

**O'Donnell, Mary Beth**

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**From:** Orjiako, Oliver  
**Sent:** Thursday, April 23, 2015 12:11 PM  
**To:** O'Donnell, Mary Beth  
**Subject:** FW: Follow-up - Purchase of Development Rights, Transfer of Development Rights or Agricultural Production Districts



CP 16 # 0723

fyi

**From:** warren.cascadia@gmail.com [mailto:warren.cascadia@gmail.com] **On Behalf Of** warren netn  
**Sent:** Thursday, April 23, 2015 12:05 PM  
**To:** Madore, David; Stewart, Jeanne; Mielke, Tom  
**Cc:** Anderson, Colete; Euler, Gordon; Orjiako, Oliver  
**Subject:** Re: Follow-up - Purchase of Development Rights, Transfer of Development Rights or Agricultural Production Districts

David,  
Thanks for the follow up.

First, I would like to say that developing a Purchase of Development Right(PDR) program is the first and easiest step to take in farmland conservation. The Legacy Lands program was founded with the intent to conserve wildlife habitat as well as agricultural land. 30 years into the program, it has conserved 50 lots and 5000 acres, but not 1 acre of ag land. I have started discussions with large landowners, that would be willing to sell their development rights, to conserve their farmland for future generations, ease market pressure on the property value enabling selling or distributing their land to heirs easier, and gaining the benefit of the development value of their land with out black topping over precious ag soil. Starting with the development of a PDR program would help create the relationships with the farming community, and build the entity that holds the development rights.

**On Purchase of Development Rights.**

1. **Less density:** In Thurston County, development credits are also used to remove density requirements as well as creating more. Developers in Thurston County have found that they are able to build more revenue into projects by building larger homes with more acreage. TDR program is a market-driven incentive based system and responding to the feedback from the development community that they have demand for less density, Thurston County has allowed them to use the development credit to reduce density in identified receiving areas.

You can review the zoning descriptions they've created for their TDR receiving sites here:

[http://www.co.thurston.wa.us/planning/workingland/tdr\\_home.html](http://www.co.thurston.wa.us/planning/workingland/tdr_home.html)

You can view the map of the receiving areas here:

<http://www.co.thurston.wa.us/planning/workingland/docs/tdr-map-sending-receiving-areas.pdf>

2. **Better density:** Other county's have required that development credit receiving sites follow a higher standard of development. Building wider roads, public spaces, and other qualities of traditional neighborhoods. Here is a link to a county in Florida that has written this into their comprehensive plan:

[https://www.municode.com/library/fl/lee\\_county/codes/land\\_development\\_code?nodeId=LADECO\\_CH32COC\\_O\\_ARTIITRDERI\\_S32-309RETDCCR](https://www.municode.com/library/fl/lee_county/codes/land_development_code?nodeId=LADECO_CH32COC_O_ARTIITRDERI_S32-309RETDCCR)

3. **Intergovernmental cooperation:** County's have developed agreements that Sending and Receiving sites can be sent across county lines. It may be possible for Clark County farm land owners to sell their development credits to sites in other counties, that are better suited for density.

Again, thanks for the questions. I hope we can keep up the discussion.

Thank you,  
Warren Neth

On Thu, Apr 23, 2015 at 9:25 AM, Madore, David <[David.Madore@clark.wa.gov](mailto:David.Madore@clark.wa.gov)> wrote:

Warren,

The focus of TDRs is normally on the purchasing side. Please share the other end of that equation. Please elaborate on what you recommend that the purchaser do with the rights. Would that entitle the purchaser to develop and build much higher density than would otherwise be legal?

Please share as specifically as possible.

Thank you,

David Madore

**From:** warren neth [<mailto:warren@slowfoodswwa.com>]

**Sent:** Thursday, April 23, 2015 9:14 AM

**To:** Stewart, Jeanne; Madore, David; Mielke, Tom

**Cc:** Orjiako, Oliver; Alvarez, Jose; Anderson, Colete; Euler, Gordon

**Subject:** Re: Follow-up - Purchase of Development Rights, Transfer of Development Rights or Agricultural Production Districts

Greetings,

I understand I sent this email during a busy week for you. I thought I'd follow up to see if any of the councilors or community planning would be interested in taking a tour of Clark County's mid-sized farms and discuss agricultural food production in Clark County.

