

ORDINANCE NO.

**AN ORDINANCE ADOPTING TITLE 14 AGRITOURISM DEVELOPMENT
REGULATIONS**

WHEREAS, Preserving agricultural land has been a land use planning priority in Skagit County since adoption of the first Skagit County Comprehensive Plan in 1965; and

WHEREAS, The Washington State Growth Management Act (GMA) promotes agricultural land preservation by requiring local governments to designate and protect natural resource lands, including farmlands of long-term commercial significance; and

WHEREAS, The Agricultural Resource Lands section of the 2025 Skagit County Comprehensive Plan establishes policies that ensure the long-term stability and productivity of the county's agricultural lands and industries; and

WHEREAS, Planning and Development Services established a Community Advisory Group to develop Agritourism policy recommendations. Based on input from the Community Advisory Group and the Agricultural Advisory Board, Skagit County developed draft Agritourism code amendments that were reviewed by the Planning Commission; and

WHEREAS, The amendments allow agritourism uses while also preserving working farmland, diversify farm income, increasing public awareness and appreciation of agriculture, and enhancing farm viability; and

WHEREAS, The proposed amendments were reviewed for consistency with applicable Growth Management Hearings Board and court decisions; and

WHEREAS, The initial draft code amendments were released to the public for comment to the Planning Commission from September 25, 2025, to October 16, 2025; and

WHEREAS, A public hearing was held by the Planning Commission to receive public testimony on October 14, 2025; and

WHEREAS, The Planning Commission deliberated and issued a Recorded Motion and recommendation for approval of the Agritourism Development Regulations, with suggested amendments on January 27, 2026 (**Attachment 1**); and

WHEREAS, A second public comment period was held from March 26, 2026, through April 15, 2026, and a second public hearing was held by the Board of County Commissioners on April 13, 2026; and

WHEREAS, Skagit County issued a Determination of Non-Significance under the State Environmental Policy Act for the amendments on September 25, 2025; and

WHEREAS, The Board of County Commissioners has reviewed the public comments and the Planning Commission Recorded Motion; and

WHEREAS, Adoption of this ordinance resolves the concerns identified in Interim Ordinance O20260001, which temporarily prohibited the acceptance of permit applications for certain uses within the Agricultural–Natural Resource Lands zone.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS:

Section 1. SCC Title 14 of the Skagit County Code is hereby amended as shown in **Attachment 2**.

Section 2. The moratorium adopted by Interim Ordinance O20260001 is hereby rescinded.

DATED this 28 day of April, 2026.



Attest:

Linda Hanna
Clerk of the Board

Approved as to form:

[Signature]
Civil Deputy Prosecuting Attorney

**BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON**

Ron Wesen

Ron Wesen, Chair

[Signature]
Peter Browning, Commissioner

[Signature]
Joe Burns, Commissioner

Approved as to Content:

[Signature]
Department Head



Skagit County Planning Commission

www.skagitcounty.net/planningcommission

Chair Tim Raschko **Vice Chair** Tammy Candler
Members Angela Day, Amy Hughes, Jed Holmes, Kiera Wright, Joe Woodmansee, Patsy Good, Xuhua Mu

Tuesday, January 27, 2026

Skagit County Planning Commission's Recorded Motion regarding Agritourism Code Amendments

Proposal publication date: September 25, 2025

Proposal name: Agritourism Code Amendments

Project Website: <https://www.skagitcounty.net/departments/planningandpermit/agtoursmmmain.htm>

Public hearing body: Skagit County Planning Commission

Public hearing date: Tuesday, October 14, 2025, at 6:00 p.m.

Written comment deadline: Thursday, October 16, 2025 at 4:30 p.m.

PC deliberations (closed record public hearing): Tuesday, November 18, 2025, at 6:00 p.m.
Continued on Tuesday, January 27, 2026, at 6:00 p.m.

After considering the written and spoken comments and considering the record before it, the Planning Commission enters the following findings of fact, reasons for recommendation, and recommendations to the Board of County Commissioners on the proposed Agritourism code amendments.

