




# SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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## MEMO

**MEMO DATE:** February 5, 2021  
**TO:** San Juan County Planning Commission  
**CC:** Erika Shook, AICP, DCD Director  
**FROM:** Adam Zack, Planner III   
**SUBJECT:** San Juan County Comprehensive Plan  
Element B.2 Land Use and Rural  
Agricultural Goals and Policies  
**DISCUSSION:** February 19, 2021  
**ATTACHMENT:** A. Agricultural Resources Committee comment dated January 13, 2021

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**PURPOSE:** To get input from the Planning Commission on a preliminary draft of agriculture goals and policies.

**PUBLIC COMMENTS:** Please send all public comments to [compplancomments@sanjuanco.com](mailto:compplancomments@sanjuanco.com). Do not copy the County Council, Planning Commission members, or County Staff. Written public comments received by February 18, 2021, will be provided to the Planning Commission. Comments should refer to the issue related to the comment. Please focus public comments on the content of this report.

**BACKGROUND:** As part of the Comprehensive Plan (*Plan*) update, the Planning Commission is working through *Plan* Element B.2 Land Use and Rural (Element) to prepare a draft for public hearing and ultimately make a recommendation to the County Council. So far, the Planning Commission has reviewed and commented on the Urban Growth Area and Natural Resource Land goals and policies and the land use and rural section introductions. During consideration of the public comments received at their meeting on January 29, 2021, the Planning Commission left off on discussing goals and policies for agriculture proposed by the Agricultural Resources Committee (ARC). At that meeting, the Planning Commission requested that staff review and make a recommendation on the proposed changes for the next meeting.

The *Plan's* goals and policies provide direction for County regulations and programs to ensure that the *Plan* vision is realized. The vision is a general statement about what the future will look like under the *Plan*. The goals establish specific objectives needed to achieve the vision. The policies are actionable statements of how the County will meet the goals. Ultimately, County programs and regulations implement the policies, which articulate how the County will achieve goals, and goals are objectives that will help realize the vision. The *Plan* vision was updated in 2018 by Resolution 27-2018. During that update, the County added a statement for agriculture, which reads:

**AGRICULTURE** The San Juan Islands have a rich agricultural heritage that remains culturally and economically significant. We invest resources to ensure that agricultural lands are

preserved and to maintain and enhance agricultural viability. We recognize the integral role that agriculture plays in the stewardship of our soils and water resources. Diverse agricultural activities are essential to the health and well-being of our community, contributing to the social, economic and environmental fabric of our islands.

This statement guides the consideration of goals and policies for agriculture.

**AGRICULTURAL POLICIES:** In a comment dated January 13, 2021, the ARC recommended adding a new section of general goals and policies that relate to agriculture (Attachment A). The Planning Commission began reviewing the recommendation from the ARC at their meeting on January 29, 2021. At that meeting, the Planning Commission requested that staff review and make a recommendation on the proposed changes for the next meeting.

Staff considered the Planning Commission feedback and ARC's original comment letter then prepared the draft of policies for a new Section 2.2.N Agriculture included below. The staff draft uses the following notation:

- ~~Highlighted and strike-through text~~ indicates an ARC recommended policy staff proposes deleting;
- [Bracketed Text] staff notes or ideas in need of further discussion

At the February 19, 2021 meeting, the Planning Commission can provide feedback on the staff proposed goal and policies below. At the February meeting, we will work from this memo to refine the draft goal and policies. Once the Planning Commission has refined the draft goal and policies, it will be inserted into Section 2.2.N of the Land Use and Rural Element. Please note, these goals and policies would apply countywide and not just within a single land use designation.

**Goal: Protect agricultural land and promote diverse agricultural activities that enhance stewardship and economic viability, and maintain the rural character of San Juan County.**

**Policies:**

1. Encourage agricultural best management practices that conserve and regenerate soils; sequester carbon; build climate resilience; and protect water quality, fisheries, and wildlife through incentives, education and promotion of programs such as the Voluntary Stewardship Program.
2. Protect farmland and encourage agricultural productivity by designation and zoning, including innovative zoning techniques and accessory uses listed in RCW 36.70A.177.
3. [ARC proposed] ~~Adopt a policy of no net loss of Agricultural Resource Land (ARL).~~ [two ideas: conversion to uses and quantity designated. Replace with two policies below]

**Conversion to uses:** Encourage owners of farmland to maintain agricultural uses on existing farm properties.

**Quantity designated:** Ensure that the quantity of land where agriculture is allowed provides enough land supply to support a thriving local agricultural industry and increase local food security.

