

MINUTES

Clallam County Planning Commission

Meeting of October 4, 2023, 6:00 PM

- A. CALL TO ORDER: The meeting was called to order at 6:00 p.m.
- B. PLEDGE OF ALLEGIANCE.
- C. ROLL CALL: Members present were Chair Steve Gale, Ken Reandeau, Tomas Butler, Bonnie Booth, Katina Hester, Jane Hielman, and Jeff Carter. Donella Clark, Principal Planner, and Bruce Emery, Director, represented staff from the Department of Community Development.
- D. WELCOME: Chair Gale welcomed all in attendance.
- E. APPROVAL OF MINUTES: September 6, 2023 minutes approved
- F. ANNOUNCEMENTS: None
- G. PUBLIC COMMENT on Agenda Items: None
- H. UNFINISHED BUSINESS: Review of proposed amendments to bylaws. Motion was made to vote on the proposed changes, changing the wording in Section 5.L from “response to” public comment to “discussion of”. Seconded by Thomas Butler and passed.
- I. PUBLIC HEARING ITEM: None
- J. WORK SESSION ITEMS: Commission heard the highlights of the 6-year Transportation Improvement Plan. Public hearing will be October 18, 2023 with the Planning Commission. The County maintains 490 miles of roads, 38 bridges, Olympic Discovery Trail, and the Olympic Adventure Trail. 6-year TIP does not include the annual maintenance of the roads. Five projects that had been on the TIP for years have been completed.
- K. PUBLIC COMMENT PERIOD: Staff received several written comments (attached) regarding a request for a Type B amendment to Farm and Ag accessory uses. Four members of the public commented about the need for more clarity on accessory uses on farms.
- L. GOOD OF THE ORDER: Commissioner Hester wanted to inform everyone that she is a lavender farm owner.
- M. ADJOURNMENT: The meeting adjourned at __7:45__ p.m.

Date: September 7, 2023

To: Ms. Donella Clark,
Dept. of Community Development

Re: Clallam County Planning Commission Public Comment

Dear Ms. Clark,

At the Center for Inclusive Entrepreneurship, our mission is to improve the quality of life and increase the economic stability of rural communities by ensuring everyone has the opportunity to turn their unique gifts into a small business, creating equitably shared community wealth. It has come to our attention that many of our clients doing business in Clallam County's agricultural sector face unique challenges created by a lack of clarity in the existing land use code in Title 33 of the Clallam County Code. This issue has contributed to a disproportionate amount of adversity for existing and future rural entrepreneurs of Clallam County trying to add agricultural processing or other agritourism-related facilities to their farms.

Data collected from the most recent USDA Census of Agriculture in 2017 indicates that the decline of Clallam County's agricultural economy leads the state in multiple metrics. From 2002 to 2017, the total annual net income on farms decreased by 330%, and between 2012 and 2017, Clallam County lost 27.25% of its farmland. Based on the performance of farms in other counties we serve, Clallam County farms missed out on over \$2,300,000 in gross sales from accessory uses in 2017 alone. This number does not factor in the additional revenue that would also have been captured by other tourism and service-based businesses throughout the county.

Of the nine counties that we serve in Washington, Clallam County is the only one without a zoning code that defines agricultural accessory uses or establishes performance standards for these uses. Skagit and Island Counties have chosen to define these uses and permit them in various rural and resource zones. In addition to definitions, Jefferson and Snohomish Counties have dedicated sections of code establishing specific performance standards for various agricultural accessory uses.

We would like to encourage the continued efforts of the Department of Community Development and Planning Commission to initiate a Type B Amendment to Title 33 to create clear definitions and performance standards for agricultural accessory uses. Creating a predictable growth path for these rural entrepreneurs will be another step towards accomplishing the goals outlined in Washington's Growth Management Act and Clallam County's Comprehensive Plan. Conserving farmland and preserving the agricultural heritage in Clallam County starts with supporting its economic viability as small and medium farms shift from commodity to value-added products.

