

DATE: September 4, 2014
TO: City Council
FROM: City of Chelan Planning and Building
Department
BY: Sandra Strieby, Mosaic Planning Studio
SUBJECT: Agricultural tourism regulations



SUMMARY

The Planning Commission and City Council are considering amending the City’s comprehensive plan and municipal code to provide for agricultural tourism uses, cottage wineries, microbreweries, and craft distilleries in the Special Use District (SUD) and Warehousing and Industrial (W-I) District, remove the commercial overlay from the SUD, and allow distilleries in the W-I district.

PLANNING COMMISSION RECOMMENDATION

Planning Commission recommended to adopt the proposed amendments to the City of Chelan *Comprehensive Land Use Plan* and to chapters 17.04, 17.44, 17.46, 17.56, and 19.10; and to adopt the proposed new chapter of Title 17 titled Agricultural Tourism.

ANALYSIS

INTENT

The Economic Development Element of Chelan’s *Comprehensive Land Use Plan* encourages agricultural tourism as a means of realizing the city’s vision for economic development: “a diversified and sustainable year-round economy built upon enhancement and expansion of traditional industries that respects history, the environment, small-town values and diverse needs of residents and visitors.”

The proposed amendments are intended to provide clear guidance regarding agricultural tourism in the city and its urban growth area, with emphasis on appropriate use of the Special Use and W-I districts. The City’s objective is to provide a means of retaining Chelan’s agricultural identity while retaining the city’s capacity to accommodate population growth and moderating impacts on residential and other uses.

PUBLIC PARTICIPATION AND AGENCY REVIEW

City staff notified landowners in the Special Use and W-I districts of the City’s intent to develop agricultural tourism regulations by notice on July 17, 2014, and held an open house on July 30th, 2014 to receive comments and answer questions regarding the proposed amendments. Staff worked with local businesses who responded to the City’s outreach, including the Vin du Lac Winery, Benson Vineyards, and the Sunshine Farm Market.

The amendment process will also include 60-day state-agency review, hearings before the Planning Commission and the City Council, and legislative action by the City Council. As of this writing, the anticipated schedule is as follows:

State agencies	60-day review	Beginning 8/5/2014
Chelan Planning Commission	Public Hearing	8/27/2014
Chelan City Council	Public Hearing	9/25/2014

PROPOSED AMENDMENTS

The proposed amendments include:

1. Amendments to the text of the City of Chelan *Comprehensive Land Use Plan* to add agricultural tourism definitions and to amend the SUD and W-I land use designations to reflect the City's focus on retaining its agriculture and wine-industry identity.
2. Comprehensive Plan Map Amendment to remove the Lord Acres SUD Commercial Overlay
3. Amendments to the Chelan Municipal Code to:
 - a. Amend the SUD and W-I land use designations to reflect the City's focus on retaining its agriculture and wine-industry identity.
 - b. Add and amend definitions related to agricultural tourism and small-scale craft beverage production.
 - c. Amend Chapter 17.44 (Zone W-I – Warehousing and Industrial District) to enable distilleries and agricultural tourism and small-scale craft beverage uses.
 - d. Amend Chapter 17.46 (Zone SUD – Special Use District) to:
 - i. Enable agricultural tourism and small-scale craft beverage uses.
 - ii. Eliminate provisions related to the commercial overlay.
 - iii. Modify dimensional standards and buffer requirements to reflect the changes noted above.
 - e. Amend Chapter 17.56, Conditional Uses, to allow places of public or private assembly in the SUD.
 - f. Add an agricultural tourism chapter to Title 17, Zoning.

CAPITAL FACILITIES

The effects of the proposed amendments on the City's water, sewer, and transportation systems will depend on the amount and type of development; the amendments are not expected to require changes to adopted capital facilities plans.

