

**Community Advisory Group on Agritourism Policy
Third Meeting
April 24, 2025**

**Community Advisory
Group Members:**

**Jen Schuh, Schuh Farms
Amy Frye, Boldly Grown Farm
Kristen Keltz, Skagit Tourism Bureau
Kai Ottesen, Hedlin's Family Farms
Jessie Anderson, Maplehurst Farms
Rob Ashby, Skagit Valley Tulip Festival
Audrey Matheson, Bow Hill Blueberries
Darrin Morrison, Morrison Farms
Matt Steinman, Foothill Farms
Tony Wisdom, Skagit Vally Farm (absent)**

Others (Public):

**Terry Sapp, Agricultural Advisory Board
Kim Rubenstein, Skagitonians to Preserve Farmland
Lora Claus, Skagitonians to Preserve Farmland**

Facilitator:

Meg Harris, Triangle Associates

County Staff:

**Jack Moore, Planning Department Director
Tara Satushek, Senior Planner**

Meg Harris: ...kind of for introductions and hellos, an orientation, and then we'll dive into the content _____. So you'll see at the top of this agenda it says "Revised Agenda." It's slightly different than the agenda I _____ out last Thursday for your review. So I'm going to point you to what's changed. Anything different I printed in color so that anything that's different shows up in purple and you can just note where those changes are.

We have a bit of the beginning of the meeting for an orientation and kind of re-orientation to what we're doing. So we'll spend a little time on this agenda and the action items from the 10th. And then the biggest change that pushed things down the agenda is before we dive into new content and the status of what other parallel processes are happening and the materials for the summary of *King County v. Sammamish Valley*, I wanted to re-center us in the conversation we had last meeting and just kind of get our brains back in dync with these. So I've added up to a half-hour – we may not use that whole time – for reflections on the April 10th conversation. And I've put here what the invitation is. I'm going to ask you to think kind of individually, as a pair, and then as a group. Just a couple of reflections that'll help us – again, kind of round us back in where we were when we left on April 10th. And I think that – the intention of that specifically – you know, all of these meetings build on one another and every meeting – we can talk about this as we go into the overview document, but essentially like the framework, if you look at this meeting arc. Where we have these five remand topics that we're looking at that _____. You spent a few

minutes of the first meeting identifying kind of the order in which you felt they needed to be addressed. We'll address each one at at least two meetings and kind of stagger them in a way that we're starting to make recommendations on the first few as we're beginning to discuss the next few, with the goal of the draft recommendations throughout the course of this meeting series that come in. And the County can be thinking about them and reviewing and possibly providing feedback on how – or how they fit within the code requirements and allowances that they have. So meetings build on one another. I particularly felt like revisiting kind of where you were as a group in some of the conversation that you had before diving into other people's points of view. What's helpful just to reframe where – like, where we want to start today. So that's that half-hour.

And then we have an opportunity – and I sent a few individual emails to folks in the group. I'd like to think about – let's explore whether this is a helpful, kind of expanding agenda item: the status of other activities and processes. I know there's work being done at the County ___ level. There's work at the state level. And so this is intended to be like an open discussion, sharing of updates of anything that you're participating in or want to reach out and receive updates for and bring to this group.

At 10 o'clock we have time to discuss the third material in the – so the meeting packet essentially for today: this agenda, the meeting summary from the 10th, and then this third material is the summary of the *County v. Friends of Sammamish County*. This is the summary that Jack ___ last meeting that their County attorney has updates and has put together. And Jack's going to walk us through it a little bit. We'll give you some time. We'll give you a few minutes at the beginning of this to just read it if you haven't tackled it yet, with the idea of having some conversation around it, asking questions to the County staff that are here, and essentially brainstorming any questions you have for the County attorney.

We'll take a break after that, then we have about – we have the rest of the meeting – about 75 minutes – to dive back into our definitions of agritourism. So this is the remand topic number 1, the definition of agritourism and types of uses, but it also relates with remand topics 4 and 5 in terms of temporary uses and temporary events. And then a revisiting of that state level will be the legislation. And we'll have that 10 minutes at the end to review action items and just make plans for the next couple meetings.

Any questions or comments about the agenda? Anything you think it's really missing at this point?

(silence)

Ms. Harris: This is your meeting. So this can be a fluid agenda based on what you feel like is helpful at the time. I guess consider this more of like a guide for you today rather than something hard and fast.

Amy Frye: May I make one suggestion?

Ms. Harris: Yes.

Ms. Frye: Maybe – I don't want to downplay the benefit of, like, smaller groups but I'd also like _____ especially today, like I might want to just ___ that we're reflecting on last time _____.

Ms. Harris: I will still give you some time either _____ just to, like, kind of jot down questions. So we'll call _____ share exercise. Any other comments on that?

(silence)

Ms. Harris: Well, Jessie's joining us for the first time today, so I'd like to do a round of introductions. Just your name, what farm or organization you represent. And then we talked at the first meeting, Jessie, about how a number of folks wear different hats in different ways, sitting on different boards and _____ too.

Would you like to –

Jennifer Schuh: Certainly. I'm Jen Schuh, Schuh Farms. And I also work _____ Family Farms.

Ms. Frye: Amy Frye, Boldly Grown Farms. _____

Kristen Keltz: Kristen Keltz, Skagit Tourism Bureau.

Kai Ottesen: Hi, I'm Kai Ottesen, Hedlin's Family Farm. I don't think I mentioned all the other hats. They're just _____ on the board of _____ and _____, and I also have a contract with Skagit County. I monitor farm events. But _____ farmer hat on. Thank you.

Jessie Anderson: _____. Okay. I'm Jessie Anderson. I'm with Maplehurst Farm. So we're a farm venue. We farm 10 acres. We have seven acres of berries – strawberries, raspberries, marionberries, and teaberries, and then we have also some orchard grass _____. Yeah.

Rob Ashby: Rob Ashby. The hat I wear is Skagit Valley Tulip Festival Board President.

Audrey Matheson: I'm Audrey Matheson, co-owner of Bow Hill Blueberries.

Darrin Morrison: Darrin Morrison with Morrison Farms, and also a board member of Skagitonians to Preserve Farmland.

Tara Satushek: Tara Satushek, Planner with Skagit County Planning and Development Services.

Jack Moore: Jack Moore, Director, Skagit County Planning and Development Services.

Ms. Harris: And Meg Harris, _____ Triangle Associates, here in support of the County.

Terry, would you like to say hello? Sorry! ____ around the table and I then I know you're here so ____.

Terry Sapp: Yeah, _____. My name is Terry Sapp. I'm a member of the Agricultural Advisory Board and chair the Land Use Committee of that board, which has for a number of years worked on this topic and was responsible for the proposal that went through the Planning Commission to the County and is on the table and was essentially remanded. So I've been very involved and I wish to be continually involved

Ms. Harris: Thanks, Terry. Tara, _____ share about Tony Wisdom's _____.

Ms. Satushek: Oh, yeah. Tony was – originally agreed to be part of the group, but he had to decline just because of his schedule. It's been really busy. But he still wishes to engage. So if there's ideas or things you would like to run by him, he's made that offer. But I just wanted to share that with the group.

Ms. Harris: Yeah. Specifically if you find it would be helpful, to have his point of view or feedback or something, that can go through Tara. Okay.

Ms. Frye: In light of that, are we – is the County _____, like the group has still a balanced representation or are you _____ at that point? My guess is that Tony kind of represents large ag. I mean, Darrin, you'd probably be in that boat as well. Are we feeling balanced? _____ concentrate _____. Kind of _____. We're here at your request but...

Ms. Satushek: I think, at this point, I'm – I think, unless the group would like more representation of a larger scale, but I feel this is a good representation, a good working group, especially since we're opening the opportunity for folks to engage when they can. But if the group wishes to have more membership we could definitely do that. But maybe it might be difficult, given that we're in the third, like, sequence of this. But I think the County's feeling comfortable with the representation so far.

Ms. Harris: _____?

(inaudible female voice)

Ms. Harris: Feel free to jump in with _____.

Mr. Morrison: I want to make sure they included some from the dairy farms. But I would agree: It's a little late now, because it'd be too hard to get them all up to speed and everything.

Director Moore: I'll just mention: As far as balance goes in this process, the overall process, of course, includes the Agricultural Advisory Board. I will say that at least my impression of working with them for some time is they tend to be fairly heavily weighted toward medium to larger-scale ag activity. That's not the total truth of it all, but they definitely represent that aspect. So I will say that. We do have, I think – you know, as Tara said, I'm comfortable with how the makeup of this group – plus the Ag Board, I think, altogether will give a good snapshot of what the community.

Ms. Harris: And there may be an opportunity in _____ the County could be called upon if there are other folks to review materials. I think the – what I heard from the County is an encouragement to reach out to folks that are in your communities or represent different points of view that you'd like to bring here and have conversations with them outside of this meeting.

Ms. Satushek: _____ break.

Ms. Harris: Yeah, good. So I'll point us to the meeting summary around the last meeting, and we'll just do kind of a ___ review of this. There were a few action items for the County, including extending these meeting invitations 9 to noon. So that's been done. And sharing the summary document that's in your meeting packet today. Tara and Jack reached out to Jason as the County Attorney, and he's not available until May 22nd to join us for one of these meetings. So we can talk about this a little bit more when we get to this piece, but that's the idea of brainstorming a few questions that he could consider and then if it still feels valuable to have him by May 22nd, I imagine even if it's not this summary document to talk about there will be something that you'd like to pose to him – that he's available and is planning to join us for that meeting.

There were a few action items for advisory group members themselves, mostly like ongoing review of the public comments, continuing to review the remand topics, and then there were a number of action items for Triangle Associates, largely in developing this meeting summary, the agenda for today, and then the overview document, which we'll talk about in a second.

And just a couple of kind of key decisions and key agreements at the bottom. So this is – pretty much will be the format of our summary. We don't have, like, official meeting minutes. We do have the meeting recording and if you'd like to – like, we encourage you to take detailed notes, but this is kind of what you all _____.

Speaking of the recording, a couple of updates from the County on some action items they had. Tara, can I pass over to – you had mentioned updates to the Ag Definitions document, and then share this webpage?

Ms. Satushek: Yes. So start with the Definitions document or the webpage?

Ms. Harris: Either one. Whichever makes more sense to you.

Ms. Satushek: Whichever? So I'll start with – so all the materials that are provided at these meetings is the setup ____ to the Planning Commission. So I'll just start from the beginning. So if you go to Skagit County, the homepage, and go to _____ alphabetical directory, and then to the Planning Department. Right here on the top is In the Spotlight, and here's the webpage for the materials that are provided at that meeting. And so here's just kind of an overview of what the group's purpose is and why it was created and how it was a recommend – or a remand from the Board of County Commissioners. And then we have the questions here – or goals/questions basically taking the remand criteria and define – kind of massaging it into more of a question form so that we can pass some tangible deliverables to – from the outcome of that remand criteria. And then here is just information about, you know, history of the meeting or upcoming meetings. So we'll have the agenda (and) a transcript here. So the transcript from the first meeting is here, and _____ should take – okay, I'll fix that! And the recording's here just, you know, again for full transparency for community members. And so this'll be populated as we get information, but ideally I will have this stuff here. If for some reason – like, you can't find your email _____ your email, you can always come to this webpage and the materials that are provided in that email are generally here. So what was provided other than the – your working documents, was the agritourism definitions update and then the summary of *King County v. Friends of Sammamish Valley*. So _____ agritourism definitions is what we were working on last week – or, excuse me; last – two weeks ago. And so what changed is that we added some definitions provided by Amy and some I – so the newer ones are 7 and 8 and 9, and those were the ones that were provided in the email from Meg. And so just some more definitions, and one of them I had overlooked was the actually the one that was provided by the Agricultural Advisory Board, which, I believe, is number 7. And then in this document too is just additional considerations, you know. So firsthand point of view about agritourism and how it fits in with agricultural limited activities. And whenever this is updated, you know, this will be – again, it's a working document to help assist with your discussion and recommendation to the Planning Department for the remand criteria questions.

