

Clallam County Agricultural Protection

TOTAL	REGULATION	DEVELOPMENT RIGHTS	TAX RELIEF	ECONOMIC DEVELOPMENT
33	21	3	5	4
of 130 points	of 66 points	of 38 points	of 10 points	of 16 points

FACTS ABOUT CLALLAM COUNTY AGRICULTURE

- » Land in Farms in 2007: 22,822 acres¹
- » Farmland Loss or Gain From 1950-2007: -53,808 acres (-70.2%)²
- » Farmland Loss or Gain From 1997-2007: -2,604 acres (-10.2%)³
- » Principal Crops: Cut Christmas trees and short-rotation woody crops⁴
- » Number of Farms: 512⁵
- » Average Size of Farm: 45 acres⁶
- » Average Market Value of Products Sold Per Acre: \$417⁷

DISCUSSION OF SCORING

Regulation:

Clallam County scored 21 out of 66 possible points for regulation policy. According to the County’s Comprehensive Plan, land division and development on agricultural lands were not regulated before 1993, which resulted in the division of farmland into five-acre parcels.⁸

Clallam County has an extensive list of rural zoning categories, including Agriculture Retention (AR), Rural, Rural Moderate, Rural Low, Rural Very Low, and Rural Character Conservation among others.⁹ Clallam County’s Land Use and Development Department has a website dedicated to farmland preservation, which identify lands currently used as agriculture and AR areas.¹⁰

We believe that the AR zone holds the most farmland of any zone in the county. According to our calculations, roughly 27 percent of farmland lies in AR zones, which are used exclusively around Sequim.¹¹ Clallam County’s agricultural zone permits only food production outright, but allows for some nonfarm conditional uses like temporary asphalt and concrete plants and commercial horse facilities.¹²

Within the AR zone, up to 25 percent of the parcel can be used as Agricultural Retention development. This site is where homes can be located on the property, with the rest of the land reserved in perpetuity for agriculture. Up to 14 homes can be placed on the development site with the density depending on the pre-existing lot pattern within the AR zone. On parcels that are nonconforming, or divided into 5 acres, the density is one dwelling unit per five acres. Otherwise, the density is one dwelling unit per 16 acres.¹³

The remaining farmland in the county is distributed among several other zoning categories, with most apparently in the Rural Low (R5) zones. The purpose of this zone is to “provide low density rural setting free from commercial, industrial, and moderate density residential developments.”¹⁴ While this zone only allows uses pertaining to agricultural production outright, it allows for many residential uses by conditional permit.¹⁵ The base density in this zone is one dwelling unit per five acres.¹⁶

Development Rights:

Clallam County scored 3 out of 38 points for the development rights portion of the scorecard. The County has a TDR program that was established in 1998.¹⁷ Development rights from AR land around Sequim and critical areas around Port Angeles can be sent to urban areas.¹⁸ While the County received grants to strengthen their TDR program and farmland preservation, there has been no coordination or activity on the program. Clallam County does not have a conservation futures tax to fund purchases of development rights.

Tax Incentives:

Clallam County scored 5 out of 10 points for having an estimated 53 percent of their farm and agricultural lands enrolled in their Current Use Assessment program.¹⁹

Economic Development:

Clallam County scored 4 out of 16 points in this section of the scorecard. The County has an Agricultural Commission of seven members, representing a cross-section of farmers and others involved in local agriculture, who convey the interests and desires of the agricultural community to the Board of Commissioners.²⁰

OPPORTUNITIES FOR IMPROVEMENT

Clallam County has experienced one of the highest rates of farmland loss among Puget Sound counties since 1950. This appears to be largely the result of lax subdivision and development standards prior to 1993. Since then, the County has taken more concerted steps to protect farmland, creating an Agriculture Retention zone, reducing densities for a substantial number of farm parcels, creating a TDR program, and forming an Agricultural Commission. The County should continue to improve its protection policies. Much of Clallam County's farmland still lies outside of its agricultural zone, vulnerable to residential development pressures, and the County could improve its economic development strategies. We recommend the following actions for Clallam County:

Rezoning farmland in rural residential zones to the Agricultural Retention zone:

A majority of farmland in the Sequim area is protected with the County's Agricultural Retention zone. Yet this is one of the few areas where this zone is used. Around Port Angeles, farmland falls in a range of residential zones, including Rural Low and Rural Character Conservation. We recommend that the County rezone active farmland into the Agricultural Retention zone to protect it from urban and residential development. In doing so, the County should seek to create contiguous blocks of farmland to prevent isolating farmers in rural residential communities.

Initiating a Conservation Futures Tax with proceeds to be used in purchasing development rights:

Clallam County is one of two counties in the Puget Sound region that does not have a Conservation Futures Tax. AFT recommends that the County set up a conservation futures tax and uses the funding to purchase development rights on farmland outside of Port Angeles and Sequim. This would ensure that more of the County's farmland would remain in agriculture for perpetuity.

Creating an ombudsman position as a liaison to the agricultural community:

Clallam County would benefit greatly from dedicating a staff member to liaison with the agricultural community and tailor relevant programs to their needs. A stronger focus on assistance with direct marketing, business planning, and regulatory support would be particularly useful. Ideally, the ombudsman would be knowledgeable in relevant regulation and laws, and be able to serve as a resource for permitting and licensing questions.

Creating a strategic plan for the long-term retention of farmland:

Clallam County is one of three counties in the Puget Sound that does not have a long-term strategic plan for the future of agriculture in the County. Such a plan can help the County identify its strengths, weaknesses, opportunities, and threats to the long-term retention of farmland, and serve as a roadmap for the economic viability of agriculture in Clallam County. We recommend that the County work with the local agricultural community to draft a strategic agricultural plan for Clallam County.

1 Acreage reported in the 2007 Census of Agriculture. 2 The 1950 Census of Agriculture reported 76,630 acres of farmland. 3 The 1997 Census of Agriculture reported 25,426 acres of farmland. 4 2007 Census of Agriculture County Profile. 5 Ibid, see note 4. 6 Ibid, see note 4. 7 Ibid, see note 4. 8 Clallam County Comprehensive Plan: http://www.clallam.net/RealEstate/html/rural_lands.htm. 9 See Clallam County Code at <http://www.codepublishing.com/WA/clallamcounty.html>. 10 Farmland Protection Website: <http://www.clallam.net/RealEstate/html/farmland.htm>. 11 Acreage figures obtained from the GIS department and the 2007 Census of Agriculture. For more information, see Appendix A: Methodology. 12 Clallam County Code 33.07. 13 Clallam County Code 33.07.010. 14 Clallam County Code 33.10.020. 15 Ibid, see note 14. 16 Ibid, see note 14. 17 Clallam County Code 33.26. 18 Ibid, see note 17. 19 According to the Assessor's Office, 12,105 acres of farmland are enrolled in the program. 20 For more information, see http://www.clallam.net/Board/assets/applets/Boards____Committees-Web.pdf.

Island County Agricultural Protection

TOTAL	REGULATION	DEVELOPMENT RIGHTS	TAX RELIEF	ECONOMIC DEVELOPMENT
43	20	10	5	8
of 130 points	of 66 points	of 38 points	of 10 points	of 16 points

FACTS ABOUT ISLAND COUNTY AGRICULTURE

- » Land in Farms in 2007: 17,699 acres¹
- » Farmland Loss or Gain From 1950-2007: -33,756 acres (-65.6%)²
- » Farmland Loss or Gain From 1997-2007: -1,709 acres (-8.8%)³
- » Principal Crops: Cut Christmas trees, corn for silage, barley for grain⁴
- » Number of Farms: 458⁵
- » Average Size of Farm: 39 acres⁶
- » Average Market Value of Products Sold Per Acre: \$810⁷

DISCUSSION OF SCORING

Regulation:

Island County scored 20 out of 66 points for their farmland regulations. Island County has three main zones that encompass its farmland—Rural Agriculture (RA), Commercial Agriculture (CA), and Rural (R). Based on our calculations, roughly 62 percent of the County’s farmland falls within agricultural zoning.⁸ Within agricultural zoning, most farmland is in the RA zone, established to protect farmland of local significance.⁹ Its density is one dwelling unit for every 10 acres.¹⁰ The zone’s allowable uses pertain to agricultural production except for religious facilities, shooting ranges, and surface mining, all of which are permitted by conditional use.¹¹

The zone with the second highest acreage of farmland is the Rural zone.¹² The Rural zone has a base density of one dwelling unit per five acres, allowing for residential uses only by special permits.¹³ The CA zone, the most protective zone for farmland under county code, ranks third in amount of farmland present.¹⁴ The residential uses allowed by permit in RA areas are not allowed in CA areas.¹⁵ This zone has a base density of one dwelling unit for every 20 acres.¹⁶

The County is unusual in that it has many blocks of farmland that have a mix of Rural, CA, and RA zones, often specific to individual parcels. It is unclear whether this preceded or followed the subdivision of parcels in each zone, which seem to have lot sizes that correspond to the zone limits. Over time, this mosaic is likely to result in a patchwork of many different lot sizes and land uses within the County’s farm landscape.

Development Rights:

Island County scored 10 out of 38 points for their development rights programs. In 1984, Island County set up a TDR program, transferring roughly 90 acres of development rights. The program was later discontinued because of a lack of demand.¹⁷ The County does have a Conservation Futures Tax to fund purchases of development rights on open space, agricultural land, and timberland.¹⁸ According to the Island County Budget office, roughly \$600,000 of the Conservation Futures fund has gone to agricultural projects since 2008.¹⁹

Tax Incentives:

Island County scored 5 out of 10 points for having an estimated 60 percent of their farm and agricultural lands enrolled in their Current Use Assessment program.²⁰

Economic Development:

Island County scored 8 out of 16 points in this section of the scorecard. The County is using their two percent lodging tax to support tourism on the islands, with a strong focus on culinary agriculture.²¹ Their Whidbey and Camano Islands tourism page features a page dedicated to local and seasonal foods and seafoods, wines, farms, farmers' markets, and farm tours.²² The Whidbey Island Farm Tour also directly benefits from the lodging tax, which strives to educate the local community about their farms, and promote marketing and publicity efforts for local farmers.²³

While they do not have a current Agricultural Review Committee, one was formed in 2005 to produce a report outlining recommendations for the future of agriculture in Island County, the "Final Draft Report and Recommendations of the Agricultural Review Committee".²⁴

OPPORTUNITIES FOR IMPROVEMENT

Island County has many of the pieces of an excellent farmland protection program, including some very protective zoning classifications, a fledgling purchase of development rights program, and strong community support for agriculture. A few modifications would result in a much stronger program:

Modifying farmland zoning:

The mosaic of zoning classifications used for farmland in Island County is a concern, as it seems likely over time to result in a mix of parcel sizes and uses that are not conducive to long-term production agriculture. It would be preferable to see wider use of the Commercial Agriculture zone in farmland areas, even if this results in a higher percentage of non-conforming lots. A systematic review of farmland zoning would be desirable, followed by rezoning of appropriate areas of the farm landscape. Ideally, this would also result in a significant decrease in the amount of farmland in the less protective Rural zones.

Increasing development rights purchases:

With the overall population expected to increase by roughly 20 percent by 2020 and much of this growth occurring in urban centers like Oak Harbor and Freeland, protecting farmland in the next decade will be essential.²⁵ AFT recommends that the County increase its use of Conservation Futures Tax revenues to protect farmland and concentrate funding on large parcels close to the edge of growing communities.

