

**DCD Staff Recommendation to the Planning Commission**  
**MLA04-26: UDC amendments related to Agricultural Activities & Accessory Uses**

The DCD staff recommendation is to support the proposal of the Planning Commission Agricultural Lands Committee as presented to the public via the MLA04-26 packet dated February 4, 2004, with some additions and exceptions. Staff bases these variations on discussions in public before the Planning Commission and subsequent research and deliberation.

The following table presents variations from Exhibit B in the February 4 MLA packet. The Row # corresponds with the Row # in the Exhibit B table. Notes supplement some of the items.

Row #	UDC Section #	Staff Recommendation: UDC Line-In/Line-Out Amendments
N/A	2.3	<p><b>Definitions</b></p> <p>[Note: Terms that have been included in the staff-proposed Section 4.3, Agricultural Activities and Accessory Uses, that have not been previously defined in Section 2 or have been defined differently, are included here. Most of the definitions in 4.3 are culled in whole or in part from the Revised Code of Washington (RCW). Some existing definitions from UDC Section 2 are presented here for comparison or for proposed deletion or amendment.]</p> <p><b>Agriculture, Existing and Ongoing</b>            Any agricultural activity conducted on <u>an ongoing basis on</u> lands enrolled in the Open Space Tax Program <u>for agriculture</u> or designated as Agricultural Lands of Long-Term Commercial Significance on the <u>official map of</u> Comprehensive Plan Land Use <u>Designations, provided that agricultural activities were conducted on those lands at anytime during the five-year period preceding April 28, 2003.</u> <del>Agricultural</del> use ceases when the area on which it is conducted is converted to a nonagricultural use.</p> <p>[Note: The following terms are proposed for inclusion in Section 2 Definitions as they are defined in proposed section 4.3.]</p> <p><u><b>Agriculture, New</b></u></p> <p><u><b>Agricultural Best Management Practices (BMPs)</b></u></p> <p><u><b>Best Management Practices, Agricultural</b></u>  <u>(See Agricultural Best Management Practices)</u></p> <p><u><b>Farm Equipment</b></u></p> <p><u><b>Agricultural Product or Commodity</b></u></p> <p><u><b>Accessory Uses (to Agriculture)</b></u></p> <p><u><b>Open Space Tax Program</b></u></p> <p><u><b>Livestock</b></u></p> <p><u><b>Livestock Management</b></u></p> <p><u><b>Custom Slaughtering Establishment</b></u></p>

- Deleted:** as Agricultural Lands
- Deleted:** Map
- Deleted:** ;
- Deleted:** agricultural

**DCD Staff Recommendation to the Planning Commission**  
**MLA04-26: UDC amendments related to Agricultural Activities & Accessory Uses**

Row #	UDC Section #	Staff Recommendation: UDC Line-In/Line-Out Amendments
		<p><u><b>Custom Meat Facility</b></u></p> <p><u><b>Certified Feed Lot</b></u></p> <p><u><b>Public Livestock Market</b></u></p> <p><u><b>Stockyard</b></u></p> <p><u><b>Agricultural Warehouse (Public Warehouse)</b></u></p> <p><u><b>Warehouse, Agricultural</b></u>            (See <u><b>Agricultural Warehouse (Public Warehouse)</b></u>)</p> <p><u><b>Animal Feeding Operation (AFO)</b></u></p> <p><u><b>Animal Feeding Operation, Concentrated (CAFO)</b></u>            [Per proposed 4.3 for Large and Medium.]</p> <p><u><b>Concentrated Animal Feeding Operation (CAFO)</b></u>            (See <u><b>Animal Feeding Operation, Concentrated</b></u>)</p> <p>[Note: The following terms are included in the current version of UDC Section 2. Some are proposed for elimination or replacement. A decision should be reached on each of these terms. Others are provided for informational purposes and are not proposed for amendment.]</p> <p><del><b>Animal Feeding Operation, Concentrated</b></del>            [Note: Proposed for deletion. Concept replaced with details in proposed 4.3.]</p> <p><b>Feed Lots (Stockyards)</b>            A commercial lot, yard, corral or other area in which livestock are confined primarily for the purpose of feeding and growth prior to slaughter. The term does not apply to areas which are used for raising crops or other vegetation or to areas in which livestock are allowed to graze in the normal and accustomed manner associated with rural agricultural practices.</p> <p>[Note: This is existing definition in Section 2. Consider replacing with new definition in proposed 4.3.]</p> <p><b>Animal Shelter (Kennel)</b>            Any premises, except where accessory to an agricultural use, where five (5) or more adult domestic animals such as dogs and cats are boarded, bred or trained. A kennel shall not be interpreted to include a pet shop or pet grooming shop.</p> <p>[Note: Existing definition. Not proposed for amendment. Note the exception for agricultural use.]</p> <p><b>Livestock</b>            Domestic animals such as cattle, bison, sheep, goats, swine, horses, mules, llamas, ostriches and poultry raised for home use or profit.</p>

