



# Planning & Development Services

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1800 Continental Place ▪ Mount Vernon, Washington 98273  
office 360-416-1320 ▪ pds@co.skagit.wa.us ▪ www.skagitcounty.net/planning

## Supplemental Staff Report Proposed Agritourism Code Changes

To: Skagit County Planning Commissioners

From: Sarah Ruether, Senior Planner

Date: October 10, 2023

Re: Comments Received on the Agricultural Advisory Board's Proposed Agritourism Code Changes

### Summary

Planning and Development Services (PDS) is providing this staff report in advance of the Planning Commission work session to discuss public comments from Agritourism. This report supplements the July 19, 2023, Staff Report and the July 6, 2023, by providing a summary of the public comments from the formal comment period which was extended to August 17<sup>th</sup>. The comment period was from July 6<sup>th</sup> to August 17<sup>th</sup> due to an extension given by the Planning Commission. Department responses are given to clarify facts and do not address opinions. All comments received during this comment period are listed in each appendix, however not all comments are addressed in this staff report because comments that are duplicative or have the same message have been grouped together. A table of contents that lists the content of each of the attachments of public comments can be found on page 3. An appendix for the attachments is at the end of the document on page 54.

### Public Notice and Participation

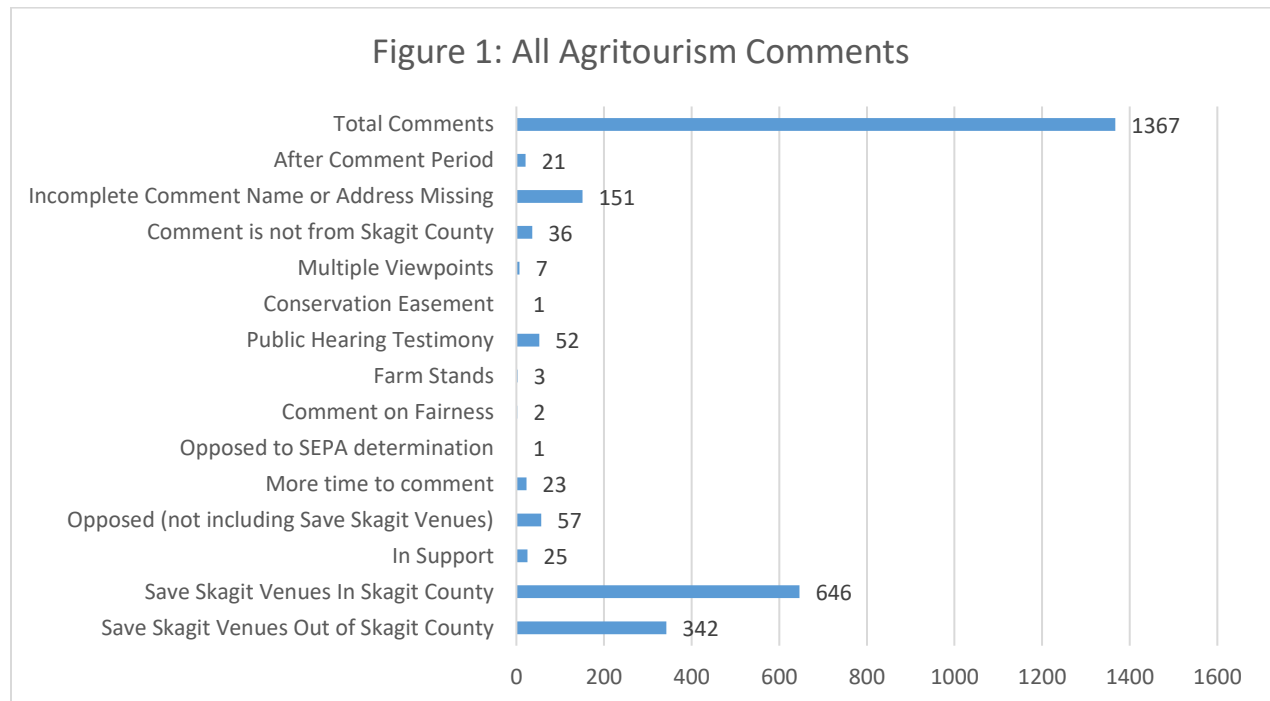
On July 6, 2023, the Staff Report for the Proposed Agritourism Code Changes was published to the County website. Skagit County published and gave notice of the opening of the comment period on the proposed agritourism code changes. This included notice of the public hearing and the environmental (SEPA) determination, a determination of non-significance. Notice was published on July 6, 2023, to the Skagit Valley Herald, on July 7, 2023, an email was sent to the PDS email distribution list on July 6, 2023, the SEPA DNS was mailed to the SEPA distribution list on July 6, 2023, and on the same date the notice was posted to the PDS and legal notice webpage.

On July 25, 2023, the Planning Commission held a public hearing on the proposed agritourism code changes as authorized by Skagit County Code (SCC) 14.08.080. The hearing was attended by the eight of the nine Planning Commission members. A total of 52 participants gave testimony at the public hearing. Two of those giving testimony were not from Skagit County. A full transcript of the meeting can be

found on the [Planning Commission Agenda and Archive page](#)<sup>1</sup>. Attachment 15 has public testimony from each participant transcribed.

After the public hearing was closed on July 25, 2023, the Planning Commission voted to extend the comment period. The comment period for the proposed agritourism code changes was extended three weeks to August 17, 2023. The extended public comment period was noticed in the Skagit Valley Herald on July 27<sup>th</sup>, 2023, and sent to the PDS email distribution list on July 27, 2023, and posted to the PDS and legal notice webpage on July 27, 2023.

One comment was received regarding the SEPA determination; however, an appeal was not filed. Comments on the proposed code changes were sent by email to [pdscomments@co.skagit.wa.us](mailto:pdscomments@co.skagit.wa.us) and or mailed or delivered as hard copy or left in a box at the public hearing on July 25, 2023. A total of 1,346 comments were submitted during the comment period from July 6, 2023, to August 17, 2023. Twenty-three more comments were submitted after the comment period. For a total of 1,367 verbal and written comments submitted on the proposed code changes. The comments on economics are not included in Figure 1 or the total because those comments were pulled from other categories, and therefore, to include them would be duplicative. These and the verbal comments from the public hearing are presented in Attachments 1-15. All of the public comments for this proposal can be found in these attachments. Each attachment includes a table of contents with each comment numbered. The remainder of this report summarizes the comments and provides a department response, if required. A summary of the number of comments in each category can be seen in below in Figure 1. Save Skagit Venues is abbreviated as SSV.



<sup>1</sup> <https://www.skagitcounty.net/Departments/PlanningCommission/PCminutes.htm>

Pursuant to SCC 14.08.080(4) and (5), the Planning Commission shall consider public comments and deliberate on any proposed plan, plan amendment, or development regulation. At the completion of its deliberations, the Planning Commission shall vote to recommend adopting, not adopting, or amending the proposed amendments. Recommendations shall be by a recorded motion which shall incorporate findings of fact and the reasons for the recommendations.

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## Public Comment Summary

*Planning Commission Comment Period: July 6, 2023, to August 17, 2023*

### Agricultural Advisory Board’s Proposed Agritourism Code Changes

#### Attachment 1: Comments in Support of Proposed Code Changes

Comments in Support of Proposed Agritourism Code Changes

25– Written Comments

7– Hearing Testimony

Organizations Commenting: **Friends of Skagit County, Agricultural Advisory Board, Western Washington Agricultural Association**

<u>Issue / Person or Group Commenting</u>	<u>Comment Numbers/Attachment Number</u>	<u>Department Response</u>
<b><i>Complete Comments are attached – see Attachment Number</i></b>		
<b><u>Issue:</u></b> The County needs to define agritourism and clarify the code. The AAB supports these proposed code changes.  Michael Hughes, Chair of AAB Letter Submitted 7/12/23	Comment 1- Attachment 1	
<b><u>Issue:</u></b> The comment is in support of code changes, doesn’t want faux farms, afraid if we opened the door to this there would be more event venues than farms. Asks if there is a way to grandfather in some event spaces that have been good neighbors?	Comment 2 Attachment 1	

Christy Erickson, Bow, WA		
<p><b>Issue:</b> The comment would like work to maintain strong agricultural zoning and limit or eliminate event venues that are not related to agriculture.</p> <p>Debra Lisser, Mt Vernon</p>	Comment 3 Attachment 1	<i>The Agricultural Advisory Board’s land use committee created this proposed definition of agritourism and limited events on these lands for the reason of protecting Ag-NRL zoning from non-agricultural uses.</i>
<p><b>Issue:</b> Commenter would like the public to have better information about the planning process, how it works, the State law that it is based on and the rationale for those laws. They also would like the County to address the need for enforcement of illegal uses of event centers and other non-agricultural uses on Ag-NRL. Thinks that this needs to happen whether the PC adopts these changes or not. Describes how Skagit County has a history of protecting Ag. lands. Would like the public to know and understand the cumulative effects of allowing non ag. accessory uses and how that could endanger farmland and working farms.</p> <p>Ellen Bynum, Friends of Skagit County</p>	Comment 4 Attachment 1	<i>The Planning Department includes information to the public about the legislative process as part of staff reports, public noticing, work sessions and during public outreach; in accordance with SCC 14.08. The Department has reviewed applicable State laws in accordance with GMA and Skagit County’s Comprehensive Plan that support these proposed code changes. The documentation proposed code changes includes State and local laws that support them. These documents were shared with the public as part of the work sessions in March and April 2023 and included in the presentations to the Planning Commission on this proposed code.</i>
<p><b>Issue:</b> Comment in support of proposed code changes to protect Ag-NRL and comments from Friends of Skagit County. Comment would like to know why there is not more enforcement of the many illegal venues that exist. Comment believes that it is not fair that some people are not following the law.</p> <p>Jana Fernandes, Starbird Rd. east of I-5</p>	Comment 5, Attachment 1	<p><i>Addressing code enforcement is an ongoing discussion in parallel with any proposed agritourism code changes.</i></p> <p><i>Skagit County Planning and Development Services code enforcement is limited in staff and resources. As a result, code enforcement cases must prioritize cases that are life- safety issues.</i></p>

<p><b>Issue:</b> Comments that event venues and large groups of people don't belong in Ag-NRL zone for good reasons like safety, and protection of farmers interests. Farmers are liable if someone from an event venue wanders into their farm or if someone from an event venue blocks access to their field. Farmers need to be able to do their job without worrying about the public getting in the way of doing their job, that is why Ag-NRL zoning was created to keep crowds and commercial venues out of the area because of conflicts. There is concern that the current proposal as drafted is so wide reaching it may impede the tulip festival, farm stands, or have other unintended consequences and that we need to find a compromise and amend the proposal to be less stringent but need to protect farmland from nonagricultural uses.</p> <p><u>Jennifer J. Smith, Mt Vernon</u></p>	<p>Comment 6, Attachment 1</p>	<p><i>The intent of the proposed code changes by the AAB was to protect farmland and farmer from the liability and disturbances of events in Ag-NRL. The proposed code changes will still allow for farm stands, farm festivals and the tulip festival.</i></p>
<p><b>Issue:</b> Understands that farm growers may need to supplement income but thinks that can be done by other ways than event centers. Discusses an event center that has had almost 350 events over the last 3 years and did not get any permits. Weddings are a business of their own they don't have anything to do with farming. Thinks it is generous to allow 12 events annually. A farmer receives a tax discount on their acreage to produce food, because it is important to society. The balance of the discounted tax is paid by everyone and doesn't think it is fair for event centers to also have this discount. Preserving the farmland left is critical and should be the priority.</p> <p>Judy Billings, Anacortes</p>	<p>Comment 7 Attachment 1</p>	
<p><b>Issue:</b> Doesn't want Skagit County to turn into something like Sonoma, CA which has gone from farmland to something that now resembles Disneyland because of all of the tourism and commercial activity. Is glad that Skagit County is addressing these issues before we become like Napa Valley and traffic and tourism take over farming. She finds it hard to believe that a farm cannot survive without weddings and events.</p> <p>Kathy Speas, Anacortes</p>	<p>Comment 8 Attachment 1</p>	