Securing funding for an Agricultural Coordinator:

The County has recently experienced budget cuts that have led to the elimination of an Agricultural Coordinator position three years ago. Even with limited resources, Island County should make it a priority to fund this position. In the long term, investing in economic development will be critical to overcoming economically difficult times, and having a dedicated staff member to oversee that investment in the agricultural economy is essential to sustaining it.

Establishing a commercial kitchen for the creation of value-added products:

With predominately small farms and the benefit of well-supported farmers' markets, Island County farmers need support in creating more value-added products to ensure the viability of agriculture on the islands. The County recently received a USDA grant to install a commercial kitchen on the Island to provide this service, and the County is currently assessing the feasibility of establishing this kitchen with the funds provided. This project will help develop new opportunities for farmers on the islands and should be pursued.

Re-launching the Agriculture Review Committee (ARC):

The ARC was created in 2005, but only met four times to draft a report of recommendations for the County on agricultural matters. A sustained Agricultural Review Committee would help to ensure that agricultural concerns are heard and considered by the Island County Council, and that the recommendations in the 2005 report are implemented.

1 Acreage reported in the 2007 Census of Agriculture for Island County. 2 The 1950 Census of Agriculture reported 51,455 acres of farmland. 3 The 1997 Census of Agriculture reported 15,958 acres of farmland. 4 2007 Census of Agriculture County Profile. 5 Ibid, see note 4. 6 Ibid, see note 4. 7 Ibid, see note 4. 8 We defined agricultural zoning as the combination of CA and RA zones. Island County's GIS department reported that there are 4,354 total acres within the Commercial Agriculture zone and 6,562 total acres in the Rural Agriculture zone. 9 Ibid, see note 9. 10 Island County Code 17.03.090. 11 Ibid, see note 10. 12 According to the GIS department, 6,783 acres of farmland are in the Rural zone. 13 Island County Code 17.03.060. 14 See note 8. We only scored counties on the two zones with the most amount of farmland, so no points were awarded for Island's CA zone. 15 Island County Code 17.03.100. 16 Ibid, see note 15. 17 Cascade Land Conservancy's report "TDR in Washington State: Overview, Benefits, and Challenges" page 32. 18 Island County Code 3.22. 19 Figure obtained from the Budget Office. 20 According to the Assessor's Office, 10,672 acres of farmland are enrolled in the program. 21 <http://www.pnwlocalnews.com/whidbey/wnt/news/83962627.htmls>. 22 http://www.whidbeycamanoislands.com/food_wine/. 23 <http://whidbeyfarmtour.wordpress.com/>. 24 <http://www.islandcounty.net/planning/pdf/Ag%20Stuff/ARC%20%20Report%20&%20Recommendations.pdf>. 25 Population figures based off of OFM medium population projections in 2007. Island County did not select a population projection from the 2007 OFM projections. The next dataset will be completed in 2012. Based on conversations with the long-term planning department, Oak Harbor and Freeland were two urban areas likely to see the most growth in upcoming years.

Jefferson County Agricultural Protection

TOTAL	REGULATION	DEVELOPMENT RIGHTS	TAX RELIEF	ECONOMIC DEVELOPMENT
56	37	10	5	4
of 132 points	of 66 points	of 38 points	of 10 points	of 16 points

FACTS ABOUT JEFFERSON COUNTY AGRICULTURE

- » Land in Farms in 2007: 12,717 acres¹
- » Farmland Loss or Gain From 1950-2007: -32,684 acres (-72.1%)²
- » Farmland Loss or Gain From 1997-2007: -3,241 acres (-20.3%)³
- » Principal Crops: Aquaculture and nursery stock⁴
- » Number of Farms: 211⁵
- » Average Size of Farm: 60 acres⁶
- » Average Market Value of Products Sold Per Acre: \$683⁷

DISCUSSION OF SCORING

Regulation:

Jefferson County earned 37 out of 66 points for their regulation policy. Jefferson County has 12,717 acres of farmland, most of which is on the eastern side of the county. Eastside farmland is zoned in large blocks, particularly around Chimacum Creek, but there are small islands of agriculturally zoned land scattered across the county.⁸

Jefferson County’s agricultural zone is divided into two groups based on soil quality. Land with prime soils is categorized as Prime Agriculture (AP) while land without prime soils, but is nevertheless agriculturally significant, is designated as Local Agriculture (AL). According to our methodology, 57 percent of the county’s farmland falls within these categories. Both have a residential density of one unit per 20 acres and the same set of allowable uses, which include parks, recreational facilities, park and ride lots, tourist lodging and campgrounds.⁹

Jefferson County does buffer some of their agriculture zones with low-density residential and forestry zones. Low-density uses next to farmland reduce the likelihood of land subdivisions and residential encroachment.

Outside of the AP and AL zones, farmland also falls within the Rural Residential zone, which has a residential density of one unit per 20 acres. Although the density is the same as the agricultural zones, this zone allows many more residential uses by permit.¹⁰

Development Rights:

Jefferson earned 10 out of 38 points for the development rights portion of the scorecard. Jefferson does not have a county PDR or TDR program, but the County does have a conservation futures fund. The County awards this fund to other organizations to implement the purchase of development rights, and several farms have had rights acquired since 2003.¹¹ Most of these easements have been purchased by Jefferson Land Trust. To date, Jefferson Land Trust has secured conservation easements on approximately 400 acres of farmland, of which 330 were with conservation futures funds.¹² The County has also been active in the past several years seeking grants from state, federal, and private sources for farmland protection.¹³

Tax Incentives:

Jefferson County scored 5 out of 10 points for having an estimated 47 percent of their farm and agricultural lands enrolled in their Current Use Assessment program.¹⁴

Economic Development:

Jefferson County scored 4 out of 16 points in this section of the scorecard.¹⁵ The County has taken several measures to promote direct marketing of local agricultural products, including developing a thriving network of farmers' markets, exploring new markets by focusing on organic seed production, and sponsoring farm tours since 2002—which brought in 5,000 people last year and increased direct sales and Community Supported Agriculture sales.¹⁶ They also offer numerous opportunities for business assistance and training, such as an agriculture entrepreneurship class that they offer to new farmers that teaches business and marketing strategies. The county also has an economic development council called Team Jefferson, and a Local Investing Opportunities Network (LION) that offer business help and provide access to capital to local farmers.^{17 18}

Another notable program that the County has created is the

Farm Internship Educational Leadership Development (FIELD) Program, an on-farm based internship in sustainable agriculture that gives interns the opportunity to study sustainable agriculture enterprises and community-based production systems—both formally and on the field.¹⁹ The program is a collaboration of the Jefferson County Extension and Jefferson County farmers. The program has had about 30 FIELD interns so far, and is helping to supply the next generation of farmers with the skills and experience they need to succeed.^{20 21}

OPPORTUNITIES FOR IMPROVEMENT

Jefferson County's farmland protection efforts rank solidly in the middle tier of Puget Sound programs. The County's agricultural zoning is reasonably strong, there is a good history of permanently preserving farms through purchase of development rights, and the County's engagement in business development for farmers is notable. There are a few things the County could do that would significantly improve their efforts:

Incorporating more farmland into agricultural zones:

While the County does have some large blocks of zoned farmland, and the regulations within these zones are strong, many small parcels of AP and AL land abut high-density rural residential zones. Jefferson County should identify farmland in rural residential zones, particularly those that are in close proximity to lands already identified as AP and AL, and incorporate appropriate farm areas in the AP and AL zones.

Dedicating conservation futures funds to development rights purchases around urban centers:

AFT recommends that Jefferson County allocate additional CFT funding to target farm development rights around urbanizing areas including Quilcene, Port Ludlow, and Port Townsend. Farms near these areas tend to be smaller and abut RR lands with a residential density of one in five acres, making them particularly susceptible to development as these areas continue to see population growth.

Creating an ombudsman position as a liaison to the agricultural community:

Jefferson County has invested in many opportunities and programs that assist farmers with direct marketing and business planning, and this relationship would be strengthened through the creation of an ombudsman position. The ombudsman would serve as a liaison to the agricultural community and as a knowledgeable reference for farmers who have questions concerning the long-term retention of farmland and regulatory assistance.

1 Acreage reported in the 2007 Census of Agriculture. 2 The 1950 Agriculture Census reported 45,581 acres of farmland. 3 The 1997 Agriculture Census reported 15,958 acres of farmland. 4 2007 Census of Agriculture County Profile. 5 Ibid, see note 4. 6 Ibid, see note 4. 7 Ibid, see note 4. 8 Maps of land use at <http://www.co.jefferson.wa.us/comdevelopment/mapindex.htm>. 9 Jefferson County Code 18.15.030 and 18.15.035. 10 Jefferson County Code 18.15.035. 11 To see conservation future funding, visit <http://www.co.jefferson.wa.us/commissioners/Conservation/conservation.asp>. 12 Jefferson Land Trust website: <http://www.saveland.org/>. 13 Jefferson County Conservation Futures fund website: <http://www.co.jefferson.wa.us/commissioners/Conservation/conservation.asp>. 14 According to the Assessor's Office, an estimated 6,000 acres of farmland are enrolled in the program. 15 While Jefferson County has shown great efforts in direct marketing and business assistance to farmers, we could only award them 4 points under economic development because there does not seem to be sufficient activity in the other subcategories we were scoring. 16 Email correspondence with Team Jefferson. 17 <http://tech.jefferson.wsu.edu/>. 18 <http://www.l2020.org/index.php?page=investing-opportunities>. 19 <http://www.springrainfarmorchard.com/FIELD/>. 20 Ibid, see note 19. 21 Email correspondence with Team Jefferson.

King County Agricultural Protection

TOTAL	REGULATION	DEVELOPMENT RIGHTS	TAX RELIEF	ECONOMIC DEVELOPMENT
91	37	33	5	16
of 130 points	of 66 points	of 38 points	of 10 points	of 16 points

FACTS ABOUT KING COUNTY AGRICULTURE

- » Land in Farms in 2007: 74,285 acres¹
- » Farmland Loss or Gain From 1950-2007: -104,016 acres (-67.9%)²
- » Farmland Loss or Gain From 1997-2007: -2,972 acres (-5.7%)³
- » Principal Crops: Floriculture, horses and ponies, milk and other dairy products⁴
- » Number of Farms: 1,790⁵
- » Average Size of Farm: 28 acres⁶
- » Average Market Value of Products Sold Per Acre: \$2,582⁷

DISCUSSION OF SCORING

Regulation:

King County scored 37 out of 66 on regulation policy. The county has five Agriculture Production Districts (APD) that were established in 1985 and encompass 42,000 acres of farmland.⁸ In 2006, a survey reported that 23,000 out of the 42,000 acres are in current farmland production.⁹ A 2003 study further identified another 25,000 acres of land in agricultural production in rural areas.¹⁰

Within the APD, there are two agriculture zones—A-10 and A-35. King County has designated a majority of the APD as A-35 lands, with a Rural-10 zone surrounding farmland as a buffer.¹¹ Large tracts of A-35 are found around Enumclaw and the Snoqualmie River.¹² King County does restrict dwelling uses to single detached units and residential accessory uses. The County also permits agriculture operations, such as bed and breakfasts, product sales, and livestock sales in their Agriculture zone. King County also allows for parks, trails, and arboretums outright, as well as soil and gas extraction, and museums.¹³

One of the most interesting features of the APD zones is its mitigation policy. According to King County’s Comprehensive Plan, land can be taken out of the zone only if it does not affect farming within the APD or the land is no longer suitable for farming. In addition, prime farmland abutting APD must be added to the APD to offset the acreage removed.¹⁴ It is one of the few mitigation strategies in the Puget Sound region.

