Thurston County Resource Stewardship

Staff Report Addendum and Public Hearing Comments:

AOD Update Hearing September 4, 2013

Scott McCormick, MES, Assoc. Planner

Agritourism Overlay District – 2013 Update

DRAFT OCTOBER 2, 2013

FIGURE 1

= Island of Long Term Ag. > 300 acres

Proposed AOD Boundary

Existing AOD Boundary

Above: Updated AOD Map including additional parcels identified at the Planning Commission Public Hearing. Full sized map with specific farm locations will be available to review during the October 2nd, 2013 Planning Commission work session. The proposed changes include an approximately 13% increase in the total size of the AOD.
Legislative Intent:

What is legislative intent and how does it relate to the AOD project? Legislative intent refers to the underlying and guiding principles, motivations, purposes and sense of direction a given regulatory project are framed by. In this case the legislative intent was quite clear:

Agritourism:

Established Legislative Intent –

– Develop an agricultural tourism district in South county
– For the purpose of stimulating economic activity in South county
– Maintains and reflects Thurston Counties Rural Character
– Identify areas that represent and promote the remaining rural character of southern Thurston County

Separate, but related elements include:

– Developing the Bountiful Byway to increase visitor traffic through the rural South county and agricultural tourism district

Legislative Intent of the current proposed amendments:

– Be more inclusive of farms in South county
– Bring in Long Term Ag. lands in the rural County
– Add farms that are pursuing specific agritourism related activities
– Enable these farms to move forward with their plans by completing the proposed amendments as expeditiously as possible given limited staff, time and resources

The proposed amendments meet the legislative intent, may help deliver customers to rural markets, stimulate the South County economy and maintain rural character by allowing uses that are consistent with the stated purposes. The Planning Commission may make recommendations outside the parameters of Agritourism Overlay Districts legislative intent and they will be considered and weighted relative to their consistency with the stated purposes and goals.
Public Comments from the September 4, 2013 Planning Commission Hearing:

Jim Glinn (Olympia WA) - Long time resident and former Grange member. Discussed positives of similar projects, such as the Fruit Loop in Hood River OR. In favor of the proposed expansion of the AOD.

Alisa Kaufman (Nisqually Valley – 10806 Kuhlman Road SE) - Supports the proposed changes, but requests addition of her family property in the Nisqually Valley. Has small (3 acre) family farm run by her mother who raises flowers to sell at the Olympia Farmers Market, so they are currently involved in a form of agritourism and have future plans for a small home / craft brewery and tasting room. Current adjacent to the AOD island zoned Nisqually Agriculture which is nearly identical to Long Term Agriculture in terms of zoning regulations and restrictions. They request that their small lot zoned RR 1/5 be added to the AOD.

Staff Note: Adding this parcel alone to the AOD would be considered spot zoning and difficult to justify if it would be the only parcel zoned RR 1/5 in this part of the AOD which is currently zoned 100% for agriculture (Nisqually Ag. District). The fact is that a small scale brewery is already possible in the RR 1/5 zoning district through the Special Use chapter of the rural zoning code, which makes it even more difficult to justify rezoning of this one lot. Further expansion of the AOD in the North County is not consistent with the legislative intent of the AOD project, which is predominantly focused on the South County region.

Jill Nelson (Waldrick Road SW – farmer). In favor of proposed changes. She is happy that their farm is being added in this round of AOD updates and hopes that it will allow her to pursue accessory agriculture uses that would not have been possible without inclusion in the AOD. They have a large and historic family beef farm with many hundreds of acres on Waldrick Road, bisected by the Deschutes River. They also owner multiple large agricultural parcels between the Waldrick Road farm and Interstate 5 to the West which are also just outside the current AOD boundary. Ms. Nelson requests that these other parcels be included as well. Jill recommended looking at properties in Open Space and Agricultural tax programs for possible addition to the AOD.

