



Planning & Development Services

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

Public Comments to BoCC Regarding Draft Agritourism Code Amendments

Count	Name	Organization/ Address	Comment Method	Date Received	Page #
1.	Emily Hie		Email	03/29/2026	3
2.	Lance Hansen		Email	03/31/2026	5
3.	Shirley Sparks		Email	03/31/2026	7
4.	Tammy Wood	34534 Hamilton Cemetery Rd Sedro Woolley, WA	Email		8
5.	Lisa Benson	4440 Cable Street Bellingham, WA 98229	Email	03/31/2026	9
6.	Lance Barajas	541 E Kellogg Rd Bellingham, WA 98226	Email	03/31/2026	10
7.	Katrina Gurr	A&K Photography 1033 Panorama Ridge Mount Vernon, WA 98273	Email	04/01/2026	11
8.	Emily Griffith	2400 Williams Street Bellingham, WA 98225	Email	04/01/2026	12
9.	Abigail Benson	5000 22 nd Ave NE Seattle, WA 98105	Email	04/03/2026	13
10.	Terry Sapp	Skagit County Agricultural Advisory Board	Email	04/13/2026	14
11.	Terry McNeil	16750 Warren Street La Conner, WA 98257	Email	04/13/2026	16
12.	Katherine Habenicht	A&K Alder Farm	Email	04/13/2026	17
13.	Tina Champeaux	Skagit County Farm Bureau 1641 State Route 9 Sedro Woolley, WA 98284	Email	04/13/2026	19
14.	Abigail Benson	5000 22 nd Ave NE Seattle, WA 98105	Email	04/13/2026	23
15.	Molly Rinesmith	9890 Blair Rd Sedro Woolley, WA	Email	04/13/2026	24
16.	Lisa Benson	4440 Cable Street Bellingham, WA 98229	Email	04/13/2026	25
17.	Larry Jensen		Email	04/13/2026	26

18.	Ellen Bynum	Friends of Skagit County PO Box 2632	Email	04/14/2026	28
19.	Ellen Bynum	Friends of Skagit County PO Box 2632	Email	04/14/2026	30
20.	David Christensen	Christensen Design Management PO Box 5068	Email	04/14/2026	37
21.	River Leonovich		Email	04/15/2026	42
22.	Mikala Staples Hughes	Western Washington Agricultural Association 2017 Continental Place #6 Mount Vernon, WA 98273	Email	04/15/2026	43
23.	Lora Claus	Skagitonians to Preserve Farmland PO Box 2405 Mount Vernon, WA 98273	Email	04/15/2026	47

Robby Eckroth

From: Emily Hie <emily.hie@gmail.com>
Sent: Sunday, March 29, 2026 6:07 PM
To: PDS comments
Subject: Proposed agrotourism work amendments

I'm writing to comment in agreement with the below message, written by farm owner friends here in Skagit county:

We would like to request clarification on several areas of the proposed code that may benefit from more specific definitions and objective standards.

First, the term “regularly occurring celebratory gatherings (e.g., weddings)” is not clearly defined. It is unclear what frequency would qualify as “regularly occurring,” and whether this applies to all tiers of agritourism, including Tier 1 (limited to 10 days per year), or only to higher-intensity uses under Tier 2 and Tier 3.

Clear thresholds would help ensure consistent interpretation and enforcement.

Ambiguous language should not be allowed when discussing the livelihood and future success of Skagit County farmers.

Clear, objective definitions are essential to ensuring that regulations are applied fairly and consistently.

Related to this, the inclusion of “weddings” as an example of prohibited activities on Ag NRL raises questions about whether certain types of gatherings are being restricted based on their label rather than their actual impact. For example, a small, low-impact elopement may have significantly less effect on traffic, noise, and surrounding agricultural activity than many other types of gatherings. It may be more consistent with the stated goals of the planning and development services members of protecting rural character to regulate based on measurable impacts such as frequency, attendance, noise etc, rather than event type.

Additionally, the proposal restricts conversion of agricultural land for parking, while also requiring that all parking be accommodated on-site.

How should small farms balance these requirements in a way that both complies with parking standards and preserves agricultural land?

Finally, many small farms in Skagit County are making every effort to remain in compliance while continuing to steward agricultural land responsibly.

For some, eliminating agritourism is not optional—it is essential to keeping the farm operating at all. Without a clear and workable path forward, these regulations risk creating a situation where small farms are left with no viable way to comply while remaining economically sustainable.

The consequences of that outcome would be significant, both for individual farms and for the broader agricultural community.

Property owners who are actively trying to comply should not be left navigating unclear or subjective requirements with such high stakes.

Thank you for your time and consideration.

Robby Eckroth

From: Lance Hansen <holshaft@hotmail.com>
Sent: Tuesday, March 31, 2026 11:05 AM
To: PDS comments
Subject: Comments Agritourism Skagit County

3/31/26

Lance Hansen Agritourism Statement in favor of less restrictions

This is the existing WFB Policy on Agritourism:

4.7 – Agritourism

We support efforts to promote agritourism and agri-education so the public will be aware of the value of agriculture to their lives.

We encourage local and state groups (including government) to support efforts to facilitate and promote on-farm agritourism in conjunction with an ongoing farm. (2005, 2025)

As a Skagit county farm bureau board member, this is my personal opinion supporting agritourism without limiting a farmer’s ability to use this business tool as an option to become more successful.

When agriculture is already a difficult industry, quote recent data showing Washington farmers are the least profitable in the country, this due to recent EPA regulations, low prices for milk, blue berries, etc, increased labor costs, etc etc.

From Capital Press Article from WSU:

“Washington ranked last in the nation in 2024 for financial returns to farm operators, and the picture isn’t likely to vastly improve for 2025, a Washington State University financial advisor says. Returns to Washington operators in 2024 totaled -\$295 million, according to the USDA Economic Research Service’s farm income and wealth statistics report, released in September. The report weighs gross farm receipts – including cash from crops, animals, government payments and noncash income – against farm production expenses, such as feed, seed, fertilizer, fuel, electricity, repairs and maintenance and labor. “

SB 2129 – Fortifying agritourism

This bill would have further protected agritourism by codifying its important role in preserving agricultural lands. In addition, the bill would remove certain conditional use permit requirements that are frequently imposed on common agritourism activities conducted on agriculturally zoned property.

It’s a shame this bill did not pass as this echos my stance and intent to help farmers to use this tool without unnecessary hurdles and restrictions.

This has been a great way to give small farms and many farms a way to survive in a creative way to increase revenue and have the farm continue. Most of the time without economies of scale a farm needs a niche

market and another way of farming to become profitable and sustainable. Agritourism has been one of the main ways a farmer can continue to farm and not have to scale up and or to sell their products/make use of the land.

You claim to be doing these limitations to protect farmland, but it's not. More will be lost when farms cannot do agritourism, due to their farms not being able to be profitable. Conventional farming does not work anymore 90% of the time, why would you limit a farmer's ability to make a good living and continue farming. Supporting all forms of agritourism and not limiting will save farmland and possibly increase farmland.

Souces:

<https://capitalpress.com/2025/12/04/washington-ranks-last-in-farmer-take-home-pay-in-2024/#:~:text=Returns%20to%20Washington%20operators%20in%202024%20totalled,and%20wealth%20statistics%20report%2C%20released%20in%20September>

Sincerely,

Lance Hansen
Skagit County farmland owner

From: shirleyisparks@icloud.com
Sent: Tuesday, March 31, 2026 11:28 AM
To: PDS comments
Subject: Agri tourism

As A resident from the Napa Valley for twentyfive years . From the time in 1976, when it was a farm community to a tourist destination 25 years later.. I can tell you it's steps like the one proposed, that ruin a lovely valley for the residents. We left and hate to see this happening to beautiful Skagit Valley . Where our family settled in Bow in the 1800s . Shirley Sparks 360-510-2472 Sent from my iPhone

Robby Eckroth

From: Tammy Wood <tammy.wood@att.net>
Sent: Tuesday, March 31, 2026 12:05 PM
To: PDS comments
Subject: Public Comment: Support for Skagit County Agritourism Code Revisions

To the Skagit County Planning and Development Commission,

My name is Tammy Wood, and I reside at 34534 Hamilton Cemetery Road, Sedro Woolley. I am submitting this comment in support of the proposed agritourism code revisions affecting Agricultural-Natural Resource Lands in Skagit County.

These updates are LONG overdue, and I appreciate the Commission's willingness to address the tension that has grown between agricultural land protection and the expansion of commercial event venues on farm properties.

I support the proposal to prohibit Limited Event Venues, including wedding barns, music venues, and regularly occurring gatherings, from operating within the Ag-NRL zone. These are **commercial enterprises** that happen to be located on farmland; they are not farming, and they should not be treated as such.

The updated agritourism definition, which ties permitted activities to active agricultural production, is a meaningful improvement. Activities like U-pick and farm stands are genuinely connected to farming. Large private weddings and concerts are not, and the distinction matters.

I also support the proposed guest and day limits for Administrative Special Use events, capping gatherings at 100 guests per day, restricting the number of permitted days per year, and prohibiting such events on prime farmland entirely. These limits reflect a fair balance: they do not eliminate all event activity, but they do prevent agricultural properties from functioning as commercial event centers without consequence.

Finally, the extended moratorium on new permit applications is the right call while the new rules are being finalized. It prevents the problem from growing while the county works toward a long-term solution.

I encourage the Commission to adopt these regulations as proposed and to ensure the county has the tools it needs to enforce them effectively.

Thank you for taking this issue seriously.

Tammy Wood

Washington State
360-391-9347

From: butters-screen-62@icloud.com
Sent: Tuesday, March 31, 2026 5:58 PM
To: PDS comments
Subject: Weddings and events on Ag-NRL land

To whom it may concern,

It would be so devastating to just eliminate weddings all together instead of making a criteria to allow them like every other event. My husband and I have visited Skagit Farms and it provides a beautiful and tranquil place for weddings and events. Anyone I have talked to are so happy to hear that many of these Skagit Farms offer wedding venues. These are people who grew up here and still have family here. These farms mindfully support their community by promoting local businesses into their wedding events.

Wedding events in beautiful, rural Skagit Farms is a win-win for those in the community that want to be married locally, and the businesses that are getting positive exposure. To take this opportunity away would be such a disappointment for those that have worked so hard in beautifying their farms, and opening up their hearts to the community.

