

**CLARK COUNTY COUNCIL
HEARING PACKET**

Hearing Item: Review and approve the 2019 Current Use Assessment application for Open Space Soil Conservation.

Date: September 15, 2020

Time: 10:00 am

CONTENTS:

1. **Staff Report**
2. **2020 Current Use Real Property Assessment Resolution**
3. **August 2020 Planning Commission Recommendation**
4. **August 2020 Planning Commission Minutes**
5. **Presentation**
6. **Notice of Public Hearing**

CLARK COUNTY STAFF REPORT

DEPARTMENT: Public Works, Parks & Lands Division

DATE: September 15, 2020

REQUESTED ACTION: Review and approve the 2019 Current Use Assessment application for Open Space Soil Conservation.

Consent Hearing County Manager

BACKGROUND

As required by RCW 84.34.037, Current Use Assessment requests are processed in the same manner as Comprehensive Plan Amendments. All requests for "Open Space" designations require Planning Commission review and recommendation to the Clark County Council. If approved, this request will become effective for the 2021 tax statement.

In 2019, Public Works received one application for Current Use under the Open Space Soil Conservation designation. The applicant requested that 21.23 acres of the 25.56 acres in parcels 263453000, 263487000, 263482000, and 263483000 be transferred from a Farm & Agriculture classification to Open Space Soil Conservation.

Staff reviewed the request and determined that it meets the criteria outlined in Clark County Code, Chapter 3.08, Open Space Taxation.

The Planning Commission reviewed the application during a work session on August 6th, 2020, and a public hearing on August 20th, 2020. The commission recommended approval of 12.66 acres for the Soil Conservation designation.

COUNCIL POLICY IMPLICATIONS

If approved, this will be the 33rd year the county has reviewed Current Use Assessment applications.

ADMINISTRATIVE POLICY IMPLICATIONS

None.

COMMUNITY OUTREACH

Notification about this program is done through stakeholders, such as the Washington Farm Forestry Association's Clark County Chapter, the Clark Conservation District, the Clark County Assessor's Office, and other local agricultural groups.

BUDGET IMPLICATIONS

YES	NO	
X		Action falls within existing budget capacity.
	X	Action falls within existing budget capacity but requires a change of purpose within existing appropriation
	X	Additional budget capacity is necessary and will be requested at the next supplemental. If YES, please complete the budget impact statement. If YES, this action will be referred to the county council with a recommendation from the county manager.

BUDGET DETAILS

Local Fund Dollar Amount	N/A
Grant Fund Dollar Amount	N/A
Account	N/A
Company Name	N/A

DISTRIBUTION:

Council staff will post all staff reports to the web. <https://www.clark.wa.gov/council-meetings>

ATTACHEMENTS: (1) 2020 Current Use-Real Property Assessment Resolution; (2) August 2020 Planning Commission Recommendation; (3) Planning Commission Minutes; (4) Presentation

Galina Burley

Galina Burley, MPA
Parks & Lands Division Manager

Ahmad Qayoumi

Ahmad Qayoumi, PE
Public Works Director/County Engineer

Eva Haney

Eva Haney, CGFM
Finance Division Manager

Primary Staff: Kevin Tyler, ext. 4258

APPROVED: *Robert J. O'Brien*
CLARK COUNTY, WASHINGTON
CLARK COUNTY COUNCIL

DATE: *Sept. 15, 2020*

SR# _____



RESOLUTION NO.: 2020-09-08

A Resolution relating to the 2019 Current Use Real Property Assessment Applications for Open Space and Timberland designation.

WHEREAS, Clark County Public Works (Public Works) received one application for Current Use Assessment for Open Space Soil Conservation; and

WHEREAS, Current Use Real Property Assessment requests are processed in the same manner as a Comprehensive Plan Amendment, per Revised Code of Washington (RCW) 84.34.037; and

WHEREAS, staff finds that the Erkenbeck Project application OPS-2019-00001 satisfies the requirements for Soil Conservation by containing more than the required 10 acres of class I or class II soil types and greater than 80% of the property is in food or fiber production, as specified in Chapter 3.08.050 of the Clark County Code; and

WHEREAS, the Clark County Planning Commission held a work session on August 6, 2020 concerning the current use application and then held a duly noticed public hearing on August 20, 2020 to act on the application. At that hearing on August 20, the Planning Commission recommended approval of the application to the Clark County Council; and

WHEREAS, the Council is in receipt of the Planning Commission's recommendation for approval of the one application for 2019 Current Use Real Property Assessment under the Open Space Soil Conservation designation; and,

WHEREAS, the Council conducted a duly advertised public hearing on September 15, 2020 to consider the Planning Commission's recommendations for approval of the application; and

WHEREAS, the Council concludes it is in the best interest of the County to maintain, preserve, conserve and otherwise continue in existence adequate open space lands for the

production of food, fiber, and forest crops, and to assure the use and enjoyment of natural resources and the scenic beauty; and

WHEREAS, the Council concurs with the Clark County Planning Commission's analysis and recommendation;

NOW, THEREFORE, BE IT ORDERED AND RESOLVED BY THE CLARK COUNTY COUNCIL, as follows:

Section 1. Approval of Application

- A. Current Use Application OPS-2019-00001 for Open Space Soil Conservation, as recommended for approval by the Clark County Planning Commission, is hereby approved.

Section 2. Instructions to Clerk

- A. Record this resolution with the Clark County Auditor.
- B. Transmit a copy of this resolution to the Clark County Assessor (Roni Batton, Program Manager).
- C. Cause notice of adoption of this resolution to be published forthwith, pursuant to RCW 36.70A.290.