Outside of the APD, farmland is mixed between Rural-5 and Rural-10 zones. Based on aerial photos, we estimated that more farmland fell within the former category.¹⁵ As the name suggests, the Rural-5 zone allows for multiple residential uses outright and has a density of one dwelling unit per five acres.¹⁶

Development Rights:

King County scored 33 out of 38 possible points for the development rights section. King County has both a PDR and a TDR program. Their PDR program, named the Farmland Preservation Program, was started in 1979. That year, voters in King County approved of a \$50 million dollar farmland protection initiative. Through the 1980s, the Farmland Preservation program bought development rights on 12,600 acres.¹⁷ Since then, the program has purchased more rights with both conservation futures funding, state and federal grants. To date, the Farmland Preservation Program has protected 13,200 acres of farmland.¹⁸

King County is a member of the Regional TDR alliances along with Kitsap, Snohomish, and Pierce County. The County has interlocal trading between Issaquah, Sammamish, and Bellevue and a TDR bank.¹⁹ Although the TDR is one of the most active in the region, with approximately 142,000 acres of TDR easements, only 60 acres are considered agricultural land.²⁰

Tax Incentives:

In 2011, King County has roughly 40 percent of its farmland enrolled in its Current Use Assessment program, earning it 5 out of 10 points in this category.²¹

Economic Development:

King County scored 16 out of 16 points in this section of the scorecard. King County has an Agriculture Program that centralizes the County's efforts to preserve prime agricultural soils and water resources for the continuing economic vitality of King County agriculture.²² The program includes Puget Sound Fresh (a local marketing program), their Agricultural Drainage Assistance Program (ADAP), and their Agricultural Commission.

The ADAP program addresses drainage concerns of King County agricultural lands, and provides both technical and financial assistance to landowners who have agricultural ditches that need maintenance.²³

King County's Agriculture Commission provides a forum for the agricultural community to engage in and advise on agricultural policy decisions of the County.²⁴

The County has also continued to sponsor the Harvest Celebration Farm Tour, organized by the WSU King & Pierce County Extension, for over a decade—helping to connect the community with their local farms and farmers.²⁵

In addition, King County drafted a Future of Agriculture Realizing Meaningful Solutions (FARMS) Report in 2009, which defines measures that the County should take over the next ten years to ensure the continued success of their local agricultural economy.²⁶ King County also produced a Farmer's Market Report in 2010, which identifies challenges and solutions for local farmers markets.²⁷

OPPORTUNITIES FOR IMPROVEMENT

King County has had one of the best farmland protection programs in the region since the 1970's. There are many things to admire about the program: the early commitment to purchasing development rights on farmland, the large minimum lot sizes in ag zones, and the solid county commitment to supporting farmers. At the same time, the program could improve through the following actions:

Upgrading protection of farmland outside the ag zone:

As noted, there is approximately 25,000 acres of farmland outside of ag zones, most in rural zones which provide scant protection to farmland. King County should evaluate these tracts with an eye towards incorporating them in the A-10 zone. The County's Comprehensive Plan made a similar recommendation for a Rural Farm Zone, but incorporating these parcels in the A-10 zone would provide superior protection by lowering residential densities and restricting allowable uses to agricultural activities.

Increasing the number of acres conserved through the PDR Program:

Since King County bought the development rights of 12,600 acres of farmland in the late 70's and early 80's, only 600 more farm acres have been protected. King County should allocate a higher portion of its conservation futures funds towards its PDR program.

Targeting agricultural land through its TDR program:

King County has one of the most active TDR programs in the country with over 142,000 acres of development rights transferred. However, according to the Regional TDR Alliance statistics, only 60 of those acres are farmland. It would be helpful if future TDR transactions focused more on farmland protection.

1 The 2007 Census of Agriculture reported 49,285 acres in King County. A 2003 report conducted by the County also shows an additional 25,000 active acres in rural zones. 2 The 1950 Census of Agriculture reported 153,301 acres of farmland. 3 The 1997 Census of Agriculture reported 52,257 acres of farmland. 4 2007 Census of Agriculture County Profile. 5 Ibid, see note 4. 6 Ibid, see note 4. 7 Ibid, see note 4. 8 See King County Comprehensive Plan at <http://www.kingcounty.gov/property/permits/codes/growth/CompPlan.aspx>. 9 Ibid, see note 8. 10 Ibid, see note 8. 11 Zoning map PDF at <http://www.kingcounty.gov/operations/GIS/Maps/VMC/Planning.aspx#DCC1A71A09194E73A35D915B4A3FE271>. 12 Ibid, see note 11. 13 Soil and gas extraction is through a special use permit and museums are by conditional use permit. See King County Code 21A.08. 14 See note 8. 15 Both rural residential zones had farmland, but R-10 land tended to have a greater amount of forested lands and parks. 16 King County Code 21A.08 and 21A.12.030. 17 King County Farmland Preservation Website <http://www.kingcounty.gov/environment/wlr/sections-programs/rural-regional-services-section/agriculture-program/farmland-preservation-program.aspx>. 18 Ibid, see note 17. 19 Cascade Land Conservancy's report "TDR in Washington State: Overview, Benefits, and Challenges" 20 Regional Transfer of Development Rights Alliance "Performance Measures for Regional TDR" March 31st, 2011: <http://www.commerce.wa.gov/site/1305/default.aspx>. 21 There are roughly 29,115 acres enrolled in the program. For more information see <http://www.kingcounty.gov/Assessor/Reports/AnnualReports/2011.aspx>. 22 <http://www.kingcounty.gov/environment/wlr/sections-programs/rural-regional-services-section/agriculture-program.aspx>. 23 <http://www.kingcounty.gov/environment/waterandland/agriculture/drainage-assistance.aspx>. 24 <http://www.kingcounty.gov/environment/waterandland/agriculture/commission.aspx>. 25 <http://king.wsu.edu/foodandfarms/HarvestCelebration.html>. 26 <http://www.kingcounty.gov/environment/waterandland/agriculture/documents/farms-report-future-of-agriculture.aspx>. 27 <http://www.kingcounty.gov/environment/waterandland/agriculture/documents/farmers-market-report.aspx>.

Kitsap County Agricultural Protection

TOTAL	REGULATION	DEVELOPMENT RIGHTS	TAX RELIEF	ECONOMIC DEVELOPMENT
29	11	5	1	12
of 130 points	of 66 points	of 38 points	of 10 points	of 16 points

FACTS ABOUT KITSAP COUNTY AGRICULTURE

- » Land in Farms in 2007: 15,294 acres¹
- » Farmland Loss or Gain From 1950-2007: -30,737 acres (-66.8%)²
- » Farmland Loss or Gain From 1997-2007: -8,915 acres (-36.8%)³
- » Principal Crops: Sheep, goats, their products, floriculture crops, cut Christmas trees⁴
- » Number of Farms: 664⁵
- » Average Size of Farm: 23 acres⁶
- » Average Market Value of Products Sold Per Acre: \$457⁷

DISCUSSION OF SCORING

Regulation:

Kitsap County scored 11 out of a possible 66 points for regulation. Kitsap County is the only county in the Puget Sound region that does not have an agricultural zoning category⁸. The County’s farmland is in Parks, Mineral Resource (MR), Urban Reserve (URS), Rural Protected (RP), Rural Residential (RR) and Rural Wooded (RW) zones.

It appears that most large areas of farmland fall are within the RR zone in the north section of Kitsap County.⁹ The minimum lot requirement in this zone is five acres.¹⁰ The southern portion of the county, another area with a concentration of farmland, has a majority of farmland in RP, a zone with a minimum lot size of 10 acres.¹¹ The RR and RP zones have the same allowable uses, which include golf courses, parks and open space, recreational facilities, and vehicle camping parks.¹²

Bainbridge Island is an incorporated city and has its own zoning policies. The Special Projects Division in Kitsap County has identified Bainbridge Island as having the highest concentrations of farmland businesses, agricultural land, and support sites.¹³ While the Island does not have an agricultural zone, the city has made agricultural lands the priority for conservation easements.¹⁴

Development Rights:

Kitsap County earned 5 out of 38 points in this section of the scorecard. Kitsap County has a TDR program that was created in 2006. According to the “Kitsap County Strategic Agricultural Plan and Inventory”, the program is not focused on a particular resource, but on rural areas collectively.¹⁵ As of March 31, 2011, there have not been any acres transferred through the program.¹⁶

Kitsap County has a conservation futures tax, but does not specifically allocate the revenue towards agricultural land purchases.¹⁷ The “Strategic Agricultural Plan” states that the county’s land acquisitions have been hampered by the lack of “available revenue streams, eligible grants, conservation futures, and other sources.”¹⁸ The document also recommends that the county seek partnerships with non-profit land trust organizations to build its capacity for acquisitions.¹⁹

Tax Incentives:

Kitsap County scored 1 out of 10 points in this section of the scorecard, as only 14 percent of their agricultural lands are enrolled in their Current Use Assessment program.²⁰

Economic Development:

Kitsap earned 12 out of 16 points for their economic development initiatives in the County. The County has set up two notable groups in the past few years, the Kitsap Food Chain in 2009 and the Food and Farm Policy Council in 2010, which are doing work around food-related networking, connecting consumers with food and farms, and making recommendations to the County on agricultural preservation and protection.^{21 22}

The Washington State University (WSU) Kitsap Extension works with Cultivating Success to offer sustainable small farm and agriculture entrepreneurship classes, and also puts on a Small Farms Expo—which targets small farm owners, and offers classes in marketing, horticulture, livestock and agritourism.^{23 24}

The Food and Farm Policy Council also contributed to the Kitsap County “Strategic Agricultural Plan and Inventory” that was finalized in September 2011, which has detailed information on strengths and opportunities for Kitsap agriculture.²⁵

OPPORTUNITIES FOR IMPROVEMENT

The situation in Kitsap County is a clear case of the current county officials and community leaders, who are strongly pro-agriculture, living with the legacy of bad decisions on land use and development. Unfortunately, many of the worst decisions have led to farmland losses and an intermingling of residential uses and farms that are irreversible. However, there are a few things that current leaders can do to significantly improve the protection of the 15,000 acres of farmland that remain in the county:

Creating a designated agricultural zone:

The County is the only one of the 12 Puget Sound counties without an agricultural zone, and AFT recommends that this be addressed through creation of a new zone modeled after the best examples of agricultural zoning in the region. The zone should designate land under the maximum lot sizes that are practical in farm areas, accommodating some non-conforming lots if necessary. It appears that a base density of at least one dwelling unit per 10 acres may be possible. In addition, the zone should have allowable uses limited to farming and farm-related housing and business uses.

Designating farmland in agricultural zoning:

The County should undertake a comprehensive evaluation of areas that are partially in farm use and include as many as possible in the new agriculture zoning. The zones should include large contiguous blocks of farmland wherever possible, even if it is necessary to include some small and non-conforming parcels.

Establishing a staff liaison, or ombudsman, to the agricultural community:

It is clear that the Kitsap County community is very enthusiastic about, and supportive of, their local agriculture, as indicated by lively volunteer organizations like the Kitsap County Agricultural Alliance. The County should take advantage of this community interest and invest more resource in economic development programs to ensure the sustainability of local agriculture and farmland. One strategy is to create an ombudsman who can directly communicate with the agricultural community. The ombudsman can cater the County’s economic development programs to farmers’ needs and streamline efforts that promote local agricultural products. Some examples are a countywide branding program, a permanent farmers’ market, and commercial kitchens to create more value-added products for market. This ombudsman should also ideally provide regulatory assistance to farmers, to streamline complex permitting and planning processes.

