

**APPENDIX N**

**Rural Forest Land Conservation Program**

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## **Rural Forest Land Conservation Program**

### ***Farm And Forest Project***

The following program potentially may save many thousands of acres of our rural forest lands. The program will be available to rural forest landowners looking to convert their property. It is designed to enable them to realize their conversion value while, at the same time, permanently preserving most of their forest land. In the past, preservation efforts were often designed in a way that conflicted with market trends. This program, however, would use market-responsive incentives to ensure that our forest land is preserved.

The program would have four major components:

1. A Clustered Homestead Program
2. A Transferable Development Right Program
3. A Program To Expedite Concurrency Infrastructure
4. Annual Monitoring Of The Rural Forest Lands

#### Clustered Homestead Program

The program will secure significant acerages on the rural forest lands dedicated to open space and working forest. After the clustering of the homesteads has been configured, the reserved property should be allowed to remain in single ownership under a conservation easement or some other property restriction. The conservation easement would allow for the continued use of the property for forestry.

If clustering programs are not designed correctly, these programs also bring with them the risk of changing the character of nearby established communities. The following is a series of principles for the County's design and implementation of a program which will maximize its advantages and minimize its risks.

A program should be prepared for Council consideration by the spring of 1996. The program should be designed to:

1. Respect The Rural Character Of The Forest Study Areas (FSAs) by:
  - a) Encouraging clustered development to reflect the rural character of the FSA.
  - b) Ensuring that the scale of the developed area be in keeping with the Rural Area.

*(NOTE: Both A and B are a focus of the QRE project.)*

- c) Set the average clustered lot size to a range of 0.5 to 1 acres, excluding the land conserved for open space or working forestry.

## 2. Ease Regulatory And Infrastructure Requirements For Clustered Homesteads

As the program is developed, the County should obtain the advice and input of landowners, developers, tribes and existing rural residents on the infrastructure and other permitting conditions currently required for clustering that can be modified in order to support the successful development of clustered homesteads. This review should not present regulatory changes which threaten the environmental integrity of our rural areas.

## 3. Create An Appropriate Economic Incentive For Clustered Homesteads

After the rural character, the infrastructure and regulatory reform requirements for clustering have been thoroughly evaluated, the county should obtain a comprehensive economic comparison of clustered development and traditional subdivisions at the underlying zoning. The economic analysis should consider development costs, including regulatory, along with expected market response to the smaller clustered lots. The ongoing value of the set-aside area for timber in a clustered development also should be included in the analysis at the expected return, based on an appropriate timber management regime. If the analysis demonstrates that there is not an appropriate economic incentive for clustering, the program should develop a method to award sufficient additional density so that there is a sufficient economic incentive to cluster. In no event, however, should the incentive allow an average density increase greater than one home per two and one-half acres.

### Transferable Development Right Program

A Transferable Development Right (TDR) Program brings similar advantages and disadvantages of a clustering program. Its major difference is that all development is shifted off site. Transferable development right programs fail where there is not a sufficient economic incentive to transfer the rights and where the receiving sites are in or surrounded by established neighborhoods that reject the added density. Both of these issues can be addressed in a TDR program designed for select FSA lands.

A program should be prepared for Council consideration by the spring of 1996. The program should be designed to:

1. Ensure the receiving sites are economically attractive for added density and can environmentally support the residential development.

2. There is great likelihood a TDR program must allow appropriate density transfers in the rural area to ensure that there is an economic reason to move them. There may be little economic reason to shift the density to the urban zone because of the dense zoning already established within it. Two potential receiving sites especially warrant inspection:
  - a) 4-to-1 Program lands. (Lands greater than 20 acres abutting the Urban/Rural line which chose to enter the program.)
  - b) Rural properties abutting the Urban-Rural land

3. Respect The Rural Character Of The FSAs

- a) Set the average lot size to a range of .5 to 1 acres, for any development rights transferred to 4-to-1 lands.
- b) The trade of open space between a 4-to-1 project to the FSA should be limited to no more than one of the units of open space.
- c) Set the average lot size to a range of 0.5 to 2 acres, for any development rights transferred to lands abutting the Urban-Rural Line which are not within the 4-to-1 Program.

4. Create An Appropriate Economic Incentive For Transferring Development Rights

After the rural character requirements has been thoroughly evaluated, the county should obtain a comprehensive economic comparison of TDR based development and traditional subdivisions at the underlying zoning. The economic analysis should consider development costs, including regulatory expenses, along with expected market response to the smaller clustered lots. The ongoing value of the set-aside area for timber production also should be included in the analysis, at the expected return based on an appropriate timber management regime. If the analysis demonstrates that there is not an appropriate economic incentive for transferring development credits, the program should develop a method to award sufficient additional density so that there is a sufficient economic incentive to undertake such transfers. In no event, however, should the incentive allow an average density increase greater than one home per two and one-half acres.

