

Farm stands – zoning information

20.08G.030 - Exempt AOD uses.

Exempt AOD uses are those uses permitted as a matter of right under this chapter, i.e. no land use permit is required under this chapter. However, other local, state or federal requirements may have standards that need to be met or approvals/permits that need to be received. This includes, but is not limited to, county health department and public works department requirements.

1. The following standards shall apply to all exempt agritourism uses permitted by this chapter:
 - a. Exempt uses shall meet applicable vehicular access, signage, lighting and parking standards.
 - b. The director shall determine if an unlisted use is exempt, permitted or prohibited based on similarity to a listed use and likely impacts of such unlisted use.
 - c. Exempt uses in this section are not subject to the minimum lot size requirements of TCC Section 20.08G.020(9). All other applicable requirements of TCC Section 20.08G.020 must be met.
2. Exempt uses include, but are not limited to the following:
 - a. Manned and unmanned you-pick operations, including, but not limited to vegetable and berry picking, pumpkin patches and similar uses.
 - b. Christmas tree sales.
 - c. Hay rides/sleigh rides.
 - d. Roadside farm stands of seven hundred square feet or less and operated in accordance with the requirements contained in TCC 20.54.070(11.7).
 - e. Cottage food operations, including sale of jams and preserves meeting the standards of Chapter 69.22 RCW as amended.
 - f. Direct sale of agricultural products grown and/or produced on-site.
 - g. Farm tours and agricultural clinics, seminars or classes, organized group activities involving nature watching or star gazing with no overnight accommodations.
 - h. Agricultural activities specifically exempted from local review by state law.
 - i. Farmers markets operating under the guidelines of the Washington State Farmers Market Association as amended, where no permanent structures are involved.
 - j. Agritourism activities and agriculturally related experiences occurring on a farm where no structure is involved, i.e. corn/crop mazes, hay bale sculptures and similar crop art installations, animal feeding, petting zoos, archery ranges, fee fishing and similar low intensity activities in conformance with all standards contained in this chapter and all other applicable Thurston County Codes.

(Ord. No. 14725, § 2(Att. B), 3-13-2012)

Special Use 20.54.070 11.7 Farm stands.

- a. Farm stands for retail sale of agricultural products are permitted as a matter of right: meaning no land use approval is required, provided the farm stand meets the following standards:
 - i. The structure does not exceed four hundred square feet if enclosed on one or more sides, or seven hundred square feet if open on all sides, and the roofed area of the associated structure is a tent or similar membranous material.
 - ii. The structure is licensed as a vehicle.

- iii. The stand may not be in place for more than six months out of the year. Wood or metal framed structures meeting all applicable Building Code requirements that do not exceed seven hundred square feet may operate year around.
 - iv. Safe vehicular access and customer parking shall be provided on site, such that vehicles are not required to back onto a road right-of-way or easement.
 - v. The farm stand and associated parking shall be located outside of any road right-of-way or easement. Structures and canopies associated with a farm stand must be set back a minimum of ten feet from any road right-of-way or easement.
 - vi. At least seventy-five percent of the agricultural produce displayed is grown in the Pacific Northwest. Sale of ancillary products is permitted; however, such products shall not exceed twenty-five percent of product display area.
 - vii. Farm stands operated by separately owned farms are encouraged to be collocated in the same area, using shared vehicular access and parking, or stands shall be separated by a minimum of one thousand feet between access points. The director of resource stewardship may consider exceptions to this separation standard on a case by case basis. Up to three separately operated farm stands are permitted on one site, but must be separated by a minimum of twenty feet pursuant to International Fire Code requirements. Collocated farm stands may be reviewed under one application if applied for concurrently.
 - viii. All other applicable state and local regulations related to public health, safety, including but not limited to food safety and general welfare shall be met.
 - ix. Unless a twenty foot wide, existing, legal vehicular access is used, a new farm stand requires a Thurston County Public Works encroachment permit to provide access, or to improve an existing access from a county road.
 - x. On-site advertising signs of no more than four square feet meeting the standards of TCC [Section 20.40.035](#) are exempt from Thurston County review and approval. Larger signs are permitted pursuant to TCC [Chapter 20.40](#) and may require a building permit.
- b. Farm stands for retail sale of agricultural products which exceed the size criteria contained in [Section 20.54.070\(11.7\)\(a\)\(i\)](#) shall be reviewed through an administrative special use permit if the following standards are met:
- i. The roofed area or associated structure does not exceed two thousand square feet, and
 - ii. The standards of 11.7(a)(iv) through (x) are met.
- c. Farm stands for retail sale of agricultural products meeting the following standards shall be reviewed and approved by the Thurston County Hearing Examiner through a special use permit.
- i. The roofed area or associated structure is between two thousand and one and three thousand square feet, and
 - ii. The standards of 11.7(a)(iv) through (x) are met.
 - iii. Farm stands larger than three thousand square feet would be reviewed as commercial operations subject to all applicable land use regulations, including underlying zoning.

**Table 1
Special Uses—Distribution in County Zoning Districts**

Uses listed below are prohibited unless specifically identified as allowable through special use review, or unless listed as a permitted or primary use within an individual zoning district chapter.

USE	R 1/20	R 1/10	RRR 1/5	RR 1/5	UR 1/5	RL 1/2	RL 1/1	RL 2/1	R 3—6/1	R 4—16/1	LI	RRI	PI	NC	RCC	AC	HC	SL 1	MGSA 2	LTA	NA	LTF	PP	MR	AOD	MEI
11.7 Farm stands (retail)	A/X	A/X	A/X	A/X	A/X	A/X	A/X	A/X	A/X	A/X									A/X	A/X	A/X	A/X				

X = Special use permit (approval authority is hearing examiner)
A = Administrative special use permit (approval authority is staff)

Note: NC, RCC, AC, HC retail is listed as permitted use. Commercial uses are reviewed under Site Plan Review.

Building code information

How are farm stands classified by the building code?

They are treated as an M (mercantile) occupancy and are not exempt from requiring a building or fire code permit.

Why is this not considered agriculture? The IBC defines agriculture buildings as: A structure designed and constructed to house farm implements, hay, grain, poultry, livestock, aquaculture or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, or where processing equipment is stored; nor shall it be a place used by the public.

Can I use a tent structure for my farm stand? Tents can be used for 180 days per year with a fire code permit application. Tents and membrane structures having an area in excess of 400 square feet require permits.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents **open on all sides** which comply with all the following:
 - 2.1. Individual tents having a **maximum size of 700 square feet** (65 m2).
 - 2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of 12 feet (3658 mm), not exceeding 700 square feet (65 m2) total.
 - 2.3. A minimum clearance of 12 feet (3658 mm) to all structures and other tents.

See https://www.co.thurston.wa.us/permitting/apps-forms/subapps/Fire_bulletins/tent-bulletin.pdf for detailed information.

What about a temporary building on skids, a metal transportation unit or a metal carport structure for use as a farm stand? There are no temporary structures in Thurston County. Structures must be permitted unless they are tool sheds, plays sheds, gazebos, etc. that is less than 200 square feet.

Does my structure need to meet the accessibility requirements? Yes and accessible parking must be provided.

What do you need to review the farm stand for? The site will be reviewed for critical areas such as flood. If the structure is not a tent, the structure will be reviewed for accessibility, sanitation facilities, and structural capacity.