **Horizon 2040** contains policies, implementation measures, and procedures which provide for its review and adjustment if internal conflicts are discovered.
- B. State Environmental Policy Act (SEPA). Yakima County adopted **Horizon 2040** on June 27, 2017, and adopted by reference **Plan 2015's**, Chapter III Environmental Analysis. **Plan 2015** was originally designed to integrate SEPA and GMA consistent with the provisions of WAC 197-11-210 through 197-11-235. The issuance of March 17, 2022, *Final*

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Determination of Non-Significance for the Agritourism amendments (LRN2019-00010/SEP2022-003) provides the environmental evaluation and documentation required under SEPA for the plan, development regulation.

- C. Analysis of Cumulative Effects. The cumulative effects have been considered as part of the SEPA review process outlined in subsection B. above.
- D. The Board of Yakima County Commissioners adopts the Findings and Recommendations of the Planning Commission dated June 8, 2022 (see Exhibit 1 for the Planning Commission Findings and Recommendations) with modifications to the proposed development regulation text amendments (LRN2019-00010 and SEP2022-003) as shown in Exhibit 2.
- E. The new development standards adopted with this ordinance apply only to new land uses; existing permitted agritourism businesses must apply for new or modify their current land use permits in order to qualify under the updated standards.

Section 3. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the resolution, or the validity of its application to any other person or circumstances.

Section 4. Effective Date. Pursuant to the Growth Management Act (RCW 36.70A), Yakima County must publish a Notice of Adoption within 10 days after the Board's approval of this ordinance, thus starting the required 60-day appeal period. Therefore, this ordinance becomes effective on the 61st day after publishing the Notice of Adoption.

APPROVE X

DENY

MODIFY

DONE 12/9/2025



Attest:

[Signature]

Julie Lawrence, Clerk of the Board *or*
Erin Franklin, Deputy Clerk of the Board

Kyle Curtis

Kyle Curtis, Chair

OPPOSED

LaDon Linde, Commissioner

[Signature]

Amanda McKinney, Commissioner
*Constituting the Board of County Commissioners
for Yakima County, Washington*

BOARD OF YAKIMA COUNTY COMMISSIONERS

Exhibit 1 –Planning Commission Findings and Recommendations (LRN2019-00010 and SEP2022-003)

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Exhibit 2 – The Board of Yakima County Commissioners adopted text changes (LRN2019-00010 and SEP2022-003)

Exhibit 2a – YCC 8.10 Outdoor Festivals

Exhibit 2b – YCC 19.01 Definitions

Exhibit 2c – YCC 19.14-1 Allowable Land Use Table

Exhibit 2d – YCC 19.18 Special Uses and Standards Ag Tourist Operation

Exhibit 2e – YCC 19.18 Special Uses and Standards Wineries, Breweries and Distilleries

Yakima County Planning Commission
Findings of Fact and Recommendation
June 8, 2022

IN THE MATTER OF CONSIDERING) **FINDINGS OF FACT AND**
AMENDMENTS TO YAKIMA COUNTY) **RECOMMENDATION**
DEVELOPMENT REGULATIONS, YCC TITLE) File Nos:
19 UNIFIED LAND DEVELOPMENT CODE,) LRN2019-00010/SEP2022-00003;
AND YCC TITLE 8 PUBLIC PEACE, SAFETY,
AND MORALS

WHEREAS, in compliance with the Washington State Growth Management Act (GMA), Chapter 36.70A RCW, the Board of Yakima County Commissioners adopted the Yakima County Comprehensive Plan – **Horizon 2040**, on June 27, 2017, and adopted development regulations – Yakima County Code Title 19, on May 5, 2015; and

WHEREAS, RCW 36.70A.130 requires that Yakima County as a "fully planning" county; shall update its comprehensive plan and development regulations, as necessary, to reflect local needs, new data, and current laws; and

WHEREAS, under RCW 36.70A.130, the plan and development regulations are subject to continuing review and evaluation, but the plan may be amended no more than one time per year; and

WHEREAS, Yakima County Planning Division initiated development regulation text amendments (LRN2019-00010 – Agritourism, to amend portions of YCC Title 19 Unified Land Development Code and YCC Title 8 Public Peace, Safety and Morals); and

WHEREAS, Yakima County Planning Division initiated an Agritourism Advisory Group, consisting of industry members, to provide feedback on the staff proposed development regulation text amendments (YCC Title 19 Unified Land Development Code and YCC Title 8 Public Peace, Safety and Morals); and

WHEREAS, LRN2019-00010 Agritourism text amendments to YCC Title 19 and YCC Title 8, were presented to the Agritourism Advisory Group for their review on April 7, 2021, May 5, 2021, May 19, 2021, June 2, 2021, June 23, 2021, and July 7, 2021; and

WHEREAS, LRN2019-00010 Agritourism text amendments to YCC Title 19 and YCC Title 8, were presented to the Planning Commission for their review on September 9, 2020, October 13, 2021, November 10, 2021, December 8, 2021, and January 12, 2022; and

WHEREAS, on January 26, 2022, Yakima County provided a 60-Day notice to the Department of Commerce, as required by RCW 36.70A.106 on the proposed development regulation amendments; and

WHEREAS, the Planning Commission conducted a properly advertised and noticed public hearing on February 9, 2022, to hear testimony on the proposed text amendments; and

WHEREAS, the Planning Commission held their deliberations on March 9, 2022, April 13, 2022, May 11, 2022, and June 8, 2022; and

WHEREAS, the Planning Commission, having carefully considered the Agritourism Advisory Group recommendation, the staff recommendation, and the written and oral testimony in its deliberations, moved to make the recommendations described below (II. FINDING OF FACT Section 6) to the Board of Yakima County Commissioners concerning the proposed text amendments to YCC Title 19 and Title 8; and

NOW, THEREFORE, the Yakima County Planning Commission hereby makes and enters the following:

I. REASONS FOR ACTION

The amendments before the Planning Commission are as follows:

1. The proposed staff-initiated text amendments to Yakima County Code Title 19 and Title 8 are necessary to better implement development regulations pertaining to Wineries, Breweries, and Distilleries, Agricultural Tourist Operations, and Outdoor Festivals.
2. The Planning Commission must hold an open record public hearing on any Title 19 and Title 8 amendment proposal to provide a recommendation to the Board of Yakima County Commissioners.

II. FINDINGS OF FACT

-1-

Yakima County, in compliance with the Washington State Growth Management Act (GMA), Chapter 36.70A RCW, the Board of Yakima County Commissioners adopted the Yakima County Comprehensive Plan – **Horizon 2040**, on June 27, 2017, and adopted development regulations – Title 19, on May 5, 2015; and

-2-

Yakima County staff prepared a SEPA Mitigated Determination of Non-Significance which analyzed the environmental and growth management impacts of all proposed actions and included individual reports on each of the proposed amendments.

-3-

Yakima County staff provided a 60-Day notice to the Department of Commerce on January 26, 2022, for the development regulation text amendments (LRN 2019-00010 Agritourism).

-4-

The Planning Commission accepted oral and written comments at a properly advertised public hearing held February 9, 2022, on the proposed Title 19 and Title 8 Text Amendments (LRN 2019-00010 Agritourism).

-5-

The hearing and deliberations were closed on June 8, 2022, and the Planning Commission moved to make recommendations on the proposed amendments.

-6-

The findings for the proposed amendments are as follows:

- LRN2019-00010/SEP2022-00003 – Yakima County Public Services. Yakima County Public Services Planning Division is seeking to amend the Unified Land Development Code (YCC Title 19) and the Public Peace, Safety and Morals Code (YCC Title 8) to better implement the code. The proposed amendments will apply to:
 1. Outdoor Festivals (YCC 8.10)
(See Exhibit 1 for text changes.)
 2. Definitions (YCC 19.01.070)
(See Exhibit 2 for text changes.)
 3. Allowable Land Use Table (Table 19.14-1)
(See Exhibit 3 for text changes.)
 4. Wineries, Breweries, and Distilleries (YCC 19.18.500)
(See Exhibit 4 for text changes.)
 5. Agricultural Tourist Operations (YCC 19.18.060)
(See Exhibit 5 for text changes.)

Exhibit 6 is a table outlining the motions and amended motions to reflect the Planning Commission's deliberations and subsequent votes and recommendations. Five (5) Planning Commissioners voted to recommend as amended, APPROVAL of the County- initiated text amendments.

Therefore, the Commission recommends in a 5 to 1 vote that the proposed County-initiated text amendments to YCC Title 19 and Title 8 should be APPROVED.

III. RECOMMENDATION

- 1)
1) By motion and vote described in II. Findings of Fact, the Planning Commission recommends that the Board of Yakima County Commissioners approve the proposed amendments.