Kindly,

Lisa Benson
4440 Cable St
Bellingham WA 98229

Robby Eckroth

From: Lance Barajas <climber1775@gmail.com>
Sent: Tuesday, March 31, 2026 4:22 PM
To: PDS comments
Subject: Agritourism Comment, Lance Barajas

Spam

Hello,

I am writing in regards to the proposed agritourism legislation. It is of my opinion that such proposed legislation will do nothing beyond add further regulations and bottlenecks for the agricultural community of Whatcom and Skagit counties. I do not see a basis to support the legislation primarily because such activities that already ensue would continue as normal under the proposed legislation carrying only further administrative and financial burden to the organizations in question. I urge the committee to refrain from enacting such policies as the current economy already places strain on our agricultural communities. Our agricultural communities are at the heart of our region and provide a significant value to everyone by bringing both tourists and beauty. Thank you for your time and consideration in this matter.

Lance Barajas
(520) 576-4520
541 E Kellogg Rd, Bellingham, WA 98226

From: A+K Photography <info@a-plus-k.photography>
Sent: Wednesday, April 1, 2026 8:45 PM
To: PDS comments
Subject: Skagit County Agritourism Code Amendments

To whom it may concern,

I live in Skagit County, and I want to speak up about how these proposed agritourism regulations could seriously harm small farms that host weddings and the many local businesses that depend on them.

For businesses like mine, local small wedding venues are a huge part of our income and wellbeing. These farms support an entire network of Skagit County small businesses. When a couple books a wedding at a farm venue, that often means work for local photographers, florists, caterers, DJs, planners, bakers, rental companies, hair and makeup artists, and others. These are real jobs and real income staying in our community.

The proposed code changes appear to place strict limits on guest count, number of event days, and permitting, with some uses requiring expensive and time-consuming approval processes depending on size and frequency. County materials describe a system where low-level agritourism is limited to 50 guests and 10 days per year, while larger operations must go through administrative or hearing examiner review. For small farms, those limits can make weddings and events financially unrealistic.

These kinds of limits do not just affect farm owners. They affect the broader local economy and reduce opportunities for Skagit residents to celebrate important life events close to home. Small farm venues are often more personal, more accessible, and more affordable than larger traditional venues. Losing them, or making it far harder for them to operate, would hurt both local families and local businesses.

I support protecting agricultural land, but I urge the County to avoid rules that place excessive burdens on small farms that are trying to survive and diversify responsibly. Agritourism should help keep small farms viable, not regulate them out of an important source of income. Please consider the broader impact these restrictions will have on local farms, local vendors, and the overall health of Skagit County's small business community.

Thank you,

Katrina Gurr (she/her)
1033 Panorama Ridge, Mount Vernon, WA, 98273
A+K Photography
360-296-0119
info@a-plus-k.photography
www.a-plus-k.photography
[Sign up for our newsletter!](#)



From: Emily Barbano <barbano.emily@gmail.com>
Sent: Wednesday, April 1, 2026 5:43 PM
To: PDS comments
Subject: Agritourism Code Amendments

Hi there,

I am writing to express my support for the upcoming agritourism code amendments. I support the updated code that provides more opportunities for farmers to participate in agritourism while maintaining said ventures as a secondary source of income.

According to the U.S. Department of Agriculture's Census of Agriculture, Washington state lost 3,700 farms between 2017 and 2022. - Seattle Times, Jan 18th, 2026

Farmers are facing enough barriers to income and employment challenges putting them at risk for losing their farms. This is an opportunity to protect our farmland while making it a more profitable industry for them.

As a local resident who sources my food through the Puget Sound Food Hub, I care greatly that farms in my region survive.

Thank you for hearing my feedback.

Emily Griffith
2400 Williams St, Bellingham, WA 98225

From: Abigail Benson <abbymbenson@gmail.com>
Sent: Friday, April 3, 2026 2:36 PM
To: PDS comments
Subject: Planning commission #4

I've always hoped that one day I could get married somewhere surrounded by nature—somewhere that feels like home, not just a venue. Even though I don't live in Skagit County anymore, I've always imagined coming back to celebrate something like that. Small farms in Skagit County offer that kind of experience. They allow people to create something personal and meaningful, while also being more affordable and accessible. It also means your celebration is directly supporting a local farm and helping keep it going. I really hope spaces like this continue to be an option. It would be a loss for both the community and for people like me who hope to come back and celebrate in a place that feels familiar.

Thank you,
Abigail Benson
5000 22nd Ave NE Seattle WA 98105



Skagit County Agricultural Advisory Board

Comment #10

1800 Continental Place, Mount Vernon, Washington 98273
Office 360-416-1338 www.skagitcounty.net/planning

April 13, 2026

Via email: pdscomments@co.skagit.wa.us

To: Skagit County Commissioners
Ron Wesen, Peter Browning, and Joe Burns

Re: 2026 Proposed Agritourism Code Amendments

Dear Commissioners,

The Agricultural Advisory Board (AAB) has long participated in the process to design a codified foundation for agritourism in Skagit County. The AAB provided comment on an early step in the process when an administrative special use application was submitted for a wedding venue in the Ag-NRL zone in 2012. A second application for an event venue in the Ag-NRL was submitted to the county in 2015. Since then, the search for a workable solution for agritourism has been rigorous and the AAB has remained engaged.

From the outset, the AAB has held to a central tenet that agritourism activities must be directly tied to agriculture. In February 2022, the AAB presented six principles to guide new agritourism code:

1. **Define agritourism** activities in Skagit County Code
2. Agritourism activities in the ag-zone must be **connected to agricultural** production on site or by the producer
3. Agritourism should be defined as **accessory use** to agriculture
4. Accessory agritourism should be subject to **renewable permits and scaled fees**
5. **Non-agricultural agritourism should be sited outside the Ag-NRL zone**
6. Create an **enforcement mechanism** to assure adherence to law

Upon careful review of the current code proposal as presented to the Board of County Commissioners by the Department of Planning and Development Services, the AAB finds general concurrence with its original recommendations.

Agricultural Advisory Board Members:

Terry Sapp (Chair), Kraig Knutzen (Vice Chair), Justin Hayton, Michael Hughes, Cindy Kleinhuizen, Nels Lagerlund, John Morrison, Kim Mower, Matt Steinman, Michael Trafton, Steve Wright



Skagit County

Agricultural Advisory Board

1800 Continental Place, Mount Vernon, Washington 98273
Office 360-416-1338 www.skagitcounty.net/planning

While the code proposal in its current form advances the effort, it is not fully comprehensive. The Board of County Commissioners has determined that further refinements will be considered in its 2026 legislative work plan. Addressing SCC 9.08 regarding certain kinds of special events will be central to additional details required to complete the project. The AAB agrees and anticipates future opportunities to participate in that work and to comment on related proposals.

In particular, the AAB believes that activities during festivals, the use or applicability of special use permits, and non-commercial and infrequent personal activities deserve further attention.

The AAB applauds the Planning Commission and the long-range planners at PDS among many other organizations, informal groups, consultants, and individuals who have contributed to the formalization of this current code proposal.

In its ongoing role as a proponent of agriculture in Skagit County and in its advisory capacity to the Skagit County Board of County Commissioners, the AAB supports adoption of the proposed agritourism code revision.

Sincerely,

Terry Sapp, Chair
Skagit County Agricultural Advisory Board

Agricultural Advisory Board Members:

Terry Sapp (Chair), Kraig Knutzen (Vice Chair), Justin Hayton, Michael Hughes, Cindy Kleinhuizen, Nels Lagerlund, John Morrison, Kim Mower, Matt Steinman, Michael Trafton, Steve Wright

From: Terry McNeil <tmcneil@wavecable.com>
Sent: Monday, April 13, 2026 12:17 PM
To: PDS comments
Subject: comments

Comments on Skagit County Agritourism Code Amendments

Terry McNeil
16750 Warren Street
La Conner, Wa 98257
360 466 3500
tmcneil@wavecable.com

Regarding Agritourism I believe there is plenty of land available in the county for weddings and gatherings without taking more of the precious farmland out of production to serve that need.

There are lots of sites on hill land and land unsuitable for agriculture that should be used for these purposes. There are no farmers if there is no farmland.

Thanks for the opportunity to comment.

From: Jessica Benson <info@akalderfarm.com>
Sent: Monday, April 13, 2026 3:43 PM
To: PDS comments
Subject: Public Comment on Proposed Restrictions and GMA Consistency for Ag-NRL Lands

I appreciate the County’s efforts to create a framework that protects agricultural land and ensures long-term viability. I am closely involved with a small farm in Skagit County, where we are actively working to balance land stewardship with economic sustainability. Like many small farms, we rely on diversified income streams to continue maintaining and investing in the land.

I would like to respectfully request clarification and reconsideration of how the Growth Management Act (GMA) is being interpreted—particularly as it relates to the restriction of uses such as weddings and restaurants.

The GMA does not explicitly prohibit these uses.

Under RCW 36.70A.177, counties are directed to conserve agricultural lands and may adopt regulations that prohibit uses that are incompatible with agricultural operations. At the same time, the statute clearly allows for accessory uses and activities, provided they are consistent with and supportive of agriculture.

Further, WAC 365-196-815(3) clarifies that accessory uses may be permitted when they are incidental and subordinate to the primary agricultural use and do not interfere with agricultural production.

Importantly, neither the RCW nor WAC provisions identify or prohibit specific uses such as weddings, events, or restaurants. Instead, the law establishes a framework based on compatibility and impact—not on the label of the activity.

The current draft appears to single out certain uses, such as “weddings” and “restaurants,” as inherently incompatible. However, any use—regardless of its label—could be incompatible if it is too frequent, too large, or otherwise disruptive. Conversely, small-scale gatherings or limited food service may be entirely consistent with agricultural use when they are secondary to farming and do not negatively impact surrounding operations.

By focusing on specific event types rather than measurable impacts, the proposal risks being overly broad and may unintentionally restrict low-impact, farm-supporting activities. These types of activities are often essential for small farms to remain economically viable.

The GMA’s intent is not only to conserve agricultural land, but also to support its long-term commercial viability. Allowing appropriately scaled accessory uses—including agritourism and small events—can directly contribute to that goal.

If the concern is ensuring compliance with the GMA, a more aligned approach would be to: Define clear, objective standards for accessory and agritourism uses.

Regulate based on measurable impacts such as frequency, attendance, traffic, and noise.
Ensure that agricultural use remains the primary use of the land.

