



Chelan County Rural Uses and Subdivision Task Force

Summary

April 25, 2023

Facilitators

Deanna Walter

Chelan County Community Development Director

BERK Consulting:

Lisa Grueter | Principal

Adam Greer | Planner

Stefanie Hindmarch | Planner

Members

Chris Willoughby | Agriculture

Lee Shepherd | North Central Washington Builders

Laura Jaecks | Real Estate

Stephen Rinaldi | Chelan County Fire Marshal

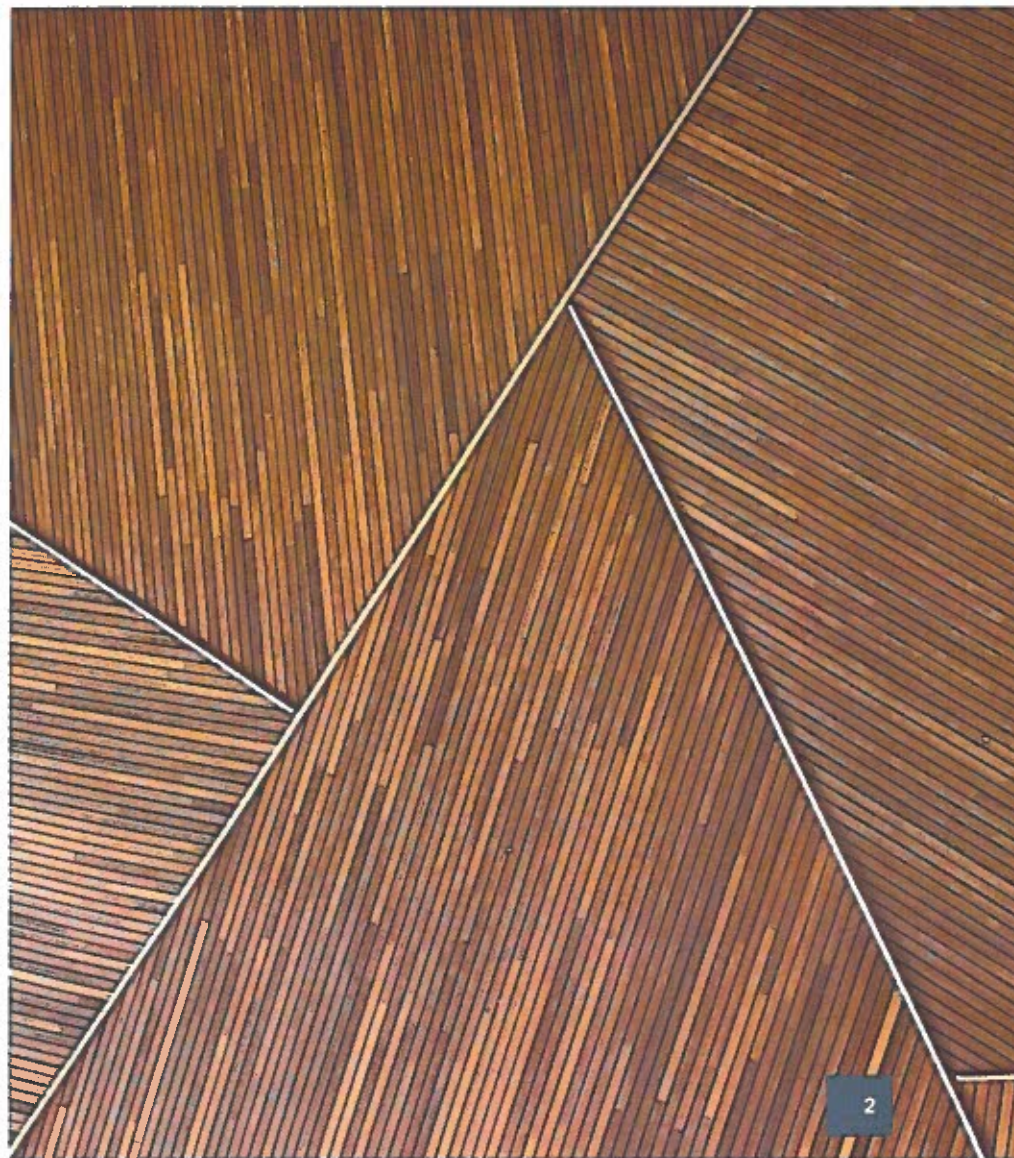
Eric Pierson | Public Works

Jimmy Martin | At Large District Appointee

John Frolker | Manson Community Council

Bob Fallon | At Large District Appointee

Tricia Ortiz | Community Councils



Task Force Purpose

- Review trends and information in Chelan County regarding rural density and lot size
- Consider how the growth trends have affected County residents, services, and infrastructure
- Consider case studies in the county and other examples in other counties
- Develop recommendations that support farming and rural character under the Growth Management Act and County Comprehensive Plan vision
 - Provide report to the Community Development Director to be considered by the Planning Commission and the Board of County Commissioners

Topics outside of this process

- Other related issues important to the County are being considered separately, such as short-term rental regulations
- Rezoning is not expected to be part of this process

Meetings

	2022		2023	
Meeting One	Meeting Two	Meeting Three	Meeting Four	
October	December	February	March	
Introduction and Early Data	Needs	Draft Solutions	Final Recommendations	

- Meeting materials were distributed at least five calendar days in advance of meetings
- The group worked collaboratively to reach consensus (majority opinion)
- Principals only – there were no alternates