Voting in favor of the findings and recommendation:

Doug Mayo, Chair

Kyle Curtis, Vice Chair

Jerry Craig

Holly Castle

Robert Tree

Vacant Position

Voting against the findings and recommendation:

Michael Shuttleworth


Noelle Madera,
Secretary

Dated: June 8, 2022

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2
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Exhibit 1
LRN2019-00010/SEP2022-00003
Outdoor Festivals (YCC 8.10)

Planning Commission Recommendation

Yakima County Code
Chapter 8.10 Event Regulations

Chapter 8.10 OUTDOOR FESTIVAL REGULATIONS

Sections:

- 8.10.010 Legislative Declaration.
- 8.10.020 Definitions.
- 8.10.030 Permit Required.
- 8.10.040 Application for Permit – Contents – Filing.
- 8.10.050 Administrative Official, Decision. ~~Approval or Denial of Permit – Corrections –~~
- ~~Judicial Review.~~
- 8.10.060 Reserved.
- 8.10.070 Cash Deposit – Surety Bond – Insurance.
- 8.10.080 Revocation of Permits.
- 8.10.090 Access and parking ~~Reserved.~~
- 8.10.095 Temporary structures
- 8.10.100 Distance from Habitation.
- 8.10.110 Noise Levels.
- 8.10.115 Vibration
- 8.10.116 Exterior lighting
- 8.10.120 ~~Age of Patrons.~~
- 8.10.130 Posting Permits – Non-transferability.
- 8.10.140 Hours.
- 8.10.150 Penalty.
- 8.10.160 Preparations – Completion Requirements.

8.10.010 Legislative Declaration.

The board of county commissioners declares it to be the public interest, and for the protection of the health, welfare and property of the residents of ~~the county of Yakima~~ County, to provide for the orderly and lawful conduct of festivals to include, but not limited to, outdoor festivals, entertainments, amusements, and assemblies catering to the general public, that certain rules and regulations be established, and further that there is a danger to the people attending the gathering if proper sanitary, police, fire and other health and safety measures are not adequately provided for. In addition, the purpose of this section is to provide an effective administrative process for the review and enforcement of these standards to protect the safety and general welfare of the community. Therefore, festivals are subject to the following minimum requirements. ~~to be held outdoors by assuring that the proper sanitary, health, fire, safety and police measures are provided and maintained. This invocation of the police powers is prompted by and based upon a finding of the board of county commissioners that there is danger to both people attending and the property in close proximity of such a festival if proper sanitary, health, fire, safety and police measures are not adequately provided for.~~

(Ord. 2-2016 (part), 2016: Ord. 3-1995 §1, 1995: Ord. 8-1976 §1(part), 1976).

8.10.020 Definitions.

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For the purposes of this chapter, the following words and phrases shall have the indicated meanings:

(1) "Applicant" means the promoter who has the right of control of the conduct of a festival who applies to the appropriate legislative authority for a license to hold an outdoor festival.

(2) "Board" means the board of county commissioners.

(3) "Outdoor festival" means an indoor or outdoor assembly of persons at a given place and time, generally a planned social occasion to bring people together in a group for a public or private performance, entertainment, affair, function, occasion, social function, or special occasion where the predicted total number of persons on the site is five hundred persons or more, and where the duration of the program is five hours or longer except:

(a) Outdoor festivals at a structure or facility such as a stadium, athletic field, arena, auditorium, coliseum, or other similar permanently established place of assembly that has been permitted for assembly purposes under the land-use, building safety, fire safety and health safety regulations of Yakima County and other applicable state or local regulation;

(b) Government-sponsored fairs held on regularly established fairgrounds;

(c) Circuses, traveling amusements, or carnivals, rodeo, animal show or rides, and all other occasional amusements, sporting events, or shows required to be licensed under other county ordinances including YCC 5.16.

(4) "Person" means any natural individual, partnership, corporation, association, society, or fraternal or social organization. The singular shall include the plural.

(5) "Promoter" means any person issued a permit to conduct a festival.

(Ord. 2-2016 (part), 2016: Ord. 3-1995 §2, 1995: Ord. 8-1976 §1(part), 1976).

8.10.030 Permit Required.

No person shall knowingly allow, conduct, hold, maintain, cause to be advertised, or permit an outdoor festival in the unincorporated area of the county unless a valid permit has been obtained as required by this chapter. One such permit shall be required for each festival. A permit may be granted for a period not to exceed sixteen consecutive days, and a festival may be operated during any or all of the days within such period.

A person may apply for an outdoor festival permit for an event which would not otherwise be required to obtain one due to having a predicted total number of persons on site is below 500 and or a program duration less than 5 hours, or both. The application will be processed as an outdoor festival and the permitting requirements will be those required of outdoor festivals.

(Ord. 2-2016 (part), 2016: Ord. 3-1995 §3, 1995: Ord. 8-1976 §1(part), 1976).

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8.10.040 Application for Permit – Contents – Filing.

Application for an outdoor festival permit shall be in ~~writing and filed with the clerk of the board~~ accordance with the provisions set forth below.

(1) Except as provided herein, a complete application shall be ~~filed~~ submitted in writing to the Yakima County Public Services Planning Division at least forty five (45) not less than forty five and not more than three hundred sixty five calendar days prior to the proposed first scheduled day of the festival and shall be accompanied with a permit fee in the amount ~~of one thousand dollars~~ identified in the fee schedule listed in YCC Title 20. Application for an outdoor festival permit shall include:

(a) A completed application form signed by the owner(s) of record and the festival promoter (if applicable). The application form shall be provided by the Administrative Official. The name of the person or other legal entity on behalf of whom said application is made; provided, that a natural person applying for such permit the applicant shall be eighteen years of age or older;

(b) The nature of the business organization of the applicant;

(c) Names and addresses of all individuals or other entities having a ten-percent or more proprietary interest in the festival;

(d) The principal place of business of the applicant;

(e) The address or parcel number (s) of the land to be occupied, the name and address of the owner thereof, together with a document showing the consent of said owner to the issuance of a permit, if the land is owned by a person other than the applicant;

(f) The scheduled performances and programs;

(g) Written confirmation that the Yakima Health District health officer has reviewed and approved plans for the outdoor festival site in accordance with rules, regulations and standards adopted by the State Board of Health;

(h) Written confirmation from the ~~county~~ sheriff's office that traffic control and crowd protection policing has been contracted for or otherwise provided by the applicant in accordance with the applicable regulations and policies enforced by the ~~county~~ sheriff;

(i) Written confirmation from the county fire marshal's office that the application and site plans for the outdoor festival site have been reviewed and approved as complying with the provisions of the fire code and the rules and policies of the fire marshal's office;

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(j) A written statement of consent from the applicant that all State and Yakima County law enforcement officers, fire-control officers and other necessary governmental personnel shall have free access to the site of the festival;

~~(k) A list of the address or parcel number of all residences located within 300 yards of the sound source the outdoor festival measured as defined in YCC 8.10 and a copy of a written waiver from the owner of the residence as provided in YCC 8.10.100;~~

(k) A narrative describing the proposed festival, including the nature of the festival, anticipated number of attendees, proposed days and hours of operation, methods of controlling ingress and egress, and any other measures designed to minimize impacts on surrounding properties and road systems;

(l) The Administrative Official may require additional information, such as environmental consideration, if deemed necessary;

(m) The verification of the applicant warranting the truth of the matters set forth in the application to the best of the applicant's knowledge, under the penalty of perjury.

(Ord. 2-2016 (part), 2016: Ord. 3-1995 §4, 1995: Ord. 8-1976 §1(part), 1976).

~~8.10.050 Approval or Denial of Permit—Corrections—Judicial Review.~~ Administrative Official Decision.

(1) Within fifteen days after the filing of the complete application for an outdoor festival permit, the ~~board~~ Administrative Official shall in writing, ~~schedule a time at the next regular meeting of the board when the board shall~~ approve, deny, or approve with conditions the applicant's permit. Any denial decision shall ~~set forth in~~ detail the specific grounds for denial ~~therefor~~. The applicant shall have fifteen days after the receipt of such denial, or such additional time as the ~~board of county commissioners~~ Administrative Official shall grant, to correct the deficiencies set forth in the denial. The ~~board of county commissioners~~ Administrative Official shall either approve or deny the permit within fifteen days of receipt of the submitted corrections to the application. Any denial shall set forth in detail the specific grounds therefor.

~~(2) After the board of county commissioners has issued a final decision to approve or deny the permit, the decision may be appealed as provided in RCW 36.70C.~~

(Ord. 2-2016 (part), 2016: Ord. 3-1995 §5, 1995: Ord. 8-1976 §1(part), 1976).

8.10.060 Reserved.

(Ord. 2-2016 (part), 2016: Ord. 3-1995 §6, 1995: Ord. 8-1976 §1 (part), 1976).

8.10.070 Cash Deposit – Surety Bond – Insurance.

(1) After an application for an outdoor festival has been approved, the promoter shall deposit with the county treasurer the sum of ten thousand dollars cash, or surety bond in like sum. The

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1 bond or deposit shall be used to pay any costs or charges incurred to regulate health or to clean up
2 afterwards outside the festival grounds, or any extraordinary costs or charges incurred for law
3 enforcement or to regulate traffic or parking.

4 (2) Bond or other deposits shall be returned to the promoter when the board is satisfied that no
5 claims for damage or loss will be made against said bond or deposit, or that the loss or damage
6 claimed is less than the amount of the deposit, in which case the uncommitted balance thereof shall
7 be returned; provided, that the bond or cash deposit or the uncommitted portion thereof shall be
8 returned not later than thirty days after the last day of the festival.