Staff Note: These additional parcels are now included in the proposed changes and improvements to the AOD map. These changes will add many large agricultural parcels to the AOD which have been historically used for agriculture and continue to be. The addition of these new parcels North of 113th Ave. and Scott Lake help to make the new boundary more logical and help tie in the other new areas zoned Long Term Agriculture being added to the overlay district and will result in a less jagged, smoother and more logical boundary. We currently do not have the staff time or resources to research and compile all of the Open Space taxed parcels in the rural county or even a smaller area. The proposed changes are based on comments from actual farmers, currently doing agriculture on larger parcels and which meet all of the minimum
criteria to pursue all of the potential agritourism activities allowed in the AOD. Including smaller parcels is acceptable if it helps to make the boundary a more logical one, but if they are less than 10 acres currently, they cannot partake in all of the permitted AOD uses and there is less benefit to adding them. When the AOD ordinance and boundary are brought up again for review and new properties identified, they could be considered at that time, but we do not currently have this information and we are ready to move forward with the proposed amendments rather than delaying the decision.

George Sharp – Executive Director at the Olympia-Lacey-Tumwater Visitor and Convention Bureau in Olympia WA. George has been very involved in the AOD discussions and planning up to this point and is strongly in favor of proposed changes and will to “promote the heck out of whatever you decide to do”.

Michael Cade – Executive Director at the Thurston Economic Development Council, Olympia WA. Mr. Cade is strongly in favor of the proposed changes and expansion of the AOD boundary. Michael made a strong case in support of the economic benefits of agritourism in that it combines two of the six major economic sectors of the Thurston County economy which makes it even more powerful. The two sectors being tourism and food production, both of which have shown the strongest growth compared with the other major sectors including IT / technology, chemical and plastics manufacturing and wood products and paper manufacturing. Michael stated that these proposed changes will result in better stewardship of the local economy and environment and will help keep food production more local.

Scott Nelson – Nelson Farm, Waldrick Road SE. Brother of previous speaker, Jill Nelson. Argued for county wide expansion of the AOD based on his interpretation of Growth Management Act laws and regulations. He does not agree that there is a GMA conflict with expanding the AOD county wide because it does not change the underlying zoning or residential density. Scott stated that not all of his family farm had been added to the proposed AOD amendment at that point. Scott does not believe it is necessary to wait and test the AOD in a smaller area before going County wide and it should be expanded sooner rather than later.

Staff note: It has been verified with Jill Nelson, (Scott’s sister and co-farm owner) that all of their family farm property would now be included if the changes are approved as currently shown. No one has argued that expanding the AOD would result in a change in residential density and that is not the particular issue or potential conflict with the Growth Management Act. The conflict comes with creating County wide regulations without taking a very close look at all the potential conflicts with current zoning districts elsewhere in the County. This process

2 The Thurston County Prosecuting Attorney’s office has advised caution with regards to expanding the AOD County wide due to potential conflicts with GMA requirements, meaning there is an increased chance of a successful appeal of the proposed amendments if the entire rural county is included in the AOD.
gets much more difficult and time consuming when areas with multiple commercial, industrial and residential zones of various types and densities have to be considered in addition to areas with significantly denser residential populations, different cultural, economic and environmental issues to consider. Beginning this process in the more rural and less population dense South county and further from the marine shoreline of the Puget Sound and large urban growth areas in the North County significantly reduces these issues and potential conflicts, thus allowing the project to get up and running quicker and to be more nimble in responding to the needs and concerns related to this particular agritourism district.