Interviews: What we Heard

Process

- Would help to understand the land use issues at hand, clarify the purpose of the task force
- Examples would be helpful from different areas of the County
- Have one working document to share (track changes), discuss changes proposed by the group
- Will need clear notes from each meeting

Context

- Trend towards higher density, increased development, sprawl
- Infrastructure is not catching up with development
- Impacts of development encroaching into agriculture
- Community input is important in this community

Goals

- Want to be collaborative, solution-oriented
- Ensure there is a community benefit for all of Chelan County
- Shut doors for loopholes
- Want to maintain rural character
- Consider Growth Management Act compliance
- Don't want to create added permitting burden for development

Questions

- Who makes the decision?
- Can we make changes to other code?

Background



Issue Background

- In 1997, the Board of County Commissioners approved a provision in the code to allow commercial agricultural farmers to segment off their homesteads
 - Intent: prevent farmers from losing their homes if the bank foreclosed on the farmland
- This created an exception to the minimum lot size
- Originally applied only to Commercial Agricultural Lands (AC zone), but a modification of this provision has “crept” into the Rural Residential Resource designations
- Provision has not been used as intended and substandard lots have been lawfully created through the code
 - Smaller than the minimum lot size for the zone
 - Creates sprawl, strain on infrastructure, encroachment on agricultural land

Current Code

Commercial Agricultural Lands (AC) Zone ([Chapter 11.30 CCC](#))

CCC 11.30.020

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](#).

