

## **RR20**

### **11.08.020 Standards.**

All development in this zone shall meet the applicable provisions of the Chelan County Code, including without limitation the following:

(1) Minimum lot size: twenty acres, which measures to the centerline of adjoining public rights-of-way, which may be modified one time for:

(A) Cluster subdivisions and planned developments; or

~~(B) Fractional lot, no less than fifty percent of the minimum area of the district, within a major or minor plat; or~~

~~(C) Fractional lot for boundary line adjustment meeting the criteria of Section 12.18.030; or~~

(D) Lot size reduction for existing dwellings, under the criteria listed in subsection (9) of this section.

(2) Minimum lot width: two hundred feet at the front building line.

(3) Maximum building height: thirty-five feet.

(4) Maximum lot coverage: buildings and structures shall not occupy more than thirty-five 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), currently farmed within other Rural Residential zoning districts (RR20, RR10, RR5, RR2.5), and riparian and shoreline areas, or as increased by the provisions of this title:

(A) Front yard: twenty-five feet from the front property line or fifty-five feet from the street centerline, whichever is greater.

(B) Rear yard: twenty feet from the rear property line.

(C) Side yard: five feet from the side property line. On corner lots the street side yard shall be a minimum of twenty-five feet from the property line or fifty-five feet from the street centerline, whichever is greater.

(D) Setbacks from Agriculture. No dwelling unit shall be located within one hundred feet of a property zoned as either commercial agricultural lands (AC) or currently farmed within other Rural Residential zoning districts (RR20, RR10, RR5, RR2.5).

(i) Measurement. The entire width of any public right-of-way may be used as part of the setback calculation. In no case shall the setback from a public right-of-way be

less than fifty-five feet from centerline or twenty-five feet from the front property line, whichever is greater. See Graphic G-2 in Appendix A.

(ii) Administrative Modifications. 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 of the administrator shall be appealable to the Chelan County hearing examiner.

(a) For lots/parcels legally created, and which retain the same legal description without modification, prior to the effective date of these provisions (September 9, 1997), the administrator may modify the required setback from land in agricultural use up to twenty percent.

(iii) Waivers. Agricultural setbacks for dwelling units may be waived on an existing parcel within or adjacent to the commercial agricultural zoning district when a written waiver, signed by both the subject property owner and the adjacent property owner, is notarized, reviewed and approved by the department and recorded with the Chelan County auditor's office as a notice to title. Where such a waiver is implemented, the setbacks identified within this chapter shall be utilized as the minimum standards as listed in CCC 11.08.020, 11.10.020, 11.12.020, 11.14.020, 11.30.020.

(a) Where a waiver has been granted, enlargement of the existing dwelling, request for additional dwellings (ADUs) or conversion of any existing structure to a dwelling unit, within the one-hundred-foot setback, shall require a new waiver, consistent with subsection (6)(C) of this section.

(iv) Existing Dwellings. For existing dwelling units, not placed with a waiver, the setback shall be defined by the existing dwelling for existing property lines. No encroachment into the required agricultural setback for expansion(s) of an existing dwelling unit, or through new or revised property lines.

(6) Off-street parking requirements in this district shall be as follows:

(A) Two spaces per single-family dwelling unit;

(B) One space per five beds and one space per staff person for adult family homes;

(C) Other off-street parking and loading shall be provided as prescribed in Chapter [11.90](#) of this title.

(7) Landscape standards shall be provided as prescribed in Chapter [15.50](#) of Title [15](#), Development Standards, as amended.

(8) Accessory uses 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) must be on the same parcel (or have adjacent or contiguous ownership) as the agriculture use that they are supporting.

~~(9) Lot Size Reduction for Existing Dwellings. To support long-term residential living, maintenance of existing housing and affordable housing options throughout the county. The owner of land may segregate, one time only, property into one additional lot when meeting the following criteria, except for those properties within the Icicle Valley Design Review Overlay District, Chapter [11.72](#):~~

~~(A) The parcel, prior to land division, shall not be divisible by subdivision (short or major), cluster subdivision (short or major) or through a certificate of exemption process, as defined by Title [12](#), excluding "laws of descent."~~

~~(B) The proposed lot has adequate access.~~

~~(C) The size of the proposed lot is the minimum area reasonably necessary to support the existing single-family residence and associated accessory uses. If wells and/or septic systems are adjacent to the existing single-family residence, lot size should include these facilities. If wells and/or septic are not adjacent, then easements shall be provided.~~

~~(D) Land division process shall be completed through Title [12](#) short plat provisions.~~

(109) Lot Size Reduction for Existing Dwellings. In certain rural residential/resource districts for agriculture and timber uses. Land located on "farm and agricultural land" or "timber land" as defined in RCW [84.34.020](#) may be segregated one time only when meeting the following criteria:

(A) Land is a minimum of ~~five~~ twenty (20) acres prior to segregation.