This type of framework would uphold the intent of the GMA while also allowing small farms to sustain themselves.

In closing, the GMA does not mandate the prohibition of weddings, restaurants, or similar uses on agricultural land. Rather, it gives counties the authority to regulate based on whether a use is compatible with and supportive of agriculture.

As such, the proposed restrictions appear to reflect a policy choice, not a requirement under state law.
Thank you for your time and consideration.

-Katherine Habenicht
A&K Alder Farm owner.

Get [Outlook for Android](#)

From: Planning & Development Services
Sent: Monday, April 13, 2026 12:41 PM
To: Robby Eckroth
Subject: FW: Agritourism Comment for 4/13/26

From PDS inbox.

From: Tina Champeaux <tinac21747@aol.com>
Sent: Sunday, April 12, 2026 8:51 PM
To: Planning & Development Services <planning@co.skagit.wa.us>
Subject: Agritourism Comment for 4/13/26

Good afternoon!

Sometimes words are not enough when discussing farm issues connected to the land and the way of life we cherish and love so much.

Sometimes the heartfelt stories of farmers who have endured loss and/or the pain of future loss must be heard. The following are actual stories of Skagit County and other farmers who have either quit farming or face the dire prospect of quitting.

A Three Generational Farm Could Become a No Generational Farm

1. This account is sadly about a 3-generational farm family. The 1st generation operated as a dairy farm with some crops grown.

While there was not a lot of money earned, the family was supported.

2. The 2nd generation [3 brothers] inherited the farm. Two brothers left the farm to work elsewhere [as a professor and a laborer]. The remaining brother wanted to farm so over time, he bought out the interest of the other two brothers. He became a large grower growing mostly labor-intensive crops like berries, pickling cucumbers, broccoli, cauliflower, and potatoes. During his career the cost of labor and other regulations drove the pickling cucumber business out of the country [about 20 years ago]. The continued regulations relating to labor, especially in the last 5-10 years, made it impossible to continue farming strawberries, blackberries, and raspberries on a commercial basis due to the mandatory wage increases and overtime. The same trend in regulations affected cauliflower and broccoli as prices at wholesale

do not keep up with increases in the cost of production. Farm prices are based on competitive pricing that makes WA farmers unable to compete with other states and nations that have more friendly regulations in the form of lower labor costs, fuel, sales taxes, and other costs that make it difficult or impossible for WA farmers to survive. Presently, this farmer can only find one crop that offers the realistic chance of a profit. The potato crop is currently the crop that requires no hand labor to harvest and has a longer marketing season. However, as common to farming, one crop gets squeezed out thus putting downward pressure on the market pricing of the remaining crops.

3. The 3rd generation consists of three daughters of the 2nd generational farmer. Two of the daughters wish to continue in businesses related to the farm. One daughter specializes in selling at the farmers' markets, and is able to sell in 50 markets in the Pacific NW. She struggles because of high fuel costs and high labor costs but because she is selling directly to consumers, she is getting those margins and has been able to stay in business. The second daughter is married to a son from another local farm family. They want to use the beautiful farmhouse and buildings in a way that would showcase the farm and generate enough money from the activities to earn a living. They chose to grow some food and host events in those buildings to bring families to the farm. This is problematic because they are no longer large commercial growers and cannot survive on wholesale margins due to state regulations on labor and restricted water use. However, this is what their county wants them to do. In this case, the farming operation is stalemated.

We need clarity in the Agritourism Bill to save farming across WA State.

The **first generation** is gone.

The **second generation** is soon to be out of business due to regulations passed by state government requiring high wage costs, water restrictions, and fuel taxes not to mention those that prevent profits from agricultural production.

The **third generation** is in a sad state. One daughter is only getting by with a bleak future at hand, and the other daughter is currently harassed by county officials for using the assets of the farm to earn a living. There is not an option for her as there is for her sister because that path is taken. The markets lock out additional competition in order to help those who are already there earn enough money to avoid a collapse in pricing.

This is the second in a series of farming accounts among those affected by Unclarified Agritourism:

A property owner has a wedding venue on a larger parcel of land. The land itself is rented to a large farmer. The owner of the farmland does not have the equipment and expertise to farm large scale, but wants the land to be farmed as part of the wedding venue experience. The owners are concerned that they may not be able to earn a living from the old buildings that are on site. The rent of the land does not generate enough income for their family, but the earnings from the wedding venue allows them to take good care of the buildings, the landscaping, and contribute to the economy of the community.

In this case farming and the venue are coexisting in keeping farming alive on this farmland.

Skagit County Winery,
A second generational farming failure.

This account is a small winery that has grown apples, grapes, and a few other things that were sold directly to consumers as unprocessed fruit and vegetables and also in the value-added state of wine and jams, etc. The owners created a venue that has been a popular spot to visit not only in the fall at harvest

time, but throughout the year. The business has promoted agriculture, employment of local people, has added to the economic base of the community, and has sponsored fundraisers for various groups. The first owner eventually passed away, and a small group of investors spent \$1,000,000 to buy this farmland to continue operating the small farm and winery. However, because of unclear agritourism regulations in Skagit County, the heavy hand of the county eventually caused the business to close because of endless harassment by county officials and endless new permitting requirements on this existing business. This farm operation has been a great taste of agriculture that is no longer available for the public to appreciate. It will no longer hold benefit events to raise money for community groups needing funds to promote their causes, no longer employ local people, nor be an economic base for our county.

Tulip Trouble in Skagit County or "Let's Level The [Tulip] Playing Field".

A forty-ish gentleman and his wife loved flowers and farming and had a dream of owning a tulip farm and venue. A generational farmer who had farmed in Skagit County for years, still owned land in the county, and wanted to help those interested in agriculture pursue their dreams extended his hand.

A partnership was born and a tulip farm was birthed.

They created an entity that grew and sold tulips, tulip bulbs, and miscellaneous items like t-shirts, sweatshirts, and other things to promote the business and the Skagit Valley Tulip Festival.

The public was invited to not only experience their farm but to u-pick the tulips as well. This innovative idea won an international award with the CEO a recipient of the "World Tulip Vanguard Award for Visionary Leadership in Agritourism". The CEO gave his key note speech at the World Tulip Summit in The Hague in Amsterdam in 2024.

The farm went from a hazelnut orchard to the largest u-pick tulip farm on the West Coast and then, to an internationally recognized and award-winning tulip experience in just 2 years.

[See the full key note speech: "Making, Marketing, and Managing the Now and Next Tulip Movement":

<https://youtu.be/1BwzINZ-xnA>]

However the county decided that this business was somehow different from the other three tulip venues in the valley and decided to sue the business for not having an event permit, access and egress permit, grade and fill permit, flood plain permit, of which no other tulip venue in Skagit County was in possession of any of these permits. The county claimed that the action was started because of a community complaint against the farm, but no complaint could be produced by the county nor the investigator that was hired by the farm to see how this farm was different from the other farms. This action has cost the farm a huge amount of money and continues to do so to this day. There are farms that have more or less access points, more or less driveways, more or less parking, and more or a smaller number of attendees. The litigation between the county and the farm still continues currently. There is a need for clarity from the state. What is good for one farm business should be good for all farm businesses. There should not be an uneven playing field leading to an agricultural monopoly for some farmers and discrimination for others in any county in Washington State.

Nurture the Nursery and Don't Plant Seeds of Discord

A local nursery has been in business for years staying relatively the same. However, they more recently added a Sunday farmers' market to the operation to increase traffic flow and sell more plants. The venue offers a place for small local

vendors to sell jams and jellies, sauces, fresh pastries, and a variety of other items. To our knowledge there has been no land taken out of commercial production since their purchase of the property. The county continues to persistently apply pressure on this business.

Tea for Thee But Not For Me

A Skagit County entrepreneur grows herbs on a very small piece of land and then dries the herbs and makes tea. She has a tea house and is concerned that she may have to end her business if the agritourism regulations are not soon clarified.

In conclusion, 700+ farmers are going out of business in 2026. Washington State farmers have the lowest take home pay out of 50 states in our union with farmer suicide rates skyrocketing to 25% above the general population average. There is no doubt that something has gone very badly for farmers in Skagit County and throughout Washington State.

With out of control taxation and regulations, Skagit farmers must have a secondary income source to continue farming and producing food in Skagit County. If there is no resolution, our traditional family farming is over.

Please consider and come to a reasonable and workable resolution.

Thank you,

Tina Champeaux
Skagit County Farm
Bureau
1641 State Route 9
Sedro Woolley, WA 98284

From: Abigail Benson <abbymbenson@gmail.com>
Sent: Monday, April 13, 2026 4:39 PM
To: PDS comments
Subject: Skagit County Agritourism Code Amendments

Spam

I've always hoped that one day I could get married somewhere surrounded by nature—somewhere that feels like home, not just a venue. Even though I don't live in Skagit County anymore, I've always imagined coming back to celebrate something like that. Small farms in Skagit County offer that kind of experience. They allow people to create something personal and meaningful, while also being more affordable and accessible. It also means your celebration is directly supporting a local farm and helping keep it going. I really hope spaces like this continue to be an option. It would be a loss for both the community and for people like me who hope to come back and celebrate in a place that feels familiar.

From: Molly Rinesmith <mollyrinesmith@outlook.com>
Sent: Monday, April 13, 2026 4:56 PM
To: PDS comments
Subject: Skagit County Agritourism Code Amendments

I grew up in the Day Creek area, and Skagit County has always been home to me. The farmland here is a big part of what makes this place special, and it's something I really care about protecting. Because of that, I've been paying attention to the conversations around what should or shouldn't be allowed on Ag-NRL land.

As a small business owner, I've seen how weddings and events on farms don't just support the farm—they support a lot of other local businesses too —there's a whole network of people who benefit, and that money stays in our community.

I also think about what it takes to keep a small farm going. Farming is tough, and for a lot of people it's not enough on its own to make things work long-term. Being able to host occasional events can make a real difference in whether a farm is able to keep operating.

I think most people would agree the goal is to keep farmland as farmland. But it also doesn't seem realistic to expect small farms on Ag-NRL land to survive without some flexibility. It feels like there should be a way to put reasonable regulations in place, instead of moving straight to prohibiting these types of activities altogether.

I hope there's a way to find a middle ground that protects agricultural land while still supporting the small farms and local businesses that are part of this community.