9 (3) The promoter shall furnish proof of occurrence basis liability insurance in an amount of not
10 less than five hundred thousand dollars per occurrence and one million dollars in the aggregate
11 property damage and bodily injury coverage covering any officer, employee, volunteer, member,
12 agent or representative of the promoter while acting in the performance of his or her duties. The
13 policy shall name Yakima County as an additional named insured.

14 (Ord. 2-2016 (part), 2016: Ord. 3-1995 §7, 1995: Ord. 8-1976 §1(part), 1976).

15 8.10.080 Revocation of Permits.

16 (1) Revocation of any permit granted pursuant to this chapter shall not preclude the imposition
17 of penalties as provided for in this chapter and the laws of the state of Washington. Any permit
18 granted pursuant to the provisions of this chapter to conduct an outdoor festival shall be summarily
19 revoked by the issuing authority when it finds that by reason of emergency the public peace, health,
20 safety, morals or welfare can only be preserved and protected by such revocation.

21 (2) Any permit granted pursuant to the provisions of this chapter to conduct an outdoor festival
22 may otherwise be revoked for any material violation of this chapter or the laws of the state of
23 Washington after a hearing held upon not less than three days' notice served upon the promoter
24 personally or by certified mail.

25 (Ord. 2-2016 (part), 2016: Ord. 8-1976 §1(part), 1976).

26
27 8.10.090 Access and parking-Reserved.

28 (1) Provide adequate access from a county road and have a traffic and parking management plan.

29
30 (Ord. 2-2016 (part), 2016: Ord. 3-1995 §9, 1995: Ord. 8-1976 §1(part), 1976).

31
32 8.10.095 Temporary structures

33 (1) All temporary facilities or structures shall not be started more than 14 days prior to the
34 beginning of the event. The Administrative Official shall inspect the structures for safety
35 standards prior to the first day of the event. Should the temporary facility fail to meet the
36 standards approved in the proposed plans, the event permit approval may be withdrawn. All

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temporary facilities or structures shall be completely removed within 10 days of the completion of the event.

8.10.100 Distance from Habitation.

No outdoor festival shall be operated in a location which is closer than three hundred ~~yards~~-feet from any house, residence or other human habitation as measured from the sound source; provided, however, that this section shall not apply if the owner of each residence within said distance waives this requirement in writing. Applicant shall provide such waivers at time of application submittal. (Ord. 2-2016 (part), 2016: Ord. 3-1995 §10, 1995: Ord. 8-1976 §1(part), 1976).

8.10.110 Noise Levels.

Sounds created by an outdoor festival permitted by this chapter shall be exempt from the provisions of YCC 6.28 from 6:00 a.m. to 12:01 a.m.

(Ord. 2-2016 (part), 2016: Ord. 3-1995 §11, 1995: Ord. 8-1976 §1(part), 1976).

8.10.115 Vibration

Any vibration generated by the event, other than that caused by vehicles or equipment as part of the approved permit, which is discernible without instruments at the property line, is prohibited.

8.10.116 Exterior lighting

Exterior lighting shall be designed to shield surrounding streets and land uses from nuisance and glare.

8.10.120 ~~Reserved~~ Age of Patrons.

~~No person under the age of eighteen years shall be admitted to any outdoor festival without the escort of his or her parents or legal guardian and proof of age shall be provided upon request.~~

(Ord. 2-2016 (part), 2016: Ord. 3-1995 § 12, 1995: Ord. 8-1976 §1(part), 1976).

8.10.130 Posting Permits – Non-transferability.

Any permit granted pursuant to this chapter shall be posted in a conspicuous place on the site of the festival. A permit issued pursuant to this chapter shall not be transferable or assignable.

(Ord. 2-2016 (part), 2016: Ord. 3-1995 §13, 1995: Ord. 8-1976 §1(part), 1976).

8.10.140 Hours.

Outdoor festivals may be conducted between the hours of 6 a.m. and 12:01 a.m. Monday through Sunday. The hours and days may be adjusted as determined by the Administrative Official review of the application, public and agency comments based upon the public health, safety, and welfare.

(Ord. 2-2016 (part), 2016: Ord. 8-1976 §1(part), 1976).

Planning Commission Recommendation

Yakima County Code

Chapter 8.10 Event Regulations

1 8.10.150 Penalty.

2 (1) Any person, firm, or corporation violating any of the provisions of this Title, or violating or
3 failing to comply with any order issued or made pursuant to its provisions shall severally and for
4 each and every violation and non-compliance respectively, be subject to a civil infraction as
5 provided for by Chapter 7.80 RCW in the amount of not less than \$500.00.

6 (Ord. 2-2016 (part), 2016: Ord. 7-2010 § 1, 2010: Ord. 3-1995 §17, 1995: Ord. 8-1976 §1 (part),
7 1976. Formerly 8.10.150).

8
9 8.10.160 Preparations – Completion Requirements.

10 All event preparations required to be made by the provisions of this chapter on the outdoor festival
11 site shall be completed prior to the first day scheduled for the festival. If a material violation exists,
12 the board shall move to revoke the festival permit in the manner provided by Section 8.10.080.

13 (Ord. 2-2016 (part), 2016: Ord. 3-1995 §18, 1995: Ord. 8-1976 §1(part), 1976. Formerly 8.10.180).

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Exhibit 2
LRN2019-00010/SEP2022-00003
Definitions (YCC 19.01.070)

Planning Commission Recommendation

Chapter 19.01 GENERAL PROVISIONS

(1) "A" Definitions.

...	
Agricultural tourist operation, (ATO)	<p>"Agricultural tourist operation" refers to a working farm, including an approved winery, distillery or brewery, <u>or distillery</u> (domestic or micro) or any agricultural, horticultural, or agribusiness operation that is open to the public for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation. These activities must be related to the agricultural products grown or produced on-site and incidental to the primary operation on the site. This term includes farm tours, hayrides, corn mazes, pumpkin patches, classes related to agricultural products or skills, picnic and party <u>event</u> facilities offered in conjunction with the above and similar uses. The retail sales of agricultural related products is are considered accessory and subordinate to the agricultural operation when the products sold are grown or produced on-site.</p> <p>(1) Retail Agricultural Tourist Operation: is one that may include eating and food preparation facilities with event facilities for seminars or other social gatherings.</p> <p>(2) Destination/<u>Resort</u> Agricultural Tourist Operation: is one that consists of an assortment of uses over and above any uses associated with retail level operation but may include overnight lodging facilities up to 12 guest rooms, <u>and a restaurant serving meals to the public, including a commercial kitchen</u> with event facilities for seminars, weddings and other social gatherings.</p> <p>(3) Resort Agricultural Tourist Operation: is one that consists of an assortment of uses over and above any uses associated with retail or destination level operation. These accessory uses can be anything related to the agricultural operation that enhances the tourist related experience, with a dedicated area for seminars, weddings and other social gatherings, and RV park accommodations.</p>
...	

Planning Commission Recommendation

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brewery, Domestic	"Brewery, domestic" means a facility where <u>60,000 (sixty thousand)</u> barrels or more of beer are processed and manufactured per year. A domestic brewery can include hop fields, grain fields, tasting and sales rooms, <u>and limited food service necessary to meet the requirements of the brewery's liquor license</u> . (Definition based on RCW 66.24.240(1).)
brewery, Micro	"Brewery, micro" means a facility where less than <u>60,000 (sixty thousand barrels)</u> of beer are processed and manufactured per year. A microbrewery can include hop fields, grain fields, tasting and sales rooms, <u>and limited food service necessary to meet the requirements of the brewery's liquor license</u> . (Based on RCW 66.24.244(1).)
...	
Distillery	"Distillery" means a facility where more than 60,000 <u>(sixty thousand)</u> gallons of spirits are processed and manufactured per year. A distillery can include fields, tasting and sales rooms, <u>and limited food service necessary to meet the requirements of the distillery's liquor license</u> . (Based on RCW 66.24.140(1)).
Distillery, craft	"Distillery, craft" means a facility where 60,000 <u>(sixty thousand)</u> gallons or less of spirits are processed and manufactured per year. A craft distillery can include fields, tasting and sales rooms, <u>and limited food service necessary to meet the requirements of the distillery's liquor license</u> . (Based on RCW 66.24.140(1)).
...	
Overnight lodging facility	"Overnight lodging facility" means a commercial establishment consisting of motel and hotel units, cabins, that are permanently established on-site and in which there are <u>up to 12 six or more guest rooms for transient lodging accommodations on a daily rate, but not to exceed 30 (thirty) consecutive days</u> , to the general public. Such establishments may include additional services such as restaurants, meeting rooms, spas, concierge services, and recreational facilities. This definition is inclusive of "glamping," but does not include mobile homes, camping or recreational vehicles. Overnight lodging facilities are licensed under the Department of Health's transient accommodation license.
...	