(B) When proposed lot size is the minimum necessary to incorporate legally constructed dwellings and accessory uses existing prior to September 9, 1997. This provision does not apply to accessory dwelling units, dependent care housing or farm worker housing.

(C) The proposed lot has adequate access.

(D) The lot size meets the provisions of the Chelan-Douglas health district.

(E) Division is completed through a short subdivision process in Title [12](#). (Res. 2015-73 (Atts. A, B) (part), 8/4/15; Res. 2012-46 (Att. A) (part), 5/15/12; Res. 2011-86 (Att. A) (part), 10/4/11; Res. 2008-13 (part), 2/5/08; Res. 2007-98 (part), 7/2/07; Res. 2002-8 (part), 1/15/02; Res. 2001-60 (part), 4/17/01; Res. 2000-129 (part), 10/17/00).

## **RR10**

### **11.10.020 Standards.**

All development in this zone shall meet the applicable provisions of the Chelan County Code, including without limitation the following:

(1) Minimum lot size: ten acres, which measures to the centerline of adjoining public rights-of-way, which may be modified one time for:

(A) Cluster subdivisions and planned developments; or

~~(B) Fractional lot, no less than fifty percent of the minimum area of the district, within a major or minor plat; or~~

~~(C) Fractional lot for boundary line adjustment meeting the criteria of Section 12.18.030; or~~

(D) Lot size reduction for existing dwellings, under the criteria listed in subsection (9) of this section.

(2) Minimum lot width: one hundred fifty feet at the front building line.

(3) Maximum building height: thirty-five feet.

(4) Maximum Lot Coverage. Buildings and structures shall not occupy more than thirty-five 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), currently farmed within other Rural Residential zoning districts (RR20, RR10, RR5, RR2.5), riparian and shoreline areas, or as increased by the provisions of this title:

(A) Front yard: twenty-five feet from the front property line or fifty-five feet from the street centerline, whichever is greater.

(B) Rear yard: twenty feet from the rear property line.

(C) Side yard: five feet from the side property line. On corner lots the street side yard shall be a minimum of twenty-five feet from the property line or fifty-five feet from the street centerline, whichever is greater.

(D) Setbacks from Agriculture. No dwelling unit shall be located within one hundred feet of a property zoned as either commercial agricultural lands (AC) or currently farmed within other Rural Residential zoning districts (RR20, RR10, RR5, RR2.5).

(i) Measurement. The entire width of any public right-of-way may be used as part of the setback calculation. In no case shall the setback from a public right-of-way be less than fifty-five feet from centerline or twenty-five feet from the front property line, whichever is greater. See Graphic G-2 in Appendix A.

(ii) Administrative Modifications. 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 of the administrator shall be appealable to the Chelan County hearing examiner.

(a) For lots/parcels legally created, and which retain the same legal description without modification, prior to the effective date of these provisions (September 9, 1997), the administrator may modify the required setback from land in agricultural use up to twenty percent.

(iii) Waivers. Agricultural setbacks for dwelling units may be waived on an existing parcel within or adjacent to the commercial agricultural zoning district when a written waiver, signed by both the subject property owner and the adjacent property owner, is notarized, reviewed and approved by the department and recorded with the Chelan County auditor's office as a notice to title. Where such a waiver is implemented, the setbacks identified within this chapter shall be utilized as the minimum standards as listed in CCC 11.08.020, 11.10.020, 11.12.020, 11.14.020, 11.30.020.

(a) Where a waiver has been granted, enlargement of the existing dwelling, request for additional dwellings (ADUs) or conversion of any existing structure to a dwelling unit, within the one-hundred-foot setback, shall require a new waiver, consistent with subsection (6)(C) of this section.

(iv) Existing Dwellings. For existing dwelling units, not placed with a waiver, the setback shall be defined by the existing dwelling for existing property lines. No encroachment into the required agricultural setback for expansion(s) of an existing dwelling unit, or through new or revised property lines.

(6) Off-street parking requirements in this district shall be as follows:

(A) Two spaces per single-family dwelling unit.

(B) One space per five beds and one space per staff person for adult family homes.

(C) Other off-street parking and loading shall be provided as prescribed in Chapter [11.00](#) of this title.

(7) Landscape standards shall be provided as prescribed in Chapter [15.50](#) of Title [15](#), Development Standards, as amended.

(8) Accessory uses 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) must be on the same parcel (or have adjacent or contiguous ownership) as the agriculture use that they are supporting.