Molly Rinesmith

9890 Blair Rd.
Sedro Woolley, Wa
98284

From: butters-screen-62@icloud.com
Sent: Monday, April 13, 2026 5:08 PM
To: PDS comments
Subject: "Skagit County Agritourism Code Amendments"

I live in Whatcom County, but like many people in this region, I spend time across county lines and have attended weddings and events on farms in Skagit County. These experiences have always felt consistent with the rural and agricultural character of the area—small-scale, thoughtfully run, and clearly connected to the land itself.

I've been following the current discussions in Skagit County, particularly the concern that allowing weddings or similar gatherings on agricultural land could conflict with the Washington Growth Management Act. From my understanding, the Growth Management Act does not prohibit these types of uses. Instead, it focuses on conserving agricultural land and preventing its conversion to non-agricultural purposes. That distinction is important.

In Whatcom County, where I live, we've approached this by allowing events like weddings through a conditional use process. They aren't automatically permitted everywhere, but they can be approved when they're shown to be compatible with agricultural land and surrounding uses. That allows the County to look at things like traffic, size, and overall impact, rather than applying a one-size-fits-all rule. Snohomish County has taken a slightly different approach, but with a similar outcome. They allow wedding venues within agricultural zones as a regulated use, while still requiring that farming remain the primary purpose of the land and that impacts are managed appropriately. Both counties, in different ways, have found ways to allow agritourism while still protecting agricultural land.

Based on what I've seen both attending events in Skagit County and living in Whatcom County, it seems like this is something that can be managed thoughtfully without needing to prohibit it altogether. Outright bans don't appear necessary to protect farmland, especially when there are already examples nearby of counties using more balanced, impact-based approaches.

Lisa Benson
4440 Cable St
Bellingham WA 98229

From: Larry Jensen <lrayjensen@hotmail.com>
Sent: Monday, April 13, 2026 8:14 PM
To: PDS comments
Cc: Bill Schmidt; Tina Champeaux; Tom Shields; pragertim@hotmail.com; pragerdonna@hotmail.com; Andrew Dykstra; Lance Hansen; Francisco Santelices; Mike Johnson; Emily Johnson; Ken Christianson; Andrew Miller
Subject: Ag Tourism - Tulip festival a Skagit event?

Dear Commissioners and PDS staff,

RE: The Skagit Valley Tulip Festival and Ag Tourism,

This has been a long-time event that resonated with flower lovers from across the USA and has kept Skagit Valley on the Map. Often when I travel and I tell them that I am from the Skagit Valley of Washington, they say isn't that the place with the tulips? Yes it is I reply and begin telling them about the other wonderful things that come from this Valley.

This event has brought attention to other crops and other marketing opportunities for other producers of all sorts of crops and events. It is the opening line to many conversations and recognition for the area.

Recently a more Ag tourism friendly county (Snohomish County) has had farmers visit this county with the idea of planting tulips this fall in their county. These same farmers have heard that our county is not so friendly to those that want to be in the Ag tourism business and are hoping to shift some of that business to their county by broadening their offerings and lengthening their seasons with more activities. Their county is unlike our county which has considered restricting attendance, and limiting the days of operation.

It was just a few short weeks ago that I wrote to you about the general condition of agriculture as it relates to take home pay for farmers with WA State being ranked 50th in the nation, according to the USDA. (THAT IS DEAD LAST). Skagit county policies will not help this problem but will insure it remains this way for most small and medium sized farmers. State regulations are a serious contributing factor and the counties have to be a part of the solution not a part of the problem.

In Skagit County there are a lot of crops that are no longer here, also in my last letter.

In Skagit County there is more concern about a few acres that might be taken up for parking lots for farmers markets, wedding venues, or customers for the farm, while the county willingly turns 5 acres of farm land into a gravel parking to park vehicle staging for one of the auto dealers and 12,000 plus acres for Seattle city light allegedly for salmon habitat, or various state mitigation projects or potential loss of large sections of land because the county won't defend the right maintain infrastructure of tide gates.

It's time to decide do you really want to support something that adds value to crops and incomes or do you want to make it easy for non-farm private estates, non-taxable government or quasi-government ownership, or the ultra large farms to buy of the land at the expense community revenues and diversification? Which way will your efforts be focused?

Layers of government regulations and layers of taxation in whatever form they are presented are still actions of deterrent to success, and I hope that this will not be our path!

Sincerely,
Larry R Jensen

From: Ellen Bynum <skye@cnw.com>
Sent: Tuesday, April 14, 2026 11:32 AM
To: PDS comments
Cc: Commissioners
Subject: Comments on proposed changes to Agritourism codes

April 13, 2026

Comissioner Ron Wesen
Commissioner Peter Browning
Commissioner Joe Burns
Skagit County Commissioners
1800 Continental Place, Suite 100
Mount Vernon, WA 98273

Dear Commissioners:

Thank you for the opportunity to comment regarding the proposed revisions to the Skagit County Code to address agritourism issues. Here are some items for your review and consideration. We recommend you pass the proposed code changes and continue review and consideration of other parts of the code concerning additional agritourism issues in the future.

We appreciate the new language in the definitions. One additional definition that may need to be address is the word "commercial" as applied to limited event venues. We see a need to clarify what constitutes a non- agricultural commercial activity on Ag-NRL, particularly activities which may be co-sponsored by non-profit or community groups with a farm as a membership benefit or fundraising activity. Though these maybe infrequent, it is important to either exempt them from the permit process or clarify if and when a permit it needed.

We agree with Commissioner Burns' suggestion that there is a need to clarify and distinguish public festivals/events from other agritourism permits; however, we prefer adding a separate category of permit rather than delineating these events by number of attendees. As they are annual and one-time to date, we think distinguishing them from other activities is important.

Another concern is the use of the word "venue" in the new title for "temporary events". In our opinion, using the word "venue" shifts the meaning of the title from the activity to the location. The SCC regulates both activities and locations; however, in the historical discussion of agritourism the use of the word "venue" referenced the non-agricultural activities on natural resource lands (example: weddings, concerts, etc.) which are the very activities these proposed code changes purport to correct. Please consider using either "Limited Events" and/or "Special Events" for public festivals, so the reader understands the code is not referring to activities on farms being permitted by a VCA.

We reiterate our concern for additional guidance to the Hearing Examiner SUP process for Agritourism 3 permits. This may be accomplished in additional review and revision of other parts of the code in future, but we think it is important to ensure the HE review reflects these and other proposed changes to the

code. Our experience has been that the inclusion of policy changes in the Comprehensive Plan and policies, may not always be considered in an HE hearing that may only focus on code language.

As discussed by many commentors, clarification of the public festivals is still needed. Please add information that allows applicants and the public to understand that the permit fees are a one-time (or other frequency) charge.

As we stated, language concerning farm operators who hold Voluntary Compliance Agreements (VCAs) should be added, so that readers do not have to guess whether the code reviewers considered where these activities fit relative to the code. This request may appear to be unnecessary if VCAs are addressed elsewhere in the code, and if so, a reference from the agritourism section would be helpful.

Lastly, for the record, we will resend in separate emails some of the comments we submitted in prior hearings as we understand these are not automatically a part of the current record. We do so because Commissioner Burns may not have had an opportunity to read these comments and also to add them to the record.

Thanks very much to all the members of the agricultural community, the CAG, Planning Commission, County staff and the public who have participated in and brought the work to this point, much appreciated.

Should you have questions of care to discuss, please contact us.

Ellen Bynum
Anacortes, WA
Friends of Skagit County

cc: Randy Good, President, FOOSC; Andrea Xaver; Terry Sapp, AAB; Owen Peth, WWAA.

Ellen Bynum, Executive Director
Friends of Skagit County
PO Box 2632 (mailing)
Mount Vernon, WA 98273-2632
360-419-0988; friends@fidalgo.net
www.friendsofskagitcounty.org
"A valley needs FRIENDS"
Since 1994 - Common Goals - Common Ground - Common Good
DONATE NOW at For Good (formerly Network for Good)
nfggive.org

From: Ellen Bynum <skye@cnw.com>
Sent: Tuesday, April 14, 2026 2:54 PM
To: PDS comments
Cc: Commissioners
Subject: FOSC prior Agritourism comments - Addenda to comments on proposed Agritourism Code Changes BOCC Public Hearing 041326.

Dear Commissioners:

For your review, here are three previous emails FOSC submitted October 14 - 16, 2025 to PDS after the Planning Commission held a public hearing on proposed changes to Agritourism comments.

Other past comments are available should you wish to read them.

Thanks,
Ellen B.

Ellen Bynum, Executive Director
Friends of Skagit County
PO Box 2632 (mailing)
Mount Vernon, WA 98273-2632
360-419-0988; friends@fidalgo.net
www.friendsofskagitcounty.org
“A valley needs FRIENDS”
Since 1994 - Common Goals - Common Ground - Common Good
DONATE NOW at For Good (formerly Network for Good)
nfggive.org

FOSC COMMENTS #1 to PDS 101425 after Planning Commission Public Hearing re: Proposed Skagit Co. Agritourism Code Amendments.

We are resubmitting our previous comments per PDS staff request at the PC meeting of October 14, 2025. Comments from Friends of Skagit County previously submitted to the PC and PDS. Proposed Draft Agritourism Development Regulations.

August 20, 2025

Skagit County Planning Commission
Skagit County Planning & Development Services
1800 Continental Place
Mount Vernon, WA 98273

Dear Commissioners and Staff:

Thank you for the opportunity to review and suggest changes to the proposed agritourism codes. We have reviewed the Citizen Advisory Group recommendations, the comments from the Skagit County Agricultural Advisory Board and other public comments.

Before any code changes are proposed or adopted, the public needs a clear understanding of what is currently legally permissible on Agricultural - Natural Resource Lands. An essential part of this understanding is the past rulings of the Growth Management Hearings Boards (GMHB), now under the Environmental Land Use Hearings Office (ELUHO), and any court cases which shaped Skagit and other Washington Counties, We saw little reference to these important decisions in the CAG discussions.

While we understand the CAG followed the enumerated tasks from the Board of County Commissioners, the GMHB Final Decision and Order in FoSV, et. al, Futurewise, et. al v. King County Case No.20-3-0004c should guide any new agritourism codes. This case is referenced in the WA State Supreme Court ruling in King Co, et. al. v. Friends of Sammamish Valley (FoSV), Futurewise, et. al. decided in September 19, 2024.