4. ~~Develop incentives to~~ [Discussion: develop incentives everywhere or just in AG land? The incentives may be covered in Policy 17 below] encourage agricultural activities, ag-related facilities and infrastructure provided these facilities are located in such a way as to minimize their impact on prime agricultural lands.

- Incentives could include tax credits, expedited permit review, reduced permit fees, permit exemptions for activities complying with best management practices or similar programs.
5. [covered in staff proposed policy 17 below] Allow farmstands, including direct sales of food, flowers, fiber and value-added agricultural products originating in San Juan County where agriculture is allowed.
  6. [covered in staff proposed policy 17 below] Allow agritourism where agriculture is allowed.
  7. [ARC proposed] Amend the Open Space Plan's conservation stewardship goals for agricultural lands to prioritize agricultural production and working farms.
  8. [staff proposed, instead of 7 above] Prioritize agricultural production and working farms on publicly held agricultural conservation lands.
  9. Encourage the leasing of lands held in public trust for agricultural use.
  10. Support agricultural viability by encouraging investment in infrastructure on agricultural lands held in public trust.
  11. Encourage public agencies to develop conservation easements that support long term agricultural viability.
  12. Allow necessary infrastructure and services, which support commercial agriculture and contribute to growing, storing, processing, and distributing a local food supply.
  13. Avoid duplication of federal and state regulations that apply to agriculture, resource-based industries and value-added production while reserving the authority to address issues of local concern regarding agricultural activities.
  14. Allow flexible options for housing seasonal and year-round agricultural workers.
  15. [ARC proposed] Create a program whereby Housing REET funds are available to create farm worker housing.
  16. Encourage the recycling and beneficial use of island biomass and retention of nutrients through composting and biochar production. [Relocate to Climate Change general policies in 2.2.O]
  17. [staff proposed, instead of 5 and 6 above and 18 below] Allow and establish development standards for agricultural accessory uses, farmstands, agritourism, and farm-based businesses for lands where agriculture is allowed.
  18. [ARC proposed] Define Agricultural Activities as RCW 90.58.065. Create and Revise definitions related to Agriculture, including but not limited to; Farm Stand, Farmer, Farm Worker Housing and Farm Stay in partnership with the Agricultural Resource Committee.
  19. [ARC proposed] Explore options that would allow for additional verification of primary agricultural use beyond CUFA for farm stay, farm worker housing and other agriculture related land uses.
  20. Implement right-to-farm provisions that assure agricultural uses are not considered a nuisance in San Juan County.

21. [ARC proposed, covered in policy 22 below] Establish a New Unit Notification program to notify new property owners of best practices and available resources for maintaining farms on agricultural land.
22. [staff proposed instead of 23 below] Support agricultural marketing, branding, and educational programs, agricultural policy advisory committees, and local agricultural grants.
23. [ARC proposed] Maintain funding for agricultural marketing, branding, educational programs and agricultural policy advisory committee including Agricultural Resource Committee, Washington State University Extension and local grant opportunities.

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Hello,

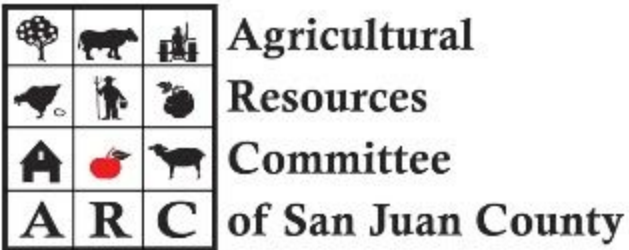
Please find attached the comments from the Agricultural Resource Committee regarding the Land Use Memo issued by the Department of Community Development issued on 12-29-20.

Please forward this to the Planning Commission for the meeting on January 15<sup>th</sup>.

Thank you so much,

Faith

Faith Van De Putte  
*Agriculture Resource Committee of San Juan County*  
Co-ordinator  
360-370-7666  
faithv@sanjuanco.com



## Memorandum

**TO:** SJC Planning Commission  
Adam Zack, Planner II, DCD  
Linda Kuller, Planning Manager, DCD  
Mike Thomas, County Manager

**From:** San Juan County Agricultural Resource Committee (ARC)

**Date:** 1/12/21

**Subject:** Agricultural Resource Committee (ARC) Comments on the 12/29/2020 DCD Memo on San Juan County Comprehensive Plan Element B.2 Land Use and Rural Natural Resource Land Goals and Policies

### Purpose

To comment on the 12/29/2020 DCD Memo on San Juan County Comprehensive Plan Element B.2 Land Use and Rural Natural Resource Land Goals and Policies in relation to policy suggestions put forth by the ARC in previous memos:

- 2018 Comments on *SJC Comp Plan Update Economic Analysis of Resource Lands (EARL)*
- 2019 Recommendation for the addition Section 2.2.N Agriculture to the Land Use Element of the Comprehensive Plan
- 2019 Comments on Economic Development Element Draft submitted on 2019-01-30

Our comments below follow the DCD Memo section by section.