Best regards,



Mike Skinner
Executive Director

Cc: Rick Dickinson
Program Director

Clark, Donella

From: Wendy Rae Johnson <jwendyrael@gmail.com>
Sent: Tuesday, October 3, 2023 4:40 PM
To: Clark, Donella
Subject: Planning commission public comment

As a resident and customer of our local farms, I ask that you start a Type B Amendment regarding agricultural accessory uses.

Clallam county needs this done immediately. I support our local farmers. They deserve a chance to succeed, not just survive.

Please expedite this long overdue and much needed policy update Type B Amendment regarding agricultural accessory uses and create continuity with our neighboring counties.

Respectfully,
WendyRae Jonson
resident
Port Angeles, WA

Sent from [Mail](#) for Windows

Clark, Donella

From: Kari Payne <neropuck@msn.com>
Sent: Wednesday, October 4, 2023 11:41 AM
To: Clark, Donella
Subject: Planning commission public comment

Hello,

I would like to request the members of the Planning Commission initiate a Type B Amendment to Title 33 pursuant to CCC 33.35.015(2) to implement the goals and policies of the Comprehensive Plan and to create clear performance standards for the accessory uses of agricultural primary uses. Agriculture has played a vital role in the heritage, culture, and economy of Clallam County, but the current land use code is preventing rural entrepreneurs from adapting to evolving markets and diversifying their revenue streams.

In the past, Clallam County's policies have been driven by a view of agriculture as largely a producer of farm commodities such as milk, beef cattle, barley, hay, potatoes, or apples. These commodities were either processed locally or shipped out of the county as raw commodities. Clallam County can no longer compete in most of these markets. For farmers to succeed here, they need to be innovative and entrepreneurial and to find markets that are not satisfied by the industrial agricultural and food industry.

Washington state recognizes that the needs of many farmers are much broader than in the past, and that small, innovative, entrepreneurial farmers require the ability to sell everything from high-dollar, value-added products to farm experiences on agritourism-oriented farms. Clallam County needs to redefine and broaden what is meant by the term "accessory use," and in so doing develop policies and programs that support this new vision of agriculture.

The future of agriculture in Clallam County will largely be determined by these rural entrepreneurs who produce high-value, unique products and offer other agricultural services and experiences on relatively small farms. This will require enhanced capacity to perform local processing and increased efforts to effectively brand and market agricultural products. It will also call for cultivating tourists on the farm with activities, such as u-pick berry farms and corn mazes that are popular with locals as well as tourists, farm stays in which visitors pay to work on farms, and farm educational events. Agritourism benefits other local businesses, like lodging and food service, thus multiplying its economic impact. These and other new agricultural opportunities can continue and expand in the county if supported by local land use policies and regulations that allow rural entrepreneurs to explore and exploit these types of farming niches.

Thank you for your time and consideration.

Respectfully,

Kari Payne

Port Angeles, WA

Rebecca Olson
Lavender Connection
1141 Cays Rd.
Sequim, WA 98382

September 20, 2023

Clallam County Planning Commission
& Department of Community Development

Hello,

As a local lavender farming family who depends on agritourism for our livelihood, we would like to request the members of the Planning Commission and the Department of Community Development initiate a Type B Amendment to Title 33 pursuant to CCC 33.35.015(2) to implement the goals and policies of the Comprehensive Plan and to create clear performance standards for the accessory uses of agricultural primary uses.

Our family began farming lavender in Sequim in 2004 and have operated continuously and openly as an agritourism destination since then. We are an oasis for families, couples, individuals, travelers, and all those looking to step off the concrete onto the land. Our visitors learn about planting, growing, and caring for lavender for their home gardens. They also get a window into the life of lavender farming and how we process our bud, distill lavender essential oil, and even care for our bees. We connect people to agriculture, farming, and the land in a way that is visceral and memorable. Visitors to our farm leave not just with a U-cut bundle of lavender, but a deep appreciation for farming, agriculture, and the back-breaking work of farmers.