<p><b>Issue:</b> Comment believes that food security is an issue for everyone, and we need to help farmers survive and thrive to protect our food supply. This is part of protecting freedom. Is in support of these proposed regulations because they protect food security. Gives examples from State law that protect farmland.</p> <p>Linnea McCord, Anacortes</p>	<p>Comment 9 Attachment 1</p>	
<p><b>Issue:</b> Commentor has witnessed firsthand the challenges with farming and farmers. Believes that there are real risks not just for the preservation of the land but also in safeguarding the farm’s ability to perform essential agricultural activities with the public potentially coming on their property, inadvertently as part of tourism. Lawsuits, negative public perception, and reporting requirements threaten the livelihoods of farmers. Is in support of finding a way to bring illegal businesses into compliance and have regular review and permitting for any event type venues. Permit holders then would be liable for any damage, harassment or distress or loss of production caused by their events. There needs to be accountability and respect and permitting will help this. Permits should include a requirement to contribute to the farmland legacy program to strengthen the program.</p> <p><u>Mikala Staples Hughes, Mt Vernon</u></p>	<p>Comment 10 Attachment 1</p>	
<p><b>Issue:</b> Comment thinks wedding venues are a trend and worries that extra parking and structures required for them will cause a loss of farmland, only for a passing trend. She suggests using empty malls for wine tasting or selling of other items from farms. They believe that commercial activity should be in commercial zones. Traffic continues to get worse and having event venues in farmland will only exacerbate that. Doesn’t want Skagit County to turn into Napa Valley.</p> <p>Nancy Allen, Bow</p>	<p>Comment 11 Attachment 1</p>	
<p><b>Issue:</b> Commenter thinks is it a good idea to limit weddings and events on farmland. It is a quality-of-life issue as the extra traffic and noise that a lot of events bring to the area. Also thinks these events encourage</p>	<p>Comment 12 Attachment 1</p>	

<p>more temporary rentals of homes, like VBRO and other temporary rental services, which contributes to the housing problem.</p> <p>Nancylee Bouscher, Mt Vernon</p>		
<p><b>Issue:</b> Comment supports the proposed code revision because they would like farmland protected. Also supports enforcement as necessary to ensure that any regulation works as intended. Is concerned about loss of farmland from salt water, buffers, and other threats and therefore, that is why these regulations are needed to protect farming.</p> <p>Robert Pare, Bow</p>	<p>Comment 13, Attachment 1</p>	
<p><b>Issue:</b> Writing to express full support of proposed code amendments. The current infrastructure in Ag-NRL is not made for tourism and lots of traffic. Also, septic systems designed for buildings in Ag-NRL are not designed for large groups of people. Thinks it is a waste and tragic to use prime agricultural land for parking lots and non-food producing businesses. It also punishes businesses in commercial zones that pay full taxes and do not break zoning laws. Did a review of some of the venues that claim they uses local produce and local businesses and that was not the case. Photographers for weddings come from Seattle and other counties so are not local businesses.</p> <p>Walter C. Zollars III, La Conner</p>	<p>Comment 14 Attachment 1</p>	
<p><b>Issue:</b> The Western Washington Agricultural Association supports the proposed agritourism code recommendations with a few changes because it protects farming and any negative impacts on farming must not be ignored. While acknowledging that agritourism is an industry in Skagit County, without the active farm operations here and scenery these businesses provide, these tourist venues would not attract customers. The following changes are proposed to the AAB recommendations:</p> <p><b>Proposed definition of agritourism:</b> <u>“an activity that is an accessory to a working farm operation. It is operated on land and accessory buildings</u></p>	<p>Comment 15 Attachment 1</p>	<p><i>Planning and Development Services would encourage The Western Washington Agricultural Association to submit these proposed code changes as part of the annual docket. The deadline for submission to the annual docket is the last business day of July, which means if submitted by next July they would go on the 2025 docket for consideration.</i></p>



<p><u>within the farm and is operated by the owner or operator of the farm or family members.”</u></p> <p><b><u>Proposed Amendments to agricultural accessory use in SCC 14.04.020</u></b>  <u>(6) Miscellaneous agricultural support buildings, including barns, sheds, corrals, farm offices, coops, retail spaces and seasonal roadside farm stands, which are used for onsite soil dependent agricultural on a working farm.</u>  <u>(8) Any agricultural accessory use that is an agritourism event or activity shall be an accessory to the primary farming operation of the farm site.</u></p> <p>They support the AAB’s proposed amendments (9) and (10)</p> <p>While they don’t necessarily think weddings are agritourism they believe that there should be a legal pathway for responsible, working farm event venue operators to operate legally within Ag-NRL under a temporary special use permit that would be renewed annually.</p> <p>They also would expect that for event venues that are not permitted should be held responsible and there should be code enforcement for any illegal activity. There are several liabilities that these events cause farmers, from illegal trespassing to food safety that becomes a liability and that is why County code must be enforced.</p>		<p><i>Any major substantive changes made to the AAB proposal would require that the proposal go through SEPA again to evaluate impacts and is re-noticed and has another public hearing and comment period per SCC 14.08.</i></p>
<p><b><u>Issue:</u></b> The Western Washington Agricultural Association supports the proposed agritourism code recommendations with a few changes:</p> <p>They would like to <b>amend SCC 14.16.900(2)(h)</b> to add criterion for special use permits:</p> <p>(v) Special use permits for temporary events in Ag-NRL are additionally subject to the following criteria:</p> <ul style="list-style-type: none"> <li>• (A) All events must be accessory to agricultural use on a working farm</li> </ul>	<p>Comment 15 Attachment 1</p>	<p><i>Planning and Development Services would encourage The Western Washington Agricultural Association to submit these proposed code changes to the annual docket. The deadline for submission to the annual docket is the last business day of July, which means if submitted by next July they would go on the 2025 docket for consideration.</i></p>

<ul style="list-style-type: none"> <li>• (B) Events should support the sale of products and food grown on the working farm. At least 50% of the products sold must be cultivated on the onsite farm throughout the season, or include products grown by the farmer operator.</li> <li>• (c) Events may occur on no more than 12 calendar days per year.</li> <li>• (d) all permits are subject to annual review.</li> <li>• (e) permit holders must be onsite during all events to monitor activities and uphold standards.</li> <li>• (f) Any structures, spaces, or septic infrastructure created for temporary events must be removed once the permit is no longer active and the land returned to original state with no farmable land loss.</li> <li>• (g) A proper traffic maintenance plan for the event must be approved by the county 30 days prior to the permit activation and must have minimal impact on surrounding neighborhoods.</li> <li>• (h) Events must include a plan to keep visitors restricted to their property and guarantee zero impact physical or other) on neighboring properties. This plan must be approved by the county 30 days prior to the permit activation.</li> <li>• (i) Permit holders will be held financially liable for any damages, harassment, distress, or loss of production on neighboring properties during the event caused by any intrusion of event attendees, hosts, or vendors.</li> </ul> <p>It is also recommended that the Skagit Right to Farm Ordinance be included in the Special Use contract with the permit holder held accountable to reading and understanding the ordinance.</p> <p>It is also recommended that fees for permits and fines for violators be used to fund enforcement of the program.</p>		<p><i>Any major substantive changes made to the AAB proposal would require that the proposal go through SEPA to re-assess impacts and would need to be re-noticed and go through another public hearing and comment period per SCC 14.08.</i></p>
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<p><b>Issue:</b> Friends of Skagit County listed out State RCWs in support of agriculture, including the definition of agricultural resource land, property taxes on Ag-NRL, GMA definitions, definition of agriculture or agricultural activity and agricultural accessory use, primary or principal building use, farm, soil dependent, among other definitions in State law to illustrate how State law and GMA support the protect agricultural lands.</p> <p>Friends of Skagit County, Ellen Bynum</p>	<p>Comment 17 Attachment 1</p>	<p><i>The work sessions in March and April of 2023 on the AAB proposed code changes included a list of the State laws and GMA requirements that support the proposed code changes and that support preservation of farmland.</i></p>
<p><b>Issue:</b> Friends of Skagit County sent an email to Change.org requesting them to remove the Change.org petition. They requested the change.org petition be removed because it contained misinformation, disinformation and was misleading. They sent Skagit County code and a Staff report dated 7/19 on the proposed code changes and how they would change different allowances of uses to change.org to let them know that information on their website was incorrect.</p> <p>Ellen Bynum, Friends of Skagit County</p>	<p>Comment 18 Attachment 1</p>	<p><i>The Department did not have any communication with change.org but can confirm that the content on the website advertising the petition contained misinformation about the proposed code changes.</i></p>
<p><b>Issue:</b> Doesn't want the term "agritourism" to be used to define any enterprise on farmland. Wants to protect farmland and doesn't want short term rentals, RV camping or other types of tourism. A limited number of weddings is okay but not an event center. In support of proposed code changes.</p> <p>Janet Patterson</p>	<p>Comment 19 Attachment 1</p>	
<p><b>Issue:</b> Knutzen Farms is in support of the proposed code changes because they add to Skagit County's long history of protecting farmland. Enforcing the Ag-NRL code and the soil-based industry is the only way to protect farmland and these proposed code amendments add to that and therefore it is essential to support it.</p> <p>Kraig Knutzen, Burlington WA Knutzen Farms</p>	<p>Comment 20 Attachment 1</p>	
<p><b>Issue:</b> The AAB which commenter states is a representative board of all agriculture, worked hard to make these proposed code changes. As a</p>	<p>Comment 21 Attachment 1</p>	

<p>founding member of the Farmland Legacy Program, and former member of the AAB, they support these proposed code changes. Nonagricultural activities interfere with the right to farm.</p> <p>Randy and Aileen Good, Sedro -Woolley, WA</p>		
<p><b>Issue:</b> The comment states that their farm borders an active farm venue, and the venue is disruptive to the quality of life on their farm. The concert level music with heavy bass blasts from 7ish to almost 10pm. With the noise her calves become separated from their mothers and the herd huddles in a corner. The Sherriff has been contacted on numerous occasions. Therefore, I support the proposed code changes to limit agritourism because she has direct experience with the negative ways event venues effect farming.</p> <p>Dolores Lohman, Mt Vernon</p>	<p>Comment 22 Attachment 1</p>	
<p><b>Issue:</b> The proposed definition of agritourism is supported by existing code. Additionally, the concept that building and facilities should be used in support of agriculture, rather than for hosting of event venues, is a concept that already exists in code and these proposed code changes just clarify an already existing concept in code.</p> <p>Is in support of the essential common-sense features of the proposal to protect ag. land. The notion of good and bad actors is moot point because you can't guarantee that. Therefore, a regulatory framework is necessary to keep everyone honest, on the same page, and fair so the rules are equal to all.</p> <p>Venues and non-agricultural activities that were never legal cannot be grandfathered into legitimacy in their opinion.</p> <p>Non-agricultural activities will be harder to rein in if we open the window legislatively to allow more uses and the possibilities are endless if this is driven by economic rationale, needing income. Agriculture may not be the most profitable use of these lands but that is even more</p>	<p>Comment 23 Attachment 1</p>	

reason to protect them because you cannot eat agritourism or get land that has been developed back.  Terry Sapp		
<b>Issue:</b> Without protection the agricultural economy will weaken in Skagit County  Michael Hughes, Chair of AAB Email submitted 8/17/23	Comment 24 Attachment 1	
<b>Issue:</b> Owners of Ag-NRL properties have had their outbuildings permitted as barns and then have gone around the system to make a fortune without paying equal permit fees, taxes and most importantly not having safety considered for the event per public health standards or other safety standards. Also worries about the fire danger when grasses are dry, and people park in grass. Is concerned that these illegal event venues do not pay their fair share of taxes.  Josh Speck, Burlington	Comment 25 Attachment 1	<i>Building codes and public health codes help ensure public health and safety.</i>

## Attachment 2: Comments Opposed, Comment Summary

Comments Opposed to Proposed Agritourism Code Changes (not including Save Skagit Venues which is addressed separately)

57 – Written Comments

19 – Hearing Testimony

**Organizations that commented on this: Skagit’s Best Salsa Company, Christianson’s Nursery, Boldly Grown Farm, Double Barrel BBQ, Samish Bay Cheese, Garden Path Fermentation, Skagit Valley Tulip Festival, Mt Vernon Chamber of Commerce, Skagit Agritourism Stakeholder Group**

<u>Issue / Person or Group Commenting</u>	<u>Comment</u>	<u>Department Response</u>
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<b><i>Complete Comments are attached – see Attachment Number</i></b>	<b><u>Numbers/Attachment Number</u></b>	
<p><b>Issue:</b> Support allowing farm venues to host weddings and other events because these businesses are important to the community. Farming and events go hand in hand, and this can be a win-win. The reasons to support events are economic resilience, preservation of agricultural heritage, local business support and community pride. As a small business owner, she urges the Planning Commission and Commissioners to work collaboratively with farm owners to find a compromise.</p> <p>Jill Rohrs, Skagit’s Best Salsa Company, Anacortes, WA</p>	<p>Comment 1 Attachment 2</p>	
<p><b>Issue:</b> The business of Garden Path Fermentation could have been located anywhere in the world and they chose Skagit County. They have been told that the code in Skagit County does not allow for a winery or brewery but have seen examples of similar venues doing the same thing on Ag-NRL. They have been told that the code will be modified to allow for more small businesses and the proposed code amendments by the AAB do not allow for more agritourism type uses. The face of agriculture in Skagit County is changing and a different path is needed, and a compromise should be made to allow a legal path for some of these uses.</p> <p>Amber Watts, Garden Path Fermentation</p>	<p>Comment 2, Attachment 2</p>	
<p><b>Issue:</b> Would like to see a process for farms that are currently engaging in agritourism to come into compliance. They are in agreement with the recommendations of Skagitonians to preserve farmland agritourism and the work group they formed to come up with their own proposed code recommendations for agritourism. Would like to see a way to have complementary agritourism for small and medium size farms.</p> <p>Andrew T. Mayer, Mt Vernon Chamber of Commerce</p>	<p>Comment 3 Attachment 2</p>	<p><i>The Department recommends that any groups that have proposed code recommendations for agritourism submit them as part of our annual docket process. Any citizen or group can submit proposed policy or code changes for the County annual docket. Any proposal for the docket needs to be submitted by the last business day of July.</i></p>
<p><b>Issue:</b> Concerned with the economic fall out of the proposed code changes and would like to know if and how economic impact has been</p>	<p>Comment 4 Attachment 2</p>	<p><i>The survey done as a tool for public engagement and not statistically</i></p>