Findings of Fact and Reasons for Recommendation

1. **Farmland Preservation.** Preserving agricultural land has been a land use planning priority in Skagit County since adoption of the first Skagit County Comprehensive Plan in 1965.
2. **Growth Management Act.** The Washington State Growth Management Act (GMA) promotes agricultural land preservation by requiring local governments to designate and protect natural resource lands, including farmlands of long-term commercial significance.

3. **Agricultural Advisory Board and Agritourism Community Advisory Group**

Recommendations. Planning and Development Services established a Community Advisory Group to develop Agritourism policy recommendations. Based on input from the Community Advisory Group and the Agricultural Advisory Board, PDS developed a rough draft of the revised code and shared it for further review. The current draft of the agritourism code amendment, reflects recommendations received throughout this process.

4. **Purpose and Intent of Draft Amendments.** The proposed amendments are intended to help preserve working farmland, diversify farm income, increase public awareness and appreciation of agriculture, and enhance farm viability. The amendments place limitations on agritourism in order to preserve the area's rural agricultural character, prevent the permanent conversion of farmland, and prevent interference with surrounding farming operations and practices.

5. **2025 Skagit County Comprehensive Plan Natural Resources Element.** The Agricultural Resource Lands section of the 2025 Skagit County Comprehensive Plan establishes policies that ensure the long-term stability and productivity of the county's agricultural lands and industries. The following Comprehensive plan goals and policies support staff's development of the draft code recommendations:

- a. **Goal 4-3.** Promote preservation of agricultural land for agricultural uses, minimize non-farming uses on agricultural lands; and develop incentive programs to promote farming.
- b. **Goal 4A-4.** Land uses allowed on designated agricultural land shall promote agriculture, agricultural support services, and promote diverse agricultural industries.
- c. **Policy 4A-4.5 Special Events and Activities:** Special events and activities on agricultural lands shall be conducted in ways that reduce potential impacts resulting from the activity. Those impacts include but are not limited to traffic, litter, trespass, and sanitation.
- d. **Goal 4A-5.** Minimize land use conflicts and promote mitigation of conflicts on the lands adjacent to agricultural resource lands.

6. **Consistency with Growth Management Hearings Board decisions and court decisions.**

The proposed Agritourism amendments were reviewed by Skagit County staff for consistency with applicable Growth Management Hearings Board and court decisions.

7. **Public Comment and Public Hearings.** The draft Agritourism amendments were released to the public for comment from September 25, 2025, to October 16, 2025. A public hearing was held by the Planning Commission to receive public testimony on October 14, 2025. All comments received and information shared to the Planning

Commission are found on the project website. Public comments and testimony were recorded, and the Department provided a written response to the comments received.

8. The Planning Commission acknowledges unintended negative consequences to local community events promoting agriculture by now requiring them to obtain permits.
9. The Planning commission acknowledges the importance of restricting agricultural accessory uses and activities to those that are consistent with the size, scale and intensity of the existing agricultural use of the property and existing buildings on the site.

Recommendation

The Planning Commission recommends that the Board of County Commissioners **approve** the proposed Agritourism Code Amendments with the following recommended changes:

1. The Planning Commission recommends amending a portion of the Agritourism definition in SCC 14.18.407(1)(a) and recommends replacing it with the following language:

Agritourism provides opportunities for working farms and ranches to preserve and promote Skagit County's agricultural lands. Agritourism allows for educational and experiential activities that are related to, and supportive of, agricultural production. Agritourism activities must have a direct connection to an actively managed, ongoing agricultural operation. Agritourism helps agricultural producers keep working lands in production by diversifying and enhancing their income. Agritourism activities must be incidental and subordinate to existing agricultural operations.

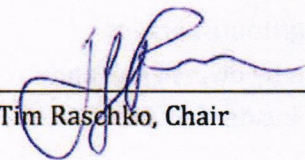
2. Require Agritourism 1 uses to obtain approval of an Administrative Use Permit.
3. Remove SCC 14.18.407(3)(a)(x), which allows activities that are associated with the Skagit Valley Tulip Festival to run for 30 consecutive-days in addition to the allowed days specified below for Agritourism 1, 2, and 3 between March 15 and May 15.
4. Add music venues and concerts to the list of prohibited uses under SCC 14.13.100(2)(d) for the Agricultural-Natural Resources Zone.
5. The Planning Commission recommends that the department bring Limited Event Venues back to the Planning Commission for further consideration removing the use from rural zones.