If another, separate agritourism district is proposed for the north county at some point it will require significantly more research and coordination between the County and other major municipalities including Olympia, Tumwater and Lacey, their associated Urban Growth Areas, evaluating impacts to state shorelines and considering how to incorporate aquaculture to the AOD. In areas under jurisdiction of the Shoreline Management Act and regional Shoreline Master Program, consistency with these standards and regulations should also be considered and addressed. At this point, given where the AOD is and the proposed expansion, these other issues are not as critical to consider, which makes amendments of this type much more streamlined than it would be if the north county were included now or if we attempted to write an ordinance that could cover the entire rural county. 3

Sandra Romero, Thurston County Commissioner, District 2. She supports the proposed amendments and acknowledged that there have been requests from the Farm Bureau and others to make the AOD County wide, but the focus has been and continues to be on the South County at this time because there is a greater need for economic stimulus here than in the more urbanized North County. The North County already has easier access to the urban markets and denser populations than the South. We are starting where the need is greatest. Spreading County wide becomes less manageable and distracts and dilutes the effects of the agritourism district from the intended South County focus. This comes back to legislative intent. The intent has been focused on South County primarily although the Thurston County Bountiful Byway which is the marketing and educational piece of the project is not limited to the South County only.

Commissioner Romero also discussed the upcoming WSU grant for an inventory of farms in Thurston County which would be very useful information when considering the remainder of the County. In a few years with more experience using the AOD ordinance and better data about farming in the North County, we will be able to make better and more fact based decisions. This modest expansion of the AOD is a positive change and will help kick start new uses in the AOD. Although targeted, this change is substantive. However, we don’t want to

3 Currently beyond the scope and legislative intent of the original ordinance and current amendments under consideration.
move so fast that we risk impacting our rural character before we really understand what we
are doing and its effects. Moving slowly and intelligently is the best option and brings the least
risk. Creating the AOD does not diminish the ability to pursue or support for agritourism
elsewhere in the County. This is where the initial focus was and is and where we are starting.

Staff comments: It should be noted that a likely addition to the 2014 Development Code Docket
is North County UGA agriculture. When this item is taken up for review, this would be a more
appropriate time to explore North County agricultural and agritourism issues. Currently there
are no staff time or resources to look at this now and all the related issues, including Puget
Sound shorelines, Urban Growth Areas and denser residential populations that would all need to
be considered for such an amendment.

Additionally, the concept of agritourism is still relatively new and the AOD ordinance relatively
untested. A major expansion at this point would be based on little more than hope and good
intentions rather than facts and a thorough evaluation. Such an expansion is not an acceptable
risk to take at this point and there is no demonstrated need for such changes at this time. On
the other hand, the need in South County is real and tangible and given the less dense
population there is much less likelihood of conflicts between AOD uses and other uses permitted
in the underlying zoning districts. The North County can and will be looked at, but that is not
possible through a smaller scale, targeted amendment such as this. This would also conflict
with the original scope and scale of the original AOD project and would conflict with the original
legislative intent. The Planning Commission may recommend that the AOD go County wide
immediately based on little or no data, but there does not appear to be broad support for such a
change and staff would not support this recommendation to the Board of County
Commissioners.

Myrna Orcini - Monarch Sculpture Park, Waldrick Rd SE. She spoke very much in favor of the
proposed amendments, including the amendment adding art tourism to the list of possible uses
within the AOD as a way of drawing visitors to the rural county where they can encounter many
of the other agricultural offerings and experiences. If this helps draw tourists to the AOD, this
may help increase visitation to other nearby agritourism operations in the South County.

Jeff Fellows – rural resident. Jeff stated that the AOD and Bountiful By Way project will
encourage tourists to travel through this area. These changes will help get travelers and
tourists off I-5 and out into the rural County where most agricultural operations are located and
will expose visitors to the people, culture and stories of our rural County. This is an amazing
opportunity and a great idea to help the rural and South County economy.

End of public comments:
The Planning Commission discussed comments received during the Public Hearing and requested some additional information of staff including:

- **Economic data for the AOD and related impacts and effects, including effects on other non-agricultural properties in the AOD.**
  
  As the AOD ordinance is still new and relatively untested, the specific micro-economic data requested is not available. We don’t have sufficient data to draw clear conclusions as of yet. As we implement the ordinance, we will continue to observe and track agritourism activities of the sort that would be reviewed through a permitting process. It should be noted that many agritourism activities both inside and outside of the AOD are exempt from land use permitting so tracking these activities will be difficult. Assumptions will likely have to be based on activities that do require a permit since it would be difficult or impossible to gather accurate information any other way and without the necessary resources to do so.