FINDINGS

1. The proposed amendments are consistent with and implement Chelan's *Comprehensive Land Use Plan*.
2. The City has excess land relative to its needs based on its projected population; the proposed amendments will not adversely affect the City's capacity to accommodate projected growth and development.
3. The proposed amendments are not expected to adversely affect the availability of affordable housing.
4. The proposed amendments are consistent with the Chelan County CWPPs.
5. The proposed amendments will not create excess demand for capital or transportation facilities or affect implementation of the City's existing capital facilities or transportation plans, or the plans of other facility and service providers.
6. The City has provided opportunities for early and continuous public involvement in the amendment process.
7. As part of the amendment process, Chelan County will review the proposed amendments for consistency with the County's comprehensive plan.
8. The City will work in cooperation with Chelan County to amend its comprehensive plan and municipal code, through the adopted amendment process.

RECOMMENDATION

Staff recommends approval of the proposed amendments to the *City of Chelan Comprehensive Land Use Plan* and the Chelan Municipal Code.

ATTACHMENTS

- Exhibit 1: Agriculture Tourism proposal
- Exhibit 2: Comments received by City staff

**Comprehensive Land Use Plan
Proposed amendments
July 11, 2014 DRAFT**

DEFINITIONS [p. 10]

New definitions to add

“Agricultural tourism” refers to the act of visiting a working farm or any agricultural, horticultural or agribusiness operation for the purpose of enjoyment, education or active involvement in the activities of the farm or operation.

“Agricultural tourism uses” means uses that support, promote or sustain agricultural operations, including production of value-added merchandise, while providing opportunities for residents and visitors to experience, enjoy, and learn about Chelan’s agriculture and wine industry and heritage.

CITY OF CHELAN URBAN GROWTH AREA LAND USE DESIGNATIONS [p. 48-49]

...

~~☐ **Special Use District (SUD)** - This designation is intended to support Chelan in retaining its agriculture and wine-industry identity by providing for ongoing agricultural uses, and by fostering tourist-oriented uses compatible with agricultural use and the rural character of the area. The intent is to allow a mix of agriculture; single-family residences; beverage production uses; and agricultural tourism uses. To provide an opportunity for low-density residential housing, and low impact tourist-commercial-planned unit developments. Currently a significant number of property owners in this area wish to continue in agricultural use. However, looking to the 20-year planning period, many property owners wish to have some development options. This New development and uses should minimize orchard/non-farm development conflicts between agricultural and other uses and protect the character of the area.~~

...

~~**Warehousing and Industrial District (W-I)** - This designation is intended to support Chelan in retaining its agriculture and wine-industry identity while providing the flexibility to accommodate a variety of industrial, commercial, business, and professional uses be applied in areas suitable for industrial use which are or will be developed by industries not detrimental to agriculture or recreation in the Lake Chelan area. Conflicts among uses should be minimized and the character of the area protected. The regulations of the zoning district for this designation will be applied in areas in which there is an adequate supply of supply the necessary open level space suitable for industrial development, and may be applied in other areas as well needed for such development.~~

Definitions (Chapter 19.10.040)
August 22, 2014 DRAFT

Definitions to change

“Cottage winery” means a small-scale winery producing onsite less than ten thousand cases of wine per year. A cottage winery may include a tasting room and/or retail area of fifteen hundred (1,500) square feet or less, and may include food and beverage service incidental to the principal use. Retail trade shall be limited to products produced by the cottage winery, accessories related to the cottage winery and its products (e.g., bottle openers, wine glasses, winery-logo shirts), artwork, and local and regional agricultural products.

“Winery” means a winery not meeting the definition of a cottage winery. As authorized by the terms of a conditional use permit, a winery may produce more than ten thousand cases of wine per year; may include wine tasting, retail, meeting, and/or food and beverage facilities of 20,000 (twenty thousand) square feet or less; and may conduct concerts for which an admission fee is charged, wedding services, and catered functions.

New definitions to add

“Agricultural tourism uses” means uses that support, promote or sustain agricultural operations, including production of value-added merchandise, while providing opportunities for residents and visitors to experience, enjoy, and learn about Chelan’s agriculture and wine industry and heritage. Examples include agriculture-related experiences, production of value-added products, and wineries.