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Winery	"Winery" means a facility where wine is processed and manufactured. A winery is specifically designed to include, at a minimum, two or more of the following: vineyards, crushing, fermentation, and barrel aging of wine. A winery may also include any of the following: barrel rooms, bottling rooms, tank rooms, laboratories, and offices. Uses that are clearly incidental to the production of wine are allowed accessory uses to a winery. These may include, but are not limited to, the following: bottling, case goods storage, retail and/or wholesale sales of wine, employee day-care <u>daycare</u> , tours, tasting and sales rooms when they are accessory to the on-site production facility and, ancillary retail sales, picnic areas, <u>event facilities</u> , and food service. Food service is limited by the type of Yakima Health District License, Agricultural Tourist Operation, or commercial zoning district where the winery is located.
...	
<u>Events (Ancillary Entertainment/Special Events)</u>	<u>"Events" means something that happens at a given place and time, generally a planned social occasion to bring people together in a group for a public or private performance, entertainment, affair, function, occasion, social function or special occasion. Such events may include, but not limited to weddings, receptions, meetings, retreats, and outdoor festivals.</u>
...	
Especially sensitive land uses (ESLU)	"Especially sensitive land uses" means those that are, by their nature, especially sensitive to farm, forest or mineral resource, linear transmission facilities and management practices. These land uses include dwellings (excluding caretaker dwellings), schools, day care facilities, churches or other places of worship or assembly, <u>Agricultural Tourist Operations (ATO's)</u> , medical facilities such as hospitals, clinics and convalescent care facilities, outdoor recreational facilities and similar uses.

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Exhibit 3
LRN2019-00010/SEP2022-00003
Allowable Land Use Table (Table 19.14-1)

Planning Commission Recommendation

Chapter 19.14 ALLOWABLE LAND USE TABLE

19.14.010 Allowable Land Use Table.

- (1) The following Table 19.14-1 indicates those uses which may be permitted through Type 1, 2, 3 or 4 review in the various zoning districts defined in this title. In addition to Table 19.14-1, reference to the individual zoning districts and, where indicated, the notes following the table and definitions of 19.01.070, is necessary in order to determine if any specific requirements apply to the listed use.
- (2) Uses. The uses set out in Table 19.14-1 are examples of uses allowed in the various zoning districts defined in this title. The appropriate review authority is mandatory. See YCC Title 16B for more explicit definitions of Type 1, 2, 3, and 4 uses/reviews.

"Type 1" Uses allowed subject to approval of applicable permits where required. Type 1 uses usually require Type 1 review, but may require Type 2 review under certain conditions.

"Type 2" Uses allowed upon Type 2 administrative review and approval as set forth in Section 19.30.030 uses subject to review and approval. Type 2 uses require administrative review by the Administrative Official and may be referred to the Hearing Examiner.

"Type 3" Uses which may be authorized subject to the approval of a conditional use permit as set forth in Section 19.30.030. Type 3 conditional uses are not generally appropriate throughout the zoning district. Type 3 uses require Hearing Examiner review of applications subject to a Type 3 review under the procedures of Section 19.30.100 and YCC Subsection 16B.03.030(1)(c).

"Type 4" Uses which may be allowed subject to the approval of a project permit as set forth in Section 19.30.030. Type 4 uses require both the Hearing Examiner and Board of County Commissioners review of applications subject to a Type 4 review under the procedures of Sections 19.30.080, 19.36.030, and YCC 16B Subsection 16B.03.030(1)(d).

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"Blank" Uses specifically prohibited.

A higher level of review may be required for a use located within one or more overlay districts, designated in Chapter 19.17, or where circumstances merit a higher level of review as described in Section 19.30.030. Where a use is not listed, it is specifically prohibited or subject to a similar use interpretation in Chapter 19.31.

Table 19.14-1 Allowable Land Uses

	AG	FW	MIN	R/ELDP	R- 10/5	RT	RS	HTC	SR	R- 1	R- 2	R- 3	B- 1	B- 2	SCC	LCC	GC	M- 1	M- 2
AGRICULTURE & FORESTY (COMMERCIAL)																			
...																			
Agricultural tourist operation*† (ATO):																			
(1) Retail ATO*	2			2	2	3													
(2) Destination/Resort ATO*	3			3	3	3													
(3) Resort ATO*	4	4		4	4														
...																			
Brewery, domestic*	3			3	3		2	2									2	1	1
Brewery, micro*	1			3	2		2	2									1	1	1
...																			
Distillery*	3			3	3		2	2									2	1	1
Distillery*, craft*	1			3	2		2	2									2	1	1
...																			
Winery*	1			3	2		2										2	1	1

Planning Commission Recommendation

Planning Commission Recommendation

Table 19.14-1 Allowable Land Uses

	AG	FW	MIN	R/ELDP	R- 10/5	RT	RS	HTC	SR	R- 1	R- 2	R- 3	B- 1	B- 2	SCC	LCC	GC	M- 1	M- 2
...																			
MANUFACTURING																			
...																			
Beverage industry*, not including wineries							2										2	1	1
...																			

Notes:

* References to a definition in Section [19.01.070](#)

†Refers to a special use and standard in Section 19.18

- (1) The type of review of towers and associated structures varies depending on height, diameter and other factors listed in Section [19.18.490](#).
- (2) Allowed as an accessory uses to an existing detached, single-family residence.
- (3) Seasonal-duration temporary worker housing, located on a rural worksite, is limited to review only for height, setback and access requirements under RCW [70.114A.050](#).
- (4) In the Agricultural district, boarding/lodging houses and overnight lodging facilities are allowed only where accessory to an agricultural tourist operation.

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(Ord. 6-2018 §§ 2(F)(ii), (G)(i)(1), (2) (Exhs. 5, 6(1), (2)(c)), 2018; Ord. 6-2017 § 2(C) (Exh. 1) (part), 2017; Ord. 4-2016 § 2 (Exh. 1), 2016; Res. 80-2016 (Exh. A) (part), 2016; Ord. 8-2015 § 2 (Exh. 4) (part), 2015; Ord. 7-2013 § 1 (Exh. A) (part), 2015).

Planning Commission Recommendation

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Exhibit 4
LRN2019-00010/SEP2022-00003
Wineries, Breweries, and Distilleries (YCC 19.18.500)

Planning Commission Recommendation

Yakima County Code
Chapter 19.18 SPECIAL USES AND STANDARDS

Chapter 19.18

SPECIAL USES AND STANDARDS

...

19.18.500 Wineries, Breweries, and Distilleries.

(1) Legislative Intent. Wineries, Breweries (micro), and Distilleries (micro) (WB&Ds), as defined in Section 19.01.070 and allowed under RCW 36.70A.177, and accessory sales of items promoting the WB&D 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 WB&D and public education in farming areas enables business diversification that supports, promotes and sustains agricultural operations and production. Therefore, WB&D are defined as retail destination 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) The WB&D may include the following:

(a) Tasting rooms. Tasting rooms 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).

(b) Food Service (Offerings). Limited Food Service is allowed pursuant to this Section, and may include sales of ancillary prepackaged foods or beverages that are not prepared on the premises for on-site consumption. Food may include a combination of small serving food items such as a mix of hors d'oeuvre type foods, cheeses, fruits, vegetables, deli-style meats, chips, pretzels, nuts, popcorn, crackers, or similar items. Full meal Food service associated with a Special event shall only be served by licensed food vendors and shall be restricted to the events. Food handling is subject to a License from the Yakima Health District, YCC Title 13.

(c) Special events. Events not related to the operational and marketing aspects of a WB&D such as weddings, receptions, meetings, and retreats, and are anticipated to have over 150 attendees at one point in time, will require a one-time special occasion permit (per event) as set forth in YCC Title 8.10. These special events 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.

(3) General Requirements. All types of WB&D shall:

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Yakima County Code
Chapter 19.18 SPECIAL USES AND STANDARDS

- 1 (a) Be consistent with the intent of this Section;
- 2 (b) Comply with specific provisions applicable to the type of winery, brewery or
- 3 distillery in this Section;
- 4 (c) Be subject to, and limited by the appropriate licensing standards of State's Liquor
- 5 Control Board and the Yakima Health District when limited food service and handling is
- 6 required; and
- 7 (d) Have adequate access from a county road consistent with the standards under Chapter
- 8 19.23. WB&Ds that share a private road must submit a road maintenance agreement at the
- 9 time of application signed by all legal property owners or their designees. Without the road
- 10 maintenance agreement, the application will be considered incomplete; and
- 11 (e) Provide sufficient detail with applications proposing phased development of an
- 12 WB&D to enable the County, agencies, and adjoining property owners to consider all
- 13 aspects of the project at full build-out. Changes to an approved WB&D that result in new
- 14 uses that were not considered in the original approval are subject to the level of review for
- 15 the requested change.

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Exhibit 5
LRN2019-00010/SEP2022-00003
Agricultural Tourist Operations (YCC 19.18.060)

Planning Commission Recommendation

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.

(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

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Yakima County Code
Chapter 19.18 SPECIAL USES AND STANDARDS

1 products from one or more producers, products derived from regional agricultural production,
2 agriculturally related experiences, or products produced on-site. Accessory commercial retail
3 uses shall offer for sale products or services produced on-site and/or limited items promoting
4 the ATO.