Most importantly, we never charge admission to our farm. We are committed to making sure that all members of the community have an opportunity to connect with the land regardless of their economic situation. However, we must be able to generate consistent income in order to staff and keep the farm open to visitors. Thus, we are dependent on sales of our lavender and value added products at the farm during the summer. We would also appreciate the opportunity to branch out into other revenue streams in the future, such as ticketed educational classes and workshops, farm-stays for workers, temporary lodging like HipCamp, and/or occasional private events in the evenings. It is time for Clallam County to support small farms like ours by updating the agritourism code to ensure we can continue to operate as we have for the last twenty years, and also allow us room for innovation and growth as a business.

Thank you for your time and consideration.

Respectfully,

Rebecca Olson
Lavender Connection

Clark, Donella

From: Susan Fahlgren <fleurishlavender@gmail.com>
Sent: Wednesday, October 4, 2023 2:58 PM
To: Clark, Donella
Subject: Planning Commission Public Comment

We want to formally express our support for moving forward with a Type B Amendment for the current agritourism code in Clallam County.

Susan & Doug Fahlgren
Fleurish Lavender of Lost Mountain
1541 Taylor Cutoff Rd, Sequim, WA
www.fleurishlavender.com
fleurishlavender@gmail.com
Landline: (360) 681-2782
Cell phone: (512) 415-7020

Clark, Donella

From: Web_DCDAAdmin
Sent: Wednesday, October 4, 2023 4:01 PM
To: Clark, Donella; Emery, Bruce
Subject: FW: Online Form Submission #2333 for Contact the Planning Commission

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Wednesday, October 4, 2023 2:53 PM
To: Web_DCDAAdmin <web_dcdadmin@clallamcountywa.gov>
Subject: Online Form Submission #2333 for Contact the Planning Commission

Contact the Planning Commission

First Name	Elizabeth
Last Name	Pratt
Email	director@sequimchamber.com
Phone Number	3606836197
Subject	Support of Zoning Amendment Proposed by Warren Billups
Comments/Questions	Good day, I am writing to voice the support of the Sequim-Dungeness Valley Chamber of Commerce for the proposal to be submitted at today's planning commission meeting. It is supported by many of our Chamber members, including the collective Sequim Lavender Experience. Thank you, Elizabeth Pratt Executive Director

Please Note

This form is not for emergencies. If you have an emergency, please phone 911.

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Clark, Donella

From: SFAM Board <board@sequimmarket.com>
Sent: Monday, September 4, 2023 9:26 PM
To: Clark, Donella
Cc: Bailey Loveless
Subject: Letter of Support from the Sequim Farmers & Artisans Market

September 4, 2023

Submitted in written form by email to: donella.clark@clallamcountywa.gov

To whom it may concern at the Clallam County Department of Community Development and the Planning Commission:

The Sequim Farmers & Artisans Market is a 501(c)3 non-profit organization serving our local community. We are writing to express support for the initiative to amend zoning regulations associated with agri-business and agritourism, with the goal of permitting small-scale, on-farm enterprises in rural areas, with considerations for public health, safe access, parking availability, rural aesthetics, and effects on nearby properties.

Sincerely,
The SFAM Board of Directors
Elli Rose, President
Rachel Anderson, Vice President
Gloria Binder, Treasurer
Sam Konovalov, Secretary
Eric Pickens
Silas Crews
Beverly Goldie
Emma Jane Garcia

Clallam County Planning Commission
223 E Fourth St
Port Angeles, WA 98362

10/4/23

To: Clallam County Planning Commission

I want to voice my support for the Planning Commission undertaking a review of the current situation with regards to agriculture accessory uses and making recommendations to the Board of County Commissioners to address this issue.

My wife and I own B&B Family Lavender Farm on Old Olympic Highway near Carlsborg.