~~(9) Lot Size Reduction for Existing Dwellings. To support long-term residential living, maintenance of existing housing and affordable housing options throughout the county. The owner of land may segregate, one time only, property into one additional lot when meeting the following criteria, except for those properties within the Icicle Valley Design Review Overlay District, Chapter [11.72](#):~~

~~(A) The parcel, prior to land division, shall not be divisible by subdivision (short or major), cluster subdivision (short or major) or through a certificate of exemption process, as defined by Title [12](#), excluding "laws of descent."~~

~~(B) The proposed lot has adequate access.~~

~~(C) The size of the proposed lot is the minimum area reasonably necessary to support the existing single-family residence and associated accessory uses. If wells and/or septic systems are adjacent to the existing single-family residence, lot size should include these facilities. If wells and/or septic are not adjacent, then easements shall be provided.~~

~~(D) Land division process shall be completed through Title [12](#) short plat provisions.~~

(109) Lot Size Reduction for Existing Dwellings. In certain rural residential/resource districts for agriculture and timber uses. Land located on "farm and agricultural land" or "timber land" as defined in RCW [84.34.020](#) may be segregated one time only when meeting the following criteria:

(A) Land is a minimum of ~~five~~ ten (10) acres prior to segregation.

(B) When proposed lot size is the minimum necessary to incorporate legally constructed dwellings and accessory uses existing prior to September 9, 1997. This provision does not apply to accessory dwelling units, dependent care housing or farm worker housing.

(C) The proposed lot has adequate access.

(D) The lot size meets the provisions of the Chelan-Douglas health district.

(E) Division is completed through a short subdivision process in Title [12](#). (Res. 2015-73 (Atts. A, B) (part), 8/4/15; Res. 2012-46 (Att. A) (part), 5/15/12; Res. 2011-86 (Att. A) (part), 10/4/11; Res. 2008-13 (part), 2/5/08; Res. 2007-98 (part), 7/2/07; Res. 2002-8 (part), 1/15/02; Res. 2001-60 (part), 4/17/01; Res. 2000-129 (part), 10/17/00).

## **RR5**

### **11.12.020 Standards.**

All development in this zone shall meet the applicable provisions of the Chelan County Code, including without limitation the following:

(1) Minimum lot size: five acres, which measures to the centerline of adjoining public rights-of-way, which may be modified one time for:

(A) Cluster subdivisions and planned developments; or

~~(B) Fractional lot, no less than fifty percent of the minimum area of the district, within a major or minor plat; or~~

~~(C) Fractional lot for boundary line adjustment meeting the criteria of Section 12.18.030; or~~

(D) Lot size reduction for existing dwellings, under the criteria listed in subsection (9) of this section.

(2) Minimum lot width: one hundred feet at the front building line.

(3) Maximum building height: thirty-five feet.

(4) Maximum Lot Coverage. Buildings and structures shall not occupy more than thirty-five 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), currently farmed within other Rural Residential zoning districts (RR20, RR10, RR5, RR2.5), riparian and shoreline areas, or as modified by the provisions of this title:

(A) Front yard: twenty-five feet from the front property line or fifty-five feet from the street centerline, whichever is greater.

(B) Rear yard: twenty feet from the rear property line.

(C) Side yard: five feet from the side property line. On corner lots the street side yard shall be a minimum of twenty-five feet from the property line or fifty-five feet from the street centerline, whichever is greater.

(D) Setbacks from Agriculture. No dwelling unit shall be located within one hundred feet of a property zoned as either commercial agricultural lands (AC) or currently farmed within other Rural Residential zoning districts (RR20, RR10, RR5, RR2.5).

(i) Measurement. The entire width of any public right-of-way may be used as part of the setback calculation. In no case shall the setback from a public right-of-way be less than fifty-five feet from centerline or twenty-five feet from the front property line, whichever is greater. See Graphic G-2 in Appendix A.

(ii) Administrative Modifications. 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 of the administrator shall be appealable to the Chelan County hearing examiner.

(a) For lots/parcels legally created, and which retain the same legal description without modification, prior to the effective date of these provisions (September 9, 1997), the administrator may modify the required setback from land in agricultural use up to twenty percent.

(iii) Waivers. Agricultural setbacks for dwelling units may be waived on an existing parcel within or adjacent to the commercial agricultural zoning district when a written waiver, signed by both the subject property owner and the adjacent property owner, is notarized, reviewed and approved by the department and recorded with the Chelan County auditor's office as a notice to title. Where such a waiver is implemented, the setbacks identified within this chapter shall be utilized as the minimum standards as listed in CCC 11.08.020, 11.10.020, 11.12.020, 11.14.020, 11.30.020.

(a) Where a waiver has been granted, enlargement of the existing dwelling, request for additional dwellings (ADUs) or conversion of any existing structure to a dwelling unit, within the one-hundred-foot setback, shall require a new waiver, consistent with subsection (6)(C) of this section.

