

**Community Advisory Group on Agritourism Policy
Sixth Meeting
May 29, 2025**

**Community Advisory
Group Members:**

**Kristen Keltz, Skagit Tourism Bureau
Kai Ottesen, Hedlin's Family Farms
Audrey Matheson, Bow Hill Blueberries
Amy Frye, Boldly Grown Farm
Jessie Anderson, Maplehurst Farms
Nicole Roozen, Skagit Valley Tulip Festival
Matt Steinman, Foothill Farms**

Other (Public):

**Lora Claus, Skagitonians to Preserve Farmland
Kim Matthews, Western WA Agricultural Association
Kim Rubenstein**

Facilitator:

Meg Harris, Triangle Associates

County Staff:

Tara Satushek, Senior Planner

Others:

Jenn Tate, Dept. of Commerce Consultant (virtually)

(recording begins mid-sentence)

Meg Harris: ...we'll have a few minutes to just walk through the agenda and any action items from last meeting. And we'll go back to our presentation today from Jenn, who's an agritourism consultant for the State Department of Commerce. And she's going to share out with us on the state level Washington Agritourism Study & Report, and we'll have time to ask some questions and talk to the group. She's going to be joining us virtually.

Kristen Keltz: But she did have that first topic covered?

Ms. Harris: Yes, and she has a hard stopping time at 10 so we'll do a little adjusting to the agenda that you see in front of you. We can still take those 15 minutes if you'd like at the end. We had her – originally we had her blocked from 9:15 to 10, so – and that was on me – she needs to end at 10. I was reflecting on our conversation with Jason last time and just recognizing that it's, like, a lot of conversation, so I had extended this to a full hour. So we'll pause and make sure we get any questions for her and then we can continue that before the break is _____ or we feel that that's wrapped up.

Before we dive too far into the agenda, let's go around the table with introductions and then we'll bounce back to the back of the room. So, again, Meg Harris, Triangle Associates facilitator.

Kai Ottesen: Kai Ottesen, part of the fourth generation on Hedlin's Family Farm out in La Conner.

Ms. Keltz: Kristen Keltz, Skagit Tourism Bureau and _____.

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

Amy Frye: Amy Frye, Boldly Grown Farm.

Lora Claus: Lora Claus. I'm here for Darrin Morrison as his delegate. I'm the Executive Director of Skagitonians to Preserve Farmland and he's on our board _____ relationship.

Tara Satushek: Tara Satushek, Skagit County Planning.

_____: _____ generation _____ Family Farming.

Ms. Harris: _____ and I believe so. I did get a note from Jen Schuh that she's unavailable to attend today. I believe that we'll see ____ and Matt here in a moment, and Nicole also gave me a note that she would be late too.

Okay, agenda: Let's see, we're starting off in this Welcome and Orientation section. I made a note about the 9:15 to 10:15 with Jenn, who will be joining us virtually. We'll take a break after that conversation, then we have the rest of the meeting to do two things. The first is to revisit some of those remand topics from last meeting particularly and just get a sense of where you are on reviewing and refining those responses. I'd love to just hear from folks like if they've had a chance to look at those. If you have any specific comments that you'd like to read to the group now, we can do that. And generally an approach for reaching consensus on those. So just looking ahead to the next two meetings. This is meeting number six of eight. So as we look forward to the next two meetings, just where we are with those, where we were with additional responses and a plan for adopting and coming to consensus on some of those. That may not take us the whole 20 minutes, if it's more of a planning to plan conversation rather than specifics of the responses. But if there are specific comments that you have that you'd like to cover before we dive into other topics, this would be a good time for that.

Then we'll spend at least an hour and talk about thresholds. This is a piece that I've been checking with the County and, you know, kind of looking at that remand response list and where we feel like – where we see conversation happening. There's a few things related to these thresholds. There are thresholds that you have all discussed based on types of activities, intensity, and frequency. And we could piece each of these out in conversation or we could tackle them all at once. But ultimately these all have come back around to clearly defined categories or thresholds that could be incorporated into the response to number 1 or, like, what are allowed and not allowed uses.

So that's my goal for that. As we start that conversation I'd love to hear – you know, we've tried to tackle it at a few different meetings in a few different ways, and I think we've made some progress and, like, ideas are starting to coalesce. And I'm curious as we start into that, like, I'd love to hear how you've been thinking about it in your brain or what your approach is. We have that kind of like four panels conversation. Amy's been looking at it like as, like, Venn diagrams. Tara used, like, funnel analogy for me the other day, so there's a lot of different ways we could think about this. Yeah, I – rather than putting, like, a structure on it for you, I'm curious to see what's working for you and thinking about that.

And then we'll spend the last few minutes just reviewing action items and look at the topic schedule the next couple meetings – where we are with agenda items and responses and how we want to use the next two meetings the most effective way.

How does that sound to the group?

(silence)

Ms. Harris: Okay, I'll get the call with Jessie settled and then I'll give them a chance to introduce themselves. Do we have Jenn on the phone yet?

Female: Yes.

Ms. Harris: While I'm giving folks a chance to just get settled, a couple _____ at the last meeting – a couple things from the last meeting. I have in front of you printed the agenda for today and the action items from the last one on the 22nd. Largely the action items for the advisory group members – we were looking at the draft recommendation. We also linked the public comment document, which included the multistakeholder response, which was requested last time. I recognize that that response that's in the middle of, like, a 500-page document – which is what's linked – and so I want to be transparent. It was not my intention to have that be just like lost in there. I printed a couple copies, if folks want it, and I can show folks or jot down where I found it in that document, if that's helpful just to be _____ there. It is on page 126 of 500 and it's four pages long. There are a number of other comments in there and I think that's the intent of the County – to link that entire public comment was that is a significant part of, like, what this group has been considering and just a taste of what the County received in that comment period. That said, if it's resonating – I know many of you participated in that process and we're hearing some of the same ideas and comments come through. If that recommendation or comment is resonating with folks, I would encourage you in your responses to make a note of that because I think that, as I am, like, observing from the outside, it would allow the County to reflect back on that as well. So I – yeah. Does that make sense to the group? Thanks, Jessie, for the recommendation to bring that back to the forefront. And if there are other comments in there from other entities that you'd like to highlight for the group, I encourage you to do so and maybe we can keep track of where in that document they live so that it's easier access to get to them and find them.

Sound good? Okay.

Jessie and Nicole, will you do introductions for the recording?

Jessie Anderson: Sure, _____. Jessie Anderson, with stakeholders spot, and I'm four years in with the Skagit County Tulip Festival..

Ms. Harris: Thanks. And online we have Jenn Tate. Good to see you.

Jenn Tate: Hi guys! How's it going? Hello!. Can you hear me?

Ms. Harris: Thanks for joining us. I do know this group has been thinking about agritourism definitions and applicability for Skagit County, and part of their mission or objective is to look at this _____ of judicial and state level legislative processes. So thank you, Kristen, for organizing having Jenn here today with us. And I'll – maybe I'll give you a chance – like a comment or an introduction of Jenn, if you don't mind, given that you _____ suggested that she join us today.

Ms. Roozen: Yes, and I just want to be super quick because I know Jenn's got a hard stop and I know she's going to have some good stuff to say and I want to make sure we have time for questions. Jenn and I also work together on a _____ capacity and so we get to see each other every other week through that with her work for Burlington _____. But she has been working at the Department of Commerce as a contractor to have this agritourism conversation on a state level. And so they did many focus groups around the state and I think today in her presentation we'll see a – maybe on more of a state level draft of agritourism definition and some recommendations that all happened at Department of Commerce. So thank you for taking time, Jenn. We really appreciate it. And I just want to give you the floor so we can hear what you have to say.

Ms. Tate: Okay, can you guys hear me okay?

Ms. Roozen: Yep.

Ms. Tate: Okay, great. Okay, so I – hello. I'm over here – I'm in Carlton, Washington, which probably no one is aware that exists because it's so small. But really it's Twisp and Winthrop, so I'm in the Methow Valley. That's kind of my home base, and I grew up here in eastern Washington, have been involved with tourism and agriculture basically my entire life. So it's really fun to be able to sink my teeth in this project. It definitely was more controversial than what I expected it was going to be. When I first got the project I thought it might be more aspirational and kind of the beginning of agritourism, but really quickly as we got into it, it became clear that there's a lot going on that is causing a lot of tension and a lot of confusion and a lot of heartburn and migraines for lots of people involved.

So we – I'll run you through – I've kind of got a slide deck prepared but there's – let's see, it looks like just one – looks like one, two, three, four, five, six, seven, eight, and about nine or ten people here today. Is that right? Is there anybody else on – remotely? Am I the only remote person?

Ms. Roozen: Yes, you're the only remote person.

Ms. Tate: Okay. I just want to make sure that I – you know, if I see someone – and go ahead and yell because when I share my screen I can't necessarily see who's – I don't have dual screens set up so – sorry, I'm not trying to raise my hand here; I'm trying to share my screen – so it's harder to see if somebody has a question. So you can just holler at me if you want.

Okay, so now I think you guys can see a million of you – yep, there we go. That's great. Okay, so now – okay, can you see my whole screen now?

Several Voices: Yeah.

Ms. Tate: Great. Okay. So I'll try to run through this pretty quickly because there's a lot, and I think that our time will probably be best used trying to answer questions and talking about some of the things, so I'll go through pretty quickly. This is still a draft. This project, when I submit it to Commerce – which is going to be next week we're submitting this to Commerce, and they're going to be running it through about seven weeks of review and going through different departments on their end to review and ask – potentially ask for clarification on things or potentially to add physical notes on all the things that they do. So I don't believe that there's a public process. I've not been told that there's going to be a public comment process on this. But I'm going to clarify that today. I'm going to reach out to my contract leader there today and just clarify that because a question that came up yesterday. And if so, I'll make sure to let Kristen know and then you guys will know about that as well.

I'm Jenn Tate. I'm the owner and founder of Earth and Sky Studios over here in eastern Washington, and then my partner, Maria Hines, is the founder of Blue Sky Minds, which is a nonprofit addressing food systems and food insecurity here in the region. So we worked on this together. I think you all know the state legislature commissioned a study to kind of dive into agritourism regulation and issues that are popping up across the state and try to understand how best to support counties and planners and small farmers and operators – agricultural operators – in the best way possible without compromising anything, and trying to help preserve and protect farms and farmlands primarily.

We ended up conducting stakeholder meetings across the state. We did a lot of one-on-one interviews, and we did a pretty big survey to explore things. So altogether we heard back from 243 individuals across the state and we got 980 data points from that in terms of the directory search that we did. I'm going to skip through these. You guys know what the USDA says agritourism is and what commercial agriculture is. You know the RCW currently so I'm not going to go there. Here's – I'm going to run through this, the Executive Summary Key Findings.

This just kind of outlines how we went about the process and how we did the qualitative and the quantitative data. Here's our findings that we found. Most farmers that responded were smaller scale operators; 77% of respondents owned less than 100 acres of

agricultural land; 62% of the farmers that we surveyed operated year-round; over 40% made less than 40,000 gross a year; and most respondents were just beginning to offset their income with agritourism or they were interested in doing so but hadn't quite started yet, or just the beginning stages. While there was considerable diversity on what should be considered agritourism, the activities most strongly associated with ag tourism were those activities that took place on a farm and had something to do with farming itself. The most controversial activities were event tourism, particularly wedding venues and concerts in barns or fields.

The need to differentiate between hobby farms and investment ventures versus working farms to produce commercial food products became really, really clear throughout the process. Our respondents expressed the biggest benefit for agritourism should be to preserve agricultural land, and the biggest concerns for agritourism were the authenticity of farming operations and zoning conflicts.

I'm going to skip through this because it just kind of outlines the recommendations that you're going to see. So we're going to go to – okay, so we've got basically 10 recommendations here that I'm going to run through. I'm going to try to go through the – the first maybe five or so are the ones that are kind of the most interesting and, I think, more specific to Washington State, at least from what I've seen with other states. Kind of unusual and maybe – to some extent I think the level of controversy that we've had with agritourism is kind of leading somewhat in terms of the state research. You know, the national research that we did. A lot of states are just now just trying to promote agritourism and do more of it and they're not – there's fewer guardrails that we've been seeing in many states.

Then the last five recommendations or so are more kind of vanilla and predictable, and so I'll go through those pretty quickly and then we can get to Q&A. Okay. So the first recommendation is that we're recommending that we redefine or refine the definition of agritourism in the state. And by that I mean coming up with a regulatory definition of agritourism.

So agritourism can help mitigate the financial ups and downs for farmers but currently there's no requirement that someone must be a commercial farmer or rancher before adding agritourism to support their operations. Without ensuring that agriculture is the primary activity – and by "primary" we mean it's happening first and it's happening commercially, not necessarily that it's happening like that it's, you know, the most dollars coming from it or the most land is set aside for it. It seemed not to be advantageous at the state level to go down those roads. So without ensuring that agriculture is the primary activity, hobby farmers or entrepreneurs can start agritourism enterprises that have little to no relation to farming or to conservation of agricultural lands. This is why the tension, confusion, and controversy. If agritourism is one tool in the toolbox to help keep the land in production and keep farmers farming, then some kind of commercial production must be required first.

And so –

Ms. Frye: (incomprehensible)

Ms. Tate: What?

Ms. Frye: Can you restate how you are defining “primary”? So it's not necessary that it's the most dollar –

Ms. Tate: Yeah.

Ms. Frye: Yeah, just to recap that.

Ms. Tate: Yeah, so – and, in fact, if anyone has the right word in English, that would be amazing. So by “primary,” what I really mean is *a priori*, I guess, for Latin – right? Like the thing that is underlying and assumed to have been done first. It's more of like a philosophical – it's like a philosophy term, from my background in some philosophy. I don't know the right English word for it. So if anybody has it, it means something that was happening – that is happening first and foundational. It is a necessary but not sufficient definitive situation that's first. So we're not saying it's the main activity. We're not saying it's the most lucrative activity. We're not saying it brings in the most money, and we're not saying it needs to be happening, and we're not saying anything about how much land it's operating on versus the other land. We're just saying, Do you have a Schedule F? Are you commercially farming? If so, that's the commercial farming test.