Current Code

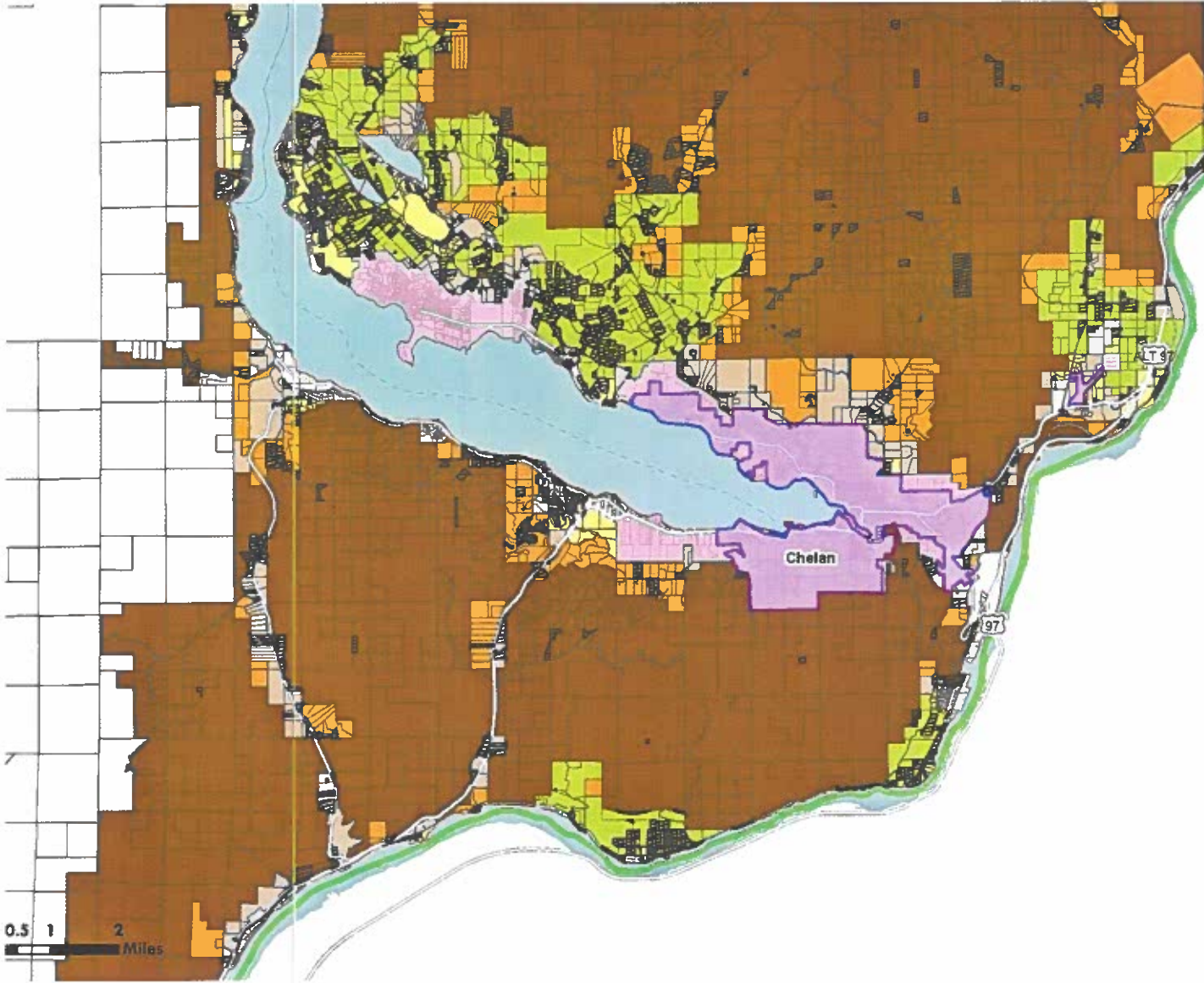
Rural Residential Zones (Chapters [11.08](#), [11.10](#), [11.12](#), and [11.14](#))

RR20, RR10, RR5, RR2.5






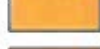

Lot Size Reduction for Existing Dwellings. To support long-term residential living, maintenance of existing housing and affordable housing options throughout the county. The owner of land may segregate, one time only, property into one additional lot when meeting the following criteria, except for those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

