



Comprehensive Plan Policy or Development Regulation Amendment Suggestion

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · www.skagitcounty.net/planning

Per RCW 36.70A.470(2), this form is intended for use by any interested person, including applicants, citizens, hearing examiners, and staff of other agencies, to suggest amendments to Skagit County's Comprehensive Plan policies or its development regulations, which are contained in Skagit County Code Title 14. Please do not combine multiple unrelated Comprehensive Plan policy or development regulation amendments on a single form. This form is for policy or development regulation amendments; use the Comprehensive Plan Map Amendment Request form for changes to the land use/zoning map.

Submitted By

Name	<u>Tony Wisdom</u>	Organization	<u>Skagit Valley Farm, LLC</u>	
Address	<u>11261 Pulver Road</u>	City, State	<u>Burlington, WA</u>	Zip <u>98233</u>
Email	<u>tony@skagitvalleyfarm.com</u>	Phone	<u>360.708.5474</u>	

Proposal Description

Please answer all of the questions below that are applicable to your suggestion.

1. Describe your proposed amendment.

See attached.

2. Describe the reasons your proposed amendment is needed or important.

See attached.

3. If you are suggesting revision to a particular section of the Comprehensive Plan, please identify which section(s):

See attached.

4. If you are suggesting revision to the Comprehensive Plan, would the revision create inconsistencies with existing sections of the Comprehensive Plan? If so, please list those sections:

See attached.

5. If you are suggesting revision to the Comprehensive Plan, would the revision require corresponding amendments to the County's development regulations?

See attached.

6. If you are suggesting revision to a particular section of Skagit County Code Title 14, please identify which section(s).

See attached.

7. If you are suggesting this development regulation amendment as a result of a particular project or permit application, please identify which project or application:

See attached.

8. If you are suggesting specific language as part of your amendment, please attach that specific language. Specific language is not required.

See attached.

9. Describe why existing Comprehensive Plan policies should not continue to be in effect or why they no longer apply.

See attached.

10. Describe how the amendment complies with the Comprehensive Plan's community vision statements, goals, objectives, and policy directives.

See attached.

11. Describe the anticipated impacts to be caused by the change, including geographic area affected and issues presented.

See attached.

12. Describe how adopted functional plans and Capital Facilities Plans support the change.

See attached.

13. Describe any public review of the request that has already occurred.

See attached.

Notices

Fees. No fees are required for a policy or code change suggestion, per Skagit County Fee Schedule, SCC 14.08.030(3).

Docketing. SCC Chapter 14.08 governs the process for docketing of Comprehensive Plan amendments; suggestions for changes to the development regulations are docketed following the same process. Docketing of a suggestion is procedural only and does not constitute a decision by the Board of County Commissioners as to whether the amendment will ultimately be approved. Amendments are usually concluded by the end of the year following the request. State law generally prohibits the County from amending its Comprehensive Plan more than once per year.

Submission deadline. Suggestions must be received by the last business day of July for docketing. Suggestions received after that date will not be considered until the following year's docket.

How to Submit. Submit your suggestion via email (preferred) to pdscomments@co.skagit.wa.us or to Planning & Development Services at the address above.

Supplement to Comprehensive Plan Policy or Development Regulation Amendment Suggestion

Please answer all of the questions below that are applicable to your suggestion.

1. Describe your proposed amendment.

We propose to amend SCC 14.16.400; the definition of Agricultural accessory use in SCC 14.04.020; and Skagit County Comprehensive Plan (Comp Plan) Goal 4A-1 and Policies 4A-1.2, 4A-4.2, 4A-4.4, 4A-5.3, and 4A-5.4 to allow, under certain conditions, permanent and/or temporary/seasonal farmworker housing as an Agricultural Accessory Use within the AG NRL and other zoning areas where agriculture is a permitted use, including but not limited to Rural Intermediate, Rural Reserve, Rural Resource—Natural Resource Lands, Hamilton Residential, Hamilton Urban Reserve, and Urban Reserve Public-Open Space zones (and associated development regulations).

2. Describe the reasons your proposed amendment is needed or important.

The number one need for Skagit County Farmers and the agricultural community is safe, affordable farmworker housing. In 2020 Skagit County farms produced crops worth nearly \$320 million. This amount is based only on the production of crops and does not take into account revenues from other agricultural industries and support services or the trickle-down revenue into the local economy. We estimate that there are approximately 2000 people directly working on farms or for companies in the County that directly support agriculture, such as local tractor/farm equipment dealerships and other agricultural support industries. All of these workers require housing. For many years, the cost of living in Skagit County (the County) and the surrounding counties, including Snohomish and Whatcom Counties, has skyrocketed, and affordable housing for farmworkers, an integral support service for agricultural industries, is simply not available to serve the need. Farmworker housing is necessary to ensure a continuing, productive agricultural workforce and land base into the future. Without it, agriculture, which is a driving source of revenue in the County will not continue to be sustainable. The sustainability and enhancement of agricultural resource lands is a predominant goal of the Growth Management Act (GMA) and the County's Comp Plan. Permitted properly, farmworker housing is a use that is both compatible with agricultural uses and compliant with GMA goals, the County's Countywide Planning Policies, and the County's Comp Plan Goals and Policies.