And then the crux of a lot of it is the current definitions within the County zoning code, because that was one of the things identified in the Planning Commission Remands Act. The current definitions, such as "agriculture accessory use," didn't fully address agritourism or may have not done it in an appropriate way that best suited the County's needs. So a lot of the terms we refer to – and these come straight again – these are the legal definitions from the code – that agriculture or agricultural activity, agricultural accessory use, seasonal roadside stands, and then temporary events. So temporary events and then again there's - because temporary events in the Ag-NRL zone does have more criteria to it. So this here lists that information. And then also they're calling out seasonal roadside stands based off of square footage are permitted, dependent if it – the size of it – if it's outright permitted. If it's under ____ square feet then it goes to an administrative special use if it exceeds that square footage. And then if it exceeds the 2000 square feet, it triggers the Hearing Examiner special use permit. So this is more like resource document to kind of compile the definitions that were provided by the group and then also Skagit County code definitions.

Ms. Harris: I have five printed copies of the English version. I know at some of your _____. I'm going to pass them around _____ sharing with the person next to you, and then we'll have some time to look at that.

The other thing, I have five copies of is the updated community advisory group overview. So I'm going to ask you to do the same thing ____ share with the person next to you. You'll see in purple a couple of changes that we discussed at the last meeting. And I don't know that we need to go through these necessarily, but I would take some time over the course of today and look and check that these reflect the conversation that you feel like you had, and particularly _____. Virtual attendance, an option for calling in if you're not available to be here in person and an option of a delegate if that call-in option isn't preferred for you. But a recognition that ____ delegate. To be brief, we spoke over the meeting that meeting series continue. Build on one another. Lexi did a really good job as your delegate. It's a preview, so just a continuation of that. And kind of an encouragement of ____ participation as best as we can at passing the baton if you feel like you need to, if you have time to kind of share that with _____. Okay.

The other piece in the overview document that I want to draw your attention to towards the end is the calendar. So on the bottom of page 2 is like the meeting dates themselves and then on the page 3 is the Topics Schedule. So a couple of the changes that were made there – let's see; I'm just pulling out my own version of it. We had some conversation about how best to fit the meeting series into June, if possible, and kind of avoid those – the July 4th date – and getting too far down the line. So I've worked with the County and we've looked at a couple dates that we'd like to propose to this group. I _____ this week and I just didn't, so my apologies. But I'm hoping that during your break you can take a look at your calendars and check and we can revisit this at the end of the meeting. This would be May 29th, so there would be one week from May 22nd to 29th that we would meet back-to-back weeks. And then we would meet on June 12th and 26th rather than the 5th, 17th, and July 3rd. And I think that responds to kind of a response to what I heard a desire to meet consistently and regularly in a way that we can move this forward and _____. So I just want to put it there for you now. I'll remind you before the break and you can always follow up with me via email if you have questions that. But if we feel like we can do that by the end of the meeting, I'd like to set those dates.

The other purple changes that you see on Page 3 is just a slight reordering of the Topics Schedule, feedback at the last meeting. I had noted that the topics 2 and 4 kind of consistently and I was hearing from this group that 4 precedes 2, and just a slight restructuring of the order of achievement of these topics. Again, to my point at the beginning of the meeting, _____ and Deliverables column and you see that, you know, as we start to read then these topics kind of in this order that we've set up – 1, 4, 5, 3, and 2. Yeah. And then we stuck the group at the goal of starting the _____ recommendations by topic as we go. We aren't scheduled to do that at today's meeting. If you get to one of them, that's great. Largely my goal today is to make a plan for what needs to happen between now and the next meeting to be able to start working on these draft recommendations and get us on a schedule where we're kind of – we're

_____. At least have something to chew on between meetings that could then be proposed as a draft to the County.

Mr. Ashby: Hey, Tara, just so you know, your veil's up on –

Ms. Satushek: Oh, thank you, _____. I want to keep it, like, subtle!

Mr. Ashby: I just wanted to keep your _____.

Ms. Satushek: No, I appreciate that. I'm trying not to lift the overview documents for the folks here.

Ms. Harris: Oh, yeah. I can send you the link and we can pull it up in a second

Any questions on that document? As you just scan through, like, _____, does that feel like it suits this group? If so – yeah, I see a couple thumbs up. Okay. As things come up and you feel like we need updates to this document – but at this point it was largely intended to be a conversation document to get you guys rolling and on the right path forward. And I feel like it – it accomplishes that at this point. Okay?

But let's move into some content then. That brings us to this reflection piece and so I am going to invite you to pick out a kind of paper. Flip over to the blank side of something if you want. There's a little bit of space at the bottom of the action item if you don't have anything extra. And I'd like you to look at these four kind of prompts in the agenda before we dive into the new material. To take your time for ____ of what we covered on the 10th. And specifically what stayed with you from the last meeting in regards to defining agritourism. What's the biggest challenge or sticking point that you can _____ in doing that, in defining agritourism? What's the most important piece for this group to resolve? So if there's, like, one kind of like ____ place. And then any lingering questions left.

I'm going to give you at least five minutes to just sit and think about those.

Ms. Anderson: Can you tell us where – sorry.

Mr. Ashby: (incomprehensible)

Ms. Harris: On the –

Ms. Anderson: For today?

Ms. Harris: Yes. They're on the top of the back page of the _____.

Several Members: Okay.

(several people speaking at the same time)

Ms. Harris: Yes, on the very top of the page on the back page.

Ms. Anderson: Okay, thank you.

(silence for about 6.5 minutes)

Ms. Harris: About two more minutes. So if you've gotten to 1 and 2, take a look at 3 and 4.

(silence)

Ms. Harris: I've been _____ to do the unenviable job of trying to _____ what you described in writing _____ today. And thanks, Tara, for putting that up on the screen. Feel free to take _____.

I know these might kind of merge into one another and we can bounce around a little bit, but let's start with the first one. If there are, like, specific things that stayed in your mind or takeaways from the last meeting, what were those for you?

Mr. Ashby: First of all, Jen, Kai, Mike and myself had a pow-wow afterwards. We just kind of sat back and _____. And _____ like, the County bring that back to this group because I thought we were getting on to something that was particularly interesting. So – and it was based on the conversations we were having, but it was really around, like, What problem are we trying to solve here? Like, we're here because there's a problem and we're trying to fix something. And presumably the work that we're doing here – agritourism – ladders to the purpose of the _____ agriculture does in the valley, which I think was Mike's mention. It's like, What's the purpose and what's the problem? The problem is that land that's not in production is a problem in the valley because it risks supporting the – talk about the agricultural services that surround the valley. And so – which was really galvanizing, in my opinion, when I heard about it because it did serve as a gut check that if as an accessory use, if it doesn't support the main use of the land then it's counter to the purposes of the land. So production became, like, a really interesting way to influence the conversation, perhaps, or at least help align it, if that's what we all feel is what the purpose is of maintaining land in agricultural development. That was probably the biggest piece with us.

And then the second one was just one of those I had to find to understand things. Because I heard this word used before and I think it's confused a lot on the AAB _____ transcripts and videos that presented and I think there he brought up _____. If that is the predominant purpose, the problem we're trying to – this sure doesn't have to _____ land to fall out of production. How does the word verbiage of big A, little t, solve that problem? How does it – how do we – like, what is the contextual purpose of big A, little t aligned to the goals of agriculture? And so what happens if big T, little a? I guess I'll kind of play the opposite of that – and the land's still in production? So that's kind of – that's just an open question. It stuck with me. I'm still not sure what to do with it. So I'd love to _____ all that.

Mr. Morrison: That's a good question. Do we want to discuss that part now, or are we going to go around and put everything on the table?

Ms. Harris: Table. Anything else specifically from the conversation Rob was describing? Like, post-meetings to get it on the _____ when everybody's not here?

Mr. Ottesen: That was the gist of that.

Mr. Ashby: Yeah, did I get it right? First of all, did he get it right?

Ms. Frye: I assume that. To make sure I'm understanding: so you're _____ myself to keeping farmland in farming, _____, in production. _____ to prevent it from going the other way.

Mr. Ashby: Yeah. I think we got that. I think it was – and ___, you may have mentioned it's like right now the only other farmland that exists this side of the Cascades is over in Puyallup but they've lost their support services _____. And so, you know, that risks, frankly, the rest of it. So if maintaining support service throughout agriculture is kind of the goal and the way to do that is in production then one would logically say the work of this group would be to align our tourists so that the farmland stays in production so that the services can be maintained. I mean, that's my conceptual bubble, and I think we were kind of – all four of us were thinking, Yeah, this seems like a simple story, right? This one seems like a really simple one to get your head around.

Matt Steinman: Yeah, it's easy to say but then how do you go back to it now?

Mr. Ashby: Yes, and that becomes a frame for the definitions and everything else.

Mr. Steinman: Yeah. Well, I appreciate you thinking through that, Rob, and seeing where there's some production we can see. That side of me that wants to be – you know, it's the same thing. I hear some people complain about the Tulip Festival with all its traffic, for example. It's not that big of a deal. And people are coming to the county to see what we do and they see more than just tulips. They see all of this production and they're driving around the valley right now and they're seeing tractors running everywhere, they're seeing that everything occurred at once. And it's a whole – it's a great opportunity for education of where your food comes from and _____ doesn't appear in a Russian story, so I'm asked to do a lot of work to –

Mr. Ashby: Yeah, and I think it – and it does work in concert, like even this last weekend, the busiest weekend of the Tulip Festival, there were roads that were shut down for agricultural production in the valley. And in unincorporated, by the way. That's where it needed to be. So these things can work in tandem with each other. But the – it just has to be thoughtful. That's the _____.

Ms. Harris: I heard you say the word “education” kind of in a formal sense, like just education as exposure.

Mr. Steinman: I envy exposure and education as a whole. I mean, I don't know if I actually put that hat out there immediately, but I'm also on the Ag Advisory Board for Sedro-Woolley School District and so you really see how valuable that is to teach the youth about what we're doing. You know, we've got to maintain the next generation. You know, a lot of students that want to be in agriculture and beyond that, wearing the ___ hat, you need to teach everybody about the importance of farmland and maintaining that, and not just growth for growth's sake.

Ms. Schuh: And with us right now, Tulip Festival's going on around us and we're educating those customers that come in into the store because somebody wants to buy tulip bulbs from us. _____ around with a flower on the top right now. _____ get those from tulip farms, and they don't understand why it seems like there's less tulips. And so we get to explain how they're planted now versus how _____ planted _____. So it can't just be the education right at the tulip farm. It helps with us they're around and being – to be able to educate those people that might not – they might just go out and look at tulips and we've got to farm. So there's a lot going on there. And so that education – they can come back to the valley later and get berries or get pumpkins or get – you know, what's happened throughout that time. And so the agritourism around what's happening at Tulip Festival right now – all their men are farming as well – we could educate as we go. Those people are coming to the valley for this work second and _____. Of they'll see us _____.

Mr. Ottesen: So what matters _____, Rob? _____ One of the other pieces in terms of that education _____, it'll leave the next generation alone. It is _____ and it looks like it can look like at flood. What is available as opportunities in terms of the shape of that? Is it, you know, ____? Is it production ag? Is it the smaller – you know, the smaller operation is there. _____ acceptable options or is it kind of one _____? Is it one model then?

I think the challenge I'm grappling with is one or two here: Is what – is – how do you craft that into a recommendation that, you know, that ensures that _____. You've got that and you have a baseline opportunity without it necessarily limiting the diversity of agriculture that's possible and viable.

Ms. Schuh: Decide what size. Right? So how do we decide? Is there – do we get that specific? When you're trying to figure out how somebody's doing something, what size is – is there an appropriate size?

