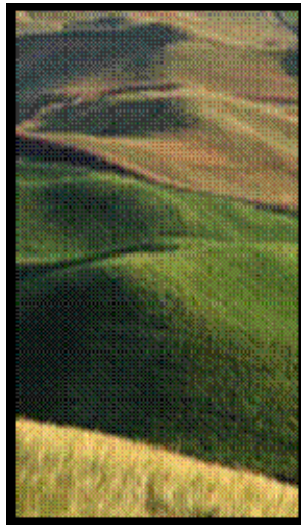


Douglas County Agricultural Tools
Project Summary:
Supplemental Report



Supplemental Report: Review of Ag Support and Cluster Development Tools

This report contains supplemental information to the previously-completed “*Douglas County Agricultural Tools Project Summary*”. The initial report was commissioned by Douglas County in the spring of 2007, and was subsequently completed and submitted to the County during a joint public meeting of the Board of County Commissioners and the County Planning Commission on November 4, 2007. At that public workshop, the Planning Commission members indicated a need for additional information in order to make the report useful to them in determining a course of action with regard to the issues identified. A subsequent public meeting of the Planning Commission on December 19, 2008 resulted in a list of requested additional information the PC members wanted to have included in a supplemental report. The following tasks were identified out of that meeting and are analyzed in the remainder of this report:

1. Provide a comparative analysis of limited lot segregations, farmstead preservation, family farm support and clustering provisions in other jurisdictions
2. Compile data regarding the total amount of land within the 3 resource land designations, identify how many acres have been involved in the 4 types of land divisions being reviewed, and within these divisions describe how many acres are in the “small” lots (in other words, lots that may be less than the required minimum of the zone).
3. Compile, identify and describe the same data listed in 2., above, for the 4 rural land designations.
4. Refine the overall county map that depicts where the different land divisions have taken place.
5. Review the cluster developments that have occurred and summarize information regarding the total number of lots created, the average “small” lot sizes, the total acres in “small” lots of the actual cluster development and identify the number of lots that would have been created if a standard subdivision would have been developed consistent with the required minimum lot size..
6. Identify and report any technical errors and/or inconsistencies in the initial report, given the same parameters, including timeframe for review.
7. Provide any general observations and recommendations

It is important to note that the information provided for items 2 through 6, above, is bound by the same parameters, particularly related to the timeframe, that was established by the County for the initial report. Data for both efforts was collected for the timeframe between the County’s adoption of their first GMA-compliant comprehensive plan in 1995 and June, 2007.

The Planning Commission was interested in seeing whether similarly situated Counties provided similar land division opportunities. In defining the scope of work for this supplemental report, it was decided that the comparison should review other Counties that are “fully planning” under the Growth Management Act, particularly where there are river environments. The Counties selected for comparison include Chelan, Grant, Spokane, Yakima and Walla Walla. In the table below, the following questions were analyzed and answered, based on a review of the identified Counties’ codes:

Do they have these tools?

Do they allow them to occur in rural designations?

- Do they allow them to occur in resource designations?
- Are there maximum lot sizes?
- Are there minimum lot sizes?
- Is there a maximum number of lots allowed?
- Are there minimum lot widths?
- Do they allow a density bonus, and if so, what is it?

If a particular jurisdiction allows a similar type of division, there is a “Yes” in the table, with brief explanatory notes included within the table. It is important to note that the comparison is based only on a general understanding of other jurisdictions’ codes. There may be certain conditions on a specific site that might impact whether the answer to a question is “yes” or “no”. Generally, if the other codes allowed some similar land division, it was identified.

Tool	Chelan	Grant	Spokane	Yakima	Walla Walla	Douglas
Limited Land Segregations	No	No	No	Yes	Yes	Yes
Allowed in Rural Designations?	No	No	No	No	No	Yes
Allowed in Resource Designations?	No	No	No	Yes	Yes in Ag 40 & 20 only	Yes
Max lot size?	No	No	No	3 ac	No	2 ac
Min lot size?	No	No	No	1 ac	1 ac, 10 ac minimum required for remaining lot	Based on septic suitability – CDHD requires
Max # of lots?	No	No	No	2	2	2
Min Lot width?	No	No	No	4:1 w/d ratio	No	70’
Density bonus?	No	No	No	No	No	No
Others?	No	No	No	Agriculture viability test	Counts against any future cluster dev	At least 10 acres in size, remainder at 70% of original parcel
Farmstead Preservation?	Yes >5ac	Yes >5ac	Yes	Yes	No	Yes
Allowed in Rural Designations?	RR-5 to 20	No	No	No	No	Yes
Allowed in Resource Designations?	Yes	Yes	Large Tract Ag only	No	No	Yes
Max lot size?	No	No	No	3 ac	No	That necessary to include all outbuildings, & surrounding land that is not currently in active crop or livestock production