You may recall Michael Cade, the Executive Director of the Economic Development Council who discussed a recent 2012 economic study of Thurston County and the fact that agritourism combines two of the six largest economic sectors of the economy, the two sectors being food production and tourism. Studies by the Washington State Dept. of Commerce and Department of Fish and Wildlife\(^4\) make strong cases for other forms of tourism as well, including nature tourism and culinary tourism which are also allowed in the AOD and have enormous potential to positively impact the rural economy.

- **What types of activities can happen in the AOD, but not outside?**
  
  No new uses other than the proposed definition of “art tourism” are being suggested at this time. All other permitted uses remain the same as adopted. The modified table below was provided to the Planning Commission during the initial AOD ordinance review prior to initial adoption. As you can see from the table most land uses allowed in the AOD are also possible outside the AOD even if not specifically listed. The main difference is that the type of review or specific permitting process would generally streamlined and simplified in the AOD and some uses not listed before in the rural zoning code are now listed in the AOD. Applicants are more likely to come forward if the uses are specifically listed rather than a use that is only similar to a listed use or taking a chance on an unlisted use that is “possible”, but not certain. Listing these uses

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is a signal to potential applicants that there is support or even encouragement to pursue these activities and can provide confidence that their concept is consistent with zoning and that it has a good likelihood of being approved if it is determined to be consistent with the given standards. Listing specific agritourism uses may lessen the perceived if not actual risk involved in beginning a permitting process where success is never a guaranteed end result. Clear standards offer some reassurance that success is possible if not likely.

The AOD contains development standards for these listed uses where they are not specifically addressed in the rest of the rural zoning code. Because the standards were designed with the South County specifically in mind, these standards may not be sufficient to address all of the particular issues specific to the North County including shoreline regulations, urban land use and zoning, higher residential and commercial densities, different critical areas issues etc. There is a lot to be considered prior to expanding the concept County wide.

What types of uses are permitted inside vs. outside the AOD?

**Agritourism Overlay District Land Use Matrix**

\[ P = \text{Permitted} \quad X = \text{Prohibited} \]

<table>
<thead>
<tr>
<th>Land Use</th>
<th>AOD</th>
<th>Rural County outside AOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Commercial or Retail Sales</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Country Inns</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Farmers Markets operated under WSFMA(^{5}) guidelines</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Wineries, Breweries and Distilleries</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

*Unlisted, but possible through a
<table>
<thead>
<tr>
<th>Special Use Permit process</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Agricultural Home Stays</strong></td>
<td>P</td>
</tr>
<tr>
<td>*Unlisted use, but possible through a special use permit process</td>
<td></td>
</tr>
<tr>
<td><strong>Farm Stands</strong></td>
<td>P</td>
</tr>
<tr>
<td>P – same standards as AOD.</td>
<td></td>
</tr>
<tr>
<td><strong>You-Pick, Pumpkin Patches and similar seasonal operations</strong></td>
<td>P</td>
</tr>
<tr>
<td>*Through a Special use process</td>
<td></td>
</tr>
<tr>
<td><strong>Temp. / Short term uses</strong></td>
<td>P</td>
</tr>
<tr>
<td>*More events possible without a permit in the AOD</td>
<td></td>
</tr>
<tr>
<td><strong>Art tourism</strong></td>
<td>P</td>
</tr>
<tr>
<td>*unlisted use, but approvable through currently available permitting processes.</td>
<td></td>
</tr>
<tr>
<td><strong>Culinary, Nature and Geotourism</strong></td>
<td>P</td>
</tr>
<tr>
<td>*unlisted use, but approvable through currently available permitting processes.</td>
<td></td>
</tr>
</tbody>
</table>

