

Schroader, Kathy



From: Orjiako, Oliver
Sent: Tuesday, May 24, 2016 9 58 AM
To: 'Elisasue@aol.com'
Cc: steve.dijulio@foster.com, Euler, Gordon, Albrecht, Gary, Alvarez, Jose, Anderson, Colete, Euler, Gordon, Hermen, Matt, Kamp, Jacqueline, Lebowsky, Laurie, Lumbantobing, Sharon, Orjiako, Oliver, Schroader, Kathy, Wisner, Sonja
Subject: RE: Comp plan ag 10 and Forest 20

Good morning Commissioner

I hope all is well with you. This is to acknowledge receipt of your comment. I rarely rebut comments submitted. Our goal and intent in drafting the development regulation is to encourage the conservation of designated resource lands. The intent of a landowner to use land for agriculture or to cease such use is not the controlling factor. I am afraid that there is no substantial "show your work" to justify reducing the current minimum lot size. Therefore it appears that all the county is doing is creating home sites on large acreage. So, staff will provide your comment to the PC and County Council and include in our index record. Thank you very much.

Best regards,

Oliver

From: Elisasue@aol.com [mailto:Elisasue@aol.com]
Sent: Tuesday, May 24, 2016 9:44 AM
To: Orjiako, Oliver, Gordy.Euler@clark.wa.gov
Subject: Fwd: Comp plan ag 10 and Forest 20

This bounced back so am sending it again

From Elisasue@aol.com
To Oliver.Orjiako@clark.wa.gov, Gordy.Euler@clark.wa.gov
Sent 5/24/2016 9:39:26 A.M. Pacific Daylight Time
Subj: Fwd: Comp plan ag 10 and Forest 20

FYI - I sent this today to the council. Wanted to give you a heads up in case you want to rebut.

Betty Sue

From Elisasue@aol.com
To marc.boldt@clark.wa.gov, julie.olson2@clark.wa.gov, jeanne.stewart@clark.wa.gov,
Tom.Mielke@clark.wa.gov, david.madore@clark.wa.gov
CC Oliver.Orjiako@clark.wa.gov, Gordy.Euler@clark.wa.gov
Sent 5/24/2016 9:38:06 A.M. Pacific Daylight Time
Subj: Comp plan ag 10 and Forest 20

Chair Boldt and Councilors Olson, Stewart, Mielke and Madore,

I am unable to attend your hearing tonight but would like to submit these comments
Please include them in the formal record

I encourage you to adopt alternative two but without new requirements called out in proposed language for 40 210 010(E)(3), or for clustering, in the new Ag 10 and Forest 20 zones

While I have great regard for planning staff and value their efforts to preserve natural resource lands and rural character, I respectfully disagree on the value of the proposed language in 40 210 010(E)(3) It is too rigorous in its attempts to solve a potential problems which are unlikely to emerge

First, one dwelling unit per 10 acres is clearly rural in nature If the standard for "urban development" is 4 units per acre as it was when I left the Board of Commissioners, then 1 per 10 acres is far from urban

Second, the requirement for a farm or forest management plan for each subdivided parcel would be difficult to compel GMA requires preservation of natural resource lands, but it does not compel their use in that manner GMA and local land use codes are written to allow or not allow specific uses in different zones, but they do not compel them

An urban parcel of 10 acres zoned residential might be properly subdivided for 50 homes But the owner is not required to build them The lots might sit empty for years and years

Returning to the proposed code for Ag 10 and Forest 20, a family might well live on forty acres of property zoned Agriculture They can use or not use that land for agriculture County code prohibits them from a number of uses but does not require them to farm

However, were they to subdivide their land into four ten acre parcels the purchasers of the three new parcels would be require to engage in agricultural activities

The proposed code requires a management plan that "shall identify the permitted uses and management of the parcel so that it maintains designated agricultural or forest functions " The proposed plan is also required to include any construction activities (for example fencing or agricultural buildings)and vegetation clearing that may occur onsite "Management plans may be modified through a TypeII process "

Additionally, at the time of proposed plat submission, the owner of the original parcel would likely have no idea what future owners of the property might want to do with it Perhaps they want to grow a small cherry orchard, perhaps they want to graze a shetland pony, perhaps they don't want to cultivate at all but prefer to look out of their windows on open space

And, if the management plans are to be submitted with the original application, they should be evaluated by someone with agricultural and timber expertise and credentials. To my knowledge, no one with agricultural expertise is employed in Community Development. They would have to be hired, or contracted, which is a substantial addition to the applicant's costs. Any change to the approved management plan would then require another trip to Community development and another Type II application process.

And, for repetition's sake, state law does not allow local government to "compel" people to use their land in a particular way. You may prohibit some, but you are not authorized to require any. Management plans might be required for certain tax designations, but you are not discussing tax designations at this time. You're considering land use requirements irrespective of any tax incentive.

One more point in conclusion.

Agriculturally zoned lands are presumed by definition to have good soils that are suitable for agricultural activities. Yet the language in the proposed code suggests that is now always the case. It specifies that the building envelope must be located where there are "poor soils or soils otherwise unsuitable for agricultural purposes." Theoretically, there should not be any "poor soils or soils otherwise unsuitable for agricultural purposes." And if there should indeed be one acre of agriculturally useless land among the 10, it might be at some distance from the street, requiring an excessively long driveway, more impervious surface and greater construction costs.

You are all good at your jobs and Councilors Boldt, Stewart and Mielke have extensive prior experience with zoning and codes. They are aware that it is often best to keep things simple.

I urge you to keep things simple in the new Ag 10 and Forest 20 zones and by not adopting the proposed additional requirements for dividing property. Just allow the divisions to proceed under current codes.

Thank you for your consideration - Betty Sue Morris