The current situation needs to change so we farmers have specific guidance and expectations on what we can do and not do on our farms. Surprise enforcement letters after years of inaction are not the answer. The Clallam County Comprehensive Plan addresses the importance of the declining agriculture presence in our county and specifically addresses agricultural accessory uses. Unfortunately, little has been done to encourage, support and implement the Comprehensive Plan in this regard.

Several farms have been working with Warren Billups in preparing some background information, including what neighboring counties have done to support and encourage the agricultural sector. There is significant expertise available along with similar experiences in other counties to help in this effort. A lot of work has already been done that should be helpful to the Planning Commission.

It is my understanding a Type B Amendment to the zoning code in Title 33 is the appropriate path to provide some much need clarification for not only us farmers, but also to help clarify what is expected by the county, for all concerned.

Those of us who support our families with our agriculture operations are more than willing to help move this process along and assist the staff however we can. We are not trying to skirt the rules or violate any codes. We would like to be involved in clarifying expectations and be part of a joint effort to find workable solutions.

I am grateful to Mr. Billups for taking the lead on this much needed effort to get the Comprehensive Plan implemented with regards to agricultural accessory uses. I hope the Planning Commission takes this opportunity to take this issue on and quickly moves this forward to our County Commissioners. Ideally we get this accomplished this Fall and Winter, prior to next years farming season, agritourism visitors and tourist season.



Bruce McCloskey
5883 Old Olympic Hwy
Sequim, WA 98382

Hello members of the Planning Commission,

I am here again to ask that you initiate a Type B Amendment to the zoning code in Clallam County Code Title 33 pursuant to CCC 33.35.015(2). Type B Amendments may be initiated at any time and by only the Board of Clallam County Commissioners, Clallam County Planning Commission, or the Director of the Department of Community Development of Clallam County or his designee. Type B Amendments include correcting errors, clarifying or revising development standards, and adopting new development standards that are consistent with and implement the Comprehensive Plan. The Comprehensive Plan has included the economic development goal to “amend zoning standards to allow for small-scale, on-farm enterprises in rural areas, subject to standards addressing public health, safe vehicular access, available parking, rural character, and impacts to properties in the vicinity” since December 20, 2005. - CCC 31.02.620(1)(j)

I am grateful for the conversation with Commissioner Reandeau and the kind words from Commissioner Carter following my previous public comment. I understand that certain components of my farm, brewery, and distillery business plan involve uses that resemble industrial and commercial primary uses, however, many counties in Washington state, including Jefferson and Kitsap, consider breweries, distilleries, and their on-site tasting rooms agricultural processing facilities with accessory uses when operated on land with other primary agricultural activities. Until recently, the Clallam County Department of Community Development has characterized these uses as commercial development in resource lands and sent land use code violation letters to some of the existing farms with agricultural accessory uses. Now, it appears that they are open to the idea of amending Clallam County’s zoning code to be like what is found in other counties throughout Washington state. Modernizing Title 33 with a Type B Amendment creating performance standards for agricultural accessory uses will increase the economic viability of primary agricultural activities, which will help to protect agricultural resource lands, increase local food security, improve soil health, and preserve rural character.

After many months of compiling agricultural accessory use code from elsewhere in Washington state and having discussions with dozens of stakeholders and supporters of the agricultural economy here in Clallam County, I would like to present a draft for a Type B Amendment that has received widespread support. The existing and future agricultural business owners of Clallam County, whose livelihoods have been threatened and remain unsupported by the county, cannot afford to wait any longer. The 17-year wait for a Type B Amendment to adopt new agricultural accessory use performance standards that implement the economic development, agricultural resource land, and implementation goals of the Comprehensive Plan must end now.