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Tool	Chelan	Grant	Spokane	Yakima	Walla Walla	Douglas
Min lot size?	CDHD	1 ac	5 ac	1 ac	No	Based on septic suitability – CDHD requires
Max # of lots?	2	2	2	2	No	2
Lot width?	No	No	330 ft	4:1 w/d ratio	No	70'
Density bonus?	No	No	No	No	No	No
Others?		In CP, not in the Code	No development on large lot	15 yr restriction	No	No
Family Farm Support	No	No	No	No	No	Yes
Allowed in Rural Designations?	No	No	No	No	No	Yes
Allowed in Resource Designations?	No	No	No	No	No	Yes
Max lot size?	No	No	No	No	No	That necessary to include all outbuildings, & surrounding land that is not currently in active crop or livestock production
Min lot size?	No	No	No	No	No	Based on septic suitability – CDHD requires
Max # of lots?	No	No	No	No	No	2
Min Lot width?	No	No	No	No	No	70'
Density bonus?	No	No	No	No	No	No
Others?	No	No	No	No	No	No
Cluster Developments	Yes	Yes	Yes	Yes	Yes	Yes
Minimum Project Size	No	No	No	No	2 times minimum lot size 20-80 ac	No
Allowed in Rural Designations?	Yes	Yes	Yes	No	No	Yes
Allowed in Resource Designations?	Yes	Yes	Limited	Yes	Ag 40, 20 & 10 only	Yes
Max lot size?	No	Ag- 2.5 ac with exceptions	No	3 ac	3 ac	2 ac
Min lot size?	CDHD	1 ac /HD	1 ac	1 ac	No	Based on septic suitability – CDHD requires, not less than ½ ac

Tool	Chelan	Grant	Spokane	Yakima	Walla Walla	Douglas
Max # of lots?	No	Ag- 4 Rural 8 to 16	8	Yes	No more than 12 depending on water rights	No
Min Lot width?	Per District	4:1 w/d ratio	125 ft	4:1 w/d ratio	150 ft	70'
Density bonus?	Yes	No	No	No	No	Yes
Others?	70% open space req	No	70% open space req	No	70-85% open space req	70% of original parcel

The second and third items that are addressed in this supplemental report were in response to the Planning Commission’s inquiry as to how the numbers (lots, acres) identified in the initial report relate to the overall resource and rural land designations that exist within the entire County. In other words, how many total acres are there in the rural and resource land designations county wide, how many acres have been involved in the four types of land divisions, and how many “small” lots (i.e. lots less than the minimum lot size required by the zone) have been created through these tools during the time period examined? The table below summarizes the data that was collected to answer these questions, and uses the following acronyms: “FPD” is farmstead preservation division, “FFS” is family farm support division, “LLS” is limited land segregation, and “CD” is cluster development.

	Total acres in land use designation	Acres involved in FPD	Acres involved in FFS	Acres involved in LLS	Acres involved in CD	How many acres in “small” lots?
AD	667,921	1418	1237	0	0	53
AC10	31,905	117	516	128	318	173
AC5	1,089	9	36	11	0	4
R-REC	915	0	0	0	0	0
RR2	1,065	0	0	0	25	6
RR5	29,499	56	40	14	1140	237
RR20	421,993	0	49	0	511	87

*Values may vary from previously developed tables due to changes in the GIS Parcel Layer for Douglas County.

The next item completed was to refine the overall county map to more clearly depict where the different types of land divisions have occurred over the time frame. At the end of this report, a revised map has been included.

The Planning Commission also wished to see a comparison of how the cluster developments that occurred would have looked if they had instead been proposed and approved as a standard subdivision (one that complied with all the minimum dimensional provisions of the applicable zoning district, including minimum lot size). The table below identifies basic components of the existing cluster developments that have been submitted for review (some of which are finalized, while some are not), and, in the far right column, identifies the number of lots that would have been created if the project had moved forward as a standard subdivision. Within the table, the characteristics identified for the cluster developments includes the total number of acres within the project; the total number of lots created, including the smaller lots and the larger “reserve” parcel; the average lot size of the smaller lots; and the total number of acres within the development that are used for the smaller lots. For demonstration purposes, numbers were rounded to the nearest whole number, and information for projects that may not yet be finalized is based on the proposal submitted by the applicant.

