

Chapter 11.30

COMMERCIAL AGRICULTURAL LANDS (AC)

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11.30.010 Permitted uses

In the AC District, the following uses are permitted outright:

1. Agricultural uses
2. Farm visits, U-pick, Rent -A-Tree operations
3. Forestry uses
4. One (1) primary single family dwelling per lot or parcel;
5. Subdivision and short subdivision of land, subject to the provisions of R.C.W. 58.17 and Title 12, CCC
6. Cluster subdivision pursuant to Title 12, CCC
7. Planned Development districts approved pursuant to Chapter 11.76 of this title.
8. Winery
9. Value added agricultural operations
10. ~~(8) Roadside stands, winery, nursery, value added agricultural operations with a retail component with less than one thousand (1000) square feet of retail space.~~

Roadside stand, nursery, retail component of a winery, or retail component of a value added agricultural operation, less than one thousand five hundred (1,500) square feet.

11.30.020 Accessory uses

The following uses and structures are allowed as accessory to a permitted use above subject to the provisions of Chapter 11.88, except as otherwise provided in this title.

1. Accessory uses normally incidental to single family dwellings such as garages, carports, gazebos, patios, sheds etc.
2. Agricultural accessory buildings containing uses normally incidental to agricultural activities
3. Fences

4. Swimming pools
5. Private greenhouses
6. Temporary agricultural worker housing
7. Permanent agricultural worker housing
8. Accessory uses and structures normally appurtenant to the permitted uses above
9. The following signs are permitted as accessory structures consistent with the provisions contained in Chapter 11.92, except as otherwise provided for in this title:
 - A. One (1) non-illuminated sign, not to exceed two hundred (200) square inches, stating the name and/or address of the occupant of the dwelling;
 - B. For an approved non-residential use within this district, one (1) non-illuminated or illuminated, non-flashing freestanding sign not to exceed sixteen (16) square feet in area, not exceeding the height of the primary structure, and one (1) fascia sign, not to exceed four (4) square feet attached to the face of the structure used as the front entrance; except as otherwise provided for in this title;
 - C. Agricultural identification sign not to exceed four (4) square feet.

11.30.030 Administrative uses

In the AC district, the following uses and their accessory uses are permitted when authorized in accordance with Chapter 11.94:

1. Home occupations
2. Dependant care housing
3. Bed and breakfast/Farm stays – a facility in which one kitchen, a shared dining area, and not more than a total of three lodging units are available within a single family residence providing short-term lodging to paying guests.
4. Stockpiling of sand, gravel, etc.
5. ~~Roadside stand, nursery, value added agricultural operations where retail component is greater than one thousand (1000) square feet.~~
Roadside stand, nursery, retail component of a winery, or retail component of a value added agricultural operation greater than one thousand five hundred (1,500) square feet.
6. In-home day care
7. Guest house
8. Public facilities, low impact
11. Utilities, low impact
12. Food Service associated with a use or activity allowed pursuant to this Chapter. Food service is limited to value added food items produced from agricultural products grown on the applicants farm and may include sales of ancillary prepackaged foods or beverages that are not prepared on the premises for on-site consumption.

13. Riding stables
14. Hayrides, sleigh rides, mazes, petting zoos, experiential outdoor activities related to an agricultural/ranching theme and similar agri-entertainment activities as a subordinate, supplemental and contributing element of the operation of an on-going agricultural activity as defined by RCW 84.34.020 (2) or as an element of an Agricultural Theme Market in conformance with the requirements of this Section and the standards and criteria of Chapter 11.93.040 – 11.93.100 & Chapter 11.93.380.
15. Arts, crafts and antique sales of a local/regional nature as a subordinate, supplemental and contributing element of the operation of an on-going agricultural activity as defined by RCW 84.34.020 (2) or as subordinate element of an Agricultural Theme Market in conformance with the requirements of this Section and the standards and criteria of Chapter 11.93.040 – 11.93.100 & Chapter 11.93.380.
16. Education services located on the farm as a subordinate element of the operation of an on-going agricultural activity as defined by RCW 84.34.020 (2)