### A Program To Expedite Concurrency Infrastructure

This program would offer an important advantage for the development of certain urban lands in exchange for the preservation of rural forest lands. In exchange for placing a conservation easement on FSA property, the county's six year Capital Improvement Program could be expanded or reordered to deliver the infrastructure necessary for development to urban properties designated by the rural forest land owner. (Need to review urban land ownership's to see if this may be of interest to FSA landowners.)

A program should be prepared for Council consideration by the spring of 1996. The program should be designed to create a basis for a fair rate of exchange between the land preserved and the land to which infrastructure is to be applied.

### Annual Monitoring

This program has been carefully designed to maximize the amount of acreage that would be permanently conserved for rural forestry. However, because of the extreme public interest in this resource base, nothing should be left to chance. A monitoring program should be developed and presented for council consideration concurrent with the above programs by the spring 1996. The program could be an element of the County's benchmark monitoring to carefully track the results of the above programs on a yearly basis. If the programs are not succeeding, the Forest Study Areas should be immediately re-zoned at one home per twenty acres. A standard monitoring base line should be established, such as the conservation of 66% of all parcels 20 acres or larger. Monitoring of forest management activities and regulations should also occur to ensure that timber management in the rural area remains economically feasible. If the base-line objective is not met for a pre-established period, such as 2 concurrent years, then re-zoning or redesign of the incentives should occur.

**APPENDIX O**

**Potential to Locate Development Rights on Lands Abutting the  
UGA Line**

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### **Potential to Locate Development Rights on Lands abutting the UGA line.**

If the first open space unit of 4:1 property was traded out to land in the rural forest district, the amount of eligible receiving sites on the *first phase* land eligible for 4:1 would be about 1918 acres. Assuming that half of this land ultimately received density that would amount to 959 acres. If the average lot size on this acreage was .75 acres, it would hold about 1,438 homes. This figure would result in the preservation of about 10,785 acres of rural forest land.

Following the same reasoning as used above, assuming half the land along the UGA not eligible for 4:1 acquired additional development rights that increase the receiving sites by 2,000. Acres. If this acreage doubled its density to 1 home per 2 and 1/2 acres, that would amount to the transfer of development rights for 400 homes. This amount of transfer would preserve an additional 3,000 acres.

Under this admittedly optimistic scenario, as much as 13,785 acres of rural forest land would be preserved. (Since the land that is being traded out is passive open space, the argument can be made that the County should get access rights to some or all of the preserved land.)

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**APPENDIX P**

**Acquisition Program Details**

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## Acquisition Program Details

### *ELIGIBLE LAND TYPES:*

The following land types advance the stated preservation objectives for the preservation program:

- *Freshwater Bodies.* The following properties can be preserved:

For those freshwater sites which meet any of the following criteria, property is of high priority for acquisition which, by itself or in conjunction with other offered or already preserved property, includes a material portion of a wetland and a buffer 100 feet beyond the wetland boundary of the contained portion:

1. Either the presence of species proposed or listed as endangered, or threatened or which receives some other legal protection, or the presence of critical or outstanding actual habitat for those species;
2. Wetlands with 40% to 60% coverage by permanent open water in dispersed patches with two or more subclasses of vegetation;
3. Wetlands equal to or greater than ten acres in size and having three or more wetland classes, one of which is open water, or,
4. The presence of plant associations of infrequent occurrence.

For those freshwater sites which meet any of the following criteria, property is eligible which by itself or in conjunction with other offered or already preserved property includes an entire freshwater site or wetland along with a buffer of 50 feet beyond the wetland boundary:

1. Wetlands greater than 1 acre in size;
2. Wetlands equal to or less than one acre in size that have three or more wetland classes;
3. Wetlands equal to or less than one acre in size that have a forested wetland class or subclass;
4. The presence of heron rookeries or raptor nesting sites.

- **Wildlife/Rare Plant Preserves.** Priority lands include property that provides plant and wildlife habitat of regional importance, contain sensitive, threatened or endangered Plant Species, supports rare, threatened, or endangered animal species, or offers breeding or rearing habitat for monitored or priority species.
- **Wildlife Corridors.** Priority property under this definition is within an important wildlife corridor. Eligible wildlife corridors should have high species abundance and diversity, or provide a critical wildlife access link between two or more important wildlife areas, or contain species listed as Threatened, Rare or Endangered.
- **Stream and Small Creek Corridors.** Priority lands under this particular definition include property which either by itself or in conjunction with other offered or already preserved property is contiguous with the established high water mark of the stream. Property may extend up to 500 feet from the center of the stream channel or up to 200 feet in elevation above the channel in order to buffer the stream with sufficient vegetative cover and runoff protection. The subject stream either should be:
  1. Provide anadromous or other seasonal fish reproduction or *mitigation* habitat; or,
  2. Provide anadromous or other seasonal fish reproduction or *mitigation* habitat after the Scheduled or funded reconstruction or rehabilitation of identified segments.

