



Planning & Development Services

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Memorandum

To: Planning Commission
From: Sarah Ruether, Long Range Planning Manager
Re: Joint Planning Commission and Agricultural Advisory Board Meeting on Agritourism
Date: March 14, 2023

Summary

Planning and Development Services (PDS) is providing this memo in advance of the March 14th joint Planning Commission and Agricultural Advisory Board meeting. The purpose of this memo is to review the work done to study Agritourism in Skagit County, which will provide a context for the discussion.

Background and Purpose

Multiple requests over the last few years for agritourism related rezones and code changes, have been made to Planning and Development Services, including a docket application from Samish Bay Cheese in 2018. This request was to amend the definition of Agricultural Accessory Use to include an allowance for limited food service incidental to the primary use of the Farm. Public comments on this docket item recommended of denial of the docket item, but also requested that agritourism in general be more broadly studied, rather than a piecemeal approach, with different agritourism code change requests in each docket cycle. Additionally, the Planning Commission voted during the 2018 docket deliberations on the Samish Bay Cheese application, to recommend that agritourism be studied in a broader context as a high priority item for the 2019 long-range work plan. The Board of County Commissioners, agreed with this and decided that a more holistic study toward evaluating these types of activities and their impacts on agricultural lands was needed.

This led to a study of agritourism, which the overarching purpose was to better define agritourism, the potential uses, and to better understand its opportunities and adverse impacts. As a result, Skagit County long-range planning staff and BERK consultants conducted a situation assessment in the fall of 2021ⁱ to better understand some of these issues specific to Skagit County. They also conducted public outreach in 2021 and 2022, but after concerns that not all citizens had an opportunity to comment and participate, the decision was made to continue public outreach into the fall of 2022. A comprehensive survey given in the Fall of 2022 received 651 responses and thousands of comments.ⁱⁱ The public engagement allowed more input from

residents and producers about possible ways to go forward with appropriate policy and code to protect rural character and agricultural land while allowing for those agritourism uses that would fit with the goal of preservation.

Current Agritourism

According to the 2021 BERK Situation Report, there are more than 60 agricultural producers in Skagit County participating in some form of agritourism. The most common form of agritourism is farm stands – there are more than 50 operations that offer some form of stand. However, the activities offered across these farms are wide-ranging, including u-pick operations, plant nurseries, farm tours, gift shops, events, rentals, weddings, lodging, farm stays, classes, workshops, tasting rooms, restaurants and food trucks, corn mazes, and hayrides.

Skagit County Code allows for a wide range of uses (permitted outright and available via special use permits) that are intended to help supplement farm income aside from growing crops and raising meat. For example, farm-based businesses are permitted outright in the Agricultural – Natural Resource Lands (AgNRL) zone. A farm-based business is defined as an on-farm commercial enterprise devoted to the direct marketing of unprocessed and/or value-added and soil-dependent agricultural products that are produced, processed, and sold on-site. Farm-based businesses are intended to supplement farm income, improve the efficiency of farming, and provide employment to farm family members. Farm-based businesses are separate and distinct from agriculture support services, per SCC 14.04.020.

The farm-based business use allows for many agritourism activities including farm tours, selling of Skagit County agricultural (value added) items, and other activities available for the promotion of farming in the County (corn maze, pumpkin pitching, u-pick fields, etc.). For a full list of uses, see Skagit County Code (SCC) 14.16.400 Ag-NRL. Allowed uses are classified as permitted uses, administrative special uses, and hearing examiner special uses. Temporary events are defined as commercial use of a property for any musical, cultural, or social event held either indoors or out of doors, per SCC 14.04.020. Temporary events in the Ag-NRL zone are an allowed use with an administrative special use permit provided the events are related to agricultural production, no agricultural land is converted, and no permanent structures are constructed. The limiting factor with temporary events is however, that there can be no more than 24 per year.

Seasonal roadside stands are permitted as a primary use permit or permitted outright if 300 square feet or less. Larger seasonal roadside stands, greater than 300 square feet, are permitted with an Administrative Special Use or Hearing Examiners permit. The requirement for a seasonal roadside stand is that a majority of the agricultural products must be grown on-site or be a product of the primary agricultural operation. All agricultural promotional products shall be accessory to the primary use of the stand for agricultural products and shall be directly related to the agricultural operation and located solely within the stand, per SCC 14.04.020

Wedding venues are another highly desired use; however, it is hard for Planning and Development Services staff to interpret if using produce and or flowers or another product cultivated on the farm as part of the event is sufficient to demonstrate that the venue is related

to agricultural production. While some event venues have been grandfathered and or permitted as an Administrative Special use permit, wedding venues are not an allowed use in the Ag-NRL zone. The code concerning these events needs to be clarified to better define what constitutes an adequate connection to agricultural production to assure consistent application and review of Administrative Special Use permits for this use going forward.

The current code is silent on whether food trucks or prepared food, or adult beverages, as part of an administrative special use for temporary events for farm to table events or other festivals or wedding events are permitted as part of the 24 events allowance with or without seating. Further clarification of code definitions and rules and the addition of a permit format which allows for programmatic permits, which would require annual or biannual renewal, or self-certification, would assist staff in enforcement of agritourism activities. The current ambiguities in the code and in the permitting process make code enforcement and consistent application of permitting difficult. The desired outcome, therefore, is a clear understanding of agritourism allowances in Skagit County, which will benefit both the applicants and Planning and Development staff who review permits for these activities.

Next Steps

The discussion at the joint meeting between the Planning Commission and Agricultural Advisory Board will inform the formulation of proposed policy and code changes for agritourism, along with other study and public involvement. Policy and code change options will be presented at the upcoming March 28th Planning Commission meeting. Additional public input will be sought when legislative proposals are further refined and developed and vetted with the Planning Commission and Board of Commissioners in 2023.

ⁱ Agritourism Situation Assessment, BERK consulting [Skagit Co Agritourism Situation Assessment-Final 2021 0913.pdf \(skagitcounty.net\)](#)

ⁱⁱ Fall 2022 Agritourism Survey Results [Fall2022AgritourismSurvey.FullResults.wAttachments01242023.pdf \(skagitcounty.net\)](#)