Commission Vote	Support	Oppose	Absent	Abstain
Tim Raschko, Chair	X			
Tammy Candler, Vice Chair	X			
Amy Hughes	X			
Xuhua Mu		X		
Jed Holmes		X		
Angela Day	X			
Joe Woodmansee			X	
Kiera Wright		X		
Patsy Good	X			
Total	5	3	1	0

The Planning Commission recommends that the Board of County Commissioners adopt the proposed Agritourism code amendments.

This recorded motion **is approved** on this 27th day of January, 2026.

SKAGIT COUNTY PLANNING COMMISSION
SKAGIT COUNTY, WASHINGTON



Tim Raschko, Chair

1-27-26

Date



Jack Moore, Secretary

2-9-26

Date

2025 Proposed Agritourism Amendments—DRAFT

Plain text = existing code with no changes
~~Strikethrough~~ = existing code to be deleted
Underlined = new code to be added
~~Double Strikethrough~~ = existing code moved to another location
Double Underline = existing code moved from another location
Italics = Instructions for code reviser/reviewer

Markup DRAFT February 18, 2026

14.04.020 Definitions

“Farm to table event” means an event focused on serving food and beverages primarily sourced from and for the purpose of promoting local farms and providers.

14.10.060 Uses allowed in all zones

- (1) Unless more specifically stated elsewhere, the uses in the following table are allowed in all zones at the level of review noted. For development standards for these uses, see the standards chapter listed.

Use	Standards	Review
Drainage maintenance	SCC 14.18	P
Net metering system, solar	SCC 14.18	P
<u>Outdoor Public Musical, Entertainments, Amusements, and Assemblies (Single Events)</u>	<u>SCC 9.08</u>	<u>See SCC 9.08</u>
Public use	SCC 14.18	-
—minor		P
—expansion of existing major public use up to 3,000 sf		AD
—new major public use or expansion of existing of 3,000 sf or greater		HE
Recycling drop box facility	SCC 14.18	P
Repair, replacement, and maintenance of water lines with an inside diameter of 12 inches or less	SCC 14.18	P
Transit stop	SCC 14.18	P
Utility development	SCC 14.18	-
—minor		AD
—major		HE
Wireless facilities	SCC 14.59	AD

Table 14.11.020-1 Allowed Uses in the Rural Mixed-Use Zones

Update table to reflect the following – Uses not shown are unchanged.

	RI	RRv	RVR	RC	RVC	RVC Alger	OSRSI
Commercial/Retail Uses							
Temporary events <u>Limited event venues</u>	AD	AD	AD	AD	AD		AD
Natural Resource Uses							
Agriculture	P	P					
Agricultural accessory use	P	P					
Agricultural processing facility		P					
<u>Agritourism 1</u>	<u>P</u>	<u>P</u>					
<u>Agritourism 2</u>	<u>AD</u>	<u>AD</u>					
<u>Agritourism 3</u>	<u>HE</u>	<u>HE</u>					
Anaerobic digester		HE					

Table 14.12.020-1 Allowed Uses in the Rural Commercial/Industrial Zones

Update table to reflect the following

	RB	RFS	SSB	NRI	RMI	SRT
Commercial/Retail Uses						
Temporary events <u>Limited event venues</u>	AD	AD	AD			AD

Table 14.13.020-1 Allowed Uses in the Natural Resource Zones

Update table to reflect the following

	Ag-NRL	IF-NRL	SF-NRL	RRc-NRL
Commercial Uses				
Temporary events <u>Limited event venues</u>	AD	AD	AD	AD
Natural Resource Uses				
Agriculture	P			P
Agricultural accessory use	P			P
Agricultural processing facility	P			P
Agricultural slaughtering facilities	AD			AD
<u>Agritourism 1</u>	<u>P</u>			<u>P</u>
<u>Agritourism 2</u>	<u>AD</u>			<u>AD</u>
<u>Agritourism 3</u>	<u>HE</u>			<u>HE</u>
Anaerobic digester, when accessory to an agricultural use	P			HE