And if anyone has a – sorry, one second while I get the cat food up to the dock and heat it – if anybody has an idea of what that word would be, let me know. Because I'm kind of struggling for it in a, you know – if that makes sense.

Okay. So at the state level we're recommending that the state level would define commercial agriculture as the USDA definition, which is merely \$1000 of gross sales in a normal year. So, however, we're also recommending that the language includes that counties can be free to increase that threshold as appropriate for their jurisdictional and local needs. So I think for many, many counties that will be – it would be too low, but for some counties I think that that – it does make sense. It was really – you know, it was really interesting to talk with USDA and WSDA and then various planners and DMOs to see that, you know, the discussion about what *should* that minimum level be. But from – I think from a state level we'll recommend the state define it as that but leave room for counties to increase that. So that would be requiring that initial proof of commercial farming basically.

We want to ensure that the existing agritourism activities listed in the RCWs are neither too broad nor too limited, and by that really simply mean that we should not include wedding venues or concerts in the state RCW definition of agritourism – which it currently isn't. Just to be clear, it currently isn't, but our recommendations are going to be that that is not added into there. If that makes sense.

Okay, so that's recommendation number 1. I'm going to move – would we rather – yeah. Let me go ahead and come back and stop sharing for a second so I can see you guys. Sorry, I hate when I can't see everyone.

Ms. Roozen: What's the proof of commercial farming? I'm sure people in this room –

Ms. Tate: Okay –

Ms. Roozen: But I do know this is impossible _____. (inaudible)

Ms. Tate: Yes, so we were intending that the easiest way to do that would be through a Schedule F presented to the County that you're operating, and similar to some of the requirements for the open space taxation. It's something that is – (it) currently happens. It's not completely unfamiliar. It may not be met with, like, much rejoicing and applause that we need to submit the Schedule F, but it shouldn't be, you know, an insurmountable obstacle for farmers, growers, and producers to be able to supply that. In some kind of a cadence, I think – you know, I think some of this will be left up to the lawmakers of the – you know, obviously this has to go through all the processes but, you know, some kind of cadence of every four years or some kind of a – and then again if you're planning to do some kind of a change that would change- you know, if you're applying for a permit to do something else or something additional, that you would need to resupply that proof of commercial farming.

Ms. Claus: This is Lora. May I just ask was there any discussion or maybe to be discussed about just if a Schedule F was submitted as part of an application process or a permit process to a government, then it becomes part of the public record? Any thoughts about that, maybe for privacy concerns?

Ms. Tate: How is that dealt with in the open space taxation laws?

Ms. Claus: I'm going to defer to Tara on this.

Ms. Satushek: Don't know. Yeah, that would be an assessor's or an auditor's question. We'd have to check with that. But what our attorney told us last week was that anything that's submitted to the County is just assumed to be a public record.

Ms. Tate: That has not come up before. Since the open space taxation laws – and those things have been going on for quite some time – I have never heard of anybody having their privacy exposed by that, so there must be a mechanism in place. But I will look into that because that's a really good question and I think it would be really good if I had the answer to that in the report.

Ms. Satushek: Thank you so much.

Ms. Tate: Yeah. I'll find out. Thank you for bringing that up.

Ms. Frye: And we can circle back – this is Amy – we can circle back on this later, but I have a list. There's, like, other potential mechanisms to proof of working farm requirement that we could discuss.

Ms. Tate: Let's –

Ms. Frye: I think that's _____ later.

Ms. Tate: Well, I don't want to lose it, though. Okay. Let's keep going and then we'll come back to this. Does anybody else have any other – I'm just making a note here – proof of working farms. Okay. Other suggestions that we had included a certified organic designation. Obviously that would – that would obviously suffice as well. From planners, we didn't get much else from any planners in terms of what they thought would be a sufficient commercial farming. Okay, let me keep going and we'll go to the next – okay. Can you guys see this now?

Ms. Frye: Not yet.

Ms. Tate: Okay. I don't think – come on. Okay, here we go. Okay, now? Okay, I'm sorry _____. Okay, so my second recommendation basically is – and I don't have to read all of this because you guys do know this – there is a lot of – different counties regulate things in different ways and while that is important and we don't want to compromise that at all, we do want to give as much guidance as possible for counties, especially counties *unlike* Skagit that have less money and less energy and time and maybe don't even have an ag advisory board. Like, there's a lot of smaller counties, or at least smaller in the fiscal sense, that really could use additional support and help. So we're recommending that Commerce make a model ordinance that counties could apply or could tweak and apply or could at least refer to as they're doing their own planning process.

And so we're also going to be recommending that there is a tool kit created that helps guide perspective agritourism operators through the permits and steps necessary. So that really came up repeatedly that there is just really no way someone can get their state business license, then they think they talk to the right person but they never realize they need actually to talk to Health as well as whatever – you know. And so then they are up a creek without a paddle and have invested a ton of money and ultimately either are going to operate illegally or going to have to not operate at all because they didn't know all the different entities that they needed to reach out to. And again, different counties have different levels of – this is more of an issue in some counties than others. I think some counties their different departments work more closely with each other in more collaboration and others are more siloed. So we're just trying to bring some clarity to that all through a model ordinance from Commerce. So that's that one.

Okay, now we've got three hospitality-related recommendations. We're going – it's going to be 4a, 4b, 4c. So the first one is with STVRs, and I actually don't know if Skagit has had as much controversy with STVRs as some of the other counties have had. But we're going to be recommending that farm stays, true farm stays, are potentially considered at

a county level to have maybe special dispensation, I guess, from the STVR ruling. So farm stays, which essentially are a type of short term vacation rental on a working farm or ranch, have a wide variety of implications for ag tourism. Counties have vastly different needs and challenges regarding their housing stock and pressures of vacation rentals, so as much local jurisdictional control as possible should remain at the county level. Notwithstanding, the additional supporting accessory use revenue from a farm stay can dramatically assist a small farm spot in line without massive scale and scope changes to an area impact to the rural and agricultural lands. And many recent – quote/unquote – reactionary STVR laws have been passed. They are really not taking farm stays into consideration. So we're recommending that this is explicitly addressed in the model ordinance for ag tourism with some helpful guidelines and criteria to evaluate for decision-making by the counties.

So basically, you know, I like to use Island County as an example. So each of the islands has kind of created a cap on the total number of STVRs that each island is allowed to have. I think with this recommendation there was some guidance. The islands may want to potentially add additional, you know, maybe three farm stays could be allowed in addition to their STVR cap because it creates some really beneficial revenue for those farms. It creates a tourism opportunity that's really, really – can be really good and powerful for the culture and the preservation of farmland and our food systems. And they really are quite a bit different than just an Airbnb, although generally speaking they would be regulated under the exact same guidelines or the exact same rules for the county STVRs. But we are being clear that a farm stay is a big, onerous obligation for the operator because it really does require some level of direct interaction with the farm. And it is not easy, it is not necessarily fun for the operator. It is a big deal. So we really are making a distinction between just having an Airbnb that happens to be located on an agricultural property versus an actual farm stay. So that's going to be spelled out in the recommendations for the model ordinance.

Okay. Recommendation 4b is the farm hospitality farm-to-table dining. Perhaps the most notable difference between agritourism in the United States and in Europe are some of the European countries' agriturismo models, where visitors can immerse themselves in the harvest, watch the chef prepare the meal. They can even help gather the things that they're going to be eating and then enjoy wine and food and conversation at the farm-to-table dining. And often these are coupled with farm stays, but not necessarily in all of the ways. And so currently while there may be some counties that have permitted this in some ways, we did not find an example in our research. What we found, generally speaking, was that operators that wanted to do something like this were just told no by their local health departments. So in working – so then I reached out to the State Department of Health and in talking with them it appears that actually the variance – the types of things that need to be addressed and the variances that could address them are actually within the current Health Department code, but they're not clear and they're not spelled out and there's no guidelines. Basically none of the counties really would be able to implement it without doing a whole lot of work and thinking outside the box. So the Department of Health was *really* interested in creating kind of a process for this and kind of guidelines and recommendations that the county health departments could then apply to be able to

have a farm-to-table dining experience. And it would include things like well water testing, Group B water system applications, wastewater disposals, appropriate menus, catering permits, temporary structures for dining and food prep – you know, the food safety handling. All those kinds of things. And it would be done through current variances and some kind of stakeholder process. I am trying – right now this is one of the pieces where I'm trying to get Department of Health to actually reflect back to me my wording of what they told me to make sure that I get this right! So just so you know the wording in this could change somewhat but this is basically verbatim what I was told in a couple conversations – really good conversations – with them.

Okay, Recommendation 4c, alcoholic beverages. Right now there's really no way to get the license to serve alcohol in an agritourism operation, even at, like, a farm-to-table dining or even if you had a food truck that shows up. There's really no way, outside of some temporary banquet permitting, to have alcohol on a farm, ranch, et cetera.

So we have two recommendations that we're making. So the first one is right now there a snack bar license, which is – it came about sometime in the '80s, I believe – that really only allows serving beer in a can or in a bottle – single-serving beer. We're recommending that LCB is instructed to expand the snack bar license to include single serving wine and cider. It seems to be the most logical way through the process for an agritourism operation that would fit that.

Then we also are going to ask them to create an agritourism farm hospitality wine and beer license for the on-farm dining, as referenced back to recommendation 4b. This would require some level of coordination between Department of Health and LCB. Just so you know right now, if you have a temporary structure, that will not qualify as – quote/unquote – restaurant, so you cannot get the wine and beer license for a restaurant. You also must be doing food preparation onsite for Liquor Control to be able to serve alcohol. So a food truck won't qualify as food preparation happening onsite. If this is something that we wanted for our state, then we're really going to have a process through which LCB can license that. But we really want to make sure that it's thoughtful and in a way that it doesn't inadvertently create bars and restaurants in rural and agricultural landscapes. So to be clear, we are talking about *seasonal limited* dining, and so – and just – I'm not trying to be in the weeds a little bit, but, for example, the Department of Health in the variances process I believe that the number of, like, times that an event can happen with, you know, fewer than x-number of people, I believe it was, like, something like 60 times a year. So like there's – the two agencies will need to be in coordination with each other for this to be done in a way that doesn't open up a big can of worms. And so, you know, this one makes me a little nervous in some ways, but I think that if the language is well-done that it should be – should thread the needle for the right size, scale, and scope of opportunity in rural and agricultural lands. Okay.

Ms. Claus: Yeah, this is Lora. May I just ask: Can you expand on – like, your comment “That makes me nervous” – all those conversations. Like, where's that, like, tipping point concern, or can you articulate?

Ms. Tate: Yeah. Well, I mean, it's pretty easy. It's what happened in King County, right? Like, I mean, it's having bars and restaurants – it's having entrepreneurs thinking they can open up a bar or restaurant anywhere they want. So when we talk about – so this comes back repeatedly to the right size, scale, and scope in rural and agricultural lands. So, you know, 250 people at an event or a wedding venue is a completely different proposition than 25 people at a dinner service that happens two nights a week throughout the growing season on a farm, like on Friday and Saturday night. However, right now the way that the laws and the agencies and things that are working right now, if I wanted to – I have a little orchard – anyway, if I wanted to put a farm-to-table dining thing on there I would have to invest in permanent infrastructure if I wanted Liquor Control to actually give me a license to serve alcohol. I would have to have a permanent structure. I would have to have food preparation onsite. I would have to actually somehow get into, I believe, a Group A water system. Like, it would cost me, you know, a million dol – I don't even know how much it would cost to do this. There's no way that 25 people on Friday and Saturday night six months out of the year is going to cover the infrastructure costs of that kind of level of operations. Do you see? So what we're seeing is, like, right now if – you know, if you wanted to do some really big huge thing and you invest millions of dollars into it, and you could figure out how to get it through the planning and the zoning process, you'd have to have hundreds of people coming potentially year-round to make that financial investment pencil out.

So what we're trying to do is create an avenue that doesn't require that many people to help support your farm. And so it's really kind of a weird – so it's kind of a weird, narrow eye of the – you know, the camel getting through the eye of the needle. So when I said "makes me nervous," what I meant was we don't want to open up the door so that we're talking about permanent, year-round, commercial restaurant operations that happen to have a garden, right? So they're calling it agritourism because they've got a garden there, but they're not commercially farming and it's year-round. And right now, Liquor Control's rules on permitting are very, very, very – it *has* to be year-round, it *has* to be permanent, it *can't* be a temporary structure, and there has to be food preparation onsite. So the avenue – and if you want to have a farm-to-table dinner and you can't have wine, I'm sorry. No one's going to go. It's not going to pencil out. Right? So the avenue is narrow but it has to include all these different agencies or it won't work. And that's why this one kind of makes me nervous, because it's kind of a wacky one. You know, it's like keeping it really small-scale, but that's going to require a lot of agencies working together thoughtfully in coordination to some extent, right, because the Health Department's variance process is going to have a cap on how many people can show up how many days of the year. And for them, temporary structures are going to be fine as long as all the hand-washing, all the different things are met. But that means that Liquor Control is going to have to accept that kind of an establishment as acceptable for a liquor – not a liquor, a wine and beer permit. Sorry, we're not going into liquor, obviously. We're just having wine and beer inside.

(incomprehensible comments)

Ms. Tate: Yeah, yeah. And I am probably going to need to actually write all that into a paragraph so that – as a sidebar – so that people could – because it needs to be crystal clear, I think, in people’s minds what we’re trying to say there, because it could get kind of messy.

Now the rest of my recommendations – I’ve got, you know, do some marketing, work with State of Washington Tourism. I’ve got – the rest of them are really, I don’t think any of you are going to care about the rest of these recommendations. I’m happy to flip through them, or we can just do some questions and talk about what’s already come up. You tell me.

