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CLARK COUNTY  
WASHINGTON

## COMMUNITY PLANNING SUMMARY MINUTES

### Rural Lands Task Force Meeting #5 – July 28, 2009

Members Present: Sharon Bussler, Ingrid Dankmeyer, Dan Dupuis, Russ Grattan, David Halme, Rocque Merritt, Monty Multanen, Mike Posey, Danny Walsh, Byron Woltersdorf, Bill Zimmerman, and Robert Zumstein  
Staff Present: Gordy Euler, Jose Alvarez; Chris Cook

The meeting began at 6:04 pm.

Bill asked that the July 14, 2009 summary minutes be corrected to attribute him saying that there are 'approximately' 390 farms in the county.

The group began a discussion of the county's Right to Farm/Log ordinance, CCC Chapter 9.26. Gordy handed out RCW 7.48.305, which is the state language on nuisances associated with agriculture and farming activities. The question came up about disclosure requirements (which are noted on the face of a final plat). The question came up about where the right to farm/log ordinance applies in the county. Currently, the ordinance applies to resource lands and lands subject to the current use taxation program (Section 9.26.020).

Recommended changes to the ordinance are as follows:

#### **Chapter 9.26 RIGHT TO FARM/LOG**

##### **9.26.010 POLICY AND PURPOSE.**

It is the policy and purpose of this chapter to protect and encourage good agricultural and forest activities ~~which were established prior to the surrounding nonagricultural and nonforestry activities~~ by presuming these activities to be reasonable unless it is demonstrated that these activities have a substantial adverse effect on the public health and safety. The purpose of this chapter is to reduce the circumstances under which agricultural and forest activities may be considered nuisances where nonagricultural and nonforestry land uses extend into agricultural and forest areas and to establish notification procedures for property owners or purchasers of the potential impacts associated with living in agricultural and forest areas.

##### **9.26.020 DEFINITIONS.**

"Agricultural activity/forest activity" means agricultural activities as defined by RCW 7.48.310 (including horses and mules, their breeding, grazing and recreational use) or forest activities as defined by RCW 76.09.020 on property which is currently located within a resource district under Section 40.210.010 and/or classified as current use for farm or forest uses under Chapter 84.34 RCW.

**9.26.030 RIGHT TO FARM/LOG.**

Agricultural activities and forest practices are presumed reasonable and not a nuisance. Agricultural activities and forest activities ~~established prior to surrounding non-agricultural and non-forestry activities,~~ shall not be found to constitute a nuisance unless the activity has a substantial adverse effect on the public health and safety; ~~PROVIDING this section shall not apply to changes in the nature of agricultural uses (e.g., from field crops to dairying) in the urban areas.~~

(Note: staff added the word 'are' in Section 9.26.030).

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Public comment was heard after a break. Ted Labbe, WDFW, encouraged the group to protect rural areas through working landscapes. Carol Levanen stated that we should preserve the ability for agriculture to happen but also future commercial and industrial as well. Alex Matilla stated state and county regulations may force him to move elsewhere to live his dream.

The group began a discussion of agriculture in Clark County, starting with the Strategies Report of the Agricultural Preservation Advisory Committee. The first issue discussed was the possibility of establishing Agricultural Production Districts (institutional change 1(b)). The balance of the meeting was spent discussing what these districts would be, how they would be designated, if they could be un-designated, and if there would be any limitations on uses. Water rights were touched on as being an issue. It was asked if the real issue was the growing of food as opposed to just any agricultural use. Allowing rural clusters on resource land was brought up again as something the group should recommend. There were no conclusions reached, and the group will take up the topic again at its next meeting.

The possibility of a field trip to look at an agriculture operation (brought up at a previous meeting) was not talked about up and will be on the agenda for the next meeting.

The meeting was adjourned at 9:05 p.m.

**NOTE: The next meeting will be Tuesday, August 11, 2009 at the Dollars Corner Fire Station, 21609 NE 72<sup>nd</sup> Avenue in Battle Ground, beginning at 6 p.m.** Subsequent meetings are scheduled for August 11, August 25 and September 8.