**Benefits of being in the AOD:** The AOD permits larger breweries and wineries than would be allowed in other areas because of general limits in place on Special Uses elsewhere in the rural County. This is one of the benefits of being in the overlay district. Allowing larger wineries and breweries in other portions of the County could be a future discussion, but outside the scope
and legislative intent of this particular amendment and not something being considered at this time. Other benefits include generally faster and less expensive land use permitting processes in addition to allowing more temporary events than other rural areas. Some of the other benefits are that the ordinance lays out the uses and standards in a clear and understandable way, making it easier to use and understand than many other zoning codes. Use of plain English in the ordinance was intentional.

What does the draft Bountiful Byway / Scenic Tour route look like? (see below)

Size of the current and proposed AOD boundary: As one planning commissioner mentioned at the last meeting, the current size is already fairly large, particularly if you subtract the cities and UGA’s. Doing that is just an intellectual exercise and illustrative, but in reality you cannot removed the cities and UGA’s from the equation. The AOD is approximately 143,375 acres now. The new proposed primary boundary in the South County, not including the Nisqually Agriculture district would be approximately 161,875 with a total of 18,500 acres added. This represents an approximately 13% increase in the size of AOD. Given the current size of the AOD, staff considers this to be a modest increase, but does not change the overall scale and

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6 For informational purposes only. At this time, no Planning Commission comments or recommendations are requested regarding the Scenic Tour Route proposal. There is no regulatory link between the two projects.
scope in a significant way or conflict with the original vision or legislative intent. Staff would not recommend increasing the size of the AOD again until it has been in place longer and there has been opportunity to identify potential problems and conflicts. The proposed boundary changes currently under consideration are targeted and based on input from actual South County farmers.

In addition to the size, the other important thing these proposed changes would bring is to add many highly motivated farmers and entrepreneurs to the AOD so that they can pursue their various plans and passions which include wine and food production, direct sales of agricultural products and more classic agritourism attractions such as corn mazes, hay rides, seasonal events and other farm experiences.

As one Planning Commissioner pointed out at the last meeting, we don’t have a lot of data now and not enough to identify all the issues and effects that could result from the AOD is now, let alone if we were to go County wide with the regulations.

It was also pointed out that South County has its own unique regional identity and culture that is different from the North County and they deserve a chance to express that identity. Tailoring the ordinance to a particular area is only possible if the area is of a manageable size, with some consistency between existing land uses, types of permitted development, types of physical environments i.e. prairie vs. shoreline environments which have very different issues. Adding multiple zones of wildly varying land uses, land types, density, population, environmental issues and restrictions without first carefully considering the potential conflicts between these higher density land uses and populations is very risky and again, is simply not consistent with the original or current legislative intent. The intent now is to adjust the AOD boundary to include more farmers who have expressed interest and where the particular lands and uses are consistent with the purpose and intent of the AOD. The majority of those interested in becoming part of the AOD are already very near or even adjacent to the current boundary, therefore large changes are not necessary. The proposed changes are intended to include these specific areas while also creating a more logical and easy to follow boundary while also capturing many other large agricultural properties that could benefit from the ordinance at some point in the future even if there are no current plans to do so. The proposed changes accomplish these intended purposes.

For all those who want the AOD bigger or County wide, there should be some satisfaction that another 18,500 plus acres will be added just over a year after adoption of the original ordinance. This is a substantial amount of acreage and more than a token increase in the AOD size.
Permitting – inside vs. outside the AOD:

A planning commissioner suggested creating a process and criteria for doing agritourism outside the AOD. This concept has been discussed internally as well. It is possible and even likely that this will be considered in the future, but it is outside the scope and legislative intent of the current ordinance and first round of minor amendments that we are now pursuing. The amount of time and resources necessary to accomplish this in a thorough and thoughtful way is beyond the scope of what is currently possible given very limited staffing, time and resources.