Create a Right-to-Farm ordinance.

A Right-to-Farm ordinance would protect farmers from unnecessary complaints about customary agricultural practices from non-agricultural neighbors.

1 Acreage reported in the 2007 Census of Agriculture. 2 The 1950 Census of Agriculture reported 46,031 acres in farmland. 3 The 1997 Census of Agriculture reported 24,209 acres in farmland. 4 2007 Census of Agriculture County Profile. 5 Ibid, see note 4. 6 Ibid, see note 4. 7 Ibid, see note 4. 8 Kitsap County Title 17 Zoning: http://www.kitsapgov.com/dcd/community_plan/Title%2017%20-%20Rural%20Chapter/Title17%20Rural%20Chapter.htm. 9 Kitsap County recently published a Strategic Agriculture Plan, which defined and mapped areas of concentrated farming production and business. For more information, please see http://www.kitsapgov.com/boc/Special_Projects_Division/specialprojects.htm. 10 Kitsap County Title 17.382.100. 11 Ibid, see note 9 and 10. 12 Kitsap County Title 17.381.040. 13 Ibid, see note 9. 14 http://www.kitsapgov.com/boc/special_projects_division/specialprojects.htm#Current_Projects appendix H page 9. 15 Ibid, see note 9, page 24. 16 Regional Transfer of Development Rights Alliance “Performance Measures for Regional TDR” March 31st, 2011: <http://www.commerce.wa.gov/site/1305/default.aspx>. 17 Ibid, see note 9, page 25. We could not contact someone at the Kitsap County office who could provide us information on the allocation of conservation futures funding to outside organizations. 18 Ibid, see note 9 and 18. 19 Ibid, see note 9 and 18. 20 http://www.kitsapgov.com/boc/Special_Projects_Division/Farm%20preservation/Documents/Farm%20Preservation%20Grant%20Doc%20060611cg.pdf. 21 <http://kitsapfoodchain.org/local-food>. 22 http://www.kitsapgov.com/volunteer/boards/food_farm_policy_council.htm. 23 <http://county.wsu.edu/kitsap/agriculture/business/Pages/default.aspx>. 24 <http://www.kitsapgov.com/press/2011/NR11-012.htm>. 25 http://www.kitsapgov.com/boc/Special_Projects_Division/Farm%20preservation/Documents/Farm%20Preservation%20Grant%20Doc%20060611cg.pdf.

Mason County Agricultural Protection

TOTAL	REGULATION	DEVELOPMENT RIGHTS	TAX RELIEF	ECONOMIC DEVELOPMENT
36	23	0	1	12
of 130 points	of 66 points	of 38 points	of 10 points	of 16 points

FACTS ABOUT MASON COUNTY AGRICULTURE

- » Land in Farms in 2007: 25,185 acres¹
- » Farmland Loss or Gain From 1950-2007: -30,945 acres (-55.1%)²
- » Farmland Loss or Gain From 1997-2007: +2,944 acres (+13.2%)³
- » Principal Crops: Aquaculture, floriculture, and cut Christmas trees⁴
- » Number of Farms: 471⁵
- » Average Size of Farm: 53 acres⁶
- » Average Market Value of Products Sold Per Acre: \$1,468⁷

DISCUSSION OF SCORING

Regulation:

Mason County scored 23 out of 66 possible points for regulation policy. Mason County devotes much of its rural acreage to forestry and is third in the state in the number of acres used to grow cut Christmas trees.⁸ Based on map analysis and conversations with the Community Development office, it appears that most of the county’s farmland is within the Rural Residential 10 zone.⁹ This zone permits multiple residential uses outright, including recreation centers, group homes, and religious centers. The density in this zone is one dwelling unit per 10 acres.¹⁰

The County has an Agriculture Resource Land zone with a density requirement of one dwelling unit per 10 acres.¹¹ From our estimations, roughly one-quarter of all farmland in Mason County falls within this zone.¹² From county maps, there are some areas of contiguous Agriculture Resource Land zones that are surrounded by a variety of other zones including Rural Residential 5, 10, and 20 zones.¹³ Almost all allowable uses in this zone are related to agricultural production, with the exception of public parks.¹⁴ Mason County Code also allows for cluster development on resource lands, and requires that open space lots on agriculture land be no less than 10 acres.¹⁵

The County has a Long-term Agriculture (LTA) district for the Belfair Urban Growth Area (UGA). The LTA maintains the same density as other Agriculture Resource Lands, but allows for up to three density units per acre if the densities are transferred within the UGA.¹⁶ There is only one parcel within Belfair that is designated LTA.¹⁷

Development Rights:

Mason County scored 0 out of 38 points for development rights. The County does not have Purchase of Development Rights (PDR) or Transfer of Development Rights (TDR) programs. The County is one of two counties in the Puget Sound region that does not have a conservation futures tax.¹⁸

Tax Incentives:

Mason County scored 1 out of 10 points for having an estimated 25 percent of their farm and agricultural lands enrolled in their Current Use Assessment program.¹⁹

Economic Development:

Mason County scored 12 out of 16 points in this section of the scorecard. The Mason County Conservation District has developed a unique partnership with the Washington State University Mason County Extension to fund a full-time employee who addresses food and farm issues in the County.²⁰ The partnership is called the Small Farms Program, and is designed to provide “technical assistance, educational opportunities, economic opportunities, and a direct link to state and federal resources available to family farmers”.²¹ In this way, Mason County has centralized services that

provide regulatory, technical, and business assistance to farmers. The Program is teaming up with Enterprise for Equity to offer business planning and training sessions for farmers, and currently provides production courses, on-farm trainings, and direct marketing assistance.²² In addition, the Program helps farmers craft Conservation Plans, provide cost-share agreements to pay for a significant portion of approved Best Management Practices, and are building a Food & Farm Network in the community among other provisions.²³

OPPORTUNITIES FOR IMPROVEMENT

Mason County’s focus on economic development programs are an indication that county leaders are attuned to the needs of the farming community and are interested in protecting farmland. Several changes in programs would improve the effectiveness of the county’s efforts in this regard:

Identifying farmland in the rural residential zones and re-designating it in agricultural zones:

A majority of farmland in Mason County is in rural zones. The County should identify areas of rural agriculture and rezone them under the agriculture zone designation.

Creating a conservation futures fund:

To help increase the number of farmland acres preserved through easements, the County should implement a conservation futures property tax. RCW 84.34 gave authority to Washington State counties to levy a conservation futures tax not exceeding 6.25-cents per \$1,000 of assessed value of all taxable property. AFT recommends that Mason County create such a tax as well as a PDR program to direct funds for easements on agricultural land. If funds are not available to staff a PDR department, the conservation futures fund can be allocated to organizations through an open application process.

Drafting a strategic plan for the long-term retention of agriculture:

Although the County has received funding to do an agricultural capacity study, they do not have a strategic plan for the long-term retention of agriculture in Mason County. Drafting such a plan, with recommendations to the County Council of methods to preserve farmland in Mason County, would lay the groundwork for these efforts.

Creating an agricultural advisory board to address agricultural issues in the County:

Mason County also lacks an advisory board for agricultural issues, and currently only has one paid staff member acting as a liaison between the County and the agricultural community—the Small Farms Extension Educator. The County should look to appointing such a board, with diverse representation of the agriculture industry, to better address agricultural issues and make policy recommendations to the County Council.

Directing additional funding towards the Small Farms Program:

Recently, Mason County cut positions in the Small Farm Program, which were working on direct marketing and Farm-to-School programs. These cuts create a gap in programs that directly engage the community with their farms, which are critical to sustaining the economic vitality of local agriculture. Once funded, they can focus on offering events and activities such as farm tours and agritourism projects, as well as working to get local produce into school cafeterias.

1 Acreage reported in the 2007 Census of Agriculture. 2 The 1950 Census of Agriculture reported 56,130 acres of farmland. 3 The 1997 Census of Agriculture reported 22,241 acres of farmland. 4 2007 Census of Agriculture County Profile. 5 Ibid, see note 4. 6 Ibid, see note 4. 7 Ibid, see note 4. 8 Ibid, see note 4. 9 County Development Maps: http://www.co.mason.wa.us/gis/maps_dev_panels.php. 10 Mason County Code 17.04.021. 11 Mason County Code 17.03.035. 12 The GIS Office reported 5864.5 acres within the Agriculture Resource Land zone. 13 Ibid, see note 9. 14 Mason County Code Figure 17.03.020 15 Mason County Code 17.03.035. 16 Mason County Code 17.21.010. 17 Official County Maps: <http://www.co.mason.wa.us/gis/maps.php>. We did not score Mason County for their LTA district. 18 Washington State Office of Farmland Preservation website: <http://ofp.scc.wa.gov/index.php/mason-county.html>. 19 This percentage was arrived at from an estimate of 6,372 acres enrolled from the County Assessor’s office. 20 Mason County WSU Extension website: <http://county.wsu.edu/mason/agriculture/Pages/default.aspx>. 21 Ibid, see note 20. 22 Information obtained through a conversation with the Small Farms Extension Educator. 23 <http://www.masoncd.org/>.

Pierce County Agricultural Protection

TOTAL	REGULATION	DEVELOPMENT RIGHTS	TAX RELIEF	ECONOMIC DEVELOPMENT
57	29	19	5	4
of 130 points	of 66 points	of 38 points	of 10 points	of 16 points

FACTS ABOUT PIERCE COUNTY AGRICULTURE

- » Land in Farms in 2007: 47,677 acres¹
- » Farmland Loss or Gain From 1950-2007: -118,255 (-71.3%)²
- » Farmland Loss or Gain From 1997-2007: -14,012 acres (-22.7%)³
- » Principal Products: Rhubarb, cut Christmas trees, poultry and eggs, nursery stock⁴
- » Number of Farms: 1,448⁵
- » Average Size of Farm: 33 acres⁶
- » Average Market Value of Products Sold Per Acre: \$1,749⁷

DISCUSSION OF SCORING

Regulation:

Pierce County earned 29 of 66 points for their zoning, residential density, and mitigation policies. The County is in compliance with GMA requirements for rural land and designates 51 percent of its farmland in an Agricultural Resource Lands (ARL) zone.⁸ Pierce County has a fairly restrictive policy governing allowable uses in their ARL, but the County allows for recreational activities and surface mining under conditional use permits.⁹ The zone also allows for a range of housing options, including mobile homes, single family detached housing, two family housing, and group homes.¹⁰

Other zones with substantial farm acreage include R10 (a general rural classification with 10-acre minimum lot sizes) and Rural Farms (RF), which allow for agricultural production.¹¹ It appears that the RF zone has the second largest amount of farmland in the county. The purpose of RF lands is to protect agricultural areas with subprime soils.¹² The base density and allowed uses are similar to the ARL zone.¹³

There are several issues related to Pierce County’s regulation of farmland. Although the county has defined R20 and R40 zones in their code with 20- and 40-acre base densities, very little farmland is designated under these classifications.¹⁴ ARL designations are also widely dispersed in the Nisqually River valley and Gig Harbor, which is likely to lead to “islands” of agricultural land in the midst of rural development.

Development Rights:

Pierce County earned 19 of a possible 38 points for their Transfer of Developmental Rights (TDR) and Purchase of Developmental Rights (PDR) Programs. The county has created a Developmental Rights Bank to track and record transfers.¹⁵ The bank centralizes the TDR process and lowers transaction costs for buyers and sellers. Pierce County Title 18G, which outlines the TDR/PDR policy, states that “amendments that result in the expansion of the urban growth area and are being proposed for annexation, the County and impacted city shall enter into an annexation agreement that requires the transfer of density credits prior to the issuance of any permits by the city.” This requirement for transferable development rights is unusual and an excellent model for the region. The program also has dedicated staffing.