Mr. Ottesen: And how do you craft a recommendation that not just *permits* that but isn't – like, doesn't leave too much – I don't want to say that. I don't think "discretion" is the right word – that isn't so vague that depending on who's manning the enforcement role, they could interpret it wildly differently in terms of how that _____ the land on the use of a specific ag building based on personal relationships or whatever _____.

(incomprehensible female voice)

Mr. Ottesen: Yeah, will be determined consistently and – and also that don't have – that aren't _____ lead to unintended consequences, right?

(sounds of agreement)

Mr. Ottesen: Communicating. You're communicating these ____ without –

Ms. Schuh: It should be easy for the County to figure out.

Mr. Ottesen: And ____, and for the operator. Right?

(Several people speaking at the same time)

Ms. Harris: I moved a couple of these down out of the problem statement area. Because I heard kind of two – okay, I heard kind of two problem statements. One is this first one around _____ and services maintained, and the other is the sense of people not connected to their – do those feel like kind of the two big pieces? Are there any other, like, big problem statements?

Mr. Ashby: Yeah, I just – I think that segment's super, super important, especially because Washington's legislature is having a big influence on some of these decisions that we've been talking about right now. The more people – we can connect people to the agriculture and the importance of it, the more the rest of Washington aligns with where we're going. But I think we just need more supporters, and that remark, I think, is a rich part of that – that education helps influence policy.

Female: What is this meeting for – actually providing assessment? Like, to a point _____ clarity.

Mr. Ottesen: Yeah. I think the first thought is it strikes me that we have a lot of mutually exclusive definitions in this list here. There's – you know, if you were to make a big Venn diagram of what each of these definitions do and don't include you would have, - you know, the totality of it would be entirely contradictory, I'm certain, on certain points. So I think – I don't know what the process is for whittling that exactly but somehow we have to kind of narrow in on that _____. I don't know if it's the overlay, I don't know if there are hard decisions to make about, you know, a circle that skews, you know, to one side or the other of that, but somehow we've got to trim that down to an actual shape rather than a kind of a – a _____ shape _____ for agritourism.

Ms. Harris: Is it fair to say that's one of the bigger statement ____?

(incomprehensible sounds from members)

Ms. Frye: ____ one _____. _____ are on my mind. I don't know if – I reserve the right to pull this back later, but I'm, like, I don't know how much a definition of agritourism matters in some ways, and let me come back to that. It's like any definition that is going to include a totality, it's going to be impossible to come up with that. It's like one of those things that people are going to have to ____ opinions on whether that specific thing counts as agritourism or not. But in some ways, some of what we were talking about last week about kind of like this decision screen litmus test of, like – because there are some very clear guardrails between the GMA and the current code definitions for, like, accessory uses _____. Agricultural versus non-agricultural. You might be able to bypass defining agritourism, but it's not over defining these other guardrails, which will be challenging in and of itself _____. How you decide if something is agricultural or non-agricultural. But like – and somebody said it's like thinking of – trying to _____. _____ working backwards. What are we trying to accomplish? Like, these assume _____ rather than, like, trying to come up with some arbitrary definitions.

Mr. Ottesen: I wonder if one way to cover that – certainly how I'm thinking about it is to look at the – kind of the – those regulations and rules and rulings that are already placed around this and using that to kind of constrain – _____ – what is, like, even a meaningful recommendation for us to make based on what is already established in terms of just kind of using within our options. What can we actually decide, you know, if we were to imagine the extent of those recommendations, what those recommendations could look like, you know, at opposite ends of the spectrum, and then kind of work in from there? While I know what that looks like in practice, I don't have a full enough grasp yet. I think of some of these rulings, the state rulings and how this ____ the County, like County code to bully. If you had to ask kind of where my thoughts were going.

Ms. Harris: _____. So I heard this idea of a litmus test for a definition, like a working definition that is evolving _____ as we walk through the rest of the remand topics as well as _____.

Mr. Ottesen: That's kind of hard to evolve that definition _____.

Ms. Frye: Yeah, I have some further thoughts but _____ about getting into those weeds. I want to _____.

Female: Yes, yes.

Ms. Harris: Yeah. Jessie?

Ms. Anderson: Well, I was just going to say it does seem like the state, the USDA, Wazoo Extension – there's many working definitions of agritourism already. So that seems like it might be a waste of time to try to reinvent those. I'd rather use this time to hone in on what's going to be permissible here ____ and _____ litmus test. Kind of get more specific, not necessarily with the definition but with the recommendations for what's going to be acceptable.

Ms. Harris: Matt, and then I want the County to _____. Then I'm going to _____.

Mr. Steinman: Well, it was truly interesting the way you put that, Amy. I – and that makes _____, and I agree in a lot of ways. Because at the end of the day, what we really don't want is new growth, suburban/urban, into the farmland. We don't want that encroachment to continue. And the GMA and the County's done a pretty good job of limiting _____ these particular locations and not in these other locations. And I think what happened with the agritourism, a lot of people look at that and say, Well, this can be like how you can tiptoe into these areas. And suddenly you get these little pockets that explode, like – I imagine that's probably more what happened in Sammamish Valley and the Puyallup Valley where it was a little agritourism and the prices suddenly exploded, and the county's like, Well, the cat's out of the bag. Just pave the whole thing over. I mean, not exactly that but _____.

So at the end of the day we're stopping growth at the edge. We're trying to maintain growth in certain areas and trying to keep the farmland in. You know, the agritourism operators and farm operators no way are working together to try to maintain this land and this use. And we don't want – we can't – and, like anything, you can't put it all in one bucket or all in the other, you know. We don't want to be just a giant agritourism area but we need a little bit of everything. And I think what Jack's done with the County so far in terms of talking to – is it the 12 operators? You know, the operators you've already communicated with and given them options to keep those places the way they are – you know, those operations, the agritourism operations. I think that's a great step to, like, offer a path. And then how do we set boundaries so we don't get that continuation of little piece by piece by piece becoming, you know, in essence a commercial operation versus, you know, versus a farming agricultural operation. _____. The other day I said it's not really – it's not like this big bully or agritourism. It's more like keeping growth in check. _____.

Ms. Harris: _____. So hearing this conversation, I think there are – like I said, there are a lot of definitions. _____ thing, ultimately there will need to be a definition in County code – is that correct? – and so what does – like, as you look towards the end of this meeting series, you know, we have this written in the remand topics about like, the _____ requirements or expectation about this group. How important is it that this group has like a specific written definition versus guidance on – like, how they perceive the other definition _____ as written as code.

Director Moore: My perspective, they go hand in hand. Often the way our code's written is we have definitions to sort of establish the ideas and we attempt to keep the measurements and the specifics out of the definitions because if you get too much code in definitions it's not as workable. So I think we have to have the definitions to start. But where the detail comes in is in the code writing the thresholds. So for me, I think establishing – you know, I think for agritourism itself is with the broadest umbrella. And it may have some indication of what the upper limit of that is, but then, I think once we dive into the code, you know, that establishing that and the accessory uses to me are going to be critical. Something I heard everyone say before is, you know, How is it going to be enforced? And what we talked about this morning already is, you know, making it clear.

And I think I shared my view of that last time as well, you know – how to make it easy to enforce. Make the thresholds clearer where a particular activity would fall into.

So back to my – it's my initial statement – is I think they both work together. The definitions and the code thresholds work together.

Ms. Harris: Is it clear _____ Jack _____?

Ms. Frye: _____ whatever number, or what are some lingering questions, is a little through code, you know, so you look through Land Use – you know, 14.16 – what's allowed in the Ag-NRL. So there's permitted uses outright. Permitted, allowed. Currently all ag accessory uses are listed under that. So correct me if I'm wrong _____, but currently on ag accessory uses there's a list of seven. And it seems like that number seven is kind of the sticking point. Where do we go with that? Currently if all of those ag accessories are outright allowed in the ag zone, number 7 currently is "Tourism, which would promote ___ agriculture," et cetera et cetera. Because then separately you get into, Okay, the next threshold is administrative special use, and then that's _____. _____ threshold is the Hearing Examiner permit. So is it correct to say that this is kind of the crux of the issue, that number 7, in some ways of too much attention falls under that that don't necessarily want to fall under that, and so we're trying to – that number 7 is maybe what will get changed to be more clear. I can always see some agritourism – agritourism's _____. Like some agritourism could fall under ag accessory, but others might fall under that administrative or the Hearing Examiner.

Am I framing this correctly?

Director Moore: Yeah, I think so. Now depending on the level of detail again, we may have a general statement in here for 7 and we may change the verbiage there, but it's possible we may actually need – we'll end up needing a code section for the detail. So, you know, this – yeah, right now this is broad as far as a working statement for the Department. It doesn't tell us that much. Or is there any really up end to that?

Ms. Frye: It's kind of when you say the crux of it ____ badly. This is where the issue is but that is not _____ part.

Director Moore: I would say yes. We'll have to – I'm sure the group will sit and talk about what that means. You know, what's the upper limit of ag accessory, and then – and how do you measure it? Is it, you know, _____ percentage of the property size? Is it financially-based? Is it, you know, a ratio income from actual farming to – really, you know, I don't like it. How does it maintain the big A, little t before 7? But, yes, I think this is one of the more important things to figure out. You know, where those thresholds are. I mean, the agritourism, even you might say, Well, you know, you can't have – build a rodeo grounds on there. That's the upper end of – you know, that's not even going to fit anywhere in Ag-NRL. But this is where you're coming down. _____. We're just going to say, What can you just do? What's just allowed? I think that needs to be answered. And then – gets us to what you mentioned earlier about special uses, you know. How do we – it it's *not*

outright allowed and it might exceed a little more or it doesn't quite fit the small definition of outright allowed ag accessory, then, you know, I think that's the next step after that.

Ms. Harris: I'm putting this question today _____ and also the county, but I'd like to deal with members first. Is there a scenario in your mind where 7 goes _____, and agritourism gets defined separately but there are specific uses that are always allowed under _____. Or is it important to the group that some of these activities be considered accessory uses, based on, like, their immediate ties?

Mr. Ashby: Actually – yeah, I think if we define something that beats a litmus test of something that would be defined as an accessory use, then I don't see why it would be different than 1 through 6. Seven would just be the litmus test that says you can do this on the land like everything else. Like a U-pick sales.

Ms. Harris: So just to clarify. So there – like 7 would – you're saying there needs to be a 7 here that has some amount of agritourism activity.

Mr. Ashby: Well, I'd say it this way. I think our – the feedback we've heard is that this is too loose of a definition to work with and it's unenforceable. So whether we come up to a litmus test of enforceability that fits in 7, or 7 goes to another block somewhere, I'll leave that up to, you know, writers to make that work well. But –

Ms. Schuh: Seven could be just a – it doesn't stand alone, that's for sure.

Mr. Ashby: No, unless we're going to say that – unless we unpack agritourism in a way that then refers you to a chapter on agritourism that makes sense. Because it's the first part. The second part of that _____ that's going to exist forever _____. But the first part is the unenforceable part. I guess what is important in 7 or is it important that 7 references to a different section, or is it – I don't know. I'm not informed enough to speak to whether it's in a subsection or bigger section. I think I would say this – sorry, and then I'll stop. If we define it and realize it doesn't fit at 7, that would probably be the better answer. Whatever you come up with, if it doesn't fit there then make it fit someplace else.

Ms. Keltz: Well, this might be where we do have to go back and figure out what our definition for agritourism is because if you look at 3 and 4, that technically those would be agritourism. So when we're looking at 7, are we *really* saying 'events' and not 'agritourism'? Is that what we're alluding to? I think this is an aggregation because I think some people might say, Oh, 3 and 4, just that's part of farming, versus agritourism – again,

(two members speaking at the same time)

Ms. Keltz: Then we kind of go back to then do we need to define agritourism? _____. I don't –

Mr. Steinman: Yeah, 3 is really in the wrong spot there. There's one of the things that are associated with agriculture as an accessory, and suddenly it's like farm animals for viewing. So you're surrounded by _____ and U-Pick sales. I don't really – I really don't consider U-pick sales agritourism. That's just a viable farm deed opportunity.