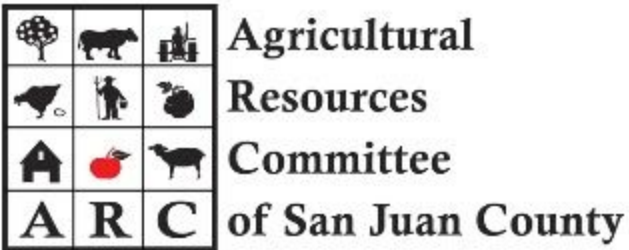
### Observation:

As the ARC Policy Committee was reviewing this section we observed that there is no mention of Climate Change in the current draft of the Land Use section of the Comprehensive Plan. Is there going to be a process for addressing issues of climate change in this section?

### Natural Resource Land Designation Criteria:

There are two additional criteria that a local jurisdiction can utilize in natural resource land designation according to the WAC. The ARC highlighted and recommended utilizing these criteria in the 2018 EARL memo:

- Food security issues, which may include providing local food supplies for food banks, schools and institutions, vocational training opportunities in agricultural operations, and preserving heritage or artisanal foods. WAC 365-190-050 (4) b.
- an amount of agricultural resource lands sufficient to maintain and enhance the economic viability of the agricultural industry in the county over the long term; and to retain supporting agricultural businesses, such as processors, farm suppliers, and equipment maintenance and repair facilities. WAC 365-190-050 (5)



### **Agricultural Resource Land Designation Criteria:**

The work the DCD has done to clarify the Agricultural Resource Land designation criteria is commendable and needed. The new criteria proposed by the DCD are in alignment with recommendations #5, #7 and #8 of the ARC's 2018 Memo on the Economic Analysis of Resource Lands.

### **Annual Docket request 18-0006**

The ARC supports this Annual Docket request. The ARC has recommended adoption of the definitions and regulations for agricultural accessory uses and activities, consistent with RCW 36.70A.177(3) in two memos:

- 2019 Recommendation for the addition Section 2.2.N Agriculture to the Land Use Element of the Comprehensive Plan
- 2019 Comments on Economic Development Element of Comprehensive Plan

### **Other Agricultural Policies**

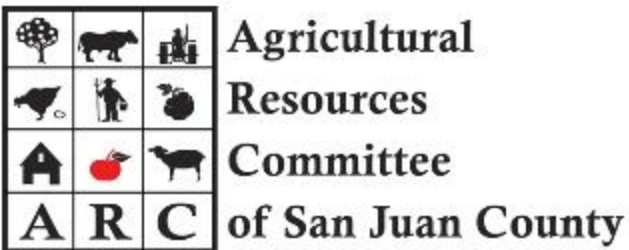
The agricultural policies proposed by the DCD are in alignment with recommendations put forward by the ARC in our 2019 Memo that proposed the addition of a new section to the Land Use Element of the Comprehensive Plan: 2.2.N Agriculture. The proposed section 2.2.N Agriculture is included in its entirety as an appendix to this memo. The ARC continues to recommend adoption of the stand alone section. Below the three new agricultural policies proposed by the DCD are discussed in relation to the policies proposed by the ARC in the 2019 memo.

### **DCD Draft New Policy #6**

*“Establish development standards for agricultural accessory uses, ~~roadside stands~~ farmstands, agritourism and farm-based businesses that allow these uses while protecting the long-term commercial significance of agricultural land.”*

We recommend using the word farmstand instead of roadside stand for consistency with current county and state code. In connection with this first policy related to *expansion of farm activities* and *revision of government regulations*, ARC asks the commission to consider additional policies suggested:

4. Continue to develop incentives to encourage agricultural activities, ag-related facilities and infrastructure on prime farmland provided these facilities are located in such a way as to minimize their impact on prime agricultural soils. Incentives could include tax credits, expedited permit review, reduced permit fees, permit exemptions for activities complying with best management practices or similar programs.



