



August 28, 2017

To: Clark County Council

From: Jeff Schnabel, Stormwater Infrastructure Manager

Re: Rock Lake Ranch Developer's Agreement

This memo briefly summarizes the history and status of the Developer's Agreement and Conservation Covenant concerning Rock Lake Ranch/Pebble Creek Farms.

In March 1992, the owners of Pebble Creek Farms and Rock Lake Ranch entered into a Conservation Covenant with Clark County. At the conclusion of mining activities on the Covenant Property, the owners were required to dedicate a 10-acre portion of land to the County for use as a regional stormwater retention basin. Subsequent residential developments at Pebble Creek Farms adjacent to the site were conditioned on constructing and dedicating storm facilities on the Covenant Property, and these facilities were to be dedicated to the County as a portion of the 10-acre requirement.

In 2002, the owners of Rock Lake Ranch/Pebble Creek Farms requested the Conservation Covenant be amended to remove the requirement to convey the 10-acres. This request was denied because at the time the County was not certain whether the land would be needed for a regional stormwater facility.

In 2014, the owners again approached Clark County to discuss the removal of the covenant.

After additional review, site study, and discussions between the County and owners, it is concluded that:

- Clark County does not have a need for a regional stormwater facility at the site, and therefore does not have a need for the 10 acres specified for dedication under the Conservation Covenant. The ten acre dedication requirement was based on the belief that this much area would be needed to treat regional stormwater.

- In return for release from the Covenant, the owners are willing to build, own, and maintain sufficient stormwater facilities to both accommodate new development on the site, and to replace and upgrade the function of the existing stormwater facilities on the site to current standards.

In so doing, Clark County would no longer have responsibility for stormwater facilities on the site, and the owners would gain flexibility to design the site in a manner that meets current and future stormwater requirements while retaining as much developable land as possible.

Staff recommends this approach as a reasonable solution to this long-standing issue.



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