(iv) Existing Dwellings. For existing dwelling units, not placed with a waiver, the setback shall be defined by the existing dwelling for existing property lines. No encroachment into the required agricultural setback for expansion(s) of an existing dwelling unit, or through new or revised property lines.

(6) Off-street parking requirements in this district shall be as follows:

(A) Two spaces per single-family dwelling unit.

(B) One space per five beds and one space per staff person for adult family homes.

(C) Other off-street parking and loading shall be provided as prescribed in Chapter [11.90](#) of this title.

(7) Landscape standards shall be provided as prescribed in Chapter [15.50](#) of Title [15](#), Development Standards, as amended.



(8) Accessory uses 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) must be on the same parcel (or have adjacent or contiguous ownership) as the agriculture use that they are supporting.

~~(9) Lot Size Reduction for Existing Dwellings. To support long-term residential living, maintenance of existing housing and affordable housing options throughout the county. The owner of land may segregate, one time only, property into one additional lot when meeting the following criteria, except for those properties within the Icicle Valley Design Review Overlay District, Chapter [11.72](#):~~

~~(A) The parcel, prior to land division, shall not be divisible by subdivision (short or major), cluster subdivision (short or major) or through a certificate of exemption process, as defined by Title [12](#), excluding "laws of descent."~~

~~(B) The proposed lot has adequate access.~~

~~(C) The size of the proposed lot is the minimum area reasonably necessary to support the existing single-family residence and associated accessory uses. If wells and/or septic systems are adjacent to the existing single-family residence, lot size should include these facilities. If wells and/or septic are not adjacent, then easements shall be provided.~~

~~(D) Land division process shall be completed through Title [12](#) short plat provisions.~~

(409) Lot Size Reduction for Existing Dwellings. In certain rural residential/resource districts for agriculture and timber uses. Land located on "farm and agricultural land" or "timber land" as defined in RCW [84.34.020](#) may be segregated one time only when meeting the following criteria:

(A) Land is a minimum of five (5) acres prior to segregation.

(B) When proposed lot size is the minimum necessary to incorporate legally constructed dwellings and accessory uses existing prior to September 9, 1997. This provision does not apply to accessory dwelling units, dependent care housing or farm worker housing.

(C) The proposed lot has adequate access.

(D) The lot size meets the provisions of the Chelan-Douglas health district.

(E) Division is completed through a short subdivision process in Title [12](#). (Res. 2015-73 (Atts. A, B) (part), 8/4/15; Res. 2012-46 (Att. A) (part), 5/15/12; Res. 2011-86 (Att. A) (part), 10/4/11; Res. 2008-13 (part), 2/5/08; Res. 2007-98 (part), 7/2/07; Res. 2002-8 (part), 1/15/02; Res. 2001-60 (part), 4/17/01; Res. 2000-129 (part), 10/17/00).

## **RR2.5**

### **11.14.020 Standards.**

All development in this zone shall meet the applicable provisions of the Chelan County Code, including without limitation the following:

(1) Minimum lot size: two and one-half acres, which measures to the centerline of adjoining public rights-of-way, which may be modified one time for either a cluster subdivision or a planned development:

~~(A) Cluster subdivisions and planned developments; or~~

~~(B) Fractional lot, no less than fifty percent of the minimum area of the district, within a major or minor plat; or~~

~~(C) Fractional lot for boundary line adjustment meeting the criteria of Section 12.18.030; or~~

~~(D) Lot size reduction for existing dwellings, under the criteria listed in subsection (9) of this section.~~

(2) Minimum lot width: one hundred feet at the front building line.

(3) Maximum building height: thirty-five feet.

(4) Maximum Lot Coverage. Buildings and structures shall not occupy more than thirty-five 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), currently farmed within other Rural Residential zoning districts (RR20, RR10, RR5, RR2.5), riparian and shoreline areas, or as increased by the provisions of this title:

(A) Front yard: twenty-five feet from the front property line or fifty-five feet from the street centerline, whichever is greater.

(B) Rear yard: twenty feet from the rear property line.

(C) Side yard: five feet from the side property line. On corner lots the street side yard shall be a minimum of twenty-five feet from the property line or fifty-five feet from the street centerline, whichever is greater.

(D) Setbacks from Agriculture. No dwelling unit shall be located within one hundred feet of a property zoned as either commercial agricultural lands (AC) or currently farmed within other Rural Residential zoning districts (RR20, RR10, RR5, RR2.5).

(i) Measurement. The entire width of any public right-of-way may be used as part of the setback calculation. In no case shall the setback from a public right-of-way be less than fifty-five feet from centerline or twenty-five feet from the front property line, whichever is greater. See Graphic G-2 in Appendix A.

(ii) Administrative Modifications. 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 of the administrator shall be appealable to the Chelan County hearing examiner.