5. Allow farmstands, including direct farmstand sales of food, flowers, fiber and value added agricultural products originating in San Juan County.

6. Allow agritourism activity as defined by [RCW 4.24.830](#) as an accessory agricultural activity.

12. Avoid duplication of federal and state regulations that apply to agriculture, resource-based industries and value added production while reserving the authority to address issues of local concern with regard to resource-based activities and operations.

13. Allow year round and seasonal housing for agricultural workers, including tiny homes, bunkhouses and other low cost and low impact solutions.

15. Encourage the recycling and beneficial use of island biomass and retention of nutrients through innovative zoning that allows composting and biochar production.

16. Define Agricultural Activities as RCW 90.58.065 and those accessory uses and activities as defined by RCW 36.70A.177(3)(b)(i). Create and Revise definitions related to Agriculture, including but not limited to; Farm Stand, Farmer, Farm Worker Housing and Farm Stay in partnership with the Agricultural Resource Committee.

17. Explore options that would allow for additional verification of primary agricultural use beyond CUFA for farm stay, farm worker housing and other agriculture related land uses.

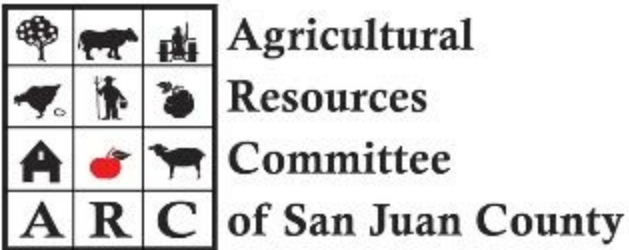
**DCD Draft New Policy #7:**

*“Support the use of innovative agricultural technologies, procedures and practices that protect existing land, soil and water resources.”*

In connection with this second goal related to *protecting resources* and *reducing climate change*, ARC asks the commission to consider the following additional goals suggested previously:

1. Encourage agricultural best management practices that conserve and regenerate soils; sequester carbon; build climate resilience; and protect water quality, fisheries, and wildlife through incentives, education and promotion of programs such as the Voluntary Stewardship Program.





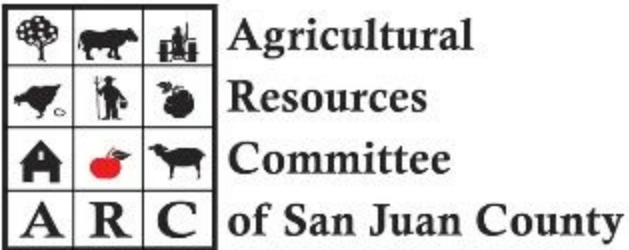
2. Protect farmland and encourage productivity by designation and zoning, including innovative zoning techniques and accessory uses listed in RCW 36.70A.177.
3. Adopt a policy of no net loss of Agricultural Resource Land (ARL).
7. Amend the Open Space Plan's conservation stewardship goals for agricultural lands to prioritize agricultural production and working farms.
8. Encourage the leasing of lands held in public trust for agricultural use.
9. Invest in infrastructure on agricultural lands held in public trust to facilitate agriculture best management practices and support agricultural viability.
10. Encourage the Land Bank and other entities to craft conservation easements that support long term agricultural viability.

#### **DCD Draft Policy #8**

*"Support programs that promote and market locally grown and processed products."*

In connection with this third policy concerning *increasing agricultural production and building infrastructure*, ARC asks the commission to consider the following additional goals suggested previously:

11. Invest in and allow necessary infrastructure and services (markets, water, affordable housing, supply stores, technical services, tax incentives) that support commercial agriculture and contribute to growing, storing, processing, and distributing a local food supply and other horticultural and livestock activities.
14. Create a program whereby Housing REET funds are available to create farm worker housing.
18. Strengthen SJCC Right to Farm 18.30.052 with [RCW 7.48.305](#) and [RCW 70.94.640](#)
19. Promote San Juan County as farm friendly through implementing a New Unit Notification program (information packet about owning land in an agricultural community) .



20. Maintain funding for agricultural marketing, branding, educational programs and agricultural policy advisory committee including Agricultural Resource Committee, Washington State University Extension and local grant opportunities.

We acknowledge that there are multiple policy suggestions which have to do agricultural lands held in public trust. If there is another element or section of the Comprehensive Plan that these would better fit we can submit a recommendation for them in another section.

Thank you for considering our comments and recommendations.