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

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

7 (b) Be operated by the owner, operator, or occupant of the farming use;

8 (c) Comply with specific provisions applicable to the type of agricultural tourist operation
9 in this Section;

10 (d) Be subject to, and limited by the appropriate licensing standards of the Yakima Health
11 District where food handling is required; and

12 (e) Be located on a at least a 3 (three) acre farm consisting of one or more contiguous parcels
13 ~~with at least 5 (five)~~ producing ~~acres in~~ the crops or products sold used in the ~~retail~~
14 ~~product~~approved ATO;

15 (f) All ATO structures and exterior spaces open to the visiting public must meet the
16 agricultural resource setback requirements found under YCC Title 19.18.205. Locate and
17 design the ATO accessory facilities or structures, not open to the visiting public, and
18 permanent or overflow parking, so they will not interfere with agricultural operations on the
19 site of the proposed use or on nearby properties;

20 (g) Not locate nonagricultural accessory uses and activities, including new buildings,
21 parking or supportive uses, outside the general area already developed for buildings and
22 residential uses and shall not otherwise convert more than one acre of agricultural land to
23 nonagricultural uses;

24 (h) Have adequate access from a county road consistent with the standards under Chapter
25 19.23. ATOs that share a private road must submit a road maintenance agreement at the time
26 of application signed by all legal property owners or their designees. Without the road
27 maintenance agreement, the application will be considered incomplete; and

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

32 (4) Agricultural Tourist Operation – Retail.

33 (a) Events (Ancillary Entertainment/Special Events). Indoor event facilities shall be no
34 larger than 1,500 square feet. Events are an expected component of an ATO and shall be

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Yakima County Code
Chapter 19.18 SPECIAL USES AND STANDARDS

permissible under these regulations without applying for additional Special Occasion Permits. Events where the predicted total number of persons on the site is five hundred persons or more at any point in time, an Outdoor Festival Permit shall be obtained under YCC Title 8.10.

(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.

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

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

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

(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 Short-term Rentals ~~Boarding or Lodging Houses~~. Overnight lodging facilities and Short-term Rentals ~~boarding or lodging houses~~ shall be limited to 12 overnight accommodations, as provided in subsection (76) 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:~~

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Chapter 19.18 SPECIAL USES AND STANDARDS

~~(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.~~

~~(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.~~

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

(a) Overnight Lodging Facilities and Short-term Rentals ~~Boarding or Lodging Houses.~~ Overnight lodging facilities and Short-term Rentals ~~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 Resort Agricultural Tourist Operation shall be limited to 12 overnight accommodations.

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

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

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

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Chapter 19.18 SPECIAL USES AND STANDARDS

- 1 ~~(ii) Is not a camping unit or recreational vehicle as defined in Section 19.01.070;~~
2 (iii) If the facility is a membrane structure, it shall ~~Meets~~-meet the current building
3 code and Yakima Health Department requirements for transient accommodations; and
4 (iv) iii) If the facility is a membrane structure, it ~~Does~~-does not contain indoor cooking
5 facilities.
6 ~~(Ord. 6-2017 § 2(C) (Exh. 1) (part), 2017; Ord. 7-2013 § 1 (Exh. A) (part), 2015).~~
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Exhibit 6
LRN2019-00010/SEP2022-00003
Table of Planning Commissions amendments and motions

Agritourism Planning Commission Deliberations Results

According to the Yakima County Planning Commission "Rules of Procedure," Section IX: Voting, 9.3, a majority vote (4 of 7) of the total Planning Commission members must be obtained to make an official recommendation to the Board. In the absence of obtaining this majority, the recommendation of the Planning Commission is a NO RECOMMENDATION.

	Date	Area of Focus	Motion	Vote	Result
Main Motion	3/9/22	Overall draft	Main Motion: Approve the draft text as presented. Mike motioned, Doug 2 nd		
			WB&D		
Amended Motion 1	3/9/22	19.18.500 (2)(b) WB&D Food Service	Amended Motion 1: Move that we allow full service kitchens subject to Department of Health or whoever has jurisdiction. Doug motioned, Jerry 2 nd	Yes: 3 Doug, Kyle, Jerry No: 1 Mike	No recommendation due to an absence of a majority.
	4/13/22	19.18.500 (2)(b) WB&D Food Service	Amended Motion to Amended Motion 1: Move that we allow full service kitchens subject to Department of Health or whoever has jurisdiction. Doug motioned, Kyle 2 nd	Yes: 4 Doug, Kyle, Jerry, Robert No: 2 Holly, Mike	Motion passes. Add text to allow full service kitchen to WB&D
	5/11/22	19.18.500 (2)(b) WB&D Food Service	Amended Motion to Amended Motion to Amended Motion 1: Keep restaurants open to the public at the original staff suggested level 3. Doug motioned, Mike 2 nd	Yes: 4 Mike, Holly, Jerry, Doug No: 0	Motion passes. Restaurants will remain only in the ATO Destination/Resort level.

Agritourism Planning Commission Deliberations Results

Amended Motion 2	3/9/22	19.18.500 (2)(c) WB&D Events "at one point in time"	Amended Motion 2: Move to "add at one point in time". Doug motioned, Mike 2 nd	Yes: 4 No: 0	Motion passes. Add the text "at one point in time" referring to events and attendees.
Amended Motion 3	3/9/22	19.18.500 (2)(c) WB&D Events "100 vs. 150"	Amended Motion 3: Motion to change the limit to 150 people. Kyle motioned, Doug 2 nd	Yes: 2 Doug, Kyle No: 2 Mike, Jerry	No recommendation due to an absence of a majority.
	4/13/22	19.18.500 (2)(c) WB&D Events "100 vs. 150"	Amended Motion to Amended Motion 3: Motion to change the limit to 150 people. Kyle motioned, Robert 2 nd	Yes: 4 Doug, Kyle Jerry, Robert No: 2 Holly, Mike	Motion passes. Change the limit to 150 people.
ATO					
Amended Motion 4	3/9/22	19.14-1 ATO Destination/ <u>Resort</u>	Amended Motion 4: Add "Resort" to the ATO destination Doug motioned, Kyle 2 nd	Yes: 4 No: 0	Motion passes. Add the text "Resort" to ATO Destination
Amended Motion 5	3/9/22	19.18.060 (5)(d) ATO Overnight units "6 vs. 12"	Amended Motion 5: Keep overnight units at 12 Doug motioned, Kyle 2 nd	Yes: 3 Doug, Kyle, Jerry No: 1 Mike	No recommendation due to an absence of a majority.

Agritourism Planning Commission Deliberations Results

	4/13/22	19.18.060 (5)(d) ATO Overnight units "6 vs. 12"	Amended Motion to Amended Motion 5: Moved to change overnight units from 6 to 12. Kyle motioned, Holly 2 nd	Yes: 4 Doug, Kyle, Jerry, Robert No: 1 Holly, Mike	Motion passes. Change overnight units from 6 to 12.
	Allowable Land Use Table				
Amended Motion 6	4/13/22	19.14-1 Domestic Brewery	Amended Motion 6: Motioned to have Brewery, Domestic mirror Brewery, Micro, giving it the same classification.	Yes: 6 Doug, Kyle, Jerry, Robert, Holly, Mike No: 0	Motion passes.
	5/11/22	19.14-1 Domestic Brewery	Amended Motion to Amended Motion 6: Change review level for Brewery, domestic in the Ag and R 10/5 zones from a 1 to a 3. Doug motioned, Mike 2 nd	Yes: 4 Mike, Holly, Jerry, Doug No: 0	Motion passes.
Amended Motion 9	5/11/22	19.14-1 Distillery	Amended Motion 9: Change review level for Distillery as follows: Ag - 3 R 10/5 - 3 GC - 2 M1 and M2 - 1 Doug motioned, Mike 2 nd	Yes: 4 Mike, Holly, Jerry, Doug No: 0	Motion passes.

Agritourism Planning Commission Deliberations Results

Outdoor Festivals					
Amended Motion 7	5/11/22	8.10.95 Temporary Structures	<p>Amended Motion 7: Motioned to alter the text to add the text "not be started more than 14 days prior to the beginning of the event"</p> <p>And add the text: All temporary facilities or structures shall be completely removed within 10 days of the completion of the event.</p> <p>Doug motioned, Jerry 2nd</p>	<p>Yes: 4 Mike, Holly, Jerry, Doug</p> <p>No: 0</p>	<p>Motion passes.</p>
Amended Motion 8	4/13/22	8.10.120 Age of Patrons	<p>Amended Motion 8: Motioned to remove this section.</p> <p>Kyle motioned, Doug 2nd</p>	<p>Yes: 6 Doug, Kyle, Jerry, Robert, Holly, Mike</p> <p>No: 0</p>	<p>Motion passes. Removed section 8.10.120 Age of Patrons</p>
Definitions					
No Planning commission edits to this section.					

EXHIBIT 2A YCC8.10 Outdoor Festivals

BOCC DRAFT Proposed Changes Considered

Yakima County Code
Chapter 8.10

Chapter 8.10 OUTDOOR FESTIVAL REGULATIONS

Sections:

- 8.10.010 Legislative Declaration.
- 8.10.020 Definitions.
- 8.10.030 Permit Required.
- 8.10.040 Application for Permit – Contents – Filing.
- 8.10.050 ~~Decision, Approval or Denial of Permit – Corrections – Judicial Review.~~
- 8.10.060 Reserved.
- 8.10.070 Cash Deposit – Surety Bond – Insurance.
- 8.10.080 Revocation of Permits.
- 8.10.090 ~~Access and parking. Reserved.~~
- 8.10.095 ~~Temporary structures.~~
- 8.10.100 Distance from Habitation.
- 8.10.110 Noise Levels.
- 8.10.115 ~~Vibration.~~
- 8.10.116 ~~Exterior lighting.~~
- 8.10.120 ~~Age of Patrons.~~
- 8.10.130 Posting Permits – Non-transferability.
- 8.10.140 Hours.
- 8.10.150 Penalty.
- 8.10.160 Preparations – Completion Requirements.