Project	Is it final?	Total Acres	Total Lots, incl. Reserve	Average Small Lot Size (ac)	Total Acres of Small Lots	Standard Land Division # of Lots
Beebe Ranches	Y	486	107	0.80	84	97
Twin W (18- 20 acre apps.)	Y	367	89	1.21	85	72
Victor Bailey	N	42	4	1.6	5	4
Victor Bailey	N	5	4	1.65	5	3
Curry Farms	N	25	3	2.15	4	2
David Piepel	Y	12	4	1.12	3	2
Joseph Ahl	Y	9	3	1.04	2	1
Patrick McCall	Y	10	3	1.0	2	1
Phillip Lesh	N	87	27	1.0	26	18
Barton Clennon	N	21	7	1.19	7	4
Painted Hills	N	59	17	1.01	16	12
Michael Chapman	N	23	7	1.03	6	4
CDL Developments	N	511	37	2.25	81	28
Thomas Hurst	N	25	13	0.5	6	12
Autumn Mtn Dev	N	62	10	1.14	10	6
Rancho Manzanitas**	Y	53	4	0.95	3	35**
Totals		1797	338		346	295

**This application is in the RSC Zone which does not establish a minimum lot size. To establish a number of lots created through a standard subdivision process, a minimum lot size of 1.5 acres was used.

Lastly, the Planning Commission requested that the original report be reviewed for any technical errors or factual discrepancies. The table below documents where clarifications were needed or where errors or inconsistencies occurred, given the same study parameters of the

initial report (e.g. date the data was collected, timeframe to prepare report, date report prepared and presented, items to review, etc.). If an item was only clarified, the cell under the heading “Existing” contains the clarification and/or explanation, and if there is a correction, the text in the far right column shows added text in underline format.

Location	Existing	Correction
P.8 Land Divisions Summary	By reviewing the types of land divisions made, it is possible to determine various impacts on agricultural land.	By reviewing the types of land divisions made, it is possible to determine various impacts on <u>rural and agriculture</u> designated lands.
P.8 Land Divisions Summary	The cluster land division provisions were adopted in 2003, that same year Twin W Orchards used the cluster land division to create 52 lots. The following year Twin W Orchards created an additional 18 lots and Beebe Ranch created 107 lots.	The cluster land division provisions were adopted in 2003, and that same year Twin W Orchards used the cluster land division to create 52 lots, <u>all within Rural Resource 5 designated areas</u> . The following year Twin W Orchards created an additional 18 lots and Beebe Ranch created 107 lots, <u>also within Rural Resource 5 designated areas</u> .
Page 9, Table 1, Second Column name change	Original number of lot	<u>Pre-division number of lots</u>
Table 3 and 4	Clarification- The total number of lots is different because only those finalized/approved were considered in Table 3 whereas Table 4 is all applications.	
Table 4	Clarification- the existing lot clustering made no new lots. The rest of the categories are new lots.	
Table 4	Agricultural Designated	<u>Dryland Agriculture</u>
Center of page 13	Many of these, large/reserve lots are smaller than what would be expected economically viable for continued agricultural practices, and is more susceptible to encroachment from surrounding residential development.	Many of these, large/reserve lots are smaller than what would be expected <u>to be</u> economically viable for continued agricultural practices, and is more susceptible to encroachment from surrounding residential development.
Bottom of page 13	Columbia River lots have seen a large conversion from agricultural land to vacant and residential agriculture. For example, Twin W Orchards was	Columbia River lots have seen a large conversion from agricultural land to vacant and residential agriculture. For example, Twin W

	agriculture orchard land and has been subdivided into 81 lots- all but 8 are currently vacant.	Orchards was agriculture orchard land and has been subdivided into 81 lots- all but 8 are currently vacant (<u>23 with active building permits</u>).
Top of page 14	Vacant:8 lots (437 ac) – this includes one lot on 340 acres with a home	Vacant:8 lots (437 ac) – this includes one lot of 340 acres with <u>an existing residence</u> .
Page 15	Once the adoption of clustering provisions occurred, multiple applications were submitted and all orchards removed.	Once the adoption of clustering provisions occurred, multiple applications were submitted and <u>most of the</u> orchards removed.
Individual Permit File Changes		
Permit # P-02-01- Text at end of file.	Also in that application a clustering of existing lots including boundary line adjustments, with no new lots, in 2002.	Also in that application a clustering of existing lots <u>occurred</u> , including boundary line adjustments, with no new lots, in 2002.
Permit # SS-05-30	Type of Division: Cluster	Type of Division: Cluster (<u>Northern Parcel of the two shown</u>)
Permit # SS-05-28	Type of Division: Cluster	Type of Division: Cluster (<u>Southern Lot of two shown</u>)
Permit # SS-05-10	Type of Division: Cluster	Type of Division: Cluster (<u>Southern Parcel of the two shown</u>)
Permit # SS-04-009	Type of Division: Cluster	Type of Division: Cluster (<u>two lots within application</u>)
Permit # P-07-07	Begins with 1 lot, not 3 existing.	“Reserve Lot Size” should not have the “(Begins with 3 existing lots)” in the description- deleted
Permit # P-07-02	Type of Division: Cluster	Type of Division: Cluster (<u>Application originated with 3 existing lots</u>) [<i>new text was originally below the map</i>]
Permit # P-06-03	Type of Division: Cluster Lots	Type of Division: Cluster Lots (<u>Begins with 3 existing lots</u>) [<i>new text was originally below the map</i>]
Permit # P-06-02	Type of Division: Cluster Lots	Type of Division: Cluster (<u>application covers 6 existing lots</u>) [<i>new text was originally below the map</i>]
Permit # Multiple	Type of Division: Cluster Lots	Type of Division: Cluster [<i>“Lots” deleted for consistency</i>]