Key areas of decisions

1. Rural lands are included in the areas prohibiting commercial and retail activities, not just Ag-RLs.

The proposed development regulations for agritourism do not appear to include rural lands which are part of the WA State Supreme Court ruling in King Co, et. al. v. Friends of Sammamish Valley (FoSV), Futurewise, et. al. The language in the ruling is as follows:

Page 135 - "... ¶1 This case concerns King County Ordinance 19030 (Ordinance or Ordinance 19030), which altered zoning and business licensing regulations for wineries, breweries, and distilleries (WBDs), and accompanying tasting rooms, **within land designated as agricultural and rural under the King County comprehensive plan**. The issue presented is whether the Ordinance and the investigations King County (County) undertook prior to passage comply with the requirements set forth in the Growth Management Act (GMA), ch. 36.70A RCW, and the State Environmental Policy Act (SEPA), ch. 43.21C RCW. **Emphasis added.**

Page 149 "...**CONCLUSION.** ¶64 We reverse the Court of Appeals and **reinstate the Board's final decision and order...."**. **Emphasis added.**

From the [FoSV website](#): " Latest Update: On May 27, 2025 the King County Council unanimously passed [Ordinance 19940](#) which amends Adult Beverage Ordinance 19030. The new ordinance completely removes wineries, breweries, distilleries (WBDs) and remote tasting rooms as allowed uses **in unincorporated King County Rural Area (RA) and Agriculture (A) zones going forward...."** **Emphasis added.**

2. Review and consideration of the Growth Management Hearings Board, Final Decision and Order in FoSV, et. al, Futurewise, et. al v. King County Case No.20-3-0004c, January 3, 2022 should guide any new agritourism codes.

Under Issue 5: It appears that rural zoned lands in Skagit County must also comply with the Supreme Court's ruling and the GMHB FDO to prohibit commercial and retail activities in not only Ag - NRL zoned lands but also rural zoned lands. These include, at least, lands zoned Rural Reserve (70,126 acres), Rural Intermediate (8,043), and Rural Resource (26,522). We did not include Rural Business (184 acres), Rural Village Commercial (25 acres), Rural Center (19 acres), Rural Marine Industrial (53 acres) or other zones on rural lands which have historical zoning decisions and may have prior residential, commercial and retail development.

We do not know if the staff or the Citizens Advisory Group reviewed any of the earlier GMHB or Appeals Court decisions. Nor do we know if the GMHB final decision and order (FDO) was supplied to the Citizen Advisory Group, or the public via the website, or if any of the group reviewed or considered the FDO in making their recommendations.

84. The GMA, dating to 1990, requires counties with specified populations to adopt comprehensive growth management plans. RCW 36.70A.040. Unlike SEPA, which is a procedural statute, the GMA imposes substantive limitations on the planning discretion of covered jurisdictions. Relevant here are those provisos mandating the designation and preservation of agricultural lands. Additionally, the GMA requires that comprehensive plans be internally consistent and that development regulations be "consistent with and implement the comprehensive plan." RCW 36.70A.130(1)(e). A regulation or land use decision that fails to generally conform to the county's comprehensive plan is, by extension, a violation of the GMA and invalid. In this case, the Board found Ordinance 19030 violated the GMA provisions governing allowable accessory uses on agricultural lands, and that it further violated the GMA by internally conflicting with King County's own plan concerning agricultural production district buffer zones and policies concerning the preservation of rural land uses.

3. King County's ordinance that removed the WBDs on farms and rural parcels provides an example of what is needed to comply with the WA State Supreme Court decision.

From the FOSC website:

"Latest Update: On May 27, 2025 the King County Council unanimously passed [Ordinance 19940](#) which amends Adult Beverage Ordinance 19030. The new ordinance completely removes wineries, breweries, distilleries (WBDs) and remote tasting rooms as allowed uses in unincorporated King County Rural Area (RA) and Agriculture (A) zones going forward."

We suggest the CAG, Planning Commission and PDS staff review this ordinance after reading the original GMHB ruling before making suggestions for code changes.

4. As we read it, the corrective code passed by King County Council applies to all resource lands as well as all rural lands.

Recommendations for changes to the Skagit County codes for Agritourism is also likely to apply to Forest and Mineral lands and rural lands. With that in mind, the CAG and Planning Commission may need additional work sessions to discuss and craft code language that will achieve what is required to be compliant with the Growth Management Hearings Board and Supreme Court ruling.

We support additional resources be appropriated or applied for to enable these work sessions to be held and the resulting recommendations brought to the Planning Commission, public hearing and BOCC for review and approval.

If you have questions about our comments, please contact me.

Thank very much.
Ellen B.

cc: Skagit County Ag Advisory Board; Skagit County Citizens Advisory Group on Agritourism; Skagitonians To Preserve Farmland; Evergreen Islands.

Ellen Bynum, Executive Director
Friends of Skagit County
PO Box 2632 (mailing)
Mount Vernon, WA 98273-2632
360-419-0988; friends@fidalgo.net
www.friendsofskogitcounty.org

"A valley needs FRIENDS"

Since 1994 - Common Goals - Common Ground - Common Good
DONATE NOW at For Good (formerly Network for Good)
nfggive.org

FOSC COMMENTS #2 to PDS 101625 after Planning Commission Public Hearing re: Proposed Skagit Co. Agritourism Code Amendments.

Comments from Friends of Skagit County to Skagit County Planning Commission, Public Hearing on Proposed Draft Agritourism Development Regulations - 101425

Proposed changes to Skagit County codes must comply with the WA State Supreme Court ruling in King County vs. Friends of Sammamish Valley, Futurewise, et. al AND the Growth Management Hearings Board Final Decision and Order in Case No. 20-3-0004c, January 27, 2022 FOSV, et. al., vs. King County.

Both the Supreme Court and GMHB cited that King County's proposed activities interfered with the Growth Management Act's goals on (8) Natural resource industries, (10) Environment and (12) Public facilities and services.

Interference with GMA Goals

The Board has determined that the record indicates that there was no timely consideration of the environmental impacts of the County's adoption of development regulations in violation of RCW 43.21C.030. Petitioners allege that the continued validity of the Ordinance would substantially interfere with Goals 8, 10, and 12.

RCW 36.70A.020 includes the following goal language:

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including ... agricultural, and fisheries industries. Encourage the conservation of ... productive... agricultural lands, and discourage incompatible uses.

(10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use

We summarized the Supreme Court and GMHB rulings in FOSC's August 20, 2025 comments.

1. Rural lands, not just Ag-NRLs, are included in the areas prohibiting commercial and retail activities.

2. Review and consideration of the GMHB Final Decision and Order in FoSV, et. al, Futurewise, et. al v. King County Case No.20-3-0004c should guide any new agritourism codes.

3. King County's ordinance that removed the WBDs on farms and rural parcels provides an example of what is needed to comply with the WA State Supreme Court decision.

4. As we read it, the corrective code passed by King County Council applies to all resource lands as well as all rural lands.

In addition, activities that directly or indirectly prevent or interfere with the preservation of agricultural lands are not permitted. These include activities that are too large in scope and scale or are placed outside of the already developed farm footprint (buildings, outbuildings, other structures, parking, infrastructure, etc.).

King County removed all code language that previously allowed "bars on farms" and strengthened agricultural codes.

King County required the adult beverage operators to move their businesses to new locations inside areas where these activities are permitted - UGAs or inside city/town limits.

As far as we can tell there is no proposed draft code language that shows that the Citizens Advisory Group, the facilitator, PDS staff or legal counsel added requirements that prohibits retail and commercial businesses and venues unrelated to agricultural production or distribution on agricultural and rural lands.

Questions to ask before approving changes:

How do the proposed code changes protect agricultural and rural lands better than the existing codes?

Do the proposed code changes include any evaluation and/or a mechanism to "undo" the changes if the code changes interfere with agricultural production, distribution and related ag-accessory activities?

Where is the oversight and enforcement mechanism for these new permits, if self-certification fails?

Do you have enough information to determine what unintended consequences might happen due to the code changes? If not, please request additional CAG and staff work to address your concerns and extend the public hearing.

Before passing the proposed draft agritourism codes, please request additional legal and policy review/consultation of the proposed code changes to ensure the changes comply with the requirements of the WA State Supreme Court ruling AND the Growth Management Hearings Board ruling that the Supreme Court says stands as the final decision and order.

We will provide additional comments via email before the October 16th deadline at 4:30 pm.

Thanks very much for your time and public service.

Ellen Bynum
Friends of Skagit County
Mount Vernon, WA 98273

FOSC COMMENTS #3 to PDS 101625 after Planning Commission Public Hearing re: Proposed Skagit Co. Agritourism Code Amendments.

October 16, 2025

To: Skagit County Planning Commissioners & PDS Staff
From: Ellen Bynum, Friends of Skagit County, Mount Vernon, WA
RE: Proposed Agritourism Code Amendments comments

We address the Supreme Court decision on FOSV, Futurewise, et. al. v. King County and the first GMHB ruling that the Supreme Court said stands in two other comments submitted previously. The follow are additional comments we had upon reviewing the suggestions submitted by the Citizen Advisory Group on Agritourism, staff report and the Ag Advisory Board's comments, in unranked order.

Please make certain the new definitions and standards comply with current RCWs and WACs as well as any GMHB decisions or court rulings. The proposed changes to the definition of Agritourism may be inconsistent with what is currently allowed in RCWs, WACs, Comp Plan, policies and codes. 14.18.407 Agritourism (2) Purpose and Intent of Regulation repeats sections in other laws. We contend also that agritourism itself does not prevent the permanent conversion of farmland directly, nor does it prevent interference with surrounding farm operations and practices or directly preserve the area's rural agricultural character, unless agritourism providers intend to contribute a portion of their revenues to the Farmland Legacy Program or toward Skagit County's enforcement program.

Prohibiting certain uses in the Ag-NRL Zone should also include rural zones unless the County has legal clarity that rural lands are not covered by the Supreme Court and GMHB decisions.

Except for explanatory or additional details resulting from the King County and future legal decisions, or legislative changes, we do not see a need to revise much of the code except to clarify how these decisions may affect land uses in Ag-NRL and rural zones. Many of the proposals from the CAG are included in existing policies and codes. We did not see a review of the current code to remove existing codes that may imply or encourage commercial/retail activities on Ag-NRL and rural zoned lands.

Some of the actions listed in (3) Limitations on Use (a) are already called out in other sections of the code. If these are important to list, please add them to the respective sections of the code so that they will be applied and enforced in the respective areas.