(a) For lots/parcels legally created, and which retain the same legal description without modification, prior to the effective date of these provisions (September 9, 1997), the administrator may modify the required setback from land in agricultural use up to twenty percent.

(iii) Waivers. Agricultural setbacks for dwelling units may be waived on an existing parcel within or adjacent to the commercial agricultural zoning district when a written waiver, signed by both the subject property owner and the adjacent property owner, is notarized, reviewed and approved by the department and recorded with the Chelan County auditor's office as a notice to title. Where such a waiver is implemented, the setbacks identified within this chapter shall be utilized as the minimum standards as listed in CCC 11.08.020, 11.10.020, 11.12.020, 11.14.020, 11.30.020.

(a) Where a waiver has been granted, enlargement of the existing dwelling, request for additional dwellings (ADUs) or conversion of any existing structure to a dwelling unit, within the one-hundred-foot setback, shall require a new waiver, consistent with subsection (6)(C) of this section.

(iv) Existing Dwellings. For existing dwelling units, not placed with a waiver, the setback shall be defined by the existing dwelling for existing property lines. No encroachment into the required agricultural setback for expansion(s) of an existing dwelling unit, or through new or revised property lines.

(6) Off-street parking requirements in this district shall be as follows:

(A) Two spaces per single-family dwelling.

(B) One space per five beds and one space per staff person for adult family homes.

(C) Other off-street parking and loading shall be provided as prescribed in Chapter [11.90](#) of this title.

(7) Landscape standards shall be provided as prescribed in Chapter [15.50](#) of Title [15](#), Development Standards, as amended.

(8) Accessory uses 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) must be on the same parcel (or have adjacent or contiguous ownership) as the agriculture use that they are supporting.

~~(9) Lot Size Reduction for Existing Dwellings. To support long-term residential living, maintenance of existing housing and affordable housing options throughout the county. The owner of land may segregate, one time only, property into one additional lot when meeting the following criteria:~~

~~(A) The parcel, prior to land division, shall not be divisible by subdivision (short or major), cluster subdivision (short or major) or through a certificate of exemption process, as defined by Title 12, excluding "laws of descent."~~

~~(B) The proposed lot has adequate access.~~

~~(C) The size of the proposed lot is the minimum area reasonably necessary to support the existing single-family residence and associated accessory uses. If wells and/or septic systems are adjacent to the existing single-family residence, lot size should include these facilities. If wells and/or septic are not adjacent, then easements shall be provided.~~

~~(D) Land division process shall be completed through Title 12 short plat provisions. (Res. 2015-73 (Atts. A, B) (part), 8/4/15; Res. 2011-86 (Att. A) (part), 10/4/11; Res. 2010-68 (part), 7/13/10; Res. 2008-13 (part), 2/5/08; Res. 2007-98 (part), 7/2/07; Res. 2002-8 (part), 1/15/02; Res. 2001-60 (part), 4/17/01; Res. 2000-129 (part), 10/17/00).~~

## **AC**

### **11.30.020 Standards.**

All development in this zone shall meet the applicable provisions of the Chelan County Code, including without limitation the following:

(1) Minimum lot size: ten acres, which measures to the centerline of adjoining public rights-of-way, which may be modified one time for:

(A) Cluster subdivisions and planned developments; or

~~(B) Fractional lot, no less than fifty percent of the minimum area of the district, within a major or minor plat; or~~

~~(C) Fractional lot for boundary line adjustment meeting the criteria of Section 12.18.030; or~~

(D) Lot size reduction for existing dwellings, under the criteria listed in subsection (10) of this section.

(2) Minimum lot width: one hundred fifty feet at the front building line.

(3) Maximum building height: thirty-five feet, except as provided for in Section 11.88.170.

(4) Maximum Lot Coverage. Buildings and structures shall not occupy more than thirty-five 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), currently farmed within other Rural Residential zoning districts (RR20, RR10, RR5, RR2.5), riparian and shoreline areas, or as modified by the provisions of this title:

(A) Front yard: twenty-five feet from the front property line or fifty-five feet from the street centerline, whichever is greater.

(B) Rear yard: twenty feet from the rear property line.

(C) Side yard: ten feet from the side property line. On corner lots the street side yard shall be a minimum of twenty-five feet from the property line or fifty-five feet from the street centerline, whichever is greater.

(D) Setbacks from Agriculture. No dwelling unit shall be located within one hundred feet of a property zoned as either commercial agricultural lands (AC) or currently farmed within other Rural Residential zoning districts (RR20, RR10, RR5, RR2.5).

(i) Measurement. The entire width of any public right-of-way may be used as part of the setback calculation. In no case shall the setback from a public right-of-way be less than fifty-five feet from centerline or twenty-five feet from the front property line, whichever is greater. See Graphic G-2 in Appendix A.