The county would have earned additional points in this category if more land was protected under their PDR and TDR programs. The PDR program has protected around 100 acres and the TDR program has protected two parcels totaling around 90 acres.¹⁶

Tax Incentives:

Pierce County scored 5 out of 10 points for having an estimated 58 percent of their farm and agricultural lands enrolled in their Current Use Assessment program.¹⁷

Economic Development:

Pierce County scored a total of 4 out of 16 points in the Economic Development section of the scorecard. The County recognized the need for a strong economic development package for the viability of local agriculture, and hence started the Farming Assistance, Revitalization, and Marketing (FARM) Program in 2007. FARM is an all-encompassing program that aims to “1) provide technical, regulatory and marketing assistance to local farmers; 2) promote the benefits and consumption of locally grown produce; 3) support the implementation of the Pierce County Agriculture Strategic Plan and other farm friendly policies; and 4) act as a coordinating office connecting farmers to other local agricultural support agencies and organizations.”¹⁸ Unfortunately, due to budget constraints,

the County has ceased to allocate any funding towards the program. None of these services are being offered anymore, although a previous staff member does directly communicate with the agricultural community as needed.¹⁹

One direct marketing effort that persists is participation in HarvestFest— three days of farm tours and activities across Pierce and King Counties which aim to increase awareness and marketing of local farms and produce.²⁰ Pierce County also has a thorough “Agriculture Strategic Plan” that was created in 2006, and some of its recommendations have since been implemented with the help of the FARM Program—such as the creation of a countywide PDR/TDR program.²¹

OPPORTUNITIES FOR IMPROVEMENT

While Pierce County has a fairly strong program of regulations, tax incentives, and TDR, it has also experienced the loss of nearly 120,000 acres of farmland since 1950. This is indicative of very strong development pressure in the county that has overwhelmed what might otherwise be a successful program. Several actions are necessary to plug holes in the County’s program and improve its ability to protect remaining farmland:

Expanding the RF zone:

Much of the ARL zone in the southern portion of the County is dispersed among R10 zones, which isolates farms within a predominately rural residential landscape. This layout increases the demand for subdividing agricultural land and creates a market for rural estates. Ideally, the County would buffer prime agricultural land from residential areas to remove these pressures. Pierce County should expand its use of RF designations as a way to create a buffer region.

Buying conservation easements on ARL land by municipalities:

Contiguous blocks of ARL land abut municipality boundaries, particularly around Puyallup and Buckley. The problem with this pattern is that farmland is typically the first to be up-zoned when UGAs are expanded. The County should use conservation futures funds to purchase conservation easements on acres that are in danger of being rezoned.

Prioritizing funding for the FARM Program:

Pierce County has created a strong FARM Program to support economic development for agriculture, but the program cannot achieve its goals unless it is adequately funded. With the immense developmental pressures that have contributed to Pierce County’s rapid decline in farmland, it is essential that the County invest in programs and services that help increase the viability of agriculture in Pierce County. The most important aspects of the program are the ombudsman who directly interacts with the agriculture community and direct marketing schemes. This program should be a funding priority.

Rezoning rural areas to R20:

R20 and R40 zones are used on land adjacent to Forest Lands. The County should identify similar large lots and designate them as R20. Buying conservation easements along with this rezoning strategy would increase the viability of agricultural protection.

Promoting the TDR program:

Pierce County’s established TDR program has the potential to protect farmland because of a strong demand for development around municipalities. The County should specifically target sending sites on agricultural land. Coupled with the mandatory density transfers during urban expansions, the County could see an increased in the number of transfers.

1 Acreage reported in the 2007 Census of Agriculture. 2 The 1950 Census of Agriculture reported 165,932 acres of farmland. 3 The 1997 Census of Agriculture reported 61,689 acres of farmland. 4 2007 Census of Agriculture County Profile. 5 Ibid, see note 4. 6 Ibid, see note 4. 7 Ibid, see note 4. 8 GIS datasets showed 24,141 total acres in the ARL zone. Please see Appendix A: Methodology for further information. 9 Pierce County Code 18A.17.020. 10 Group homes are allowed with conditional use permit. The range of housing options is important because when combined with high base density, it creates an opening for residential development. In other counties, there are stipulations for use of mobile homes and two family housing. 11 Allowed uses found in Graham Community Plan summaries: <http://www.co.pierce.wa.us/pc/services/home/property/pals/regs/zoning.htm>. 12 Pierce County Code 18A.33.150. 13 Pierce County Code: Graham Community Plan Area 18A.24.020 and 18A.24.030. Surfacing mining and mobile homes are not allowed in this area. 14 Public GIS website: <http://matterhorn3.co.pierce.wa.us/publicgis/>. 15 Pierce County Title 18G. 16 Conversation with Department of Planning and Land Services and Regional Transfer of Development Rights Alliance “Performance Measures for Regional TDR” March 31st, 2011: <http://www.commerce.wa.gov/site/1305/default.aspx>. 17 This figure was arrived at from an estimate from the County Assessor’s office of 27,473 acres enrolled. 18 <http://www.piercecountytv.org/cfapps/EDocs/ViewDocument.cfm?did=60737&dnum=>. 19 Conversation with Pierce County’s Department of Planning and Land Services. 20 <http://www.pccfarmlandtrust.org/tour-orting-valley-farms-at-pierce-county-harvestfest-oct-2/>. 21 <http://www.mrsc.org/govdocs/p5-agriculture.pdf>.

San Juan County Agricultural Protection

TOTAL	REGULATION	DEVELOPMENT RIGHTS	TAX RELIEF	ECONOMIC DEVELOPMENT
79	39	27	1	12
of 130 points	of 66 points	of 38 points	of 10 points	of 16 points

FACTS ABOUT SAN JUAN COUNTY AGRICULTURE

- » Land in Farms in 2007: 21,472 acres¹
- » Farmland Loss or Gain From 1950-2007: -35,244 acres (-62.1%)²
- » Farmland Loss or Gain From 1997-2007: +2,629 acres (+13.95%)³
- » Principal Crops: Sheep, goats, and their products⁴
- » Number of Farms: 291⁵
- » Average Size of Farm: 74 acres⁶
- » Average Market Value of Products Sold Per Acre: \$168⁷

DISCUSSION OF SCORING

Regulation:

San Juan County scored 39 out of 66 for its regulation policy. The county designated an Agriculture Resource Land (AG) zone for agricultural land of long-term commercial significance.⁸ San Juan County’s AG zone is unique because the County does not specify a residential density. Comprehensive Plan maps show that AG zone land has densities of 10, 15, 20, and 40 acre for one dwelling unit.⁹ The most common of these densities appears to be the AG 10. The County has done an exceptional job of planning AG zones in contiguous plots and buffering farmland with Rural Farm-Forest zone. Approximately 64 percent of farmland in San Juan County is in AG zoning.¹⁰

San Juan County permits agricultural uses outright and restricts industry and mining. Still, the zone allows for conditional and discretionary uses outside of agriculture. Some of these include resorts and camps, stationary lumber mills, and “unnamed” recreational and residential uses.¹¹

The Rural Farm-Forest (RFF) zone also contains a significant amount of farmland.¹² Like the AG zone, RFF does not have a specific base density. Based on Comprehensive Plan maps, the densities range from one dwelling unit per five acres to one dwelling unit in 15 acres, but most land appears to fall into the five acre category.¹³ Rural Farm-Forest areas also allow for more residential uses by conditional and discretionary permits than in the AG zone.¹⁴

San Juan County created the San Juan Valley Agricultural Heritage Open Space Conservation Overlay District in 2002 for lands in the San Juan Valley and Upper San Juan Island.¹⁵ The Overlay District covers roughly 3,300 acres of farmland.¹⁶ Densities on agricultural lands in this district can be raised only if open space on the property is increased from 60 percent to 75 percent.¹⁷

Property Rights:

San Juan County earned 27 of a possible 38 points in this category. The county purchases development rights through the San Juan County Land Bank, which was started in 1990. Its mandate is to preserve valued land in the county, including environmental and agricultural areas.¹⁸ It has acquired over 5,500 acres in fee simple acquisitions and conservation easements, and over half of this acreage was purchased or donated after 2005.¹⁹

This program is funded by a variety of sources, including a one percent real estate excise tax on property purchasers. Although state law allows every county to implement this tax, San Juan is the only county to have it. Other sources include the conservation futures tax, private donations, and grants and interest income. It also has a stewardship endowment fund to pay for protecting conservation purchases in perpetuity.²⁰

Tax Incentives:

San Juan County earned 1 out of 10 possible points for their Current Use Taxation program to give farmers tax breaks on their farmland. Only 12 percent of agriculture acreage in the county is enrolled in this program.²¹

Economic Development:

San Juan scored 12 out of 16 points for its economic development initiatives in the County. The County Council established an Agricultural Resources Committee (ARC) in 2005 that works to advocate for the restoration of agricultural resources in the County and is organized into task groups that are addressing issues of farmland preservation, farmer enrichment, and regulations. With at least half the Committee comprised of farmers, the ARC provides a forum for the agricultural community to engage in agricultural policy decisions of the County.²²

A local non-profit organization, the San Juan Islands Agricultural Guild, works to support and enhance sustainable agriculture in San Juan County. They have numerous groups represented on their board, including the ARC, and they strive to provide “technical and financial support to the agricultural community, consumer education, and advocacy on behalf of consumers and agricultural producers.”²³ One of the projects they are currently working on is the San Juan Island Permanent Farmers Market Project, which has great potential to strengthen the county’s local food system and provide new market opportunities for farmers.²⁴ The County is also developing an Island Grown Program to market local agricultural products and is helping to support agritourism efforts on the islands.²⁵

Although it has not been released yet, San Juan County is also developing a “Strategic Action Plan” for agriculture, which will serve as a roadmap to farmland preservation and agricultural viability efforts.²⁶

OPPORTUNITIES FOR IMPROVEMENT

San Juan County officials have created a very strong farmland protection program, with particularly strong agricultural zoning and PDR programs. Even with these strong programs, including the following actions:

Increasing the enrollment in the Current Use Taxation program:

While not exclusively a tool to preserve farmland, Current Use Taxation greatly increases the economic viability of agriculture. Under this program, farmers pay taxes on the agricultural value of their land instead of the “highest and best use,” which is often far appraised at a far greater value. With an enrollment of only 12 percent, San Juan County should do more to promote awareness of, and enrollment in, its Current Use Taxation program. This will ensure that farmers are receiving appropriate tax relief, which can make it easier for them to continue farming.

Creating an ombudsman position as a liaison to the agricultural community:

San Juan County could greatly benefit from a staff ombudsman who is dedicated to agriculture. For instance, with low market values for agricultural products in San Juan County, there should be a staff person who can focus on direct marketing efforts like the Island Grown Program and the Permanent Farmers Market project. The liaison can also coordinate feasibility studies for resources like commercial kitchens on the islands, which would greatly enhance the local food economy and economic viability of agriculture in the County. An ombudsman would ideally also be knowledgeable in agricultural regulation and be able to assist with permitting and licensing processes for farmers.