- **Trails and Greenways:**

Trails: Trails provide public access between and through open spaces in the County, serving bicyclists, pedestrians, equestrians or other appropriate users. Lands under this category should contribute to the completion of trails designed and scheduled for eventual right-of-way acquisition or surface preparation.

Greenways: Property under this category should lie within a greenway or greenbelt, which are land areas that are naturally vegetated and provide public access to and linkage of open space resources.

- **Vistas:** Vista properties are parcels of land which offer sweeping views of saltwater, lakes, mountains, valleys, rivers, streams, historic structures, city skylines, farms and other rural landscapes, or landmarks. The quality of a view from an vista property should be reasonably certain to remain unaffected over the foreseeable future. For instance, a potential property may not be of high priority under this particular land type, if development is likely to occur within its viewshed which would materially diminish the quality of the view from the vista property. Reasonably protected views would include, for example, unobstructed views of mountains or Puget Sound as well as views of landscapes that currently are preserved, resource lands designated under local ordinance, or landmarks with a governmental designation.

**EVALUATION CRITERIA:**

The evaluation criteria are divided between Property Criteria and Program Criteria. The Property Criteria are designed to capture a property's particular attributes which reflect its merits as open space or resource land. The program criteria reflect specific policy objectives of the County and this acquisition program.

***A) Property Criteria***

- ***Significant Land Resource*** - Does the property materially satisfy one or more of the definitions of eligible land types?
- ***Educational Or Recreational Value*** - Does the property offer potential either for educational use or for passive recreational use?
- ***Special Features*** - Does the property contain a special feature that merits preservation?  
A broad array of attributes can be considered under this criterion, such as:
  - Geologic/topological feature;
  - Historical structure or landscape;
  - Cultural attribute; or,
  - Unique plant specimen.
- ***Size Of Parcel*** - Is the size of the property significant in relation to the parcel configurations which predominate in the area?

## ***B) Program Criteria***

The Program Criteria define policy concerns that affect a property's attractiveness for preservation.

- ***Cost*** - Is the property interest to be donated? Where the property is not donated, considered in its entirety is the property cost effective for preservation? Consideration may include:
  - i. The property is offered substantially below market value and a realistic plan has been presented for raising the necessary funds;
  - ii. Private or matching have been committed or pledged to be committed to the proposed acquisition to offset its entire cost; or,
  - iii. Conservation easements of a material and important nature have been pledged, offered, or already in place on land contiguous to the proposed acquisition and a realistic plan is in place for raising the necessary acquisition funds.
  
- ***Threat To Property*** - Is the property's open space value substantially threatened? Evidence of threat could include:
  - i. There is development activity nearby the parcel;
  - ii. The property is presently listed for sale;
  - iii. Development permits have been submitted on the property;
  - iv. There is commercial development within the vicinity of the property, or,
  - v. Preservation assistance offered by another entity is available for a limited time, including matching funds, offered contribution of conservation easements or other property interests, sale at less than full value.
  
- ***Community Support*** - Does the community support the proposed acquisition in a manner which should result in assistance in the stewardship of the property. The following support will be recognized:
  - i. Letters supporting not only the preservation of the property, but the intended permanent open space or resource objectives for the property if it is preserved;
  - ii. Resolution of support by an established citizens organization or community land trust; or,

iii. Endorsement by a local government.

- ***Property Interest To Be Acquired*** - Are the interests proposed by the landowner for acquisition sufficient to protect the open space or natural resources value of the site or adjacent properties?
- ***Long Term Viability*** - A property may be less desirable if circumstances, development or changes in land use external to the property and to the County's control will render valueless the open space or resource interest of the site. If preserved, will either the open space or resource interests of the property likely remain viable over the long term or the open space or resource interests of adjacent property be protected for the long term?

***PROPERTY INTERESTS TO BE ACQUIRED:***

Either fee simple or less-than-fee property interests may be acquired for eligible lands. The property interest that should be acquired will depend on a variety of considerations, including:

- The degree to which the land will require management or stewardship and the resources available to conduct the necessary activities.
- Whether public access is necessary or beneficial.
- The scope of property interests the land owner has offered.
- The administrative, monitoring and enforcement issues associated with the interest to be acquired and the resources available to address the issues.