11.30.040 Conditional uses

In the A-C district, the following uses and their accessory uses are permitted when authorized in accordance with Chapter 11.93:

1. Rock crushing, sorting, batching of concrete or asphalt
2. Short term mineral extraction
3. Animal boarding facilities
4. Agricultural products processing facility
5. Agriculture support services
6. Commercial feedlot
7. Forest product processing facilities
8. Forest support services
9. Intensification of existing small scale recreation or tourist uses
10. Intensification of existing isolated non residential uses
11. Utilities, high impact
12. Public facilities, high impact
13. Churches and religious facilities
14. Inert waste site
15. Places of public and private assembly
16. Airports and heliports for single engine crop dusting/spraying aircraft
17. Ancillary entertainment/special events including weddings/receptions, catered functions and musical events.
18. Off-site agricultural worker housing
19. Guest Inn/Farm Stays - a guest inn is a facility with one kitchen, a shared dining area with not more than six lodging units which are available within a single family residence and/or cabin outbuildings providing short-term lodging for paying guests.
20. Machine shops
21. Restaurants, as a subordinate, supplemental and contributing element of the operation of an on-going agricultural activity as defined by RCW 84.34.020 (2)

including on the menu food items grown on the farm and less than 1,500 square feet of retail space or as a subordinate element of an Agricultural Theme Market.

22. Veterinary clinic
23. Farm / agricultural supply sales
24. Agricultural Theme Market
25. Farm equipment/machinery sales and service
26. Chemical fertilizer distribution, sales, bulk storage
27. Education services as a primary use.
28. Agricultural storage facilities
29. Galleries as a subordinate element of an Agricultural Theme Market.
30. Other unmentioned uses and activities determined by the Hearing Examiner to be similar to and compatible with the other activities and uses listed as permitted uses, administrative uses and conditional uses in this Chapter in conformance with the standards and conditions contained in this Title and Chapter including but not limited to Chapters 11.30 and 11.93 of this Title.

(Res. 2002-08 (part), 1-15-02)

11.30.050 Prohibited uses

All uses not listed as permitted uses, accessory uses, administrative uses and conditional uses shall be prohibited.

11.30.060 Dimensional standards

1. Minimum lot size: Ten (10) acres, except for cluster subdivisions approved pursuant to Title 12, CCC
2. Minimum lot width: One hundred fifty (150) feet at the front building line
3. Maximum building height: Thirty-five (35) feet, except as provided for in chapter 11.88.170.
4. Maximum lot coverage: Buildings shall not occupy more than thirty-five (35) percent of the lot area
5. Minimum setback distances:
Minimum setback requirements shall be as provided in this section except when abutting Commercial Agricultural Lands (AC), Commercial Forest Lands (FC), riparian and shoreline areas, or as modified by the provisions of this title.
 - A. Front yard: twenty-five (25) feet from the front property line or fifty-five (55) feet from the street centerline, whichever is greater
 - B. Rear yard: twenty (20) feet from the rear property line
 - C. Side yard: Ten (10) feet from the side property line. On corner lots the street side yard shall be a minimum of twenty-five (25) feet from the property line or fifty-five (55) feet from the street centerline, whichever is greater.
6. Setbacks from agricultural uses:

- A. No dwelling unit within the Commercial Agricultural Lands District shall be placed within one hundred (100) feet of a property line if adjacent lands including those across a right-of-way* are in agricultural use.
- B. No dwelling unit on adjacent lots to the Commercial Agricultural Lands District shall be placed within one hundred (100) feet of the property line if the adjacent lands including those across a right-of-way* are in agricultural use.
- C. Administrative Modifications: For lots/parcels legally created prior to the effective date of these provisions (9/9/97), the administrator may modify the required setback from land in agricultural use up to twenty (20) percent. The granting of a modification request must be necessary for the reasonable use of the land or building and the modification as granted by the administrator shall be the minimum necessary to accomplish this purpose. The decision shall be appealable to the Chelan County Hearing Examiner.

