

Memorandum

To: Members of the Sumner Planning Commission
From: Paul Rogerson, AICP, Community Development Director
Date: 10/22/2010
Re: Adding Agricultural Land to a UGA

During recent deliberations regarding the 2010 Comprehensive Plan amendment package, the Planning Commission has asked for clarification regarding agricultural lands. This memo is to clarify some technical issues surrounding bringing agricultural lands into an Urban Growth Area.

Current Agricultural Land Protections

When we look south towards Orting, what we perceive as an uninterrupted panorama of agricultural lands is actually something slightly different. The assumption that some make is that all the land in view is protected for permanent agricultural use. In actuality, there exists only a patchwork pattern of agricultural protection and none of it permanently protects the ag land. Some of this land is formally designated as agricultural land under Pierce County zoning - so called Agricultural Resource Land (ARL) - while some is not. Even ARL lands can be developed. ARL designation allows either subdivision into 10 acre lots, or clustering of new homes on a one-unit-per-five-acres density. Many planning practitioners would call this a form of sprawl.

County criteria and mechanism for UGA expansion in the AMCP Area.

The County will not approve any expansion of an UGA into these lands until it is satisfied that a number of very strenuous criteria have – or will be – met. In its application to the County for UGA expansion, the City must include a demonstration that all the criteria are satisfied. The first and most important of these criteria is found in the Alderton-McMillan Community Plan (AMCP) a portion of the County Comprehensive Plan.

The AMCP contains a mechanism that both allows some expansion of Urban Growth Areas, and at the same time seeks to improve the level of agricultural protection in the valley. This is accomplished by requiring that *inclusion of ARL lands into a UGA must be accompanied by a commensurate designation of ARL lands outside the UGA (see AMCP Objective 7A)*. The community plan calls first for designation of ARL lands from other rural designations, although if there are not adequate rural lands to convert to ARL, then the County may consider conservation easements on other existing ARL lands to satisfy this “commensurate acreage” requirement. Any lands identified for this exchange must have conservation easements placed on them, stripping the land of development rights. This limits further expansion of urban uses and permanently preserves the land for agricultural uses – a level of protection that exceeds anything in place on currently designated ARL properties. Arguably, the overall level of ag protection in the valley is improved.

In the case of the Sumner UGA proposal, this means that 131.15 acres of land not currently receiving this level of protection would be placed in permanent conservation easements in the valley.

Rural Lands

The Orton Junction area also includes approximately 57 acres of lands designated rural under County zoning. The County Comprehensive Plan contains a requirement that if any of those lands are proposed for increased residential densities and such increase would require purchase of development rights under the County's Transfer of Development Rights (TDR) program. (see PCC Chapter 18G). This would require purchasing development rights from other properties within the County, or contribution of dollars to the County TDR bank to facilitate County purchase of such rights. The county uses these purchases to preserve open space, natural resource lands, or critical areas. In this way this mechanism also contributes to preservation of important lands - that may include farm land – across the County.

Other Measures

It is anticipated that the “Orton Junction “project would contribute to the viability of agricultural activities in other ways as well. These other measures may include;

- Incorporating a farmers market and/or community garden element into the project design;
- Developing program partnerships with adjacent agricultural interests outside of the UGA, such as the WSU extension property or commercial farmers. These partnerships could promote programs to strengthen local farm-to-table programs and perhaps provide educational or tourism partnerships between local farmers and urban residents
- Agri-tourism. Local subscription agriculture, farmers markets, local produce and culinary education and similar programs could be effectively implemented to improve markets within the County for locally grown products and thus strengthen local agriculture.

In Sum

Overall, the mechanisms in place provide for the expansion of UGA's into the farm valley, but only in a way that assures that the overall level of protection for agricultural activities does not diminish. Not only will the total number of acres in ARL designation not decline, but the quality and permanence of the protection will increase on many of those acres. Agriculture, as an industry in the Orting Valley is better protected through conservation easements, acquisition of development rights, and opportunities to improve market conditions, than through the current zoning alone.

In addition, the use of easements and TDR programs to permanently protect agricultural lands is strongly encouraged by Puget Sound Regional Council in their *Vision 2040* document. The use of these methods allows the City to demonstrate that it is on the leading edge of ag land protection as defined by PSRC.