Ms. Roozen: There was one more question – one more question on this topic of liquor and food licensing. This is Nicole from the Tulip Festival. I was just – so are you saying then that if a farm is using an outside caterer restaurant to come and stand up food, that is not – who has their own permitting and liquor license – well, that’s a – there wouldn’t have been in this case – but their own – all their permitting, all their catering licenses. You’re saying that that is *not* allowed.

Ms. Tate: Nope.

Ms. Roozen: But why couldn’t they just use their catering license as the liquor license?

Ms. Tate: It doesn’t work like that. Now they can get a temporary banquet permit. They can get an alcohol serving permit through a temporary banquet permit, but that means they need to reapply for that temporary permit over and over and over and over. I mean, it doesn’t make – I mean, it would make sense for a one-time event or even for, like, four events in October. No problem. But if you were trying to do something, you know, five days a week throughout all of – just say the Tulip – Tulip Festival would be a good example. Like, if you just wanted to be able to serve – now you could – someone could be doing a snack bar license and serving beer only, from what I understand. But yeah. And honestly, guys. I imagine that there are people doing it. I was told very clearly by the official people at LCB that this was not legal. I know for a fact that there is someone – there is an agritourism operator in another county – not your county – another county that’s actually doing single-serving cans of wine and cider already. And I’m not going to say who they are because the official spokesman of LCB told me that that is not okay at all. So I’m not saying that some people aren’t doing it, and I’m not even saying that some of them aren’t doing it with the blessing of their local representative. I’m saying at a state level, according to the official standpoint, there’s not a pathway for this. Again, temporary banquet permits for alcohol is in existence, but those are not something that you’d want to try to – they’re not feasible for, you know, ongoing operations six months out of a year, you know, three days a week or two days a week or whatever. It wouldn’t pencil out financially and I’m not even sure that it would – I believe there’s actually a cap on the total number of banquet permits that can be issued per year from LCB as well.

Kim Rubenstein: One question for Kim – Kim. There’s some organization in Oregon called Plate and Pitchfork. Are you familiar –

Ms. Tate: Say it again.

Ms. Rubenstein: Plate and Pitchfork in Oregon. It does – I'll put it in the Chat.

Ms. Tate: Put it in the Chat. I can't quite hear it.

Ms. Rubenstein: There's a group in Oregon called Plate and Pitchfork. Are you familiar with them?

Ms. Tate: Okay, I just caught it. Plate and Pitchfork. I don't think that one came up in our research. What are they doing?

Ms. Rubenstein: They do farms – they do farm-to-table dinners at different locations throughout the growing season.

Ms. Tate: Okay.

Ms. Rubenstein: And then supposedly the money goes to fund food insecurity programs within the Portland, Oregon, area. So will those operations be allowed under this regulation?

Ms. Tate: Well, okay, so actually that's a *great* example. So currently a nonprofit – right? – has a whole different set of regulations for Liquor Control. You – as a nonprofit, you can actually get a gallery or a theater or a nonprofit like this one – you actually could – they are going through a nonprofit permitting process. And they could currently do it already in Washington State through existing laws. They would be – they're a pop-up event, there's a temporary banquet permit, and they're actually specifically kind of designs so that nonprofits can make money. And so that is something that currently, as far as I understand it, could happen within Washington State law. I'm not sure about how the food is getting prepared, like if – they must be using a commissary kitchen, I'm assuming, and not preparing the food onsite on the individual farms. They're probably bringing it to the farms, pre- kind of – mostly pre-done and maybe doing the rest in the food truck. But I don't think that that is – that doesn't address a small farm trying to hold up their bottom line. And our mandate with this project was for that, right? If that makes sense. So while I think things like that are amazing and wonderful and should happen as much as possible, they're not necessarily what we were trying – the problem we were trying to solve here on this one, if that makes sense.

Ms. Rubenstein: Thank you for the clarification.

Ms. Harris: Thank you, Jenn. I think we're ready to move on.

Ms. Tate: Now do you guys want to just – we don't have that much time left, and, like I said, the rest of the recommendations are like support agritourism marketing – you know, emphasize environmental stewardship. They're all very – they're all just more – I would just call them, you know, boilerplate type recommendations. I mean, they came out of this but they're not – I don't think there's anything controversial in them. Could we – do you

want to go back to Tara's on the proof of working farm, and talk more about the different recommendations that I think had more – I don't know –

Ms. Harris: Amy has two questions. I just want to – before we make a decision, is that a PowerPoint you're willing to share with the group after this?

Ms. Tate: I will share it if you guys agree not to distribute it to other people and keep it kind of as like this is a working draft. I'm happy to send it to Kristen to send out if you guys can agree to that. Because I really don't want this going to the newspapers. It's not – I want you to wait to distribute it until after the report's been finalized.

(incomprehensible voices)

Ms. Frye: Can we do that without being on a site? Like, I just want to be clear.

Ms. Tate: I believe.

Ms. Claus: So this is in the public record, right? Anybody can watch this meeting.

Ms. Tate: You can.

Ms. Claus: So maybe that's the way to see the information shared.

Ms. Tate: So I'll flip through the rest and then you guys can have – then you'll have seen it. And then we can go back to the questions. Is that a good idea then?

Ms. Harris: I think that's a good idea ____.

Ms. Tate: Okay. All right. Great. All right, here we go. Okay, so marketing and promoting. Collaborate with statewide marketing for agritourism. Financial incentives and funding opportunities. Looking at maybe some tax incentives, especially related to some of the liability issues that might come up. Business rep development and training. Partnering with some of the universities and colleges for ag tourism programs and workforce development. Making sure that liability protection and risk management is really clear and that all the appropriate waivers are noted and easy to find. Infrastructure and transportation improvements, transit being especially with some areas like the Tulip Festival, might be helpful. Continuing to go look at conservation easements ____ and farmland mitigation. Environmental stewardship and eco-friendly practices. And that's it. Okay. All right.

Ms. Harris: (incomprehensible)

Ms. Tate: Yeah.

Ms. Harris: Yeah, Amy? Great.

Ms. Frye: Two questions. One, you said at the outset that you were specifically recommending as part of this that wedding event venues and concert venues are not part of the definition of agritourism. So what would those activities fall under as far as, like, the possibility for a one-time use or special event permits versus, like, an ongoing – I'm just kind of curious if that makes sense or is clear enough. Like, where is that _____?

Ms. Tate: Yeah, I mean, I think from the state level we need to be hands-off on that from the state level, and the counties are going to need to address that in the counties. Because in some counties it makes plenty of sense and it's totally fine. In others it is – you know: a real disaster. It is. So I think that at the state level it just needs to be *not* included. I think in the toolkit there could be – there should be some ways that are addressed that you could do it like this, you could do it like this, you could not do it at all. You know, like, so – yeah. That one is, you know, perhaps the most – you know, the biggest flash point for sure.

Ms. Frye: Sure. And then my second question was just can you give us an overview of the state's process and timeline from here? Like, you're presenting this to Commerce. When is there a draft?

Ms. Tate: Yeah, so they've said that when – upon receipt, it's a seven-week review process on their end. And so it's going to go through multiple departments including, you know – this is funded out of Economic Development so it'll go but it'll go into different departments and then so it should be released seven weeks after they receive it next week. So that puts it at about the end of July, I would say, that it should be public.

Ms. Anderson: And for the state agritourism definition, you have recommended that Washington State utilizes the USDA definition, or you're creating a different definition?

Ms. Tate: The current Washington State definition is not – I don't see anything in it that is – that jumps out as an issue. So I think leaving the state definition as it is is okay. The one piece that I'm not sure – I'm not sure it shouldn't include aquaculture. There's not a lot of agritourism happening with aquaculture yet but I think there may be more coming. And I know it's something that might be of interest with some of the tribal operators, and that's where things get really – I'm – you know, that's where – you know, obviously nothing that we recommend will have applicability onto tribal lands, but waters are not as clear to me in how that all boils out to be hopefully honest.

Ms. Satushek: So generally – oh, sorry. This is Tara.

Ms. Tate: No, go ahead. You're good, you're good.

Ms. Satushek: _____ tourism activities. So that's the one with RCW when it talks about the liability section. That – what it goes through, is that the one you're referencing – RCW 4.24.8 – 830?

Ms. Tate: It is 4.24.830, yep. It's got – yeah, so it's got blabity, blabity, blah, petting zoos, farm festivals, corn mazes, harvest-your-own, hospitality, hay rides, barn parties,

horseback riding, fishing, and camping. It says barn parties, which is kind of vague about – that one's a little leaning towards weddings there but not necessarily. That might be the only one that is, you know, the question is, Is it gray enough that it should just be left or should we try to – you know, should it try to be changed? And I'm kind of leaning towards just leaving it. And it seems to be in general that definition is fairly innocuous and fairly comprehensive without going down – you know, going down the wedding path to –

Ms. Frye: So your current thought, if I can just – this is Amy – is keep the state definition but then try to clarify the requirement about –

Ms. Tate: Yeah. What we're actually doing is – yes. We're making a definition of commercial agriculture, actually. We're defining commercial agriculture and we're saying if you want to have a special accessory use like – and obviously, if somebody wants to set up something that looks like ag tourism in the middle of a town on their commercial property, they can do whatever they – I mean, that's their – you know, that's in-town. We're talking about on agricultural lands, on rural lands, if you want to be doing agritourism operation and having permitting based off of that, you need to be commercially farming first.

And now, guys, I actually am supposed to meet with Senator **Warnicke** right now, which I've been trying to get a meeting with her for, like, six months! So I've got to jump off. Please send questions to me today if you can, via Kristen. I would love to incorporate anything else that you guys see that needs additional clarity in the report, and I have the weekend to work on it. So, yeah, send it over. Thank you.

Oh, and whoever – Tara! Will you please send the other alternative ways of the proof of working farms to Kristen or to me directly, if you could? That would be amazing. I would appreciate it so much.

Ms. Claus: Thank you for your time.

Ms. Tate: Thanks, guys! Okay, bye!

Ms. Satushek: Thank you.

Ms. Harris: Okay. Is that a topic you can address now? (inaudible)

Ms. Frye: I can.

Mr. Ottesen: I had a question there., if we can continue on that for just a moment. I was hoping to ask her there and I'm sorry to not get a chance. And maybe someone here can say something that will clear it up and maybe we can pass the question on. But I'm stuck on this, this kind of *a priori* criteria for establishing a property as – or a business as being kind of – having its foundational function in agriculture. And if I heard her right, then she proceeded to name a bunch of criteria like dollars in sales and the proportion of acreage in farming that she was then not using as that criteria. And then –

Ms. Anderson: I heard her say that the gross farm income did not need to be more than the tourism income. And that the amount of property being utilized for the farming did not need to surpass the amount of property being utilized for – so they both needed to –

Mr. Ottesen: Exist.

Ms. Anderson: – exist but it didn't need to be one is always larger than the other.

Mr. Ottesen: Right. And then I heard the thousand-dollar threshold.

Ms. Anderson: Uh-huh.

Ms. Frye: Which she said counties can set as higher.

Mr. Ottesen: Counties can set as higher, okay. Interesting. Okay. So by that, there just needs to be the *presence* of commercial agriculture, as far as the state's concerned.

Ms. Anderson: Yes. Yes.

Mr. Ottesen: At essentially any level.

Ms. Anderson: Yeah, that's what I heard.

Mr. Ottesen: And then that's up to the counties to –

Ms. Frye: Well, I think – I'm looking at that highest bar.

Mr. Ottesen: Yeah.

Ms. Frye: Because we've been talking about how do we keep any of these things incidental or subordinate.

Mr. Ottesen: Yeah. It's sort of a question of the presence or the privacy of the agriculture piece of the –

Ms. Frye: Yeah, yeah.

Mr. Ottesen: I didn't hear anything there that distinguished the – that kind of dug into the agritourism accessory use first as a sort of a separate bucket beyond what already falls under the accessory use of ag there. If the – the way she was talking about it. It's not necessarily a problem but just an observation.

Ms. Claus: But she did mention something about differentiating. I don't know how she put it – commercial farming from hobby farming and investment in something. So maybe she can – we said that as a question – she can expand on that?

Ms. Frye: I think that's what she was trying to get, is how do we define a commercial farm? Like, if we're saying agritourism – like, if you're having agritourism you have to have a commercial farm operation, so what is the definition of commercial farm? And if you're not that, you're a hobby farm ____.

Ms. Anderson: Well, it sounded like it was still a Schedule F in her eyes. I mean –

Ms. Frye: She was looking for other ways.

Ms. Anderson: Well, it sounded like you offered but she didn't sound like she was looking. She was open to –

Ms. Frye: Sure.

Ms. Anderson: I think it would be good for you to share this with the group.

Several voices: Yeah.

Ms. Frye: (incomprehensible)

Ms. Claus: I think the idea was to search for something that was expansive, like proof-of-farming, without putting a burden on the operator to reveal, like, confidential financial information that would be in the public record that would – I don't know – be hard to *want* to be in the public record. I mean, it'd be great to put Jenn Tate to work on that topic. She's got the resources to be given, like, you know, if that's a whole __ kind of situation. Like really hammer at it.

Ms. Frye: It seems like there's a way at the county level to try to figure out – I can't imagine that every single vendor that goes to the county is public. Like people's personal stuff.

Ms. Satushek: There's definitely exceptions. I don't know that _____. That's only like anything that would put somebody at risk, but –

Ms. Anderson: Well, and we could look at an example of the Schedule F. Does it really show anything very personal, or is it just –

Ms. Frye: I mean, it shows your profitability.

Ms. Anderson: Yes.

(several incomprehensible voices)

Mr. Ottesen: ____ business; you know, trade secrets, _____

Ms. Frye: Right. But it just seems like can we not talk to the county about something **other than an exemption**? Like, if that's the route we go, Schedule F. Is there a way to legally have an exemption for this not becoming part of public record?

Ms. Claus: Well, if Skagit County has this challenge like everybody else would have the same challenge, so somebody _____.

