

Agricultural Lands

Classification and Designation of Agricultural Land

It is Jefferson County’s intent to protect and foster opportunities for the successful practice of agriculture. The land in Jefferson County was examined to assess the long-term commercial viability of parcels considered for agriculture zoning. While undeveloped land with prime agricultural soils as identified in the Natural Resources Conservation Service’s *Soil Survey of Jefferson County, Washington*, clearly must be preserved, additional parcels also have long term commercial significance for agriculture at the local level. Successful, commercial agriculture can be practiced on many types of soils, through a variety of environmentally sound means on small parcels as well as large. Economically valuable agriculture does not have to be the exclusive support of a family. Small ventures that simply augment family income are valuable to the land owner and the community as a whole. The guidelines, listed below, taken as a whole and interpreted on a parcel by parcel basis, direct which parcels of land are suitable for designation as Agricultural Lands of Long Term Significance. No single guideline is considered essential for agricultural designation nor is there a minimum lot size threshold.

**Table 4-2
Guidelines for Classification of Agricultural Resource Lands in Jefferson County**

1. Presence of prime agricultural soil as the Natural Resources Conservation Service’s <i>Soil Survey of Jefferson County, Washington</i> on a significant portion of the parcel.	A significant portion of prime agricultural soils should be approximately one third or more of the parcel.
2. Historic usage for agriculture.	Land which has been used for agriculture for a number of years or can be converted back to active agriculture, even if it is currently lying fallow, should be given high priority for agricultural designation.
3. Parcels of land 10 acres or larger in size should be given strong consideration however smaller parcels may also be highly suitable for agricultural designation.	Some types of agriculture are best practiced on parcels ten acres and larger and they should be given high priority for agricultural designation. Smaller parcels considered suitable for agriculture designation, which are adjacent to residentially designated land, may be subject to increased regulatory oversight for some types of agricultural practices.
4. Participation by parcel owner in the Open Space Tax Program for Agricultural Land.	Participation in the Open Space Tax Program is not a requirement for agricultural designation; however, it is a good indication of qualifying land.
5. Located away from existing land uses that would interfere with agricultural practices.	Some existing land uses would interfere with agricultural activities such as uses, which pollute. Residential uses are not considered uses, which would interfere with agricultural practices. The possibility that agricultural uses practiced according to Best Management Practices, may interfere with residential uses shall not be a reason to deny agricultural designation of a parcel.

6. Located outside of areas already served with “urban governmental services” which are typically provided in cities.	Areas where the public has already made a significant investment in services suited to urban levels of development such as storm and sanitary sewers, street cleaning services, urban levels of fire and police protection, etc. are no longer suitable to be classified as a natural resource to be protected from more intense development.
7. Location outside of existing Master Planned Resort (MPR) or Urban Growth Area (UGA) land use designations.	Undeveloped land with prime agricultural soils was not included in Jefferson County’s designated UGA or MPR areas, therefore any additional undeveloped parcels in those areas should be preserved for more intensive development and not designated as agricultural lands of long term commercial significance.
8. Currently in commercial agricultural use.	Land currently being used for any type or scale of commercial agriculture should be given high priority for agricultural designation.
9. Physically and topographically suitable for the practice of commercial agriculture.	Some land which is excessively steep, wet, unstable, prone to frequent flooding, primarily rock cliffs, etc. is clearly not suitable for designation as agricultural land of long term commercial significance.
10. If currently designated as Rural Forest (RF-40) land has already been platted into 20 acre or smaller parcels.	A rezone from Rural Forest designation to Agricultural designation must not result in creating an increase in allowable residential density. Therefore only those Rural Forest parcels already platted in 20 acres or smaller lot sizes may be considered for reclassification to Agricultural designation.
11. Is not currently designated as Commercial Forest (CF-80).	Commercial Forest land has been designated based on soil suitability for forestry and should not be converted to agricultural designation.
12. Is not currently designated as Inholding Forest (IF).	This land is located within Commercial Forest designation areas and it has poor soils for agriculture and is not suitable for agricultural designation.

In order to conserve the agricultural resource land base in Jefferson County and maintain the farming industry while recognizing the diversity of agricultural land owners, Agricultural Lands of Long-Term Commercial Significance consist of two designations:

- Prime Agricultural Lands (AP-20)
- Agricultural Lands of Local Importance (AL-20)

**Table 4-2a
Summary of Agricultural Land Designations**

Land Use Designation	Criteria for Designation	Principal Land Use
Prime Agricultural Land (AP-20)	Land designated as Prime Agricultural Land shall meet the following criteria: <ul style="list-style-type: none"> • consist, in substantial proportion, of land with prime agricultural soils as defined by the Natural Resources Conservation Service’s <i>Soil Survey of</i> 	Agricultural activities and single family residential

	<p><i>Jefferson County, Washington;</i> and</p> <ul style="list-style-type: none"> • be in regions of the county where commercial agriculture is the current and historically predominant use including but not limited to the following areas: <ul style="list-style-type: none"> ○ Quimper Peninsula ○ Beaver Valley ○ Chimacum Valley ○ Discovery Bay Valley ○ Quilcene River Valley ○ Tarboo Valley ○ Dosewallips Valley ○ West Jefferson County valleys; and • is not currently served by “urban governmental services”; and • is in an area characterized by a substantial proportion of undeveloped parcels of land 20 acres or greater in size; and • is outside of any area designated as Master Planned Resort (MPR) or Urban Growth Area (UGA); and • is in an area where no existing land uses are present, which will seriously interfere with the successful long term practice of a range of agricultural activities; and • does not include land currently designated Rural Forest (RF-40) presently in a parcel size 40 acres or larger, or Commercial Forest (CF-80) or Inholding Forest (IF). 	
<p>Agricultural Land of Local Importance (AL-20)</p>	<p>In order to preserve and stimulate agricultural diversity and to maintain an undeveloped land base for future agricultural use, the owner of a parcel may petition the County for designation as Agricultural Land of Local Importance. When the owner of a parcel or an aggregate of parcels petitions successfully for rezone to agriculture the land shall be considered an Agricultural Land of Long Term Commercial Significance and as such, it shall be afforded the rights and protections of natural resource land. Land designated as Agricultural Land of Local Importance shall meet the following criteria:</p> <ul style="list-style-type: none"> • the owner of the parcel currently utilizes or intends to utilize the land for long term commercial agricultural purposes; and • the land is located away from existing land uses that would interfere with agricultural practices; and • the land is located outside of areas already 	<p>Agricultural uses and single family residential</p>