Substandard Parcels: Chelan Area



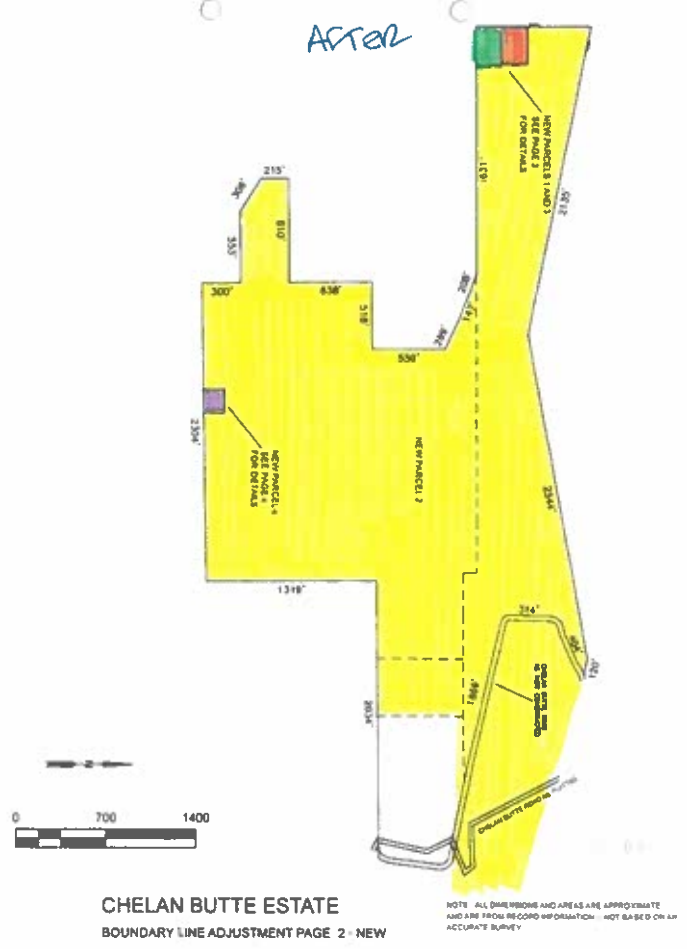
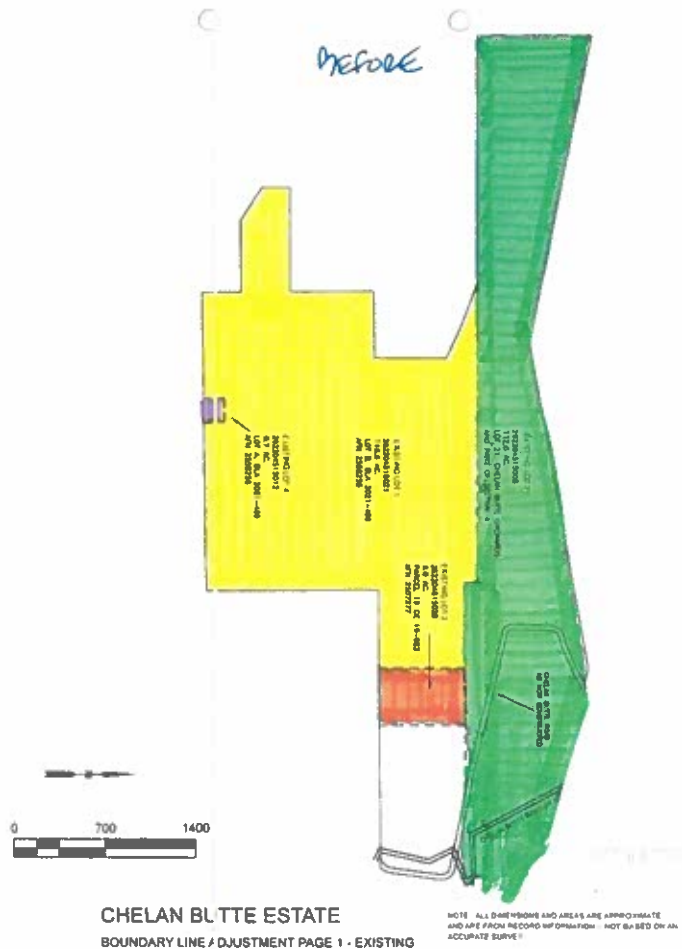
Legend

-  Substandard Parcels
-  Urban Growth Areas
-  Parcels
-  AC Zone
-  RR2.5 Zone
-  RR5 Zone
-  RR10 Zone
-  RR20 Zone

Other Reasons for Alternative Lots

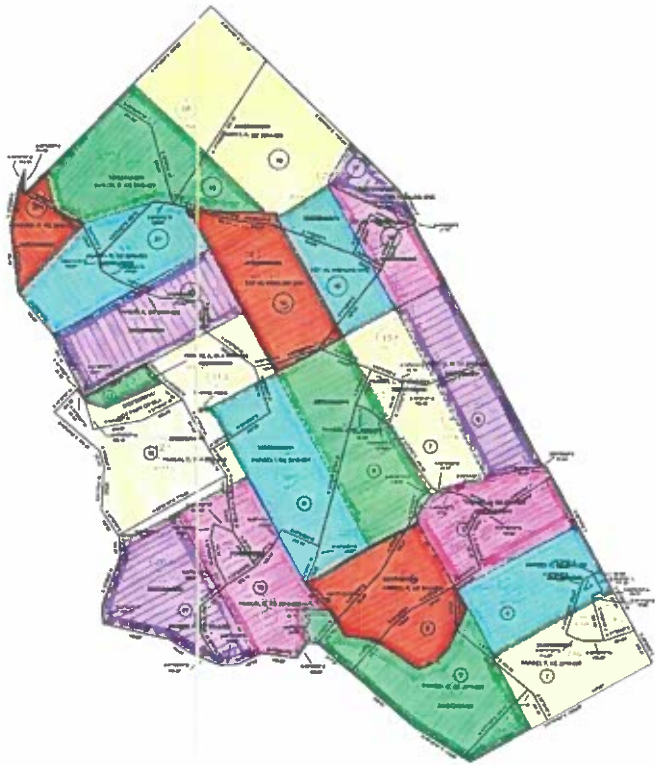
- Boundary line adjustments (BLA)
 - Chelan County code includes a provision for Boundary Line Adjustments that allows lots smaller than the minimum lot size to be created if one of the original parcels is already smaller than the minimum lot size (new lots may not be smaller than the smallest lot)
 - Example: three lots (two greater than minimum lot size, one smaller than minimum lot size) could create two substandard lots plus one big lot through BLA
- Cluster subdivisions
 - Chelan County code has provisions for cluster subdivisions with up to 150-200% density in the AC, RR10, and RR5 zones ([CCC 12.12.050](#))
 - RR2.5 clustering allowed with no incentive density