1 Acreage report in the 2007 Census of Agriculture. 2 The 1950 Census of Agriculture reported 56,716 acres of farmland. 3 The 1997 Census of Agriculture reported 18,843 acres of farmland. 4 2007 Census of Agriculture County Profile. 5 Ibid, see note 4. 6 Ibid, see note 4. 7 Ibid, see note 4. 8 San Juan County Code 18.30.010. 9 Comprehensive Plan Maps: <http://www.co.san-juan.wa.us/planning/officialmaps.aspx>. 10 For how we obtained this percentage, please see Appendix A: Methodology. 11 San Juan County Code 18.30.040. We were unable to find the definition of “unnamed” or the extent of the uses allowed in this category. 12 The GIS department reported 13,891 total acres in the ARL zone. Please see Appendix A: Methodology for further information. 13 Official Maps: <http://www.co.san-juan.wa.us/planning/officialmaps.aspx>. 14 San Juan County Code 18.30.040. 15 San Juan County Code 18.30.170. 16 Email correspondence with Community and Development Planning Office. 17 Ibid, see note 16. 18 The San Juan County Land Bank: <http://www.sjclandbank.org/aboutus.html>. 19 See San Juan County Land Bank Annual Reports: <http://www.sjclandbank.org/reports.html>. 20 Ibid, see note 19. 21 The County Assessor’s office estimates that 2,576 acres are enrolled in the program. 22 San Juan County Agriculture Resource committee website: <http://www.sjarc.org/about.asp>. 23 San Juan Islands Agricultural Guild website: <http://www.sjiagguild.com/>. 24 Ibid, see note 23. 25 http://www.sjarc.org/Agenda_Minutes/01_19_11_minutes.pdf. 26 Ibid, see note 25.

Skagit County Agricultural Protection

TOTAL	REGULATION	DEVELOPMENT RIGHTS	TAX RELIEF	ECONOMIC DEVELOPMENT
102	54	26	10	12
of 130 points	of 66 points	of 38 points	of 10 points	of 16 points

FACTS ABOUT SKAGIT COUNTY AGRICULTURE

- » Land in Farms in 2007: 108,541 acres¹
- » Farmland Loss or Gain From 1950-2007: -52,622 acres (-32.7%)²
- » Farmland Loss or Gain From 1997-2007: +6,756 (+6.6%)³
- » Principal Crops: Peas, corn for silage, potatoes, milk and other dairy products⁴
- » Number of Farms: 1,215⁵
- » Average Size of Farm: 89 acres⁶
- » Average Market Value of Products Sold Per Acre: \$2,360⁷

DISCUSSION OF SCORING

Regulation:

Skagit County scored 54 points out of a possible 66 points for their regulatory policies. Three zones encompass most of the county's farmland—Agriculture Natural Resource Land (Ag NRL), Rural Reserve (RRv), and Rural Resource (RRc-NRL).

Ag-NRL encompasses roughly 80 percent of the County's farmland.⁸ This zone requires a maximum residential density of one dwelling unit per 40 acres, which provides an adequate safeguard from development.⁹ The County has done a good job zoning large tracts of land as Ag-NRL, preserving large contiguous blocks of farms and reducing the contact between farms and adjoining residential and commercial uses.

The Ag-NRL zone restricts allowable uses to those consistent with agricultural production and agricultural business operations. The County allows special use permits for airfields, asphalt batching, and shooting clubs, but only if the owner shows there are no other land options available or takes resource land out of production.¹⁰

Most of the remaining farmland falls into the RRv zone.¹¹ Densities in these areas are one dwelling unit per 10 acres and residential uses are allowed, almost all with a hearing examiner special use permit.¹²

The County has a unique overlay permit called Conservation and Reserve Development (CaRD). Agricultural land using cluster development can be designated as Open Space Protection Areas or Open Space Natural Resource Land. All open space on the property will be given a development easement, which restricts subdivision for recreation, residential, commercial, or industrial uses. If the

owner does not wish to place all land under an easement, they can place a portion of the rights under an Open Space Reserve designation.¹³

Development Rights:

Skagit County scored 26 out of a possible 38 points for securing property rights. The county has a very strong PDR program, which was started in 1999 under the county's Farmland Legacy program.¹⁴ Since the program's inception, the County has purchased roughly 7,800 acres of development rights, with 2,800 acres purchased in the past five years¹⁵, making this the most active PDR program in the region.

The county prioritizes 100 percent of its revenue from the conservation futures tax (CFT) toward farmland protection purchases.¹⁶ Over the past decade, Skagit County has received some of the largest farmland protection grants in the state. According to the Farmland Legacy's website, the county received two grants from the USDA since 2001, totaling roughly \$1 million dollars.

Tax Incentives: Skagit County earned 10 out of 10 points for having over 85 percent of their agricultural lands enrolled in their Current Use Assessment program, demonstrating a very strong commitment to using tax incentives to make agriculture an economically viable enterprise.¹⁷

Economic Development:

Skagit County scored 12 out of 16 points in this section of the scorecard. Skagit County has been helping to sponsor the Festival of Family Farms program which strives “to promote Skagit County agriculture by cultivating the bond between farmers and the community through education and hospitality,” for over 10 years.¹⁸ The County also hosts the Skagit Tulip Festival, with hundreds of acres of tulips that draw hundreds of thousands of visitors annually.¹⁹

The Washington State University Extension in Skagit County also partners with Viva Farms to offer Sustainable Farm Business Planning courses, with a variety of seminars and workshops for new farmers.²⁰

The Agricultural Advisory Board is another significant asset to Skagit County’s agricultural efforts—a 12-member board that serves to connect the County with the agricultural community and promote economic opportunities for agriculture.²¹

Finally, the County also has a citizen committee, Envision Skagit 2060, which has recently released draft of recommendations for long-term planning. This report includes a thorough section on Natural Resource Lands and Industries, with many substantial recommendations on farmland protection issues in the County.²²

OPPORTUNITIES FOR IMPROVEMENT

Skagit County has the best farmland protection program in the Puget Sound region. The county has established a very effective combination of programs to accomplish this, including a dedicated staff focused working on farmland issues, a local revenue source (the conservation futures tax) dedicated to buying easements on farmland, a strong zoning policy that restricts allowable uses and has low base densities, and a range of economic and educational programs. The best thing that the County can do is simply maintain their existing efforts. However, the County Commission should consider the following additional steps:

Pursuing additional funding sources for purchasing development rights:

Given the County’s strong progress on permanent protection of farmland and the continued support of county residents for this effort, the County Commission should pursue additional local, state, and federal funding for their PDR program.

Targeting purchases of development rights on farmland abutting UGA areas:

Much of the urban border around Mt. Vernon, Burlington, and Sedro-Woolley is adjacent to Ag-NRL land. According to Skagit County, the population forecast for 2025 is roughly 149,000 people.²³ It is assumed that 30 percent of this population growth will occur in urban areas. To ensure that farmland abutting urban centers does not convert to rural residential developments, the County should buy development rights on land that is vulnerable to development in future years.

Create an ombudsman position as a liaison to the agricultural community:

AFT recommends that the County create an ombudsman position, which will both serve as a liaison to the agricultural community and be a knowledgeable source of long-term retention strategies. This position could help with the permitting and licensing process for farmers, and could coordinate the efforts that other organizations contribute to overall farmland protection and economic development work.

1 Acreage reported in the 2007 Census of Agriculture. 2 The 1950 Census of Agriculture reported 161,163 acres of farmland. 3 The 1997 Census of Agriculture reported 101,785 acres of farmland. 4 2007 Census of Agriculture County Profile. 5 Ibid, see note 4. 6 Ibid, see note 4. 7 Ibid, see note 4. 8 County GIS datasets showed 88,779 total acres of farmland in the Ag-NRL zone. See Appendix A: Methodology for more information. 9 Natural Resource Land Element PDF, page 6: http://www.skagitcounty.net/Common/asp/default.asp?d=PlanningAndPermit&c=General&p=comp_toc.htm. 10 Skagit County Code 14.16.400. 11 Official Zoning Map at <http://www.skagitcounty.net/Common/Asp/Default.asp?d=GIS&c=General&p=Gallery/townshipmap.htm>. 12 Rural Element Profile PDF, page 11 http://www.skagitcounty.net/Common/asp/default.asp?d=PlanningAndPermit&c=General&p=comp_toc.htm. 13 Skagit County Code 14.18.300. 14 <http://www.skagitcounty.net/Common/asp/default.asp?d=ConservationFutures&c=General&p=main.htm>. 15 Email correspondence with the Administrative office. 16 “Revisions to the Project Ranking Process and Criteria for the Skagit farmland Protection Program” American Farmland Trust 4/2011. 17 This percentage was derived from an estimated 94,829 acres of farmland enrolled from the Assessor’s office. 18 For more information on this program, visit <http://www.festivaloffamilyfarms.com/sponsors/>. 19 For more information on this program, visit <http://www.tulipfestival.org/about>. 20 <http://farmerup.blogspot.com/>. 21 See Skagit County’s Comprehensive Plan. 22 <http://www.skagitcounty.net/Common/asp/default.asp?d=EnvisionSkagit&c=General&P=main.htm>. 23 <http://www.skagitcounty.net/Common/ASP/Default.asp?d=home&c=General&p=press/popforecast.htm>.

Snohomish County Agricultural Protection

TOTAL	REGULATION	DEVELOPMENT RIGHTS	TAX RELIEF	ECONOMIC DEVELOPMENT
76	39	16	5	16
of 130 points	of 66 points	of 38 points	of 10 points	of 16 points

FACTS ABOUT SNOHOMISH COUNTY AGRICULTURE

- » Land in Farms in 2007: 76,837 acres¹
- » Farmland Loss or Gain From 1950-2007: -103,448 acres (-57.4%)²
- » Farmland Loss or Gain Since 1997-2007: +3,955 acres (+5.4%)³
- » Principal Crops: Horses, nursery, greenhouse, floriculture, and sod⁴
- » Number of Farms: 1,670⁵
- » Average Size of Farm: 46 acres⁶
- » Average Market Value of Products Sold Per Acre: \$1,635⁷

DISCUSSION OF SCORING

Regulation:

Snohomish County scored a 39 out of 66 for their regulation policy. Agricultural land of long-term commercial significance is classified under Agriculture-10 (Ag-10). In this zone, farmland plots must be at least 10 acres.⁸ Roughly 77 percent of Snohomish County’s farmland falls under Ag-10 zoning.⁹

Many allowable uses within Ag-10 zones could conflict with agricultural practices. Mobile homes, duplexes, and single-family homes are permitted outright and public parks and playing fields, golf courses, museums, park-and-ride lots, and model hobby parks are allowed with a conditional use permit.¹⁰ These uses encourage residential traffic in agricultural areas and undercut protections in this zone.