(several incomprehensible voices)

Ms. Harris: So, Tara, would you agree to talk with the County Auditor's office, and if there's other avenues to do that as well? I also heard Jason say – but I'm not sure it came with his lawyer hat on or his editorial hat on because he was kind of wearing both. Like you could bring a document and show it to a County officer and to have them check _____ without providing it. So I don't know if that would be – it that's something that _____. _____ You have, like, maybe even a notary sign off on it? I don't want to get into the problems _____ but I did hear, We've got problems – to that effect.

(several inaudible and/or incomprehensible voices)

Ms. Harris: That's fair.

Ms. Frye: Should I just run through the list of the possibilities?

Ms. Harris: Yeah, if you could run through the list.

Ms. Frye: And I'm happy to send it. And I'm not saying I'm for or against these yet. This is just a list that was provided as possibilities. So certified farm or conservation plan from Skagit Conservation District or NRCS; enrollment in agricultural programs such as current use, farm, and ag tax program; USDA FSA programs; your FSA farm number; Washington State business license with an appropriate agricultural NAICS code; WSDA farm inventory or registry listing; County-issued agricultural land user and structure permits; documentation of commercial sales purchase; wholesale buyer documentation; farmers market; CSA membership lists; lease agreements with soil-based agricultural use clauses. So that's –

Female: And did she say something about like, an organic cert or something?

(inaudible voices)

Ms. Frye: Something that proves you're in the business of farming. So again, what all needs to be looked at, like, pros and cons.

Ms. Harris: And Tara, could we add to your list of the County Auditor, Planning and Development? Having worked at the Conservation District and worked really closely with Planning and Development, I think there's probably – this occurs there as well.

Ms. Satushek: So I'm sorry. _____

Ms. Harris: The County Auditor but also Planning and Development, like in terms of their critical area ordinances they work with? I don't know. I would expect that there's confidential information that they're working with _____ too. Does anyone have experience with that?

Ms. Frye: _____ asking for other samples of _____ submitting confidential information to the County and how it's not _____,

Ms. Harris: Does the group have any thoughts on that list that Amy just read in terms of, like, other offerings and documentation? Would this be – like, would the group lean towards selecting one of those or having, like, a list of options that you could ___?

Ms. Anderson: Maybe a list of options would, you know, allow operators to submit what they're most comfortable sharing. Not everyone's going to have an organic certificate. It sounds like most operators would have a Schedule F so it would be – now if that could be confidential.

(incomprehensible voices)

Ms. Frye: And I also think those are a thing where, like, we're submitting recommendations to Planning and Development. Like, we can say, Here are some options we have come across. You guys go figure out what's going to work for you, what's going to stay confidential, what's not. We can have some special _____ that may be more relevant than others but ultimately, I think, having the broader list to maybe submit to Planning and Development for them to consider lets them then do some research on what they would put forward in their final recommendation to the Planning Commission.

Ms. Satushek: I think that would be helpful. I mean, we could just check what's feasible or not. _____ what would be legal or require a critical amount of staff time _____ the capacity and resources to do.

Matt Steinman: Yeah, I like that. I like your listing in that regard. That kind of makes me think of when I give employees ___9s, for example, and they have to prove documentation of – you know, different types of documentation. So some types of documentation is a single piece, and that's like those main pieces – you know, like you have a passport and that's all I need to provide. But they're so scared _____ get that and a residence card, or that and _____. That kind of makes _____ work. We're okay with Schedule F but it also brings ___ *potential* options of A and B together. And then that proves that you're not just getting that and the same number and you're showing here's my list of wholesale _____.

Mr. Ottesen: There's activity involved in it.

Mr. Steinman: Exactly.

Mr. Ottesen: You can get any kind of designation on your business license.

Mr. Steinman: Exactly.

Mr. Ottesen: You can just say I'm doing this and not have any dollars behind it.

Mr. Steinman: Exactly. It's just a show, but _____. No, I'm actually doing this. We're actually operating.

Ms. Frye: So then what's the income threshold? I mean, if it's a thousand, what's –

Mr. Ottesen: Pretty nominal.

Ms. Anderson: I don't think it's really ours to determine. Every farm is different and it's even hard – look at our county – to determine east – you know, farms in the east river to the delta. So I think that's more difficult to define. Personally.

Ms. Frye: I agree. And, you know, she said that they are recommending to give counties the leeway to have an increase. Like if we're saying you need to be making this much money before you can engage in agritourism. Like a thousand seems a pretty token amount. It's pretty easy to make a thousand dollars ____.

Ms. Anderson: Well, it could be a very small farm and I do think we need to keep in mind that there's farms of all different sizes here.

Ms. Claus: I mean, I think – did she show _____ or some other research like a huge percent where people are making \$40,000 or less?

(incomprehensible voices)

Ms. Claus: So there's got to be _____ what that threshold should be.

Ms. Frye: So I think the goal would be to – I mean her example, a restaurant – but something that puts in a token amount of production to justify their agritourist operations, especially in their example where –

Mr. Ottesen: A thousand dollars in ag and \$100,000 in tourism ____.

Ms. Frye: But then that's a concern is a thousand dollar level. It's a pretty low bar there.

Mr. Ottesen: Yeah.

Ms. Frye: Unless there are requirements. Again, her conceptualization, it seems like they're saying that the agritourism dollar value doesn't have to stay below the farm income. We are saying Skagit County is having a higher bar for that, saying it *does* have to be incidental.

Mr. Ottesen: Which is exactly her saying it's up to the counties to decide.

Ms. Frye: Yeah.

Mr. Ottesen: At that point.

Ms. Anderson: I think it's going to be hard for the County to regulate how much a farm can make for their farming operation and their agritourist operation. I think it's going to be hard to actually set a bar for either of those. _____.

Mr. Steinman: I agree with that. So that's why my thought process keeps coming back to what Amy was saying. We have this list of all these other accolades or – that's not the right word – but these other agendas that you have as a farmer you have to have ___, you have to have _____. So there's like you can have Schedule F if you don't want to. You've got to get these other - _____ to other things. And – but, I mean, that list could be a place where, Why would you get this unless you're in production?

Ms. Harris: Two pieces of business. One is getting some of this written down in a way that the group can review it and consider agreement on it. Are there just specific pieces of this conversation that folks would like to take and, like, write sections of a recommendation?

Ms. Frye: So I feel like I've been working on that. Like, I mean, Lora and I have been talking and talking with other folks in the group. Because there is the language already – County code on what "incidental" means. Like, I think there are more places in County code we can rely on. So I'm happy to share what I've written. But it seems like this should all be like – we're kind of at the crux of the issue but what are our definitions? And so I'm hoping we can spend some time on that today.

Ms. Claus: I'd like to address to Tara. You know, in reading all this there's a lot of complexity with, like, the issues like these ___ points here, like we're just talking about, but there's also – you know, it feels clear that the code was written by a lot of people over a lot of years as likable. And so if there's any kind of things that you could point us to in the ag section of code where there's good examples for tiers that we could use so we can, like, kind of have a format to work within rather than to be a little bit floating on this, that might help make it easier than to have these debates about where thresholds should be, because that concept is really important. This is where, like, the intelligence of the group is so powerful and important. Rather than, like, try to figure out, Well, where in the code should something go, or how can we even think about tiers or thresholds or whatever. There's like home-based business 1, 2, 3. There's, you know – what's that outdoor thing called?

Ms. Frye: Yeah, so there's outdoor outfitters enterprises. I took some language from that because – so, again, just examples: outdoor outfitter enterprises are allowed in the Hearing Examiner permit on Ag-NRL land. And they clearly are defined as incidental. And they say "For the purposes of this definition, incidental shall mean resulting in income and

land use that supplements but does not exceed the primary use of the land.” So like there’s already existing language for the county that is saying what “incidental” means. Again, like how you enforce that, how you – you know, those are clear, like your accessory use is incidental. It can’t exceed it.

Ms. Claus: So did you extend that there is anything that feels really clear to Planning or, like, well-functioning, or might be, like, a format to emulate? I think that might be useful in helping –

Ms. Satushek: Yeah. So _____ She used the home-based businesses and also the outfitters. _____ the home-based business is that it creates thresholds as far as like a percentage of the building being used for business, and the amount of employees, whether you can have them or not, the amount of people coming – so I like the way that’s broken out because _____ it just like outright have a language, like “home-based businesses” –

Ms. Frye: Yeah, I have it here. It’s like, with no clients coming onsite, a certain percentage. And then if you bump up to Home-Based Business 2, it’s like you may have clients onsite but you may not have employees. And then Home-Based Business 3 is you can have clients onsite and you can have up to three employees. That’s a model of we can have Agritourism 1, 2, and 3 or something to that effect where you have these escalating impacts that are going to require escalating levels of marketing or have different performance standards.

Ms. Satushek: Yeah, I always thought, I mean, from a planning point of view we’re doing it. To me that makes the most sense because we’re able to establish – like, when we look at home-based businesses, for example, we’re looking at noise, traffic, and lighting. And so that way we’re able to establish prescriptive mitigation methods like, you know, dousing of the lighting or no lighting signs or whatever that is. It helps us to assign a full criteria to review that project and also make sure that it fits well within the, you know, the community that’s surrounding it.

So, yeah, I think that’s a good _____ rough framework to use as the home-based business because it is that scalable approach. And then also like you mentioned, Outfitter 1, it being the auxiliary for _____, and _____ the primary use. But what is basically – obviously the best of my understanding about this whole process, which is a little bit different than what I learned – is _____ correctly for the state process is that the focus is big A, little t _____. Agriculture is the primary _____ – you know, every inch of soil possible – really focusing on maintaining farming and farmland. So how we can get there with that scalable approach would be super helpful.

Ms. Anderson: I think you do just have to keep in mind that there are small farms and it is very possible that the tourism income will surpass what they can reasonably make off of their farm income, and the tourism income is still helping them keep the farm. I think that’s true with some of the Tulip Festival farms, for example.

Ms. Satushek: Yes, and I think of parts of this is moving forward, so I think that the VCA stuff that Jack was mentioning before, I think that's kind of like the line in the sand. It's like, Okay, moving forward how are we going to do this? So I don't imagine there being whatever those were on the code, but like, based on the direction I've been given by the Planning Commission and the four County Commissioners, there being an increase of, like, event venues in ag land, but those that are currently existing, there is a pathway forward with a VCA process. But moving forward is what we're trying to get with this –

Ms. Anderson: Right.

Ms. Satushek: – agritourism definition. So maybe people end up getting into it and their tourism activities may not be able to exceed their ag activities.

Ms. Anderson: Okay. Well, I personally – I disagree with that – with moving forward. I do think it's important to have opportunities for small or midsize farms to have agritourism income to support their farm. I think that door should be kept open for future generations.

Ms. Harris: I see some nodding around the table. Jessie, would you work with Amy as she is writing out this piece on the statement that the group can review?

Ms. Anderson: Sure.

Ms. Harris: And if folks have – if they want to add on to yours or you want _____ to provide, they can do that.

Ms. Anderson: Yeah.

Ms. Frye: Yeah. I mean I guess I think we are in agreement in some areas and not in others. I think that farms should have absolutely opportunities for supplementary income.

Ms. Anderson: But I don't – I don't think we should set a threshold on what that income might be. I just think that's leading to controlling _____.

Ms. Frye: But I think we do have to find what – I mean, the whole point of this and what the discussion has been all along is that agritourism is *accessory* to agriculture. It's subordinate. It's incidental. So if you're all of a sudden making –

Ms. Anderson: Well, I don't think it's always subordinate. I mean, and the state doesn't either. So....

Ms. Frye: Right. I guess given that we in Skagit County, all of our ag lands are deemed of long-term commercial significance and so GMA gives us the flexibility to be more restrictive.

Ms. Anderson: Well, yeah, but if a small farm is converting zero farmland and they're farming and they do have a agritourism business that's flourishing, in my opinion, let them.

Mr. Steinman: It's based in the soil. You know, back to big A. I agree with that. But if it's not based – if the agritourism part of it is not based in the soil, then it's not agritourism. And that's the definitions _____ on multiple levels.

Ms. Anderson: Multiple definitions do say agritourism is bringing visitors to a farm for the purpose of entertainment, education, and while providing supplemental income. And, you know, the USDA definition says that and it doesn't say – you know, a corn farm, for example. I don't think they should be limited to just having a corn base. I do think they should be able to have other agritourism activities on their farm and people *will* still learn about their corn farm but it doesn't need to be a corn maze. In my opinion. I think there should be room for flexibility.

Mr. Ottesen: This is ____ for _____. Isn't there already a criteria for farmstands in Skagit county that a certain percentage of their product be from their farm? Do I have that right?

Ms. Satushek: Perhaps. I don't know off the top of my head. There are definitely _____. I have the definition. Thank you. _____ that triggers different permitting reviews, but as far as – I'll have Amy provide it for you. I don't know that right now.

(uncomprehensible voice)

Ms. Frye: A seasonal roadside stand. A small regional establishment accessory to an actively managed ongoing agricultural operation dedicated exclusively to the sale of agricultural products and agricultural promotional items. A majority of the agricultural products must be grown onsite or be a product of the primary agricultural operation located in Skagit County. All agricultural promotional products shall be accessory to the primary use of the stand for agricultural products and shall be directly related to the agricultural operation and located solely within the stand.

Ms. Anderson: Well, that's what the majority said to me that would be, like, over half.

Mr. Ottesen: Yep. So I think I would, you know, I've come to the point where I think tourism activities on the farm should be held to at least the same standard as a farmstand's activities on a farm. Right? So 51% should be, you know, from a farming activity on a farm somehow rather than at non-farm sales _____. Give them a reasonable place to start.

Ms. Frye: Yeah, there's the dividing line between what is the meaning of subordinate.

Mr. Ottesen: Right. Yeah.