8.10.010 Legislative Declaration.

The board of county commissioners declares it to be the public interest, and for the protection of the health, welfare and property of the residents of ~~the county of Yakima~~ County, to provide for the orderly and lawful conduct of festivals ~~to include, but not limited to, festivals, entertainments, amusements, and assemblies catering to the general public, that certain rules and regulations be established, and further that there is a danger to the people attending the gathering if proper sanitary, police, fire and other health and safety measures are not adequately provided for. In addition, the purpose of this section is to provide an effective administrative process for the review and enforcement of these standards to protect the safety and general welfare of the community. Therefore, festivals are subject to the following minimum requirements. to be held outdoors by assuring that the proper sanitary, health, fire, safety and police measures are provided and maintained. This invocation of the police powers is prompted by and based upon a finding of the board of county commissioners that there is danger to both people attending and the property in close proximity of such a festival if proper sanitary, health, fire, safety and police measures are not adequately provided for.~~

8.10.020 Definitions.

For the purposes of this chapter, the following words and phrases shall have the indicated meanings:

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(1) "Applicant" means the promoter who has the right of control of the conduct of a festival who applies to the appropriate legislative authority for a license to hold an ~~an outdoor~~ festival.

(2) "Board" means the board of county commissioners.

(3) "~~Outdoor~~ festival" means an indoor or outdoor assembly of persons at a given place and time, generally a planned social occasion to bring people together in a group for a public or private performance, entertainment, affair, function, occasion, social function, or special occasion where the predicted total number of persons on the site is five hundred persons or more, ~~and where the duration of the program is five hours or longer~~ except:

(a) ~~Outdoor~~ Festivals at a structure or facility such as a stadium, athletic field, arena, auditorium, coliseum, or other similar permanently established place of assembly that has been permitted for assembly purposes under the land-use, building safety, fire safety and health safety regulations of Yakima County and other applicable state or local regulation;

(b) Government-sponsored fairs held on regularly established fairgrounds;

(c) Circuses, traveling amusements, or carnivals, rodeo, animal show or rides, and all other occasional amusements, sporting events, or shows required to be licensed under other county ordinances including YCC 5.16.

(4) "Person" means any natural individual, partnership, corporation, association, society, or fraternal or social organization. The singular shall include the plural.

(5) "Promoter" means any person issued a permit to conduct a festival.

8.10.030 Permit Required.

No person shall knowingly allow, conduct, hold, maintain, cause to be advertised, or permit an ~~an outdoor~~ festival in the unincorporated area of the county unless a valid permit has been obtained as required by this chapter. One such permit shall be required for each festival. A permit may be granted for a period not to exceed sixteen consecutive days, and a festival may be operated during any or all of the days within such period.

A person may apply for an ~~an outdoor~~ festival permit for an event which would not otherwise be required to obtain one due to having a predicted total number of persons on site is below 500 ~~and or a program duration less than 5 hours, or both~~. The application will be processed as an ~~an outdoor~~ festival and the permitting requirements will be those required of ~~outdoor~~ festivals.

8.10.040 Application for Permit – Contents – Filing.

Application for an ~~an outdoor~~ festival permit shall be in ~~writing and filed with the clerk of the board~~ accordance with the provisions set forth below.

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(1) Except as provided herein, a complete application shall be filed-submitted in writing to the Yakima County Public Services Planning Division at least sixty (60) not less than forty five and not more than three hundred sixty five calendar days prior to the proposed first scheduled day of the festival and shall be accompanied with a permit fee in the amount of one thousand dollars identified in the fee schedule listed in YCC Title 20. An application may be submitted less than sixty (60) days prior to the proposed first scheduled day of the festival, however, if an application is delayed due to incompleteness or deficiencies in the application, an appeal may not be available due to the limited time. Application for an ~~outdoor~~ festival permit shall include:

(a) A completed application form signed by the owner(s) of record and the festival promoter (if applicable). The application form shall be provided by the Administrative Official. The name of the person or other legal entity on behalf of whom said application is made; provided, that a natural person applying for such permitthe applicant shall be eighteen years of age or older;

(b) The nature of the business organization of the applicant;

(c) Names and addresses of all individuals or other entities having a ten-percent or more proprietary interest in the festival;

(d) The principal place of business of the applicant;

(e) The address or parcel number(s) of the land to be occupied, the name and address of the owner thereof, together with a document showing the consent of said owner to the issuance of a permit, if the land is owned by a person other than the applicant;

(f) The scheduled performances and programs;

(g) Written confirmation that the Yakima Health District health officer has reviewed and approved plans for the ~~outdoor~~-festival site in accordance with rules, regulations and standards adopted by the State Board of Health;

(h) Written confirmation from the ~~county~~-sheriff's office that traffic control and crowd protection policing ~~has~~-have been contracted for or otherwise provided by the applicant in accordance with the applicable regulations and policies enforced by the ~~county~~-sheriff;

(i) Written confirmation from the county fire marshal's office that the application and site plans for the ~~outdoor~~-festival site have been reviewed and approved as complying with the provisions of the fire code and the rules and policies of the fire marshal's office;

(j) A written statement of consent from the applicant that all State and Yakima County law enforcement officers, fire-control officers and other necessary governmental personnel shall have free access to the site of the festival;

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~~(k) — A list of the address or parcel number of all residences located within 300 yards of the sound source the outdoor festival measured as defined in YCC 8.10 and a copy of a written waiver from the owner of the residence as provided in YCC 8.10.100;~~

(k) A narrative describing the proposed festival, including the nature of the festival, anticipated number of attendees, proposed days and hours of operation, methods of controlling ingress and egress, and any other measures designed to minimize impacts on surrounding properties and road systems;

(l) The Administrative Official may require additional information, such as environmental consideration, if deemed necessary;

(m) The verification of the applicant warranting the truth of the matters set forth in the application to the best of the applicant's knowledge, under the penalty of perjury.

8.10.050 ~~Approval or Denial of Permit—Corrections—Judicial Review: Decision.~~

(1) Within fifteen days after the filing of the complete application for an ~~outdoor~~ festival permit, the ~~board~~ Administrative Official shall in writing, schedule a time at the next regular meeting of the board when the board shall recommend approval, denial, or approve with conditions the applicant's permit. Deficiencies identified by the Administrative Official as part of application review Any denial shall be forwarded to the applicant for correction set forth in detail the specific grounds therefor. The applicant shall have fifteen days after the receipt of such ~~denial notice~~, or such additional time as the ~~board of county commissioners~~ Administrative Official shall grant, to correct the deficiencies set forth in the ~~denial notice~~. The ~~board of county commissioners~~ Administrative Official shall either approve or deny the permit application within fifteen days of receipt of the submitted corrections to the application. Any denial shall set forth in detail the specific grounds therefor.

(2) After the ~~board of county commissioners~~ Administrative Official has issued a final decision to approve or deny the permit, the decision may be appealed to the Board of County Commissioners as provided in RCW 36.70C.

8.10.070 Cash Deposit – Surety Bond – Insurance.

(1) After an application for an ~~an outdoor~~ festival has been approved, the promoter shall deposit with the county treasurer the sum of ten thousand dollars cash, or surety bond in like sum. The bond or deposit shall be used to pay any costs or charges incurred to regulate health or to clean up afterwards outside the festival grounds, or any extraordinary costs or charges incurred for law enforcement or to regulate traffic or parking.

(2) Bond or other deposits shall be returned to the promoter when the board is satisfied that no claims for damage or loss will be made against said bond or deposit, or that the loss or damage claimed is less than the amount of the deposit, in which case the uncommitted balance thereof shall

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1 be returned; provided, that the bond or cash deposit or the uncommitted portion thereof shall be
2 returned not later than thirty days after the last day of the festival.

3 (3) The promoter shall furnish proof of occurrence basis liability insurance in an amount of not
4 less than five hundred thousand dollars per occurrence and one million dollars in the aggregate
5 property damage and bodily injury coverage covering any officer, employee, volunteer, member,
6 agent or representative of the promoter while acting in the performance of his or her duties. The
7 policy shall name Yakima County as an additional named insured.

8 8.10.080 Revocation of Permits.

9 (1) Revocation of any permit granted pursuant to this chapter shall not preclude the imposition
10 of penalties as provided for in this chapter and the laws of the state of Washington. Any permit
11 granted pursuant to the provisions of this chapter to conduct an ~~an outdoor~~ festival shall be summarily
12 revoked by the issuing authority when it finds that by reason of emergency the public peace, health,
13 safety, morals or welfare can only be preserved and protected by such revocation.

14 (2) Any permit granted pursuant to the provisions of this chapter to conduct an ~~an outdoor~~ festival
15 may otherwise be revoked for any material violation of this chapter or the laws of the state of
16 Washington after a hearing held upon not less than three days' notice served upon the promoter
17 personally or by certified mail.

