



Walla Walla County Community Development Department

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Date: December 30, 2016
To: Walla Walla County Planning Commission
From: Tom Glover, Director
Lauren Prentice, Principal Planner
RE: **Workshop Agenda Item No. 1** – ZCA16-004, Susan Buchanan

Summary of submitted application

The applicant has proposed the following amendments.

- Amend [WWCC Chapter 17.08](#) to define ‘value-added agriculture’ and ‘Agritourism.’
“Value-added agriculture” means the production, storage, marketing, and distribution of value-added agricultural products, including support services that facilitate these activities. This definition excludes the uses of winery type I and winery type II.
“Agritourism” is short for “agricultural tourism” and refers to agriculturally related experiences provided for the enjoyment, entertainment, or education of visitors and which generates supplemental income for a working farm upon which the principal land use is agriculture, specifically the growing of crops.
- Amend [WWCC 17.16.014](#), Permitted Uses, to allow these two uses outright in the Agriculture Residential 10 (AR-10) zoning district.

Attachments

1. County-drafted proposed code amendments

Analysis and summary of alternative amendments

Attachment 1 includes new versions of County-drafted amendments based on the last Planning Commission workshop and additional research by staff in December. These new versions include a couple of changes and policy questions for Planning Commission consideration. The new recommended changes to the definitions are shown with tracked changes in Attachment 1.

1. **Ancillary Retail Sales:** Added the language related to ancillary retail sales discussed at the last meeting with one modification. Instead of explaining that ancillary retail sales are sales of products “not grown or produced on-site,” staff recommends replacing this language with “not grown or produced by the farm or ranch.” This is a slightly different policy than the Planning Commission discussed at the last meeting, but our feeling is that it is worth considering because it would allow for farms with multiple farm properties to sell their products in a single location.
2. **Ranches:** Inserted the word “ranch” as suggested by Ms. Liberty as well as added it in a couple more sentences where only “farm” was included.
3. **Permitted Uses Table and Permitting Requirements:** The third page of Attachment 1 includes draft amendments that would be made to the permitted uses table. The consensus at the last Planning Commission meeting is that these uses should be allowed via an administrative conditional use permit in the same areas where wineries were allowed.

Staff is recommending that the Planning Commission consider one more alternative: allowing both uses to be permitted outright in some zoning districts where they are less likely to conflict with the surrounding uses or generate nuisance conditions with a requirement that they obtain a newly established “value-added agriculture processing or agritourism permit.” This would allow for administrative land use review to verify that parking and access is adequately provided and the operations will be compliant with applicable standards, without requiring these operations to go through the lengthier Type 2 administrative review process, pay the \$190 fee, meet the conditional use permit criteria, or be subject to public notice procedures. This permit would be subject to Type 1 administrative review which takes at most 45 days and often less, whereas Type 2 administrative review for an administrative CUP typically takes 60-120 days. There is no established fee for Type 1 review though most require \$95, so unless a permit fee was established, there would be no charge for this land use review. This is the same approach used for Type I wineries which are permitted outright, but require a Winery Permit. Our recommendation is that an administrative CUP should still be required in certain districts, particularly in the rural residential zones. But in agricultural zones, where these uses are less likely to result in negative land use impacts, allowing a quicker administrative permitting process seems appropriate. Also, these uses would be classified as agricultural accessory uses which we want to encourage and prioritize in resource zones per the Comprehensive Plan.

We also recommend excluding these uses from a few commercial and industrial zoning districts where wineries would be allowed. This recommendation is reflected in Attachment 1.

4. **Permit Exemptions and Tours:** The consensus at the last meeting was that there should be a provision for a permit and/or fee exemption for farms or ranches only offering tours to school or nonprofit groups. After considering this further, our staff recommendation is that the code should provide an exemption for tours based on the number that are allowed, not the type. This will allow for our land use policies and codes to be based on potential land use impacts. This would also be easier to enforce. The main concerns with allowing unlimited tours, whether they are to school groups, nonprofit groups, or just the general public, would be that tours could result in traffic or other nuisance conditions negatively affecting neighboring property owners. These land use impacts will be the same no matter who the group is attending the tour. We drafted a new condition that provides a permit exemption for farms and ranches that offer four or fewer tours per year.
5. **U-pick Operations:** We also recommend including an exemption for u-pick farms that are not conducting any other agritourism activities. For example, this would help distinguish between a berry farm that occasionally has people come out and pick their own berries, which is a typical farm activity, compared to a pumpkin patch or larger agritourism enterprise that offers u-pick and has a retail store or offers other activities. The latter is more likely to generate heavier traffic and activity that may need to be reviewed via a permit.

Attachment 1

New definition to be added to Chapter 17.08. Definitions:

“Small scale value-added agriculture processing” means the production, storage, marketing, and distribution of regional agricultural products from one or more producers, including support services that facilitate these activities. Value-added agricultural products may be defined as any agricultural commodity that meets at least one of the following categories:

- a. Has undergone a change in physical state;
- b. Was produced in a manner that enhances the value of the agricultural commodity;
- c. Is aggregated and marketed as a locally-produced agricultural food product.