Based on these supplemental tasks and the initial report, this report attempts to provide some initial observations. These are intended to be technical observations made based on an objective review of the information. They are provided on a broad scale, and are not based on any specific development project that was reported in either document.

Generally, it appears that there are instances where the agricultural support tools have been utilized as they were originally described in the 1995 Comprehensive Plan. As stated in different areas of the 1995 Plan, these tools were originally developed to address the needs of agriculturalists in the County to accommodate and promote the continuation of the family farm, particularly where the large majority of the County's land area was encompassed in one of three agricultural resource land designations. A balance was struck whereby agricultural resource lands were protected, but not to the extent that the agriculturalist was "hamstrung" by regulations. Tools were provided to ensure that, as circumstances changed, the agriculturalist had opportunities to respond to those new circumstances in a variety of ways that wouldn't have negative impacts on the neighboring farmer and his/her continuing commercial operation.

Changes in the comprehensive plan and development regulations that were evaluated in the original report appear to have resulted, over time, in these land division tools being available to accommodate more than just the needs of the County's agricultural community. Implementing rural land designations reduced the amount of land that was identified as "long-term commercially significant", although it is recognized that agricultural activities do occur in those areas. In rural areas agricultural activities do not have the same status of "preferred land use" as do the agricultural activities that occur in resource land designations. Additionally, where density bonuses are allowed in resource and rural land designations with higher density standards and lower minimum lot size, there is a compounding effect that may result, over time, in higher densities than had originally been intended in establishing those land use designations.

In regard to the family farm support tool, the older divisions, prior to 1998, appear to be the division of a home site off of a larger parcel, either of which appeared to be kept by family members. More recent use of this tool appears to have resulted in the creation of more than 2 lots, and these have generally occurred on parcels that are smaller to start with, typically around 10 acres. It also appears most of these lots are owned by other than family members, although this is surmised only based on property owner names as they appear on the Assessor's tax rolls for the time period the original report was conducted.

Primarily because there is a 2-lot limit, the farmstead preservation divisions have also appeared to be used to divide a home site that is generally less than 2 to 3 acres off of a larger parcel. According to Table 1 in the original report, 16 parcels were the subject of an application for a farmstead preservation division, with 14 new parcels created over an approximate 5 year period between 2002 and 2006.

Similar to the farmstead preservation divisions, the limited lot segregations have a limit of creating 2 lots. During a similar timeframe of 2003 through 2007, 16 new lots were created out of 16 existing lots through the limited lot segregation process (Table 1, original report). One difference appears to be that the majority of lots that were divided were vacant to begin

with (and many remain so), whereas the farmstead preservation divisions typically involved at least one existing home. When viewed independently, this tool also seems to serve a purpose in serving the needs of the agriculturalist to have some options and flexibility when their circumstances change. However, it appears that this tool may have the potential to serve as a precursor to further development using other tools such as the cluster development.

Because it has a somewhat different purpose, the cluster development tool has been used differently than the other agricultural support tools. The 1995 Comprehensive Plan was very direct in stating that the cluster development tool was intended as a resource land conservation tool that reduced the impact of development by concentrating it in a smaller area, leaving a “farmable” size parcel, and having the added benefit of reduced costs for provision of public services and infrastructure. It was clearly intended that this tool would again provide an option or opportunity for property owners transitioning out of agriculture to realize some level of development on their property that was done in a way to not negatively impact their neighbors as they continued their farming operations. In reviewing the history of projects, the majority of cluster developments have occurred in areas designated in a rural land use designation. As such, it is unclear whether the conservation of agricultural activities has been a significant component of cluster developments, although other open space uses were contemplated in the original comprehensive plan.

It would seem beneficial for the County to consider these tools on an overall basis, and review and restructure them as a package so they aren’t able to be used in a consecutive manner that tends to circumvent the purpose or intent. When each is considered independently, they appear to provide the balance between allowing some manner of development and preserving the important economic resource and rural character enjoyed by Douglas County residents. However, when these tools are used in a consecutive, layered way, the end results tend to create higher intensity developments than what may have originally been intended, and that are in some ways inconsistent with the intent of the Growth Management Act.