(sounds of agreement)

Mr. Steinman: Right? And so then all of a sudden you have farm animals, which should really probably be, you know, a 7, 7, little i, you know or something like that.

Ms. Schuh: _Right, It circles chickens that lay eggs that you sell on your farm, then the people can see them. There's all that.

Mr. Steinman: Exactly. Seems like 7, the only real thing you can look at it ahead – I'd give it a code violation, Jack. Oh, you don't have a proper stop sign, or _____ egress and ingress.

Ms. Satushek:: Meg, do you want us to pull back and keep answering these questions? Because otherwise I think if we continue to talk about this whole ag accessory tonight, it would make sense to turn to a summary of *King County v. Friends of Sammamish*, because that has a lot of ag accessory discussion in it.

Ms. Harris: Thank you. Let's do that. Let's do what you just suggested and come back and finish the rest of these questions, and then we'll fit it to the summary of *King County*. Will we have time for the status of other activities? Largely what's built out around the, like, last hour of the meeting we'll reschedule _____.

Other big challenges/sticking points. What feels the mushiest?

Ms. Schuh: I think when we're making these decisions, we can't be too wide open and we can't be too tight. You know, we have to – so it's got to be – so we're – and how do we know whether it's too tight ___ as we are trying to look a little bit into the future, not probably a 50-year picture, but – it's been so hard.

Ms. Anderson: Well, I think looking 50 years in the future is a big consideration. I do think this – you raise a good point. Decisions that are made now need to be forward-thinking, thinking about global warming, the changing ___ climate, rising cost of living and the way _____. There're so many details that you have to consider.

Female: I mean, I think the sticky point _____ someone said, it was like digging through unintended consequences. And I think as we go through and as we draft recommendations or definitions or _____ current scenarios to run it through, it'd be like, Well, how does that affect this? And, Oh, is that having an outcome we do or don't want? Thousands of emails, and I think that's where _____.

(several voices speaking at the same time)

Director Moore: Thank you for saying that.

(laughter)

Director Moore: I don't think it's that word exactly, but definitely in our world people could get *quite* creative if the code's not clear. And then it puts us in a pretty sticky spot.

Ms. Frye: _____ or whoever drafts the code language, I mean, how much do you try to account for – there's always going to be a bad apple that tries to ruin it for everyone else, right? But, like, it's hard to _____. If you only write for that extreme example you're going to be cutting out a lot of other good actors. Is there a general approach the County takes to that? Does that make sense? I don't envy your job!

Director Moore: Yes. So the – so I think there're kind of, like, three levels. I mean, you actually pointed those out earlier – is, you know, an accessory allowed. So that's, you know, maybe a smaller bucket of more defined what's allowed, and then you go on your merry way because you don't need to deal with the County _____. Then you have two other buckets that are things that are a little, you know, good work, depending on your scope and how creative you are or whatever you're planning to do. Or maybe they don't, and they have to be considered individually – on that particular person's proposal, on the merits of it. And then there's always – you know, working with zoning code or any County code there's always examples like "may include but not limited to" kind of statements in zoning. So a lot of times in building code, zoning code, fire code there's always that because everyone who writes the code – I mean, as much as you try, you're not going to capture technologies that haven't even been invented yet, you know, down the road. So you have to say, have some statement then to where you could figure out what bucket this new proposal that someone just came up with most – you know, which one does it fit in?

So that left the special use process once we get, like, past the definitions and into process, which of these get dropped into which process. That allows us to consider the merits and make some additional judgments, because there're some backstops to that. It's public hearing – you know, it's public notification process to get community input. And if it's in the most restrictive bucket or the larger tax _____ proposals it'll go before a Hearing Examiner for a full-on hearing that anyone can come to. So I think that's kind of the backstop for the creative approaches, is those definitely probably wouldn't be in the accessory use the zone allowed. I think that's going to be probably the more narrowly focused defined bucket. But these other two buckets kind of trying to figure out what fits in which one.

Female: So, Jack, I know you're describing _____ but _____ Special Use in here.

Director Moore: Administrative Special Use and Hearing Examiner Special Use, yes. I think those are the – kind of the escalating type uses is ultimately where they'll fit once we start parsing it out.

Ms. Harris: What is the most important piece for this group in particular to resolve? _____ a strong voice and one's, like, in the context of all the activities that have happened before or the AAB Board is doing. The work at County staff level – like, what's the piece that you feel like no one is doing besides you?

Mr. Morrison: I think it's defining those – you call them sideboards or the edges or, you know, what's allowable or not allowable. Not too tight. Not too open, not too tight is used. Language that can help eventually the administrative planners or the Hearing Examiner. We'll never define everything. There's no way to think out what someone's planning on doing with their property. But we need – under “agricultural zoning,” we need to have min the ag zone. You have to be in that. And then to do any other activity in that ag zone you would have to qualify somehow or another. I think we need to determine what that means. There is some pretty good definitions out there already and some good rules. Some of them aren't being enforced right now, so that's the other side of this equation is all these rules are nothing until we decide we're going to enforce some of them. You know, we're all sitting around this table hoping we can design some good ideas for the County, and the County's hoping to receive those good ideas and use them, but in the end if the rules don't get applied or enforced or a compliance system, then – then it doesn't matter, I guess.

Ms. Harris: And I heard Jack say that the most enforceable rules are the clearest, so that's one place that this group can play. And we had some conversations around kind of like a ___ for a report _____. I'm going to invite you, Darrin, to – if you're in a _____ in a way that does that.

Mr. Morrison: Defines what's allowed? Not _____. I mean, there's a whole bunch of stuff that falls under that. What is – like Jack mentioned a little bit ago: How do we turn the big A, little t situation a little bit? Does the farm have to prove – you know, is the business farm the big thing? Is that dollars or is that acreage or is that physical size or activity? I don't know. Sideboards, it's really – there's a lot in there, I think.

(uncomprehensible male voice)

Ms. Harris: Oh, Darrin had just used the term “sideboard _____” _____.

Ms. Matheson: I was thinking more of it like guardrails. Is that –

Mr. Ashby: Guardrails, sideboards, rules.

Mr. Ashby: I like the word Amy used _____. Like, it's the more – like the thresholds are ones which try to ban or subvert all of this test in a way that would be – that we would feel, you know, ___ into what we were trying to do. So I see like a litmus test as something you can kind of read through and easily _____. That would be the strongest way to do it. And the thresholds would be trying to defeat those with that litmus test to do something equal _____, or _____. Some.

Ms. Harris: There might also be – I mean, those are outer thresholds you are describing, Rob? _____ but there's, like, thresholds here too. And that there's circle –, like here – something that just, like, happened.

Mr. Ashby: Well, maybe this is the time to say the most important thing for me being ____ or the thresholds or the guardrails is to avoid the thing that happened with the – and this a claim to not anything for the AAB – but when the guidance came into play – and I hate to say, here's what we came up with. And the video's out there. There's a stark moment that sticks with me. They said like the accessory uses wanting to – I'm sorry. I think the point, it was going to go to special avenues that it was decided to go 24 to 12. And so everybody sat around the table trying to figure out why – first of all, why was it 24? And then why down to 12? And no one had an answer around the table. There was no context or principle.

Ms. Harris: (incomprehensible)

Mr. Ashby: Huh?

Ms. Harris: (incomprehensible)

Mr. Ashby: I don't see how it'd even have 12 or 24, but there was no math suggesting why 12 – why it was 12 not 13? And that didn't get pushed forward as an explanation and so it became confusing for those that just got the number and didn't know the math on why that made sense. Like numbers are there, too; somehow impute into an answer. And so there it just confusing.

Ms. Harris: I'm coming in. I'm going to put on my ____ hat. I was at 12 days of the year, 12 months of the year versus 24. _____. Is that working?

(some garbled conversation)

Ms. Harris: Yeah. But let's take the water around the table and then we'll go to Terry. _____.

Mr. Steinman: Yeah, I guess Jack rattled it off earlier but, without getting into the merits, I think it would be helpful for me to just very quickly kind of categorize the types of – kind of moving the thresholds that are up for considerations. Like the footprint ____ an area. The income, either as a dollar amount or as a ratio of activity. The – okay, _____. What – like, what are the other, like, ways you could _____.

(several members speaking at the same time)

Mr. Ottesen: Number of events per, you know, month or year or –

Ms. Harris: While we're _____ this list? Then we'll come back to Terry. I have footprint, revenue, number of events.

Mr. Ashby: Soil-dependent.

Director Moore: Possible size of events? That's kind of a footprint.

Mr. Ottesen: It's just the footprint of the venue, and there's the number of visitors around or attendees. I'd never _____ number of visitors, as opposed to number of events. That could be per trip or total.

Ms. Harris: Terry, do you want to say something?

Mr. Sapp: No. I appreciate the creativity in the room and I don't want to be a partner in this discussion.

Ms. Harris: Okay. We're coming around to kind of some closure here. I want to open and take a look at those questions 3 and 4. ____ 3 seems slightly different than it was written. So if you had any thoughts as you were writing it down, what's the most important piece for this group to resolve? Is there anything else you'd want me to capture now?

(silence)

Ms. Harris: Any other lingering questions you feel like we haven't _____?

Ms. Frye: I have a specific question but I think we'll come back around to it when we talk about the King County _____. So in RCW about the GMA it talks about counties and cities have the ability to limit _____ accessory uses otherwise authorized in the subsection in areas designated as agricultural lands of long-term commercial significance. So my question: Is that an official designation, and who makes that designation? And is all ag land in Skagit County considered that designation?

Ms. Harris: Can you read that again? _____.

Ms. Frye: Agricultural lands of long-term commercial significance. I mean, my _____. That is – I mean, that *is* Skagit County ag, but is that an official designation _____? Because physical – as I'm reading it – counties and cities have more authority to be more limiting or exclusionary _____ if that designation is met.

Ms. Harris: That *is* the full question for _____?

Director Moore: : No thought, but I'll need to _____ bring some information back on that.

Ms. Harris: Okay.

Director Moore: I've heard that term used a lot but I don't know that I can describe _____.

Ms. Frye: What does that mean to define it? ____.

Director Moore: Yes. Designated –

Ms. Frye: That seems like that.

Director Moore: Okay.

(several members speaking at the same time)

Mr. Ottesen: _____ would or wouldn't apply.

Director Moore: Right. Yeah, is that *all* of our Ag-NRL or is it only a portion? I guess that's what I'm thinking so _____.

Ms. Frye: _____ GMA and that seems to determine how much authority the County has to be more _____ GMA _____.

Mr. Ashby: I feel it's a very strong term. The more, I think, we could write our conditions in juxtaposition to the positions that have already been ____ in language is very strong. You know, even if we start with "For lands that have long-term agricultural significance, agritourism's defined as" would be a very strong way to get into it because this seems less necessary if it's not of commercial significance. It's a rock. It's a big boulder. Like, would that be something we'd be wanting to legislate? I don't know. I don't see the advantage. Once again, it's not helpful to keep if – if that land is – if we're going to be in agricultural production because it's not long-term commercially significant, then it's frankly _____. We're at the time to talk about it one way or the other.

Mr. Sapp: I could add a lot of clarification there. May I have a moment?

Ms. Harris: Sure.

Mr. Sapp: It's my understanding that the agricultural zone in Skagit County and in other counties in this state were created by mandate based on the establishment and definition of soils, and soils were determined by NCRS in the '50s and '60s. And if those soils determined by the Natural Conservation Service were determined to be productive soils of commercial value, they were then necessarily captured by the zone. So it wasn't that the zone decided – you know, somebody in the county decided where this zoning should occur. It was based on a prior definition of what is productive soils. And so given the _____, the County doesn't have the authority, I believe, to pick where you'll be designated – soils designated as productive, valuable, prime soils out of _____. And there's lots of discussion of that in the state code and WACs,

Ms. Harris: Yeah, _____.