ADOPTED on this 15th day of September, 2020.

COUNTY COUNCIL
CLARK COUNTY, WASHINGTON

Attest:


Clerk to the Council

By: 
Eileen Quiring O'Brien, Chair

Resolution No. 2020-09-08
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Approved as to Form Only:
Anthony F. Golik
Prosecuting Attorney

By: Bill Richardson
Bill Richardson
Deputy Prosecuting Attorney

By: _____
Temple Lentz, District 1

By: _____
Julie Olson, District 2

By: _____
John Blom, District 3

By: _____
Gary Medvigy, District 4





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DEPARTMENT OF
PUBLIC WORKS

Planning Commission Recommendation to the Clark County Board of County Councilors

FROM: Karl Johnson, Chair

DATE: August 20TH, 2020

SUBJECT: Year 2020 Reviews for the Year 2019 Current Use Assessment Requests (Timberland/Open Space)

RECOMMENDATION: **Approval** of one application for Current Use Assessment in the Open Space Soil Conservation.

INTRODUCTION

The Department of Public Works has reviewed the one Current Use Assessment request accepted during 2019 and has proposed that the Planning Commission forward the request to the Clark County Councilors for consideration and approval. The Planning Commission, in a duly noticed public hearing held August 20TH, 2020, voted to recommend that the Clark County Councilors approve the request.

If approved, the request will become effective during 2020 for the 2021 calendar year tax statement. As required by Revised Code of Washington (RCW) 84.34.037, Current Use Assessment requests are processed in the same manner as Comprehensive Plan Amendments. These requests are usually evaluated after receiving the applications late in the calendar year preceding the year of tax assessment to be under Current Use.

All requests for Current Use classification require Planning Commission review and are also considered by the Clark County Councilors. This is the 33RD year the county has reviewed Current Use Assessment applications. The Open Space criteria vary according to the category requested.

This application has requested the Soil Conservation designation. According to Chapter 3.08.050(1) of the Clark County Code, conservation of soils will be restricted to, "tracts which contain not less than ten (10) acres of Class I or Class II soil, as identified by the local Soil Conservation Service Office." In addition, "at least eighty percent (80%) of the tract must be in production of food or fiber". This application has been evaluated considering these criteria.

BACKGROUND

Current Use Application OPS-2019-00001: Erkenbeck Project

The applicant has requested that 21.23 acres of the 25.56 acres in parcel #s 263453000, 263487000, 263482000, and 263483000, be transferred from a Farm & Agriculture classification to Open Space Soil Conservation.

The site is located at 6813 NE 384TH Street, La Center, WA 98629 and lies within Clark County jurisdiction. Current zoning and comprehensive plan designations of the area indicates Rural-5.

Finding 1 - Tracts which contain not less than ten (10) acres of Class I or Class II soil, as identified by the local Soil Conservation Service Office - CCC 3.08.050(1).

A Geographic Information System (GIS) review indicated that the area applied for contains a class II soil type of Hesson clay loam (HcB) greater than 10 acres in area.

Finding 2 - At least eighty percent (80%) of the tract must be in production of food or fiber - CCC 3.08.050(2).

An on-site review indicated that at least 80% of the tract is in food or fiber production (10.14 acres = 80.09%).

These findings suggest that out of the 21.23 acres applied for, only 12.66 acres meet the criteria, therefore the difference of 8.57 acres will need to be removed from the Farm & Agriculture classification program.

These findings imply that the application meets all criteria for Open Space Soil Conservation as specified in Chapter 3.08 (.050) of the Clark County Code. Therefore, staff recommends **APPROVAL** of the 12.66 acres.

PROPOSED ACTION

This application meets the criteria for Open Space Soil Conservation as specified in Chapter 3.08 (.050), of the Clark County Code. Therefore, staff recommended approval of the application.

PUBLIC OUTREACH

On August 6, 2020 staff met with the Planning Commission to hold a work session regarding the 2019-2020 Current Use application.

On August 20, 2020 staff presented one application for Current Use, Open Space Soil Conservation at the Planning Commission public hearing.

Information presented to the Planning Commission is also available on the Planning Commission website.

RECOMMENDATION AND CONCLUSIONS

The Planning Commission voted **4-0, with one abstention and one absence**, to forward the application to the Clark County Councilors with a recommendation that the Clark County Councilors approve the application. The Planning Commission recommends that the Clark County Councilors **APPROVE** Current Use Application OPS-2019-00001.

**PLANNING COMMISSION MINUTES
THURSDAY, AUGUST 20, 2020**

OPEN SPACE & TIMBERLAND

DECKER: Thank you, sir. Yes. Good evening, Planning Commission. This is Hunter Decker, staff who reviewed the current use program applications for this 2019 to 2020, and so I'm going to go ahead and give a brief overview of what is open space, pretty much the background and the process as well as who's enrolled and the different types of categories we have and what timberland is about and then get into the general criteria and the application itself.

Next slide, please. I don't know if it looks like that on your end but what is open space. So it's something the Washington State Legislature recognize and created a law that maintains and preserves and conserves adequate open space lands for the enjoyment and natural resources as well as the scenic beauty, economic and social well-being for the state and its citizens. It's governed by state, both State statutes and our own code, Open Space Taxation Chapter.

And so the law provides three classifications and we're going to be talking about open space land, there's farm and agricultural land which is not part of this review and timberland.

Next slide, please. So kind of the background and process is the current use program is administered by our Assessor's Office and Public Works Department does the review. Applications are received throughout the year and then reviewed near the end of the calendar year for the preceding next tax assessment.