18 8.10.090 Access and parking-Reserved.

19 Provide adequate access from a county road and have a traffic and parking management plan.
20

21 8.10.095 Temporary structures

22 (1) All temporary facilities or structures shall not be started more than 14 days prior to the
23 beginning of the event. The Administrative Official shall inspect the structures for safety standards
24 prior to the first day of the event. Should the temporary facility fail to meet the standards approved
25 in the proposed plans, the event permit approval may be withdrawn. All temporary facilities or
26 structures shall be completely removed within 10 days of the completion of the event.

27

28 8.10.100 Distance from Habitation.

29 No ~~outdoor~~ festival shall be operated in a location which is closer than three hundred ~~yards-feet~~
30 from any house, residence or other human habitation as measured from the sound source; provided,
31 however, that this section shall not apply if the owner of each residence within said distance waives
32 this requirement in writing. The applicant shall provide such waivers at the time of application
33 submittal.

34

35 8.10.110 Noise Levels.

36 Sounds created by an ~~outdoor~~ festival permitted by this chapter shall be exempt from the provisions
37 of YCC 6.28 from 6:00 a.m. to 12:01 a.m.
38

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Proposed Changes Considered

Yakima County Code
Chapter 8.10

8.10.115 Vibration

Any vibration generated by the event, other than that caused by vehicles or equipment as part of the approved permit, which is discernible without instruments at the property line, is prohibited.

8.10.116 Exterior lighting

Exterior lighting shall be designed to shield surrounding streets and land uses from nuisance and glare.

8.10.120 Reserved Age of Patrons:

No person under the age of eighteen years shall be admitted to any outdoor festival without the escort of his or her parents or legal guardian and proof of age shall be provided upon request.

8.10.130 Posting Permits – Non-transferability.

Any permit granted pursuant to this chapter shall be posted in a conspicuous place on the site of the festival. A permit issued pursuant to this chapter shall not be transferable or assignable.

8.10.140 Hours.

Outdoor festivals may be conducted between the hours of 6 a.m. and 12:01 a.m. Monday through Sunday. The hours and days may be adjusted as determined by the Administrative Official review of the application, public and agency comments based upon the public health, safety, and welfare.

8.10.150 Penalty.

(1) Any person, firm, or corporation violating any of the provisions of this Title, or violating or failing to comply with any order issued or made pursuant to its provisions shall severally and for each and every violation and non-compliance respectively, be subject to a civil infraction as provided for by Chapter 7.80 RCW in the amount of not less than \$500.00.

8.10.160 Preparations – Completion Requirements.

All event preparations required to be made by the provisions of this chapter on the ~~outdoor~~ festival site shall be completed prior to the first day scheduled for the festival. If a material violation exists, the board shall move to revoke the festival permit in the manner provided by Section 8.10.080.

EXHIBIT 2B YCC19.01 Definitions

BOCC DRAFT
Proposed Changes Considered

Yakima County Code
Chapter 19.01.070 Definitions

Chapter 19.01.070
DEFINITIONS

<p>Agricultural tourist operation, (ATO)</p>	<p>“Agricultural tourist operation” refers to a working farm, including an approved winery, distillery or brewery, or distillery (domestic or micro) or any agricultural, horticultural, or agribusiness operation that is open to the public for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation. These activities must be related to the agricultural products grown or produced on-site and incidental to the primary operation on the site. This term includes farm tours, hayrides, corn mazes, pumpkin patches, classes related to agricultural products or skills, picnic and party-event facilities <u>for seminars or other social gatherings</u>, offered in conjunction with the above and similar uses. The retail sales of agricultural related products is <u>are</u> considered accessory and subordinate to the agricultural operation when the products sold are grown or produced on-site. <u>A restaurant serving meals to the public, including a commercial kitchen.</u></p> <p>(1) Retail Agricultural Tourist Operation: is one that may include eating and food preparation facilities with event facilities for seminars or other social gatherings. <u>all the services and activities listed above.</u></p> <p>(2) Destination/<u>Resort</u> Agricultural Tourist Operation: is one that consists of an assortment of uses over and above any uses associated with retail level operation but may include overnight lodging facilities, <u>up to 12 guest rooms,</u> with event facilities for seminars, weddings and other social gatherings.</p> <p>(3) Resort Agricultural Tourist Operation: is one that consists of an assortment of uses over and above any uses associated with retail or destination level operation. These accessory uses can be anything related to the agricultural operation that enhances the tourist related experience, with a dedicated area for seminars, weddings and other social gatherings, and RV park accommodations.</p>
<p><u>Agritourism</u></p>	<p><u>Agritourism is a form of commercial enterprise that links agricultural production and/or processing with tourism to attract visitors to a farm, ranch, or other agricultural business for the purposes of entertaining or educating the visitors while generating income for the farm, ranch, or business owner.</u></p>

BOCC DRAFT Proposed Changes Considered

Yakima County Code
Chapter 19.01.070 Definitions

	<u>Agritourism land uses may include, but not limited to: Agricultural Tourist Operations, wineries, breweries, distilleries, pumpkin patches, corn mazes, or other similar uses.</u>
<u>b</u> Brewery, Domestic	<u>“Brewery, dDomestic” means a facility where 60,000 (sixty thousand) barrels or more of beer are processed and manufactured per year. A domestic brewery can include hop fields, grain fields, tasting and sales rooms, and restaurants, café, or drive-in eating facilities as Type 3 uses. Hours of operation for eating facilities must follow the hours of operation of the approved WB&D. Drive-thru facilities are not allowed in any zone when associated with a WB&D.and limited food service necessary to meet the requirements of the brewery’s liquor license. (Definition based on RCW 66.24.240(1).)</u>
<u>b</u> Brewery, Micro	<u>“Brewery, mMicro” means a facility where less than 60,000 (sixty thousand barrels) of beer are processed and manufactured per year. A microbrewery can include hop fields, grain fields, tasting and sales rooms, and restaurants, café, or drive-in eating facilities as Type 3 uses. Hours of operation for eating facilities must follow the hours of operation of the approved WB&D. Drive-thru facilities are not allowed in any zone when associated with a WB&D.and limited food service necessary to meet the requirements of the brewery’s liquor license. (Based on RCW 66.24.244(1).)</u>
Distillery	<u>“Distillery” means a facility where more than 60,000 (sixty thousand) gallons of spirits are processed and manufactured per year. A distillery can include fields, tasting and sales rooms, and restaurants, café, or drive-in eating facilities as Type 3 uses. Hours of operation for eating facilities must follow the hours of operation of the approved WB&D. Drive-thru facilities are not allowed in any zone when associated with a WB&D.and limited food service necessary to meet the requirements of the distillery’s liquor license. (Based on RCW 66.24.140(1)).</u>
Distillery, <u>e</u> Craft	<u>“Distillery, eCraft” means a facility where 60,000 (sixty thousand) gallons or less of spirits are processed and manufactured per year. A craft distillery can include fields, tasting and sales rooms, and restaurants, café, or drive-in eating facilities as Type 3 uses. Hours of operation for eating facilities must follow the hours of operation of the approved WB&D. Drive-thru facilities are not allowed in any zone when associated with a WB&D.and limited food service necessary to meet the requirements of the distillery’s liquor license. (Based on RCW 66.24.140(1)).</u>

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Yakima County Code
 Chapter 19.01.070 Definitions

Overnight lodging facility	<p>“Overnight lodging facility” means a commercial establishment consisting of motel and hotel units, cabins, that are permanently established on-site and in which there are six or more <u>(ATOs may have between 1 and 12 guest rooms)</u> guest rooms for transient lodging accommodations on a daily rate to the general public. Such establishments may include additional services such as restaurants, meeting rooms, spas, concierge services, and recreational facilities. This definition is inclusive of <u>camping units, as defined in this chapter, when associated with a Destination/Resort Agricultural Tourist Operation.</u> of “glamping,” but does not include mobile homes, camping or recreational vehicles. Overnight lodging facilities are licensed under the Department of Health’s transient accommodation license.</p>
Camping Units	<p>“Camping units” means any portable <u>membrane structures (yurts, teepees, tents), shelter</u> or vehicle designed and intended for occupancy by persons engaged in RV activities or camping within an RV park, <u>Destination/Resort ATO</u> or campground. The basic units are: recreational vehicles, tent, portable camping cabin, tepee, yurt or other portable shelter.</p>
Winery	<p>“Winery” means a facility where wine is processed and manufactured. A winery is specifically designed to include, at a minimum, two or more of the following: vineyards, crushing, fermentation, and barrel aging of wine. A winery may also include any of the following: barrel rooms, bottling rooms, tank rooms, laboratories, and offices. Uses that are clearly incidental to the production of wine are allowed accessory uses to a winery. These may include, but are not limited to, the following: bottling, case goods storage, retail and/or wholesale sales of wine, employee day care <u>daycare</u>, tours, tasting and sales rooms when they are accessory to the on-site production facility and, ancillary retail sales, picnic areas, <u>event facilities</u>, and food service. <u>Food service may include restaurants, café, or drive-in eating facilities as Type 3 uses. Hours of operation for eating facilities must follow the hours of operation of the approved WB&D. Drive-thru facilities are not allowed in any zone when associated with a WB&D.</u> Food service is limited by the type of Yakima Health District License, Agricultural Tourist Operation, or commercial zoning district where the winery is located.</p>
<u>Events (Ancillary Entertainment/Special Events)</u>	<p>“Events” means something that happens at a given place and time, generally a planned social occasion to bring people together in a group for a public or private performance, entertainment,</p>