Mr. Ottesen: _Terry, can I restate to make sure _____? If I'm going to understand you correctly, their proven, historical commercial significance define their zoning, not the other way. Correct?

Ms. Frye: Does that necessarily mean that all ag-zoned land is considered _____ ag lands of long-term commercial significance? You know, _____ diagram?

Mr. Ottesen: Sounds like that. That's why they're Ag-NRL to begin with, is what I'm hearing Terry say.

Ms. Harris: I think those are two different things. Do you want to –

Director Moore: We'll definitely verify that. You know, the background and the history that Terry describes is – I don't question, but yeah, there is some amount of flexibility too for counties to, you know, capture more in a particular zoning designation if they so choose. And that's been a conversation that's been held with the County for a while: Is the Ag-NRL zone – you know, has the overlay been placed appropriately? And of course, the soils is the main measurement of that but there may be other measurements – some people in the county I've heard of, at least. The Planning Commission recommended some changes in our Comprehensive Plan to allow the County to actually capture more property in Ag-NRL if we deemed it appropriate.

Ms. Frye: _____ being considered _____?

Director Moore: No. To capture additional property that may not be currently zoned Ag-NRL but have the ability to say that they want to be in NRL. The County would have that ability. So right now there're some parameters and measurements that we have in our Comp Plan that says, Okay, here is – we check soils, we check this, we check that, and if all those are there then that means it's likely appropriate for Ag-NRL. Size is a consideration. There's some stuff about configuration – islands, peninsulas kind of thing. So the Planning Commission right now just adjusted their recommendation on our Comp Plan to be more inclusive or soften some of those limitations – and they're not limitations; they're *guidance* – on how to designate Ag-NRL so that the County might have more flexibility to include additional property that may not be currently designated.

So anyway, back to that: So there are certain flexibilities that local government has to adjust those, based on multiple criteria. So what we will do is get the answer to that question. If we can get a map or do an overlay for our Ag-NRL zone versus stuff that would be considered of long-term commercial significance, we'll get that and bring it back to you.

Ms. Harris: Okay, it's 10:40. What I'd like to do is spend a few minutes – I think we can do it in 10 – with just hearing from folks about other activities and processes. Then we're going to take a break and during the break I'm going to give you time to read the King County summary if you haven't yet. And we'll come back and discuss that. So again, this is an item that we can, like, judge if it's a valuable standing item or maybe it's every other

meeting. If there are folks participating on ag _____. Kristen, you mentioned, like, some state level updates. I'll just open the floor if folks would like to share.

Ms. Keltz: I reached out to – I'm not going to update on where they're at on the task force that they've put together. They've been doing town halls and meetings and like that, so I've reached out and _____ about that yet. And then I just want to go over the House Bill 461 relating to the property tax exemption for agricultural land used for agritourism that was _____ the House and has been delivered to the Governor. So that _____. Also _____.

Female: What bill is that?

Ms. Keltz: 1271.

Ms. Harris: I think, Kristin, send that to both Tara and I so we can get that distributed. And _____ the group. _____. And you may have some more updates. Like _____.

Ms. Keltz: Yeah, I got it. I just want _____.

Ms. Harris: Anything on the ag group ____ you want to share with this group? Is it just not like a _____?

Ms. Keltz: Pass on that. I attend but I attend as a spectator.

Mr. Steinman: And, I need to preface I've only been on the board for three months, so I missed a lot of the more heated conversations and challenges that have been going on in the last two years on the board. So as of the last meeting, the April meeting, honestly most of that meeting was given to a presentation by Will Honea regarding the Haller farm and the County's reasonings went forward in the purchase and the agreement on that farm. Which doesn't – I guess this probably wouldn't apply in here *that* much – of the salmon recovery rules. But we did forward a letter to the Planning Commission in terms of looking at their – Jack just kind of started _____ a little bit. The different guidelines the Planning Commission was going to put forward to change the definitions to allow to bring in more Ag-NRL. So one of them was changing the code from a 5-acre minimum footprint to a 1-acre minimum footprint, is one of the bigger ones. _____ the hundred-year floodplain. So it didn't have to be another hundred-year floodplain in order to keep its Ag-NRL. Those that could be looking through – that's where the bigger topics of it there is a whole lot of just slight changes. No major changes to that _____. And maybe he's here for Jack and Tara and their crew _____. That was the last meeting. That was the April meeting. There was very little on this, but usually – I mean, Terry might be able to give more backstory, if we're looking to go back a year and look at the challenges that everybody was facing a year ago.

Ms. Frye: _____, Terry, and you mentioned the Land Use committee _____ after that meeting and agritourism was the topic. So is it appropriate to give an update for this group to inform what we're talking about?

Mr. Sapp: (incomprehensible)

Ms. Frye: I think a brief update might be helpful. I mean, one of the things that I had brought up at the Ag Advisory Board meeting _____. I think the more dialogue the better, so we're not going along on parallel tracks _____ opposite recommendations which _____. I think an update would be helpful.

Director Moore: I could say just procedurally, you know, how I've seen the Ag Board operate is, you know, they have a Land Use Committee that Terry is on and often we'll go on and discuss that but any official communications would come out of the Board as a whole.

(incomprehensible female voice)

Director Moore: It may be, unless the Board – it just depends on what they authorize and what kind of communications the entire board wants to have out there. Ultimately at the end, what I've seen the Board do, the Board will vote on a draft letter or a recommendation or suite of recommendations, and then the Chair will deliver that. So that's procedurally what I've seen. So right now I'm guessing it's in the Land Use Committee for investigation and discussion that ultimately that will come to the Board. And then I do hope that what was suggested at the last Ag Board meeting – maybe talking, getting together and talking a little bit, formally or informally. Maybe that will help matters. I'm in favor of that idea if both of the groups are in favor with that idea. It'd be helpful.

Ms. Harris: And again, procedurally, remind me of scheduling Ag meetings on the second Wednesday of the month and our meeting on the second Thursday. Last time it was the night before. _____. I guess I'm just saying that our next meeting might be the right time for an update.

Director Moore: Depending on where they're at.

Ms. Harris: Yeah.

Director Moore: Yeah, depending on where – yeah, I don't know what the progress will be.

Ms. Harris: Yes?

Female: _____ and _____ suggest Jack, is the Agricultural Advisory Board – they wrote a letter regarding remand items that are under discussion by this committee that that letter be shared by the whole committee?

Director Moore: Sure.

Same Female: To share that?

Director Moore: Sure.

Ms. Harris: _____ but we'll tentatively pencil that in for the next meeting. This is a time to – a few updates have been shared. Are there questions about other activities or parallel processes that are _____. And I specifically say it as we may answer it today, but if we – if there are times that we want to make sure we have someone here to answer questions, whether that's an update or a presentation or like Terry giving an update. Are there other things going on that you feel like you're not sure about or not hearing about?

Mr. Morrison: Something that's kind of going on, I guess, all the time is with the Skagitonians. You know, we have been engaged in and commenting on agritourism, you know, for quite some time – maybe over five or six years – and there could be a Board member that would want to give a little bit of an update on the status of what our policies and position papers – also available on the website, so it's not that hard to find, and there's a lot of good information on that website as well under Agritourism.

I can tell you firsthand that the Board is still – I mean, we're pretty clear on certain things, and then there's a lot of things that we're still grappling with, we say. You know what I mean? And we try to look at long-term and the big picture and not get in the weeds so much on all these things, so maybe that's why we haven't gotten very clear on those.

As for the agritourism stakeholder group, the SP opposed it. It was just – I don't know if it's been discontinued but it's not being – it's not active. That was largely because staff changed and the County's moratorium and a lot of other kind of things that went on, and I think that may or may not get reconvened. I'm not sure. But, yeah, so...

I know there's a number of groups – you know, Ag Board being probably at the top of the list and then Skagitonians and, you know, for an – in a limited part but not to be discounted is the Ag Association – has all weighed in on agritourism and has several good things to read about that are accessible and should be considered. There's – I guess what I'm trying to say is there's been a large contingency of people in agriculture that have been carefully examining this for a long time and in some cases arriving at conclusions on certain things that I still think are valid.

(incomprehensible female voice)

Mr. Ashby: The list does kind of go into – what was the last _____? Number 6. No, well, number 6 of Things To Discuss, I don't know. You know, we have great representation in the valley from agriculture. I'm unclear right now whether there's an Agritourism Advisory component within those, or whether there should be a different board of agritourism operators that should be established. But I keep on wondering as this road evolves, we're here right now to try to take a _____ of what we understand. And that world's going to continue to evolve. And we're planned to dissipate. Like this board lasts for three months and then it goes away. So where does that representation land in Skagit County, and how can it help to inform, amend, or address the new issues that

happen the day after we _____? And so I do wonder whether there's an opportunity. And I don't really have a stake or a say into where it goes, but to actually have that representation live in a more permanent basis within the county so that it's either part of AAB or it's its own separate entity or they work collaboratively _____ to be. But I do think that as this world continues to evolve and perhaps become a vital part of the overall agricultural industry here in the county, how does it continue to have representation? And so I'd love to see us at least deliberate on that a little bit. That's if we have time. Our lawsuit right now is going a little slow, so I don't know if we have time for it but I would certainly love to see it added.

Ms. Harris: I think you're doing pretty well actually. It feels like a training sometimes with expanding and contracting, but I would feel – yeah, a sense of optimism around your philosophy. To be honest.

Ms. Ashby: Oh good, good. Well, like I said, I feel totally fine saying maybe there should be a sixth when we talk about how Advisory works in the future, rather than think that we can kind of just – like turtles, lay our eggs up on the beach and then head back into the ocean. I think there'd probably be a better way to think about this so it has a more permanent opportunity to support Skagit County.

Ms. Harris: Okay, before we leave this, I just want to come back to Darrin's suggestion offer. There's a lot of written materials from groups like Skagitonians. You can access those online. Are there specific updates or people that you'd want to make sure that – like Tara and I are communicating with to have them here?

(silence)

Ms. Harris: And the answer can be, like, _____. _____ keep asking you that question just as _____.

Ms. Frye: It may be a good action item for _____ would be to review some of those documents. Maybe even _____ for SPF folks to kind of – you know, knowing that there were a lot of materials what would be the topical things you might suggest this group read, or what not, as background information. I mean, I was on the working group so I kind of know a bit what that might involve.

Ms. Harris: Okay. Let's take a break. It's 10:54. We'll come back at 11:05 and I would love if you'd stretch your bodies, you know, take care of yourself, as you need, get food and also read this document if you haven't. It's that summary – so that we do have _____ on it. Eleven minutes _____ is a little ___, but go for it.

(break)

Ms. Harris: Okay, well, we'll pivot now because I want to keep us loosely on today's plan. You've each had a chance to look at the summary of *King County v. Friends of Sammamish Valley*. Again, this was – I'll give Jack a chance to kind of introduce what this

document is and where it came from and its intent. And then we have some time to ask questions today. Some of those might be questions that Jack and Tara can answer. Some of them might be questions that we need to take to the County attorney.

Director Moore: Thank you. So this two-page document on the summary asked our staff attorney to take a look at the case and the background on that case and help us boil it down to, you know, what really did they address in the decision; what maybe they refer to but didn't officially address. And then I did ask him kind of an extra thing, you know: Translate that to Skagit County. I mean, he's not a planner, he's not in ag, he doesn't do any of that stuff. But from a legal perspective, what he knows about our zoning code, what he knows about the background and working with us in our department, what kind of things does he see would translate to Skagit County? Like, what kind of takeaways are there from that case and all of the background info that went into that decision? So that's the context of the document. So our staff attorney Jason D'Avignon prepared this just to have a quick reference to that case. So I found it pretty helpful. Hopefully we'll have a chance to take a look at it. I'll say a general summary – you know, my read of this, and then discussing it with him.

Primarily the Supreme Court decision was based on procedural, which, if you've often dealt with attorneys, that's often where they first go is procedural errors. But that doesn't mean that it didn't have a lot of peripheral statements about use of ag properties and appropriate use of ag properties, even though the main decision was about, you know, SEPA and GMA compliance.