Faith Van De Putte, ARC Coordinator

## **APPENDIX**

The Land Use Element of the Comprehensive Plan outlines many objectives that affect agriculture in San Juan County but has no stand alone articulation of the goal or policies for agriculture. In order to have a clear goal and policy statement about agriculture in the Land Use Section the ARC recommends the addition of 2.2.N Agriculture.

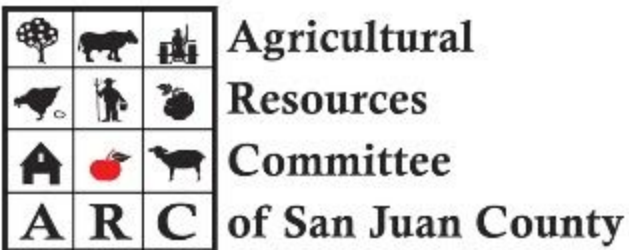
### **2.2. N Agriculture**

#### ***Goal:***

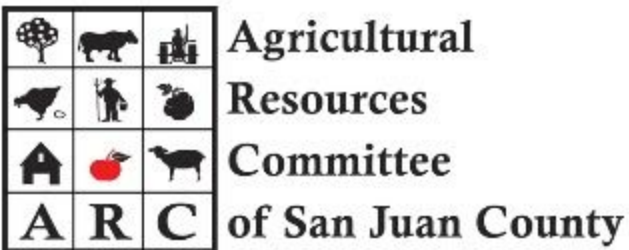
Protect agricultural land and promote diverse agricultural activities that enhance stewardship and economic viability, and maintain the rural character of San Juan County.

#### ***Policies:***

- 1) Encourage agricultural best management practices that conserve and regenerate soils; sequester carbon; build climate resilience; and protect water quality, fisheries, and wildlife through incentives, education and promotion of programs such as the Voluntary Stewardship Program.



- 2) Protect farmland and encourage productivity by designation and zoning, including innovative zoning techniques and accessory uses listed in [RCW 36.70A.177](#).
- 3) Adopt a policy of no net loss of Agricultural Resource Land (ARL).
- 4) Continue to develop incentives to encourage agricultural activities, ag-related facilities and infrastructure on prime farmland provided these facilities are located in such a way as to minimize their impact on prime agricultural soils. Incentives could include tax credits, expedited permit review, reduced permit fees, permit exemptions for activities complying with best management practices or similar programs.
- 5) Allow farmstands, including direct farmstand sales of food, flowers, fiber and value added agricultural products originating in San Juan County.
- 6) Allow agritourism activity as defined by [RCW 4.24.830](#) as an accessory agricultural activity.
- 7) Amend the Open Space Plan's conservation stewardship goals for agricultural lands to prioritize agricultural production and working farms.
- 8) Encourage the leasing of lands held in public trust for agricultural use.
- 9) Invest in infrastructure on agricultural lands held in public trust to facilitate agriculture best management practices and support agricultural viability.
- 10) Encourage the Land Bank and other entities to craft conservation easements that support long term agricultural viability.
- 11) Invest in and allow necessary infrastructure and services (markets, water, affordable housing, supply stores, technical services, tax incentives) that support commercial agriculture and contribute to growing, storing, processing, and distributing a local food supply and other horticultural and livestock activities.
- 12) Avoid duplication of federal and state regulations that apply to agriculture, resource-based industries and value added production while reserving the authority to address issues of local concern with regard to resource-based activities and operations.



- 13) Allow year round and seasonal housing for agricultural workers, including tiny homes, bunkhouses and other low cost and low impact solutions.
- 14) Create a program whereby Housing REET funds are available to create farm worker housing.
- 15) Encourage the recycling and beneficial use of island biomass and retention of nutrients through innovative zoning that allows composting and biochar production.
- 16) Define Agricultural Activities as RCW 90.58.065. Create and Revise definitions related to Agriculture, including but not limited to; Farm Stand, Farmer, Farm Worker Housing and Farm Stay in partnership with the Agricultural Resource Committee.
- 17) Explore options that would allow for additional verification of primary agricultural use beyond CUFA for farm stay, farm worker housing and other agriculture related land uses.
- 18) Strengthen SJCC Right to Farm 18.30.052 with [RCW 7.48.305](#) and [RCW 70.94.640](#)
- 19) Promote San Juan County as farm friendly through implementing a New Unit Notification program (information packet about owning land in an agricultural community) .
- 20) Maintain funding for agricultural marketing, branding, educational programs and agricultural policy advisory committee including Agricultural Resource Committee, Washington State University Extension and local grant opportunities.