And as required by the State code they are processed in the same manner as the comprehensive plan amendment and all requests are required a Planning Commission review and approved by Clark County Council, and this is the 33rd year that the County's reviewed these assessments.

Next slide, please. And so this was enacted in 1970 and allows their property owners to have their property in one of these current use taxations rather than the highest and best use. And current use evaluation is something curtailment or an element of current use valuation would result in a reduced tax rate for all affected local jurisdiction taxpayers and would otherwise be the case, it is not in that increase in tax revenue.

And so the other way if the land were assessed at reduced values, the under, under the current use program, the tax rate could increase for other taxpayers in the district.

And something else that's in the application Open Space Taxation Act is a Public Benefit Rating System and that's an acronym for PBRS and what the Clark County's legislator authority, they have the ability to establish this for these types of classifications and right now we do not have this program and the Assessor's Office has developed a task force to evaluate that option.

Next slide, please. And so here's kind of the enrollment, what we have a, we've got a map here, the green being the timberlands applications and the yellow being the open space lands. In 2019 you can see that we have nearly 9,000 acres with almost 600 owners, and timberland we have 17,000 and 1600 owners.

And so as of this August 13th, you know, looking at these values, and myself I am not an assessor so I couldn't go into depth too much, but with these values you can see what kind of a difference is between what we value as current use and market value.

Next slide, please. And here are the open space categories. Here you can see Clark County's on the left hand and I color coded to what is similar to the Washington State's overall offerings programs that can be in it. And so again it could be enacted by our Clark County Council and so being with offering more of these other categories.

Next slide, please. And here is timberland category which stands on its own and that classification is limited to the five acres which is exclusive of one-acre home site and so that could mean like a six-acre parcel with one-acre home site could have five acres of deferred forest land on their property.

Next slide, please. General approval criteria requires a different parcel size. Open space at least ten contiguous acres and that's exclusive of a home site and the different exemptions would be the timberland which I spoke about as well as the historic and archeological site categories which could be left on five acres.

And everyone is enrolled in the Clark County Vegetation Management Weed Control Program and any more information is also offered through these, the website there, and it's made of five members that are the weed board and 11 employees.

Next slide, please. And so we have one request this open space assessment year. We didn't receive any timberland applications, and so we conducted the review with the one application against the different categories here in the open space classification. In 2019 fees here you can see what the fees are and the due and where the code is related.

Next slide, please. And we'll get right into the project here. Here is an aerial 2019 overview of the surrounding area with the application center there outlined in blue with the different categories of the Class II soil and the 80 percent food and fiber qualification which we'll talk about here in a little bit.

Next slide, please. Here you can see an overlay of the zoning and comprehensive growth management plan with the different categories. It's zoned R-5. Next slide, please. And here it is against the different already approved timberland and open space applications which are in the vicinity.

Next slide, please. And so this request is a transfer from the farm and agricultural classification into the soil conservation category of open space. The applicant requested 21.23 acres of their ownership of 25.56, and after staff review we only find that 12.66 acres qualify and that's because of a Class II soil that's on the property.

It is still in a at least 80 percent food and fiber production. And this is located out in La Center and it lies within our jurisdiction. And as I indicated before, it is Rural 5, and again the category is based on the promotion of conservation of soils.

Next slide, please. So here's Finding 1 which is part of the code where tracts must contain the 10 acres of at least a Class I or II soil as identified by the Soil Conservation Service Office. After a GIS review, there is Class II Hesson clay loam and it's greater than 10 acres, it's 12.66 as the outline.

Next slide, please. And Finding 2 at least 80 percent of that tract must be in the food and fiber production. And after an on-site review, 80 percent, .09 percent, which comes out to 10.14 acres is still in a food and fiber production.

Next slide, please. Each parcel of the tract meets this criteria as you can see outlined in bullet points, that in the remaining acreage in each parcel would not qualify as it doesn't meet any other open space category. And so out of that 21.23 acres that were applied for only 12.66 acres meet that criteria, and so therefore the difference of 8.57 acres will need to be removed from the farm and agricultural program.

And after these findings staff finds that we recommend approval of those 12.66 acres. Next slide, please. And I'm here to answer your questions.

JOHNSON: Okay. If you have any questions for the staff, and what I'd like to do is call each one of you and just if you have something you'd like to say, go ahead. I'd like to start off with Ron Barca. Ron, do you have any questions or statements for staff?

BARCA: I have no questions. I would like to commend Hunter on a very thorough presentation. I appreciate him taking the feedback from our work session and working it into the presentation, I thought it was very comprehensive. Thank you, Hunter.

DECKER: Thank you.

JOHNSON: Bryan, did you have any comments?

HALBERT: Yes. First I'd like to echo Ron -- I'm getting feedback here. First I'd like to echo Ron's statement about the background process and the current enrollment in the program. And one question I do have, Hunter, is conservation of soils, I didn't catch the definition of that, is that just to preserve open lands as soils ready for food and fiber? And I'll mute.

DECKER: Yes, that's a good question, and it is what the category is about, is protecting that Class I or Class II soil and it's one of the, I guess, you know, the best soils that the conservation office finds for farming for I guess, you know, future use if so be, and that's what I, you know, believe to be as the answer.

JOHNSON: Bryant Enge, do you have any questions?

ENGE: No questions, Karl.

JOHNSON: Okay. Thank you. Well, back to me. Just really quickly, what is the difference between Class I and Class II soils out of curiosity?

HUNTER: One thing I couldn't actually answer that question tonight, I'm one of-- my background is I'm strongly a county forester, I couldn't necessarily speak to the soils other than they may have a better site class where Class I maybe that grows a better stock that has a better soil and nutrients versus a Class II but it's just as good I think might be a possible answer.

