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CLARK COUNTY
WASHINGTON

COMMUNITY PLANNING SUMMARY MINUTES

Rural Lands Task Force Meeting #10 – October 13, 2009

Members Present: Ginger Burr, Ingrid Dankmeyer, Dan Dupuis, Russ Grattan, David Halme, Rocque Merritt, Monty Multanen, Mike Posey, Danny Walsh, and Bill Zimmerman

Staff Present: Jose Alvarez, Gordy Euler, Chris Cook

The meeting began at 6:00 pm.

Sherry Daubert, the Assessor's Office current use specialist, gave a short presentation on the county's current use taxation program. The program is provided for in state law and administered locally. The program conserves farmlands, timber lands, and open space by allowing a deferral of property taxes. Linda Franklin, the County Assessor, is the legislative authority for the program. For areas in cultivation, five years' of receipts are required to apply for the tax deferral. For parcels less than five acres, annual income from ag must be at least \$1500; there is no specified dollar amount for parcels over 20 acres. Only acres that are actively cultivated are eligible for the program. For more information:

<http://www.clark.wa.gov/assessor/taxrelief/currentuse>

There was no public comment.

Dan Dupuis suggested that the group recommend that five-acre parcels be allowed to be eligible for the current use program. 'Five acres plus one' for the homesite is the current state requirement. The idea would be to make this 'four acres plus one' for the homesite.

Recommendation: Provide incentives for owners of five-acre parcels to plant and manage forest land. One option is to use the provisions of the current use taxation open space provisions, requiring a forest management plan.

The question was raised about buffers between residential and forest land. At the August 25 meeting, the task force recommended:

Recommendation: Equitable and consistent setbacks are needed on Rural and resource lands.

The task force reviewed county policies on mining and mineral resources. There were two general recommendations:

Recommendation: Review water resources on adjacent parcels before allowing surface mining.

Recommendation: Update the inventory of mineral resources. Apply the surface mining overlay to active sites and potential mineral resource locations, and remove the overlay where it isn't warranted. (*Note: the latest inventory was conducted by the Department of Natural Resources in 2005.*)

With regard to specific comprehensive plan policies:

Recommendations:

GOAL: To protect and ensure appropriate use of gravel and mineral resources of the county, and minimize conflict between surface mining and surrounding land uses.

3.5 Policies

- 3.5.1 Support the conservation of mineral lands for productive economic use by identifying and designating lands of long-term commercial significance, consistent with the 20-year planning horizon mandated by growth management.
- 3.5.2 Capital improvement plans should take into consideration maintaining and upgrading public roads adequate to accommodate transport of mineral commodities.
- 3.5.3 In identifying and designating commercial mineral lands, the following factors should be taken into consideration: geological, environmental and economic factors; existing and surrounding land uses; parcel size; and public service levels that are conducive to long-term production of mineral resources.
- 3.5.5 Encourage recycling of concrete, aggregate and other materials.
- 3.5.6 ~~Require~~ Encourage restoration of mineral extraction sites, as the site is mined, consistent with requirements identified in RCW 78.44.
- 3.5.7 Land shall not be used for any activity other than surface mining or uses compatible with mining until the gravel or mineral resource is commercially depleted, reasons for not mining the site are clearly demonstrated, or the site has been reclaimed.
- 3.5.8 Surface mining other than Columbia River dredging shall not occur within 100-year floodplain.
- 3.5.9 Mineral extraction operations shall be conducted in a manner, which will minimize the adverse effects on water quality and quantity, fish and wildlife, adjacent activities and the scenic qualities of the shorelines. Any adverse impacts shall be mitigated.
- 3.5.10 Land use activities adjacent to mineral lands should be located and designed to minimize conflicts with mineral activities on such lands.
- 3.5.11 Designated mineral operations of long-term commercial significance are not exempt from the normal environmental review process of the county or state agencies.
- 3.5.12 Establish standards and programs whereby residents of rural lands adjacent to designated resource lands are informed that they are locating in a natural resource area and that will be subject to normal and accepted mining practices that comply with federal, state and local regulations.

3.5.13 Prior to removal of the surface mining designation, the landowner needs to show that the extraction of the mineral resource is not commercially feasible.

3.5.14 The county shall allow continued mining at existing active sites.

3.5.15 Potential aggregate sites or expansion shall not be designated within rural zoning categories without a surface mining overlay.

3.5.16 Designation to alternative land uses at the time of reclamation shall take into consideration surrounding land uses and other policies of this 20-Year Plan.

~~3.5.17 Future land use designations for those areas designated Mineral Lands (Fisher Quarry and Section 30/31) should be made consistent with city land use and at the time of annexation.~~

~~3.5.18 Some level of processing should be associated with mineral extraction.~~

3.5.17-19 Future sites designated with a surface mining overlay shall be assessed on a case by case basis, based on the commercial or industrial value of the resource, and the relative quality and quantity of the resource as well as the following conditions:

- the resource should be of a quality that allows it to be used for construction materials or meet applicable quality specifications for the intended use(s);
- the resource should be of a quantity sufficient to economically justify development based upon the characteristics of the aggregate, life of the resource site, cost of extraction, accessibility, opportunity, type of transportation and the location of high demand areas; and,
- designation of these mineral resource lands should follow the "Criteria for Designating Mineral Resources," as outlined in the Designation Criteria component of the Rural and Natural Resource Element.

~~3.5.20 Clark County's Shoreline Master Program shall be reevaluated for consistency with the Growth Management legislation and Clark County's 20 Year Comprehensive Growth Management Plan. Any areas of inconsistency shall be reviewed and resolved with either modification of the Shoreline Master Program or Comprehensive Plan policies, which ever is more appropriate. (already in Chapter 4 of the comp plan)~~

The question was raised about the criteria used for de-designation of resource land. In essence, the same criteria are used as for designation. 'Long-term commercial significance' is defined by the Growth Management Act as including "the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intensive uses of the land." The following is Appendix D 'WAC Criteria for Agricultural Land Designation' from the *Analysis of Agricultural Economic Trends & Conditions in Clark County, Washington, April 16, 2007*:

The Washington Department of Community, Trade, and Economic Development (*now the Department of Commerce*) has promulgated regulations in the Washington Administrative Code. This is to guide counties in determining agricultural and forest lands that have "long-term commercial significance" (see WAC 365-190-050, 10). This regulation states that counties shall also consider the combined effects of proximity to population areas and the possibility of more intense uses of the land as indicated by:

- a) The availability of public facilities;
- b) Tax status;
- c) The availability of public services;

- d) Relationship or proximity to urban growth areas;
- e) Predominant parcel size;
- f) Land use settlement patterns and their compatibility with agricultural practices
- g) Intensity of nearby land uses;
- h) History of land development permits issued nearby; and
- i) Land values under alternative.

Next on the agenda will be a review of Metro's Urban and Rural Reserves report.

The meeting adjourned at 9:00 p.m.

NOTE: The next meeting will be Tuesday, October 27, 2009 at the Dollars Corner Fire Station, 21609 NE 72nd Avenue in Battle Ground, beginning at 6 p.m. An open house is planned for November 10 and there will be no meeting on November 24.