Example: Boundary Line Adjustments

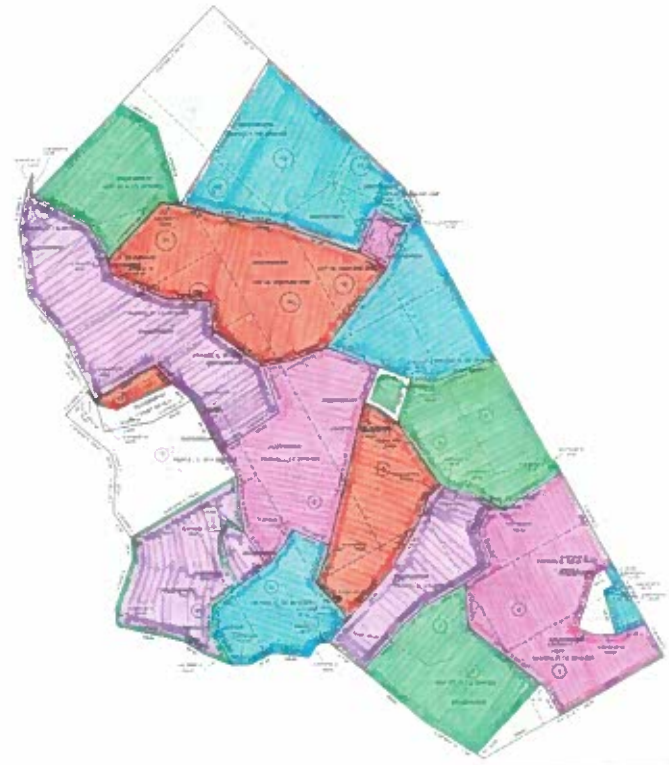


Example: Boundary Line Adjustments

Before



After



Substandard Parcels

- 19.8% of the total AC **acreage**
 - 16.2% of the total RR2.5 acreage
 - 8.9% of the total RR5 acreage
 - 2.9% of the total RR10 acreage
 - 2.2% of the total RR20 acreage
- 67% of the total AC **parcels**
 - 66% of the total RR2.5 parcels
 - 67% of the total RR5 parcels
 - 47% of the total RR10 parcels
 - 39% of the total RR20 parcels

Most acreage in these zones is not on substandard parcels: if Chelan County were to modify the code, it could prevent additional substandard parcels from being created.

- **Parcels:** trend is towards substandard lots
- **Acreage:** There is a lot of land left to address potential course corrections

County Comprehensive Plan

Rural Element

Intent: “to preserve the rural character and way of life in the rural area, and to protect private property rights while considering impacts to the environment of Chelan County.”

Goal RE 3: Develop at densities such that demands will not be created for urban levels of public services and facilities in rural areas.

Resource Element

GOAL AL 1: Support the viability of agriculture and encourage the continued use of rural and resource lands for agriculturally related land uses.

Goal AL 2: Conserve agricultural lands of long-term significance by controlling encroachment of incompatible uses.

