

# ***Lewis County Planning Commission***

Lewis County Courthouse  
Second Floor Commissioners' Hearing Room  
351 NW North Street  
Chehalis, WA. 98532

Special Meeting ~January 3 @ 7:00 PM

## ***AGENDA***

- 1. Call to Order**
  - A. Introductions of Planning Commissioners (roll call).**
  - B. Approval of Minutes from previous meetings (Nov. 22<sup>nd</sup>, 29<sup>th</sup>, Nov. 30<sup>th</sup> and Dec. 6th).**
  
- 2. Old Business**
  - A. Continued workshop on ARLs:**
    - 1. Summary review of past discussion and actions**
    - 2. Further review of criteria, thresholds and aggregate “blocking”.**
  
- 3. New Business**
  - A. Review of Calendar**
  
- 4. Good of the Order**
  
- 5. Adjourn**

*This meeting site is barrier free.*

*People needing special assistance or accommodations should contact The Planning Division 72 hours in advance of the meeting.  
Phone: (360) 740-1146.*

*Lewis County does not discriminate on the basis of race, color, national origin, sex, religion or age.*

**Notes from the Lewis County Planning Commission Work Session  
January 3, 2006– 7:00 p.m.  
Lewis County Court House  
351 NW North Street  
Chehalis, WA 98532**

**Planning Commissioners Present:** Fred Breed, Bill Russell, Bob Guenther, David Draper, Jim Lowery, Richard Tausch and Chris Butler

**Staff Members Present:** Phil Rupp, Barbara Kincaid

**Consultants Present:** Mike McCormick

**Public Present:** Please see attached sign-up sheet.

**Handouts/Materials Used:**

- Agenda for January 3, 2006
- Notes from November 22, 2005, November 29, 2005, November 30, 2005 and December 6, 2005 meetings.
- Memorandum from Barbara Kincaid to The Planning Commission Re: Correspondence Received dated January 3, 2006. 5 pages
- Document titled, Lewis County Farm Facts (2002). 1 page
- Document titled, Agricultural Resource Lands Designation Criteria Summary of Tables, dated January 3, 2006. 1 page
- Planning Commission Calendar dated January 4, 2006. 5 pages

**1. CALL TO ORDER**

Chairman Draper called the meeting to order at 7:00p.m.

**A. Introductions**

The Planning Commission Members introduced themselves.

**B. Approval of minutes**

Commissioner Guenther made a motion to approve the minutes from November 22, November 29, November 30 and December 6, 2005 as written.

Motion was seconded and approved unanimously.

**2. OLD BUSINESS**

**A. Continuation of workshop on ARLs**

Mr. Rupp explained some of the materials that were handed out. Mr. Rupp also explained that Ms. Kincaid discovered a document that may be very relevant to the threshold issue but Staff hasn't had time to evaluate or summarize it. Ms. Kincaid explained that this document is a Land Evaluation Site Assessments put out by the Federal Government. It appears to be a very comprehensive look at designating Agricultural Resource Lands and it has been used in the State of Washington. The Federal Government has also adopted the scoring in this document for the Farm Land Protection Policy Act. Thresholds are discussed in this document and it may give some direction in designating a threshold number for designating Agricultural Lands of Long-Term Commercial Significance.

Mr. Averill then explained how the TAC came to their recommended threshold number. The TAC kept in mind that the task was to determine Agricultural Lands of *Long-Term Commercial Significance*. While much farming does occur in Lewis County much of it is subsistence farming, with 76% of farms have < \$10K in value of sales. Mr. Averill commented that he thought Agricultural Lands of Long Term Commercial Significance currently occupies around 50-70,000 acres. He came to this number by using the USDA Agricultural Statistics. The Ag Statistics show about 31, 865 acres reported as harvested row crops and hay. Then there was another about 35,000 to 40,000 in pasture. Mr. Averill commented that perhaps we want to create two categories for agricultural lands. The first category would be Agricultural Lands of Long-Term Commercial Significance and category two would incorporate land in agricultural open space. The land in category two would be protected by our Right to Farm Act and be subjected to the more lenient rules governing rural development districts. The TAC looked at the soil of a parcel and then at its location and the types of activities going on around it. The TAC favored more remote farming operations, and was most interested in areas where agriculture was predominant. Ultimately the threshold number 9.5 best

captured Agricultural Lands of Long-Term Commercial Significance. Then the TAC tried to create blocks of contiguous farmland.