We support the Skagit County Agricultural Advisory Board (AAB) definition of agritourism. Existing code may be clarified and strengthened with the addition of suggestions from the AAB recommendations for example "Activities that do not rely on onsite agriculture or products grown and raised onsite are not an appropriate agricultural accessory use", or "are prohibited in Ag-NRL and rural zones."

We concur with the AAB that the existing definition and codes on agricultural accessory uses are adequate.

We suggest retaining the existing tourism language from ag accessory uses as we understand this originated in the RCW and/or WACs and still apply to Skagit County.

We do not support an additional 30 days of commercial operations for the Tulip Festival, the Festival of Family Farms or other future festivals. We understand the Tulip Festival and FOFF have never applied for special use permits, but were historically held for various periods of time as a temporary public event. We do support a 30 day limit to festivals as these events are generally operating for one month, rather than 24 days, and to distinguish them from temporary use permittees.

We oppose now requiring permits for public festivals of agriculturally related activities on Ag-NRL or other zones when no permit has been required in the past and where the activities clearly fall within those allowed under the RCWs, WACs, Skagit's Comprehensive Plan, policies and current codes.

We support no changes to the 24 days/year allowed under the temporary events section of the code. We found no definition of "limited event venues", except as a replacement title for "temporary use" permits. We recommend removing the term "limited event venues" and either use the current "temporary events" or "limited events". Skagit County is not in the business of promoting "venues" in Ag-NRL, other resource lands or in rural lands zones. "Venues" implies a permanent built structure for commercial or retail purposes. This activity is not permitted per the Supreme Court and GMHB decisions.

We have concern about the staff report suggesting that agritourism uses would be allowed in 4 zones: Ag-NRL, RRc-NRL, RRv and RI. Unless the definition of agritourism is strengthened to include and list uses both allowed and not allowed, or a reference to an explanatory section of the code, a reader could assume any activity that is tourism related is permitted.

The following conditions should remain in the code and be clarified:

1. where agricultural producers have legally created, agriculturally related commercial/retail sales venues on Ag-NRL of agricultural products produced on-site or sold as part of a cooperative farm distribution system permitted by the RCWs, or
2. are one of the grandfathered businesses that existed pre-GMA in 1990*, or
3. produce sales are directly related to the farm business and crops produced, processed and/or distributed, or
4. festival activities only include agriculturally related products or activities and cannot include retail or commercial sales of agricultural products where the ingredients are not produced on site and any non-agricultural products.

* NOTE: * We do not know how the Supreme Court and GMHB ruling affects Skagit County's action to "grandfather" (i.e. allow to continue) businesses on Ag-NRL or rural lands that provide non-agriculturally related sales and services.

While the recent legal decisions are clear about not allowing commercial and retail businesses on Agriculture and Rural lands, we do not know if and/or to what extent this precedent applies to temporary or special use permits. King County retained a 30 day limit for community festivals which appear to be a temporary use permit and includes County parks and venues.

In a related concern, we do not see how allowing an extension of the Voluntary Compliance Agreements to allow sales or the continuations of a business that was in violation of the codes can be in compliance with the decisions in the King County cases. We suggest eliminating sales to new owners and review whether the County has an obligation to put a time limit on the VCAs to correct and eliminate the violations.

We do not see a plan for enforcement of self-certification activities or a budget. We support the staff explanation of restricting "farm-to-table activities" to prevent such uses from operating as de facto restaurants, but suggest this could be spelled out in the code without the 3 tiers as proposed, i.e. create criteria for farm-to-table activities that are not allowed except under temporary use permits for example.

We do not currently require the Planning Director to review proof of income documents like IRS filings for temporary use permits and while setting an income amount as a criteria may be desired, the practicality of continuing to add enforcement actions, even if they are only part of self-certification, is unwarranted and doesn't do whatever was the goal. We don't see any fines for non-compliance with self-certification for example or information about what does happen if someone misrepresents their activities on an application. We do see the criteria and conditions of the special use permit, but do not see the same for the temporary use permit.

Some of the recommendations of the CAG appear to favour certain growers and not others and the 3-tier permit system that is proposed appears to be more useful to some farmers and producers than others. We oppose additional changes which may put additional requirements on landowners except those required by legal or legislative decisions or for public health and safety reasons.

Please revise the vision statements, goals, objectives and policy directives of the Comprehensive Plan to reflect the Supreme Court and GMHB decisions in FOSV, Futurewise, et. al. v. King County. We understand that legal decisions can be added when the changes occur and do not need to be adopted during annual or periodic Comprehensive Plan amendments.

We request the County work with the Port of Skagit County on their previously proposal to create a Skagit Food and Farm Center venue to showcase farmers, farm products, value added production and distribution, and provide venues for special events and related agricultural activities.

Please consider clarifying and providing additional information to landowners in Ag-NRL and rural zones including a list of permitted activities and a list of non-permitted activities. Consider working with the County Assessor's office to send digital and written information to these landowners about the rulings in the King County cases and how that would affect Skagit County land uses.

Thank you for the opportunity to comment and please contact us if you want to discuss or clarify.

Ellen Bynum
Friends of Skagit County
Mount Vernon, WA

Ellen Bynum, Executive Director
Friends of Skagit County
PO Box 2632 (mailing)
Mount Vernon, WA 98273-2632
360-419-0988; friends@fidalgo.net
www.friendsofskagitcounty.org

“A valley needs FRIENDS”

Since 1994 - Common Goals - Common Ground - Common Good
DONATE NOW at For Good (formerly Network for Good)

nfggive.org

From: David Christensen <cdm@masterplanning.com>
Sent: Tuesday, April 14, 2026 4:59 PM
To: PDS comments
Cc: David Christensen; Jack Moore; Robby Eckroth
Subject: Comment for proposed Agritourism zoning code change.
Attachments: SC agribusiness comment 4-13-6 by DC.pdf

Attached comments for the staff, and commissioners to contemplate. I was unable to attend last Monday's meeting. Feel free to call anytime if questions.

Thanks!

Super last minute, i know...sorry.

Dave

David E. Christensen AIA, LEEDap

Architect and Planner

Christensen Design Management

P.O. Box 5068, 1211 Mill Avenue, Suite 205

Bellingham, WA 98227

Office: 360-676-4800, Cel: 360-319-5333

cdm@masterplanning.com

<http://www.masterplanning.com/>

The information transmitted is intended only for the person or entity to which it is addressed and may contain proprietary, business-confidential and/or privileged material. If you are not the intended recipient of this message you are hereby notified that any use, review, retransmission, dissemination, distribution, reproduction or any action taken in reliance upon this message is prohibited. If you received this in error, please contact the sender and delete the material from any computer."

To: pdscomments@co.skagit.wa.us

April 13, 2026

Skagit County Council
1800 Continental Place
Mount Vernon, WA 98273

Subject: Skagit County Commissioners to Review Agritourism Code Changes

Recommendation to retain an administrative exception pathway for non-conflicting uses in Agricultural-Natural Resource Land (Ag-NRL)

Dear Skagit County Board of Commissioners,

We all understand the years of testimony about activities conflicting with active farm activity, traffic, and goals for preservation of farmland. The proposed Zoning Regulations cover some of the issues. Many of my architectural clients, and I, have stayed out of the discussion, because we did not have an issue with any of the concerns. We were not disturbing any active farming activities, even if we weren't farming.

However, the latest proposed zoning regulations, *will* have a negative impact to many property owners, even if they are not doing "Agribusiness".

I am currently writing a book about *unintended consequences* of land use and building code regulations. There are a lot of examples! I am sure you know of some. Regulations never cover all situations.

There are unintended consequences, for many existing non-Agribusiness uses, while we still want to preserve existing active farming activities.

Some property owners throughout the County own land parcels that were divided across zoning or city limit lines on a map. Many of these property owners were unaware that this happened. Several land parcels have existing uses, that zoning may not allow. Some of these land parcels are inaccessible on a public road and have zero effect on any active farming activities. This is true in many places in the County.

We all want to be sure zoning regulations allow for *unique* situations. Most are never covered by generic zoning rules. We also want to make the process easy and affordable to allow for the right thing to do.

The answer is simple.

Allow for an inexpensive Administrative Land Use Decision, with clear conditions.

If... a land parcel meets certain Conditions, for everyone's benefit. We all want common sense to prevail in situations, versus inflexible zoning rules. It does need to be an expensive, lengthy Hearing Examiner process, if simple conditions are met.

There needs to be simple language in the revised code that allows for unusual situations, that do not conflict with the Goals for AgriBusiness.

April 13, 2026

Skagit County Board of Commissioners,

RE: Skagit County Commissioners to Review Agritourism Code Changes

Recommendation to retain an administrative exception pathway for non-conflicting uses in Agricultural-Natural Resource Land (Ag-NRL)

Page 2

For a simple code language addition, we suggest: (in Blue)

14.04 0020 Uses allowed in all zones:

Update table to add:

Alternative Uses : AD* (Administrative Decision)

* Conditions for an Alternative Use **AD**:

If any land parcel (private or public) meets the following criteria, an Administrative Decision may be granted to allow uses consistent with the adjacent land use in any Jurisdiction, subject to the following criteria:

1. A land parcel is under single ownership that has conflicting zoning land use designation in an adjacent City or County zone.
2. The subject land parcel is less than 12 acres.
(More is needed for economic agricultural viability. Washington State is known as one of the most expensive areas to farm)
3. The subject land has "poor soils or otherwise not suitable for agricultural purposes"
(From RCW 36.70A.177 (1))
4. The subject land parcel is "land locked", without public road access, and only accessible through the adjacent land ownership.
5. The land parcel provides minimum 50% open space that could be utilized for viable agricultural uses in the future.
6. The land area could be developed within existing adjacent land use regulations
7. No potential impacts on surrounding properties or disrupting existing working farms and ranches

The intent is to avoid disturbing any nearby agricultural operations.

A simple Administrative Decision allows flexibility for:

- a. Preservation of Agricultural uses in the future.
- b. Resolves prior & future conflicts created by unintended land use line locations.
- b. Eliminates encroachment or conflicts with any existing Agricultural operations.
- c. Allows for uses that provide economic viability for land areas unusable for current agricultural uses, without preventing future agricultural possibilities.
- d. Preserves the intent of the Skagit County Comprehensive Land Use Ordinance.
- e. Allows for flexibility for unique land use and ownership situations throughout the county, to allow common sense to prevail.