14.13.100 Agricultural—Natural Resource Lands (Ag-NRL)

- (1) **Purpose.** The purpose of the Agricultural—Natural Resource Lands district is to provide land for continued farming activities, conserve agricultural land, and reaffirm agricultural use, activities and operations as the primary use of the district. Non-agricultural uses are allowed only as accessory uses to the primary use of the land for agricultural purposes. The district is composed mainly of low flat land with highly productive soil and is the very essence of the County's farming heritage and character.

- (2) *No change.*

(3) Prohibited uses.

(a) Regularly occurring celebratory gatherings, weddings, parties, music venues, concerts or similar uses that cause the property to act as a limited event venue or event venue.

(b) Restaurants, not including farm-to-table activities as Agritourism 1 or 2.

- (34) *No change.*

- (45) *No change.*

Table 14.151.020-1 Allowed Uses in the Bayview Ridge UGA Zones

Correct table number and *update table to reflect the following.*

	AVR	BR-LI	BR-HI	BR-R
Commercial/Retail Uses				
Temporary events <u>Limited event venues</u>	P	P	P	AD

Table 14.16.400-1 Allowed Uses in the Municipal UGA Zones

Update table to reflect the following

	H-URv	R	URC-I	URP-OS	URR
Commercial/Retail Uses					
Temporary events <u>Limited event venues</u>	AD		P	AD	AD

Table 14.151.020-1 Allowed Uses in the Bayview Ridge UGA Zones

Correct table number and *update table to reflect the following.*

	AVR	BR-LI	BR-HI	BR-R
Commercial/Retail Uses				
Temporary Events <u>Limited event Venues</u>	P	P	P	AD

14.15.200 Aviation Related-Limited (AVR-L)

- (1) *No Change.*

- (2) Allowed Uses.

- (a) All of the uses permitted in the BR-LI zone are allowed in the AVR-L zone, subject to the same level of review required in the BR-LI zone, but limited to a total of 20 acres within the entire zone.

(b) The following uses are not subject to the 20-acre limitation in paragraph (a) of this subsection:

(i) Permitted Uses.

- (A) Aviation-related navigation aids;
- (B) Habitat enhancement/restoration project;
- (C) Drainage maintenance;
- (D) Repair, replacement and maintenance of water lines with an inside diameter of 12 inches or less;
- (E) Trails;
- (F) Trailheads, primary and secondary;
- (G) ~~Temporary events~~. Limited event venues.

(3) No Change.

Table 14.16.400-1 Allowed Uses in the Municipal UGA Zones

Update table to reflect the following

	H-URv	R	URC-I	URP-OS	URR
Commercial/Retail Uses					
Temporary events <u>Limited event venues</u>	AD		P	AD	AD

14.18.262290 ~~Temporary events~~ Limited event venues

- (1) Definition. Commercial use of a property for any musical, cultural, or social event held either indoors or outdoors.
- (2) Restrictions. The “~~temporary events~~ limited event venues” use is also subject to the following criteria:
 - (a) Events may occur on no more than 24 calendar days per year.
 - (b) Parking for all events must be fully contained on the subject property and must not include the use of any road right-of-way.
 - (c) The use must not create a detrimental level of electrical interference, line voltage fluctuation, noise, vibration, smoke, dust, odors, heat, glare, traffic or other environmental impacts on the surrounding area.
 - (d) All lighting must directed away from neighboring residences or businesses.
- (3) Limitations in the ~~Ag-NRL~~, ~~IF-NRL~~, and SF-NRL zones:
 - (a) The ~~temporary events~~ limited event venue use must be related to the resource use.
 - (b) No resource land may be converted.
 - (c) No permanent structures may be constructed.
- ~~(e)~~ (4) Events at permitted restaurants, churches, grange halls or community centers, and parks are not regulated as limited event venues.