Ms. Frye: Is what I'm hearing you say. Is that –

Mr. Ottesen: Yeah. I think I'm saying that, like, that 51% should be a product produced all onsite. Right? As opposed to – you know, I'm putting, you know, value-added products brought in from outside in the same bucket as tourism activities. You know, those tourism activities are weddings or special events – that kind of non-agricultural ____.

Ms. Frye: Yeah, I think this isn't – conceivably this is not going – would not affect any existing operations. It's like we're finding a way for the Tulip Festival to carry on, and for existing venues _____ process.

Ms. Anderson: Yeah, yeah. It's an – agritourism, you know, in the future in this valley is very important to me and so I do want to see doors left open. I don't want to be too restrictive. That's my opinion.

Ms. Claus: This, like, definitely gets at the concern that, you know, big production agriculture – you know, dust, manure, equipment, rubbing up against people and other uses in the Ag-NRL, right? Because some of these activities – like there's nothing wrong with these activities that are agritourism, tourism. They're a huge boon to the area. They support a tax base. They provide opportunity, jobs, great things. So this – like, this is what we really need to get is in the Ag-NRL. How do we, you know, continue to farm with the community support when a lot of producers feel at-risk from a variety of issues? And how do we, you know, come together on this to figure out where those tipping points are so that farming stays vibrant and there're still opportunities to do other activities? Yeah, without it, like – you know, if – some of what I think about is even some of the site-specific rules – like there's rules for specific site on a portion of income, a majority or whatever. Even if we get that right, whatever right is, at what point does too much of it occur across too many sites, where it has an overall detrimental impact to the Ag-NRL? So that's some of the stuff that, you know, comes up in conversation. I talk to people.

Ms. Frye: I think in the multistakeholder group they did talk about having a cap on the number of available permits, let's say, for anything new coming in. So I think that would be a conversation.

Ms. Satushek: And the other one is it's an opportunity for education for people that are coming in. There's going to be dirt, there's going to be smells, there's going to be things that are happening and I think that that's something that the agritourism folks and the big farmers can have conversations about. But it doesn't have to be like, oh-my-gosh, I can't farm because there's somebody over here. Well, this person's been told that that's going to happen! So I wish there was a way for making the decision to have an event in farmland. They know the risk but maybe they have to find something that says I know I'm going to farm.

Ms. Claus: And exposure being a good thing.

Ms. Satushek: Yeah, yeah. And then they're seeing that: Oh yeah, it is dirty. They're working on the tractors for 12 hours a day or whatever. If they're getting that exposure. So I don't think it has to be this adversarial: oh-my-gosh, we can't farm because there's people in the community, or – we can't – I don't know. I just think that there's a way to work through that perceived issue. I don't know.

Ms. Claus: On that _____ the cap, that's intriguing to me because I think like the lion head. I can see that, that there's this big fear: Well, if that happens here it could happen,

like, 200 other places, and then how am I going to move my equipment off the road. Like, where that escalates. So have you –

Ms. Satushek: I was not there for the conversation. I just remember reading it.

Ms. Anderson: There was a discussion of a limited comment system, similar to, like, commercial fishing or a licensed permit situation. But that was for farm venues. It was my understanding that it was to limit potentially when there're a number of farm venues that host events or concerts in the valley. And if you close one, that permit goes back into the bucket and somebody else could then potentially if they meet all of the, you know, qualifications, then they could open. That was something that was suggested.

Ms. Claus: Okay. Does that get it – like, we have farmers here so any of the concerns about, you know, this intersection might –

Ms. Frye: Well, I was just going to say that we did propose that and I think that is superseded by VCA. Like basically that was, like, we were in our group and we were trying to find a way for existing venues to have a path forward to really happen at the –

Ms. Anderson: It is not for all agritourism because –

Ms. Frye: Right. That was just especially for venues. So I feel like the VCA is kind of _____.

Ms. Anderson: Yeah. I figure it would hard to come up with a permitted comment system for *all* agritourism businesses.

Ms. Frye: You're thinking just new.

Ms. Anderson: Well, the discussion in the stakeholder group was – it was specific to farm venues. It was not to *all* agritourism ventures.

Ms. Frye: Right.

Ms. Anderson: I think it would be hard to pin a number on that and I don't think we should.

Ms. Frye: I think the VCA process has taken care of the existing venues with a path forward.

Ms. Anderson: Yeah.

Ms. Frye: Yeah.

Ms. Satushek: Yeah, and the intent is to just – and I'd love to hear the conversations from the farmers about the intersection, but from the County's side it's just to mitigate or regulate those noise – that's where my mind is – like noise, traffic, lighting disturbances .

Scale them back down. So I don't think the intent is to eliminate the amount of activities done with the farm venues, or invest in the stakeholder group. And then also, like Amy had mentioned, that's being addressed via the VCA process. Because that event system was for existing farm events, venues. But _____. I think that the intended ____ is not the amount but just in the context of what we're concerned about. So just to keep that, you know, moving forward here, brainstorming. That's what I'm concerned with, yeah.

Ms. Claus: So does it even make sense to really focus on, like, the income as a tipping point or what the activities are?

Mr. Ottesen: I wondered that too. If activities and footprint are better defining criteria rather than revenue.

Mr. Steinman: Just the pure number of _____?

Mr. Ottesen: Yeah, yeah. That we've got this acre-footprint and we're not expanding the, you know, that building envelop out into, you know, ____ parkland. You know, via parking or via bench spaces or or or. I'm not clear on what half of that acre limitation intersects with the parcel – like the parcel size is not clear to me at this point, right? If you have a three-acre parcel can that be your kind of event, you know? If it had space, no matter what? Versus 40, you know?

(a few inaudible comments)

Ms. Claus: _____ structures, though. So if less than an acre, is that –

Ms. Satushek: Sorry – I'd have to check on it. You're right. And it is confined to existing ____ structures. The various criteria have to go through the lot certification process _____. It's developing. You have to meet those minimum lot size standards so hypothetically, if you have a pre-existing lot that has no development on it, you could not put a building on it.

Mr. Ottesen: Which takes us right back to the accessory use question and getting the what? A tourist activity outside of the ag accessory use. Because once there're ag accessories there's not that – there's not that restriction. And they *can* build, they *can* expand.

Ms. Anderson: I'm sorry. The farm can expand? So you're saying the farm buildings...

Mr. Ottesen: Yes. Yeah, so if something is ag accessory use you're not limited to that one-acre footprint, right? You can add, you can fill it up with barns and graneries and manure bunkers, dot dot dot dot dot. And, you know, if there's an ag accessory definition that allows, well, you know, a banquet, you know, that's a farm dinner or wedding venue – if that – you follow it, right? – you're no longer limited to that one-acre footprint. Do I have that right, Tara?

Ms. Frye: Yes. GMA says it's only in the non-ag accessory _____ to the one acre.

Mr. Ottesen: If we want to set a limit on the footprint, we have to get those things cleanly out of that ag accessory definition.

Ms. Claus: Is that why farmstand exists outside of the ag accessory use? Because there's limited – limitations on size and it has to go through its own little period commenting.

Mr. Ottesen: Except it has its own little bucket in the code.

Ms. Claus: That's right. I think this is outside of that, because then the size of it gets – is a threshold by nature. It goes through a different level of review.

Ms. Satushek: That's a really good point. I don't know off the top of my head that that would make sense because it is – it's not limited, it's not identified as an ag accessory use, like you mentioned, and it is scalable. So I would imagine that moving forward with a lot of the code language we're working to develop, like a definition of what something is and then put the actual criteria into the code.

Ms. Harris: We have that criteria in the working definitions list that this group has and Amy was reading off of earlier.

Ms. Satushek: Yes.

Ms. Frye: The seasonal roadside stand?

Ms. Satushek: And as we have this conversation, I just keep going back to the four buckets that we had that we drew up, and it seems like we can kind of get – we can solve some of this if we start identifying, What's ag accessory? What has to go through the special permit? What goes through the Hearing Examiner and then what's just, well, not allowed? It seems like a lot of these questions and conversations we're having can maybe be solved if we just use that matrix.

Ms. Roozen: I agree.

Ms. Harris: I feel like we're circling so let's take a break. Sometimes our brains work best _____. I think internally if you want to talk to a partner, _____! It's 10:38. Let's check back at 10:50. That's a long one.

(break)

(recording resumes mid-sentence)

Ms. Matheson: ...boils down to – we had talked about it before but just where, I think, this sort of thresholds that we've been discussing, what is that really trying to do is we're trying to mitigate risks and not invite, like – quote/unquote – like, bad actors to take advantage of certain, like, loopholes, I guess, in this hole that we're trying to close. For

me, bringing it back to that question and this obviously helps with putting things into always allowed and none are allowed. But what are we trying to prevent against ultimately? Yeah.

Ms. Harris: Let's start there. Okay, so what I've put up here in the finding _____ a couple of times, but I think we're, like, circling on it. I would like starting there, Audrey. I feel that's a really good idea to get some of, like, the big picture roles and then it's _____ suggested that we, before we really dive in, to just kind of document like what – when we're talking about agritourism, you know, we have, like, kind of three working definitions right now. They have a lot of similarities _____. What is, like, the core essence of the definition that we like? What needs to be in there?

And these two categories _____, These could be specific accessory – these could be specific types of activities. They could also be – you know, we talked about thresholds being a number of different things – intensity; frequency – intensity even being divided up into other things like size and people – noise; traffic; lighting. So these don't have to be specific activities, although they could fit in there. And I think it allows us to get the bounds, right? What are the edges that we're talking about first? And from there, like, work our way into where the trickier boundaries are.

Also that approach. Does anyone else have, like, visuals that have been resonating with them? Anything you'd like for me to, like, graphically put up on the board before we start talking about content?

(silence)

Ms. Harris: Okay, other goals in addition to Audrey's? What are you – like, what's – what are we trying to achieve or avoid by clarity of all of these categories?

Ms. Satushek: Many of the things I heard from the group so far have been, like, to avoid being too restrictive. And also with the main goal of not moving _____ prime ag land, but keeping that in the back of our minds. But I don't know if that incorporates here but _____. I think I _____. Yeah.

Mr. Steinman: Yeah.

Ms. Claus: Minimizing land use conflict is part of the point of this whole exercise. Without fair code, like, we're all struggling on our own on this topic. But ultimately we need the County to have this clear. That's a stated goal in the Comprehensive Plan for deciding land use conflicts.

Ms. Satushek: We can add to this list.

Ms. Harris: Okay, let's start on _____, like as you look at those lists of definitions that folks have provided, what feels the most essential for _____ what we're doing with

agritourism? What is – what are kind of like the agreements that we've made that really define agritourism now? Jessie?

Ms. Anderson: I think it links agriculture with tourists to attract visitors for education, entertainment, and revenue.

Ms. Roozen: Would it be easier – there's like six different definitions, right, that we've looked at. I mean, __ give or take. And they're all kind of saying the same thing, right? Like yes, we agree on that. So would a better approach be to land on what we clearly disagree on that should *not* be part of the definition? Because I don't know that we're right now going to be able to write out exactly what is agritourism. All seven, eight, ten of these all have elements that we all agree on and they're all very similar, but there are maybe some distinct things that stand out as not wanting to be involved? Would the group agree on that?

Ms. Harris: Logistically if I had been _____ agritourism _____.

(several people speaking at the same time)

Ms. Harris: Yeah, we can do that.

Ms. Roozen: Okay.

Ms. Harris: _____ either one of these buckets.

Ms. Roozen: Because I think if you were to lift out what is agritourism, we would probably just go through this list that we've already done, right? Do people agree on that? I was just trying to make sure we're making headway versus just repeating what's there.

Ms. Harris: Well, let me ask you a question. So is it fundamental to the definition that agritourism is incidental to _____?

Ms. Frye: Yes.

Ms. Anderson: I disagree. I mean, I – like we discussed earlier, I think in my opinion as an owner of a mid-size farm, (I) may have more agritourism income than farm income, so I don't think that it should be incidental.

Ms. Harris: What if it's not an income-based? What if it's like ____?

Ms. Anderson: I think that's also part. I mean, I looked for _____ space over income base, but I still think that's hard to give a blanket – when you think about all the different sizes and scale businesses even represented in this room.

Ms. Harris: Where are other places where people feel like we're not quite on the same page?

Ms. Frye: So I don't have the definition document right in front of me, but there's some wording – here we go. So defining agritourism as any activity happening on a working farm. I guess that must be a higher bar than just if something happens on a working farm it's agritourism. I don't know that we're in conflict about that, but I just think that is something that needs to be called out in a definition.

Ms. Harris: How do folks feel about that? Like, does that fall into not exactly _____ but what is not agritourism?

Ms. Roozen: I think that's where we maybe go into the charting of, you know, what's outright allowed, what's licensed or permitted, what is taken to the hearing, and then what is outright *not*.

Ms. Harris: So I'm hearing, Nicole, you're suggesting to start here and come back to this side _____.

Ms. Roozen: No, I think that's probably a facet of that. I agree. It should not just be an open-ended, any activity. I think we need to put some parameters around that. And I think that's then where we go is kind of this, like, grid of what is clearly allowed, what would require additional licenses or permitting, et cetera.

Ms. Anderson: But I do think it seems like most of those could be pretty – it's an activity that links agriculture with tourism.

Ms. Harris: Can we agree that secondary to that might not be the full definition but it's always allowed when it comes to agritourism? Like if an activity is secondary or incidental?

Ms. Claus: It depends on what the activity is.

Mr. Steinman: Yeah. And it's based on the soil then.... If it's not based on the soil, then it's not really that.

Ms. Anderson: Yeah.

Mr. Steinman: It's not agritourism. It's not soil-based..

Ms. Harris: _____ sending me things that you feel like are always allowed under agritourism.

Ms. Frye: Are you looking for specific activities or – yeah, _____.

Ms. Harris: I think that is a place that's one _____. It can be a mix. It can be specific activities. It could also be something like falls within the scope – I forgot the wording from Jason – like scope and intensity of the existing ____.