“Beverage production use” means a small-scale craft beverage production use or a winery.

“Cottage food operation” means preparation of food pursuant to the Washington Cottage Food Operations Law (Chapter 69.22 WAC) and rules (Chapter 16-149 WAC), as amended.

“Craft distillery” means a distillery that produces less than 25,000 gallons of spirits per year. A craft distillery may include a tasting room and/or retail area of fifteen hundred (1,500) square feet or less, and may include food and beverage service. Retail trade shall be limited to products produced by the craft distillery, accessories related to the craft distillery and its products (e.g., drinking glasses, distillery-logo shirts), artwork, and local and regional agricultural products.

“Distillery” means a distillery facility that produces by distillation spirits for consumption, the sales and distribution of which are subject to regulation by the Washington State Liquor Control Board. Uses that are clearly incidental to the production of spirits are allowed accessory uses to a distillery. On-site retail sales and samples shall not be permitted except as allowed under State law.

“Farm stand” means a use engaged in the sale of agricultural products produced or grown on site. The use may be temporary or permanent but is to be seasonal in duration, open for the duration of the harvest season.

“Home stay establishment” means a use providing temporary accommodations to visitors and tourists located on a working farm or other agricultural, horticultural or agribusiness operation that produces agricultural products as its primary source of income.

“Microbrewery” means a brewery that produces less than 15,000 US barrels (1,800,000 L) of beer per year. A microbrewery may include a tasting room and/or retail area of fifteen hundred (1,500) square feet or less, and may include food and beverage service. Retail trade shall be limited to products produced by the microbrewery, accessories related to the microbrewery and its products (e.g., bottle openers, brewery-logo shirts), artwork, and local and regional agricultural products.

“Regional agricultural products” means produce and value-added products grown or produced in one of the following counties: Chelan, Douglas, Grant, Okanogan, Kittitas, or Yakima.

“Small-scale craft beverage production” means cottage wineries, microbreweries, and craft distilleries, as defined in this title, and similar beverage production uses, regulated by the Washington State Liquor Control Board.

“Off-site tasting room” means a tasting room for domestic wine, beer, or spirits produced off the site of the tasting room and approved as an additional location by the Washington State Liquor Control Board.

Other relevant definitions

The following definition is already part of Chelan’s code. It is included here to help readers understand the definitions above.

“Agricultural tourism” refers to the act of visiting a working farm or any agricultural, horticultural or agribusiness operation for the purpose of enjoyment, education or active involvement in the activities of the farm or operation.

Chapter 17.XX AGRICULTURAL TOURISM

August 22, 2014 DRAFT

17.XX.010 Purpose statement. The purpose of the agricultural tourism regulations is:

1. To implement the goals and policies of the City of Chelan's Comprehensive Plan, which include maintaining and enhancing natural resource-based industry; identifying and implementing programs, projects and/or regulatory changes that remove barriers and improve viability of agricultural industries; promoting and supporting efforts to diversify the agricultural industry through agri-tourism, wineries and other value-added agricultural products, and produce stands; and enhancing and expanding tourism in the Chelan Valley.
2. To preserve Chelan's agricultural identity in a way that supports the local economy, retains neighborhood character and the high quality of the environment, and is consistent with state and local goals for the Chelan Urban Growth Area.
3. To enable the development of supplemental sources of on-farm income that support, promote, and sustain agricultural operations.
4. To provide clear authority for agricultural landowners to develop and expand agricultural tourism in zoning districts where it will enhance economic development without impeding urban growth.

17.XX.020 Conflicts with other regulations. Where there is a conflict between the provisions of this chapter and any other code provisions, the conflict shall be resolved by the Administrator based on the purpose and intent of each chapter, the goals expressed in the City's Comprehensive Plan and the Growth Management Act, and any relevant health or safety considerations.