Clustering is not allowed on resource lands, but is encouraged in rural residential subdivisions to “to preserve areas of land which are suitable for agriculture, forestry, open space or, when applied in the rural urban transition area, possible future development.”¹¹

The County has interactive maps, one specifically for farmland and zoning called “Focus on Farming Interactive Map”.¹² Based on this map, most of the County’s Ag-10 zones follow large rivers, including the Stillaguamish River and the Snohomish River. These tracts are in contiguous strips besides these rivers, but the zone frequently abuts R-5 zones. We believe that most of the County’s farmland outside of Ag-10 falls within this residential zone, which allows for a wide range of uses by conditional permit and has a density of one dwelling unit per five acres.¹³

Development Rights:

For their Transfer of Development Rights (TDR) pilot program and Purchase of Development Rights (PDR) program, Snohomish County earned 16 of a possible 38 points. The county implemented their PDR program in 2006.¹⁴ To date, the PDR program has purchased 84 acres of development rights on farmland, but the County hopes to conserve an additional 400 acres by the end of 2011.¹⁵ The county is also implementing a TDR program in stages. A pilot program was started with the city of Arlington, and in 2008, the county adopted comprehensive plan policies allowing the expansion of the TDR program.¹⁶ In total, the County has purchased 72 acres of land through the TDR program, which it funded through its conservation futures tax.¹⁷ The majority of conservation futures funding goes toward purchasing park and open space acreage.¹⁸

In addition to implementing a TDR program at the county level, Snohomish County is part of the Regional Transfer of Development Rights Alliance, in partnership with King County, Pierce County, Kitsap County, the Cascade Land Conservancy, the Washington State Department of Commerce, and the Puget Sound Regional Council.¹⁹

Tax Incentives:

Snohomish County scored 5 out of 10 points for having 59 percent of their agricultural and farmland enrolled in their Current Use Assessment program.²⁰

Economic Development:

Snohomish County scored 16 out of 16 points in this section of the scorecard, offering numerous resources for economic development and long-term planning for their agricultural economy. Snohomish County has been hosting an annual “Focus on Farming Conference” since 2004, where farmers, growers and agricultural specialists come together to discuss the obstacles and opportunities for local agriculture.²¹ **In 2005, one year after the first conference, the County compiled an “Agriculture Action Plan” that outlines action items based on input from the conference.**²²

Since then, the County has established a team to work on economic development programs to support local agriculture called the Snohomish County Agricultural Economic Development Action Team (SAEDAT). SAEDAT also released an “Agriculture Strategies Report” in 2007 to recommend feasible implementation strategies for economic development based on the 2005 Action Plan.²³

Building on the Strategies Report, the County completed an

“Agriculture Sustainability Report” in 2009 and established a “Sustainable Lands Strategy” in 2011 to “enhance agricultural land and restore habitat for threatened salmon.”^{24,25}

The Snohomish County Growers Alliance (SCGA) is another nonprofit organization devoted to advancing economic growth among Snohomish County farmers, which is being launched with support from the County.²⁶ The County further promotes connecting the community with their farmers through their “Fall Farm Festival” and agri-tourism efforts called “Around the Farm” to explore Snohomish County farms.²⁷

The County also has an Agricultural Advisory Board. The Board makes recommendations to the County Council on agricultural policy matters and is comprised of individuals engaged directly in commercial agriculture or represent the diking, drainage and flood control districts in the Snohomish and Stillaguamish basins.²⁸

OPPORTUNITIES FOR IMPROVEMENT:

Snohomish County has made great strides in recent years to renew its commitment to a viable and sustainable farm economy in the future, particularly through its excellent economic development and assistance programs. Several changes could help in continuing the strengthening of the County’s farmland protection efforts:

Buffering the Agricultural Zone with a new Rural Agricultural land designation:

The County’s Comprehensive Plan calls for a feasibility study of a Rural Agriculture land use designation.²⁹ AFT recommends that the County follow up on this recommendation and create a Rural Agricultural zone with a base density of one dwelling unit per 10 acres and a restrictive set of residential and commercial uses. Snohomish County should apply this zone to prime agricultural land around urban centers and Rural-5 lands.

Strategic purchasing of development rights around urban centers:

Another way to preserve farmland on the urban edge is to buy development rights on farmland. According to the Snohomish website, the PDR program focuses on the Tualco Valley region.³⁰ It seems appropriate to broaden the program to include other areas around cities within Snohomish County. To fund these purchases, the County should allocate a larger portion of its conservation futures fund toward farmland preservation. In 2011, the Snohomish County Council approved roughly \$3.1 million to acquisitions of open space, a majority for parks and recreation.³¹ AFT recommends that the Council expand the use of this funding for purchases of development rights on farmland.

1 Acreage reported in the 2007 Census of Agriculture. 2 The 1950 Census of Agriculture reported 180,285 acres of farmland. 3 The 1997 Census of Agriculture reported 72,822 acres of farmland. 4 2007 Census of Agriculture County Profile. 5 Ibid, see note 4. 6 Ibid, see note 4. 7 Ibid, see note 4. 8 Snohomish County Code 30.32B. 9 County GIS datasets showed 59,080 total acres in the Ag-10 zone. For more information, please see Appendix A: Methodology. 10 Snohomish County Code 30.22.110. 11 Snohomish County Code 30.41C.010. 12 Focus on Farming Map: <http://gis.snoco.org/maps/farming/index.htm>. 13 Snohomish County Code 30.22.110. 14 Snohomish County Purchase of Development Rights: http://www1.co.snohomish.wa.us/Departments/PDS/Divisions/PlanningandTechnology/LR_Planning/Projects_Programs/Agriculture_Resources/Purchase_of_development_rights.htm. 15 Email correspondence with the Planning and Development Services office. 16 Snohomish County Transfer of Development Rights: http://www1.co.snohomish.wa.us/Departments/PDS/Divisions/PlanningandTechnology/LR_Planning/Projects_Programs/Agriculture_Resources/Transfer_of_development_rights.htm. 17 Email correspondence with Snohomish County Long Range Planning division. 18 To see conservation future funding, see: http://www.co.snohomish.wa.us/documents/Departments/Council/News/ApprovedProjects_2011.pdf. 19 Regional Transfer of Development Rights Alliance: <http://www.commerce.wa.gov/site/1305/default.aspx>. 20 The County Assessor’s office estimated 45,831 total acres of farmland are enrolled in the program. 21 Focus on Farming: http://www1.co.snohomish.wa.us/County_Services/Focus_on_Farming/Information/Conferences/. 22 Agriculture Action Plan: http://www.co.snohomish.wa.us/documents/County_Services/FocusOnFarming/AgActionPlan1-05.pdf. 23 SAEDAT Agricultural Strategies Report: http://www.co.snohomish.wa.us/documents/County_Services/FocusOnFarming/SCAEDAT_Strategies_Report_020207.pdf. 24 http://www.co.snohomish.wa.us/documents/County_Services/FocusOnFarming/ExecSum.pdf. 25 Sustainable Lands Strategy report: <http://www.co.snohomish.wa.us/documents/Departments/Council/News/NR-SustainableLandsStrategy.pdf>. 26 Snohomish County Growers Alliance: <http://www.snocogrowers.com/resources.html>. 27 Around the Farm: http://www1.co.snohomish.wa.us/County_Services/Focus_on_Farming/Information/consumerlink.htm. 28 Agricultural Advisory Board: http://www1.co.snohomish.wa.us/County_Services/Focus_on_Farming/Ag_Advisory_Board/. 29 Comprehensive Plan Objective 6.1.1. 30 Ibid, see note 14. 31 Ibid, see note 18.

Thurston County Agricultural Protection

TOTAL	REGULATION	DEVELOPMENT RIGHTS	TAX RELIEF	ECONOMIC DEVELOPMENT
56	19	20	5	12
of 130 points	of 66 points	of 38 points	of 10 points	of 16 points

FACTS ABOUT THURSTON COUNTY AGRICULTURE

- » Land in Farms in 2007: 68,247 acres¹
- » Farmland Loss or Gain From 1950-2007: -102,393 acres (-60.0%)²
- » Farmland Loss or Gain From 1997-2007: +1,906 acres (+2.9%)³
- » Principal Crops: Sod, poultry and eggs⁴
- » Number of Farms: 1,288⁵
- » Average Size of Farm: 63 acres⁶
- » Average Market Value of Products Sold Per Acre: \$1,462⁷

DISCUSSION OF SCORING

Regulation:

Thurston County scored 19 out of 66 points for their regulation policy. All of Thurston County’s rural zones allow for agricultural production, including Rural Residential (RR 1/5), Rural Residential/Resource (RRR 1/5), Rural (R 1/20), and C Rural (R 1/10).⁸

Based on our estimations, most agricultural land is classified as RRR 1/5, which allows one dwelling unit for every five acres.⁹ Farmland in this zone is on smaller property sizes, dispersed among residential properties, and allows for many residential uses. Generally, agriculture in rural residential zones is poorly protected from developmental pressures. With large areas of farmland within the RRR 1/5 zone, the County is apt to experience increased conversion to non-farm uses in the future.

In 2004, Interim Ordinance No. 13222 issued a moratorium on the size of housing clusters and repealed density bonuses in RRR 1/5 zones (under county code, RRR 1/5 parcels could increase their density by up to 65 percent¹⁰). Recognizing the risks to rural land, the Board of County Commissioners established a Cluster Development Taskforce. As of June 2010, the Board also placed a moratorium prohibiting any new planned rural residential development.¹¹

In addition to rural zoning, the County has two agriculture districts—Long Term Agriculture District (LTA) and Nisqually Agricultural District (NA). The LTA Districts are located mostly in the southern portion of the county, in small isolated pockets

surrounded by RRR 1/5.¹² The LTA districts have a maximum density of one dwelling unit per 20 acres, and only allows for uses related to agricultural production.¹³ The NA District is located by the Nisqually River and mostly surrounded by RR 1/5.¹⁴ The zone has a maximum density of 1 dwelling unit per 40 acres and only allows uses related to agriculture.¹⁵ Combined, these zones encompass 20 percent of the total acreage of farmland in Thurston County.¹⁶

Property Rights:

Thurston County earned 20 of a possible 38 points in this category. The County has a Transfer of Development Rights (TDR) program, started in 1996.¹⁷ Transactions in these programs have centered in the Chehalis Agriculture Area, preserving roughly 200 acres of farmland in the LTA district.¹⁸ The County has purchased development rights on farmland in LTA and NA districts around the Nisqually River, totaling approximately 950 acres.¹⁹ The County is currently writing an ordinance for the establishment of a PDR program, which will be available in the fall of 2011.²⁰

Thurston County implemented a conservation futures tax (CFT) in 1989, the first county in the state to do so.²¹ Of the 3,678 acres to be conserved by the funds, a vast majority is in parks and open space. The 950 acres of development rights purchased by the County have been funded through CFT dollars.²²

Tax Incentives:

Thurston County earned 5 out of 10 possible points for having roughly 51 percent of their agricultural acreage enrolled in their Current Use Assessment program.²³

Economic Development:

Thurston County scored 12 out of 16 points in this section of the scorecard. In terms of agricultural marketing, the Thurston County Resource Stewardship Department is sponsoring an agritourism project, and currently working on a draft ordinance to develop an Agritourism Overlay District in southern Thurston County. This district will allow more accessory uses and simpler permitting for things that support farming like agritourism, farm bakeries, agriculture-related experiences, tours, and festivals with temporary accommodations for tourists.^{24 25} This will serve to strengthen the agricultural economy and promote local agriculture.

The County also has an Agricultural Advisory Committee, which advises the County Commissioners and Planning Commissioners on issues related to agriculture, with seven of 11 members representing the agricultural community.²⁶ Thurston County also has a Working Lands Strategic Plan that was drafted in 2010, which details strengths and opportunities for the County's agricultural lands and recommendations for their long-term preservation.²⁷

OPPORTUNITIES FOR IMPROVEMENT

Thurston County has become far more committed to farmland protection in the past few years. The Planning Department and the Board of County Commissioners have been proactive in providing greater economic opportunities for farmers and buying development rights on farmland. AFT recommends that Thurston County take the following actions to ensure continued protection of farmland:

Using the Rural 20 and Rural 10 zones to a greater extent:

Thurston County Code creates Rural 20 and Rural 10 zones, but zoning maps show little use of these designations. Rural lands in the southern portion of the County are split mostly between LTA and Rural Residential/Resource 1/5 lands, which create isolated islands of farmland among rural residential communities. To better buffer LTA lands from development pressures, the County should target rural areas with large lot sizes and rezone them to Rural 10 and Rural 20 lands.