Ms. Roozen: Yeah, I got ____ down here.

(several incomprehensible voices)

Ms. Claus: That's a list of – isn't that segmented by agritourism, versus a flood or rural tourism?

Ms. Frye: Yeah.

(incomprehensible voice)

Ms. Claus: That diagram? Were the buckets already done, Meg, in a previous – did we already –

Ms. Harris: We were _____.

Ms. Claus: But did anything get plotted and we can just –

Ms. Anderson: When I ____ SPF sponsored worker, there was discussion on the different – what would outright not to be allowed versus – I think there was. Yeah.

Ms. Claus: Oh, and it'd just mean you were _____. I think there was, yeah.

Ms. Harris: I ____ something on here.

(recording goes silent for about 60 seconds)

Ms. Harris: You guys just didn't really get into specific. –

(recording goes silent for about 20 seconds)

Ms. Claus: So is it – was the activity more about the size, scale, and intensity of the activities. So if the group agrees – and the group may not agree – that it has to happen on a commercial farm, or some tipping point on, you know, the part that stores agriculture versus agritourism, or the occurrence of agriculture versus agritourism. Then no matter what those types of activities are there's a size, scale, and intensity. Albeit that currently in the code – I don't know if it's _____. Is it venues or what? They're not – I don't think they're currently permissible on the Ag-NRL land so the point would be, Are we opening up the code to make those permissible or not? Otherwise it would be, like, size, scale, and intensity questions on permissible activities. So less about, like, the corn maze goes here, the cooking class goes here, but if it's an allowed agritourism activity then it's size, scale, and intensity that dictates, Is it outright permissible? Is it administrative permit?, Is it Hearing Examiner permit? So those seem to be, like, the two decision places: What activities are permissible and unpermissible and then regarding, you know, outright allowed versus a permit size, scale, and intensity. And I can't find the quote. I feel that's

coming from the GMA or something. I'm just trying to find that where the size, scale, intensity language (is).

Ms. Harris: I believe we had that in the Sammamish case part. _____.

Ms. Claus: Okay. Yeah, okay. Thank you.

Ms. Anderson: During Jenn's presentation she said size, scale, and scope, which is also – yeah.

Ms. Claus: The size, scale – yeah. Okay, so it's RCW 36.70A.177(2) Size. Non-agriculture accessory uses and activities as long as they're consistent with the size, scale, and intensity of the existing agricultural use. So again, about size, scale, and intensity and what activities are allowed and not allowed.

Ms. Frye: I have some examples from other counties of, like, different thresholds that bumps things into other levels. Like, it might be helpful to just run through those as, like, examples. I think it's less of that defining, like, trying to define every single possible activity that might happen versus impact. Like, we're going to get an impact.

Ms. Satushek: Right. I don't think that – I don't think the goal is to define every single activity because that would be impossible –

Ms. Frye: It's an _____.

Ms. Satushek: Well, yes – to implement, to regulate, to define – but I think, yeah, again back to that impact. It's like, What triggers the impact and into what bucket – for lack of a better term – you know, admin __ recommended, Hearing Examiner. _____ based off the _____, the property and the neighboring. Like how Jason said, too, the Sammamish case was also not – those activities weren't actually on Ag-NRL land. It was their *impact to Ag-NRL land*. So that _____ your property but also your impacts to the neighbors _____.

Ms. Claus: So in order to set those thresholds for size, scale, and intensity, so we have to identify what are the markers. Is it the number of people? Is it the hours they occur? Is it – like, does anybody have a list of what those –

Ms. Frye: I mean, that's what __ these –

Ms. Harris: Yeah, let's start with Amy's list, and then I have a list of metrics I'll put up here as well that you had brainstormed at one point. Go ahead, Amy.

Ms. Frye: So from the previous working group of what we had put in – our recommendations of events of no more than 25 people, that no permit is required, and there's no limit on the number of those that could occur per year. Then events up to 100

people would require an administrative use permit and there could not be more than 24 per year. Hearing Examiner permit would be required for events over 100 people.

And there's – I'm trying to get to the high level, like, there's some additional details like no new buildings allowed. Like there is some other language in there that, again, I think we can come back to. But –

Ms. Harris: (incomprehensible)

Ms. Frye: Yeah. So that's , like, one example of kind of like the three levels. That flow chart from Boulder County, it seems like they also outright allow events of no more than 25 people. And then for events between 25 and 99 people, up to six events per year are allowed outright. Again, this is, like, if it's accessory to a commercial farm.

Ms. Harris: You said six?

Ms. Frye: Yeah. Between 26 and 99 people. For 7 to 12 events per year, that's like their next level up permit, which would be our kind of version of administrative use permit. More than 13 events per year would go with the less than 25 people?

Ms. Claus: It would be up to six would go with the less than 25 people? In just Boulder's example, not necessarily _____.

Ms. Harris: They might have another tier in here than we do that's before that _____.

Ms. Frye: Well, there's – wait – up to six events even if 25 to 99 people are allowed out right.

Ms. Claus: Okay.

Ms. Frye: And again, there are additional requirements, like it has to be accessory to a working farm. I think it's events can't happen before 9 a.m. or after 10 p.m. There's some, like, on the performance standards. And then in Boulder if you're holding 13 or more events of 25 to 99 people on farmland you're considered a reception hall, and I have not followed their code enough to know if that definition venue is allowed on farmland.

Snohomish County requires a permit for any event over 50 people. Kitsap County, on farmland you can have up to 8 events per year with up to 200 people with their version of an administrative use permit. If you have 9 or more for more than 200 people, it's their next level up of permitting. And they have conditions about written notification to neighboring landowners and duration and things like that. And then I'll send these. You don't need to capture all this. Marion County on ag land allows, again, three – they have a – even for single events you need a single event permit. Up to six events is the next level of permitting, and up to 18 events the highest level of permitting and you have to have a minimum lot size of 80 acres. But those are just, like, examples. I'm not saying for

or against any of them. But other counties have addressed this and this is how they are defining these thresholds of impact.

Is that helpful? Not helpful?

(affirmative sounds)

Mr. Steinman: It's helpful. Thank you.

Ms. Harris: There is the metric that you had raised earlier: number of visitors, you know, total or per trip. Number of events or frequency. Pertaining to what you just spoke to in each of these criteria ____ combination of _____. Footprint, which is one that, Kai, you keep coming back to. Like in it – yeah – could be – could put you into a different permit category or could be like a clarification on limiting some of these bounds. _____. Where do you see, like, as Amy reads that list from the ____ perspective, like, how do you see that fall in here?

Mr. Ottesen: Yeah, I mean, I think the – you know, in principle, I think the County's acre limitation is a good place to start, and I think there's language that clarifies the fact – like, the footprint can't be based off grandfathered-in illegal activities, right? How does that – I'm not quite sure how that intersects with future – like any future capacity to expand that footprint. I guess just – so just to just to take a hypothetical: If you had, you know, if you had a half-acre established building envelope without ____ on a 20-acre site, would an operator have the ability to add to that for the purposes of an ag tourism activity up to an acre? What – in what circumstances would they be able to expand that footprint?

Ms. Satushek: Right now currently it'd be an accessory ____.

Mr. Ottesen: So it would have to fall under ag accessory use to activate that.

Ms. Satushek: Correct. And right now there is that number 7, Ag Accessory, it says "tourism," so that's kind of like the Catch 22.

Mr. Ottesen: Yeah.

Ms. Anderson: I think it would be acre footprint. You know, it can sound like it'd be plenty of space but I also think it's for an activity consideration. Things like parking and how much room that takes up, you know.

Ms. Frye: I think the whole point is to try and not have it take up that much space so we're not converting farmland.

Ms. Anderson: Well, no. But we have converted farmland just if you think about already paved surfaces. If you're having a number of cars come, I mean –

Mr. Ottesen: Right. I'm talking specifically about a not already paved surface. But if you have –

Ms. Anderson: If you're starting a new venture, you're saying?

Mr. Ottesen: Yeah. If you have – if you have – you know, if you buy 20 acres and there's 19½ in farmland and you've got a half-acre footprint which, yeah, essentially is not terribly big, do you have license to pick to _____?

(several people talking at the same time)

Ms. Frye: Or just expand half-acre –

Mr. Ottesen: Or do you have – or did the Board agree that you can add another acre when you, you know, when you buy _____ in total.

Ms. Frye: I think that's unclear.

Mr. Ottesen: Maybe I'm not being clear.

Ms. Frye: And another thought on that is there's a – you could say not – like, event-related or agritourism-related facilities shall not occupy more than one acre of 5% of the farm, whichever is less. So that means, you know, on a 20-acre farm, that's one acre is 5%. So if it's less, then –

(several inaudible voices)

Ms. Frye: It's just a, like, a proposal. _____.

Ms. Satushek: Okay. We have _____, because the one acre does come from the GMA and so that's why the _____ cannot exceed, because that would be a direct violation of the Growth Management Act, a state law.

Mr. Ottesen: If you buy a 5-acre parcel, you've got a quarter-acre, but at that 5% threshold then.

Ms. Satushek: If it's already developed.

Mr. Ottesen: Because if it's not developed, you couldn't add.

Ms. Satushek: Correct, because it's considered a substandard lot – that type of legal nonconforming, existing nonconforming lot. But it would not have a development – it's unlikely it would have development rights.

Mr. Ottesen: (incomprehensible)

Ms. Satushek: Because it would not meet their – unless there was a lot certification that showed the –

Mr. Ottesen: Yeah. Yeah.

Ms. Claus: So if you are constrained , wouldn't the acre be necessary in your opinion, Tara?

Ms. Satushek: For agritourism or –

Ms. Claus: For any type of development of urban version of buildable grounds is something else.

Ms. Satushek: I would have to look into that one. I honestly don't know.

Ms. Claus: Okay.

Mr. Ottesen: Yeah, it feels like the definition of ag accessory use and the – there's some muddiness between what's allowed under ag accessory, which includes – currently includes tourism –

Ms. Satushek: Correct.

Mr. Ottesen: – and what's not – yeah, was not allowed based on County and GMA. code.

Ms. Satushek: Right. Initial considerations too. I mean, there are some activities that may just not be possible because of a connection to water. You know, you need a – well, ___i don't know if the group is a Group A water system or, you know. ___ would be a motivating factor for one of these, like Jenn has said in the presentation. So we need to spend so much time on _____ extremes because I don't – _____ could be just like – for example, _____ you need pressure. Do you have pressure from your well? Probably not. You'd have to connect it to some kind of city water. You are and you're not. _____. Maybe there's some. I think properties that are in La Conner that are connected to Anacortes. Anyways –

Mr. Ottesen: So there are practical bounds that –

Ms. Satushek: Correct.

Mr. Ottesen: – that mean you don't need to –

Ms. Satushek: You know what? Not a lot of time on them. _____. But it would be really hard because we have to _____. We'd have to _____ and how that would look for sanitation. I'm sorry _____. There are constraints outside _____ activities.

Mr. Ottesen: We're talking primarily that situation where there is an available building permit on that parcel.

Ms. Satushek: (incomprehensible) Okay, yeah. That's the way _____.

Mr. Ottesen: Yeah, that's where there's going to be –

Ms. Satushek: And then what are the absolutes? You know, what are permitted and what are, you know, no-go's as far as scope, scale, and intensity. I think _____, we wouldn't want that in, like – I mean, I don't think we would want that in Skagit because of all the pervious surface, you know? But maybe like smaller _____, like _____; And again that – there's also water – anyways, sorry. I'll ____ – stop talking.

Ms. Frye: I think what we want people to get is we want to support farmers to be able to be in existence. Like, that's what true agritourism should do – should be supporting farms and most _____. We also want to prevent conflicts with commercial ag – tractors on the roads, dust. So it's like how many events and what size of events are too many to have a negative impact on commercial ag? Because we want to allow enough flexibility for small or mid-scale or large farms. It seems like whoever's doing agritourism in support of their commercial farm operation. We want to allow that, we want to allow innovation and additional supplementary revenue streams. So what is too much? I mean, this is getting to the numbers. Like, How many events? How many people? Like, when does it tip over into too much? Is that –

Mr. Steinman: Yeah, that makes sense. Conversion of ag land is, I feel, the biggest – one of the biggest worries because it doesn't come back. You know, once it's gone, it's gone. And we don't want to turn into Snohomish Valley or Kent Valley or – you know, that's – I feel that's one of the biggest things we need to make sure we need to put these guardrails on so then we're looking to the future. You did it this way but somebody 30 years from now is farming differently, and they still have that land there, they still have that soil base there, so they're keeping the conversion from happening. So I feel – maybe – I don't farm here in the delta, but I feel it's almost bigger than the impact of the traffic and the dust is, like, the direct conversion of farmland through impervious surfaces

Ms. Frye: So then it seems that with – because of the GMA, ag accessory uses are not limited to that one acre. So if in County Code we're defining agritourism at possibly these different levels ____ different _____. Like, part of the performance standards need to be limitations on conversion or –

Ms. Anderson: Yeah, I think that when it's on conversion and guardrails to protect the farmland are more important than the number of events. I think if a farm is conforming to these widely agreed upon guardrails, the number of events, as long as the farm is operating in an acceptable way, I don't see the number of events is as important as that they're following certain standards.

Ms. Frye: But if I wanted a 500-person limit everyday, I would _____ on my farm.
If I ___ converting –

Ms. Anderson: I'm saying the number of events. I think that's harder to put a number on.

Ms. Frye: I think under – again, like 25 or under, 50 or under, potentially should be no limit, no permit required. Like, just be a good neighbor, you know? But I think once you do get up to a certain number of events of a certain number of people...

Ms. Anderson: Yeah, I mean, I haven't heard of any 500-person events happening, and I think that would be really hard to do. Impossible on one acre.