17.XX.030 General standards. General standards for all agricultural tourism uses shall be as follows:

1. New agricultural tourism structures shall be consistent with the size, scale, and intensity of the existing agricultural use of the property and the existing buildings on the site.
2. New agricultural tourism uses shall be located, designed and operated so as not to interfere with normal agricultural practices on and off site.
3. Agricultural tourism development, including new buildings, parking, or supportive uses, shall not be located outside the general area already developed for buildings and residential uses and shall not otherwise convert more than two acres of agricultural land to nonagricultural uses or non-resource use.
4. Impervious surface limits, signage and parking standards shall be the same as those of the zoning district in which the agricultural tourism use is located.
5. Agricultural tourism uses shall comply with all applicable federal, state, and local standards and requirements, including those of the City's Public Works Department, the Chelan-Douglas Health District, and the Washington State Department of Health.

6. Safe vehicular access and customer parking shall be provided on site. Vehicles must not be required to back onto public roads. Structures and parking shall be located outside of public rights-of-way.
7. Outdoor lighting shall comply with Chapter 17.62 CMC, "Outdoor Lighting on Public and Private Property."
8. Hours of operation may be limited as deemed necessary to minimize adverse impacts to neighboring properties.
9. Agricultural tourism activities or events allowed pursuant to this section shall not involve motorized off-road vehicle (ORV) racing or similar motor vehicle activities.
10. Parcel-size standards.
 - a. Unless otherwise specified, the minimum parcel size for new agricultural tourism uses is ten acres, with the following exception: multiple contiguous parcels equaling at least ten acres and held under common ownership, or under separate ownership but operated jointly as an agricultural tourism enterprise, may be combined to meet the parcel-size standards, provided:
 - i. All property owners must sign an agreement to operate the subject parcels as an agricultural tourism enterprise. Said agreement shall describe the property and shall be recorded with the Chelan County auditor's office.
 - ii. In the case of multiple parcels held under common ownership, the use must cease if sale of one or more parcels reduces the size of the agricultural tourism site below ten acres, unless all new owners enter into an agreement as described above.
 - iii. In the case of multiple contiguous parcels under separate ownership, the use must cease if either:
 1. The agreement to operate the site jointly as an agricultural tourism enterprise ends; or
 2. If sale of one or more parcels reduces the size of the agricultural tourism site below ten acres, unless all new owners enter into an agreement as described above.
 - b. Other exceptions to the ten-acre minimum parcel size may be considered through a variance process in accordance with Chapter 17.64 CMC.
11. Maximum structure size. Unless otherwise specified, the maximum size for new structures related to an agricultural tourism use is ten thousand square feet. Existing buildings may be used for agricultural tourism uses regardless of size.
12. The Administrator shall determine whether an unlisted use is low-, moderate-, or high intensity or prohibited based on similarity to a listed use and likely impacts of the unlisted use.

17.XX.040 Low-intensity uses.

Low-intensity uses that support, promote, or sustain agricultural operations are permitted as accessory uses in zoning districts in which Agricultural Tourism Uses are allowed. Building, food handling, or other permits may be required.

1. The following low-intensity uses are allowed accessory to any permitted use in zoning districts in which Agricultural Tourism Uses are allowed, with no minimum parcel size:
 - a. Cottage food operations meeting the standards of Chapter 69.22 RCW and Chapter 16-149 WAC, as amended, and direct sale of cottage food products not involving new structures.
 - b. Sales of produce specifically exempted from local licensing requirements by 36.71.090 RCW.
2. The following low-intensity uses are allowed accessory to a permitted agricultural use in zoning districts in which Agricultural Tourism Uses are allowed:
 - a. Agriculture-related experiences not involving a building or structure, and support services that facilitate those experiences. Examples include manned and unmanned seasonal uses related to crop harvest (such as you-pick vegetable and berry picking, pumpkin patches, corn mazes, Christmas tree sales, and hay rides), sleigh rides, and organized group activities such as farm tours and agricultural clinics with no overnight accommodations.
 - b. Food and beverage service incidental to allowed agriculture-related experiences. This provision is not intended to classify restaurants or other stand-alone food and beverage establishments as low-intensity uses.
 - c. Farm stands for direct sale of agricultural products grown and/or produced on-site.