A planning commissioner stated during the discussion that if you are in the AOD you can automatically do agritourism. This is not necessarily the case and overstates permissiveness of the ordinance. There are dozens of requirements, general standards and specific standards in the ordinance with regard to types of uses, lot size, whether or not the property is used for agriculture, consistency with other zoning codes, critical area regulations and consistency with the rural character and environment. The current AOD ordinance contains ten (10) pages of development standards and conditions that AOD uses, including exempt uses are required to meet. There are also a wide variety of possible uses in the AOD and a variety of permitting processes for those various uses in addition to zoning and environmental considerations such as prairie habitat and pocket gophers and meeting all necessary safety and health requirements, building and fire codes, food safety regulations and the list goes on to include business licensing and other state and federal standards. Some uses, such as distilleries must also receive permission from the Federal Bureau of Alcohol, Tobacco and Firearms and meet all their requirements.

The AOD provides some flexibility of zoning codes, but that is the extent of what it can legally do. The AOD ordinance as existing and proposed does not change environmental health requirements and conditions, access, roads and transportation or storm water requirements, food safety standards or any non-zoning related requirement. Being located in the AOD is not “cart blanche” to do any type of agritourism, without review or meeting specific standards including those of the underlying zoning district. In many cases pursuing agritourism may require development of a public water system if the public is coming on the property and purchasing prepared food to eat onsite. This requirement alone can kill an agritourism project due to the cost and time involved in developing a public water system.

The AOD only helps with zoning, but does not have any effect on additional permitting requirements and standards individual businesses must comply with. There is a minimum parcel size of 10 acres for some agritourism uses along with a requirement that agriculture be the primary use of the property. Not all allowed uses have these requirements, but the Planning Commission intentionally set these thresholds as controls on where and what types of agritourism can be done in the overlay. Changing these criteria and reducing the lot size for
some listed uses would likely have a bigger impact on the overall AOD than the proposed 13% expansion in terms of the total number of lots able to meet all of the minimum criteria. At this point we have no data to base a change in the standards on until we have more experience with implementing the ordinance.

**What types and how many agritourism related projects have been submitted for review:**

Currently there are two distilleries going through the permitting process in the rural county. One being located within the AOD and one outside the AOD. Distilleries are not a specifically listed use outside the AOD, however it has been determined recently that they can be permitted in many rural zones through a home occupation or home based industry\(^7\) permit. The general locations of these two distillery projects are shown on a large scale map to be presented at the next Planning Commission meeting. The process for review is simplified in the AOD in part because there are specific and easily understood standards to follow, while this is not currently the case outside of the AOD.

**Complexity of a County wide agritourism district:**

We have heard from Geoduck growers and other aquaculture operators that their industry needs to be considered as well in relation to agritourism and promotion of local agriculture. The point they make is that aquaculture is a form of agriculture and is thus just as deserving of consideration as more standard upland forms of farming. Aquaculture is an important local economic sector and has the potential to encourage better stewardship of the local economy and environment. Geoduck and oyster cultivation have very long histories back to the original western settlers and land use has been driven in part to help support these industries in terms of maintaining water quality and identifying appropriate locations for shoreline development.

The environmental issues are quite different in the north county which is largely dominated by the Puget Sound and multiple inlets all with varying environmental and habitat issues to consider. The other thing that dominates the north county is development of varying types and densities. Also human populations are much denser in the north county, in the three cities and combined urban growth areas of Olympia, Tumwater and Lacey. Several attachments are included which also help to illustrate the major differences between the North and South County regions and why a one size fits all approach to agriculture and agritourism is not recommended due to the complexity of issues involved. Focusing on one area at a time significantly reduces the complexities and allows for a more targeted and succinct ordinance and more accessible and concise standards.