April 13, 2026

Skagit County Board of Commissioners,

RE: Skagit County Commissioners to Review Agritourism Code Changes

Recommendation to retain an administrative exception pathway for non-conflicting uses in Agricultural-Natural Resource Land (Ag-NRL)

Page 3

Many landowners, would like to see a simple allowance for an Administrative Decision in *unique situations*. They do not want to be stuck having an existing non-conforming use, that has no affect on adjacent agricultural uses.

Multiple Washington counties and courts have wrestled with the same core tension Skagit County now faces: how strictly to enforce non-agricultural use restrictions in designated agricultural zones without causing unintended harm to existing lawful uses or rural economies. The cumulative record across King, Kittitas, Lewis, Clark, Snohomish, and Island counties, along with a series of Washington State Supreme Court and Growth Management Hearings Board (GMHB) decisions, establishes a consistent legal principle: blanket restrictions on non-farm uses are generally upheld when they protect productive farmland, but tiered administrative exception processes have been validated as a legally compliant and practically effective middle path — provided that the exceptions are conditioned to prevent farmland conversion and protect neighboring agricultural operations.

A blanket prohibition on non-agricultural uses across all Ag-NRL lands could create unintended consequences for lawful existing uses, low-impact adaptive reuse, and site-specific circumstances where a proposed use would not impair nearby farming.

In summary, this letter supports continued protection of agricultural land in Skagit County while also recommending a narrowly tailored administrative exception process for existing or proposed non-agricultural uses in Ag-NRL zones when those uses do not conflict with ongoing farming activity, do not remove commercially significant acreage from production, and do not interfere with adjacent agricultural operations.

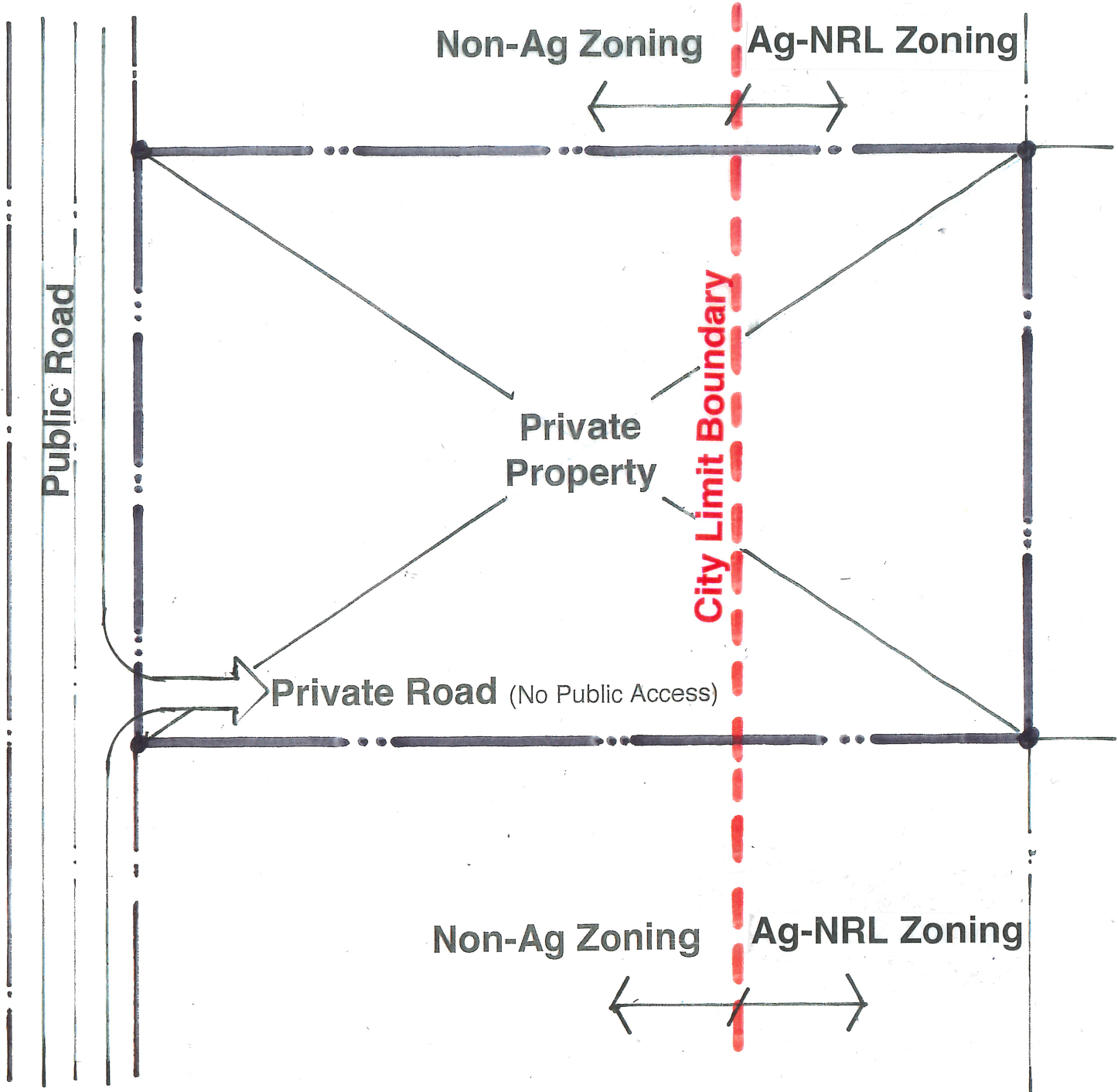
County Council should retain or adopt an administrative exception process in Ag-NRL zones for non-agricultural uses that can be shown, through objective criteria and project-specific review, to avoid conflict with current or future agricultural operations

We all want to do the right thing for county residents and recommend similar language be incorporated.

Sincerely,

David Christensen AIA LEEDap (360-319-5333)
13291 Salishan Lane
Skagit County 98273

Attachment: Land use site plan issue example



Concept Site Plan Example
Conditions Needing Administrative Review For Alternate Land Use In An Ag-NRL Zone

From: river@leonovich.com
Sent: Wednesday, April 15, 2026 12:14 PM
To: PDS comments
Subject: Community comment re: Skagit farms

I would like to share my position on how valuable small farms are in the Skagit valley. I went to a celebration of life at A&K Alder Farm last summer for the spouse of a volunteer firefighter. Some of our local farms serve as meeting spaces for important events. That includes weddings as well. All of this ties into the local economy when one looks at the vendors involved and how the use of land ripples out into the community. I believe that regulation is important, but overly restricting use can have a detrimental impact. Thank you for your time and consideration.

Sincerely,
River Leonovich

Sent from my iPhone

Robby Eckroth

From: Commissioners
Sent: Wednesday, April 15, 2026 1:18 PM
To: PDS comments
Subject: FW: WWAA Comments on Agritourism Code Revisions
Attachments: 04152026 WWAA Comments Re Agritourism.pdf

FYI – Robby Eckroth

From: Mikala Staples Hughes <mikalas@sakumabros.com>
Sent: Wednesday, April 15, 2026 12:30 PM
To: Planning & Development Services <planning@co.skagit.wa.us>; Commissioners <commissioners@co.skagit.wa.us>
Subject: WWAA Comments on Agritourism Code Revisions

Dear Commissioners Wesen, Browning, and Burns,

On behalf of the Western Washington Agricultural Association (WWAA), please find attached our comments regarding the proposed Agritourism Code Revisions and the Planning Commission’s recommendations.

We appreciate the time and effort the Board, Planning Commission, and County staff have dedicated to this process. Our comments are intended to support a balanced approach that protects Agricultural–Natural Resource Lands while allowing appropriate, clearly defined agritourism activities that remain incidental to commercial agriculture.

We have also included additional considerations related to enforcement and the treatment of the established Festival of Family Farms, with the goal of supporting practical implementation and long-term clarity within the code.

Thank you for your continued work on this important issue and for your consideration of our input. Please feel free to reach out if you would like to discuss any of our comments in more detail.

Sincerely,

Mikala Staples Hughes
President
Western Washington Agricultural Association



*Honoring our past,
growing our future.*



Mikala Staples Hughes
VP, Processing Operations + Human Resources
Sakuma Bros. Farms and Processing

M: 360-770-7268 **P:** 360-639-6172

E: mikalas@sakumabros.com
PO Box 427 - 17400 Cook Road
Burlington, WA 98233
www.sakumabros.com

The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.



April 15, 2026

Skagit County Board of County Commissioners
1800 Continental Place
Mount Vernon, WA 98273

Re: Agritourism Code Revisions and Planning Commission Recommendation

Dear Commissioners Wesen, Browning and Burns,

The Western Washington Agricultural Association (WWAA) is a farmer-led organization that has represented producers and allied agricultural businesses in Skagit County and the greater region since 1944. Our members include farms of all sizes and crop types, along with the businesses that support them. Together, they steward some of the most productive soils in the world, provide year-round and seasonal employment, and anchor a critical segment of the local and statewide economy.

From our founding, WWAA's mission has been to protect farmland, support viable commercial agriculture, and ensure that local, state, and federal policy decisions keep working lands in production. We engage on water, infrastructure, labor, land-use, and taxation issues with a single guiding principle: Agricultural–Natural Resource Lands exist first and foremost for the production of food and fiber.

With that perspective, WWAA respectfully submits the following comments regarding the proposed Agritourism Code Revisions and the amendments recommended by the Planning Commission.

1. Definition of Agritourism — ADOPT the Planning Commission Amendment

The Department's draft definition allows activities conducted on a working farm for education, enjoyment, or recreation. Without stronger guardrails, terms such as "enjoyment" and "recreation" are broad enough to encompass nearly any entertainment activity.

The Planning Commission's amendment clarifying that agritourism must be incidental and subordinate to an actively managed agricultural operation is essential and should be adopted.

The revised definition ensures compliance with RCW 36.70A.177, which requires that accessory uses:

- Support agriculture
- Be secondary to agricultural production
- Not interfere with surrounding farm operations

The definition must clearly and unequivocally reinforce those statutory standards to avoid ambiguity and future misuse.

2. Tiered Review Structure — ADOPT the Department's Recommendation

The proposed three-tier system introduces graduated oversight based on scale and intensity. WWAA supports the tiered framework in principle, provided that:

- Review thresholds are proportional to actual impact
- The system does not incentivize larger-scale commercial uses
- The pathway remains accessible to legitimate working farms

The Planning Commission recommended requiring an Administrative Use Permit for Agritourism 1. While oversight is important, the Board should evaluate whether that requirement is proportional to low-intensity activities.