That said, you know, it definitely reinforced the idea that there shouldn't be conversion of prime ag land. It also talked about accessory uses, which was referred to, and talked about how if there are accessory uses they definitely are not – they should not be crafted in such a way at a local level to interfere the prime use of agriculture. So it did give us, you know, reinforcement of what I think the overall goal and approach of our County Commissioners at least, I think it matches that. I mean, I've heard them often say that yeah, absolutely the primary directive here is to protect Ag-NRL. Almost any kind of code case or code revision or Comp Plan amendment or anything we've discussed with the County Commissioners, that's always been the message. Now, you know, them having to deal with, you know, a lot of different variables, you know, it's never black and white, or rarely is it black and white, I should say. So they do acknowledge, Hey, there are other demands in the community; there are things that *may* work for us in Skagit County that wouldn't impede the primary directive of protecting Ag-NRL. And, you know, that's how we got here today.

So, you know, the latter part of this summary talks about the accessory uses and gives some limitation, you know, about you definitely shouldn't convert. And we already have some limitations in our Skagit County code about that. Like staying within the one-acre footprint. So that's a theme that's in our code already. So it's not too far away from how we practice it now, but it does give us some additional guidance and reinforce some of the ways we've been looking at ag.

So first, like I said, the last five points, those are the part where I just asked the attorney, Hey, give me your take on this. You know? What should we be thinking about from his perspective. I thought it was a great summary. A lot of what we have already, what we are thinking about already, some slightly different ideas on how to make it work – either limit it or make it work so that it's not – doesn't – reduces the conflict.

So that's my quick take on this – you know, what this document is and – I don't know how we might want to use that in our discussion.

Ms. Frye: So tell me if I'm understanding current County code correctly. It seems like ag accessory use, that whole subcategory is included in the outright permitted use.

Director Moore: Mm-hmm.

Ms. Frye: Is there any reason why that couldn't be split up in some ag accessory uses, or _____ some are administrative, some are a Hearing Examiner permit?

Director Moore: No. No reason we couldn't do that. I think that would add to the clarity and it was, I think, a little bit, I think what Meg asked is, you know, Do we keep 7 there and just try to make it this big? Or do we actually pull it out of there and be able to separate it and clarify different levels?

Ms. Frye: It seems like you don't want all. I mean, because ag accessory use includes non-ag accessory use. So to say that that's all outright permitted....

Director Moore: Right, right.

Ms. Frye: And it seems like, I guess, is that – I know you're going to follow up – if all Skagit ag plans are considered _____. Yes, you know, if it's – Skagit County could be more exclusive.

Director Moore: I think that's a good question. I mean, should we potentially call something – you know, an outright allowed use may be minor or less intensive agricultural accessory, or major ag accessory.

Ms. Frye: I mean it's got to be structural.

Director Moore: Possibly, yeah.

Ms. Frye: _____ impact fees.

Director Moore: Right, yeah. I mean, we definitely want to carve out the simple stuff that we've ___ talked about. Hey, that's just a regular part of farming. Whatever. So I think that *may* be an outcome that we – even though the ag accessory might be this big of an array of different uses and types of activities, maybe we just, you know, outright allow if it's only a part of that, okay. Clearly everybody agrees no problem, you know? You do that on your

farm. You don't need to worry about it. But as it gets bigger, it might still be sort of the same thing but maybe the scale of it gets just so big that – all right, well, now we need to drop it into the different pathway of special use and consider the impacts better before the operation picks up. I hope that _____.

Ms. Frye: Getting back to Kai's question earlier about, you know, what specific mechanisms can be used for these thresholds. And I think again of the example of _____. If we choose income or percent of income, is that something the County has authority to look at or not? And this kind of gets to, like, is it actually feasible? Are you going to request tax returns? Like, how are you going to – or is it self-reported?

Ms. Anderson: I mean, with the SPF working group we're going to assess how the IRS says – you know, a threshold you have to qualify for. And so that's done pretty easy, _____ per day.

Ms. Frye: Yeah, so what does that look like _____? It's easier to look at percentage of a site, but, like, income – is that something that you have?

Director Moore: Yeah, I think it could. You know, as Jessie mentioned, we also have a – I mean, we have a tax scenario where we assess our _____ incomes and we set aside ag and then we lower – you know, anyway.... I don't know the details of how it works exactly, but we have scenarios in which we do measure income, and even for the special use permit we say you have to have x-amount of agricultural income to even qualify for certain special use permits. Now while I think it's drafted well right now and very usable, maybe not. But one thing that has been brought up a number of times is the attachments to the IRS forms. That would provide at least some documentation that is, you know, less likely to be manipulated in the future if we're looking at that. You know, you're probably less likely to alter all of your tax forms than, you know, a self-report that, at least for now, isn't done consistently for people who *do* hold special use permits.

Ms. Frye: If people end up needing to _____, do those become public records?

Director Moore: Right.

Ms. Frye: Again, I –

Director Moore: Interesting! That's interesting.

Ms. Frye: People are going to read that because of that.

Director Moore: Right. Well, we'll have to talk to our attorney about that. Yeah.

Ms. Frye: Yeah.

Director Moore: Yeah. I'm not sure how that'll work. Good point. Most of what we take in is ultimately available to the public, but not every single thing.

Ms. Frye: That might be an attorney question.

Director Moore: Yeah.

Ms. Frye: If income is based kind of on thresholds and you need a tax return to document that, how can those not be ____?

Mr. Ottesen: ____ reviewable ____ Skagitonians' recommendation. I was, for instance, for most a three-year review period. I wonder if that might make sense ____ income for the future.

Ms. Frye: That's not a one ____ so it'll be back around.

Mr. Ottesen: Yeah, It'll come back around. But it's not an annual _____.
_____ burden on the
County _____. I guess I also wanted to say _____ really helpful about and I think informative in terms of guiding our _____. I didn't answer the question. And I see a law convening around them, kind of looking at the footprint as the guiding or limiting factor. And then ____ being, too, _____. And maybe this is clear from a legal reading but to a lay reading I see some ambiguity, specifically around, you know, keeping non-agricultural accessory uses inside that established developed area, and then that that shall not otherwise ____ more than one acre. So if I'm hearing you correctly, that's a total of one acre. But if the established area was already larger than an acre, that would still be allowed, as it's currently _____.

Director Moore: That's the way I read it, is this portion is talking about conversion of any sort. So –

Mr. Ottesen: But I guess to me with a lay reading I can see that not – not otherwise convert more than one acre. Sounds like a provision to convert another acre. If, say, you buy another property and you – and I understand that ____ might not be the legal reading but to a lay reading it it sure sounds like you could develop another acre on that property for non-agricultural accessory use.

Director Moore: Okay.

Mr. Ottesen: _____ we can talk about that.

Director Moore: No, I see what you're saying on that. So is it conversion within the existing developed area or is it conversion of _____?

Mr. Ottesen: (incomprehensible)

(incomprehensible voices)

Male: Kind of gray.

Mr. Ottesen: That's it: Kind of gray.

Director Moore: Yeah. That's interesting.

Mr. Ottesen: So then every time – and then you sell the property to someone else and they're – Oh, do I get another? Oh, I get another!

Director Moore: I mean, I don't – I'll ask Jason about that and maybe go back and read that portion of the decision to figure out what that state guidance means. Now my guess is that we're going to exercise – the County would exercise the other part of being a little more restrictive than the state might allow for it. But I may be wrong.

Mr. Ottesen: Yeah. Well, and I guess the concern I see is if someone, you know, reads that, does something like not necessarily a building but gravels an area, right?

Director Moore: Yeah.

Mr. Ottesen: That's not – it doesn't ever rise to the level for a permit, but gradually converts that _____.

Director Moore: Yeah. It makes sense. Yeah, I understand that slippery slope argument. I mean, we've had when we've looked at the few special uses we've had, people have talked about, you know, What is conversion? So is it using existing buildings or can I go out where we've been tilling the soil historically for the last couple decades? Or is it converting an existing lawn area, throwing down some mulch for people to park on for temporary events. You know, is that a conversion that's taking away the till, the historically _____ soil? Or is it just sort of a peripheral area, and is that a conversion of ag – you know, production ag land, or is that just a conversion of NRL-zoned property?

So that's a good question you're asking. We've struggled with that, even in our special use permits, what that means. So.... Typically our hardline is the – you know, we look at pastoral photos over the last couple of decades and say, Okay, well, this has been actually actively used. You're not going there. You can't go there. But other peripheral areas, other yard, other gravel paths, other just grass stuff in between buildings or whatever, then we've said, All right.

Mr. Ottesen: So I guess then it comes down to if someone's looking to add that kind of venue or activity to make sure we have a clear baseline that, you know, from this point forward is our established and documented.

Director Moore: Yeah, definitely. I mean, I think it has to be clear and then, you know, I don't know. We'll get some clarity on the state guideline on top of that decision and then we can decide how to apply that to Skagit County.

Mr. Morrison: So, Kai, that's what a sideboard is. The definition of a sideboard is trying to clear up what that means. And I think the intent – the spirit and intent of some of those is for parking lots, not necessarily for structures or things, you know. But, I mean, you've got a lot of things to think about that are strange and all kinds of things. But, yeah, that's one example of what I would call a sideboard or guardrail or rule or whatever you guys want to call it. Yeah.

Mr. Ottesen: And that's what I'm saying because I just want to make sure that that guardrail is crafted to do its job _____ intended consequences.

Mr. Morrison: Yeah. Ironically – and Jack, I've got to say this because of a Farmland Preservation hat I wear once in a while, this comes up. But there are folks – because of past aerial photos that go back, you know, a long, long time. I have an instance near me that someone's refusing to allow a bee farm. Open space, there's no one checking on them. So it's pasture technically but it's not being farmed, but there's no cattle or horses or anything out there yet. I've tried to rent it. It's a small parcel. A lot of people want to claim that small parcels are unfarmable ___, you know, because they might not be connected to other farmland. They're in a little area next to some of their houses or something. But there're all kinds of people out there looking for a small parcel to farm. Just that came up when you mentioned the aerial photos. I've struggled with this one. Folks trying to get out of the Ag-NRL because they claim that they aren't being able to farm.

Director Moore: Yeah. You know, since we're talking about scale and size and ratios, you know, generally, I do want to – one other thing that's come up in some of the projects we've done and conversations we've had is, you know, say it's an existing developed area and someone comes in and says, Hey, I want to use this barn or this outbuilding that's underutilized. I want to convert it and use it for something else, at least on an interim basis, or a permanent basis. I want to convert it. And I go, Okay, well it's in the developed area. Okay, sure, it fits within the special use criteria. And they go through the process and we say, Yes. Nothing prevents building a new barn in the Ag-NRLs for a processing facility. So if you convert the existing building to the event use or, you know, – historically for event uses – I don't know if we're going to be talking about any of that in the new code but – or tourism use, let's say. It might have a ripple effect of taking out production farmland. Because now you think, Oh, well, now I don't have enough barns to park my tractor, enough processing area. I need a roof. I'm going to need to build something else. So I don't know if you can actively, you know, get ahead of that, but just something to keep in mind when we're talking about how much of the developed area can be used for the tourism or how much to be retained for the true ag support.

Mr. Ottesen: Are there – I should know this, but are there any limitations at the county level on the – like, the percentage of that – assuming that's not covered by easement – any limitations on the percentage of that land that can be converted to barn or ag use?

Director Moore: Right now?

Mr. Ottesen: Not right now. Yeah.

Director Moore: (laughing) It does seem odd sometimes! I mean, where – you know.

Mr. Ottesen: And you see parcels like that.

Director Moore: Yeah.

Mr. Ottesen: Hanging around on basically just a whole argument.