<p>considered. Also, would like to know if farms that events have endanger their agricultural or open space zoning. Doesn't think that changing the event numbers from 24 to 12 will stop those people at events that have bad behavior. Would like the results of the survey to guide decision making. Wonders if this is an issue of big farms vs small farms. Would like any agritourism regulations to be on the side of enabling the growth of small business to ensure the economy will prosper at every level.</p> <p>Angela Napoliello-Ivory, Mt Vernon</p>		<p><i>significant. Therefore, the results cannot be extrapolated to represent the general populations viewpoints.</i></p>
<p><b>Issue:</b> Would like to see farmland preserved but have come to see the growing role of agritourism in the economy. The limited definition of agritourism proposed is short-sighted and should acknowledge that event venues and farmers can coexist amicably with mutual benefit. Many family farms are not sustainable without the income from an event venue. The proposed code if adopted would have negative economic impacts on many support businesses to event venues like motels, caterers, florists, etc. Would like more than just the AAB to be involved in proposing new code.</p> <p>Anne and Ken Winkes, Conway</p>	<p>Comment 5 Attachment 2</p>	
<p><b>Issue:</b> Oppose the proposed code because it is too extreme. Thinks that if wedding planners are the problem one idea would be to strengthen the contract language for them and enforce it. Is in agreement with the proposals and ideas from Skagitonians to preserve farmland.</p> <p>Carolyn Gastellum, Anacortes</p>	<p>Comment 6 Attachment 2</p>	<p><i>The County has no authority over the contracts for wedding planners.</i></p> <p><i>The Department has suggested that if there are alternative code proposals for agritourism, they can be submitted for consideration in our annual docket process. These submittals are due by the last business day in July to be consider for the following year's docket.</i></p>
<p><b>Issue:</b> This proposed code could drive out small business owners in Skagit County. Comment states that Skagit County's weddings bring in up to 30 million dollars to Skagit County because of the umbrella of businesses that are related. Doesn't think weddings should be</p>	<p>Comment 7 Attachment 2</p>	<p><i>The Planning Commission extended the comment period by two weeks to extend public involvement in the process.</i></p>

<p>considered any different than the tulip festival. Wants to protect farmland but thinks allowing event venues is a way to protect farmland by ensuring that it is not purchased by non-Skagit County residents. They think the wording in the proposal was vague and confusing which seemed intentional. The proposed code has created a divisive situation between farmers, event venues and small businesses. Asks for more public engagement and more involvement to find a collaborative solution.</p> <p>Cecily Gubitosi, Mt Vernon</p>		
<p><b>Issue:</b> Preservation of farmland should not be at the cost to small farm owners, nor should it favor larger farming operations. Small farms are preserved when there is economic diversity, and this proposal does not consider that and should be revised to allow for more economic diversity.</p> <p>Charly Collins, Burlington WA</p>	<p>Comment 8 Attachment 2</p>	
<p><b>Issue:</b> Concern that the proposed code changes will diminish the value of their property and their ability to obtain the income needed to maintain their property. The proposed definition of agritourism is limited and should be broader. Attracting additional customers to their farmstand is essential to their ability to obtain income from their farming operations. Some properties in the agricultural zone are too small to support an “active farming operation” as practiced by the large-scale industrial farmers and small-scale farming is still farming. Limiting events to an arbitrary number of 12 days is not sustainable for the health of an event business. For example, if there is a large investment needed to refurbish a barn for events, then more events would be needed to pay for this.</p> <p>Chris and Margy Dariotis</p>	<p>Comment 9 Attachment 2</p>	<p><i>The rationale for the choice of 12 events permitted per calendar year was to ensure that any event business is incidental and subordinate to the income made on the farm from production.</i></p>
<p><b>Issue:</b> Concern that the proposed change from 24 events to 12 has been based on subjective whims rather than being based on studies to justify the change. The comment references report summarizing focus group sentiment that opposes this proposal and therefore comments that to</p>	<p>Comment 10 Attachment 2</p>	<p><i>The choice of 12 events permitted per calendar year was to ensure that any event business is incidental and subordinate to the income made on the farm from</i></p>



<p>proceed with the proposal therefore undermines the validity of the process.</p> <p>Dana Oster, Bow WA</p>		<p><i>production, while it is an arbitrary number, that was the intent behind the number.</i></p> <p><i>The process included public involvement including a survey. The purpose of the survey was as a tool for public outreach to let the public know that Skagit County was working on new agritourism regulations. However, the survey was not statistically significant and therefore, the results cannot be extrapolated to the general public.</i></p>
<p><b>Issue:</b> According to the commenter in the next ten years, 70% of farmers in Skagit County will be at retirement age and many of these families do not plan on continuing to farm or do not have family to take over the farms. This may result in corporate takeover of Skagit farming. Farmers should be able to do what they want with their land and that includes event venues. Concerns that farms may die out and that these proposed code changes will contribute to that.</p> <p>Erika Wudtke, Mt Vernon</p>	<p>Comment 11 Attachment 2</p>	<p><i>If there were no zoning laws, likely much of our farmland that we have today would not be preserved. Zoning and development regulations, as part of comprehensive planning, limit the uses in different zones as part of an overall plan to grow and develop in a manner that contributes to the vision for growth set out by the Community. The vision of Skagit County has been to protect Ag-NRL from development.</i></p>
<p><b>Issue:</b> Commentor thinks that “events” could also apply to the Tulip Festival, which in that case would shut down all agritourism in Skagit County. Says they don’t have any instances of where an event has impeded or caused hardship to its neighbors.</p> <p>Floyd Garner, Sedro Woolley</p>	<p>Comment 12 Attachment 2</p>	<p><i>The Tulip Festival Event would not be affected by the proposed code changes.</i></p>
<p><b>Issue:</b> Resents the restrictive language and objects to restrictions on land use beyond what is already restricted by zoning.</p> <p>Fran Thoreen, Mt Vernon</p>	<p>Comment 13 Attachment 2</p>	<p><i>The purpose of zoning is to restrict uses in each zone. The proposed changes further clarify the code on already existing restrictions to uses in zoning.</i></p>

<p><b>Issue:</b> As a customer of Willowbrook Manor they don't see any reason the use of this property should be limited or reduced and therefore do not support these code changes.</p> <p>Gifford T Jones, Anacortes</p>	<p>Comment 14 Attachment 2</p>	
<p><b>Issue:</b> In support of allowing celebratory gatherings on agricultural land.</p> <p>Heather Hardie-Hill and Nicholas Woll</p>	<p>Comment 15 Attachment 2</p>	
<p><b>Issue:</b> The proposed code regulations could have a negative effect on the Skagit County economy. Concerned that small farms might be forced to sell to large corporations. Urges a middle ground that might allow for both viewpoints. Quotes the survey that 68% of the Skagit public supports these events.</p> <p>Jacob McFarland, Mt Vernon</p>	<p>Comment 16 Attachment 2</p>	<p><i>The survey was not statistically significant and was used as a tool for public outreach. Therefore, the results cannot be extrapolated to quantify an amount of public support.</i></p>
<p><b>Issue:</b> (1) Methodology used for the survey was not adequate. (2) Wants to know if an environmental impact study to come up with the 12 weddings a year. (3) Is concerned with pesticides and other chemicals on farms. Would like a tourism tax to be considered. Also, would like manufacturing and how it plays a role in farming to be addressed. Also, would like living wage issues and transportation issues to be addressed. Included some RCW to consider.</p> <p>Jacqueline Martin, Burlington, WA</p>		<p><i>The survey was not statistically significant and was used as a tool for public outreach. Therefore, the results cannot be extrapolated to quantify an amount of public support.</i></p> <p><i>A SEPA analysis was conducted on the proposed code changes. However, a determination of non-significance was made by the SEPA official, the Planning Director. An environmental impact study is only conducted if a determination of significance is made.</i></p>

<p><b>Issue:</b> Concerned about the loss of venues and reduction of income with the proposed code. If there are bad actors why not consider penalties like fines for disrupting farming. Suggests that venues should have some security requirements from guests. There should be routes to stop bad behavior but not having agritourism is not the right answer.</p> <p>Jan Gordon, Bow</p>	<p>Comment 18 Attachment 2</p>	<p><i>Skagit County cannot regulate how private businesses ensure good behavior from their patrons.</i></p> <p><i>Noise is regulated under the Performance Standards per SCC 14.16.840(5).3</i></p>
<p><b>Issue:</b> Does not want restrictions on farm venues and thinks it should be permitted as part of liberty and freedom.</p> <p>Jane Edgley, La Conner</p>	<p>Comment 19 Attachment 2</p>	<p><i>Zoning restricts uses to prevent conflicts between different land uses and preserve natural resource lands from being developed into non-resource uses. Skagit County has a long history of using zoning and GMA to protect farmland.</i></p>
<p><b>Issue:</b> I oppose the proposed agritourism code changes</p> <p>Jeanne Pocock, Sedro Wooley</p>	<p>Comment 20 Attachment 2</p>	
<p><b>Issue:</b> Farming has changed in the last 50 years. Dairy farms once numbered 900 and now is at 25. Hundreds of historic barns have been lost. Small family farms benefit the most from agritourism and they need this diverse income to survive. This income is need for farm preservation. The enforcement of the many existing rules and regulations already prevent noise and traffic issues so that farmers can continue to farm. The venues should not be limited with arbitrary rules and arbitrary numbers of events permitted.</p> <p>John Christianson, Christianson’s Nursery</p>	<p>Comment 21 Attachment 2</p>	<p><i>The intent in choosing a smaller number of events (The proposed allowance of 24 has been reduced to 12 with this code proposal) is to ensure that the event use is secondary to the primary use of farming and that any income from events on the property is smaller than income from products grown on the farm.</i></p>
<p><b>Issue:</b> The visitors from events on farmland stay in hotels and support other businesses in La Conner and Skagit County. The comment states that a wedding venue use is no different from the Tulip festival other festival event use, other than that those events are spread out throughout the year. Allowing venues helps farms stay profitable and helps the economy.</p> <p>Joseph Lisenby, La Conner</p>	<p>Comment 22 Attachment 2</p>	

<p><b>Issue:</b> Commenter would like Skagit County to look at Italian agritourism as an example. Thinks there is no vision in limiting a farm to only agriculture.</p> <p>Judah Henderson, Anacortes, WA</p>	<p>Comment 23 Attachment 2</p>	<p><i>No agritourism from other countries was considered.</i></p>
<p><b>Issue:</b> Oppose the proposed code changes because small farmers are important to our future, and they need the extra income. Hopeful that there can be compromise.</p> <p>Judith Chilcote, Mt Vernon</p>	<p>Comment 24 Attachment 2</p>	
<p><b>Issue:</b> Would like to allow lots of types of agritourism including Weddings, AirBnB, festivals, produced and ice cream stands, but would draw the line at large events like concerts, but not the Tulip festival. Restriction of these events will have a negative impact on the economy.</p> <p>Larry Hillard, Mt Vernon</p>	<p>Comment 25 Attachment 2</p>	
<p><b>Issue:</b> Comment asks for more time for public engagement on these issues. They believe that the volume of comments indicates that the proposed policy needs more work. The proposed code amendments do not reflect the surveys done nor do they represent the policy options by BERK consulting presented in March 2022. They are concerned that the voices of small or mid-size farms have not been included. Also concerned about the timing of the release of the proposed code amendments during a primary harvest window. This makes it difficult for farmer to participate. Would like more time to discuss this and has participated in the Agritourism Stakeholder Working Group organized by Skagitonians to preserve farmland and supports that work group.</p>	<p>Comment 26 Attachment 2</p>	<p><i>The survey was used as a tool for public involvement to let the public know that the County was working to change agritourism related codes. It was not designed to be statistically significant, so therefore, cannot be extrapolated that the opinions are reflective of the general public.</i></p> <p><i>The Department recommends that any groups or individuals that have proposed code recommendations for agritourism submit them as part of the annual docket process. These proposed code changes are due the last business day of July.</i></p>