Part IV Natural Resource Uses

14.18.403 Agricultural accessory use

(1) (a) - (f) No change

~~(g) Activities associated with tourism that promote local agriculture so long as adequate parking and specified ingress and egresses are designated and permitted.~~

(2) No change

14.18.406 Agricultural support service

(1) Definition. Any nonagricultural use which is directly related to agriculture and directly dependent upon agriculture for its existence. These support services generally exist off-site and within districts that are intended to facilitate the production, marketing and distribution of agricultural products. Agricultural support services are separate and distinct from farm-based business and agritourism.

14.18.407 Agritourism

(1) Definition.

(a) Agritourism provides opportunities for working farms and ranches to preserve and promote Skagit County's agricultural lands. Agritourism allows for educational and experiential activities that are related to, and supportive of, agricultural production. Agritourism helps agricultural producers keep working lands in production by diversifying and enhancing their income. Agritourism activities must be secondary and related to an existing agricultural use.

(b) Agritourism is separate and distinct from farm-based businesses and agricultural support services.

(c) There are three categories of agritourism: Agritourism 1, Agritourism 2, and Agritourism 3.

(2) Purpose and Intent of Regulation.

(a) Agritourism in Skagit County is permitted, as set out in this section, in order to help preserve working farmland, diversify farm income, increase public awareness and appreciation of agriculture, and enhance farm viability.

(b) The Skagit County Code places limitations on agritourism in order to:

(i) preserve the area's rural agricultural character.

(ii) prevent the permanent conversion of farmland.

(iii) prevent interference with surrounding farming operations and practices.

(3) Limitations on Use.

(a) General Limitations; Performance Standards.

(i) Agritourism uses must be carried out by, and any application for a permit must be submitted by, the owner or operator of the working farm or ranch upon which it is located.

- (ii) Agritourism uses must be secondary and related to an existing agricultural use.
- (iii) Agritourism uses cannot degrade the surrounding area's rural agricultural character.
- (iv) Agritourism uses cannot result in the permanent conversion of farmland.
- (v) Agritourism activities cannot unduly interfere with surrounding farming operations and practices.
- (vi) Parking for all guests and employees must meet the parking requirements in SCC 14.26, and may not include the use of any road right-of-way. Parking for agritourism activities must not result in any conversion of agricultural land, this includes but not limited to rock, gravel or other impervious surfaces.
- (vii) Artificial lighting must be consistent with SCC 14.20.040(3). Lighting studies may be required by the Director.
- (viii) Noise generated from agritourism activities must be consistent with SCC 14.20.060. Noise studies may be required by the Director.
- (ix) Signage must comply with Chapter SCC 14.29 Signs, unless noted elsewhere in this section.
- (x) Agritourism uses must demonstrate concurrency with the County road segment and road intersection level of service standards in SCC 14.62.060.
- (xi) Access to and from a county road used by the public must be permitted by Public Works, including any conversion of a previously established farm access.
- (xii) Food trucks associated with agritourism activities should be accessory to the activity and must be temporary.

(b) Limitations Specific to Uses Classified as Agritourism 2 or 3.

In addition to all other requirements in SCC 14.18.407, uses classified as Agritourism 2 or 3 are subject to all the requirements of this subsection (b).

- (i) The agritourism use must be secondary to the existing and primary commercial agricultural use.
- (ii) The existing and primary commercial agricultural use must have generated an average gross income of at least \$500 per acre per year over the previous three years, to be verified by the Director.
- (iii) The applicant of an Agritourism 2 and 3 use must comply with the annual self-certification requirements identified in SCC 14.51.080.
- (iv) An Agritourism 3 use cannot include farm to table activities.
- (v) Prior to any application for an Agritourism 2 or 3 being granted, the applicant must sign an agreement, on a form provided by the Director, that they will comply with all the requirements of SCC 14.18.407.

(4) Interpretation; Enforcement of Limitations.

- (a) In interpreting the requirements of this section must be strictly construed.

(b) In addition to any other means for ensuring compliance with SCC 14.18.407, Skagit County retains the authority to perform ongoing monitoring and evaluation of compliance with established conditions of approval.