17.XX.050 Moderate-intensity uses.

1. Moderate-intensity uses are subject to a Type IIB permitting process (or, for sites in the unincorporated UGA, a full administrative review).
2. Moderate-intensity uses shall be located on a working farm or any agricultural, horticultural or agribusiness operation where agriculture is the primary use of the property. Such uses include:
 - a. Production of value-added products from produce grown locally on or off site, for sale on site.
 - b. Sales of regional agricultural products (including value-added products from one or more producers) involving facilities up to one thousand five hundred (1,500) square feet of floor area. At least seventy-five percent of the merchandise offered for sale shall be regional agricultural products as defined in the CMC. Up to twenty-five percent of the merchandise may be ancillary products.
 - c. Agriculture-related experiences involving a building or structure, and support services that facilitate those experiences. Examples include seminars or classes, zip lines, and tours of production facilities.

- d. Home-stay establishments offering up to four guest units, subject to the following:
 - i. Minimum parcel size is ten acres.
 - ii. The Administrator may reduce the number of units allowed based on parcel size, the presence of critical areas, the amount of farm-worker housing (if any), and other factors that affect the impacts of the home-stay establishment on the neighborhood and the environment, including impacts on the circulation system.
 - iii. The maximum size of each guest unit shall be six hundred square feet of floor area.
 - iv. Each guest unit may contain a kitchen.
 - v. The maximum length of stay is thirty days per visit.
 - vi. The maximum number of guests is sixteen overnight guests per day.
 - vii. Guest units shall be contained within an existing building or home, or in one or more new buildings located within a single one-acre, non-agricultural area to reduce impacts to agricultural lands.
 - viii. All applicable local, state and federal permits and licenses shall be obtained prior to establishing a home stay establishment, including any required Washington State Department of Health licenses.
 - e. Off-site tasting rooms as defined in the Chelan Municipal Code (CMC).
 - f. Short-term events up to ten (10) days per year, such as catered functions, wedding services, concerts for which an admission fee is charged, and wine, beer, or harvest festivals, subject to the standards in Section 17.XX.070.
3. Food and beverage service is allowed accessory to a working farm or any agricultural, horticultural or agribusiness operation where agriculture is the primary use of the property, or to a small-scale craft beverage production use, provided: lounge/bar area is limited to 25% of the floor area of the restaurant.

17.XX.060 High-intensity uses. The following conditional uses are subject to the General Standards in this chapter and to Chapter 17.56 CMC:

- 1. Wineries, whether located on a site where agriculture is the primary use of the property or not. Wineries permitted under this section may include production space in excess of 10,000 square feet.
- 2. Sales of regional agricultural products (including value-added products from one or more producers) involving facilities over one thousand five hundred (1,500) square feet of floor area. At least seventy-five percent of the merchandise offered for sale shall be regional agricultural products as defined in the CMC. Up to twenty-five percent of the merchandise may be ancillary products.
- 3. Home-stay establishments offering up to seven guest units overnight guests per day, subject to the following:
 - a. Requirements (i) through (v), (vii), and (viii) for moderate-intensity home-stay establishments listed in Section 17.XX.050(2)(d), above.

- b. Minimum parcel size is four acres.
 - c. The maximum number of overnight guests per day shall be no more than four times the number of guest units.
4. Short-term events up to twenty-one (21) days per year, such as catered functions, wedding services, concerts for which an admission fee is charged, and wine, beer, or harvest festivals, subject to the standards in Section 17.XX.070.

17.XX.070 Short-term events.