Amy Fry of Boldly Grown Farm, Bow		
<p><b>Issue:</b> The commenter is writing on behalf of the vote to save Skagit Farm Venues. They do not think the venues part of the Save Skagit Venues petition have encroached on farmland. Instead, they have been custodians of the land and have contributed to the economy. The event income from these venues helps historical preservation and existence of these farms.</p> <p>Nick Cecotti, Mt Vernon</p>	Comment 27 Attachment 2	
<p><b>Issue:</b> The comment is concerned as to how the changes will affect the hospitality industry. As owners of Double Barrel BBQ, they have catered hundreds of weddings in Skagit County. The business was hurt by COVID, and their concern is that these proposed regulations will hurt their business more and hurt other small businesses.</p> <p>Nancy Katapodis Lee, Sedro Woolley</p>	Comment 28 Attachment 2	<i>The proposed regulation would not impact wedding venues that are not in Ag-NRL, and those wedding venues could continue to thrive.</i>
<p><b>Issue:</b> Tourists come here to experience what they do not have where they live. If agritourism is not permitted, then we will not have tourism. If needed set limits on non-agricultural improvements to farmland.</p> <p>Norma and Peter Shainin, Mt Vernon</p>	Comment 29 Attachment 2	
<p><b>Issue:</b> Not in favor of proposed code</p> <p>Rob Woods, Mt Vernon</p>	Comment 30 Attachment 2	
<p><b>Issue:</b> Concerned about wording. Concerned that with wording the public will not be able to access farm stands. Concerned with the requirement that it be an active farm. Thinks that should not be a requirement.</p> <p>Robin Haglund, Mt Vernon</p>	Comment 31 Attachment 2	<p><i>Farm Stands are permitted outright if 300 square feet or less. If they are larger than that, they would need an administrative special use. Barns are not 300 square feet or less so farm stands that are small continue to be outright permitted.</i></p> <p><i>The AAB wanted the requirement of an active farm because they are concerned</i></p>

		<i>that if it is more profitable to do events, this would cause farming operations to cease or lessen, and would therefore, be a loss of productive agricultural land and soils.</i>
<p><b>Issue:</b> The agriculture industry does not have the economic ability to generate an economy capable to meet the needs of the County as a whole. For this reason, the County must look beyond farming for economic opportunities. Thinks that Skagit County has allowed farming excessive influence in the political processes that balance the economy. Commentor believes we need to recognize the prime location between Seattle and Vancouver instead of hanging on to an old economy of farming.</p> <p>Ron Hass, Bow</p>	<p>Comment 32 Attachment 2</p>	
<p><b>Issue:</b> Samish Bay Cheese has seen the benefits of agritourism and believes it is a boon to small and medium size farms. Went to the public hearing and would like all the public comment to be considered to come up with better consensus on new policy that is better accepted.</p> <p>Suzanne and Roger Wechsler, Samish Bay Cheese</p>	<p>Comment 33 Attachment 2</p>	
<p><b>Issue:</b> In support of Willowbrook farms and do not support limiting their ability to host activities and events. Commentor relocated to Skagit County for agritourism type activities.</p> <p>Sondra Platte Muggee</p>	<p>Comment 34 Attachment 2</p>	
<p><b>Issue:</b> Thinks the proposed code changes would take away those things that are special in Skagit County and would take away from the farming community.</p> <p>Sarah Jewett, Skagit County</p>	<p>Comment 35 Attachment 2</p>	
<p><b>Issue:</b> Thinks the AAB and Planning Commission are not listening to the concerns of the survey respondent and venue and event owners. Thinks there is nothing beautiful about an active farm and that should not be a</p>	<p>Comment 36 Attachment 2</p>	<i>The operation of a working farm can interfere with an event venue, and this is</i>

<p>requirement for having an event venue because an active farm would have dust and mud and farm equipment that would get in the way of event venues. Says that the event venues in Conway have not encroached on any farmland. Living next to farms she says they are loud and have lots of large trucks that are dangerous.</p> <p>Susan Anderson Smith, Mt Vernon</p>		<p><i>why the zoning code was set up to separate uses that are not compatible.</i></p>
<p><b>Issue:</b> It was wonderful to see so many people at the hearing for the proposed code changes, but the commenter is concerned about how these proposed changes may impact their businesses. Thinks small farms and event venues provide memorable experience and helps support small farms. The conflicts between working farms and agritourism are overblown in their opinion. Also claims that large farms don't get permits either, so she doesn't think it is fair to just blame event venues. Thinks new code is needed that allows for more agritourism.</p> <p>Susan Hughes-Hayton</p>	<p>Comment 37 Attachment 2</p>	
<p><b>Issue:</b> Commentor cited the declaration of independence and referenced the constitutional convention to remind them of our freedoms in this nation. These proposed code changes are government overreach that will lead to the demise of farming in their opinion. Thinks it is short sighted to restrict what farmers can do on their property and thinks we need to help small farmers.</p> <p>Tina Champeaux, Sedro-Woolley</p>	<p>Comment 38 Attachment 2</p>	
<p><b>Issue:</b> Doesn't want events to be limited because many local businesses need the income which supports our economy. Wonders if there have been studies on the economy or ecology as to the effects of these proposed regulations.</p> <p>Kayalyn Stewart and Victor Hurtado, Mt Vernon</p>	<p>Comment 39 Attachment 2</p>	<p><i>A SEPA analysis was done on the proposed regulations and a determination of non-significance was made. This means that no significant environmental impacts from these proposed code changes have been determined.</i></p> <p><i>No economic studies have been done, although the Situation Assessment Report</i></p>

		<i>done by BERK consulting in 2021 describes the economics of agritourism in Skagit County and this report can be found on our website <a href="#">Skagit County Agritourism</a></i>
<p><b>Issue:</b> Agritourism is important to the economy, especially communities east of highway 9. These businesses need our support as they support other aspects of the economy.</p> <p>Brett Sanderstrom, Sedro Woolley</p>	<p>Comment 40 Attachment 2</p>	
<p><b>Issue:</b> Need to allow small farmers the flexibility to make money on other things besides farming. Would like the planning commission to make the best policy choice for the County even if that takes longer and means dragging out the process more. Urges the Planning Commissioners to not adopt these proposed code changes and continue to work on getting this right.</p> <p>Nancy Crowell, La Conner</p>	<p>Comment 41 Attachment 2</p>	
<p><b>Issue:</b> Had to start business Garden Path Fermentation on a property zoned light industrial which does not allow them to grow fresh ingredients on site. Was hopeful that new agritourism code could give their business a path forward. The current code proposal would not allow businesses like theirs to go forward in Skagit County and would urge the Planning Commission to consider an alternative that allows for more uses and farms.</p> <p>Ron Extract, Garden Fermentation Port of Skagit</p>	<p>Comment 42 Attachment 2</p>	
<p><b>Issue:</b> Believes the proposed code changes do more harm than good. Concerned that small farms will go under and be taken over by large corporate farms if they cannot get income from agritourism. Believes these venues foster a sense of community through their events and believes there should be fewer restrictions for small farms. They would propose to limit the indoor/outdoor events during the month of April 1<sup>st</sup> to October 31<sup>st</sup> to no more than 30 events and no event can start before 10am and must end by 10pm. They propose unlimited exclusive indoor</p>	<p>Comment 43 Attachment 2</p>	<p><i>Planning and Development Services would encourage any group or individual that has specific code proposals to submit these proposed code changes to the annual docket. The deadline for submission to the annual docket is the last business day of July.</i></p>



<p>events November 1 through March 31 because this would have a minimal impact to farming. They would require any new farm venue to get a special permit and review it every 3 years. They would establish a review board to review new and existing agritourism businesses for approval. This board could hear grievances and offer arbitration to resolve conflicts before litigation. Please reconsider the proposed changes and consider alternative solutions.</p> <p>Scott Self, Mt Vernon</p>		
<p><b>Issue:</b> Would like to express support for agritourism and wedding venue businesses because they attract tourists and are good for the economy.</p> <p>Sunchea Phou, Sedro -Woolley</p>	<p>Comment 44 Attachment 2</p>	
<p><b>Issue:</b> Does not support the proposed code because event venues and weddings are an important source of income.</p> <p>Judy Farrar, Mt Vernon</p>	<p>Comment 45 Attachment 2</p>	
<p><b>Issue:</b> Is a 3<sup>rd</sup> generation farmer and has observed many changes in agriculture over the years and believes that growers need to focus on a value-added specialty boutique product and sell directly to the public. The proximity to Seattle and Vancouver BC provides the opportunity for agritourism with an urban public. When the urban public can experience farms, it is good for legislation created to protect farms and therefore that is why they are in support of increasing instead of decreasing the opportunities for agritourism. Also thinks that farmers deal with unfounded complaints and there need to be better forms to take complaints and gave an example of what they would like for a complaint form.</p> <p>Larry Jensen, Mt Vernon</p>	<p>Comment 46 Attachment 2</p>	
<p><b>Issue:</b> Concerned that proposed code would have a chilling effect on the Tulip Festival.</p> <p>Cynthia L. Verge, Executive Director Skagit Valley Tulip Festival</p>	<p>Comment 47 Attachment 2</p>	<p><i>The intent of the proposed code was not to eliminate the Tulip Festival or other farm festivals.</i></p>

<p><b>Issue:</b> The proposed code changes will hurt small farms and owner drives by Salt Box frequently and has seen no problems.</p> <p>Mike Kmet, Mt Vernon</p>	<p>Comment 48 Attachment 2</p>	
<p><b>Issue:</b> We need to allow people to be entrepreneurs and so does not support these proposed code changes. Farmers and venues need to co-exist so that Skagit County can thrive.</p> <p>Shannon Axthelm, Mt Vernon</p>	<p>Comment 49 Attachment 2</p>	
<p><b>Issue:</b> The proposed code is overreaching and there needs to be more time to consider finding a middle ground. States that weddings are not as big as they used to be, and that people are having micro weddings, and this should be accounted for in the proposed code. Claims that the new code would prevent new farm stands from starting and would make it difficult to get permits.</p> <p>Claire Dimock, Skagit County</p>	<p>Comment 50 Attachment 2</p>	<p><i>The proposed code changes would not change any of the allowances for a farm stand and so it would not prevent new farm stands.</i></p>
<p><b>Issue:</b> Skagit County is lacking in large event space and as an artist who goes to fairs, event spaces are needed to support the small maker’s community. Believes that a solution lies more in communication and agreement from those using the venues and that it is too extreme to take them away. Please consider the economic impact.</p> <p>Diana Kralovic, Barn Cat Creations, Mt Vernon</p>	<p>Comment 51 Attachment 2</p>	
<p><b>Issue:</b> Would like to liberalize any limits on agricultural property owners and therefore opposes the proposed regulations. The reasons for are legal reasons (property rights), macroeconomic policy reasons – which means he think there is no objective reason to preserve farmland because 40% of our food is processed and we produce more than 20% excess food. Farmland preservation therefore has no support in policy or logic according to them. Thinks opposition to agritourism is hypocritical because many people attend these events. Doesn’t think this proposal contributes to the greater public good.</p>	<p>Comment 52 Attachment 2</p>	

Gary Duvall, Mt Vernon		
<b>Issue:</b> Does not support the proposed code changes because thinks there are not that many small farms and they should be allowed to have wedding for income, there are also other business that feed off wedding businesses.	Comment 53 Attachment 2	
Heather Smith, Mt Vernon		
<b>Issue:</b> Confused as to why this is being proposed. Concerned that this will push out small farmers and then only large corporation will be left to own farmland. States that it is already tough to have a small business in Washington State, this will make it harder.	Comment 54 Attachment 2	
Julia Phillip, Mt Vernon Chamber of Commerce Board Member		
<b>Issue:</b> A group calling themselves the Skagit Agritourism Stakeholder Group came up with proposed agritourism regulations based on a collaborative consensus decision-making model. These recommendations are discussed more in detail in Attachment 14 which details their proposed code recommendations.	Comment 55 Attachment 2	<i>Planning and Development Services would encourage any group or individual that has specific code proposals to submit these proposed code changes to the annual docket. The deadline for submission to the annual docket is the last business day of July.</i>
Skagit Agritourism Stakeholder Group		
<b>Issue:</b> In support of the press release from Skagitonians to Preserve Farmland that the proposed code revisions do conflict with their mission and their policy positions towards agritourism. Do not think the proposed amendments are consistent with the surveys done.	Comment 56 Attachment 2	<i>The survey was used as a tool for public involvement to let the public know that the County was working on agritourism related codes. It was not designed to be statistically significant, and therefore, cannot be extrapolated to be meaningful for the general population.</i>
Leslie Smith, La Conner		
<b>Issue:</b> Times change and the rules and regulations should change to make this work for everyone as a variety of business profit from the Skagit County wedding industry.	Comment 57 Attachment 2	
Morgan Randall, Mount Vernon		

### Attachment 3: More Time, Comment Summary

Comments From Citizens who would like more time (this does not include the Saving Skagit Venues comments that ask for more time)