(c) Agritourism special use permits are subject to SCC 14.51.070 and can be revoked if the applicant fails to meet conditions of the special use permit, including compliance with any requirement set forth in SCC 14.18.407.

(5) The maximum number of guests and days allowed per year for Agritourism 1, Agritourism 2, and Agritourism 3 are specified in the table below.

Table 14.18.407-1

<u>Agritourism Type</u>	<u>Max No. Guests Allowed</u>	<u>Max No. Days Allowed Per Year¹</u>
<u>Agritourism 1</u>	50	10
<u>Agritourism 2</u>	100	35
<u>Agritourism 3</u>	<u>As Conditioned¹</u>	<u>As Conditioned¹</u>

Notes:

1. The maximum number of guests and number of days allowed per year for an Agritourism 3 use will be based on the limits established in the conditions of approval of the Hearing Examiner Special Use Permit.

14.18.4078 Anaerobic digester

~~(2)~~(1) Definition. a A facility that generates power from the anaerobic “digestion” of primarily plant and animal waste from agricultural activities and meets the requirements in RCW 70.95.330.

14.18.420 Farm-based Business

(1) Definition. An on-farm commercial enterprise devoted to the direct marketing of unprocessed and/or value-added and soil-dependent agricultural products that are produced, processed, and sold on-site. Farm-based businesses are intended to supplement farm income, improve the efficiency of farming, and provide employment to farm family members. Farm-based businesses are separate and distinct from agriculture support services and agritourism.

(2) *No change*

Chapter 14.70 – Legal Lots and Eligibility for Development

14.70.070 Exception for specified nonresidential permits.

A lot that meets the criteria in SCC 14.70.050(1)(a) and (1)(b) but not the minimum lot size criteria in SCC 14.70.050(1)(c) is eligible for specified nonresidential project permits as follows:

- (1) In the Natural Resource Land zones, the lot is eligible for project permits for all uses allowed in its zone except a residential use (Part 1 of SCC Chapter 14.18) or any other use that is accessory to a residence (e.g., home-based business or family day care provider) so long as no conversion of natural resource land is required to accommodate the use.
- (2) In the zones in the table below, the lot is eligible for project permits for the following nonresidential uses:

Table 14.70.070-1 Allowed Nonresidential Uses

	RI	RRv	RVR	URR	URC-I	URP-OS	BR-R
Agriculture	P	P				P	P
Agricultural accessory use	P	P				P	
Agricultural processing facilities		P					
Animal preserve		HE					
Caretaker dwelling unit for on-site resident park manager						AC	
Cemetery	HE	HE	HE	HE			
Community club/grange hall	HE	HE	HE	HE	P		
Display gardens				HE			
Forest practices		P				P	
Historic sites open to the public	HE	HE	HE	HE	P	P	P
Impoundments greater than one acre-foot in size	HE	HE	HE				
Impoundment						HE	
Interpretive center						P	
Manure lagoon		HE					
Minor public use	HE	HE	HE	AD	P	P	
Minor utility development	AD	AD	AD	AD	AD	P	AD
Expansion of major public use up to 3,000 square feet	HE	HE	HE	AD	AD		
Outdoor recreational facility	HE		HE				
Natural resources research/training facility		HE				AD	
Outdoor outfitters enterprises		HE					
Outdoor recreational facilities		HE				AD	
Parks, community	HE	HE	HE	HE		P	HE

Table 14.70.070-1 Allowed Nonresidential Uses

	RI	RRv	RVR	URR	URC-I	URP-OS	BR-R
Park, recreation open space						P	
Park, regional						P	
Parks, specialized recreational area	AD	AD	AD		AD	P	AD
Seasonal roadside stands under 300 square feet				AD			
Temporary events Limited Event Venues				AD	AD		
Trails	AD	AD	AD	AD	AD	P	AD
Primary and secondary trailheads	AD	AD	AD	AD	AD	P	AD
Water diversion structure						AD	
Wireless facilities	AD	AD	AD	AD	AD	AD	