	<p>served with “urban governmental services” which are typically provided in cities; and</p> <ul style="list-style-type: none"> • the land is located outside of existing Master Planned Resort (PR) or Urban Growth Area (UGA) land use designations; and • the land is physically and topographically suitable for the practice of commercial agriculture. • if currently designated as Rural Forest (RF-40), the land is already platted into 20 acre or smaller parcels; and • the land is not currently designated as Commercial Forest (CF-80) or Inholding Forest (IF). 	
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The Regulatory Framework for Agriculture

Jefferson County currently designates and regulates agricultural lands in compliance with the provisions of the State Growth Management Act section 36.70A of the Revised Code of Washington and the Washington Administrative Code 365-190-050 by means of this Comprehensive Plan and the Unified Development Code for Jefferson County adopted on December 18, 2000, together with its subsequent amendments. The UDC replaced the Jefferson County Agricultural Land Ordinance #08-0525-95 adopted effective June 5, 1995.

The Unified Development Code sets forth and regulates definitions, land use districts, performance and use-specific standards, development standards, land divisions, permit application and review procedures, State Environmental Policy Act implementation, Comprehensive Plan and Growth Management Act implementing regulations and amendment processes and enforcement. Agricultural resource lands are primarily addressed in sections 3.1.3 and 3.3.2. Allowable and prohibited uses are established for agricultural lands on Table 3.1.

The Shoreline Management Act, RCW 98.58 and the Jefferson County Shoreline Master Program adopted in March 7, 1989 with minor revisions, also regulate agricultural lands which fall within their specified shoreline jurisdiction.

Aquaculture Resources

Classification and Designation of Aquaculture Resources

The Department of Community, Trade, and Economic Development does not issue guidelines for the classification of aquaculture resource lands. Although the Growth Management Act does not specifically include aquaculture lands as natural resource lands requiring protection and conservation, Jefferson County has elected to do so in recognition of the importance of commercial aquaculture to the local and regional economy. The statutory basis for designation of aquaculture land as Agricultural Lands of Long-Term Commercial Significance is RCW 36.70A.030(2), the definition of agricultural land as: “...land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock, and that has long-term commercial significance for agricultural production.” Shellfish are included under

animal products, while finfish in upland hatcheries were amended to the definition under ESSB 6228 in 1994.

The following aquaculture resources are designated as Agricultural Lands of Long-Term Commercial Significance in accordance with the classification and designation of Agricultural Land as discussed above:

- Upland finfish hatcheries; and,
- Commercial shellfish beds and their upland facilities.

The owners of shellfish beds that are not designated as Long-Term Commercially Significant may petition the County for classification as Agricultural Land of Local Significance in order to gain the protections and benefits provided by the designation.

The Regulatory Framework for Aquaculture Lands

Aquaculture Resources will be included in the final Agricultural Lands Ordinance. The Interim Agricultural Lands Ordinance will be reviewed for consistency with the Comprehensive Plan prior to adoption as a final ordinance in order to establish criteria and processes for the designation of upland finfish hatcheries and commercial shellfish beds as Agricultural Lands of Long-Term Commercial Significance. The interim ordinance includes an opt-in process for owners of shellfish beds to petition to be designated as Agricultural Lands of Local Significance.

The regulations for aquaculture lands as designated in the final Agricultural Lands Ordinance must be consistent with the Comprehensive Plan and with the Jefferson County Shoreline Management Master Program (SMMP). The Shoreline Management Master Program will be revised following adoption of the Comprehensive Plan to be consistent with the goals and policies of the Plan. Aquaculture development, including but not limited to the construction of structures or bulkheads, dredging, filling, driving piles, or any project that interferes with the normal public use of surface waters overlying tidelands, is currently regulated under the Shoreline Management Master Program within shoreline areas. Shoreline jurisdiction generally extends from the Ordinary High Water Mark (OHWM) to approximately 200 feet landward and from the OHWM seaward to the offshore County line. During the revision of the SMMP, conflicts between inconsistent provisions of the Agricultural Lands Ordinance and the SMMP will be resolved by relying on the more restrictive provision.

Development regulations will be adopted that recognize the diversity of aquaculture practices and uses of aquaculture resources. These regulations should consider allowing compatible, non-aquaculture uses while protecting aquaculture resources from conflicting uses. Criteria should be developed to assess the compatibility of non-aquaculture uses on Aquaculture Lands.

Land-based fish rearing and marine-based shellfish facilities require high quality water to operate. As described in the Environment Element of the Comprehensive Plan, Jefferson County should identify potential gaps in existing environmental protections and develop comprehensive regulations to further enhance and protect water quality, based on a watershed management approach. A comprehensive land clearing and grading ordinance will be developed to protect surface and ground water quality and quantity, control storm water runoff, and minimize potential damage to fish and wildlife habitat. For more information on a clearing and grading ordinance, please refer to the Environment Element of the Comprehensive Plan.