22 – Written Comments: Friends of Skagit County

18 – Hearing Testimony

Organizations that commented on this: **Boldly Grown Farm, Willowbrook Manor, Bow Hold Blueberries, Samish Bay Cheese, Skagit Tourism Bureau, La Conner Gardens, Blanchard Mountain Farms**

<u>Issue / Person or Group Commenting</u> <i>Complete Comments are attached – see Attachment Number</i>	<u>Comment Numbers/Attachment Number</u>	<u>Department Response</u>
<b>Issue:</b> Comment requests more time and multi-stakeholder engagement is needed. This is an issue that will impact generations to come in Skagit County.  Nancy J. Chambers, Concrete, WA	Comment 1 Attachment 3	<i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i>
<b>Issue:</b> Comment requests more time and multi-stakeholder engagement is needed. This is an issue that will impact generations to come in Skagit County.  Susan Redd, Burlington	Comment 2 Attachment 3	<i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i>
<b>Issue:</b> Comment requests more time so that farmers and agritourism businesses can find a better way to co-exist. This is an issue that will impact generations to come in Skagit County.  Marcia Pratt, Sedro-Woolley	Comment 3 Attachment 3	<i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i>
<b>Issue:</b> Comment requests more time and multi-stakeholder engagement is needed. This is an issue that will impact generations to come in Skagit County.	Comment 4 Attachment 3	<i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i>

<p>We need to support local businesses.</p> <p>Kathryn Parker, Anacortes</p>		
<p><b>Issue:</b> Comment requests more time so that farmers and agritourism businesses can find a better way to co-exist. This is an issue that will impact generations to come in Skagit County.</p> <p>Elena Ramanauskas, Mt Vernon</p>	<p>Comment 5 Attachment 3</p>	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i></p>
<p><b>Issue:</b> Comment requests more time so that farmers and agritourism businesses can find a better way to co-exist. This is an issue that will impact generations to come in Skagit County. Agritourism is why the commentor decided to live in Skagit County.</p> <p>Kristine Beck, Mount Vernon, WA</p>	<p>Comment 6 Attachment 3</p>	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i></p>
<p><b>Issue:</b> Comment requests more time so that farmers and agritourism businesses can find a better way to co-exist. This is an issue that will impact generations to come in Skagit County. The volume of comments indicates that this proposal misses the mark. Concerned that voices and needs of beginning and small farmers have not been considered. Also, would like to note that the proposed agritourism code amendments were released to the public at the start of harvest which is a busy time for farmers and needs to be considered.</p> <p>Amy Fry, Boldly Grown Farm, Bow</p>	<p>Comment 7 Attachment 3</p>	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25. The proposed timing of the release of these code amendments was not intended to interfere with harvest.</i></p>
<p><b>Issue:</b> Comment requests more time so that farmers and agritourism businesses can find a better way to co-exist. This is an issue that will impact generations to come in Skagit County.</p> <p>Diana Hoffman, Mt Vernon</p>	<p>Comment 8 Attachment 3</p>	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i></p>
<p><b>Issue:</b> Comment requests more time so that farmers and agritourism businesses can find a better way to co-exist. This is an issue that will impact generations to come in Skagit County. Commentor describes</p>	<p>Comment 9 Attachment 3</p>	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i></p>

<p>how her newsletter for her business invited requests for comments on agritourism.</p> <p>Terry Gifford, Willowbrook Manor</p>		
<p><b>Issue:</b> Comment requests more time so that farmers and agritourism businesses can find a better way to co-exist. This is an issue that will impact generations to come in Skagit County.</p> <p>Julia Johnson, Mayor of Sedro Woolley</p>	<p>Comment 10 Attachment 3</p>	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i></p>
<p><b>Issue:</b> Comment requests more time so that farmers and agritourism businesses can find a better way to co-exist. This is an issue that will impact generations to come in Skagit County. Organic farmers must make compromises all the time based on conventional farms (buffer zones to make sure pesticides are not on crops) The volume of comments make it clear that this proposal misses the mark. Concerned about the voices of small and medium size farms, concerned they have been left out. Believes these farms provide valuable diversity. Concerned about the timing of the proposal with it being prime harvest time. Is part of the Agritourism Stakeholder Working Group. They need more time to get this right.</p> <p>Audrey Matheson, Co-Owner Bow Hill Blueberries</p>	<p>Comment 11 Attachment 3</p>	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25. The proposed timing of the release of these code amendments was not intended to interfere with harvest.</i></p>
<p><b>Issue:</b> Having operated Samish Bay Cheese for 25 years they see the benefits of agritourism. It allows for people from the city to have a connection with agriculture and get retail pricing, which allows a better profit. Agritourism is good for small and medium size farmers. For that reason, please extend the comment period to allow these farmers to have a voice in the process.</p> <p>Suzanne and Roger Wechsler, Samish Bay Cheese</p>	<p>Comment 12 Attachment 3</p>	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i></p>
<p><b>Issue:</b> Comment requests more time so that farmers and agritourism businesses can find a better way to co-exist. This is an issue that will impact generations to come in Skagit County.</p>	<p>Comment 13 Attachment 3</p>	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i></p>

Erika Queen, Mt Vernon		
<p><b>Issue:</b> Skagit Tourism Bureau has been working with a group of stakeholders to address concerns with proposed agritourism code changes. These changes would negatively impact agritourism businesses and thereby, the organizations’ ability to move forward with their plans to feature our vibrant agricultural community heritage as a central theme in their efforts.</p> <p>STB position regarding agritourism policy is as follows:</p> <ul style="list-style-type: none"> <li>• No policy should jeopardize the character or integrity of the Skagit Valley’s identity as bucolic and authentic, agriculturally vibrant landscape.</li> <li>• All policy decisions should apply best practices from other communities where agritourism has evolved to compliment farming.</li> <li>• No policy decisions should impose on, hinder, or otherwise negatively impact the ability of landowners and entrepreneurs to provide or develop experiences for visitors that align with the goal of celebrating and enhancing Skagit Valley’s established identity, so long as those experiences comply with existing code applying to business within the Ag-NRL zone, and are in line with established code governing like businesses in non-agricultural zones.</li> <li>• No policy decisions should provide for an unfair advantage for any individual or group over another.</li> </ul> <p>The STB would like to request more time to consider the stakeholder working groups recommendations.</p> <p>Jake Buganski, Skagit Tourism Bureau</p>	Comment 14 Attachment 3	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i></p> <p><i>Planning and Development Services would encourage any group or individual that has specific code proposals to submit these proposed code changes to the annual docket. The deadline for submission to the annual docket is the last business day of July.</i></p>
<p><b>Issue:</b> Comment requests more time so that farmers and agritourism businesses can find a better way to co-exist. This is an issue that will impact generations to come in Skagit County.</p>	Comment 15 Attachment 3	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i></p>

Chris and Margy Dariotis, Mt Vernon		
<p><b>Issue:</b> Comment requests more time so that farmers and agritourism businesses can find a better way to co-exist. This is an issue that will impact generations to come in Skagit County. Also disappointed that more of the input from the BERK survey was not incorporated into the proposed code. Very concerned that not allowing the public in barns will not allow school groups or another kind of group to visit a farm. Also concerned it will eliminate farm stands. Need small farms and big farms to be able to co-exist.</p> <p>Linda Versage, Skagit County</p>	Comment 16 Attachment 3	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i></p> <p><i>The proposed code changes would not change any of the allowances for a farm stand and it would not prevent new farm stands.</i></p>
<p><b>Issue:</b> Comment requests more time so that farmers and agritourism businesses can find a better way to co-exist. This is an issue that will impact generations to come in Skagit County.</p> <p>Christine McKellar, Mount Vernon</p>	Comment 17 Attachment 3	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i></p>
<p><b>Issue:</b> Comment requests more time so that farmers and agritourism businesses can find a better way to co-exist. This is an issue that will impact generations to come in Skagit County.</p> <p>Patricia Krause, Mount Vernon</p>	Comment 18 Attachment 3	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i></p>
<p><b>Issue:</b> Comment requests more time so that farmers and agritourism businesses can find a better way to co-exist. This is an issue that will impact generations to come in Skagit County. As a newcomer to Mount Vernon they enjoy all the farm businesses. Asks for more time to seek a middle ground.</p> <p>Jacqueline Sloan, Mount Vernon</p>	Comment 19 Attachment 3	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i></p>



<p><b>Issue:</b> Comment requests more time so that farmers and agritourism businesses can find a better way to co-exist. This is an issue that will impact generations to come in Skagit County.</p> <p>Anna MacKinnon, Sedro Woolley</p>	<p>Comment 20 Attachment 3</p>	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i></p>
<p><b>Issue:</b> Comment requests more time so that farmers and agritourism businesses can find a better way to co-exist. This is an issue that will impact generations to come in Skagit County.</p> <p>Marci Plank, Mt Vernon</p>	<p>Comment 21 Attachment 3</p>	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i></p>
<p><b>Issue:</b> Comment requests more time so that farmers and agritourism businesses can find a better way to co-exist. This is an issue that will impact generations to come in Skagit County.</p> <p>Erica Healy, Concrete WA</p>	<p>Comment 22 Attachment 3</p>	<p><i>The Planning Commission extended the Comment period by three weeks after the hearing on July 25.</i></p>

## Attachment 4 Opposed to SEPA determination, Comment Summary

Comments From Citizens who are opposed to the SEPA determination.

1 – Written Comments Maplehurst Weddings

Organizations that commented on this: Maplehurst Weddings

<b><u>Issue / Person or Group Commenting</u></b>  <i>Complete Comments are attached – see Attachment Number</i>	<b><u>Comment Numbers/Attachment Number</u></b>	<b><u>Department Response</u></b>
<p><b>Issue:</b> Commentor believes County Staff did not sufficiently analyze impacts per the requirement of the SEPA process. Commentor would like the economic impacts of the proposed code amendment to be analyzed with SEPA.</p> <p>Also believes that SEPA review should include:</p> <ul style="list-style-type: none"> <li>• Comprehensive Analysis</li> <li>• Addressing cumulative impacts</li> <li>• Outlining successful mitigation measures</li> </ul> <p>Also, would like to use prior case law to assure that their use is grandfathered in.</p> <p>Jessie Anderson, Maplehurst Farm, Mt Vernon</p>	<p>Comment 1 Attachment 4</p>	<p><i>SEPA stands for State Environmental Policy Act and this State law requires review of environmental impacts of a proposed project or non-project action. However, economic impacts are not analyzed as part of this process and are not considered as part of a SEPA determination. The SEPA official, who is the Planning Director for Skagit County, is the one that makes the call of whether it would be a determination of non-significance DNS, a mitigated determination of significance MDNS or a determination of significance DS. A DS would require an environmental impact statement is prepared. Given that the proposed code would likely reduce activity, trips on roads, the need for parking as a result, a determination of non-significance was made. Possible alternatives and mitigation for SEPA is only considered if a determination of significance is made. If that is the case alternatives are studied with an environmental impact statement, which these proposed code changes did not warrant.</i></p>

## Attachment 5, Addressing Fairness: Comments Summary

Comments Addressing Fairness

02 – Written Comments

Organizations that commented on this: Lisser & Associates

<u>Issue / Person or Group Commenting</u>	<u>Comment Numbers/Attachment Number</u>	<u>Department Response</u>
<p><b><i>Complete Comments are attached – see Attachment Number</i></b></p> <p><b>Issue:</b> Commenter is grateful that agritourism is being addressed but has concerns that any new code is applied equally and equitably. Finds the definition of agritourism unclear as it is specific as to what it is not but not very clear as to what it is. Has concerns that this broad definition will disallow events like the Tulip Festival and Gordon’s Pumpkins. Wonders if it is the intent to require special use permits for all existing operations? If this is the case, there will be impacts because many existing operations do not fit within the proposed code allowances. They wonder if the intent of this proposed code is to shut down all wedding venues. Also wonders how to draw the line between incidental and subordinate. Thinks there will be unintended consequences if these proposed code changes are adopted and that needs consideration. Also wonders how so many Wedding venues are operating in Ag-NRL if they are not legal. Would like the code to be applied fairly to all businesses so that they are permitted within the zone that they are. If the proposed code changes are meaningful then they must be applied fairly to everyone and that needs to be considered because that may cause unintended consequences.</p> <p>Bruce G. Lisser. Lisser and Associate Land Surveying</p>	<p>Comment 1 Attachment 5</p>	<p><i>The intent of the proposed code changes was not to eliminate the Tulip Festival or other farm events.</i></p> <p><i>Proposed code would allow up to 12 events related to agricultural production would be permitted with an Administrative Special Use permit.</i></p>