**Formatted:** Font: Bold

**Formatted:** Font: Bold

**Formatted:** Font: Bold

**Deleted:** **Agricultural Processing, Heavy¶**  
 Facilities and uses associated with high-intensity agricultural activities such as grain elevators, commercial slaughterhouses, rendering plants or other similar uses.¶

**DCD Staff Recommendation to the Planning Commission**  
**MLA04-26: UDC amendments related to Agricultural Activities & Accessory Uses**

Row #	UDC Section #	Staff Recommendation: UDC Line-In/Line-Out Amendments
		<p>[Note: Existing definition. Compare with definition in proposed 4.3. Select the best of two or an amalgamation.]</p> <p><b>Warehouse (or Wholesale Distribution Center)</b>  A building, establishment or place of business used primarily for the storage of goods and materials for commercial or industrial purposes. Retail sales from such establishments shall be incidental to the primary use and limited to that allowed by Section 4.22 Industrial Uses—Standards for Site Development.</p> <p>[Note: Existing definition. Not proposed for amendment. Distinct from Agricultural Warehouse, as defined in RCW.]</p> <p>[Note: The following new terms could potentially be included in the definitions subsection 1 of section 4.3. Each term should be considered for inclusion in 4.3.]</p> <p><b><u>Agritourism</u></b>  <u>Agriculturally-related accessory uses designed to bring the public to the farm on a temporary or continuous basis, such as U-Pick farm sales, retail sales of farm products, farm mazes, pumpkin patch sales, farm animal viewing and petting, wagon rides, farm tours, horticultural nurseries and associated display gardens, cider pressing, wine or cheese tasting, etc.</u></p> <p><b><u>Farm Worker Housing</u></b>  <u>A place, area, or piece of land where sleeping places or housing sites are provided by an agricultural employer for his or her agricultural employees.</u></p> <p><b><u>Conservation District</u></b>  <u>A "special purpose district," like a fire district or school district, organized in accordance with Chapter 89.08 RCW for the purpose of providing assistance to landowners for the conservation of renewable resources.</u></p> <p><b><u>Field Office Technical Guide (FOTG)</u></b>  <u>A USDA Natural Resources Conservation Service manual that contains information for use in technical assistance to decision-makers for resource management.</u></p> <p><b><u>Farm Plan</u></b>  <u>A conservation plan developed by a Conservation District technician and a landowner outlining a series of actions developed to meet a landowner's goals, while protecting water quality and the natural resources within and around the farm property. Many things are considered in a farm plan, including farm size, soil types, slope of the land, proximity to streams, wetlands, or water bodies, type and numbers of livestock or crops, resources such as machinery or building, and finances available. The terms Conservation Plan and Farm Plan are interchangeable in this context.</u></p> <p><b><u>Resource Management System</u></b>  <u>A conservation system that meets or exceeds the quality criteria in the NRCS FOTG for resource sustainability for all identified resource concerns for soil, water, air, plants and animals.</u></p> <p><b><u>Natural Resources Conservation Service</u></b>  <u>The Natural Resources Conservation Service is a US Dept. of Agriculture division that provides technical assistance to decision-makers to protect, maintain, and improve</u></p>

**DCD Staff Recommendation to the Planning Commission**  
**MLA04-26: UDC amendments related to Agricultural Activities & Accessory Uses**