Examples from other counties

Whatcom County

- AG District: Allow Farmstead parcel of 1 to 3 acres depending on public water.
- In AG Overlay + R5 or R10, must cluster unless dividing into 40 acre lots or unless lots have less than 50% ag soils and abut other intensive uses.
- In R5 and R10, some clustering allowed with 1-3 acre lots if open space reserve area is provided

Douglas County

- Allow cluster divisions subject to density of base zone.
- Allow up to 3 farmstead preservation lots, subject to base zone density; max size 1 acre.
- Parent parcel must currently be assessed and classified as current use farm and agriculture land by the Douglas County assessor's office.
- House must be established prior to December 16, 1997.

Walla Walla County

- Standard Agricultural Lots: 10-120 acre lots depending on zone.
- One time land divisions: If you exceed the minimum parcel size but have less than 2 x the lot size you can have a one-time land division in the Primary AG-40 and General Ag-20 zones. Must be between 1-10 acres for a farmstead.
- Clustering: Allowed on Resource lands Primary Ag-40, General A-20 and Ag Residential-10. Allow between 2-4 lots depending on zone.

Task Force Recommendations Report

“The Task Force discussed options for the AC and RR zones, as well as Boundary Line Adjustment in the code with possible solutions. Each task force member was able to review the options and together we formed solutions they felt would work best for Chelan County. There is an opportunity for Chelan County to take a holistic view in 2026 with the update of its comprehensive plan.”

Task Force Recommendations

AC Zone Options

Option A	Option B	RECOMMENDATION
<p>HOMESTEAD FOR FARMER</p> <ul style="list-style-type: none"> ▪ Lots with less than 2x parcel acreage <ul style="list-style-type: none"> ▪ Allow homestead of existing home(s) (existing building as of 1997) ▪ Limit size of homestead lot to retain prime farmland and reflect home footprint ▪ Retain a “remainder lot” with agricultural uses with plat condition ▪ Define agriculture (RCW 90.58.065) 	<p>SUBDIVISION LIMITATION</p> <ul style="list-style-type: none"> ▪ Lot is greater than minimum lot size but not 2x lot size ▪ Limit land divisions to a one time split ▪ Promote split that protects prime soils ▪ Maintain agriculture as primary use and residential is secondary use (e.g. plat condition) ▪ Define agriculture (RCW 90.58.065) 	<p>TASK FORCE RECOMMENDATION</p> <ul style="list-style-type: none"> ▪ AC Zone should protect the farmer first, keeping the homestead zoning ▪ Homestead only for primary home – other portions stay in ag use including accessory structures and must be a commercial farmer to stay in AG zone ▪ Limiting to one-time on the deed with the property ▪ The property must be designated as a farm through the Washington State Department of Agriculture audit
<p>Similar to Douglas County</p>	<p>Similar to Walla Walla County</p>	

Task Force Recommendations

RR Zone Options

Option A	Option B	RECOMMENDATION
CLUSTERING FOCUS	LIMIT HOMESTEADS, GREATER PLAT REVIEW	TASK FORCE RECOMMENDATION
<ul style="list-style-type: none"> ▪ Remove the Homestead Lot provision from the RR zones. ▪ Focus on clustering in RR zones for flexibility. 	<ul style="list-style-type: none"> ▪ For 2 lots if more than minimum lot size and less than 2x: Allow homestead rules if in Agricultural use with same rules as AC zone. ▪ Require review of short plats similar to plats (e.g., traffic, emergency access). 	<ul style="list-style-type: none"> ▪ Treatment of the RR zones would follow the AC zoning regulations ▪ Ensure the RR division does not impact the AC zone ▪ Are small RR zones in need of a homestead protection code? The determination will be impacted by the parcels surrounding zonings as well
Similar to most counties.	Focus review on topics most important.	

Task Force Recommendations

Boundary Line Adjustment Options

Option A	Option B	RECOMMENDATION
NO ADDITIONAL SUBSTANDARD LOTS	REVIEW PROCESS	TASK FORCE RECOMMENDATION
<ul style="list-style-type: none"> Adjust the boundary line adjustment text to allow no net increase in nonconformity (if you start with one substandard parcel you can only end with one). 	<ul style="list-style-type: none"> Alter the review process to include a formal review of access and other potential impacts if reconfiguring more than X lots. 	<ul style="list-style-type: none"> The Task Force thought Option A was preferable. No new nonconforming lots should be allowed to be created.

Questions