<p><b>Issue:</b> Concerns about the methodology used for the first BERK survey and second BERK survey. A critique of the two most troubling aspects of the BERK survey are the bias of questions and the sample size. The Commentor thinks the questions in the survey were designed to choose a “right answer” which is biased. They believe that because people did not know current code that was not presented the respondent was guided toward choosing new agritourism uses. Also thinks that data was not adequately collected or highlighted about ways that farmers are harmed by agritourism uses. No questions highlighting that indicates a bias towards agritourism uses.</p> <p>The sample size of the survey was inadequate as the responses were only from 0.13% of County residents and the response rate is less than 1%. States that policy should not be made on a basis of such a small number of people who have responded to a survey. Therefore, asks the Planning Commission and Board of County Commissioners to disregard the results of the survey in their deliberations.</p> <p>Also, as a retired psychologist, they think that it is human to take advantage of ambiguity and ask for forgiveness rather than ask for permission. If you give an inch, they will take a mile.</p> <p>Jean R. Eagleston, PhD Licensed Psychologist (Retired) Sedro- Woolley</p>	<p>Comment 2 Attachment 6</p>	<p><i>The purpose of the survey was designed for public involvement and was not scientific or statistically significant. The purpose was to let the entire county know that Planning and Development Services was working on new code for agritourism, as part of public involvement.</i></p> <p><i>There was discussion about whether to do a statistically significant survey instead of a questionnaire, but it would have had a much greater cost and reached out to fewer residents. The decision was made that the survey be designed to be more of a questionnaire for public involvement purposes. The results of the survey, therefore, cannot be extrapolated to the entire population of the County.</i></p>
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## Attachment 6, Farm Stands: Comments Summary

Comments in Support of Farm Stands

03 Written Comments

Organizations that commented on this: Bruce G. Lisser. Lisser and Associate Land Surveying

<u>Issue / Person or Group Commenting</u>	<u>Comment Numbers/Attachment Number</u>	<u>Department Response</u>
<b><i>Complete Comments are attached – see Attachment Number</i></b>		
<p><b>Issue:</b> Comment is concerned that proposed code changes would limit farm stands</p> <p>Jean Stephens, Bow</p>	<p>Comment 1 Attachment 6</p>	<p><i>The proposed code changes would not change any of the allowances for a farm stand and so it would not prevent new farm stands.</i></p>
<p><b>Issue:</b> Comment is concerned that proposed code changes would limit farm stands</p> <p>Patricia Klipple, Bow</p>	<p>Comment 2 Attachment 6</p>	<p><i>The proposed code changes would not change any of the allowances for a farm stand and so it would not prevent new farm stands.</i></p>
<p><b>Issue:</b> Comment is concerned that proposed code changes would limit farm stands</p> <p>Jacqueline Bunkley, Bow</p>	<p>Comment 3 Attachment 6</p>	<p><i>The proposed code changes would not change any of the allowances for a farm stand and so it would not prevent new farm stands.</i></p>
<b><i>Comments from Other Sections that Commented on Farm Stands</i></b>		
<p><b>Issue:</b> Comment believes the proposed code is overreaching and there needs to be more time to consider finding a middle ground. States that weddings are not as big as they used to be, and that people are having micro weddings now these needs to be considered in the proposed code. Claims that the new code would prevent new farm stands from starting and would make it difficult to get permits.</p> <p>Claire Dimock, Skagit County</p>	<p>Comment 51 Attachment 2</p>	<p><i>The proposed code changes would not change any of the allowances for a farm stand and so it would not prevent new farm stands.</i></p>

## Attachment 7 Economics: Comments Summary

Comments Economics and Agritourism (These comments are also in other sections of the Staff report)

29 – Written Comments

Organizations that Commented on this – Skagit’s Best Salsa, Garden Path Fermentation, Rose and Sparrow Floral Design, Maplehurst Farm

<u>Issue / Person or Group Commenting</u>	<u>Comment Numbers/Attachment Number</u>	<u>Department Response</u>
<p><b><i>Complete Comments are attached – see Attachment Number</i></b></p> <p><b><u>Issue:</u></b> The proposed definition of agritourism is supported by existing code. Additionally, the concept that building and facilities should be used in support of agriculture, rather than for hosting of event venues, is a concept that already exists in code and these proposed code changes just clarify an already existing concept in code.</p> <p>Is in support of the essential common-sense features of the proposal to protect ag. land. The notion of good and bad actors is moot point because you can’t guarantee that. Therefore, a regulatory framework is necessary to keep everyone honest, on the same page, and fair so the rules are equal to all.</p> <p>Venues and non-agricultural activities that were never legal cannot be grandfathered into legitimacy in their opinion.</p> <p>Non-agricultural activities will be harder to rein in if we open the window legislatively to allow more uses and the possibilities are endless if this is driven by economic rationale, needing income. Agriculture may not be the most profitable use of these lands but that is even more</p>	<p>Comment 23 Attachment 1</p>	

<p>reason to protect them because you cannot eat agritourism or get land that has been developed back.</p> <p>Terry Sapp</p>		
<p><b>Issue:</b> Without protection the agricultural economy will weaken in Skagit County</p> <p>Michael Hughes, Chair of AAB Email submitted 8/17/23</p>	<p>Comment 24 Attachment 1</p>	
<p><b>Issue:</b> Support allowing farm venues to host weddings and other events because these businesses are important to the community. Farming and events go hand in hand, and this can be a win-win. The reasons to support events are economic resilience, preservation of agricultural heritage, local business support and community pride. As a small business owner, she urges the Planning Commission and Commissioners to work collaboratively with farm owners to find a compromise.</p> <p>Jill Rohrs, Skagit’s Best Salsa Company, Anacortes, WA</p>	<p>Comment 1 Attachment 7</p>	
<p><b>Issue:</b> Concerned with the economic fall out of the proposed code changes and would like to know if and how economic impact has been considered. Also, would like to know if farms that events have endanger their agricultural or open space zoning. Doesn’t think that changing the event numbers from 24 to 12 will stop those people at events that have bad behavior. Would like the results of the survey to guide decision making. Wonders if this is an issue of big farms vs small farms. Would like any agritourism regulations to be on the side of enabling the growth of small business to ensure the economy will prosper at every level.</p> <p>Angela Napoliello-Ivory, Mt Vernon</p>	<p>Comment 2 Attachment 7</p>	
<p><b>Issue:</b> Would like to see farmland preserved but have come to see the growing role of agritourism in the economy. The limited definition of agritourism proposed is short-sighted and should acknowledge that event venues and farmers can coexist amicably with mutual benefit. Many family farms are not sustainable without the income from an event venue. The proposed code if adopted would have negative</p>	<p>Comment 3 Attachment 7</p>	

<p>economic impacts on many support businesses to event venues like motels, caterers, florists, etc. Would like more than just the AAB to be involved in proposing new code.</p> <p>Anne and Ken Winkes, Conway</p>		
<p><b>Issue:</b> According to the commenter in the next ten years, 70% of farmers in Skagit County will be at retirement age and their families do not plan on continuing to farm. This may result in corporate takeover of Skagit farming. Farmers should be able to do what they want with their land and that includes event venues. Concerns that farms may die out and that these proposed code changes will contribute to that.</p> <p>Erika Wudtke, Mt Vernon</p>	<p>Comment 4 Attachment 7</p>	<p><i>The growth management act and zoning codes passed by Skagit County limit what activities occur on farmland. The purpose of these regulation is to prevent farmland from being converted into non-agricultural uses. If there were no zoning laws, likely much of our farmland that we have today would not be preserved.</i></p>
<p><b>Issue:</b> Commentor thinks that “events” could also apply to the Tulip Festival, which in that case would shut down all agritourism in Skagit County. Says they don’t have any instances of where an event has impeded or caused hardship to its neighbors.</p> <p>Events such as weddings funerals and dinners allow many supports business to share in the revenue.</p> <p>Floyd Garner, Sedro Woolley</p>	<p>Comment 5 Attachment 7</p>	<p><i>The intent of the proposed code changes was not to change the Tulip Festival Event.</i></p>
<p><b>Issue:</b> As a customer of Willowbrook Manor they don’t see any reason the use of this property should be limited or reduced and therefore do not support these code changes. Willowbrook manner offers a fair share of property and or business tax revenues.</p> <p>Gifford T Jones, Anacortes</p>	<p>Comment 6 Attachment 7</p>	
<p><b>Issue:</b> The proposed code regulations could have a negative effect on the Skagit County economy. Concerned that small farms might be forced to sell to large corporations. Urges a middle ground that might allow for both viewpoints. Quotes the survey that 68% of the Skagit public supports these events.</p>	<p>Comment 7 Attachment 7</p>	<p><i>The survey was not statistically significant and had a small sample size so the results cannot be extrapolated to represent the opinions of the general public.</i></p>



Jacob McFarland, Mt Vernon		
<b>Issue:</b> Concerned about the loss of venues and reduction of income with the proposed code. If there are bad actors why not consider penalties like fines for disrupting farming. Suggests that venues should have some security requirements from guests. There should be routes to stop bad behavior but not having agritourism is not the right answer.	Comment 8 Attachment 7	<i>Skagit County cannot regulate how private businesses ensure good behavior from their patrons.</i>
Jan Gordon, Bow		
<b>Issue:</b> The visitors from events on farmland stay in hotels and support other businesses in La Conner and Skagit County. They argue that wedding venue use is no different from the Tulip festival other than the events are spread out throughout the year. Allowing venues helps farms stay profitable and helps the economy.	Comment 9 Attachment 7	
Joseph Lisenby, La Conner		
<b>Issue:</b> Oppose the proposed code changes because small farmers are important to our future, and they need the extra income. Hopeful that there can be compromise.	Comment 10 Attachment 7	
Judith Chilcote, Mt Vernon		
<b>Issue:</b> Would like to allow lots of types of agritourism including Weddings, AirBnB, festivals, produced and ice cream stands, but would draw the line at large events like concerts but not the Tulip festival. Restriction of these events will have a negative impact on the economy.	Comment 11 Attachment 7	
Larry Hillard, Mt Vernon		
<b>Issue:</b> Writing on behalf of the vote to save Skagit Farm Venues, does not think the venues part of this petition have encroached on farmland. Instead, they have been custodians of the land and have contributed to the economy. The event income helps historical preservation and existence of these farms.	Comment 12 Attachment 7	
Nick Cecotti, Mt Vernon		

<p><b>Issue:</b> Concerned as to how the changes will affect the hospitality industry. As owners of Double Barrel BBQ, they have catered hundreds of weddings in Skagit County. The business was hurt by COVID, and their concern is that this proposed regulation will hurt their business more and hurt other small businesses.</p> <p>Nancy Katapodis Lee, Sedro Woolley</p>	<p>Comment 13 Attachment 7</p>	<p><i>The proposed regulation would not impact wedding venues that are not in Ag-NRL and those wedding venues could continue their businesses.</i></p>
<p><b>Issue:</b> Tourists come here to experience what they do not have where they live. If agritourism is not permitted, then we will not have tourism. If needed set limits on non-agricultural improvements to farmland.</p> <p>Norma and Peter Shainin, Mt Vernon</p>	<p>Comment 14 Attachment 7</p>	
<p><b>Issue:</b> Concerned about wording. Concerned that with wording the public will not be able to access farm stands. Concerned with the requirement that it be an active farm. Thinks that should not be a requirement.</p> <p>Robin Haglund, Mt Vernon</p>	<p>Comment 15 Attachment 7</p>	<p><i>Farm Stands are permitted outright if 300 square feet or less. If they are larger than that, they would need an administrative special use. No barns are 300 square feet or less so farm stands that are small continue to be outright permitted.</i></p> <p><i>The AAB wanted the requirement of an active farm because they are concerned that if it is more profitable to do events, this would cause farming operations to cease, and would therefore result in a loss of productive agricultural lands.</i></p>
<p><b>Issue:</b> The agriculture industry does not have the economic ability to generate an economy capable to meet the needs of the County as a whole. For this reason, the County must look beyond farming for economic opportunities. Thinks that Skagit County has allowed farming excessive influence in the political processes that balance the economy. Commentor believes we need to recognize the prime location between Seattle and Vancouver instead of hanging on to an old economy of farming.</p>	<p>Comment 16 Attachment 7</p>	

Ron Hass, Bow		
<p><b>Issue:</b> It was wonderful to see so many people at the hearing for the proposed code changes but is concerned about how these proposed changes may impact their businesses. Thinks small farms and event venues provide memorable experience and helps support small farms. The conflicts between working farms and agritourism are overblown in their opinion. Also claims that large farms don't get permits either, so she doesn't think it is fair to just blame event venues. Thinks new code is needed that allows for more agritourism.</p>	Comment 17 Attachment 7	
Susan Hughes-Hayton		
<p><b>Issue:</b> Doesn't want events to be limited because many local businesses need the income which supports our economy. Wonders if there have been studies on the economy or ecology as to the effects of these proposed regulations.</p> <p>Kayalyn Stewart and Victor Hurtado, Mt Vernon</p>	Comment 18 Attachment 7	<p><i>A SEPA analysis was done on the proposed regulations and a determination of non-significance was made. This means that no large negative environmental impacts from these proposed code changes have been determined.</i></p> <p><i>No economic studies have been done, although the Situation Assessment Report done by BERK consulting in 2021 describes the economics of agritourism in Skagit County and this report can be found on our website <a href="#">Skagit County Agritourism</a></i></p>
<p><b>Issue:</b> Agritourism is important to the economy, especially communities east of highway 9. These businesses need our support as they support other aspects of the economy.</p> <p>Brett Sanderstrom, Sedro Woolley</p>	Comment 19 Attachment 7	
<p><b>Issue:</b> Had to start business Garden Path Fermentation on a property zoned light industrial which does not allow them to grow fresh ingredients on site. Was hopeful that new agritourism code could give their business a path forward. The current code proposal would not allow businesses like theirs to go forward in Skagit County and would</p>	Comment 20 Attachment 7	

