

Ag Land Program – Technical Review Committee

Meeting Notes

Monday, November 17, 2008

2:30 – 4:30 pm

Members Attending:

<input checked="" type="checkbox"/> Larry Stoner	<input checked="" 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 checked="" type="checkbox"/> Dean Martin
<input checked="" type="checkbox"/> Dave Buys	<input checked="" type="checkbox"/> Barb Timmer	<input type="checkbox"/>

x = attending

o = absent with notice

1. Review agenda, October 20 meeting notes – Henry reviewed the agenda for the meeting. The meeting notes were perused and the consensus was that they accurately reflected the October 20th meeting.
2. Updates
 - “Rural” – what is it and how can the County define it to be compliant with GMA. A series of public workshops were held last week. A questionnaire is being circulated to gather more public input.
 - “Whatcom 2031” – The process continues. David noted that the UGA review is intended to be completed by June, 2009.
 - Whatcom Legacy Project – future direction remains unclear. The group is hoping to conduct “values research” which has a price tag of \$60-80k. They are hoping to raise the funds to do this work.
3. Fall Ag Committee retreat feedback – All agreed that the session was worthwhile. Samya noted that we had not fully addressed the question of “who does what by when?” A few more hours might have helped with this. She reported that the PDR Advisory Committee had discussed next steps. John proposed that floating a “strawman” proposal was the next best step. Such a proposal would incorporate the newly developed tools and identify how they should be used and who would use them. Bob emphasized the importance of keeping our work in front of the appropriate government departments and planning efforts. Having our work done well provides us opportunities to inject our work into other planning efforts. But he noted that this does not happen automatically. Someone has to do it.

4. Public Forum Review – November 6th in Bellingham, and November 12th in Lynden. Paul distributed several documents:
 - Code and Proposed TRC Tools – prepared by Dean. This summarizes existing codes and needed actions to implement each of the tools that the TRC has considered. Some of these tools are already on the books but are not being used.
 - Feedback from Forum II – Two lists were distributed from this Forum: A list of Challenges and Opportunities identified by the participants for each tool, A list of several potential “new” tools to consider. The TRC briefly reviewed these suggestions and found that most of them were variations of tools we already identified. But others may demand more reflection and discussion. The TRC will look over the list and determine via e-mail discussion if a future meeting will be needed to discuss any of these suggested tools further. One suggested tool was debated. The idea of making residences a conditional or accessory use in the ag zone and possibly in the rural study areas had not been fully discussed in previous meetings. A brief discussion over this idea was held and it was agreed that the practical effect of this idea was similar to a downzone. Downzones remain a controversial tool. The consensus of the TRC remains that the utility of downzones, including making residences subject to an approval process, are outweighed by the community controversy that this would create and the difficulty of implementing such a policy.
 - Top 3 Tools List – A summary of the forum participants “most hopeful” tools revealed the following preferences (*in order of priority*): PDR, TDR, Parcel Reconfiguration, Natural Resource Banking, Downzoning/Zoning Based Development, LDR, Clustering, Right-to-Farm, Conservation Easements, and Acquisition with Leaseback/Resale. Newly suggested tools also received some preference votes with Ag Mitigation and Accessory Construction receiving the most votes. Others receiving some votes were a development tax, Ag Policy, and an Ag Department at the County.
 - Suggested TDR receiving Areas – a final exercise at the Forums was to have participants identify ideas of where development rights should be transferred to. The exercise prompted creative debate but hardly a definitive direction.
5. TRC Recommendations – The TRC began the process of finalizing the tool lists and incorporating comments from the Public Meetings. It was agreed that Farm Friends would incorporate the discussion at this meeting of the TRC and request feedback and approval via e-mail. If there appeared to be substantive disagreement, a next meeting was set which would help the TRC discuss and resolve these points of debate. Each TRC member was asked to identify their most hopeful tools.

John – believed we should try to retire 75-80% of the available development rights (DR) out of the ag and rural target areas. Favored a TDR program to accomplish this.

Vicki – believed we would need to accommodate 70% of the existing DRs and felt parcel reconfiguration would be the best way to do this.

Dick - believed we would need to accommodate 90% of the existing DRs and felt parcel reconfiguration would be the best way to do this.

Chuck – listed PDR, TDR, and parcel reconfiguration as the top tools we need to fully develop. Would support a goal of retiring 75% of existing DRs.

Larry – saw parcel reconfiguration as the most practical tool. Believed clustering could be a close partner of this. He believed that TDR's are a long way off and therefore we need to be prepared to creatively accommodate 90% of the existing DRs.

Bob – expressed concern that we “prioritize our priorities” first. If the important point is that we improve ag utility, the ag community should have a clear list of “top tier” priority protection areas that could be acted on when funds or DR transfer areas become available. He noted this may have to be a confidential list and that an acquisition agent should be actively seeking to generate high priority and cost effective transactions for the County. He believed a transaction bank would be a needed component for an effective TDR program.

A tally of the tools that the TRC felt most hopeful about indicated that parcel reconfiguration was the most important tool followed by TDR, PDR, and clustering. Some expressed a desire to engage political leaders and leaders in the real estate and development community in a similar exercise of thinking through the tools and ranking the most hopeful.

6. Conservation Easement/Estate Planning Workshop – Nov. 20th – An announcement of the upcoming workshop hosted by WFF and WLT was made.
7. Next Steps – The draft toolbox will begin to be considered by the Ag Advisory Committee at their upcoming meeting November 19th. The TRC is nearing completion of its work. It has not formally disbanded and remains “on call” as a resource for AAC and County Council. December 12th, 10:30 am was set as the date for the next meeting should one be needed.

Meeting Schedule

December 12, 10:30