The processing facility shall meet the following conditions:

- a. The facility is not a slaughterhouse or mushroom substrate production facility;
- b. The facility is not a source of farm- or ranch-based renewable energy, including E-85 fuel (except for own use);
- c. The facility is supplemental and related to the primary permitted use;
- d. The facility processes at least 50 percent agricultural goods produced in Walla Walla County;
- e. The facility may conduct on-site retail sales of value-added products produced ~~on site~~ by the processing facility, or farm or ranch, in a market area that is not larger than 400 square feet;
- f. Ancillary retail sales of products not grown or produced by the processing facility, or farm or ranch, must be confined to fifteen percent of the total gross floor space of the retail area (maximum of 60 square feet), and must be clearly accessory to retail sales and marketing of the processing facility.
- g. The total gross floor area of the facility shall not exceed 12,000 square feet.
- h. A permit is required for all small scale value-added agriculture processing facilities. Permit review shall be limited to determining that the proposed facility meets the conditions listed above, provides adequate parking, and is compliant with other applicable development regulations. A permit may be revisited by the Walla Walla County Community Development Department if any of the activities are determined to be outside of the scope, purpose, and/or use of the value-added agriculture processing facility.

New definition to be added to Chapter 17.08. Definitions

“Agritourism enterprise” refers to agriculturally related experiences provided on a working farm or ranch for the enjoyment, entertainment, or education of the public or invited groups. The agritourism enterprise shall support, promote, or sustain agricultural operations and production. ~~Such activities include~~ The following activities marketed to the general public or invited groups constitute agritourism enterprises: farm or ranch tours, hayrides, u-pick ~~farm~~ operations, classes, on-site retail sales, and picnic facilities. An agritourism enterprise does not include produce stands or markets as defined in Chapter 17.08. The enterprise shall meet the following conditions:

- a. An agritourism enterprise shall not provide any lodging for guests or employees, or include a restaurant or event facilities, unless otherwise allowed in the code.

- b. The agritourism enterprise may conduct on-site retail sales of products grown ~~on-site~~ by the farm or ranch in a market area that is not larger than 400 square feet;
- c. Ancillary retail sales of products not grown or produced by the farm or ranch must be confined to fifteen percent of the total gross floor space of the retail market area (maximum of 60 square feet), and must be clearly accessory to retail sales and marketing of the farm. Ancillary retail sales of products not grown or produced by the farm or ranch must be confined to fifteen percent of the total gross floor space of the retail market area (maximum of 60 square feet), and must be clearly accessory to retail sales and marketing of the farm or ranch.
- d. A permit is required for all agritourism enterprises except as listed under (e). Permit review shall be limited to determining that the proposed enterprise meets the conditions listed above, provides adequate parking, and is compliant with other applicable development regulations. A permit may be revisited by the Walla Walla County Community Development Department if any of the activities are determined to be outside of the scope, purpose, and/or use of the agritourism enterprise.
- e. The following activities are exempt from the agritourism enterprise permit because they are considered to be part of the regular operation of a farm or ranch, provided that adequate off-street parking is available and specific ingress and egresses are designated and permitted.
 - 1. Farm or ranch tours offered no more than four times per year.
 - 2. Stand-alone u-pick operations not conducted on the same farm or ranch that offers other agritourism experiences.

Amendments to [WWCC 17.16.014, Permitted Uses Table](#), Resource Land Uses table:

Wineries are included in the Industrial/Manufacturing Land Uses table, but are shown here for reference.

Specific Use	Zone																		
	Resource			Rural								Urban Residential				Misc.			
	PA-40	EA-120	GA-20	AR-10	RR-40	RR-20	RA-10	RA-5	RRMC-5	RR-2	RR-5	R-96	R-72	R-60	RM	RD-R	RD-CI	RFC	RAC
*Agritourism enterprise	P2	P2	P2	P2	P2	P2	P2	P2	AC2	AC2	AC2								P2
*Small scale value-added agriculture processing	P2	P2	P2	P2	P2	P2	P2	P2	AC2	AC2	AC2								P2
* Winery Type I	P3	P3	P3	P3	C3	P3	P3	P3	P3	P3	P3							P3	P3
* Winery Type II	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3							P3	C3
* Accessory Use	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1

SPECIFIC USE	Zone										
	Industrial and Commercial									Misc.	
	IA-M	IA-H	HI	LI	I/BP	NC	CG	BC	BR	PR	
*Agritourism enterprise	P2	P2									
*Small scale value-added agriculture processing	P2	P2									
* Winery Type I	P3	P3	P3	P3	P3	P3	P3	P3			
* Winery Type II	P3	P3	P3	P3	P3	P3	P3	P3			
* Accessory Use	P1	P1	P1	P1	P1	P1	P1	P1	P1	P1	

F. Resource Land Uses—Development Conditions.

1. An accessory use, structure or activity clearly incidental to a permitted use and which will not create a nuisance or hazard is permitted.
2. [A permit is required for all agritourism enterprises and value-added agriculture processing facilities.](#)