(ii) Administrative Modifications. 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 of the administrator shall be appealable to the Chelan County hearing examiner.

(a) For lots/parcels legally created, and which retain the same legal description without modification, prior to the effective date of these provisions (September 9, 1997), the administrator may modify the required setback from land in agricultural use up to twenty percent.

(iii) Waivers. Agricultural setbacks for dwelling units may be waived on an existing parcel within or adjacent to the commercial agricultural zoning district when a written waiver, signed by both the subject property owner and the adjacent property owner, is notarized, reviewed and approved by the department and recorded with the Chelan County auditor's office as a notice to title. Where such a waiver is implemented, the setbacks identified within this chapter shall be utilized as the minimum standards as listed in CCC 11.08.020, 11.10.020, 11.12.020, 11.14.020, 11.30.020.

(a) Where a waiver has been granted, enlargement of the existing dwelling, request for additional dwellings (ADUs) or conversion of any existing structure to a dwelling unit, within the one-hundred-foot setback, shall require a new waiver, consistent with subsection (6)(C) of this section.

(iv) Existing Dwellings. For existing dwelling units, not placed with a waiver, the setback shall be defined by the existing dwelling for existing property lines. No encroachment into the required agricultural setback for expansion(s) of an existing dwelling unit, or through new or revised property lines.

(6) Setbacks from Agriculture. No new dwelling unit shall be placed located within one hundred feet of a property zoned as either commercial agricultural lands (AC) or commercially farmed within other Rural Residential zoning districts (RR20, RR10, RR5, RR2.5).

(A) Measurement. The entire width of any public right-of-way may be used as part of the setback area. In no case shall the setback from a public right-of-way be less than fifty-five feet from centerline or twenty-five feet from the front property line, whichever is greater. See Graphic G-2 in Appendix A.

(B) Administrative Modifications. 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 of the administrator shall be appealable to the Chelan County hearing examiner.

(i) For lots/parcels legally created prior to the effective date of these provisions (September 9, 1997) the administrator may modify the required setback from land in agricultural use up to twenty percent.

(C) Waivers. Agricultural setbacks for dwelling units may be waived on an existing parcel within or adjacent to the commercial agricultural zoning district when a written waiver, signed by both the subject property owner and the adjacent property owner, is notarized, reviewed and approved by the department and recorded with the Chelan County auditor's office (resulting in a notice to title). Where such a waiver is implemented, the setbacks identified within this chapter shall be utilized as the minimum standards.

(i) Where a waiver has been granted, enlargement of the dwelling or request for additional dwellings, within the one-hundred-foot setback, shall require a new waiver, consistent with subsection (6)(C) of this section.

(D) Existing Dwellings. For existing dwelling units, not placed with a waiver, the setback shall be defined by the existing dwelling.

(7) Off-street parking requirements in this district shall be as follows:

(A) Two spaces per single-family dwelling unit;

(B) Other off-street parking and loading shall be provided as prescribed in Chapter [11.90](#) of this title.

(8) Landscape standards shall be provided as prescribed in Chapter [15.50](#) of Title [15](#), Development Standards, as amended.

(9) Chelan County requires that all plats, short plats, binding site plans, development permits, and building permits issued for development activities within five hundred feet of land designated as agricultural, forest, or mineral resource lands contain a notice that the subject property is within or near designated long-term commercial lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration.

(10) Lot Size Reduction for Existing Dwellings. In certain rural residential/resource districts for agriculture and timber uses. Land located on "farm and agricultural land" or "timber land" as defined in RCW 84.34.020 may be segregated one time only when meeting the following criteria:

(A) Land is a minimum of 10 acres prior to segregation.

(B) When proposed lot size is the minimum necessary to incorporate legally constructed dwellings and accessory uses existing prior to September 9, 1997. This provision does not apply to accessory dwelling units, dependent care housing or farm worker housing.

(C) The proposed lot has adequate access.

(D) The lot size meets the provisions of the Chelan-Douglas health district.

(E) Division is completed through a short subdivision process in Title 12. (Res. 2015-73 (Atts. A, B) (part), 8/4/15; Res. 2012-46 (Att. A) (part), 5/15/12; Res. 2011-86 (Att. A) (part), 10/4/11; Res. 2008-13 (part), 2/5/08; Res. 2007-98 (part), 7/2/07; Res. 2002-8 (part), 1/15/02; Res. 2001-60 (part), 4/17/01; Res. 2000-129 (part), 10/17/00).