Row #	UDC Section #	Staff Recommendation: UDC Line-In/Line-Out Amendments
		<u>soil, water, air, plant, and animal resources and related human considerations.</u>
6	3.3.3	<p><b>Development Permits and Resource Lands</b>            Development permit approvals for the use of lands adjacent to lands designated as <u>Prime Agricultural Land</u> or <u>Agricultural Land of Local Importance</u>, for Resource Lands or lands with a Mineral Resource Land (MRL) Overlay designation, <u>shall be conditioned through the disclosure statement in section 3.3.2.d(2) and other appropriate measures</u> to ensure that the use of such lands shall not interfere with the continued use in the accustomed manner and in accordance with best management practices of those lands designated for resource purposes.</p> <p>[Note: Addition is in response to CTED comment letter.]</p>
N/A	3.6.8.d(3)	<p><b>Fish and Wildlife Habitat Areas</b>            d. Exempt Activities            (3) ...existing and ongoing agricultural activities on lands enrolled in the Open Space Tax Program <u>for agriculture</u> or on lands designated as Agricultural Lands of Long-Term Commercial Significance on the <u>official map of Comprehensive Plan Land Use Designations</u>...</p> <p>[Note: Reflects change to “existing and ongoing agriculture” definition. Purpose is to avoid confusion between “Agricultural Lands” as land use designation and the Tax Program for agriculture, timber, and open space.]</p>
9	3.6.9c(1) v	<p><b>Wetlands</b>            c. Exempt Activities            (1) Wetlands            v. Existing and ongoing agricultural activities on lands enrolled in the Open Space Tax Program <u>for agriculture</u> or on lands designated as Agricultural Lands of Long-Term Commercial Significance on the <u>official map of Comprehensive Plan Land Use Designations</u>. For the purpose of this section, existing and ongoing means that agricultural activities have been conducted within the five-year period leading up to the adoption of Ordinance No. 05-0428-03 on April 28, 2003.</p> <p>[Note: Reflects change to “existing and ongoing agriculture” definition, as noted above. Reference to 4.3 deleted as unnecessary. Administrative Memo does not exist and may never exist. Should such a list be established at a future date, it would be housed administratively in DCD. May not need a code reference.]</p>
18	Table 3-1	<p>(Row under <b>Specific Land Use—Residential Uses—Single Family Housing</b>)</p> <p>[Note: All references are to the AG column unless otherwise noted.]</p> <p><u>Farm Worker Housing</u>            AG column-See 4.3 (all other columns –No)</p> <p>Animal Shelters and Kennels, Commercial—<u>See 4.3</u></p>

**Deleted:** as Agricultural Land

**Deleted:** Map

**Deleted:** as Agricultural Land

**Deleted:** Map

**Deleted:** subject to the standards set forth in Section 4.3

**Deleted:** These parcels are listed in Administrative Memo Number (?????)

**Deleted:** Housing for agricultural labor

**Deleted:** Sec.

**DCD Staff Recommendation to the Planning Commission**  
**MLA04-26: UDC amendments related to Agricultural Activities & Accessory Uses**

Row #	UDC Section #	Staff Recommendation: UDC Line-In/Line-Out Amendments
		<p>Clinics (Medical, Dental, and Vision) --No</p> <p><u>Veterinary Clinics and Hospitals-See 4.3</u></p> <p>Small Equipment Repair, Sales and Rental Services—<u>See 4.3</u></p> <p>Lumber Yards/Building Supply &amp; Materials-<del>No</del> -----</p> <p>[Note: Item remains as in current table. Addressed in Agricultural and Forestry Uses section of table.]</p> <p>Retail Sales and Service-See 4.3</p> <p>Unnamed Commercial Uses-<del>No</del> -----</p> <p>[Note: Item remains as in current table. Adequately addressed in proposed 4.3.]</p> <p>▼            [Note: Eliminate row from use table. Addressed under Agricultural and Forestry Uses section and in 4.3, where it is stated that these are No uses in all districts except under certain conditions in Ag Lands and Heavy Industrial. This item appears to be a reiteration of <i>Agricultural Processing, Heavy</i> per the definition of that term.]</p> <p>Heavy Industrial Resource-Based—<del>No</del> -----</p> <p>[Note: Use table remains unchanged for this item. The proposed section 4.3 appropriately and adequately addresses proposals that could potentially fit the definition of <i>Heavy Industrial, Resource-Based</i>.]</p> <p><del>No</del> -----</p> <p>[Note: This was a proposed category as part of the original MLA. Not necessary, per note above and <i>Light Industrial/Manufacturing</i> below.]</p> <p>Light Industrial/Manufacturing- <u>See 4.3</u></p> <p>Food or Beverage Bottling and/or Packaging-<u>See 4.3</u></p> <p>Outdoor Storage Yards- <u>See 4.3</u></p> <p>Recycling Center- <u>See 4.3</u></p> <p>Warehouse/Wholesale Distributing Center-<u>See 4.3</u></p> <p>Unnamed Industrial Use-<del>No</del> -----</p> <p>[Note: Use table remains unchanged for this item. The proposed section 4.3 appropriately and adequately addresses proposals that could potentially fit this definition. Although some agricultural uses could be defined as “industrial,” the objective is to separate these from industrial uses for purposes of land use regulation.]</p> <p>Unnamed Essential Public Facilities-<u>C</u></p> <p>Assembly Facilities-<u>See 4.3</u></p>