3. If you are suggesting revision to a particular section of the Comprehensive Plan, please identify which section(s):

We are proposing the following revisions to the Comp Plan and associated development regulations in the Skagit County Code:

- SCC 14.16.400 would be revised to specifically include temporary/seasonal and/or permanent farmworker housing as an accessory agricultural use;
- SCC 14.16.400(2)(o) would be revised to provide an exception for temporary/seasonal and/or permanent farmworker housing;
- SC 14.16.400(5)(a)(i)(A) would provide for exceptions to dimensional standards, especially for existing structures for temporary/seasonal and/or permanent farmworker housing. However, consistency with the provisions of SCC 14.16.400(6) (Siting Criteria) would be the goal;
- SCC 14.04.020 would be revised to include temporary/seasonal and/or permanent farmworker housing within the definition of "Agricultural accessory use," potentially as an agriculture support building;
- Skagit County Comp Plan Goal 4A would be revised to include the following language (in bold): "The agricultural community faces significant challenges in preserving the agricultural land base and a viable agricultural industry, including: conversion of agricultural lands to development and inappropriate habitat restoration; conflict with neighboring residential uses; **a lack of adequate temporary/seasonal and/or permanent farmworker housing to provide shelter to those workers crucial for serving agricultural industries and ensuring the continued productivity of agricultural lands....;**"

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- Skagit County Comp Plan Goal 4A -1 would be revised to reflect that temporary/seasonal and/or permanent farmworker housing as an accessory agricultural use would not be considered incompatible with maintaining required standard residential densities for agricultural resource lands, but would be an exception;
- Skagit County Comprehensive Plan Policy 4A-1.2 would be revised to provide an exception for temporary/seasonal and/or permanent farmworker housing;
- Skagit County Comp Plan Policy 4A-4.4 would be revised to provide an exception for temporary/seasonal and/or permanent farmworker housing;
- Skagit County Comp Plan Policy 4A-5.3 would be revised to include farmworker housing in addition to clustered lots to require minimum potential impacts to natural resource land production;
- Skagit County Comprehensive Plan Policy 4A-5.4 would be revised so that standard residential setbacks would not apply to temporary/seasonal and/or permanent farmworker housing; and
- We are suggesting an additional policy be included in the Skagit County Comp Plan under Goal 4A supporting Agricultural accessory uses, consistent with the definition in SCC 14.04 (as revised per this suggestion) and temporary/seasonal and/or permanent farmworker housing as an agricultural accessory use that supports long-term economic viability of agriculture.

4. *If you are suggesting revision to the Comprehensive Plan, would the revision create inconsistencies with existing sections of the Comprehensive Plan? If so, please list those sections:*

Yes, certain provisions in the Comp Plan would need to be revised for consistency. For those revisions, please see the answers to Number 3., above.

5. *If you are suggesting revision to the Comprehensive Plan, would the revision require corresponding amendments to the County's development regulations?*

Yes, revisions would be necessary to provisions in SCC 14.16 and 14.04. For those revisions, please see the answers to Numbers 1. and 3., above.

6. *If you are suggesting revision to a particular section of Skagit County Code Title 14, please identify which section(s).*

Please see the answers to Numbers 1., 3., and 5., above.

7. *If you are suggesting this development regulation amendment as a result of a particular project or permit application, please identify which project or application:*

There is no project or permit application associated with this suggested amendment. If the amendments are approved, additional permitting would be required for construction improvements.

8. *If you are suggesting specific language as part of your amendment, please attach that specific language. Specific language is not required.*

Please see the answers to Number 3., above.

9. *Describe why existing Comprehensive Plan policies should not continue to be in effect or why they no longer apply.*

We do not believe the current Comp Plan and development regulation provisions, which restrict residential housing in the AG NRL zone and include no allowances for any type of farmworker housing, serve the needs of the community, and are having a detrimental impact on the continuing viability and productivity of agricultural lands.

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At the same time, current Comp Plan Goals and Policies are not necessarily at odds with what is being proposed, and in fact, are mostly consistent with our suggestion. The restrictions on residential housing in the AG NRL zone are mainly intended to prevent large and small-scale residential development of agricultural lands that would have the effect of permanently decreasing the agricultural land base. Those restrictions are not aimed at preventing the continuing sustainability of agriculture by limiting access to affordable farmworker housing. The Comp Plan makes it clear in Goal 4A-4 that land uses allowed on designated agricultural land "...shall promote agriculture, agricultural support services, and promote diverse agricultural industries." There is no greater support to the agricultural industry than the workers who farm the land. In addition, SCC 14.16.400 states that: "The purpose of the Agricultural—Natural Resource Lands district is to provide land for continued farming activities, conserve agricultural land, and reaffirm agricultural use, activities and operations as the primary use of the district. Non-agricultural uses are allowed only as accessory uses to the primary use of the land for agricultural purposes." The provision of housing to farmworkers should be considered an integral part of agricultural activities and operations.