Director Moore: Yeah. It's turned into an industrial site. Absolutely. We've seen it all around the county, and that's been highly contentious, you know. Right now it's allowed. But, you know, some smaller people wanted to do peripheral items and, you know, we're like you can't do 5,000 square feet of anything because you're zoned Ag-NRL. And next door, you know, 12 acres get converted to pavement and gravel. So it's pretty – it's a contentious issue. We hear about it.

Mr. Ottesen: If your non-ag accessory use is confined to an acre – right? If I'm hearing this right. Then that's in theory the most that you're going to push out – the most _____ you're going to push out into ag land, right? And anything beyond that is just an expansion of the operation on an ag basis.

Director Moore: Sure. Sure. Absolutely. Yep. Yeah, I know. Clear, isn't it?

Mr. Ottesen: Yeah.

Ms. Frye: The current inventory of GIS assessment, I've gotten kind of curious – like, acreage in NRL, parcel size, just – I think I'd be curious to know some of that.

Director Moore: Okay.

Ms. Frye: I'm just _____. And then part of what we're trying to prevent potentially is that idea of, like, people coming; moving into the ag zone; converting the property with the barns into a specific event venue. _____. And I think in print there are more of those smaller Ag-NRL parcels because of – I don't know. _____. That's why I'm curious. Like, there might be more of these smaller parcels that would have a hard time having farm income because they have been pulled out, because their conservation easement end has been put on a rest. Like, does that track what I'm trying to say? _____ / Because _____ Farmland Legacy Program you might break off the one-acre building site, so then you have this one-acre building site in the NRL. A barn – someone

_____ barn _____ no farm land associated with any _____. That's been pulled off. _____ this issue to some extent? And is that true, like, is that what's happening? Are there a lot of _____ for smaller NRL ____ because of that, or if they had pulled off a conservation easement does the zoning change or, like, what happens to that?

Director Moore: It's still the same property so it's just an easement only. So it's just a restriction or agreement to not, you know, use it for anything but, so you get a tax break on it. So it's technically kind of a land division process, but it's still one big property.

Mr. Ottesen: Well, would an easement _____ total _____ service, based on _____. But it's otherwise fully allowed within that zone. The Ag-NRL on permitted uses. _____.

Director Moore: Yeah. And not to forget your first question on, you know, how do you track that, this first acreage and stuff. So I need to check. So we set up a custom extraction out of our data for converted acreage of Ag-NRL back when we had our old permit system. We have a new permit system that we started using six, eight months ago. I don't know if that particular report is set up yet, so I'll ask if there's a way to do that. But we were tracking basically square footage or acreage of conversion in the NRL from previous to impervious conversion. So it didn't have anything to do with ag tourism or anything, but it could just be what we talked about earlier – you know, new barns, new processing facilities. It could be an expansion of the existing farm support area. But we were trying – we started to track just, you know, soil to anything other than soil. So I need to see if that's still available with our new system or to ask if that report needs to be rebuilt. So I can find out.

Ms. Harris: Any questions about the _____?

Ms. Frye: I mean, I think those five questions that came up are really kind of the crux of what we're trying to figure out here.

Mr. Steinman: I think I never thought I'd do this.

Female: _____. I don't think that Skagit County was the _____ resolution pertaining to *County v. Friends of Sammamish Valley*. I don't think it's captured in that two-page summary. I can offer that _____. Is it in the remand folder, or where do you. No, but it's a court. It's from the Commissioners. "Agricultural layout that is specifically designated must be maintained and enhanced ____ a central future use under the GMA. Even if the land is not being used for agricultural production currently." So that kind of addresses, What if it's just grass? What if it's something else? If it's in Ag-NRL, whether or not it's being used for agricultural production doesn't devalue its listing as _____ Comp Plan. So it's in the GMA requirement _____.

Mr. Steinman: Statements like that can be applied especially in east county _____. You probably have a lot of people here like, Well, what are you actually doing out here?

Director Moore: Yeah, and that is how the County applies that rule. Zoning is zoning, and what you're doing today doesn't mean that the next owner may want to go back to primary zoning – or primary ag use. And I shared that, you know, I think that's valuable. I also think in some ways we've over-designated in some areas of the county, which creates conflicts and difficulties for *those* property owners.

Ms. Frye: Over-designated in what way?

Director Moore: So my go-to example is McLean Road. You go halfway down McLean Road, there's a trucking facility, an industrial park, a manufactured home park, a retail restaurant, fire station. Every time those folks come in to try to do something it creates a very expensive and lengthy process for a special use permit because they're in Ag-NRL zoning. So it's tough when someone in a very, very low income, single-wide mobile home and that mobile home park comes in and wants to put a double-wide in. They are technically kind of expanding their footprint in the Ag-NRL zone. You know, we do some interpretation to try to help move things along but it's not easy. You know, fire station? Are we trying to zone that out of existence by having it Ag-NRL? I don't believe so. I think we want it to stay there. So anyway, that's my go-to example.

Mr. Ottesen: So there's almost a de facto rezoning in that area.

Director Moore: It is.

Mr. Ottesen: It _____ once and what you want to do there.

Director Moore: Should it be called Ag-NRL? I'm not so sure. To me, it looks very, very much like what the state calls a LAMIRD – a local area – a local area of more intense –

Ms. Satushek: Limited area?

Director Moore: Limited area? What is that?

Ms. Satushek: Yeah, a Limited Area of More Intense Rural Development.

Director Moore: There you go. Thank you. Yeah, you know, one of those big, long acronyms. But yeah. So, anyway, I guess I just want to say that. At some point – some point, not right now today, but we really should do a countywide analysis of all of that, both to see if we should put more into Ag-NRL in various areas or potentially maybe some *shouldn't* be. I don't know. That's not really part of this particular discussion but it sort of relates to it.

Mr. Steinman: That does seem like really the slippery slope potentially to do with the LAMIRD to suddenly go from what was 20 years ago. Or 60 years ago it was farmland. It is now Burlington Boulevard.

Director Moore: Yeah. No, for sure. The good part about at least that particular topic, LAMIRDS, they are very constrictive. They can't grow. They are recognizing only what's there and you draw a line around it and that's it. That's it, yeah. But anyway, sorry to get sidetracked on that.

Mr. Morrison: You can't create those.

Director Moore: Right. Yeah, correct, correct. Can't make new ones, can't expand the existing ones. It's just drawing a line around what is already there. Anyway. Zoning is kind of funny. When you do – I guess maybe my point is is, you know, when we figure out zoning lines and what goes into what – what I have described as buckets, allowed use or different levels of special use – you know, I'm not only thinking of the topic at hand of tourism here but I'm also thinking of, you know, the other peripheral effects on other proposed uses. Is it going to create any hardship for anybody else that maybe we didn't intend? We talked about that too – the unintended consequences – so putting your restrictions on a particular zoning district: Is it going to hurt somebody else, and to what extent?

Ms. Harris: I want to talk about ag and non-ag accessory uses. I want you leaving today feeling optimistic and _____, and I think we can get to some of this low-hanging fruit, which is what I want to do. Just – I'm going to – I'm never really bushed by closing time in terms of I think we've gone through some of this. We want to touch on meeting dates. I'll save, like, two minutes for that. So the next exercise that we can take to eventually the end of the hour.

I saw me behind here the break kind of playing this out and so here's my vision. And we may need to **tape that space** on the conversation we just had. So potentially we have this kind of like scale or like spectrum of uses, right? I heard at the beginning we were talking about – and _____ my spelling on the board – ____ something like that. We were talking about all accessory uses being allowed, but then I heard kind of a conversation where, like, accessory uses might be defined as something more like _____. So take this with a grain of salt. But essentially, like, let's start getting some of the _____ on either of these. Like the far end or this end and some of these thresholds in a way that you feel like you could start _____. And we'll just put it up on the board. These can be specific uses, like a farmstand or these little roadside stands, or horse viewing or the U-Pick, but it can also be kind of more, like, thematic things like something that's, like, clearly soil-dependent, or something that happens once a year. So I'll allow you some flexibility of – it can be a mix of both ____, is what I'm thinking.

Ms. Schuh: So things that would go under each of those sections?

Ms. Harris: Yes.

Mr. Ashby: I would love to tease out the idea of soil-dependency as an ag accessory allowed use.

Ms. Harris: I'm going to put things on the board even if they're not really in agreement yet and we can, like, move them or shift them.

Mr. Ashby: Right.

Ms. Harris: Yeah.

Ms. Frye: And I guess in some ways I'm wondering. I want to come back to that, but _____ your categories. I feel if we could have the same thing in a lot of those columns. Like they're already the farmstands are called out in the code and may exist in each of those categories, depending on size. In some ways it's almost like trying to find, like, what is an agricultural use and what is a non-agricultural because – does that make sense? Like –

Mr. Morrison: Yeah. Amy, you know, a farmstand, is it selling something from the farm?

Ms. Frye: Right. I mean, there is a county that's had that definition that I pulled out – yeah. I think a lot of people are going to talk about that could come up in each of those. _____ might be helpful. Yeah, what do we *not* want to see on ag land? Like, maybe that's an easier place to start? Because that whole middle is, like, going to be those thresholds _____. Like events of under 50 people may be outright allowed because 100 people need a – is it making sense what I'm trying to say? Like –

Ms. Harris: We can change this exercise ____ and just do, like, two things.

Ms. Frye: I know.

Male: So, like, just to _____ like a concert, right? Have some people. Does that help?

Ms. Schuh: Concert or –

Same Male: What about 5,000?

Ms. Frye: But I'm also _____. What if I want to have an event at my farm and bring people out for some local, you know, _____.

Same Male: _____ the threshold, right?

Female: Right. Exactly. What are we saying? Just like no way, no how, not on ag land in Skagit County.

Mr. Morrison: Well, it's the difference between a temporary and something that's more permanent, I think, finally.

Ms. Harris: _____ is or is not allowed.

Mr. Morrison: In the instance of concert or, you know, there could be a legitimate reason to – you know, like let's say we had a farm aid concert, but it's a one-off. It happens every ten years or something. That's a lot different than setting up a casino-sponsored concert venue that has a concert every weekend in summer. You know, that's a lot different.

Director Moore: I'm glad you brought that up. That's one of my biggest problems with the code right now – those small, temporary events that are not really temporary, the way the code defines it. But there *is* such a thing as a temporary event – we regulate it completely differently – where it's a one-off item. And, really, the County would go out and look at – and if it's truly a one-off item, it's, like, one time per year or something, we'll go out and look at, you know, fire code, egress. The Health Department will go out and look at whatever food service they're providing to make sure it's right and they have enough ___ bodies. That's a *true* temporary event. And so to me that's one of the biggest problems with what you saw of the temporary events there on the street – is those aren't temporary. Nothing about that's temporary. It goes through our process and it's permanently approved for events – up to 24 a year.

Ms. Frye: That's what a special event permit gets.

Director Moore: That's a special use permit for temporary events. But they're not temporary, so that's one thing that we can scratch. I hope we can scratch that. I mean, if I have anything to do with anything I'm going to get rid of that word 'temporary' off that!

Ms. Keltz: Right. It's like we have one-time events and then temporary events happen well, maybe multiple times per year.

Director Moore: Right. Yes. To whatever frequency is desired. But yes, I think that should be clarified. So there is such a thing as a temporary event. It's a one-time only, and there's a different pathway and we can deal with that separately, and there is a – under the fire code and et cetera. Definitely I don't think we should call those 'temporary.'

Mr. Ottesen: This may be an obvious question but do the days of the event – does that – are those kind of public-facing days that it's open, and not counting set-up days around it or on either side?

Director Moore: Yeah. Yeah. Days where the public or – yeah. When you're supposed to show up to it ____, yeah. The public.

Female: Well, it feels like a non-temporary event. _____ but even if we thought that _____ that's seasonal, that you're all year round.

Another Female: Maybe the seasonal is in between the _____.

Director Moore: I don't know if this is the best term, but the way I've been thinking about it is like permanent intermittent – somehow? I know that's not a great descriptor but that's just how I ____.

Ms. Schuh: Yeah, or _____.