JOHNSON: Yeah, that was just out of curiosity. Okay. Any other comments from Planning Commission, get your little hand up in the air? Christine, you have your hand up in the air.

COOK: Thank you, I do. Yeah, class, the soil classes are determined by the Natural Resources Conservation Service, so there is a book, an enormous book that lists all the soil classes and describes their characteristics.

JOHNSON: Okay. Thank you.

COOK: You're welcome.

JOHNSON: The applicant, do we have the applicant? The applicants may now provide testimony. Do we have anybody from the applicant? Okay. Seeing none, I'm going very slowly. I'll begin a brief summary of the public participation process we will follow so you can understand how you can participate in the hearing during public testimony.

To be a party of record. You must submit written testimony before, during or prior to the close of a public hearing or provide public -- excuse me -- provide oral testimony at the public hearing or request in writing to be a party of record.

No person shall be a party of record who has not furnished their name and accurate post office mailing address or e-mail address. Written comments received as of August 20th, 2020, were submitted to the Planning Commission members listed on the Planning Commission website. We will now take public testimony just as we did earlier this evening.

Once, again, for attendees using their computer or Webex application, if you would like to speak on a non-hearing item, please utilize the raised-hand icon put up on the screen photo.

Staff will only acknowledge these attendees during the public comment period who have raised their hand by selecting the icon, using the hand icon.

When you are acknowledged, you will be unmuted, please state and spell your name, provide your address of record. Please note, public comment is limited to three minutes per person in order to accommodate all speakers.

For attendees using the telephone, the audio only option, you'll need to press 3 to raise your hand. When it's your turn to comment, Larisa will unmute you and you will hear a message that says you have been unmuted. Please state and spell your name and provide your address for the record. When you have finished your comment, press 3 to lower your hand. Again, you will hear a message that says you have lowered your hand.

Please note, public comment is limited to three minutes per person in order to accommodate the speakers. Larisa will mute/unmute people with raised hands one at a time. If attendee provided name, she will read off the name before unmuting, otherwise she is unmuting the next caller.

Larisa, are there any more public comments?

SIDOROV: I see no public comment at the time.

JOHNSON: Okay. Seeing none, we will close the public testimony portion of this hearing. Staff may now respond to the testimony which there is none. The Commission will now deliberate and make a recommendation to the Council. The Commission will take deliberation or a motion.

Again, does the Planning Commission have any comments, and I will call each Planning Commissioner once again, and I'm just going to go through your name, you can say yes or no if you have a comment. Ron Barca.

BARCA: No additional comments and I'm going to make a motion to approve as written and presented.

JOHNSON: Thank you, Ron. Bryan. Bryant, sorry.

ENGE: No comments and I'd like to second that motion.

JOHNSON: Okay. And, Bryan, do you have anything? Bryan Halbert.

HALBERT: I have no comments at this time.

JOHNSON: Okay. And I have none. Seeing that we have a motion and a second, I will now accept the motion. Please raise your hand -- okay, we did that sorry.

Sonja, would you please take roll call calling each Planning Commissioners' name after which we will vote yes or no on the motion.

BARCA: AYE

ENGE: AYE

HALBERT: AYE

JOHNSON: AYE



CURRENT USE (TIMBERLAND, OPEN SPACE) PROGRAM

2019-2020

Presentation to Clark County Council • September 15, 2020



What is Open Space?

- The State Legislature: maintain, preserve and conserve adequate open space lands for the enjoyment of natural resources and scenic beauty for the economic and social well-being of the state and its residents.
- Open Space Taxation Act is governed by both the state statutes (RCW 84.34 and WAC 458-30) and Clark County Code 3.08.
- The law provides three classifications:
 - Open Space land
 - Farm & Agricultural land (**not part of this review**)
 - Timber land



Background / Process



Application for Classification or Reclassification Open Space Land Chapter 84.34 RCW

File With The County Legislative Authority

Name of Owner(s): _____ Phone No: _____
Address: _____

Parcel Number(s): _____
Legal description: _____
Total acres in application: _____

Indicate what category of open space this land will qualify for:

- Conserve or enhance natural, cultural, or scenic resources
- Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- Protect soil resources, unique or critical wildlife, or native plant habitat
- Promote conservation principles by example or by offering educational opportunities
- Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- Enhance recreation opportunities
- Preserve historic or archaeological sites
- Preserve visual quality along highway, road, street corridors, or scenic vistas
- Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority
- Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
- Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture

- Coordination between the Assessor and Public Works
- Reviewed near the end of the calendar year,
 - Preceding the year of tax assessment for current use status.
- As required by Revised Code of Washington (RCW) 84.34.037,
 - Requests are processed in the same manner as a Comprehensive Plan Amendment.
- Require Planning Commission review, and are approved by the Clark County Council.
- This is the 33RD year.