In RCW 36.70A.020, the GMA requires the County to maintain and enhance natural resource-based industries, including productive agricultural industries. Notably, protection is afforded not just to the land itself, but also to the *industry*—that is, the business of farming. Ensuring affordable housing to the agricultural workforce goes hand-in-hand with ensuring the continued productivity and economic strength of the agricultural industry, and thus, the protection of the agricultural resource land base.

10. Describe how the amendment complies with the Comprehensive Plan's community vision statements, goals, objectives, and policy directives.

Please see the answer to Number 9., above. In addition, the GMA establishes the goal to "Maintain and enhance natural resource-based industries, including **productive** timber, agricultural, and fisheries industries, encourage the conservation of productive forest lands and **productive** agricultural lands, and discourage incompatible uses." RCW 36.70A.020(8). Skagit County's Countywide Planning Policies are similarly focused on productivity. See e.g. CPP's 5.4, 5.10, 5.11, 8.2, 8.9. In addition, the Comp Plan's Agricultural Resource Lands section establishes policies to ensure the long-term stability and **productivity** of the County's agricultural lands and industries. The Comp Plan states: "Right-to-Manage Natural Resource Lands goals, policies, and ordinances promote a clear **mandate** for agricultural **production** as a priority on agricultural lands."

Agricultural land cannot be productive if it cannot be farmed, and the land cannot be farmed without an adequate workforce. When affordable housing (whether buying or renting) is next to impossible to procure, as it is in today's market, the farmworker population cannot live near their place of employment, making it difficult to keep enough workers employed to support the industry. A shortage of farmworkers profoundly impacts the productivity of agricultural lands. Policy 4A-4.1 states: "**Agricultural production is the highest priority use in designated agricultural resource lands.**" This should mean that those mainly responsible for production should be provided with housing opportunities near the workplace so that productivity can continue.

Our proposed amendment further supports Comp Plan Goal 4A-3 (promote preservation of agricultural land for agricultural uses); Goal 4A-4 (land uses allowed on designated agricultural land shall promote agriculture, agriculture support services, and promote diverse agricultural industries), and Policy 4A-4.1 (agricultural production is the highest priority use in designated agricultural resource lands).

The proposal is further supported by RCW 36.70A.177 which allows a county or a city to use a variety of innovative zoning techniques in areas designated as agricultural lands of long-term commercial significance under RCW 36.70A.170. The innovative zoning techniques should be designed to conserve agricultural lands **and encourage the agricultural economy**.

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11. Describe the anticipated impacts to be caused by the change, including geographic area affected and issues presented.

Permitted properly, permanent farmworker housing should have minimal impacts on the agricultural land base. Creative zoning techniques and proper conditioning, such as the conversion of existing abandoned buildings (for what could be a highest and best use) and requiring compliance (to the extent feasible) with the County's March 16, 2010 Memorandum regarding Administrative Interpretation pertaining to implementation procedures for Skagit County Code (SCC) 14.16.400 (6) Siting Criteria in the Agricultural-NRL zoning district would make impacts even more unlikely. We also suggest other conditions, such as limiting the number of allowed units per acre and ensuring that the units may only serve farmworkers. If the units are no longer needed as farmworker housing, they could not be converted for any other residential use. We would also suggest that a variety of housing types be allowed, such as multifamily units in large existing farm buildings that are not in use (and potentially new structures), and a collection of clustered mobile homes. We would request that there be no limitation on square footage for existing structures; however, square footage limitations could be placed on new structures. Infrastructure to serve new and existing housing (water, waste disposal, utilities, and access) would be designed to have as minimal an impact as possible.

The number of units allowed per parcel could be assessed on a case-by-case basis and could be tied to the size of the parcel, ownership of adjacent parcels, the size of existing structures (whether remodeled or reconstructed), access to available infrastructure, and other siting criteria.

This proposal will support and enhance the long-term viability of agriculture production in Skagit County and should have little to no impact on the land base.

12. Describe how adopted functional plans and Capital Facilities Plans support the change.

Support from Capital Facilities Plans (CFP) will depend on the location of improvements; however, it is unlikely that any CFP support will be necessary for this use. It is unknown what other functional plans are in place that might support the proposed amendments.

13. Describe any public review of the request that has already occurred.

Farmers have had collective conversations about the significant need for this critical agricultural support in Skagit County. Without affordable housing options, farmworkers cannot live in Skagit County (or even adjacent counties) near their jobs. Without farmworkers, agricultural land cannot be economically farmed, cannot maintain productivity, and will ultimately lay fallow as a result.