

Ag Land Program – Technical Review Committee

Meeting Notes

Monday, June 16, 2008

2:30 – 4:30 pm

Members Attending:

<input checked="" type="checkbox"/> Larry Stoner	<input type="checkbox"/> Dick Yoder	<input type="checkbox"/> Greg Ebe
<input checked="" type="checkbox"/> John Gillies	<input type="checkbox"/> Bill Querhn	<input checked="" type="checkbox"/> Bob Tull
<input checked="" type="checkbox"/> Vicki Hawley	<input type="checkbox"/> Doug Dostal	<input checked="" type="checkbox"/> Chuck Antholt

Others Attending:

<input checked="" type="checkbox"/> Paul Grey	<input type="checkbox"/> Mary Dickenson	<input checked="" type="checkbox"/> Henry Bierlink
<input checked="" type="checkbox"/> Samya Lutz	<input checked="" type="checkbox"/> David Stalheim	<input type="checkbox"/>

x = attending

o = absent with notice

1. Review agenda, June 2 meeting notes – The notes of the June 2nd meeting were accepted as accurate. The agenda was briefly discussed. An invitation to a discussion on wetland banking at the Skagit Ag Advisory Board meeting was distributed. This will take place at 7pm June 18th.

Chuck referenced a memo he had drafted regarding implementation of TDR's. The issues he raised follow and will be used as information in future discussions of TDR's.

1. TDR -- Useful lessons from the Montgomery County:
 - a. Downzoning appears to be necessary in the Montgomery County example,
 - b. A compensating mechanism, i.e., TDRs, is necessary to compensate those who lost by downzoning, and
 - c. Creation of strong demand for TDRs is a sine quo non for a successful program.
2. TDR -- Useful lessons from King County:
 - a. Establishment and use of a TDR Bank.
3. Issues Identified to consider -- "Market Pressures":
 - a. In general we can't do much about generic, e.g., demand for building sites, demand changes for particular crops/products farmers produce, etc., market pressures.
 - b. We (the County) can, however, isolate agricultural land from nonagricultural/food related market pressures so that the market value of land reflects its agricultural productivity potential.
4. Not -- Out of Box:
 - a. This is not out of box, but Larry at our first meeting indicated there have been a number of ways around County code intended to keep land in farming. We ought to develop that list to see what they might be, how much damage is still being done, and what it might take to change the code/regs to close the "loopholes."
 - B Larry could help the TRC identify loophole areas, we can check them out in the code/regs as we talk. It may take a couple of hours outside of a regular TRC meeting.

Henry provided a short status report on the TRC's workplan indicating we were on target towards developing a set of recommendations by late fall. There was concern that the TRC should not be seen as the body that seeks support for the recommendations. That could, and should, be done by individual members of the TRC but not be seen as a task of the TRC itself.

2. Prioritization Factors – Samya reported on the results of previous meetings where we discussed a GIS map of the County with overlays for: zoning, target areas from the PDR program and Rural land study, prime soils, wildlife corridors, family ownerships, etc. Water rights were also considered but both Samya and Henry warned that these maps often are misleading. We plan to have many of these GIS layers available for the July 7 meeting and use this information to help identify the areas under the greatest threat of conversion. It was noted that a layer indicating the parcels created under the 600' rule would also be valuable.

Henry traced the logic of the TRC's work so far:

- a. We have undeveloped 3,898 dwelling units valued at between \$575 - \$775 million in the ag and target rural zones to buy, transfer, or rezone. Bob asked if we needed to presume all needed to be eliminated. The TRC responded that increased building in the ag areas would likely continue but it is not desirable and the more that could be moved out the better.
 - b. The current PDR program brings in approximately \$950k annually and has a balance of \$2.5 million. Even if 100% of these funds were dedicated to ag PDRs (an unrealistic assumption) these funds won't be nearly adequate to address the challenge.
 - c. It is understood that progress towards reducing dwelling unit in ag areas will take time and creativity. The TRC is seeking to apply creativity to the issue by:
 - i. Prioritizing areas and situations that provide cost effective and timely density reductions. Potential purchase and transfer opportunities include identifying the imminently threatened areas and situations, identifying opportunities to build large blocks of protected land, and examining bargain sale opportunities.
 - ii. Developing local applications of existing farmland protection tools and creating new tools that apply well here. It was noted that it is conceivable that we might be able to keep ½ the current dwelling units within the existing zones provided we could get the flexibility to strategically locate them. It would then become conceivable to apply PDR and TDR tools to the remaining dwelling units.
3. Conservation Futures (Natural Heritage Program) Report – Both Samya and Henry provide more information and a brief analysis of how the program has been used. Over the life of the Program ag purchases under the PDR program represent under 20% of the expenditures. However, over the past 5 years they have been over 50% of the expenditures. It was suggested that we obtain information from the Finance Dept. on

the potential bonding capacity that could be provided by using between 40-60% of the annual Conservation Futures funds. It was also suggested that we run the figures based on today's rate and the potential maximum rate of .0625. It was assumed that the bond would be between 15-20 years.

4. Out-of the box Idea Discussion – Larry Stoner is working on draft code changes that would allow creative use of lot line adjustments with intent of using this concept to move dwelling units within family ownerships in a manner that minimized the impact on ag parcels. Larry will have some language ready for a July meeting.
5. Receiving Areas – Samya and David came with a map and a table that depicted both an acre-acre trade and development rights trade of an assumed 5:1 ratio of increased densities to transferred densities. The math proved encouraging. The potential of analyzing the non-target rural zones was also discussed. The TRC would like a table summarizing these areas in the following manner:
 - Non-target R5 zone – reduction to 2.5 and 1 dwelling unit per acre
 - Non-target R10 zone – reduction to 5, 2.5, and 1 dwelling unit per acre*(Note: GMA may prohibit the County from considering parcels under 5 acres in the Rural zones. A change in the state GMA may be required to create parcels under 5 acres).*
6. Public Involvement and education – Paul presented a final draft summary of the Survey results and a proposed structure for two upcoming community forums. The TRC suggested a small group as a trial run for the two forums. They also wondered if the NW WA Fair might provide an opportunity to educate the public on these issues and provide them a means of response.
7. Resources – Available
 - Conservation Futures Program – tables and expenses - June 2, 16
 - Transfer of Development Rights summary – CTED website – June 2
 - Whatcom PDR Program Objectives and Principles – June 2
 - American Farmland Trust Farmland Protection Toolbox – May 19
 - Natural Heritage Plan – 1991 – copies at 3/3 mtg.
 - Purchase of Development Right Program summary – distributed 2/11
 - AAC Rural Land Study – distributed 2/11
 - TDR Program Market Value Estimates – 2003 – Pruetz report – distributed 3/3
 - Agricultural Transfer of Development Right Presentation: The Snohomish County Experience – available through WFF office – 4/21
 - Proposed Ag Land Work Program – a Powerpoint Presentation by Kraig Olason to the County Council, October, 2006 – 4/21
 - Maps:
 - potential build out in the ag zones

- open space ag areas
- CAO – Wetlands
- CAO – Frequently Flooded Areas
- CAO – Wildlife Habitat Conservation Areas
- Ag Zone Adjacent Ownership example

Meeting Schedule

July 7

July 21

August 4

August 18

September 8

September 22

October 6

October 20

November 3

November 17

December 1

December 15