Mr. Ottesen: Is it a weekly or monthly threshold? Like kind of that – could be ___ rather than a daily or event like if you had, you know – if you had 5,000 people a week coming through – or a month – I don't know what a meaningful threshold would be. But rather than ___, but like a way to account for the fact that it's not going to be that, you know. That a 100-person event is not necessarily a problem, but a 100-person event every day all month long, you know, four months in a row may or may not be. Or 250 or whatever the –

Ms. Harris: Tara, when you – any thoughts on these differences now, like admin Hearing Examiner, where does something go to an admin special use permit? Is _____ based on the number of people on that frequency?

Ms. Satushek: Well, it depends on what the special use permit is and what's triggering. So a rural-based business is what I'm thinking about that comes to mind, or like the outdoor outfitters. It depends on what the activity is. So like for a home-based business it – you're _____ the square footage of the building dedicated to the business activities.

Ms. Claus: So let's call it agritourism 1, 2, 3 for the sake of discussion, mirroring the home-based business. We have some sort of special with the number of people, rather than the number of employees, I assume? Unless the group feels otherwise.

Ms. Frye: Yeah, there aren't in current code. Outside the 24 events, there aren't thresholds like this.

Ms. Claus: And that's for the temporary events ____.

Ms. Harris: And what I've heard from Jack – and he's not here to describe this but he liked this – _____ be temporary, in a way that _____ if you have suggestions it needs a new name, and there might just be agritourism events. And with its own, like, allowable frequencies, right?

Ms. Satushek: Okay.

Ms. Harris: I think that's what he was – is that –

Ms. Satushek: Great. Yeah, there is pathways for truly temporary events, like a hypothetical funding concert. If you have a one-time event you have to coordinate with law enforcement, fire, safety, sanitation, so to just be focused on that one thing. But currently right now the code is really hard for planners to implement because there's no time cap on the events – I mean, other than the days. But is the event one day or 50 days? And that's where we struggle.

Ms. Claus: So it needs to be defined how long is the event? Or, like, what does the term "event" mean? Is it separated in the definitions?

Ms. Satushek: It is. But it's not appropriation. It's only an appropriate term for what the use is, if that makes sense. So there could be something happen at their temporary events and we want to administer that use and administer the code appropriately. But that term isn't necessarily the best term because a truly temporary event without a code pathway, that would not be planning or zoning _____. It'd just be strictly _____. So if there's a way to have, like – like, let's say I want to have a farm and I want to, I don't know, some kind of, like, farm-to-table special event just for that one year or for a month or something, I would have 24 days; however, there's no cap on how many years that, so I can have that for one year, I can have that for 50 years.

Ms. Claus: So that's just a plan that's looking for an expiry on – like, the permit gets issued and you have up to a year to use it or whatever.

Ms. Satushek: That would be one of maybe one of the things for an incidental – and that's the thing. I don't – we need better clarification. I think that would help, because temporary – if it was truly temporary there's a clear pathway forward, but if it's like a re-occurring then that's where we need to find out. Like let's say I have a special event that I have during the month of July but I have it every year. How do I get that permit pathway forward? And so that's where we have temporary events is, but really it's not – that's not the current term that we want to – once you amend that code to really reflect what's happening, so that we can actually provide applicants a code pathway forward that meets zoning. If it's reoccurring events, with health and safety.

Ms. Claus: Well, if it's event and not a business operation that does that business fulltime over the _____ business, like an event would change in scope and scale over the years, right? Like, it's going to evolve and so – but all the work would come from applying for the permit the first time. And then you blow the dust off the permit – like, make the two changes you need to make, resubmit. But – so I'm hearing that having an open-ended permit that essentially allows a business to operate in a permanent fashion is what Planning is trying to find a clearer pathway around.

Ms. Satushek: Right. Because there's no real guardrails right now for temporary use, other than the 24 events a year. But that could be one year or 10 years.

Ms. Claus: So if we create this threshold system, that should be a ___ that we are recommending something about the ___?

Ms. Satushek: Correct.

Ms. Claus: Okay.

Ms. Harris: And I'm hearing _____.

Ms. Claus: Well, you know, I just put that out there as – I don't know how else you do that without some sort of expiry date. So it's an _____ expiry date or a self-attestation or a – I don't know.

Ms. Frye: Right. There's, like – you could do an annual compliance report – just that's required of operators. Just say, like, Yep, still doing the same thing. Like, still a commercial ag operator.

Ms. Satushek: Yeah. And the one that comes to mind is like, once I have a farm and I do my annual July farm-to-table dinner. I can do that as long as it's related to agricultural production and no ag land is converted, no _____ structures are constructed. So I can have my, you know, my vegetable tents and stuff and I can have my water shipped in or whatever, as long as I'm not converting the soil and I'm constructing permanent structures and it's tied directly to my farm or my farming activity. The temporary events.

Ms. Claus: So right now that has a path?

Ms. Satushek: It does but it's – again, it's not – it can be, like, 100 visitors one day, one year, just one time, or I could do it one month every year for 50 years.

Ms. Claus: And there *is* a permit required without expiry, or there –

Ms. Satushek: Right. Currently right now there's no expiration date applied to temporary permits – for a special use permit.

Ms. Claus: And as long as it's a commercial event, like selling a ticket – there's no threshold on if I invite one person versus if I invite 500 people. Correct?

Ms. Satushek: Correct.

Ms. Claus: So can we just make sure we capture that as the problem statement makes so it doesn't leave my brain that it's – there's – it's on time now. It's maybe overly onerous if I want to have 10 people over I have to get this permit to do this thing.

Ms. Frye: That's probably why no one's doing it and no one's used it, but a few people are. And it's not clear, it's not – is that fair to –

Ms. Claus: Well, this is for the group _____ what should those thresholds be.

Ms. Anderson: And I've heard Tara say I'll convert farmland –

Ms. Claus: Yeah.

Ms. Anderson: Yeah, I'm building new buildings.

Ms. Claus: Yeah.

Ms. Anderson: And income goes towards the farm. It seems like those are things that we might be able to create.

Ms. Frye: Yep, totally.

Ms. Harris: _____ but do you feel like the kind of the material that you just described as being – that you first perceive, like, any person could have which permit they need? Like, you have to check those three boxes first, right? This is the conversion of farmland piece. This is not – this is _____.

Ms. Claus: And isn't that already performance criteria?

Ms. Harris: Yes.

Ms. Satushek: It was, like, former _____.

Ms. Claus: And so we would just borrow that performance criteria from temporary events and apply it to agritourism. That's –

Ms. Satushek: Correct.

Ms. Frye: So are we saying you can never build any new structures for agritourism purposes? Or they'd have to be –

Ms. Harris: ____ agritourism _____. _____.

Ms. Satushek: Well, I don't want to – I can see what the code current says now. Now it's just no structures for that – for that temporary event can be constructed. And there's also a non-ag – there's an AOI, administrative official interpretation, about non-ag siting in the Ag – excuse me, non-ag building siting in Ag-NRL zone, which is similar to the one-acre ____ conversion of farmland. Do you have to have one to get a development? _____ one acre. And you have to – I think _____ conversion of farmlands. I think that's what troubles too. It's because an accessory use could be a processing facility and then that processing facility maybe gets converted to a retail _____. That's where some of you –

Ms. Anderson: So you're saying it couldn't be used for both. It can't be used for both. It could be used for processing our beer. Our beer could also be used as retail space.

Ms. Satushek: That I'm not sure.

Ms. Anderson: Okay.

Ms. Satushek: Because an accessory use, you can't do processing and that's where it's confusing again with the number 7 of the – _____ tourism but I don't – it's not clear to me if that is just the activity or it could have a **space-based** thing.

Ms. Anderson: Yeah. Yeah. I guess no new buildings – it might be better to say "or agritourism" because _____ buildings work for their farm, and I guess it's possible it could be used for _____. Like you couldn't outright build any building just for the agritourism activity. I don't know if that's one thought. If it's for the agritourism purpose only.

Ms. Frye: But I guess I would be curious, like, if agritourism is part of your ongoing operation and if it would be within that one acre or 5%.

Ms. Anderson: It's difficult too because if you have a development right it is hard to control what people use that for, I guess. I could have, like, a building for rent.

Ms. Harris: I heard Tara bring up new buildings specifically for events, which I think in my mind is different than, like a farmstand _____. Or you could _____.

Ms. Frye: And there still should be limitations but I think for temporary events _____.

Female: Yes.

Ms. Anderson: Okay, yeah.

Ms. Harris: So for agritourism events. Like, this doesn't apply to ongoing operations as long as it falls within the –

Ms. Roozen: So what if – oh, go ahead.

Mr. Ottesen: No, you're probably more on the same point than me.

Ms. Roozen: What if their farm is growing and they need to build a barn to house equipment or produce or whatever that is. But then they do for a special event – say, it's the month of April for the Tulip Festival. They use that then to supplement what's happening for that month-long event. Where does that fall? Is that allowed?

Ms. Satushek: I think that's what we're talking – that's what I'm trying to get at. _____. I would say that is another temporary event that's not really temporary. If that makes sense. We'd come up with some type of, like, incidental ongoing agritourism. Like something that would capture that that activity is happening but it's reoccurring and actually it's not truly temporary. So bring actual guardrails for something like that event, where you're not converting farmland. You're using existing structures, and it's not activity. So you're also – part of the activity too is, like, let's just say it's not just purely _____. It's also public health and safety. You know, are you having sanitation? If there's fire, you know, that sort of – that coordination. _____ the planning process. The Department could coordinate with other departments just to – for public health and safety. So the zoning wouldn't necessarily be a good _____ but it would be that _____ point to coordinate, again, with other departments. But then temporary, again, would just be that one-off. So I think that's what we're trying to get at. Because I thought to me right now with 1200 a temporary event if it didn't exceed 24 days a year.

Ms. Anderson: Well, we talked about how the Tulip Festival is, you know –

Ms. Frye: And I think the Tulip Festival's going to get this whole cart out. Because _____ the exception in some ways. So, like, I would really – not that what we're talking about *doesn't* apply to the Tulip Festival, but, like, we clearly want to find a way for the Tulip Festival to continue.

Ms. Anderson: Sure. Yeah.

Ms. Frye: So I think this is for everything else in some ways.

Ms. Harris: Yeah, and just an observation on that point, because Jack really shared on that _____ too. But like in terms of that topic he was appreciative of the kinds of, like, context that you and Rob shared, and in his mind all that goes into the code is a single line that says, like, there is an exemption. And he was looking at like what Rob had proposed and maybe modifying it to be like March 15th through May 13th, so slightly shorter than that 90 days but still greater than a month. But essentially, like, he felt like two was covered with that, like, one line.

Ms. Roozen: But if it's in the months of the summer and there was to be – say there's a strawberry festival.

Ms. Harris: Yeah, _____.

Ms. Roozen: Yeah.

Ms. Harris: Yeah, I think it would fall under those events.

Ms. Frye: _____ think that what you have brought up before, Tara, is like how do you prevent – again, I think this is going to be a rare circumstance if someone would be like, Oh, I'm going to build my agricultural barn to house my equipment but now there's no

equipment and I'm only hosting events in it. It's hard to put language in to prevent that creep because you *are* allowed to put a barn in.

Female: Right.

Ms. Frye: But I think that what you get at is, like, the limit on the number of events.

Ms. Claus: Well, when it goes through the Department process. _____.

(several inaudible comments)

Ms. Satushek: Yeah, so I _____ the permit process. _____ And so, again, it's _____ there's activities that you want - _____, you want to protect farmland – but the real thing is, like, What am I trying to mitigate? What am I trying to avoid? I'm trying to avoid lots of traffic, you know, impacting farm – on the farm ag operations. I'm worried about excessive lighting – you know, constructing those things _____. I think the activity is like farm-to-table. Is that like 10 people or like 500 people? It's those impacts that's where we're trying to, like, that's what we can control. The activity's not – obviously the activity _____. I'm primarily an operator. Other functions is just like, What can I work at? What can I say? I can measure that. That's, you know, too many vehicles per day. I can count. I can measure noise and I can measure light. So what are impacts that are measurable and what activities might trigger those impacts?

Ms. Frye: The idea of the number of events, the number of people – like some of those examples I read. Like is that in line with what you would like to see? Like events of less than 25 people are outright permitted and there's no limit.

Ms. Satushek: My point of view about all the hype about farmers? I don't know like, the community _____ but it may not make sense in the community.

Ms. Frye: Why don't we just speak on the numbers that do make sense?

Mr. Steinman: We want to make it easy for the code to be used by the Planning Department too. So if the metrics that you or the Planning Department is really needing are those types of metrics in order to safely execute the code, if you will, so you can go out there and actually find compliance or non-compliance. Because it seems like that's one of the problems – is it's difficult to read the code and then be like, well, you're in or out of compliance. I guess that's some of the things we're looking for. Are those the guardrails that you need to write a successful code?

Ms. Satushek: Yeah. Yeah. It helps, like, for example, like if you're a certain amount of people who _____ your review. You know, _____ for your building code? So

you'd be _____ retail or farm or just, you know, a storage facility. That would help with reviewing compliance. That way activities are happening _____.

Mr. Steinman: So kind of like Amy's thresholds that she was bringing up from Boulder County. Those are types of thresholds that really help to write successful code. And maybe not those exact ones but that type of an idea?

Ms. Satushek: Yeah. Yeah, that does. I just didn't want to influence too much your decision-making, but as far as technical those metrics do help.

Ms. Frye: I mean, that's what it seems like a number of other places have come to, like there's varying levels but most of them have two to three levels of this number of people, this many events: You're in this category. The next level up here. So it's kind of like take out of consideration Tulip Festival and current venues because those in the VCA process _____. We're going to – those are going to happen, like starting now moving forward, when we want to see, like, How many events is too many of x-size?

Mr. Steinman: Exactly. They want someone else to do it if they can. In another year, or five years or 10 or 20. Maybe 20 years.

Ms. Frye: We don't want to be unduly burdensome on operators.

Mr. Steinman: Exactly.

Ms. Frye: So that's another 25 or 15. Like, if it's an agritourism event, truly agritourism-related, like, is there a limit? Is there no limit? Like, what's the bounds?