1. The following standards apply to short-term events permitted under sections 17.XX.050 and 060 of this chapter:
 - a. The primary use of the property shall be agriculture, with the exception of sites with an approved beverage production use.
 - b. Events shall be limited to three consecutive days per event, with a minimum of ten days between events unless otherwise approved by the Planning and Building Department.
 - c. On-site parking shall be provided in accordance with Title 25 CMC, Section 9, Parking Standards
 - d. The on-site manager or owner shall provide the City with written notification of the date, time, duration and description of any short-term event at least ten business days prior to the beginning of the event. The Administrator may impose additional requirements, including notification requirements, based on the anticipated impacts of the event.
 - e. For short-term events lasting two or more days and with an expected daily attendance exceeding two hundred individuals, the on-site manager or owner shall provide written notification of the date, time, duration and description of the event to all landowners adjacent to the event site, any landowners within three hundred feet (300') of the site, and any landowners likely to be impacted by event traffic. Notification shall occur at least five business days prior to the beginning of the event.
2. Short-term events permitted in this chapter are not considered special events and are not subject to Chapter 5.50 CMC, Special Event License.

Chapter 17.46
ZONE SUD – SPECIAL USE DISTRICT

Sections:

[17.46.010](#) Permitted uses.

[17.46.020](#) Accessory uses.

[17.46.030](#) Conditional uses.

[17.46.040](#) Dimensional standards.

17.46.010 Permitted uses.

Permitted uses are as follows:

- A. One-family dwellings, but not to exceed one dwelling on any one lot; provided, that the lot abuts on a public street or private road;
- B. Crop and tree farming, truck farming, nurseries, and vineyards;
- C. Home occupations that involve:
 - 1. Customers or other business-related visitors on an appointment basis to the home business;
 - 2. Home occupation signs shall meet the residential real estate sign requirements of Section [17.58.050\(A\)\(19\)](#);
 - 3. No outward appearance that a business exists in the home;
 - 4. No more than one individual residing within the home who is active in the home occupation business; provided, that if the planning director is given satisfactory proof of a physical disability of the individual wishing to engage in a home business or occupation, a volunteer or employee may assist in the home occupation;
 - 5. The home occupation shall not generate traffic in excess of normal residential traffic. The gross vehicle weight of delivery vehicles shall not exceed eighteen thousand pounds; such as normal residential postal/delivery trucks;
 - 6. Compliance with the conditions for home occupation set forth in Section [17.56.060](#) of this code; and
 - 7. Obtain an administrative conditional use permit. This permit shall be reviewed every year with the business license application. The planning director may hold the business license and may require a full conditional use permit if the home occupation receives complaints or code violations;
- D. Expanded home occupations meeting the minimum conditions set forth in Section [17.56.320](#).
- E. Small-scale craft beverage production, subject to those General Standards in Chapter 17.XX of the Chelan Municipal Code that may reasonably apply, provided: small-scale craft beverage production uses not defined in the Chelan Municipal Code may be subject

to limits on production and the nature and size of accessory uses to ensure that the impacts of the use remain moderate.

17.46.020 Accessory uses.

Allowed accessory uses are as follows:

- A. Fences as allowed under Section [17.32.020](#)(D) and as required pursuant to Section 17.46.050;
- B. Cold storage warehouses for produce grown on the premises only;
- C. Employee residences located on the property where the resident is employed; provided, that the structures meet the minimum setbacks prescribed in this district;
- D. Single-family and joint use docks and boat launches for private, recreational use as accessory to single-family residences;
- E. Crop and tree farming, truck farming, nursery buildings;
- F. Attached or freestanding private garage, carport or combination thereof not to exceed fifty percent of the floor area of the principal structure, including basement area; provided, that all single-family residences, regardless of size, shall be allowed a minimum size private garage or carport of nine hundred sixty square feet. A garage larger than the standards set out herein shall be allowed as a conditional use under the conditions set forth under Section [17.20.030](#). Detached garages or carports must be set back twenty-five feet from the front property line.
- G. Low- and moderate-intensity agricultural tourism uses, subject to standards in Chapter 17.XX.