Increasing the conservation futures tax rate:

In the Conservation Futures Program 2010 Annual Report, Thurston County taxpayers paid 3.85-cents per \$1,000 dollars assessed value.²⁸ The county should raise their conservation futures tax to the 6.25-cents per \$1,000 dollars of assessed value as allowed by RCW 84.34.230. The additional funding should be applied specifically to farmland purchases.

Creating an ombudsman position as a liaison to the agricultural community:

Thurston County has already demonstrated support for this idea, as the County aims to create a Working Lands Advocate in their Working Lands Strategic Plan. This position should be a priority to the County, which will serve as a liaison to the agricultural community. This staff person will be able to hear and act on farmers' need and be a knowledgeable reference for questions regarding the long-term retention of farmland.

1 South of the Sound Community Farm Land Trust identified 68,247 acres of farmland in their Thurston County Farmland Inventory in 2009. We believe this number to be more accurate than the 80,617 reported by the 2007 Census of Agriculture. 2 The 1950 Census of Agriculture reported 170,640 acres of farmland. 3 The 1997 Census of Agriculture reported 66,341 acres of farmland. 4 2007 Census of Agriculture County Profile. 5 Ibid, see note 4. 6 Ibid, see note 4. 7 Ibid, see note 4. 8 Thurston County Code 20.09, A, B, C- Primary uses. 9 Thurston County Official Zoning Map: www.co.thurston.wa.us/...areas/maps.../CountyZone_10Oct2010_parcel.pdf. 10 County Code 20.30A.060. 11 Thurston County Planning Development Cluster Development: http://www.co.thurston.wa.us/planning/prrd/prrd_home.htm. 12 Ibid, see note 11. 13 County Code 20.08A.040 (Design standards) and 20.54 (Special Uses). 14 Ibid, see note 9. 15 Ibid, see note 13. 16 Conversation with Thurston County GIS department. 17 Cascade Land Conservancy's report "TDR in Washington State: Overview, Benefits, and Challenges". 18 Thurston Transfer of Development Rights and Purchase of Development Rights Map: http://www.co.thurston.wa.us/planning/workingland/docs/TDR-PDR_Map.pdf. 19 Ibid, see note 18. 20 For more information, visit in <http://www.co.thurston.wa.us/planning/pdr/default.html>. 21 Conservation Futures Program 2010 Annual Report. 22 Ibid, see note 21. 23 South of the Puget Sound Inventory Report, March 2009. 24 Email correspondence with the Planning Department. 25 <http://www.co.thurston.wa.us/permitting/agriculture/agriculture-tourism.html>. 26 Agricultural Advisory Committee: <http://www.co.thurston.wa.us/permitting/agriculture/agriculture-committee.html>. 27 Working Lands Strategic Plan: <http://www.co.thurston.wa.us/permitting/agriculture/docs/Working-Lands-Strategic-Plan-2-11-10.pdf>. 28 Conservation Futures Program 2010 Annual Report.

Whatcom County Agricultural Protection

TOTAL	REGULATION	DEVELOPMENT RIGHTS	TAX RELIEF	ECONOMIC DEVELOPMENT
84	51	15	10	8
of 130 points	of 66 points	of 38 points	of 10 points	of 16 points

FACTS ABOUT WHATCOM COUNTY AGRICULTURE

- » Land in Farms in 2007: 102,584 acres¹
- » Farmland Loss or Gain From 1950-2007: -107,399 acres (-51.2%)²
- » Farmland Loss or Gain From 1997-2007: -11,213 acres (-9.9%)³
- » Principal Crops: Land in berries, corn from silage, milk and other dairy products⁴
- » Number of Farms: 1,483⁵
- » Average Size of Farm: 69 acres⁶
- » Average Market Value of Products Sold Per Acre: \$3,182⁷

DISCUSSION OF SCORING

Regulation:

Whatcom County scored 51 out of 66 points for zoning and regulatory policy. The County’s commitment to agricultural conservation was demonstrated in its 1997 Comprehensive Plan, which established a goal to maintain 100,000 acres of farmland to maintain a strong agricultural economy.⁸ Whatcom County’s “Agriculture Strategic Plan”, written in May 2011, reiterates its commitment to this goal while recognizing the importance of contiguous zoning. The plan also recommends that the County consider a mitigation strategy.⁹

The County has an Agriculture District (AG) that includes 85 percent of the County’s farmland, the highest in the Puget Sound Region. AG designated land requires a residential density of one dwelling unit for every 40 acres and includes areas with long-term commercial significance along with areas with poorer soil quality or non-agricultural purposes.¹⁰ The allowable uses in this zone are consistent with agricultural production, except conditional use permits are possible for asphalt and concrete batching and surface mining.¹¹ The AG zone encompasses 87,500 acres of farmland, 72,000 of which is actively farmed.¹²

Most of the remaining 15 percent of the County’s farmland appears to be within Rural 5 (R-5) zones. This zone allows for residential uses and a density of one dwelling unit for every five acres.¹³ Areas designated as rural land, including that zoned as R-5, can qualify for an Agriculture Protection Overlay. The density remains the same as the underlying zone.¹⁴ Among other requirements, APO land must be at least 20 acres, be outside the urban growth area boundaries, and cluster nonagricultural uses.¹⁵ According to the County, 27,000 acres of farmland are categorized as APO land.¹⁶

In recent reports, the County has suggested that APO designations do not offer sufficient protections for farmland. In response, a 2007 study identified over 21,000 acres of contiguous rural land of high agricultural value known as Rural Study Areas (RSA).¹⁷ Currently, the County is discussing the best strategy for protecting RSA land.

Developmental Rights:

In the development rights category, Whatcom County earned 15 of a possible 38 points for its Purchase of Developmental Rights (PDR) program. The county created the PDR program in 2002, with its first purchase in 2004.¹⁸ Each year, the County uses a portion of conservation futures funds for voluntary farmland easement purchases.¹⁹

With 671 acres of farmland preserved, the County regularly assesses the program to identify opportunities and issues with easement purchases.²⁰ They post frequent activities and reports to the Planning and Development Services website and have been working on communication with the farming community.²¹ An administrator and oversight committee manage the PDR program.²²

Whatcom County Planning and Development Services conducted a feasibility study for a transfer of development rights (TDR) program in 2009. However, the study showed that the impact of a TDR program would be small and that other preservation alternatives would have a greater impact.²³

Tax Incentives:

Whatcom County scored 10 out of 10 points for having nearly 100 percent of their farm and agricultural lands enrolled in their Current Use Assessment program.²⁴ The County has done a remarkable job promoting their CUA program and ensuring that their agricultural lands are receiving

appropriate tax incentives—they have demonstrated commitment to using this tool to protect farmland more than any other county in the Puget Sound region.

Economic Development:

Whatcom County scored 8 out of a possible 16 points in this section of the scorecard. The County has established an Agricultural Advisory Committee (AAC), which provides an avenue to engage the farming community in agricultural policy and decision-making. The AAC provides recommendations to the County's Council on issues that affect agriculture, with input from farmers and others interested in enhancing and promoting the long-term viability of Whatcom County agriculture.²⁵ The Committee further produced the "Whatcom County Agricultural Strategic Plan" in 2011, which provides a roadmap for conserving and strengthening the County's agricultural economy.²⁶

While not directly provided by the County, there are several organizations in Whatcom County that do provide marketing and business assistance to local farmers. Local and regional organizations, such as Whatcom Farm Friends, Sustainable Connections, the Small Business Development Center, and the Northwest Agricultural Business Center have stepped in to provide direct marketing in the form of farm tours, buy local campaigns, business planning, and business assistance for farmers in their community.^{27 28 29}

OPPORTUNITIES FOR IMPROVEMENT

Whatcom is the only county in the Puget Sound region that has explicitly set an agricultural acreage goal. This is a commendable action and a valuable precedent for other counties. The County is now facing the challenge of reaching the goal of 100,000 acres of preserved farmland. AFT recommends the following actions to help Whatcom move closer to this target:

Creating an Ag-10 Zone for use on RSA land:

AFT recommends that the County place stronger zoning protection on areas designated as Rural Study Areas because of their prime soils and proximity to commercial farms. The County should create an additional agricultural zone with a density of one dwelling unit per 10 acres for use in the RSA areas. The new zone should be applied in all actively farmed parts of the RSA that have predominant lot sizes greater than 10 acres.

Improving incentives for farmland protection:

Land in Whatcom County is nearly as valuable for agriculture as it is for development. As a consequence, the value of development rights on farmland has declined and few farmers are willing to sell

their rights. By combining PDR funds with revenues from the sale of ecosystem market credits, conservation futures funds, and Farm Bill incentive programs, the County could offer greater financial rewards for protecting farmland and stimulate more participation in the PDR program.

Budgeting a specific percentage of conservation futures funds to PDR:

The percentage of funding from the conservation futures fund dedicated to PDR varies greatly from year to year. We recommend the County allocate a certain percentage of the fund to the PDR program so that the County can begin purchasing the 7,000 acres of land it has identified as "PDR Target Areas".

Creating an ombudsman position to serve as liaison with the agricultural community:

It would be helpful for the County to have a dedicated staff person to serve as liaison with the agricultural community, answer questions regarding the long-term retention of farmland, and provide regulatory assistance with permitting and licensing processes.

1 Acreage reported in the 2007 Census of Agriculture. 2 The 1950 Census of Agriculture reported 209,947 acres of farmland. 3 The 1997 Census of Agriculture reported 113,797 acres of farmland. 4 2007 Census of Agriculture County Profile. 5 Ibid, see note 4. 6 Ibid, see note 4. 7 Ibid, see note 4. 8 Critical Mass Update: http://www.co.whatcom.wa.us/pds/planning/agricultural_program.jsp. 9 Whatcom Agriculture Strategic Plan: http://www.co.whatcom.wa.us/pds/planning/agricultural_program.jsp. 10 Whatcom County Code 20.40.010. 11 Whatcom County Code 20.40.050. 12 See note 9. 13 Whatcom County Code 20.36. 14 Whatcom County Code 20.38. 15 Whatcom County Code 20.38.050. 16 See note 9. 17 Rural Land Study Report: http://www.co.whatcom.wa.us/pds/planning/agricultural_program.jsp. 18 Whatcom County Council - Natural Resource Committee Presentation on May 25, 2010 <http://www.co.whatcom.wa.us/pds/planning/pdf/20100525-Council-Round8.pdf>. 19 See note 18. 20 See note 20. 21 Whatcom County Planning and Development Services - Agricultural Program website http://www.co.whatcom.wa.us/pds/planning/agricultural_program.jsp. 22 Chapter 3.25A: Agricultural Purchase of Development Rights Program http://www.co.whatcom.wa.us/pds/planning/agricultural_program.jsp. 23 Feasibility of a Transfer of Development Rights Program <http://www.co.whatcom.wa.us/pds/planning/pdf/feasibility-transfer-dev-rights-wc20090202.pdf>. 24 The County Assessor's office ran a query and determined that there were an estimated 103,468 acres of farmland enrolled in their Current Use Assessment Program, which exceeds the 102,584 acres of total farmland determined by the 2007 Census of Agriculture that we were using as our denominator. In any case, Whatcom County has approximately 100% of their farmland enrolled in CUA and earns the maximum number of points in this category. 25 <http://www.co.whatcom.wa.us/boards/agricultural.jsp>. 26 <http://www.co.whatcom.wa.us/pds/planning/pdf/ag-strategic-plan-endorsed-20110520.pdf>. 27 <http://www.wcfarmfriends.com/>. 28 <http://sustainableconnections.org/foodfarming/eatlocal>. 29 <http://www.agbizcenter.org/node/63>.