Enrollment

Enacted in 1970 and as of 2019, we have enrolled in the Current Use program:

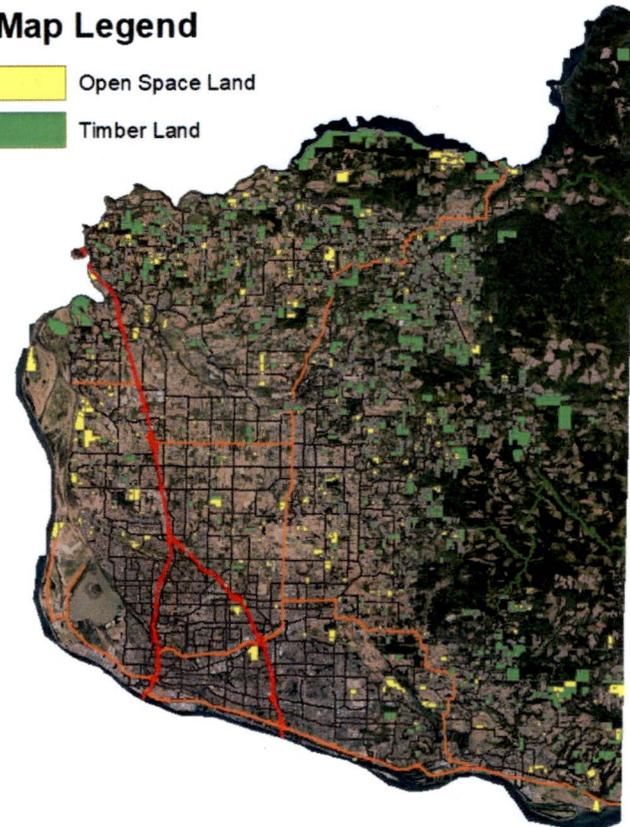
- Open Space land
 - 8,796 acres and 582 owners.
- Timber land
 - 17,282 acres and 1,599 owners.

As of 8/13/2020, the Market Value vs. Current Use values:

Classification	Market Value	Current Use Value
Open Space land	\$201,579,793	\$3,276,859
Timber land	\$290,627,060	\$2,726,058
TOTALS	\$492,260,853	\$6,002,917

Map Legend

-  Open Space Land
-  Timber Land



Open Space Categories

Clark County

- Open Space land -
 - Conservation and enhancement of natural resources – CCC 3.08.031
 - Stream protection – CCC 3.08.040
 - Soil conservation – CCC 3.08.050
 - Enhancement of recreational opportunities – CCC 3.08.055
 - Historic sites – CCC 3.08.060

Washington State

- Open Space land -
 - Conserve or enhance natural, cultural, or scenic resources.
 - Protect streams, stream corridors, wetlands, natural shorelines, or aquifers.
 - Protect soil resources, unique or critical wildlife, or native plant habitat.
 - Enhance recreation opportunities.
 - Preserve historic or archaeological sites.



Timber land Category

Timber land – CCC 3.08.070 -

- Applications for “timberland” classification will be limited to tracts containing at least five (5) acres and exclusive of a home site of one (1) acre, and/or other non-forest use, and meeting the county's code criteria.

This is not an Open Space category, it stands on its own.

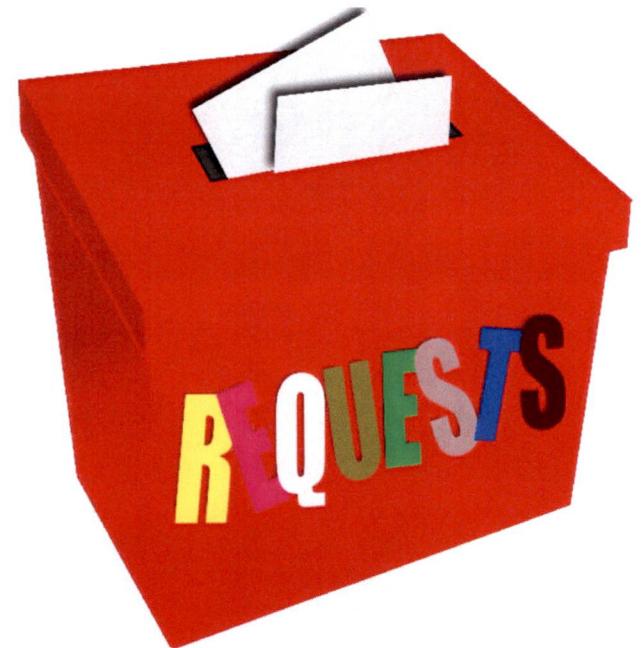


Requests

- Staff received 1 request for the Open Space Assessment.
- Staff received 0 requests for the Timber land classification.
- Staff concluded that the 1 request for Open Space classification meets the applicable criteria of Soil Conservation under Chapter 3.08.050 of the Clark County Code.