Ms. Anderson: It seems like what Tara's saying, though, is that the number of people is more something that the County is looking at – the number of people for assembling, not necessarily the number of times the assemblies are happening. You know, because that's what tips somebody into like an assembly, or the fire, life, and safety comes into play. Not necessarily how many times the group is assembling but the size, the size of the group.

Ms. Claus: It might get at, like, the permanence of the operation versus a temporary event. Right? So if you're having – is that where the 24 came from? – if you're having more than 24 you're in a fulltime business operation. It's not a temporary event that's accessory to the other operation – is that where the 24 – okay. So the frequency of occurrence. There's the size. That and the traffic and the building codes, but then there's the frequency/

Ms. Frye: I think it's the combination of frequency and size. If I have – I mean, if I have 10 cars at my farmstand a day, that probably doesn't matter, but if I got to the scale where I'm having a whole bunch of cars, like every day versus – I don't know. I think it's the combination. Yeah.

Mr. Ottesen: I got this thought rattling around the room here at night. I wonder if it's a useful way to maybe draw a line for where something would require a special use permit or a Hearing Examination. I can imagine a lot of situations where a venue – you know, the venue operation was either a separate business entity or, you know, entirely separate from the farming activity, right? I don't know if there were individuals involved or different or just for tax reasons it's set up as a separate entity. And I wonder if that, where there's a disconnect – a business disconnect between that new income and the farming income, is a reasonable threshold to put a – to require a special use permit for that operation on a farm. Or Hearing Examiner. I don't know –

Ms. Frye: How to determine that –

Mr. Ottesen: So if you have all your income – all your venue operation income in one business entity and all your farming income in another, is that – that would be – like, if there's no farm income you can point to on your – and I apologize if this is a tangent. I'm just trying to get at –

Ms. Frye: I hear where you're coming from.

Mr. Ottesen: I get this distinctness as a – you know, getting to the fullness of this as a separate business entity versus something that's accessory, right? If it's a separate business entity, that suggests to me it's not accessory to the farming activity.

Mr. Steinman: That's a really good point. Because, I mean, if I were to have a successful long-term, ongoing agritourism operation with lots of people being invited to my farm, I certainly wouldn't want that under the same umbrella, the umbrella as the operation. I'd want them to be separated just for liability precaution. So I'm not sure how that –

Ms. Frye: And how do you ask for – yeah, for Schedule Fs to get – it's kind of like –

(several people speaking at once)

Mr. Ottesen: Well, your business license would tell you that.

Mr. Steinman: Mm-hmm.

Ms. Matheson: Well, ___ Snohomish County has – I don't know if you discussed this the last time, but they have a designation of, like, farmland enterprises that seems to get at like what we're talking about. Something that's – they're still saying it's incidental and subordinate, but I wonder – but – and there's no necessary, direct relationship to agriculture use, but you have to provide the code with, like, a site permit for, like, your site plan of what you're doing, and it's not allowing you to convert farmland in order to have this operation. And then it brings in, like, the water and the sewer and all of those things

Ms. Harris: Tara, can I ask you about these ___? _____. I want to differentiate between, like, clearly _____, like, you can pick at our farmstand. _____

gone when there's no event happening? Does that trigger a permit or are permits specific to events that are happening?

Ms. Satushek: I believe temporary use – so you're asking if –

Ms. Harris: Like admin special – what's an example of an admin special use permit for agritourism?

Ms. Frye: Well, currently for a farmstand over 300 square feet, I don't have to go get an administrative special use permit. And then under 300 – 300 and under is outright –

(several people speaking at once)

Ms. Harris: I'm wanting to add that to the site, sound, and intensity because that's something that's not captured in the _____.

Ms. Frye: What is not captured?

Ms. Harris: Like specifically the seasonal farmstand.

(several people speaking at once)

Ms. Harris: That one's covered.

Ms. Satushek: But, I think that's _____. Sorry.

Mr. Ottesen: Oh no. No, go ahead.

Ms. Satushek: Oh. I think _____. It creates _____ over that square footage. You know? I was thinking 300 feet and outright permitted. Over 300 but less than 2,000 gets an administrative special use. Over that but not greater than 9,000 is the Hearing Examiner. And so that's kind of – for me that's helpful. And I don't know that that's helpful for the group is to kind of look at those types of metrics.

Ms. Frye: Yeah, I mean, I think that's – with numbers and people and all these events, and then I think also square footage. I mean, we could get to things like, Sure, you could have a(n) on-farm tasting room; if you're producing over – like, whatever, you know, you're actually a bona fide winery. Not a token amount, like there's – again, it's all like how you define the thresholds and like – you just keep the size small. If your tasting room's under x-square feet and then you're still going to – this is all about use and then you're going to have to apply for all the health and – like, it's very unlikely many of these are going to get approved just because of all the other requirements. But, like, if you can actually have a bona fide winery while you're producing the majority of items onsite, and you want a 500 square foot tasting room, cool. I'll come. It sounds great. But how do you keep it bona fide and not converting farmland? I don't know.

_____.

Mr. Steinman: Well, that makes sense. _____ define that number.

Ms. Frye: Exactly.

Mr. Steinman: Is it 51%? Is it 66%? Is it 75%?

Ms. Anderson: I think it's majority. It could be majority.

Ms. Frye: I mean, just a – that's how the USDA defines "local." Is if you're doing a value-added product then you don't want to be – but it's 51 and then your product has to be from your operation.

Several Voices: Yeah.

Ms. Frye: Again, just like throwing out ideas, not –

Ms. Roozen: I think we're all – are we all in agreement with that?

(laughter)

Mr. Steinman: I think we're all in the same place but we just need to put those numbers on, Are we in agreement? – how that –

Ms. Harris: So we're _____.

Female: Right.

Mr. Steinman: Fifty-one percent is – are we looking at a size? A certain square footage as well? Staying in line?

Ms. Frye: I mean I'm happy to, like, try to take – some of these examples for their county use and, like, mash together something to add to the group consideration. Like I know it's basically new, and we have three weeks till our next meeting so I feel like some back and forth weave is going to be necessary.

Ms. Anderson: Yeah, maybe we should all – everyone that wants to – take a stab at coming up with some thresholds. We could send them to Meg and then we could share those.

Ms. Harris: I would love for you to send them to Amy. Let Amy respond to _____ filing. You're welcome to – I am going to work on it myself too.

Ms. Frye: I mean, I'm happy to make a Google _____. We can – it's time to, like, get these things on paper and –

Ms. Claus: Yeah, just determine – like, the current code says 24 calendar days – like an expiry event. If people feel like that number should change, I guess we should agree that that should be work that's done. But if everybody's in the same pages, don't change that. There's no need to _____. _____ and then maybe focus on people thresholds or wherever the points of disagreement are.

Ms. Harris: And I would just pose to this group, like, you can propose _____ to the County. You could also say you recommend that thresholds are designed by the number of people. Here's three examples. Like, we recommend that you use what's relevant and enforceable so you can get a code all ready.

Ms. Frye: Yeah, that's _____. Home ____'s what I thought it was. We're just proposing something to Planning to consider among other considerations. So, like, I don't feel that we have to come down to, like, This is the right number of events. Like, here are three examples. Like, combine this with all the other information you're gathering. They're going to come back to us. The plan is you're going to work on your code language and come back to us and present it. It'd be like, Did we get this right? Like –

Ms. Anderson: And this group doesn't have to 100% agree. I think it is going to give us – throw out some examples, but maybe we agree on some examples that are going to be – but everyone doesn't have to agree on just one.

Ms. Frye: Well, I think the point of our consensus approach is like we can each agree to write, like, Here's why I support this, or, Here's why I don't. While I think there are some challenges here....Like we can write context to go along with our recommendations.

(sounds of assent)

Ms. Harris: We have just a couple minutes and this is a good transition. So in terms of I think you're right. There's work that needs to be done between now and the 17th and we have time. Amy's agreed to take on a few of those things.

Ms. Frye: I mean, I have capacity and I just –

Ms. Harris: We have a couple circulating already. I want to give Lora just one second to share on hers. And what I did, which is alter the remand folder, is just a cover letter. Take a look at it, make any edits to it, and I also started to write up what I heard about, like your approach to number 5 – the consistencies, just rather than documenting consistencies or inconsistencies, showing what your approach is that you have, like, done your due diligence to check that box. I also wrote up a little sentence about geography because I've heard from this group that there's not a desire _____ geography recently. I'm trying to stay out of this writing as much as I can and let it be your words, but I also want to give you like a strawman to start working from. So please take a look at any of those.

I will put like a clear review timeline in the email that I follow up with, but, essentially, like documents that could be shared before the 10th would give you a week for everyone to

look at them. So you have, like, 10 or 12 days to be collaborating and working as much as you can with the goal – I think if this could be a shared goal of getting a ____ like setting aside a week for review. Does that make sense to you folks?

(sounds of assent)

Ms. Frye: For myself, I was trying to be like, where are we at on the remand topics. ____ 1 and 4, or like what we're still mostly hashing out. It's these definitions and temporary use. I'd like 3 – things like _____ have been made in favor of treating different areas of the county differently. So unless I'm mishearing the group on that, we're done with that. We're basically like – one code for the whole county.

Ms. Anderson: Yes.

Ms. Frye: And then 5, the court case, but we're not going to have specific recommendations for that. It's just like that context is informing what we're doing for the others. And then Tulip Festival is kind of somewhat like, as Rob said, it's a little premature to decide that without having decided thresholds and definitions, but also like we're going to find a way for the Tulip Festival to continue. And then some of the other things that have been brought up are ongoing agritourism, representation and discussion, and then conflict resolution. It's like those are still kind of on the table for discussion. But like I was kind of seeing where we're at on the different topics. Is that –

(sounds of agreement)

Ms. Frye: I can send this again. I'm like, That's not. Just my own.

Ms. Harris: If you're willing to have it in that folder, ____ really helpful to live with those things, but either side is perfect. On that note of those miscellaneous topics, Lora, do you want to ____ and send to me something?

Ms. Claus: Oh, sure. I just – I think it's such an opportunity for the Agricultural Advisory Board to be engaging on agritourism topics on an ongoing basis. It's an existing forum, it's a public meeting. It happens monthly. I go there. It's kind of a gripe meeting. I would argue that it's maybe being underutilized by people who want to talk about issues that intersect with agriculture. And when I think about taxpayer dollars and what it takes for Tara and Malia and Jack to show up at those meetings at night. Like, it would be such a great opportunity to use that meeting to talk about these issues. There are people on that board who had agritourism activities happening who have, in the past, have a lot of agritourism. They're talking about it on the Land Use Committee. So I submitted a document that just kind of laid all that out, saying, like, we should invite everybody from this to come to an Agricultural Advisory Board meeting. See what the meeting's like. Participate. And see if that's a viable solution, rather than creating something totally separate. Because I think the point of all this and the benefit is to have people talk more who have this, like, conflicted interest and not have necessarily a separate board, that

there's not, you know, kind of is shared for a topic, which needs to continue. So I just – that was a suggestion and Meg is going to distribute that document.

Ms. Harris: And I can send it around. It's in that folder. In my mind it's a response to what Rob shared ___ in that it – like, I think you and Rob have a lot of similar ideas. It's support for ongoing conversation and representation.

Ms. Claus: Yeah.

Ms. Harris: And the differences – you may have slightly different recommendations of whether that's like creation of a new board or use of an existing board.

Ms. Claus: Right.

Ms. Harris: I was going to recommend that those get merged in some way. And Nicole, I don't know if you're willing to be Rob's representative in, like, working with Lora to combine those. I know they were – it wasn't necessarily your recommendation to begin with, but I've seen, like, a loss of learning that nobody – I wouldn't even call it, like, a disagreement. They're just like options for the County to consider.

Ms. Frye: Sure. One of the ___. Yeah, I mean I support the idea of, like – there's already – these meetings take a lot of time and effort and money. Like, if we can actually make sure the AAB is diverse and representative of the varied agricultural operations in the valley, that would be great. Yes. So then I – that's where I'm, like, I would like to know more about are there published requirements to be on the AAB? Like, do you have to be involved in – I mean, like, what is your – how does the County ensure a diverse AAB?

Ms. Anderson: I think based on the proposed code that they put forward, it was lacking tourism representation. It's like that's where the feeling that there should be a group that meets also to present the tourism side. I think that's worth it.

Ms. Claus: You know, entirely to your point, like, if they're not talking to people who are maybe deeper into the agritourism side, they should be – right? It's more their recommendations. There doesn't have to be agreement with that discussion. That's the forum where we're supposed to be hashing out land use conflict issues on the Ag-NRL.

(sounds of agreement)

Ms. Frye: We're saying agritourism is always needing to be part of commercial agriculture. Then, like, it should be on the AAB's, like, standing agenda and the AAB should be diverse enough to be able to properly address those topics. I think it is slowly getting more diverse but I think – I would be curious to know more about, like, what qualifies someone to be on the AAB. And so I don't know what I think about it.

Ms. Anderson: Well, it sounds like their position hasn't changed, unless something has come up recently. So –

Ms. Harris: Do you want to update, like, just that there's a draft but nothing submitted, as I understand it.

Mr. Steinman: Yeah, there is a draft of the AAB. Yeah. I'm the newest member. I've been on the AAB for four months so I'm just kind of getting my feet wet. And I do agree the AAB should probably start looking at having a subcommittee for agritourism. That would make a lot of sense. And then go from there and – I mean, because – I don't know. Tara maybe can tell me – tell us. Is there – I don't know if there's a cap – I don't know what the cap is, number of members that can be on the AAB.

Ms. Claus: The Board of Commissioners appoints for each district, but the Land Use Committee – except agritourism – pretty much gets reported out on pretty much every meeting. And members of the public, it's like a couple people will show up, maybe have nothing to do with agriculture at all. They just – I say that as a point of it's a public meeting, so anybody wants to come, like – you know, I don't sit on that board but I go and it's to know what –

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