17.46.030 Conditional uses.

Conditional uses are as follows:

- A. Places of public or private assembly;
- B. Home occupations not meeting the permitted use criteria set forth in Section [17.20.010](#)(F) under conditions set forth in Section [17.56.060](#);
- C. Parks;
- D. Community waterfront parks;
- E. Bed and breakfast, pursuant to Section [17.56.230](#);
- F. Accessory dwelling unit.
- G. High-intensity agricultural tourism uses, subject to standards in Chapter 17.XX.

17.46.040 Dimensional standards.

Dimensional standards are as follows:

- A. Maximum density of six residential units per net acre;
- B. Minimum residential open space: Twenty percent. Density bonus allowed to equal additional percentages of open space. Example: twenty-five percent open space equates to a five percent density bonus;

- C. Minimum lot width at the building line: Fifty feet;
- D. Maximum lot coverage: Thirty-five percent.
- E. Maximum height: Thirty-five feet.
- F. Minimum setback distances:
 - a. Front yard:
 - i. Residential: Twenty feet. Setback averaging may be allowed within a new development as appropriate to the project and the site:
 - 1. Contingent on city review and approval of detailed site plan.
 - 2. The minimum setback in any averaged development must be ten feet.
 - 3. An average setback of twenty feet must be achieved.
 - ii. New agricultural tourism and small-scale craft beverage production structures: Twenty-five feet.
 - b. Side yard:
 - i. Residential: Five feet;
 - ii. New agricultural tourism and small-scale craft beverage production structures: Ten feet;
 - c. Rear yard:
 - i. Residential: Fifteen feet; ten feet adjoining open space.
 - ii. New agricultural tourism and small-scale craft beverage production structures: Twenty feet.
- G. Buffers between noncompatible uses:
 - 1. Buffers to include physical spacing and visual screening will be required between adjacent, noncompatible uses. Fences shall be placed on the dividing property line. Plantings shall be placed on property owned and maintained by the property owner(s); the distance from the property line shall be adequate to allow for the anticipated size of the mature plant;
 - 2. Buffers shall be created for all new development including residential, with the following exceptions:
 - a. An individual single-family residence shall not be required to place a buffer on any lot line abutting or facing another single-family residence.
 - b. Buffering requirements for agricultural tourism uses shall be determined by the Administrator based on the nature and anticipated impacts of the new use.
 - 3. Buffers are specifically required in the following instances:
 - a. For all new nonagricultural development, including agricultural tourism uses, adjacent to any residential or agricultural use;

- b. For new agricultural development adjacent to any nonagricultural use;
4. New development adjacent to existing, unlike development (as defined above), shall provide visual and trespass-inhibiting screening to include the following:
- a. A minimum six-foot, sight-obscuring, trespass-resistant fence;
 - b. Plantings to include a minimum single row of evergreen shrubs or trees which will achieve a height of no less than six feet at maturity; spaced at appropriate intervals to provide a solid screen at maturity. (Plantings should be drought-tolerant and hardy to winter conditions typical to the area. Nuisance shrubs and trees, or those with root systems likely to damage fencing or adjacent lawn or properties, are prohibited.) In case of tree/crop farming, the planning director may consider the use as the buffer;
 - c. A minimum planting width of ten feet;
 - d. A planting plan prepared and stamped by a landscape architect registered in the state of Washington. The plan must identify plantings that will achieve the visual screening, trespass inhibiting, and long-term sustainability goals of this section. (The planting plan must be submitted prior to project approval, and must comply with all other planting requirements of this code.);
 - e. An irrigation system sufficient to serve the entire planting strip. (An irrigation plan must be submitted prior to project approval.);
5. Maintenance of landscaped buffers shall be the responsibility of the property developer or future owner(s) of subject property. The long-term maintenance plan must be submitted with the landscape plan and approved by the responsible city official. A note on the deed will specify a responsibility for the long-term maintenance of the buffer to run with the land;
- a. All plantings must be weeded and maintained regularly;
 - b. Diseased or dying shrubs or trees must be replaced with similar plants projected to achieve the desired screening effect;
 - c. Fences must be maintained in good order at all times. (Ord. 1377 § 4 (App. B) (part), 2009; Ord. 1114 § 6 (part), 1998).