<p>urge the Planning Commission to consider an alternative that allows for more uses and farms.</p> <p>Ron Extract, Garden Fermentation Port of Skagit</p>		
<p><b>Issue:</b> Believes the proposed code changes do more harm than good. Concerned that small farms will go under and be taken over by large corporate farms if they cannot get income from agritourism. Believes these venues foster a sense of community through their events and believes there should be fewer restrictions for small farms. They would propose to limit the indoor/outdoor events during the month of April 1<sup>st</sup> to October 31<sup>st</sup> to no more than 30 events and no event can start before 10am and must end by 10pm. They propose unlimited exclusive indoor events November 1 through March 31 because this would have a minimal impact to farming. They would require any new farm venue to get a special permit and review it every 3 years. They would establish a review board to review new and existing agritourism businesses for approval. This board could hear grievances and offer arbitration to resolve conflicts before litigation. Please reconsider the proposed changed and consider alternative solutions.</p> <p>Scott Self, Mt Vernon</p>	<p>Comment 21 Attachment 7</p>	<p><i>Planning and Development Services would encourage any group or individual that has specific code proposals to submit these proposed code changes to the annual docket. The deadline for submission to the annual docket is the last business day of July, which means if submitted by next July.</i></p>
<p><b>Issue:</b> Would like to express support for agritourism and wedding venue businesses because they attract tourists and are good for the economy.</p> <p>Sunchea Phou, Sedro- Woolley</p>	<p>Comment 22 Attachment 7</p>	
<p><b>Issue:</b> Does not support the proposed code because event venues and weddings are an important source of income.</p> <p>Judy Farrar, Mt Vernon</p>	<p>Comment 23 Attachment 7</p>	
<p><b>Issue:</b> The proposed code changes will hurt small farms and owner drives by Salt Box frequently and has seen no problems.</p> <p>Mike Kmet, Mt Vernon</p>	<p>Comment 24 Attachment 7</p>	

<p><b>Issue:</b> We need to allow people to be entrepreneurs and so does not support these proposed code changes. Farmers and venues need to co-exist so that Skagit County can thrive.</p> <p>Shannon Axthelm, Mt Vernon</p>	<p>Comment 25 Attachment 7</p>	
<p><b>Issue:</b> Would like SEPA to analyze the economic impacts of the proposal because they believe there would be a loss of millions of dollars to the surrounding economy by passing this proposal.</p> <p>Jessie Anderson, Maplehurst Farm Mount Vernon</p>	<p>Comment 26 Attachment 7</p>	<p><i>SEPA is a state policy that assesses environmental impacts but does not analyze economic impacts.</i></p>

### Attachment 8 Conservation Easements and Agritourism: Comments Summary

Comments Easements and Agritourism: There was one comment that suggested using conservation easements and the farmland legacy board to administer agritourism permits.

- 01 – Written Comments
- No Hearing Comments
- No Organizations that Commented on this

<p><b><u>Issue / Person or Group Commenting</u></b></p> <p><b><i>Complete Comments are attached – see Attachment Number</i></b></p>	<p><b><u>Comment Numbers/Attachment Number</u></b></p>	<p><b><u>Department Response</u></b></p>
<p><b>Issue:</b> Conservation easement agreements should be created to allow unlimited agritourism uses of agritourism so long as farming takes precedence as the primary use. Thinks the conservation futures advisory board should create and amend conservation easements to allow agritourism and monitor it.</p> <p>James Ferguson, Anacortes, WA</p>	<p>Comment 1 Attachment 8</p>	<p><i>The Conservation Futures Advisory Board has not been involved in any of the proposed agritourism policy or code proposals.</i></p>

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## Attachment 9 Comments with Multiple Viewpoints, Comments Summary

Comments with multiple viewpoints There were four comments that urged a compromise is made between agritourism and farmland preservation.

04 – Written Comments

08– Hearing Testimony

Organizations that commented on this: **S&B Farms**

<u>Issue / Person or Group Commenting</u>	<u>Comment Numbers/Attachment Number</u>	<u>Department Response</u>
<p><b><i>Complete Comments are attached – see Attachment Number</i></b></p>		
<p><b>Issue:</b> Comment states that we need to keep agriculture as a food producer in Western Washington viable. This is important for food security and because most of the State’s population is east of the cascades. Works with Skagit Counties Food Insecurity Work Group. When the commenter hears people say that there is no code path to do what they want she lets them know that this is the purpose of zoning to keep incompatible uses separate. Event business put liability risks to neighboring farms and impede their ability to operate properly and in farming timing is everything so this can have big consequences. Thinks that some event vendors do not care about the sacrifice that happens regularly on their behalf to not spray when they have guests in attendance and put up with extra traffic. Is glad the Planning Commission extended the comment period to help come up with a compromise. The proposed code would shut down part of the tulip festival and believes this may be an unintended consequence of the proposal. We need Skagit County to protect farmers and farming.</p>	<p>Comment 1 Attachment 9</p>	<p><i>The intent of the proposed code changes was not to eliminate the Tulip Festival.</i></p> <p><i>The Planning Commission extended the comment period to August 17, 2023.</i></p>

Jennifer J Smith, Mount Vernon		
<b>Issue:</b> Commenter would like a compromise to be reached so that small farms that depend on this income are not put out of business. Does not want corporate farms to buy up small farms.	Comment 2 Attachment 9	
Michael Blade, La Conner		
<b>Issue:</b> Commenter has had family members get married at farm venues and has good memories of it. They also think that these wedding venues bring money to the local economy. They think there is a need for some regulation and enforcement but does not want to crush all venues and agritourism uses all together. Should find a compromise or way that the venues and farmers can coexist.	Comment 3 Attachment 9	
Scott Railton, Mt Vernon		
<b>Issue:</b> Sees both sides and think there should be a compromise.	Comment 4 Attachment 9	
Chelsea Thornton, Skagit County		



# Planning & Development Services

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1800 Continental Place ▪ Mount Vernon, Washington 98273  
office 360-416-1320 ▪ pds@co.skagit.wa.us ▪ www.skagitcounty.net/planning

## **Attachment 10: Comments Outside of Skagit County**

There were 36 comments received (not including Save Skagit Venues) that were not from Skagit County. These comments are off the record and can be viewed in attachment 10.

36 – Written Comments emailed or mailed to Skagit County not as part of any organization or petition  
342 Comments on the Change.org petition was from Outside of Skagit County (these comments have not been provided in the attachment)

02– Hearing Testimony – two people who testified at the hearing were not from Skagit County

## **Attachment 11: Incomplete Comments**

There were 151 comments that were received with incomplete information. Given that these comments are incomplete, they are off the record; these comments can be viewed in Attachment 11.

151– Written Comments had incomplete information

## **Attachment 12: Comments received after the deadline.**

Twenty-three comments were received after the deadline of 8/17 and are therefore off the record. These comments can be viewed in Attachment 12.

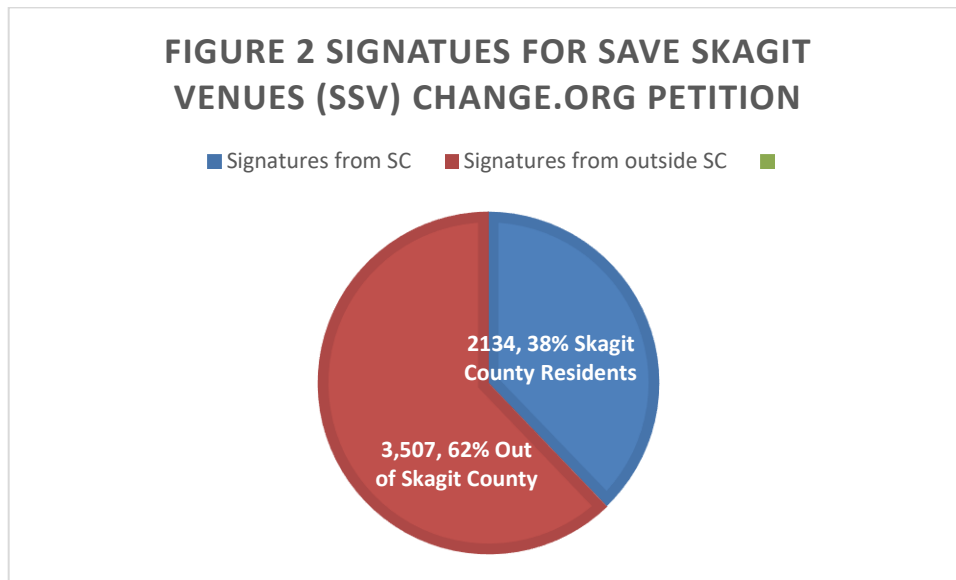
21 – Written Comments received after the deadline of 8/17

## **Attachment 13: Save Skagit Venues, Comments Summary**

An organization called Save Skagit Venues created a Change.org petition in response to the proposed AAB agritourism proposal. This organization and petition were created in opposition to the proposed AAB agritourism code changes. This website allowed the public to sign the petition against adopting the proposed AAB code changes and allowed for the petitioners to leave a comment on the website. Save Skagit Venues submitted an excel spreadsheet with all the signatures in the petition and an excel spreadsheet with all the petitioners that left comments in addition to signing the petition. The total number of petitioners that signed Save Skagit Venues was 5,641. Going through the excel spreadsheet



and removing all of the petitioners who do not live in Skagit County, 2,134 people from Skagit County signed this change.org petition, which is 37.8% of the signatures.

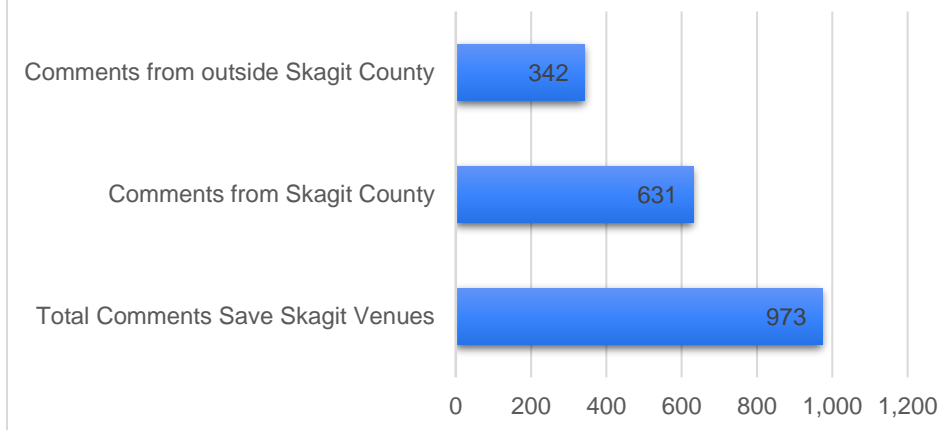


The Change.org petition included an excel spreadsheet from Save Skagit Venues that had comments submitted on the proposed code changes. This organization submitted 974 comments total. Of those comments, 645 gave Skagit County addresses, therefore approximately 66% of the Comments were from Skagit County on the Change.org site. The comments from Skagit County residents are included in Attachment 15. Also included in attachment 15 is the request from Friends of Skagit County to Change.org to remove the petition.

### Summary of Change.org Comments Submitted

The comments submitted on this website are opposed to the proposed agritourism code provisions. These comments also requested that the comment period for this proposed code provision be extended. These comments request that Skagit County extend the comment period, even beyond the 8/17/23 deadline. The comments state that they are in support of Saving Skagit Farm venues, which is a group formed to oppose the proposed code changes by the AAB. The comments also reference the BERK survey done in the fall of 2022 as evidence that there is support for agritourism uses. They discuss how Skagit County is part of Washington’s tourist industry and how they believe that Skagit County should embrace that. The commentors don’t think there is any reason to restrict agritourism businesses and that we need these venues for gathering. There are concerns that Skagit County is making decisions without hearing all the voices of Skagit County. Comments from Save Skagit Venues are concerned that this proposal does not take all economic impacts into consideration, as Skagit County depends on tourism. Comments are in support small local businesses, and they fear that this proposal will jeopardize small businesses that work in the wedding and event business. There are multiple comments that agritourism businesses keep agricultural land viable economically, especially for small farmers. There were multiple comments that we need more agritourism type businesses not fewer. There were also comments that agritourism is an important way to connect customers with their food, so the public understands farming. There were multiple comments that questioned whether the voices of small farms were considered in this proposal. There were many comments requesting more time and multiple requests to consider all perspectives in any agritourism proposal.

