ISSUE:
The Thurston County Comprehensive Plan Map and Text and the Official Zoning Map need to be amended to reflect a negotiated settlement between Futurewise and Thurston County regarding Growth Management Hearings Board Case No. 13-2-0015, Futurewise v. Thurston County.

The request is to change the land use and zoning designation of 188.5 acres of property from One Dwelling Unit per Five Acres (RRR 1/5) to Long Term Agriculture (LTA), and to include text language in Chapter Three of the Comprehensive Plan, Natural Resource Lands, in the Agricultural Lands Soil Types that states:

“The enumerated list of prime farmland soil types below is not intended as exclusive criteria.”
BACKGROUND:
In December of 2013, the Board of County Commissioners approved the redesignation of 186 acres of property designated and zoned LTA to Rural One Unit per Ten Acres (R-1/10). This property was a portion of the 338 acre property requested to be re-designated from LTA to Rural Residential Resource One Unit per Five Acres (RRR-1/5). The subject property is part of the Schader Crown Ranch located off of Bald Hill Road at 19726 SE 128th Avenue in the Yelm area.

On March 13, 2013, Futurewise filed a Petition for Review with the Western Washington Growth Management Hearings Board challenging the de-designation of 186 acres of land from Long-Term Agriculture (LTA) to Rural One Unit per Ten Acres (R 1/10) approved by the Board of County Commissioners via Resolution No. 14845 and Ordinance 14846. In their petition, Futurewise stated their concern about the amendments to the zoning from Long-Term Commercial Significance to Rural-One Unit per Ten Acres failure to designate and assure the conservation of agricultural lands of long-term commercial significance.

The Western Washington Growth Management Hearings Board requested that the parties engage in settlement discussions see if the parties could resolve the issues presented in the Petition for Review. Settlement discussions between the parties between April to October of this year with a negotiated agreement reached on October 31, 2013.

PRELIMINARY ANALYSIS:
A negotiated settlement agreement has been reached between Futurewise and Thurston County and agreed to by the property owner which would end the appeal of the County’s decision to redesignate 186 acres of Long Term Agricultural property. The negotiated settlement provides for 188.5 acres of property being designated as Long Term Agricultural land, thus creating no net loss of Long Term Agricultural lands in Thurston County. The agreement to add language to the text of the Comprehensive Plan stating that the list of prime farmland soil types listed in the plan are not intended to be exclusive criteria. This text language is in fact clarifying the present language in the plan which contains a list of eight designation criteria for LTA lands.

SEPA:
A State Environmental Policy Act determination is expected to be made prior to the tentative public hearing in January 2014.

NOTIFICATION:
Notice will be published in The Olympian at least 20 days prior to the public hearing per TCC Chapter 2.05 Growth Management Act Public Participation and sent to property owners within 300 feet at least ten days before the public hearing in accordance with Thurston County Code Chapter 20.59, Rezone and Textual Amendments in the Thurston County Zoning Ordinance. A notice will also be sent out to the Planning Department’s email list.

PUBLIC COMMENT:
Public testimony will be taken during the public hearing. Written public testimony will be taken once the public notice is published in The Olympian. Public testimony received after the close of the public comment period will be forwarded to the Board of County Commissioners for their review.

THURSTON COUNTY PLANNING COMMISSION RECOMMENDATION:
The Thurston County Planning Commission has not made a recommendation at this time. A recommendation is expected following the Planning Commission public hearing.

THURSTON COUNTY STAFF RECOMMENDATION:
Staff recommends the Planning Commission set a public hearing to take public testimony on this matter.

ATTACHMENTS:
Attachment A Project Area Map

Q:\LONG RANGE PLANNING\COMP PLAN AMENDMENTS 2012\Chapter 11 and Amending the Comp Plan\Quasi Judicial Staff Report.V1.11252013.doc
New LTA Designation: 188.5 acres

LTA De-Designation: 186 acres