Respectfully,
Warren Billups
Port Angeles, WA

Proposed Clallam County Code Agricultural Accessory Use Amendment – 10/4/23

- (1) Agricultural activities' accessory uses and agritourism uses, as defined by this section, are allowed where a primary agricultural use exists and is allowed. These uses shall be operated so as to not interfere with the primary agricultural use and shall not significantly interfere with the rural character of an area.
- (2) Agricultural accessory uses and agritourism uses, parking required by CCC 33.55.010, and supportive uses shall be allowed within development areas with a combined maximum size calculated using the following formulas and guidelines:
 - (a) Parcel(s) that are a total of five (5) acres or smaller: twenty-five (25) percent of the total land within the parcel;
 - (b) Parcel(s) that are a total of sixteen (16) acres or smaller and larger than five (5) acres: one and one quarter (1.25) acres + six (6) percent of the total land within the parcel that is more than five (5) acres. For example, a fifteen (15) acre parcel would be allowed one and eighty-five hundredths (1.85) acres of development area;
 - (c) Parcel(s) that are a total of larger than sixteen (16) acres: twelve (12) percent of the total land within the parcel;
 - (d) Owners of multiple, contiguous parcels may combine the development areas of these parcels with agricultural activities present for the purposes of these calculations provided there is a notice to title requiring contiguous ownership of land for the use to continue occupancy in the combined development area;
 - (e) A primary dwelling and any accessory dwellings compliant with CCC 33.50 are allowed in addition to the agricultural accessory use development area; and
 - (f) In mixed-use buildings, only the area dedicated to agricultural accessory uses and agritourism uses will be included in the development area calculation.
- (3) Agricultural accessory uses and agritourism uses include, but are not limited to, the following:
 - (a) Agriculturally related activities designed to bring the public to the farm on a temporary or continuous basis, such as U-Pick farm sales, retail sales of farm products, farm mazes, lawn games, pumpkin patch sales, farm animal viewing and petting, wagon rides, farm tours, horticultural nurseries and associated display gardens, cider pressing, and wine or cheese tasting.
 - (b) Retail and wholesale farm stands, stores, or markets that mostly sell agricultural products in a value-added or natural state and agricultural products not raised or processed by the operator of the facility.
 - (c) Agricultural processing facilities which convert harvested agricultural products from their natural state into new value-added products, such as drying, baking, freezing, canning, crushing, barreling, fermenting, and distilling. Including the processing, storage, distribution, and marketing of products converted from agricultural products not raised by the operator of the facility.
 - (d) Mobile agricultural processing or production facilities, including for slaughtering, are allowed; provided, that:
 - (i) The facility and operations are located outside of zoning district setbacks and shielded to minimize visibility from immediately adjacent residences and public rights-of-way; and
 - (ii) The facility must have all appropriate registrations and licenses necessary to operate as a mobile slaughtering facility.