**Figure 3 Comments on Save Skagit Venues Change.org Petition**



Friends of Skagit County and their Executive Director, Ellen Bynum, emailed Change.org on Friday July 21, 2023, and requested that the petition created for Save Skagit Farm Venues.Com be removed because it violated the Change.org community policies by having misinformation on the website. The community policies on the Change.org stated that the organization would remove content and the petition if it was found that the policies had been violated. The reason Friends of Skagit County asked for this petition to be removed was because the website contained misinformation, disinformation and was misleading. Change.org did not remove the petition at the request of Friends of Skagit County.

### **The email sent to Change. Org from Friends of Skagit County 7/21/23:**

- Skagit County is proposing code changes because of non-farm related businesses operating in the agriculture - Natural Resource Lands (Ag-NRL) zone. A few farms in the zone have hosted weddings and other public events that are not an accessory use to farming and are not a permitted use in the Ag-NRL zone.
- Here is [Skagit County's analysis of the proposed code changes in the county's staff report](#). The exact language of the proposed changes is at the bottom of the document. The background and rationale for the proposed changes is in the report.
- The Agricultural Advisory Board, a volunteer citizen committee made of farmers and landowners, researched and proposed these changes to clarify the code and as a solution to the problem of event venues on farms operating unpermitted accessory activities, some for many years.
- Petitioners claim the new code "will severely limit and restrict Skagit farm venues, farm stands, and all agritourism businesses". This is simply untrue. Farm related activities like farmstands, farm festivals, farm tours or other agricultural related accessory uses and activities are unchanged. Roadside stands are permitted with size conditions.
- Under 14.16.400 Ag - NRL permitted uses do not include weddings or other public events like music concerts. Permitted accessory uses cannot interfere with the active and ongoing farm

operations. Permitted accessory uses are secondary to farming and must be related to the activities listed in the code.

- The primary function of Skagit County's Ag-NRL zone is the production and distribution of food and fiber. Skagit County's definition of agritourism only includes accessory activities that are secondary to the production and/or distribution of food and fiber and are related to farming. The proposed code changes states "Celebratory gatherings, weddings, parties, or similar uses that cause the property to act as an event center or that take place in structures specifically designed for such events are not agritourism."
- Please see the code below 14.16.400 for the list of permitted uses.
- The County's Special Use Permit (SUP) currently allows property owners in any zone to hold temporary permitted events up to 24 days of events per year. The proposed code changes reduce to 12 the number of days temporary permitted events can be held in the Ag-NRL zone only. The code for other zonings has respective lists of permitted activities in that code.
- The Washington State Growth Management Act (GMA) requires Skagit County to identify and protect prime agricultural soils for food and fiber production in perpetuity. Other counties may or may not be in compliance with the GMA and their codes reflect various levels of protection for the other counties' farmland. Skagit County is one of last remaining commercial farming area in western Washington because of its commitment to not allow conversions of farms and farmland to other uses. Skagit County also wants to avoid speculative purchases of farms for other uses. Clarifying the codes lets prospective buyers know that farmland is to be used for food and fiber production and farm and agriculturally related accessory activities that are included in the code can be permitted with a special use permit.
- The proposed code changes are the result of over two years of work by the Skagit Planning Commission, Skagit Planning & Development Services, the Skagit County Agricultural Advisory Board and BERK Consultants. All materials from meetings concerning the Agritourism study and associated work were publicly noticed, and minutes of the Planning Commission are posted on the County website. The upcoming hearing is part of the process of taking testimony from the public on the proposed code and will be part of the legal record that the Planning Commission members will review in order to make their recommendation to the Skagit County Board of County Commissioners.

As reported by the Friends of Skagit County, their request to have Change.org take down the petition was unsuccessful.

## **Attachment 14 Agritourism Multi-Stakeholder Group Comment Summary**

A group called Agritourism Multi-Stakeholder Group, which is made up of businesses that have event venues or agritourism type activities, tourist organizations, the tulip festival organization and Skagitonians to preserve farmland was formed in response to the proposed code changes by the AAB. The stakeholders in this group are listed below. This group was formed with the mission to

collaboratively come up with a counter proposal of code that could be adopted regarding agritourism. A professional facilitator was hired to gather the ideas from the representatives of these groups and develop the proposal below.

**Stakeholders in this Group:**

- Big Lake Trees & Events
- Boldly Grown Farm
- Christianson’s Nursery
- County Cousins, Inc.
- Eagle Haven Winery
- Gordon Skagit Farms
- Maplehurst Farm
- Salt Box Barn
- Skagit County Farm Bureau
- Skagit Tourism Bureau
- Skagitonians to Preserve Farmland
- Skagit Tulip Festival
- Skagit Valley Wedding Rentals
- Washington Bulb/RoozenGaarde
- Willowbrook Manor

This group recommends adding the following **definitions to SCC 14.04.020**

**Agritourism** – Agritourism is a commercial enterprise at a working farm, ranch, or other agricultural business for the enjoyment of visitors that generates supplemental income for the owners. Activities may involve education, entertainment, outdoor activities, hospitality, life events, farm events, food service, farm stays, or similar purpose. These activities link to and support the primary agriculture activity of the land and its economic viability. Agritourism activities are separate and distinct from Farm-based businesses and agricultural support services.

**Farm Event Venue**-means an ongoing business operation at a privately-owned facility or site within the Ag. Natural Resource Land (Ag-NRL) zone for the purpose of hosting Agritourism events or activities.

This stakeholder group recommends amending the following existing definitions in SCC 14.04.020

**Agricultural support services**- any nonagricultural use which is directly related to agriculture and directly dependent upon agriculture for its existence. These support services generally exist off-site and within districts that are intended to facilitate the production, marketing, and distribution of agricultural products. **Agricultural support services are separate and distinct from Farm-based businesses and agritourism.**

**Farm-based business** – 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 and Agritourism.**

This stakeholder group recommends including **Agritourism** as an agricultural accessory use subject to the following:

- Demonstration of farm income as evidenced by IRS federal form Schedule E, F or equivalent. Agricultural Lease income may be included pursuant to Skagit County's implementation of Chapter 84.34 RCW, Open Space Taxation Act.
- Will not result in the permanent conversion of farmland.
- Will not interfere with surrounding farming operations and practices.
- Agritourism activities are subject to Skagit County's right to farm ordinance No. 12815 incorporated therein.
- Will provide experiences to visitors that promote and enhance Skagit agriculture overall.

This group recommends that Skagit County create a **limited entry permit system for Farm Event Venues** with a primary purpose of Agritourism.

- Establish a cap on total number of permits available with preference for existing Farm Event Venues.
- Limited Entry Farm Event Venue Permits should be subject to renewal every three (3) to five (5) years.

This group recommends adding to **permitted uses within SCC 14.16.400(2)**

- **Farm Event Venues** serving no more than 25 persons for the primary purpose of providing educational classes, direct instruction, workshops, trainings or similar, which are directly related to on-site agricultural production.

This group recommends adding the following to Administrative Special Uses within SCC 14.16.400(3)

- **Farm Event Venues** serving up to 100 persons for the purpose of agritourism subject to the following:
  - Events may occur no more than 24 days per year.
  - No new buildings can be built except when using the footprint of an existing building or from an existing foundation that is still intact.
  - A conservation easement with a binding site plan is placed on the subject parcel where the Farm Event Venue is located.

This group recommends adding the following Hearing Examiners Special Uses within SCC 14.16.400(4)

- **Farm Event Venues** serving more than 100 persons and/or occurring more than 24 days per year, for the purpose of agritourism subject to the following:
  - Events may occur more than 24 days per year as determined by the Hearing Examiner based on site-specific evaluation and if events do not create a detrimental level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic or other impacts to adjacent farming operations, neighbors, and/or other environmental impacts on the surrounding area.
  - No new buildings can be built except when using the footprint of an existing building or form an existing foundation that is still intact.
  - A conservation easement with a binding site plan is placed on the subject parcel where the Farm Event Venue is located.

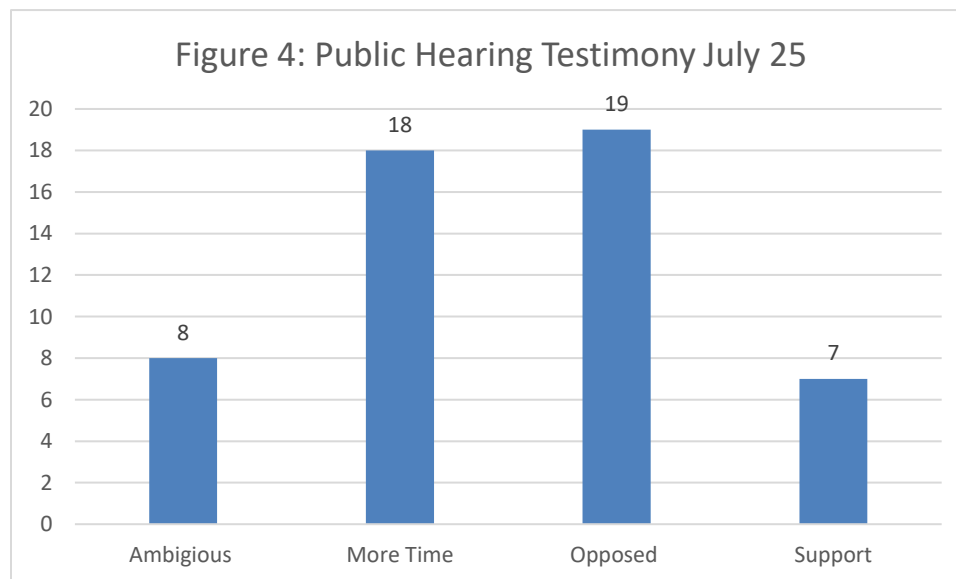
Department Response:

*Planning and Development Services would encourage the Skagit Agritourism Stakeholder Group to submit these proposed code changes to the annual docket. The deadline for submission to the annual docket is the last business day of July.*

A copy of the letter that has this proposal in more detail can be found in **Attachment 14**.

## **Attachment 15 Public Hearing Comments**

A copy of the public comments received at the public hearing can be found in Attachment 15. Included in this attachment is an index of the comments and each comment transcribed. There were a total of 52 public comments given at the public hearing. Of the testimony at the public hearing, seven spoke in support of the proposed code changes, 19 spoken in opposition, 18 requested more time and 8 of the comments had multiple viewpoints. Two people who gave testimony at the hearing were not residents of Skagit County.



## **Next Steps**

The Planning Commission is scheduled to consider these proposed agritourism code changes for deliberations in late November or early December 2023. Given the volume of comments if the Planning Commission needs more time to process and understand the comments prior to deliberations, the proposed deliberation date may be delayed. Pursuant to SCC 14.08.080(4) and (5), the Planning Commission shall consider public comments and deliberate on any proposed plan, plan amendment, or development regulation. At the completion of its deliberations, the Planning Commission shall vote to recommend adopting, not adopting, or amending the proposed amendments. Recommendations shall be by a recorded motion which shall incorporate findings of fact and the reasons for the recommendations.

**Attachment Index**

Attachments with multiple comments include an index as the first page of the attachment, which numbers each comment.

<b>Attachment 1</b>	Comments in Support – 24 Written Comments
<b>Attachment 2</b>	Comments Opposed -55 Written Comments
<b>Attachment 3</b>	Comments requesting More Time -22 Written Comments
<b>Attachment 4</b>	Comments opposed to SEPA determination 1 Written Comment
<b>Attachment 5</b>	Comments addressing fairness – 2 written comments
<b>Attachment 6</b>	Comments addressing farm stands – 3 written comments
<b>Attachment 7</b>	Comments addressing economics 29 written comments
<b>Attachment 8</b>	Comments addressing Conservation Easements and the Conservations Futures Board – 1 written comment
<b>Attachment 9</b>	Comments with multiple viewpoints – 4 written comments
<b>Attachment 10</b>	Comments not from Skagit County – 37 written comments
<b>Attachment 11</b>	Comments that are incomplete -151 written comments
<b>Attachment 12</b>	Comments that were received after the deadline – 22 written comments
<b>Attachment 13</b>	<ul style="list-style-type: none"><li>• Comments from Save Skagit Venues – 645 Comments from Save Skagit Venues from residents of Skagit County</li><li>• Comment 646 Copy of the email sent by Friends of Skagit County to remove the Change.org petition because it included misinformation about the proposed code changes.</li></ul>
<b>Attachment 14</b>	Comment letter from Agritourism Multi-Stakeholder Group
<b>Attachment 15</b>	Public Hearing Comments – 52 verbal comments – 2 comments were not from Skagit County