~~(10) Lot Size Reduction for Existing Dwellings. The owner of land with agricultural uses may segregate, one time only, the property into one additional lot subject to the following criteria:~~

~~(A) The initial parcel shall be a minimum of five acres prior to any segregation.~~

~~(B) When proposed lot size is the minimum necessary to incorporate legally constructed dwellings and accessory uses, on lots recorded prior to September 9, 1997. This provision does not apply to accessory dwelling units, dependent care housing or farm worker housing.~~

~~(C) The proposed lot has adequate access.~~

~~(D) The lot size meets the provisions of the Chelan-Douglas health district.~~

~~(E) Division is completed through a short subdivision process in Title 12.~~

(11) 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 feet (1000 feet) of the proposed subdivision or development per the provisions of Section 14.08.050.

(12) All applications related to the following types of land uses shall meet with the agricultural review committee (ARC) to review proposed projects, identify possible impacts, outline possible mitigation measures, and make a formal recommendation to Chelan County staff prior to rendering a decision on the application or setting a public hearing. ARC review and recommendation shall be based on the agricultural good neighbor practices adopted by the Chelan County board of county commissioners, Chapter 10.30. All recommendations are for the consideration and final determination of the decision-making body.

(A) Food service associated with a use or activity allowed pursuant to this chapter 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.



(B) 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) Ancillary entertainment/special events, including weddings/receptions, catered functions and musical events, shall be consistent with the character of permitted activities and uses.

(D) Accessory uses 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 products from one or more producers, products derived from regional agricultural production, agriculturally related experiences, or products produced on site. Accessory commercial retail uses shall offer for sale products or services produced on site. (Res. 2018-8 (Att. A) (part), 1/30/18; Res. 2017-119 (Att. B) (part), 12/19/17; Res. 2015-73 (Atts. A, B) (part), 8/4/15; Res. 2011-86 (Att. A) (part), 10/4/11; Res. 2009-122 (Exh. A) (part), 11/3/09; Res. 2008-141 (part), 10/7/08; Res. 2008-13 (part), 2/5/08; Res. 2007-98 (part), 7/2/07; Res. 2006-74 (part), 6/6/06; Res. 2001-60 (part), 4/17/01; Res. 2000-129 (part), 10/17/00).

**11.04.040 District Use Chart**

USE/ACTIVITY	RR20	RR10	RR5	RR2.5	RW	RRR	RV	RC	RI	RP	AC	FC	MC
Recreational Vehicle Park/Campground, Major								P(1)	PG	CUP			
Recreational Vehicle Park/Campground, Minor		CUP	CUP		CUP	CUP		P(1)	PG	CUP		CUP	

**Boundary Line Adjustments**

**12.18.005 Purpose.**

The purpose of this chapter is to provide a process and standards for minor boundary line adjustments consistent with RCW [58.17.040](#)(6). Boundary line adjustments are exempt from Washington State and Chelan County’s subdivision requirements under certain specific conditions. This procedure is intended to provide an efficient, low-cost procedure to affirm minor changes to existing property lines. Chelan County shall issue a certificate of exemption limited administrative decision for boundary line adjustments in conformance with the requirements and/or provisions of this title or to aggregate existing lots. The boundary line adjustment may not be used to accomplish the purposes for which platting, replatting, plat alterations, or plat vacations were intended and required. (Res. 2010-68 (Exh. A) (part), 7/13/10).

A boundary line adjustment may not be used to significantly rearrange lot patterns or lots. Boundary line adjustments are limited to contiguous lots, parcels, tracts, and shall require that at least two (2) existing property lines remain in their original location, although their length may change, and are limited to one approval every 5 years.

**12.18.010 Application, procedure and fees.**

Applications shall be made on the appropriate forms, provide appropriate fees, and follow the procedures set forth in Chapters [12.02](#) and [12.04](#). All land division shall be reviewed under this title for all applicable requirements.

A boundary line adjustment may be processed simultaneously with a certificate of exemption. The issuance of a boundary line adjustment is a memorialization that a particular boundary line adjustment is recognized by the county as a legal lot of record. The procedures and requirements of this chapter are intended, among other things, to quiet concerns about a lot’s legal status as a legal lot of record. Issuance of a certificate of exemption for a boundary line adjustment is not a guarantee that the resulting property configuration or parcel is a buildable lot; it does represent that Chelan County considers the lot to be a legal lot of record. However, the county makes no representation of warranty, expressed or implied, or any guaranty of warranty, expressed or implied, as to the condition of the title to the land or fitness or suitability for any uses, permits, development or buildability whatsoever.

(1) Chelan County does not warrant or guarantee:

- (A) Legal or physical access to parcels for which a boundary line adjustment has been issued;

(B) Suitability of parcels for which a boundary line adjustment has been issued for on-site sewage disposal;

(C) Water availability for domestic or irrigation purposes to parcels for which a boundary line adjustment has been issued; and/or

(D) The issuance of building/development permits for lots, tracts or parcels, divisions or sites for which a boundary line adjustment has been issued. (Res. 2010-68 (Exh. A) (part), 7/13/10).