*The entire width of any public right-of-way may be used as part of the setback area. However, in no case shall the setback from a public right-of-way be less than eighty (80) feet from centerline or fifty (50) feet from the front property line, whichever is greater.

11.30.070 Off-street parking requirements

- 1. Two (2) spaces per single family dwelling unit
- 2. Other off-street parking and loading shall be provided as prescribed in Chapter 11.90 of this Resolution.

11.30.080 Landscaping requirements

Landscape standards shall be provided as prescribed in Chapter 15.50 of Title 15, Development Standards, as amended.

11.30.090 Plat notation

All plats, short plats, development permits and building permits issued for development activities on, or within five hundred (500) feet of land designated as agricultural lands shall contain a notice that the subject property is within or near designated long term commercial agricultural lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration.

11.30.100 Other provisions

- 1. Lot size reduction for existing dwellings:

The owner of land with agricultural uses that is five (5) acres or greater in size within areas designated in the Commercial Agricultural District may short subdivide the land to create lots to accompany an existing dwelling and accessory uses normally incidental to single family dwellings. The lot size shall be the minimum necessary for segregating out the existing home, and accessory uses, and meet the provisions of the Chelan Douglas Health District and this chapter. This provision applies only to legally constructed dwellings and accessory uses on legal lots of record existing prior to September 9, 1997. This provision does not apply to accessory dwelling units, dependant care housing or farm worker housing.

3. Additional public notice provisions:

Upon receipt of an application for all plats, short plats, conditional use permits, variances and similar land use applications, the county shall provide notice of the application to adjacent property owners and all owners of property located within one thousand (1,000) feet of the proposed subdivision or development per the provisions of Chapter 14.08.050, Title 14, CCC.

Establishing a new section, Chapter 11.93.380, providing additional definitions, standards and criteria applicable to Chapter 11.30.040;

The following conditions, criteria and standards apply to the issuance of a Conditional Use Permit for activities and uses identified 11.30.040 of this Title.

1. The activity and/or use shall be in conformance with all applicable local, state and federal regulations or requirements including but not limited to the Chelan County Code.
2. On-farm retail sales activity and/or use must be a subordinate, supplemental and contributing element of the operation of an on-going commercial agriculture activity as defined by RCW 84.34.020 (2) or permitted as an Agricultural Theme Market or element thereof, within existing or new buildings in conformance with all applicable Building Codes and requirements of this Title. New Agricultural Theme Market Buildings /structures shall not exceed 5,000 square feet in gross retail sales floor area.
3. Retail sales activities, structures and uses must maintain a setback from adjacent properties a minimum of 100 feet in width. Such retail sales activities, structures and uses include but are not limited to the following: parking, buildings; benches; tables; play areas; display areas, public areas and similar activities, uses or structures. The set back is required to safeguard agricultural operations on adjacent or near by properties and to protect the public from incompatible agricultural uses and activities.
4. Developed retail areas must be buffered form adjacent properties. Buffering may include: maintained or natural open space (distance); vegetated berms; trees; shrubs; orchards; solid or sight obscuring fences or plantings; streets or roads; and/or natural vegetation or terrain.
5. Hours of operation shall be consistent with the need to safeguard agricultural operations on adjacent properties.
6. Agricultural Theme Market means a building, structure or land area devoted to retail sales/service uses and activities allowed pursuant to Chelan County Code Chapter 11.30. An agricultural theme market is distinguished by a larger scale of activity and/or a greater range of products or activities.

Agricultural Theme Markets may utilize existing structures and/or buildings without size limitation in conformance with the requirements of this Title. Agricultural Theme Markets provide principally for the retail sales of local and regionally produced: agricultural products; value added agricultural products and specialty items of a local/regional nature; and, uses and activities allowed pursuant to Chapter 11.30. This definition does not include the sale of livestock, gasoline or fuels. Agricultural Theme Markets may be either a primary or subordinate use.

7. Areas containing marginal or non-agricultural soils within the Commercial Agriculture Zone districts are encouraged to be utilized for permitted retail sales/service activities and uses allowed pursuant to Chapter 11.30, thereby conserving agricultural lands of long term economic significance for production of agricultural products.