BOCC DRAFT
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Yakima County Code
Chapter 19.01.070 Definitions

	<u>affair, function, occasion, social function, or special occasion. Such events may include, but are not limited to weddings, receptions, meetings, retreats, and festivals.</u>
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EXHIBIT 2C YCC19.14-1 Allowable Land Use Table

BOCC DRAFT
Proposed Changes Considered
With Public Comments

Yakima County Code
Chapter 19.14 Table 19.14-1

Chapter 19.14
ALLOWABLE LAND USE TABLE

19.14.010 Allowable Land Use Table.

- (1) The following Table 19.14-1 indicates those uses which may be permitted through Type 1, 2, 3 or 4 review in the various zoning districts defined in this title. In addition to Table 19.14-1, reference to the individual zoning districts and, where indicated, the notes following the table and definitions of 19.01.070, is necessary in order to determine if any specific requirements apply to the listed use.
- (2) Uses. The uses set out in Table 19.14-1 are examples of uses allowed in the various zoning districts defined in this title. The appropriate review authority is mandatory. See YCC Title 16B for more explicit definitions of Type 1, 2, 3, and 4 uses/reviews.

“Type 1” Uses allowed subject to approval of applicable permits where required. Type 1 uses usually require Type 1 review, but may require Type 2 review under certain conditions.

“Type 2” Uses allowed upon Type 2 administrative review and approval as set forth in Section 19.30.030 uses subject to review and approval. Type 2 uses require administrative review by the Administrative Official and may be referred to the Hearing Examiner.

“Type 3” Uses which may be authorized subject to the approval of a conditional use permit as set forth in Section 19.30.030. Type 3 conditional uses are not generally appropriate throughout the zoning district. Type 3 uses require Hearing Examiner review of applications subject to a Type 3 review under the procedures of Section 19.30.100 and YCC Subsection 16B.03.030(1)(c).

“Type 4” Uses which may be allowed subject to the approval of a project permit as set forth in Section 19.30.030. Type 4 uses require both the Hearing Examiner and Board of County Commissioners review of applications subject to a Type 4 review under the

“Blank” Uses specifically prohibited.

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With Public Comments

Yakima County Code
Chapter 19.14 Table 19.14-1

1 A higher level of review may be required for a use located within one or more overlay districts, designated in Chapter 19.17, or where
2 circumstances merit a higher level of review as described in Section 19.30.030. Where a use is not listed, it is specifically prohibited or
3 subject to a similar use interpretation in Chapter 19.31.

Table 19.14-1 Allowable Land Uses

	A	F	MI	R/EL	R-	RT	R	HT	S	R	R	R	R	B-	B-	SC	LC	G	M-1	M-2
	G	W	N	DP	10/5	S	C	C	R	-1	-2	-3	1	2	C	C	C			
AGRICULTURE & FORESTRY (COMMERCIAL)																				
Agricultural tourist operation**† (ATO):																				
(1) Retail ATO*	2			2	2	3														
(2) Destination/ <u>Resort</u> ATO*	3			3	3	3														
(3) Resort ATO*	4	4		4	4															
...																				
Brewery, domestic*	3			3	3		2	2										2	1	1
Brewery, micro*	1			3	2			2	2									1	1	1
Distillery*	43			3	3			2	2									2	1	1
Distillery*, craft*	1			3	2			2	2									2	1	1
Winery*	1			3	2			2										2	1	1

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Yakima County Code
Chapter 19.14 Table 19.14-1

Table 19.14-1 Allowable Land Uses

	A	F	MI	R/EL	R-10/5	RT	R	HT	S	R	R	B-1	B-2	SC	LC	G	M-1	M-2
	G	W	N	DP			S	C	R	-1	-2	-3		C	C	C		
...																		
RETAIL TRADE AND SERVICE																		
Overnight lodging facilities*	2 ⁽⁴⁾	3			2		2	1						1	1	1		
Restaurants, caf�� , and drive-in-eating facilities	3 ⁽⁵⁾ 4	3		3 ⁽⁵⁾	3 ⁽⁵⁾	3 ⁽⁵⁾	2	2				3	2	1	1	1	2	

Notes:

* References to a definition in Section 19.01.070

†Refers to a special use and standard in Section 19.18

- (1) The type of review of towers and associated structures varies depending on height, diameter and other factors listed in Section 19.18.490.
- (2) Allowed as an accessory uses to an existing detached, single-family residence.
- (3) Seasonal-duration temporary worker housing, located on a rural worksite, is limited to review only for height, setback and access requirements under RCW 70.114A.050.

BOCC DRAFT
Proposed Changes Considered
With Public Comments

Yakima County Code
Chapter 19.14 Table 19.14-1

- 1 (4) ~~In the Agricultural district, boarding/lodging houses and overnight lodging facilities are allowed only where accessory to an~~
2 ~~agricultural tourist operation.~~
- 3 (4) Restaurants are allowed in these zones as Type 3 uses except when associated with a Winery, Brewery, or Distillery (WB&D)
4 where they are allowed as Type 2 uses.

EXHIBIT 2D YCC19.18.060 Ag Tourist Operations

BOCC DRAFT
Proposed Changes Considered
With Public Comments

Yakima County Code
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~~

BOCC DRAFT
Proposed Changes Considered
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Yakima County Code
Chapter 19.18.060

~~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 ~~E~~ducation services that are 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) ~~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~~ 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 include~~ing~~ 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 cCounty, 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~~ 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 or other factory assembled structures, 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.~~
- (ivb) 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.
- (bc) 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 are~~ 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) or other factory assembled structures 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.

EXHIBIT 2E YCC19.18.500 Wineries, Breweries, Distilleries

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SPECIAL USES AND STANDARDS

19.18.500 Wineries, Breweries, and Distilleries.

(1) Legislative Intent. Wineries, Micro Breweries, and Craft Distilleries (WB&Ds), as defined in Section 19.01.070 and allowed under RCW 36.70A.177, are considered to be agricultural accessory uses and a component of a strong agricultural economy. Yakima County encourages WB&Ds to locate and develop in Yakima County to promote and sustain agricultural tourism, family farms, and the production of value-added agricultural products. This Section is intended to provide standards to ensure that the physical development of WB&D and public education in farming areas enables business diversification that supports, promotes, and sustains agricultural operations and production. Therefore, WB&D 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) The WB&D may include the following:

(a) Commercial Uses. Commercial or retail uses may predominantly sell regionally produced agricultural products from one or more producers, products derived from regional agricultural production, agriculturally related experiences, products produced on-site,

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merchandise including, but not limited to gifts and art, and the production, marketing, and distribution of value-added agricultural products.

(b) Tasting rooms. Tasting rooms located on a farm as a subordinate element of the operation of an ongoing agricultural activity, as defined by RCW 84.34.020(2).

(c) Restaurants and Food service. Food service is encouraged at WB&Ds to complement the value-added products produced at WB&Ds. Hours of operation for restaurants must follow the hours of operation of the approved WB&D.

(d) Events. Events, including but not limited to weddings, receptions, meetings, seminars, and retreats, that are sized and conditioned consistent with the character of permitted activities and uses. Events are an expected component of a WB&D 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.

(e) Guest Lodging Facilities. The WB&D may include guest lodging facilities, such as stick-built units, recreational vehicles or other factory assembled structures, and membrane structures (e.g. teepees, yurts, and tents), and boarding or lodging facilities as accessory uses to the WB&D. Guest lodging facilities shall be located and designed so they will not interfere with agricultural operations on the site of the proposed use or on nearby properties. WB&Ds that propose guest lodging facilities will be reviewed as a Type 2 application and must meet the requirements as stated in YCC 19.18.060 (4)(b)(c)(d).

(3) General Requirements. The WB&D shall:

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- 1 (a) Be consistent with the intent of this Section;
- 2 (b) Not locate non-agricultural accessory uses and activities, including non-agricultural new
3 buildings, parking (other than temporary overflow parking) or supportive uses, outside
4 the general area already developed for non-agricultural buildings and residential uses,
5 and not otherwise convert more than one acre of agricultural land to non-agricultural
6 uses. Temporary overflow parking is permissible in other areas of the property if it will
7 not interfere with existing agricultural operations.
- 8 (c) Obtain a permit from the Washington State Liquor and Cannabis Board and the Yakima
9 Health District when food service and handling is conducted on the property; and
- 10 (d) Have adequate access from a county road consistent with the standards under
11 Chapter 19.23. WB&Ds that share a private road must submit a road maintenance
12 agreement at the time of application, signed by all legal property owners along the road
13 or their designees. If a road maintenance agreement is not available, WB&Ds must
14 submit written permission from each property owner along the road, indicating their
15 approval of the applicant's proposed use. Without the road maintenance agreement or
16 written approval, an application will be considered incomplete; and
- 17 (e) Provide detailed information with applications proposing phased development of a
18 WB&D to enable the County, agencies, and adjoining property owners to consider all
19 aspects of the project at full build-out.