Director Moore: Yeah. Could be. Yeah, it's ongoing. It's a permanent thing. Or even the special use permits right now. We'll issue a special use permit under – they call it a temporary event special use permit. But they can do 24 events per year into perpetuity. It never ends. That's how – but they're called 'temporary events.' So at 24 a year, you're limited to the number, and I have to assume that number was based on not having them every single day so that they're not – you know, giving the farmers a lot more flexibility to work around those if they have to. But I don't know. I think of them, yeah – seasonal or intermittent or limited number. Limited. I'm not sure what to call them.

Ms. Frye: _____ to you. We did a similar exercise with the working group but we have a whole bunch of notes on, like, what events you had. So, like, all these different categories. I don't if _____. You know what I mean? it's like _____ somewhere. That might be a helpful thing for us to –

(unintelligible)

Ms. Frye: Yeah, again _____. We all _____. _____ if I have those minutes from that one meeting.

Mr. Morrison: A lot of that – yeah, SPF agritourism _____ underneath the title of this working group – I forget what it was called but, yeah, at least the last half dozen or so of the meetings were. I don't know about the initial. We have some larger stakeholder groups too that we met and convened like a year prior to that that were – they weren't just – they included – they were kind of – I guess they've all been inclusive so I can't say that, but, I mean, towards the end if was a large setup, large attendance or large tents. Attendance was by operations that have some tourism activity on there already versus just commercial farmers or something. So I know those minutes are on there. The last – I don't know which part of the group you were in – you were on one or two of them, right?

Ms. Frye: Yeah, I know.

Mr. Morrison: Yeah.

Ms. Frye: Second _____.

Mr. Morrison: You'll have to flip through those. Yeah.

Ms. Schuh: I'm looking now. There's three big categories _____.

Ms. Frye: Yeah.

(several voices speaking at the same time)

Ms. Frye: And then, I don't know – just that I know we're almost out of time. For the future, whatever ____ is the Topic 3, and I've got "the valley" yeah, _____. I feel like I don't have a lot of context for where that discussion has come from or the pros and cons, so, like, that would be helpful to have a background document as well, on maybe background there is on arguments for or against, or –

Male: That's what?

Ms. Frye: Just the agony of regulating agritourism differently. upper versus ____ river against.

(several incomprehensible voices)

Ms. Frye: Yeah, just is there any background that we could review on that – where does that ____ come from? Why –

Female: Yeah, yeah.

Director Moore: Super quickly, because we're getting close, the only – that just came up in a discussion in the previous discussions, is that – you know, it was a question more than anything. Should it be treated differently? I mean, if you look at, you know, the ag operation in the delta out here – large scale, you know, agricultural tilling production of the soil versus if you drive up, you know, to Hamilton and look around at the ag use up there. It looks very different. And in a lot of areas, the properties get smaller and it's definitely a different type of ag use. So that was really the whole thing – is, Okay, should there be different allowances for the different types of agricultural activity that, you know, that happens east versus west county? Yeah, there's no magic to the line that was referenced in the remand necessarily. It was just that topic, you know. There was some polite conversation about talking about property sizes. Some people are like, if it's small enough property maybe it's not as conducive to ag and you may be needing more flexibility. But also we've had the other point of view. No, we should treat property size differently. So then it was east versus west. That's really – there's no other facts or anything behind it. It was just more of an open question. You know, should we allow a little bit more up there than we do _____?

Mr. Steinman: I was just going to add to that from a producer that's up there, I can't speak for Tony Wisdom because he's not here, but I do know that there are from a vegetable mixed ____ operation, the Roosevelt herd institutes a pretty severe challenge. I mean, they've cost us hundreds of thousands of dollars per year and the state doesn't do pretty much anything to _____

(several voices speaking at the same time)

Mr. Steinman: They can come in and destroy an entire crop at night. They can come in and cost you a grand overnight. You just lost products. And then I can talk about the food safety reality of having gigantic elk walking through your patch. I know Skagit Valley

Farms had the ____ up there to pass and they no longer do, but they can put only potatoes up there anymore. It doesn't seem really fair. So that opens up a whole other _____. That's the state not caring about the farms.

Director Moore: That's an interesting difference.

Mr. Steinman: It is a big _____. It is. But _____

Mr. Ottesen: One thing that I've just – really stood out to me is number 2, _____. We should have _____ properties. That's what I'm going to be thinking about. _____, you know. And that feels like a useful way to kind of – I feel like we're stalling out on this a little bit. It feels like a useful way to get out what of ___, how to think about whether or where something should _____. What is that interference? How does that manifest _____, and where are _____?

Ms. Satushek: (incomprehensible)

Ms. Harris: Thanks, Tara.

Ms. Satushek: Yeah.

Ms. Harris: I know I gave you a lot of homework to do over the break. If you didn't properly check your calendar – if you go on the backside of – I think it's a good stopping place for now. I stand by the fact that we're _____, kind of like _____ introductory. Talking to Jack over the break, I feel like that ___ we're building here in terms of ___ relationship and process. _____. I also think about this as actually meeting 2 of 7 instead of 3 of 8 just because the first meeting as really about _____, for what that's worth.

On that note, so you heard feedback that kind of the more we can get this into June and out of July would be preferred. So I'm looking at these three potential dates, and this is the bottom of your agenda. May 22nd is the day before the long weekend holiday. I think it's Monday, May 26th, is the holiday. The 29th and then replacing June 2nd – sorry, replacing June 5th with the 12th and the 26th, and that pushes us – like it keeps us in June before the 4th of July holiday.

I'll be here for a little while if you have conflicts with those dates. And if I don't hear conflicts with those dates before – like over the next week, then Tara will get those on your calendars.

Mr. Ottesen: May and June are our absolutely busiest months of the year, so don't reschedule _____. _____. I don't want you scheduling around us actually!

Mr. Ashby: I second that.

(several voices speaking inaudibly)

Ms. Harris: Well, that's a question, because I heard you speculate some more with _____, but is there value in that way in, like, not having that May meeting and moving it into July more?

Ms. Anderson: I mean, I would prefer not to meet during the week of July 4th.

(several incomprehensible voices)

Ms. Harris: Yeah, the other option was to move this July 3rd to the 10th and have it go just longer. So I'll let you think about those. I think I'm inclined to get the 12th on there. It seems like a good date to commit to. And then the 12th and the 26th, and then it's either May 29th or July 10th. So we either, like, hit it pretty hard for two weeks in a row or we take, like a three-week break and that we do one more in July.

Male: (inaudible)

Ms. Harris: We can think about that.

(inaudible or incomprehensible voices)

Ms. Harris: Okay. We'll keep working on these dates over the next week and I'll send out another email. Thanks, everyone. Feel free to stay and have snacks. I'm going to wander around a little bit _____.

Mr. Ashby: What's our homework readings?

Ms. Harris: Good question.

Female: Thanks, Rob!

Ms. Harris: Amy suggested that we work with SPF to narrow down a list of resources, and I think that's good homework because once we turn that around to the committees then I'm going to spend some time with those.

Mr. Ashby: Can I make a proposition here –

Ms. Harris: Yes.

Mr. Ashby: – which is each of these buckets I feel like _____, things to be thinking about in terms of what fits with those options. Yeah, I don't disagree with those. I mean, it's like either it's allowed or it has to be permitted at some frequency or it has to go and it's a big deal and it has – requires a hearing _____. Like, there's only three and then there's We're not going to do it. So I think it's important that those buckets are principled. In other words, the things that we decide are underneath them are acid-tested by a litmus

test of what would be a _____. It makes an awful lot of sense so if you're trying to share this with others at least we can say conceptually we're thinking this kind of stuff is in this bucket, this is in this bucket, and this is in this bucket. So like, for example, and I'm not saying – I still want this debated; I don't know if it's true – but that an ag accessory use that's allowed would be soil-dependent, would be kind of like the things that are soil-dependent would go underneath that. It would be interesting then to say, Okay, then what is the bucket – and maybe there's another thing under _____. But the same thing there: What is the litmus test for the Admin Special Use, what's the litmus test for the Hearing Examiner? And then if we put stuff underneath that – like if SPF has that, fantastic. But when we put stuff underneath it then does that start to paint the contextual picture that we could share with others? So in other words, the group was thinking that these sorts of things are in here because that stuff we could work on. It's basically trying to carve out the criteria by which we would put things underneath each of these buckets. Is that something that would be a helpful conversation in this principally? Because I get a little stuck if, like – when you put – for example, we put concerts underneath. _____. It's not the why isn't there. I don't know the why so I have a hard time committing to that low end. The other is to say, Well, that's because of something agriculturally that we're trying – like, it hurts production of the land in some certain light, so that's obvious: like, never do that.

But then that would be the criteria, right? And I think it's super important that we have these criteria. I feel personally if something goes wrong that it's super important that we have the criteria for each of these buckets so that we're principled in our choosing of them. And then we could fit stuff underneath that and see if that makes sense. I think we have to start from principle.

Ms. Harris: And I just put one. I don't want to insert my thoughts here but, like, to test your hypothesis, Rob, like stuff where it has a definition like that – soil-dependent – this is not soil-dependent but it's not cause to interfere. That was just like the middle ground that I had between these kind of seemingly more concrete pieces. And so is there actually _____?

Mr. Ashby: Yeah, that's cool. I mean, it could be, like, goes to the point I think that Darrin was trying to execute maybe as well. Like, is it soil-dependent but it creates a conflict with adjacent uses of agriculture? Like, I don't know if that's a thing that requires _____. I don't know if that's right but I'm just saying that could be something that is proposed on there. But I wonder if – and I would ask the rest of the group – is that sort of like for some – it does seem like a lot of homework, Kristen, with maybe _____. Yeah, I can handle it. Kristen and I are at least _____, so that's fine.

But if – is that something we could kind of put our brains around, is the criteria for each of these buckets? So then we did the slotting exercise afterwards to see if those fit and work with real things, like _____, which we never talk about.

Mr. Steinman: I think there is some existing definitions already maybe that you'd start with, right?

Mr. Ashby: That would be great if those would be brought to the table for us to think about them before. And I would really love, by the way, if you'd ask. And if there are those things, give us, like, 72 hours to process them. If they come through, it'd be really, really great. I'm a little introverted.

Ms. Anderson: And like Amy said, the SPF workgroup, which I also participated on, we did spend some time on this issue. So she was going to check her notes. I will as well, and maybe ask ___ has a record. As you would brainstorm some items for these buckets already. So that could be – it could be helpful moving forward as this group looks at this.

Ms. Satushek: Yeah, it would be nice to have a starting point.

Ms. Harris: So anything that you find, then, I'll make sure Amy gets too. If you could get it to Tara –

Ms. Anderson: Sure. Sure

Ms. Harris: ____, too. If you get _____. We're trying to get things out by, like, the next Thursday so that you have _____.

Ms. Anderson: Okay, great.

Ms. Harris: So like materials coming into Tara over the next week and then we'll package them and they'll come back out to you so that you'll tackle them. I think that's a good idea. And I can work on – Rob, to your point. You guys might have, you know, - some people – you'll have your own ways of doing this, but I can make a little template that looks like this if you want to send it _____. Jack, does that feel like a good action for next time?

Director Moore: Yep.

Ms. Harris: Any other thoughts, Jack, Tara? Like things *you* need before next meeting, or what would be helpful to you?

Ms. Satushek: I think just, like you just mentioned, the SPF work. Yeah, get it to me if you can as soon as possible.

Male/Female: It's ___ publicly available on our website. Do you just want me to send the link?

Ms. Satushek: The link would be helpful. Thank you.

Ms. Harris: I think the request from Amy, too, is that there are many materials. If you have a specific –

Same Male/Female: Yeah, so I can _____ activities that were discussed. _____ so I can send that.

Ms. Harris: Yeah, _____. The County has a couple action items in terms of answering definitions questions. Do you guys have stuff too?

(silence)

Ms. Harris: _____. Thank you.

END OF RECORDING