2019 Fees = \$2,032

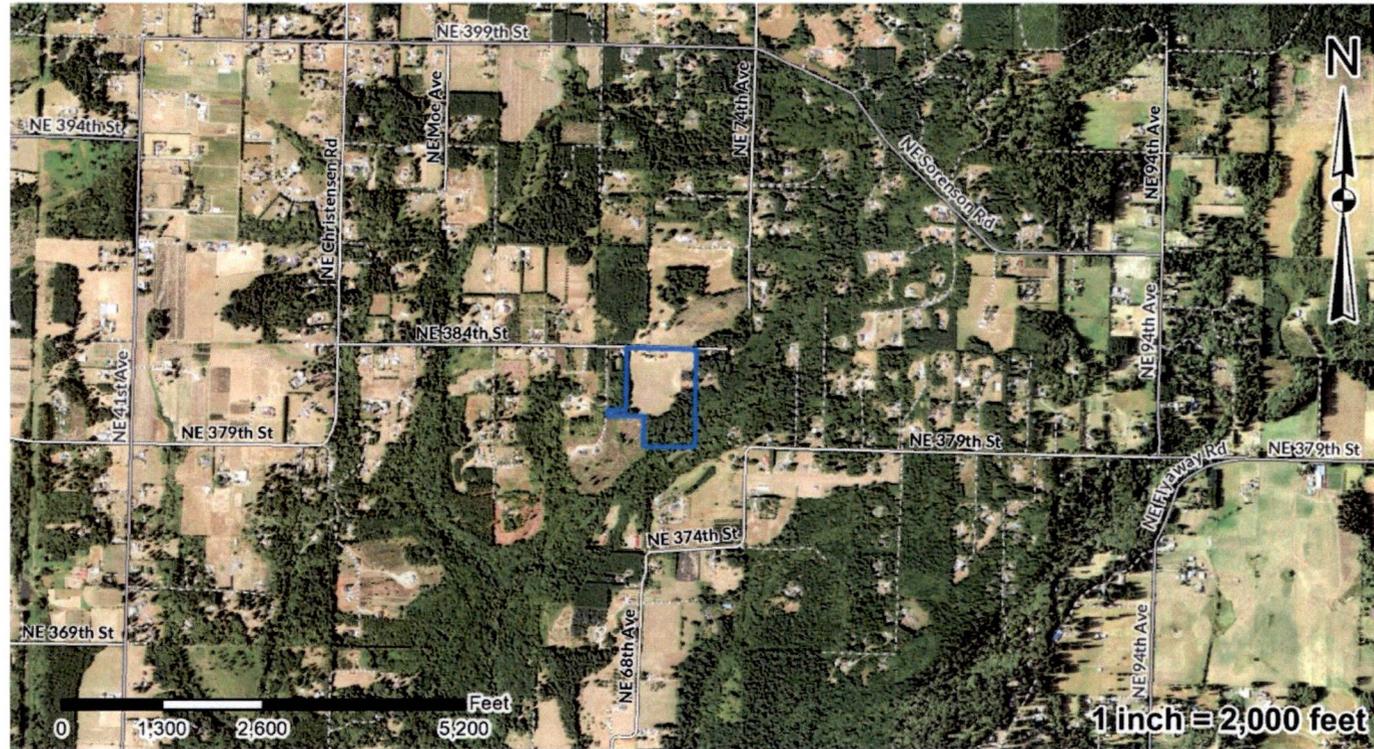
(processing fee \$150 + review fee \$1,882)



2019-00001 • Erkenbeck Project

Legend

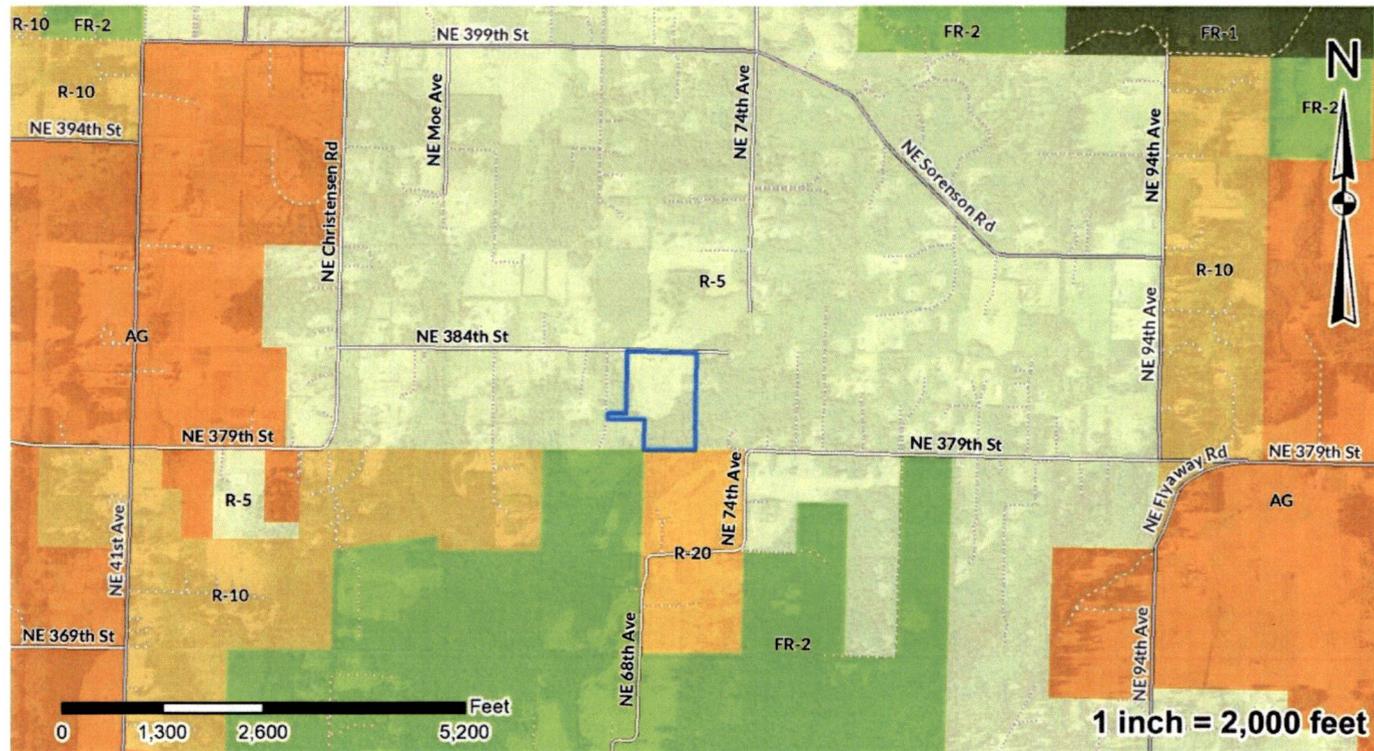
-  Applicant Ownership
-  Arterial
-  Minor
-  Private, Other
-  Location



2019-00001 • Erkenbeck Project cont.