If anyone from the council would like to discuss Agricultural Production Districts, Purchase of Development Rights and Transfer of Development Rights, I would be more than willing to meet up. Cathy McQueeney from Clackamas County Soil and Water Conservation District has been leading the development of their new Transfer of Development Program and has also offered to join the conversation and answer any questions and might have.

Thank you,

Warren Neth

On Fri, Apr 10, 2015 at 3:02 PM, warren neth <[warren@slowfoodswwa.com](mailto:warren@slowfoodswwa.com)> wrote:

Greetings,

I wanted to follow-up on my comments at this weeks April 7th BOCCC Hearing.

Slow Food Southwest Washington would like to offer to put together a tour of a collection of Clark County's mid-sized farms and infrastructure to help you better understand the economic and social value of these mid-sized farms in Clark County's rural areas. If we can get commitment from at least two of the BOCCC members, I would be happy to put that together. We could also try to have some of the possible partners from the Ag land conservation and economic development sector join the tour.

As I said at the BOCCC hearing, I appreciate that you have gone forward with your considerations in ALT4, because of concerns you have heard from rural citizens. Over the last decade plus, rural citizens have worked on a number of reports that advocate for Purchase of Development Rights, Transfer of Development Rights or Agricultural Production Districts. I wanted to send you links to each of these reports to make them more easily accessible:

**Analysis of the Agricultural Economic Trends and Conditions in Clark County, Washington April 2007**

[http://www.clark.wa.gov/planning/comp\\_plan/documents/final\\_ag\\_analysis\\_prelim\\_report.pdf](http://www.clark.wa.gov/planning/comp_plan/documents/final_ag_analysis_prelim_report.pdf)

**Clark County Agriculture Preservation Strategies Report March 2009**

<http://www.clark.wa.gov/planning/RuralLands/documents/2009%20APAC%20AgPreservationStrategiesReport.pdf>

**Rural Lands Task Force Recommendations March 2010**

[http://www.clark.wa.gov/planning/rurallands/documents/10-0310\\_RLTF-RecommendationsReport.pdf](http://www.clark.wa.gov/planning/rurallands/documents/10-0310_RLTF-RecommendationsReport.pdf)

**Promoting Agricultural Food Production in Clark County, NOV 2013**  
<http://www.clark.wa.gov/public-health/about/documents/FSCProposalDraft.pdf>

Considering the significant and continued advocacy for Purchase of Development Rights, Transfer of Development Rights or Agricultural Production Districts, I feel it prudent that the BOCCC make efforts to at least explore the option further.

I wanted to offer you this short video that tells the story of agricultural land conservation pretty concisely:

<http://www.pbs.org/food/features/lexicon-of-sustainability-land-trust/>

That video provides a good short story of how the program works generally and how it effects a farm family. To help the county get through the fine details of developing a farmland conservation program, in Washington State, we have the Office of Farmland Preservation. Here is a link to their department: <http://ofp.scc.wa.gov>

In the short-term, the the USDA is offering \$332 Million to pay for easements or technical assistance in developing land conservation programs. Applications are due May 15th, it would be great to have the BOCCC's and community planning's support on submitting the proposal. Here are more details:

<http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/easements/acep/>

Many Counties in WA and across the country have developed these programs. Two nearby county's that would be willing to provide feedback and help with the details are Thurston County and Clackamas County. Here is a link to Thurston County:

<http://www.co.thurston.wa.us/planning/workingland/workingland-home.htm>

King County is a much larger program, but lots to learn from their model. I have attached the actual "DEED OF AND AGREEMENT RELATING TO DEVELOPMENT RIGHTS" that King County uses, in case that is helpful. Here is their website:

<http://www.kingcounty.gov/environment/stewardship/sustainable-building/transfer-development-rights.aspx>

Thank you for the opportunity to share this information. I hope it provides some information for your inquiries into Purchase of Development Rights, Transfer of Development Rights or Agricultural Production Districts.

Please feel free to give me a call to discuss this more and talk about the opportunity to tour Clark County's mid-sized farm economy.

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Thank you,

Warren Neth

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Warren Neth

Executive Director

Slow Food Southwest Washington

[www.slowfoodswwa.com](http://www.slowfoodswwa.com)

cell- [360-771-1296](tel:360-771-1296)

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Warren Neth

Executive Director

Slow Food Southwest Washington

[www.slowfoodswwa.com](http://www.slowfoodswwa.com)

cell- [360-771-1296](tel:360-771-1296)

This e-mail and related attachments and any response may be subject to public disclosure under state law.

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Warren Neth

cell- 360-771-1296

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