North county and urban agriculture is a possible item to be considered for the upcoming Development Code Amendment Docket for 2014. There is a great deal of support and interest

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\(^7\) Types of Special Use Permits
in enabling and encouraging urban agriculture. Older urban zoning codes generally considered agriculture to be problematic, offensive or inconsistent with more urban development and residential densities, but those attitudes have shifted towards a new paradigm of being more supportive and permissive of urban agriculture including the raising of poultry. The cities of Olympia, Lacey and Tumwater have recently updated their agriculture codes and they are generally more permissive in terms of types of agriculture allowed and permitting poultry in particular. There is a great deal of interest in using chickens in more urban settings for the purposes of food security and availability in addition to enabling more organic gardening in the city. This also relates to improving water quality for aquaculture, fishers and aquatic habitat by keeping toxic herbicides, pesticides and fertilizers out of the Puget Sound and focusing on better nutrient management than foreign chemical inputs.

This help illustrate that there are distinct differences between the north and south county in terms of the types of environments and environmental issues, residential and commercial densities and complexity of land use regulations. This multiplied by the three major urban growth areas that need to considered in the North County would make adoption of a universal agritourism ordinance much more challenging and would take significantly more time and resources. It is also beyond the scope of this 18 month review and inconsistent with the legislative intent of the ordinance, which is to focus primarily on the South County. Staff believes that the proposed amendments will be improvements over the first version adopted and will result in positive economic results. The ordinance is still relatively restrictive in terms of larger scale agritourism and still requires a 10 acre lot size unless a variance is approved, which is expensive and uncertain. 2010 Thurston County population density maps are attached to help illustrate some of the differences between the North and South County regions.

There is no argument that agriculture and agritourism are not important or worth considering for the north county as well. There is broad support for more agriculture and greater variety in the North County as well. The legislative intent of this particular project however was to focus on the South County where the need for economic development is most urgent. It is the Resource Stewardship Department determination that the concept needs additional testing and experience before making any more substantive changes or expansions.

**Regulatory consistency:**

Conserving agricultural land and maintaining and enhancing the agricultural industry comprise one of the planning goals of the Washington’s Growth Management Act (GMA). These are also some of the main goals of this proposed Agritourism Overlay Distinct. The GMA requires counties and cities to designate “agricultural lands that are not already characterized by urban growth and that have long-term significance for the commercial production of food or other
agricultural products” (RCW 36.70A.170). Staff reviewed the proposed amendments for compliance with GMA rules and found the amendments to be consistent with the following:

- RCW 36.70A – GMA
- WAC 365-196-425 – Rural element (LAMIRDS)
- Thurston County Comprehensive Plan

The physical, environmental and regulatory differences between North and South Thurston County in addition to Growth Management Act consistency concerns expressed by the Thurston County Prosecuting Attorney’s office and issues of legislative intent behind the proposed amendments all lead to the recommendation that only those changes currently proposed be considered under the current amendment.

**SEPA – Environmental Review:** A SEPA determination has not been made at this time.

**ALTERNATIVES:**

**Option 1)** Amend Title 20, Chapter 20.08G Agritourism Overlay District (AOD) and the Official Thurston County Zoning Map to expand the AOD boundary as shown on Figure 1 and make the recommended text changes below: (also see Option 1 Note below).

**Option 2)** Make no change to Title 20, Chapter 20.08G Agritourism Overlay District.

**Option 1 Note:** The Planning Commission may also consider whether or not to include the 300 acre portion of Long Term Agriculture (LTA) lying southeast of the Nisqually Agriculture district and just West of the Nisqually River. This area is specifically highlighted on the draft map (Figure 1). There is no particular need to add this area at this time. The only purpose for considering it is the current agricultural zoning. There are no known agritourism uses proposed in this area. The entire 300 acres is located within the 100 year floodplain of the Nisqually River, therefore development is constrained. Staff recommends not including this area to the AOD at the present time, although it could be considered again when future reviews of the AOD ordinance are conducted.
Amendments to Ordinance Language:

Title 20 Zoning would be amended as follows:

Deleted Text: Strikethrough  Proposed Changes: Underlined  
Staff Comments: Italics  Unaffected Omitted Text: (…)
Deleted Draft Text: Strikethrough / Underlined
New Definitions:

TCC Title 20

20.03.040 – Definitions.