Chapter 17.44
ZONE W-I – WAREHOUSING AND INDUSTRIAL DISTRICT

~~July 11~~August 22, 2014 DRAFT

Chapter 17.44

Sections:

[17.44.010](#) Permitted uses.

[17.44.020](#) Accessory uses.

[17.44.030](#) Conditional uses.

[17.44.040](#) Dimensional standards.

17.44.010 Permitted uses.

Permitted uses are as follows:

- A. Retail Sales and Wholesaling. Manufacturing, assembling, storing, repairing, fabricating or other handling of products and equipment conducted entirely within a building or solid fence six feet high. The operation of which use is normally such that at no time will such use cause:
 - 1. Dissemination of dust, smoke, visible gas, or noxious gases, fumes, noise, vibrations, or odors beyond the boundaries of the site in which such use is conducted;
 - 2. Hazard of fire, explosion, or other physical damage to any adjacent buildings or plant growth;
- B. Dwelling units only to accommodate watchmen, or caretakers on the premises;
- C. Telephone exchanges, electric substations and similar uses of public service corporations;
- D. Off-site hazardous waste facilities; provided, that such facilities meet the siting criteria adopted in Chapter [70.105](#) RCW. (Ord. 1411 § 3 (Exh. B) (part), 2010; Ord. 1283 § 5(A), 2004; Ord. 1164 § 1, 2000; Ord. 868 § 6, 1989; Ord. 314 § 12A, 1962).

E. Distilleries

F. Small-scale craft beverage production, provided: small-scale craft beverage production uses not defined in the Chelan Municipal Code may be subject to limits on production and the nature and size of accessory uses to ensure that the impacts of the use remain moderate.

17.44.020 Accessory uses.

Accessory uses are as follows:

- A. Repealed by Ord. 1022;
- B. On-site hazardous waste facilities;

C. Fences permitted under the same conditions as listed in Section [17.32.020\(D\)](#). (Ord. 1411 § 3 (Exh. B) (part), 2010; Ord. 1022 § 8, 1995; Ord. 886 § 7, 1989; Ord. 868 § 7, 1989; Ord. 314 § 12B, 1962).

D. Low- and moderate-impact agricultural tourism uses, subject to standards in Chapter 17.XX.

17.44.030 Conditional uses.

Conditional uses are as follows:

- A. Sanitary landfill provided such use shall meet all of the requirements of the State Board of Public Health;
- B. Municipal buildings under conditions set forth in Chapter [17.56](#);
- C. Historical site or structure under conditions set out in Section [17.56.200](#);
- D. Gasoline service stations under conditions set forth in Section [17.56.220](#); and
- E. Single-family, agricultural uses (includes “truck farms”), nurseries, vineyards and wineries. (Ord. 1411 § 3 (Exh. B) (part), 2010; Ord. 1283 § 5(B), 2004; Ord. 730 § 4, 1984; Ord. 625 § 1 (part), 1979; Ord. 314 § 12C, 1962).

F. High-impact agricultural tourism uses, subject to standards in Chapter 17.XX.

17.44.040 Dimensional standards.

Dimensional standards are as follows:

- A. Minimum lot area: Ten thousand square feet;
- B. Minimum width of lot at building line: Sixty-five feet. (Ord. 1411 § 3 (Exh. B) (part), 2010; Ord. 314 § 12D, 1962).

Chapter 17.56
CONDITIONAL USES

July 11, 2014 DRAFT

17.56.130 Places of public or private assembly.

Minimum conditions are as follows, not otherwise specifically provided for in this title:

A. Districts permitted: R-M Residential District, SUD Special Use District, T-A Tourist Accommodations District.

B. Minimum Conditions.

1. Other requirements of the district in which the structure is located. (Ord. 1448 § 6 (Exh. G) (part), 2012; Ord. 1411 § 4 (Exh. C) (part), 2010; Ord. 314 § 14H, 1962).