**Deleted:** See 4.3

**Deleted:** C

**Deleted:** Feedlots and Stockyards-See 4.3¶

**Deleted:** See 4.3

**Deleted:** Light Industrial Resource Based- See 4.3

**Deleted:** C

**DCD Staff Recommendation to the Planning Commission**  
**MLA04-26: UDC amendments related to Agricultural Activities & Accessory Uses**

Row #	UDC Section #	Staff Recommendation: UDC Line-In/Line-Out Amendments
		<p>College or Technical School/<del>Adult Education</del>            Recycling Collection Facilities—<u>See 4.3</u></p> <p>[Note: Proposed change affects complete row in use table. Not related to agriculture only. Schools for children are addressed in <i>School, Primary &amp; Secondary</i> and in proposed 4.3.]</p> <p>School, Primary &amp; Secondary—<u>See 4.3</u></p> <p><del>Agritourism—See 4.3</del></p> <p>[Note: “Activities” unnecessary after “Agritourism.”]</p> <p><del>Animal Preserves and Game Farms with Dangerous, Wild Animals--No</del></p> <p><del>Animal Farms with Domestic and Non-dangerous Wild Animals—See 4.3</del></p> <p>[Note: Preserves alphabetical listing under “Animal...”]</p> <p>Campgrounds and Camping Facilities, New—<u>See 4.3</u></p> <p>Campgrounds and Camping Facilities and Small-Scale Resorts; Expansion of Existing Facilities—<u>See 4.3</u></p> <p>Outdoor Commercial Amusement Facilities—<u>See 4.3</u></p> <p>Recreational, Cultural or Religious Conference Center/Retreat Facilities—<u>See 4.3</u></p> <p>Outdoor Recreational Equipment Rental <del>and/or Guide Services</del> —<u>See 4.3</u></p> <p><del>[Note: Unnecessary to create new row. Sufficient to refer to section 4.3.]</del></p> <p>Rural Restaurant, only when associated with a primary recreational or tourist use—<u>See 4.3</u></p> <p>Rural Recreational Lodging or Cabins for Transient Rental—<u>See 4.3</u></p> <p>Unnamed Small Scale Recreation and Tourist Uses—<del>D</del></p> <p>[Note: Provides discretion in determining appropriate permit review process, which is the general standard for undefined Accessory Uses or activities that go beyond the terms and limitations of section 4.3.]</p> <p><del>[Note: Eliminate these categories. Agricultural processing is included in the definition of agricultural activities and addressed in proposed 4.3.]</del></p> <p><del>Agricultural Activities &amp; Accessory Uses—See 4.3 [for all land use districts in row]</del></p> <p>[Note: Title matches proposed 4.3.]</p> <p>Aquatic Plant and Animal Process and Storage—<u>See 4.3</u></p>

**Deleted:** Child or  
**Deleted:** A

**Deleted:** Activities

**Deleted:** Dangerous, wild

**Deleted:** Domestic animal and non-dangerous wild

**Deleted:** Tourist

**Deleted:** No

**Deleted:** Guide Services—see 4.3¶

**Deleted:** C

**Deleted:** Agricultural Processing-Heavy—See 4.3¶  
 ¶  
 Agricultural Processing-Light—see 4.3¶

**Deleted:** Uses &

**DCD Staff Recommendation to the Planning Commission**  
**MLA04-26: UDC amendments related to Agricultural Activities & Accessory Uses**