The Planning Commission then discussed the threshold number. The discussion was started with a discourse on what direction the State wanted The Planning Commission to take. Because the Agricultural Lands are supposed to be not only the current commercially farmed lands but also potentially commercial agricultural resource lands. Commissioner Butler started the discussion off by submitting the mid point number of 8 as the threshold number. The Planning Commission decided to wait until an analysis could be prepared concerning the new government document.

Mr. Mike McCormick also suggested to The Planning Commission to add another subjective criteria dealing with highest and best use after the scoring to the Ag lands designation. This criterion would address the higher use pressure on lands close to the I-5 corridor. He suggested setting aside locations along the I-5 corridor that have been identified as potential industrial land bank areas as well as increasing the buffer around UGAs along the I-5 corridor to something larger than ½ mile. Mr. McCormick encouraged The Planning Commission to think and discuss these issues. Commissioner Breed asked Mr. McCormick to define the term potential for higher and better use. Commissioner Breed commented, "Every piece of ground has the potential to farmed again if what is on it is taken off."

Also for clarity's sake the only soils being considered for agricultural designation are Class I, Class IIe, IIs, IIw, Class IIIe, and Class IIIw. Chairman Draper asked for the category of All Others to be removed from the Criteria Summary of Tables document.

Additionally Staff will provide copies of the relevant sections of the new government document as soon as possible, and a summary of the document by January 17<sup>th</sup>.

**Chairman Draper called a recess at 8:13pm and reconvened at 8:34pm.**

Chairman Draper announced that tomorrow's Planning Commission meeting has been cancelled.

The Planning Commission discussed the evaluation of higher and better use of land. Mr. McCormick recommended using a non-numerical system to help select out the land with higher and best use more effectively. The Planning Commission decided to continue their discussion of this topic after the new document has been evaluated.

### **3. NEW BUSINESS**

#### **A. Review of Calendar**

The next meeting is January 10, 2006 and at this meeting officers will be elected for the new year.

The other meetings in January are scheduled for January 17<sup>th</sup>, 18<sup>th</sup>, 24<sup>th</sup> and 25<sup>th</sup>. This schedule is different from the one handed out at the meeting so please make a note of the January meeting dates.

Commissioner Breed also wanted to discuss the Property Rights Issues and recommended having this topic put on the work session schedule. Commissioner Breed commented that it was important to not overlook Property Rights. Property Rights is one of the GMA planning goals and should be dealt with. Commissioner Breed then asked, "How are we going to compensate people for their property rights when we designate them Ag Res Lands?" Chairman Draper responded by saying that he thought that it was a consensus that once the ARL issues have been resolved The Planning Commission will present this issue to the County Commissioners by providing a way for people to challenge their classification especially with the parcels not being split. Commissioner Butler commented that defining property rights was too large of a task and perhaps a task for the courts, however there should be a way for people to challenge their classifications. Chairman Draper commented that he thought property rights was an issue to be dealt with by the Supreme Court. Commissioner Breed asked how was the issue going to get to the Supreme Court if no one will start the ball rolling. Mr. McCormick then added to the discussion by saying that there is provision under the GMA for State Attorney General to provide guidance to assist state and local governments in avoiding takings. This could be a topic when your attorney is here and he can speak about what the county has done and is doing to avoid constitutional takings under the guidance provided by the state.

### **3. GOOD OF THE ORDER**

Mr. Eugene Butler suggested using 7 as a threshold number instead of an 8 because of the -1 for the property value section. Theoretically the prime soils could be dropped out of the designated land, whereas if the threshold were 7 they would not be dropped. As for the I-5 corridor, perhaps you should use I-5 interchanges rather than the entire corridor because there is more development pressure at the interchanges. Mr. Eugene Butler also wanted to point out that the 170 series of the GMA statute has built into it certain authorities to use the unsuitable soils in your designated agricultural land for purposes that would otherwise not be available on agricultural resource land. There is a built in mechanism for preserving property rights when designating agricultural lands.

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Mr. Ryan Ells commented that there is more to the agricultural issue than just soils. There is a cultural aspect, there are many reasons why people farm. Mr. Ells commented that a farm could be considered viable even if the farmer has an outside job. Many larger Midwest farmers have part time jobs. Mr. Ells then commented that maybe the owners of the parcels on the I-5 corridor should be able to opt in or out of the ag designation. Then he commented that we don't know what is on the future horizon for agriculture in Lewis County.

Commissioner Russell commented that the property rights issue is not limited to agricultural lands; it affects all the land classes. We need to keep that in mind.

**Commissioner Butler made a motion to adjourn the meeting.**

**Motion was seconded and passed by unanimous vote.**

**Chairman Draper adjourned the meeting at 9:22pm.**