#### **12.18.020 Boundary line adjustments applications.**

The following items shall be submitted for proposed boundary line adjustments on eight and one-half inch by eleven inch or eight and one-half inch by fourteen inch sheets with one inch margins on all sides and a three-inch top margin on the first page:

(1) A written narrative describing the proposal including, but not limited to, the number of lots involved, the nature of surrounding properties and existing access;

(2) A signed, dated, and notarized statement of indemnification, consent and waiver of claims, executed by the owner of record (deed holder). (~~Lien holders and other parties of interest are not required to sign the application.~~);

(3) Written legal descriptions for the existing parcel(s) and written legal descriptions for the proposed adjusted or combined parcel(s);

(4) A plat certificate, dated within one hundred twenty days. ~~The administrator may waive this requirement when it is determined by the administrator that the boundary line adjustment is minor;~~

(5) A copy of an original plat (or portion showing subject area) or the plat number/name for the subject property, as applicable;

(6) A scale drawing of the existing and proposed lots indicating present boundary lines as dashed and proposed boundary lines as solid; all lot measurements in feet; zoning; existing and proposed lot areas; the exact location of existing improvements such as buildings, wells and drainfields, ~~(if known)~~; roads, easements, and other pertinent features.

(7) The applicant shall agree to and sign, on forms provided by Chelan County, an agreement to indemnify, release and hold Chelan County harmless for any losses or claims which may result from the inability of Chelan County to issue building/development permits for lots, tracts or parcels for which approval of a boundary line adjustment has been issued including but not limited to the following: lack of legal or physical access; water availability for domestic and/or irrigation purposes; and suitability of parcels for on-site sewage disposal. (Res. 2010-68 (Exh. A) (part), 7/13/10).

(8) If the property is within an Irrigation District, the applicant/owner shall provide verification that the irrigation shares have been properly divided/adjusted pursuant to RCW prior to application submittal.

### 12.18.030 Boundary line adjustment criteria.

All boundary line adjustment requests shall be subject to the following criteria:

(1) A boundary line adjustment shall not result in the creation of any additional lots, ~~sites~~, tracts, or parcels.

(2) A boundary line adjustment shall not create any lot, tract, parcel or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site as established herein, except as allowed in subsection (6) of this section, nor shall such adjustment or adjustments create a building setback violation. This requirement may not be waived by use of an agricultural setback waiver.

~~(3) Lots may be reoriented within the perimeter of the contiguous lots. A boundary line adjustment shall not result in the entire relocation of lots, tracts or parcels.~~

(4) A boundary line adjustment shall not violate or be inconsistent with any conditions for approval of a previously filed plat or binding site plan.

(5) Only legal lots of record shall qualify for a boundary line adjustment.

(6) Lots resulting from a boundary line adjustment shall conform with the minimum lot size requirements of Title 11, Zoning, in effect at the time the application is submitted except (only one of the following may be used):

(A) Whenever the boundary adjustment includes one or more existing parcels that do not conform with the lot size requirements; provided, that no lot becomes smaller than the smallest ~~nonconforming substandard~~ lot, and the change does not result in ~~more than one~~ any additional conforming lot becoming ~~nonconforming substandard~~; or

(B) Whenever deviations from the lot size requirements are required to accommodate natural features related to topography and/or terrain that establish natural physical barriers or boundaries; or

(C) Whenever deviations from the lot size requirements are required to accommodate structures such as buildings, roads, driveways, fences, utilities, drain fields, ditches or similar structures in existence prior to June 20, 2006; or

(D) Whenever deviations from the lot size requirements are required to accommodate developed open space such as orchards, parks or similar improved, cultivated or developed open space areas; or

~~(E) Whenever the boundary adjustment includes two or more existing parcels the parcels may be adjusted to provide one or more lots which meet or exceed the minimum lot size for the associated zoning district and only one parcel may be adjusted to result in a fractional lot, if permitted within the zoning district minimum lot size standard. No future fractional lot(s) may be created for any parcel associated with a boundary line adjustment completed using this criteria.~~

(7) Boundary line adjustments are limited to one application every 5 years, from the time of Boundary Line Adjustment approval, Certificate of Exemption approval, or recorded Record of Survey and/or property conveyance pursuant to 58.17.040(2)

~~This subsection provides an exception to nonconforming use regulations found in Section 11.02.040 and Chapter 11.97. (Res. 2015-73 (Atts. A, B) (part), 8/4/15; Res. 2010-68 (Exh. A) (part), 7/13/10).~~

**DEFINITIONS (new):**

14.98 XXXX Boundary Line Adjustment

Minor adjustment to property lines where at least two (2) existing property lines remain in their original location, although their length may change.