Legend

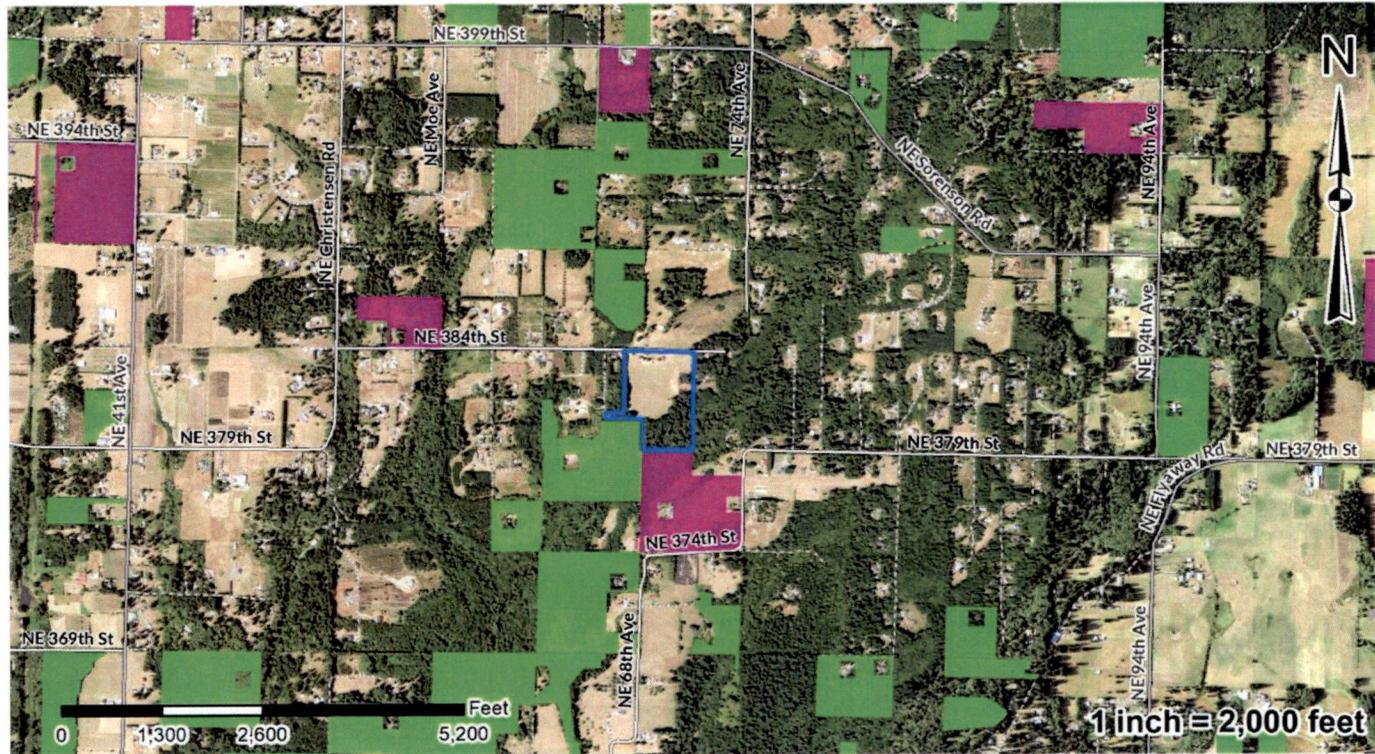
-  Applicant Ownership
-  Rural-5 (R-5)
-  Rural-10 (R-10)
-  Rural-20 (R-20)
-  Agriculture (AG)
-  Forest Tier 1 (FR-1)
-  Forest Tier 2 (FR-2)
-  Arterial
-  Minor
-  Private, Other
-  Location



2019-00001 • Erkenbeck Project cont.

Legend

-  Applicant Ownership
-  Timber Land
-  Open Space Land
-  Arterial
-  Minor
-  Private, Other
-  Location



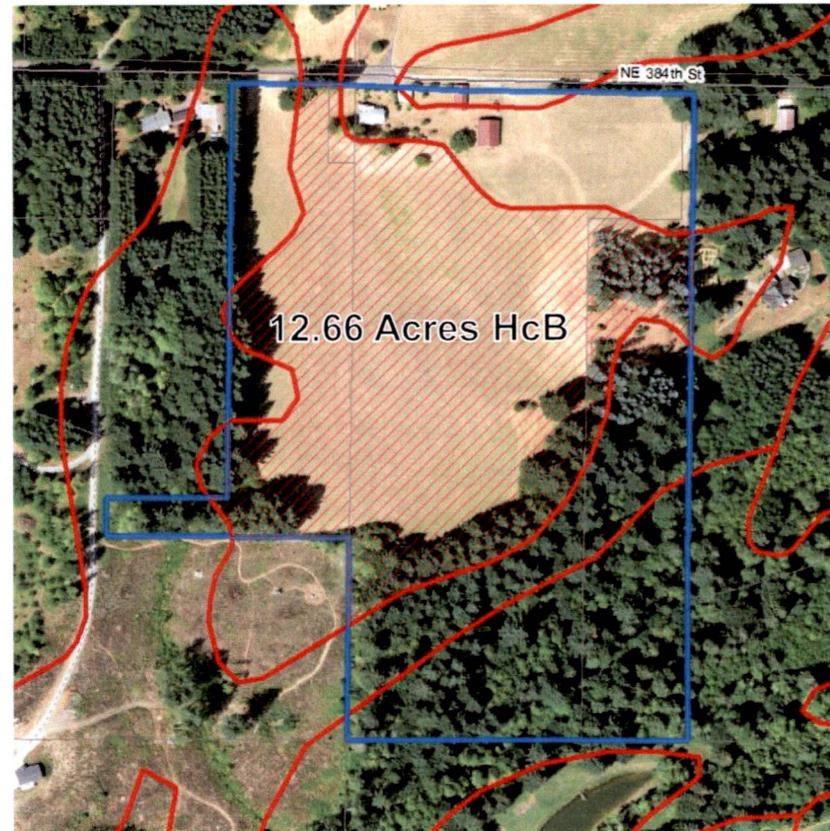
2019-00001 • Erkenbeck Project cont.