- (e) Facilities that meet the Food Safety and Inspection Service definition of a very small processing facility or a very small slaughtering facility.
- (f) Wineries, breweries, cideries, and distilleries. Including production, storage, distribution, marketing, and tasting room facilities licensed by the Washington State Liquor and Cannabis Board and the Alcohol and Tobacco Tax and Trade Bureau.
- (g) Veterinary clinics or hospitals which have at least a portion of their business serving large domestic animals necessitating specialized facilities, such as holding pens and paddocks.
- (h) Facilities used to breed, maintain, and sell herding dogs as defined by the American Kennel Club or livestock guardian dogs.
- (i) Assembly events; provided, that:
 - (i) Up to twelve (12) events per calendar year are allowed as long as no more than one (1) event occurs in any eleven (11) day period;
 - (ii) Thirteen (13) or more events per calendar year and/or more than one (1) event occurring within any eleven (11) day period may be allowed subject to a conditional use permit;
 - (iii) The event(s) must be incidental and secondary to a primary agricultural use and may be subject to an assembly or festival permit pursuant to CCC 15.02 or CCC 15.08;
 - (iv) All operations comply with Title 15, Peace, Safety and Morals;
 - (v) A parcel without direct access to a public right-of-way shall require the owner to obtain written consent by a majority of the owners of an easement used to access the farm;
 - (vi) Adequate access, egress, and parking facilities must be clearly identified on site. Adjacent properties can be used for parking with a written agreement between the event location owner and the owner of the parcel used for parking;
 - (vii) Each scheduled event shall be considered a separate event from any that preceded or came after;
 - (viii) The duration of an event or activity shall not exceed ninety-six (96) consecutive hours including set-up and clean-up;
 - (ix) Food service, sanitation, and solid waste shall conform to Clallam Board of Health requirements; and
 - (x) Public entry will only be allowed into permitted buildings.
- (j) Agricultural schools and educational programs related to the other agricultural activities conducted on site.
- (k) Restaurants when they are a component of the other accessory and agritourism uses of a farm; provided that:
 - (i) The use shall constitute no greater than five thousand (5,000) square feet of gross floor area; and
 - (ii) Drive-through food service is prohibited. This does not include coffee stands.
- (l) Primitive campgrounds, RV campgrounds, and RV parks; provided that:
 - (i) "RV Campground" means a campground for day use and overnight accommodations by motor homes, travel trailers, truck campers and camping trailers without hookups;

- (ii) Up to seven (7) primitive campground and RV spaces are allowed for every five (5) acres of parcel size, up to a maximum of twenty-eight (28) primitive campground and RV spaces over the entire parcel, excluding a caretaker's or manager's residence;
 - (iii) No RV shall be located anywhere but in an RV space and only one (1) RV shall be located within any RV space;
 - (iv) All RV, travel trailer, recreational park trailer and campground uses shall be limited to a temporary occupancy not to exceed three (3) months;
 - (v) An RV Park will be subject to the additional performance standards found in CCC 29.35.100;
 - (vi) A responsible caretaker, owner, or manager shall be placed in charge of any primitive campground and RV park to keep all grounds, facilities and equipment in a clean, orderly, and sanitary condition, and shall be answerable to the owner for any violation of the provisions of this title or any other ordinance; and
 - (vii) An on-site caretaker or manager's residence is allowed.
- (m) Lodging or cabins for overnight rental; provided that:
- (i) Up to seven (7) built cabins or bedrooms for overnight lodging comprising up to three thousand (3,000) square feet of gross floor area are allowed for every five (5) acres of parcel size, up to a maximum of twenty-eight (28) rooms or cabins comprising no more than twelve thousand (12,000) square feet of total building area over the entire site, excluding a caretaker's or manager's residence;
 - (ii) Lodging operators may not allow any person to occupy overnight lodging on the premises for more than three (3) months in any year;
 - (iii) A responsible caretaker, owner, or manager shall be placed in charge of any Lodging or Cabins for Overnight Rental to keep all grounds, facilities and equipment in a clean, orderly, and sanitary condition, and shall be answerable to the owner for any violation of the provisions of this title or any other ordinance; and
 - (iv) An on-site caretaker or manager's residence is allowed.
- (n) Permanent or seasonal farm worker housing, in addition to an accessory dwelling unit; provided that:
- (i) The housing is used exclusively for agricultural workers on the farm and their families or members of the family of the farm owner with at least one (1) member of each household actively working on the farm;
 - (ii) The housing for farm labor is not sold, leased or rented to the general public; and
 - (iii) The farm worker housing units are constructed in such a manner that they meet all applicable regulations for dwelling units.
- (4) Nonagricultural accessory uses and activities will be allowed as long as they are consistent with the size, scale, and intensity of the primary agricultural use of the property and the existing buildings on the site. Nonagricultural accessory uses and activities, including new buildings, parking required by CCC 33.55.010, or supportive uses associated with the nonagricultural accessory uses, shall not be located outside the general area already developed for buildings and residential uses and shall not otherwise convert more than one (1) acre of agricultural land to nonagricultural uses.