If the strengthened definition of agritourism is adopted, ensuring agriculture remains the primary use, we believe the Department's original Tier 1 structure is appropriate. The process should not impose unnecessary regulatory burden on modest, clearly subordinate farm-based activities.

3. Removal of the Additional Tulip Festival Allowance — ADOPT the Planning Commission Amendment

WWAA supports the Planning Commission's recommendation to eliminate the additional 30-day allowance for Tulip Festival activities.

Consistent standards across operations promote fairness and simplify enforcement. Granting additional permitted activity days to operations participating in a specific seasonal event creates inequity and does not align with the broader principles of agricultural land use policy. Farming is inherently seasonal, and the code should apply evenly across operations.

4. Prohibited Uses in Ag-NRL — ADOPT the Planning Commission Amendment

WWAA supports the Planning Commission's amended recommendation to explicitly prohibit music venues and concerts within Agricultural–Natural Resource Lands.

Clarity is critical. Agricultural zones are not commercial entertainment districts. The final code must clearly prohibit unrelated commercial entertainment uses to protect farmland and reduce conflict with neighboring agricultural operations.

5. General Performance Standards in SCC 14.18.407(3)— ADOPT the Department's Recommendations

WWAA supports the Department's inclusion of detailed performance standards, including:

- Prohibition on permanent conversion of farmland
- Parking limitations that prevent agricultural land conversion
- Noise and lighting controls
- Concurrency requirements
- Explicit language preventing interference with surrounding farming operations

These standards are critical. We strongly support their retention and strict enforcement.

6. \$500 per Acre Income Requirement for Agritourism 2 and 3 — ADOPT the Department's Recommendation

The requirement that Agritourism 2 and 3 uses demonstrate an average gross agricultural income of at least \$500 per acre over the previous three years is an important safeguard.

This provision ensures that larger-scale agritourism activity is anchored in legitimate commercial agricultural production and prevents speculative event-centered operations on resource lands.

7. Enforcement

Effective enforcement is essential to the long-term success of the agritourism code. Without it, even well-crafted standards will erode over time. Agricultural lands are most often converted incrementally, through gradual expansion of non-agricultural activities beyond their original scope. Preventing this type of "scope creep" is critical to ensuring that agritourism remains incidental and subordinate to commercial agriculture, as required under state law.

To support consistent enforcement and provide the County with better visibility into Agritourism 1 activities, WWAA recommends consideration of an annual self-attestation process. Under this approach, operators would confirm that their activities remain compliant with code requirements. If activities have expanded beyond the allowable scope, the operator would be required to cease those activities or apply for the appropriate permit.

8. Festival of Family Farms — VCA Pathway Consideration

WWAA recognizes that longstanding events operate within Skagit County, particularly the Skagit Valley Festival of Family Farms. This event provides a strong example of agritourism done well, offering opportunities for agricultural education, public engagement with working farms, and economic benefit to participating operations. Occurring one weekend per year, it is structured in a way that limits impacts to neighboring agricultural operators.

The proposed code changes may require farms participating in these established events to obtain new permits to continue activities that have historically been allowed, and in some cases supported by the County. Requiring full re-permitting for ongoing, well-established activities may create unnecessary cost and administrative burden for both farmers and the County.

This festival is unique in that it functions as a single coordinated event but takes place across multiple farms on individual legal parcels. Based on attendance thresholds, participating farms could be required to apply for Agritourism 3 Hearing Examiner permits. This would create a costly and cumbersome process for operators whose involvement is limited to participation in an annual, county-recognized event. While the activities themselves align with the definition of agritourism, the scale of attendance alone may trigger a higher level of review.

WWAA recommends that the County consider a pathway, similar to the Voluntary Compliance Agreement (VCA) process, for farms currently participating in the Festival of Family Farms. Such a pathway could allow continued participation at existing levels, without expansion, while bringing these activities into alignment with the updated code framework.

9. SCC 9.08 Special Use Permits – Next Priority

Much of the community's agritourism discussion has centered on festivals. Following adoption of the agritourism code, SCC 9.08 Special Use Permits should be reviewed and updated to ensure festival activities and their cumulative impacts are appropriately addressed.

Conclusion

Like many in our county, we are eager to see the agritourism code update brought to a close. We believe there is a workable, balanced path forward by adopting the Department's proposed code together with the majority of the Planning Commission's amendments.

Skagit County's farmland is finite and irreplaceable. The decisions you make on this code revision will determine whether Agricultural-Natural Resource Lands remain focused on agricultural production for generations to come.

WWAA stands ready to continue working collaboratively with the County to ensure that agritourism strengthens, rather than weakens, Skagit County agriculture.

Respectfully,



Mikala Staples Hughes
Board President

Board of Directors | Aaron Taylor | Jacob Slosberg | Torey Wilson | Troy Hanson | Mikala Staples Hughes | Michael Picha | Doug Jensen | Trevor Faucett

Robby Eckroth

From: Lora Claus <lorac@skagitonians.org>
Sent: Wednesday, April 15, 2026 1:57 PM
To: PDS comments
Subject: Agritourism | Skagitonians to Preserve Farmland Comments
Attachments: 2026 0415 Agritourism BOCC_SPF.pdf; 2026 0415 Agritourism BOCC_SPF.docx

Dear Commissioners Wesen, Browning, and Burns, Director Moore and Planning & Development Staff,

Skagitonians to Preserve Farmland is submitting the attached comments regarding agritourism.

We appreciate your efforts to find the right balance on these issues, resulting in strong protections for farming on our threatened ag lands. An ag sector that is dependent on tourism relegates agriculture to entertainment, and we know entertainment is not the purpose of farming.

Thank you for your clear-eyed leadership that honors our comprehensive plan. Farmland is for farming.



Lora Claus
Executive Director
(o) 360-336-3974
(c) 603-703-2247

Skagitonians to Preserve Farmland
-----*Pavement is Forever*-----



April 15, 2026

Skagit County Board of County Commissioners
1800 Continental Place
Mount Vernon, WA 98273

Delivered via email

Dear Commissioners Wesen, Browning, and Burns,

Skagitonians to Preserve Farmland was founded in 1989 to counter a proposal to convert 280 acres of Skagit County farmland into an agricultural theme park. Supporting agriculture over alternatives was the work then and remains the work today.

We appreciate the considerable time and effort the County has dedicated to developing agritourism code that prioritizes agriculture. We commend the care taken in deliberations by the Planning Commission and the Agricultural Advisory Board to make practical recommendations that adhere to the Comprehensive Plan goals.

It is critically important to emphasize to the public that the county's proposed agritourism code does not in any way impact farm stands and U-pick operations, which have their own pathways in county code, and can continue to be utilized and enjoyed by the public, bringing much needed revenue to farms.

Recommendations

1. Definition of Agritourism – Adopt the Planning Commission's Recommendation

- The most important step the Board of County Commissioners can take is to adopt a clear agritourism definition.
- We support the Planning Commission's amendment to the proposed definition, as it reinforces agriculture as the primary activity on ag land.

2. Tiered Review Structure – Adopt the Department's Recommendation

- The proposed tiered framework appropriately recognizes that as impacts increase, the level of review should increase.
- The Planning Commission's split vote reflects the complexity of balancing reasonable guardrails against overburdensome requirements for both farmers and county staff.



- It is important to recognize that the proposed \$500 per acre agricultural income requirement applies only to Agritourism 2 and Agritourism 3, where activities are larger in scale and impact.
- That distinction allows farmers, that would struggle to meet that income requirement, to access low-impact agritourism activities that promote agriculture.

3. Agritourism 1 – Adopt the Department’s Recommendation

- Agritourism 1 represents the **lowest-impact level of activity** on Agricultural–Natural Resource Lands.
- With the strengthened definition of agritourism to a working farm, this tier appropriately reflects trust in farmers to use—rather than abuse—this allowance.
- Requiring an Administrative Use Permit for Agritourism 1 would add cost and regulatory burden for both farmers and county taxpayers, without providing meaningful additional protection for farmland.

4. Tulip Festival Allowance – Adopt the Planning Commission’s Recommendation

- The Skagit Valley Tulip Festival is a beloved regional event, and farms should be able to participate.
- At the same time, granting farms growing a specific crop additional agritourism participation days creates inequity among farmers and complicates enforcement.
- For this reason, we support the Planning Commission’s recommendation to eliminate the additional Tulip Festival allowance and maintain consistent standards across agricultural operations.

5. Music venues and concerts – Adopt the Department’s Recommendation

- This has already been addressed by the county’s proposed code. Calling out these special uses in this way will lead to more debate and delay, prolonging a decision on the proposed code, leading to further community conflict.

6. VCA Process for Existing Festivals – *New Proposal*

- We recognize that several established events operate in Skagit County today, including the Skagit Valley Tulip Festival and the Skagit Valley Festival of Family Farms.
- Skagit Valley Festival of Family Farms—sponsored by the County—is agritourism at its best, educating the public about farming and its importance to our community.
- The proposed code would impact farmers participating in these festivals; they would be required to get an administrative use or special use hearing permit. This is a waste of time and money for the farmer and the taxpayer - to get a permit to continue an activity that the county already approves and sponsors. Individual businesses have been able to go through the VCA process to comply with new code. It makes sense that farms



participating in the festivals be granted the same process, conditional on continuing participation at current levels and not increasing participation.

7. Enforcement – *No Enforcement, No Protections for Ag*

- Enforcement is the keystone. Without it, protections for agriculture break down.
- Farmland converted to other uses often results from scope-creep / morphing over time.
- For consideration: Annual self-attestation for Agritourism 1 activities would prompt operators to confirm they are complying with the rules, or if not, they must cease activities or apply for the appropriate permits. This would enable the County to collect data on Agritourism 1 activities, to better understand their scope and prevalence to inform future policy decisions.

8. SCC 9.08 Special Use Permits – *Next Priority*

- Much of the agritourism debate in the community revolved around festivals.
- Following the adoption of agritourism code, SCC 9.08 Special Use Permits should be reviewed and updated, to address festival activity and cumulative impacts that result.

Act Now

We urge you to adopt our recommendations and get the code updated. Failing to act would be the worst outcome, leaving our community in conflict.

Thank you for your consideration and continued support of Skagit agriculture.

Sincerely,

Lora Claus

Executive Director

Skagitonians to Preserve Farmland