Row #	UDC Section #	Staff Recommendation: UDC Line-In/Line-Out Amendments
		Lumber Mills and Associated Forestry Processing Activities and Uses—See 4.3
19	Section 4	<p><b>Section 4 Performance and Use-Specific Standards</b>  <b>4.3 Agricultural Activities and Accessory Uses</b></p> <p>[Note: The full proposal was delivered to the Planning Commission via postal mail together with a memorandum dated April 2, 2004. Refer to that version, except that the following recommendations presented here supplant those contained in the April 2 memorandum.]</p> <ul style="list-style-type: none"> <li>• Consider adding some of the terms defined in the first row of this table addressing Section 2 Definitions to 4.3.1, the definitions subsection of 4.3.</li> <li>• Consider removing some of the livestock management definitions (stockyard, etc.) and maintain those exclusively in Section 2 Definitions. They are not necessarily essential to reading section 4.3 and their elimination would reduce the bulk of that section.</li> <li>• Eliminate 4.3.2.b(8), Compliance with the Shoreline Master Program, based on lingering confusion about meaning and CTED concurrence (via email 4/7/04).</li> <li>• In 4.3.2.b(3), Best Management Practices, sub (ii)(D), modify eliminate “significant” before “significant degradation” and replace “directly attributed” with “reasonably attributed” per CTED email comment 4/6/04.</li> <li>• 4.3.b(5)(i): Add this final sentence: “Landowners are encouraged to document the creation of new exempt ponds through photographs (before, during, and after construction) in order to facilitate any future development review on the property.”</li> <li>• 4.3.b(5)(ii)B: Replace with “Construction of new ponds or expansion of existing ponds and drainage-related activities are regulated under section 3.6.9. Activities within wetlands and their buffers require review and approval of a mitigation or enhancement plan pursuant to that section.”</li> </ul>
20	4.8	<p><b>Assembly Facilities</b>  <u>6. Assembly facilities on designated Agricultural Lands must be for uses related to the practice of agriculture, such as classes and programs on raising crops, animal husbandry, etc.</u></p> <p>[Note: Consistency edits.]</p>
21	4.12.1	<p><b>College or Technical Schools</b>  1. Colleges or technical schools must comply with the Site Standards for Industrial Uses, Section 4.22  a. Schools <u>on designated Agricultural Lands</u> must also meet the requirements set forth in section 4.3</p>

**Deleted:** in agricultural districts

**Deleted:** regarding

**Deleted:** s

**Deleted:** in agricultural districts

**DCD Staff Recommendation to the Planning Commission**  
**MLA04-26: UDC amendments related to Agricultural Activities & Accessory Uses**

Row #	UDC Section #	Staff Recommendation: UDC Line-In/Line-Out Amendments
22	4.33	<p><b>Seasonal Roadside Stands</b>            The following standards apply to all seasonal roadside stands <u>which are not located on designated Agricultural Lands:</u></p>
23	4.33.7	<p><b>Seasonal Roadside Stand</b>            7. Retail sales <u>on designated Agricultural Lands</u> is subject to the provisions of section 4.3</p>
24	4.35.1	<p><b>Small-Scale Recreation and Tourist Uses</b>            1. Small-scale Recreation and Tourist Uses. Small-scale Recreational and Tourist Uses rely on a rural location and setting and provide opportunities to diversify the economy of rural Jefferson County by utilizing the County’s abundant recreational opportunities and scenic and natural amenities in an environmentally sensitive manner consistent with the rural character of the County. Upon approval pursuant to his Code, these types of uses may be conducted in the land use districts specified in Table 3-1 and as provided for in Small-Scale Recreation and Tourist (SRT) overlay districts under UDC 3.6.14. <u>Agritourism on designated Agricultural Lands is regulated in Section 4.3.</u> The following list of uses is not intended to be exhaustive, but rather is intended to be illustrative of the types of Small-Scale Recreation or Tourist Uses:</p>
25	4.35.3.j	<p><b>Small Scale Recreation and Tourist Uses</b>            (6) <u>for designated Agricultural Lands, converts as little prime agricultural soil as practicable into nonagricultural use.</u></p> <p>[Note: Mirrors proposed 4.3.3.d(1)(ii).]</p>
28	Table 6-2	<p><b>Minimum Number of Parking Spaces Required for Different Land Uses</b>            Agricultural Uses            Agricultural activities—None  <u>Accessory uses—Parking fully accommodated onsite, unless otherwise permitted</u></p> <p>[Note: Explicitly reflects standard at 4.3.3.d(1)(i).]</p>
29	6.13.1	<p><b>Landscaping/Screening</b>            1. Application. Landscaping or screening shall be provided for all multifamily residential, commercial and industrial land uses, small-scale recreational and tourist uses, and as required in other sections of this Code, except that landscaping will not be required of industrial uses within the Resource-Based Industrial district when the development is sufficiently screened from public view</p> <p>[Note: Change is in response to CTED comment letter.]</p>

**Deleted:** agriculturally designated property

**Deleted:** in an agriculture district

**Deleted:** in agriculture districts

**Deleted:** would not limit agricultural use of the land or otherwise render

**Deleted:** s

**Deleted:** unsuitable for agricultural uses.

**Deleted:** uses and

**Deleted:** or Agricultural