- Application for transfer from the Farm & Agriculture Classification to Soil Conservation.
- The applicant has requested 21.23 acres of the 25.56 acres but after staff's review, only 12.66 acres qualify.
- The 12.66 acre tract is a Class II soil and of that tract 80.09% is in food or fiber production.
- The site is located at 6813 NE 384TH Street, La Center, WA 98629.
- Current zoning and comprehensive plan designation is Rural-5.
- The Soil Conservation category is based on the promotion of conservation of soils and was reviewed based on the following findings...



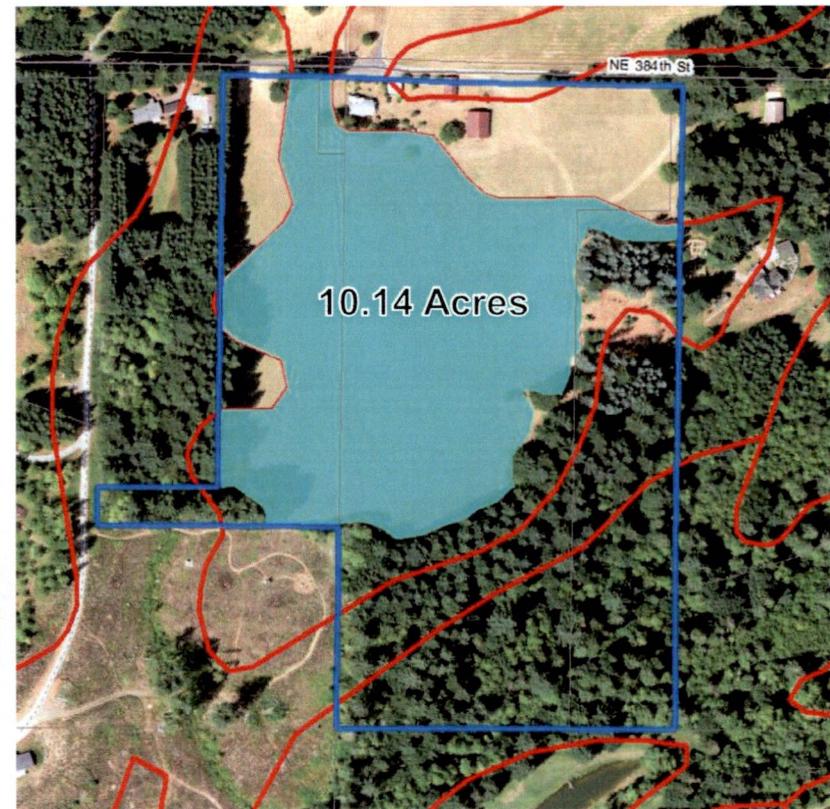
2019-00001 • Erkenbeck Project cont.

- **Finding 1** - Tracts which contain not less than ten (10) acres of Class I or Class II soil, as identified by the local Soil Conservation Service Office - CCC 3.08.050(1).
 - A Geographic Information System (GIS) review indicated that the area applied for contains a class II soil type of Hesson clay loam (HcB) greater than 10 acres in area.



2019-00001 • Erkenbeck Project cont.

- **Finding 2** - At least eighty percent (80%) of the tract must be in production of food or fiber - CCC 3.08.050(2) .
- An on-site review indicated that at least 80% of the tract is in food or fiber production (10.14 acres = 80.09%).



2019-00001 • Erkenbeck Project cont.

Conclusion:

- Each parcel has a part of the tract that meets the criteria.
 - Remaining acreage in each parcel does not meet any other Open Space category, therefore do not qualify.
- Out of the 21.23 acres, only 12.66 acres meet the criteria, therefore the difference of 8.57 acres will need to be removed from the program.

These findings imply that the application meets all criteria for Open Space Soil Conservation as specified in Chapter 3.08 (.050) of the Clark County Code. Therefore, staff recommends APPROVAL of the 12.66 acres.



NOTICE OF PUBLIC HEARING

The Clark County Council will hold a public hearing on **Tuesday, September 15, 2020 at 10 a.m.** to consider:

CURRENT USE APPLICATIONS

The Clark County Councilors will consider the Planning Commission's recommendations for approval of four Open Space Applications for Current Use Assessment pursuant to Chapter 84.34 RCW. The criteria for Open Space are established pursuant to Chapter 3.08.050 of the Clark County Code.

Due to COVID-19 the council meetings are closed to the public until further notice, but the public may participate in the following ways:

- Watch the meeting live on CVTV (Comcast channel 23)
- Livestream from a personal computer at www.cvtv.org
- Listen to the audio only by calling 1-408-418-9388 and entering access code: 146 871 8075 (unique to this meeting)
- Submit written comments via the County website at <https://www.clark.wa.gov/councilors/public-comment>

More information concerning this matter, including a copy of the Planning Commission's recommendations, may be obtained by contacting Hunter Decker, Clark County Public Works, 1300 Franklin Street, Vancouver, Washington, telephone (564) 397-4852, or by email: Hunter.Decker@clark.wa.gov

CLARK COUNTY COUNCIL



Clerk of the Board

Approved as to Form Only
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