...

3.9 “Art tourism” – The act of visiting a geographic region in order to visit, see and experience local art, art history, artists, craftspersons and culture.\(^8\)

...

Text Changes:

...

TCC 20.08G.040 (4.)

4. Country inns with or without a restaurant/lounge, overnight accommodations and meeting space are permitted in the AOD and are exempt from the design standards of Thurston County Code 20.54.070(9.5), and replaced with the following in addition to the general standards contained in this chapter. Within the AOD, country inns are permitted subject to the following standards:

a. Country inns within the AOD are permitted in the following zoning districts, residential LAMIRD, RL 1/2, RL 1/1 and RL 2/1, RR 1/5, RRR 1/5, R 1/10 and R 1/20. Country inns are prohibited within the NA, LTA and LTF zoning districts.

...

d. Parking standards for country inns. The following minimum number and design of parking spaces shall be provided:

i. One space per employee, one space for each guest room and one space per two table settings if a restaurant and/or lounge is included. One space per 200 square feet of country inn and lounge.\(^9\)

ii. Parking areas shall be setback a minimum of fifty twenty five feet\(^10\) from external property lines and...

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\(^8\) This addition was recommended by Resource Stewardship staff in order to accommodate more art related agritourism uses that could draw visitors to the AOD.

\(^9\) This change makes parking standards for country inns consistent with other rural commercial and retail uses.

\(^10\) Twenty five feet is the setback used between industrial and residential uses in the rural County. It has been found that 50-feet can be very difficult to achieve and results in the need
shall be landscaped to soften the visual appearance of parking and loading areas. Parking and loading areas should be located within the side or rear yard to reduce visual impacts (all other requirements for parking area are located in Chapter 20.44 TCC).

... 

TCC 20.08G.040 (6)

6. Activities and uses defined as nature tourism, geo-tourism, culinary tourism, art tourism\textsuperscript{11} or eco-tourism may be permitted on all legal lots\textsuperscript{12} subject to Sections 20.08G.020, 20.08G.040(2), and all other applicable standards contained in this chapter and Thurston County Code. When a use pursuant to this section is proposed within an existing, nonconforming structure or lot, the Resource Stewardship Department may permit the development subject to the applicant demonstrating compatibility with the rural environment, existing development and all other Thurston County Codes.\textsuperscript{13} In addition, such uses shall be designed and operated so as to enhance the economic viability of farming and maintain the rural character of the AOD by:

a. Promoting locally grown and produced agricultural products, goods and services; and

b. Emphasizing local rural and agricultural attributes such as local specialty crops, farming and rural culture, native and natural resources, local history, local food networks and relationships, and other elements which highlight the importance of local agriculture.

c. “Enticing visitors who could see and experience the value of local agricultural lands to the culture and economy of rural Thurston County and who may purchase locally grown and produced agricultural products, goods and services.”\textsuperscript{14}

... 

\textsuperscript{11} Adding new category to capture art related tourism.
\textsuperscript{12} Clarifying that must be a legal lot to participate.
\textsuperscript{13} Borrowed language from AOD, Country Inn section with regard to parcel size and adding more flexibility. There is no practical reason for lot size restrictions with these types of uses. These activities do not require large parcels for the activities to be conducted.
\textsuperscript{14} Further explains purpose of allowing uses not directly related to agriculture, but which could help support the rural and agricultural economy by drawing visitors.
ATTACHMENTS:
Note: This map should help demonstrate at least one of the significant differences in environment types between the North and South County regions. These physical differences combined with the regulatory complexities of the northern urban growth areas, denser north county population, more surface water concerns and issues make an all inclusive agritourism ordinance impractical and extraordinarily challenging.
Current Agritourism Overlay District Map (Adopted March 2012)
Proposed Amendments to the Agritourism Overlay District Map – 2013 Update