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5 ORDINANCE NO. 2007-91s
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8 **An Ordinance of the Pierce County Council Creating a Transfer and Purchase of**
9 **Development Rights Program and Adopting Technical**
10 **Amendments to Implement the Program; Amending the Pierce**
11 **County Code by Adopting a New Chapter 18G.10, "Transfer and**
12 **Purchase of Development Rights", and a New Chapter 2.101,**
13 **"Transfer of Development Rights Committee"; Amending Chapter**
14 **18.25, "Definitions", Chapter 18A.35, "Development Standards",**
15 **"Use Permits", and Chapter 19C.10, "Procedures for Amendments**
16 **to the Comprehensive Plan"; Setting an Effective Date; and**
17 **Adopting Findings of Fact.**
18

19 **Whereas**, in response to threats to agriculture in the County and to requirements
20 on the Growth Management Act, the County created a new Agricultural Resource Lands
21 land use designation and applied it to prime farmland in the County in 2004; and
22

23 **Whereas**, this was the beginning of the County's renewed and enhanced efforts
24 to preserve farmland and support farmers; and
25

26 **Whereas**, the Pierce County Agriculture Strategic Plan dated January 2006,
27 identifies purchase and transfer of development rights programs as implementation
28 steps for improving the viability of agriculture in the County; and
29

30 **Whereas**, the County Council formally accepted the Pierce County Agriculture
31 Strategic Plan and requested the Executive to implement the options described in the
32 plan through the adoption of Resolution No. R2006-35 in 2006; and
33

34 **Whereas**, the County contracted with Cascade Land Conservancy to develop
35 two reports related to Purchase of Development Rights (PDR) programs, which would
36 recommend alternative real estate options for farmers that would preserve the farmland
37 while allowing the land owner to realize economic value of its development potential;
38 and
39



1 **Whereas**, the first report provided a detailed overview of PDR programs as an
2 approach to conserving farmland and the second report examined trends in County
3 agriculture and outlined how the County could develop and fund a voluntary PDR
4 program to conserve farmland zoned Agricultural Resource Land in the Mid-County
5 Community Plan and Alderton-McMillin Community Plan areas; and
6

7 **Whereas**, the County Council formally accepted the Conserving Pierce County
8 Farmlands: Development Rights Purchasing Program report dated December 2006,
9 and requested the Executive to implement a PDR program in coordination with a
10 Transfer of Development Rights (TDR) program through the adoption of Resolution No.
11 R2007-37; and
12

13 **Whereas**, in 2006, the state legislature awarded the County a Transfer of
14 Development Rights Proviso Grant to develop policies and regulations for a Transfer of
15 Development Rights program; and
16

17 **Whereas**, the Planning and Land Services Department contracted with Cascade
18 Land Conservancy to further develop the Purchase of Development Rights program by
19 including a Transfer of Development Rights program; and
20

21 **Whereas**, the programs were developed with involvement of stakeholders
22 including members of the agriculture community, Alderton-McMillin Community Planning
23 Board members, the FARM Board, Pierce Conservation District, Washington State
24 University Extension, development industry, County staff, and others; and
25

26 **Whereas**, the program provides tools for Pierce County to keep farmland intact
27 by fairly compensating farmers for their lands' development potential; and
28

29 **Whereas**, the program plays a vital role in supporting Pierce County's economy,
30 infrastructure, public health, and environment; and
31

32 **Whereas**, the Planning and Land Services Department conducted the necessary
33 public and environmental review to consider the proposed amendments contained
34 herein; and
35

36 **Whereas**, the Planning and Land Services Department prepared a staff report
37 and Cascade Land Conservancy presented the proposed program for review and
38 consideration by the Pierce County Planning Commission at a public hearing for the
39 proposed amendments on June 26, 2007; and
40



1 **Whereas**, the Planning Commission made its recommendations at the June 26,
2 2007, meeting; and

3
4 **Whereas**, the recommendation of the Planning Commission was forwarded to
5 the County Council on July 18, 2007; and

6
7 **Whereas**, the Community Development Committee held public hearings on
8 October 1, 8, 15, and 29, 2007; and

9
10 **Whereas**, the Community Development Committee made a recommendation of
11 do pass as substituted on October 29, 2007, to the full Council for further consideration;
12 and

13
14 **Whereas**, the County Council held public hearings on November 27, 2007; and

15
16 **Whereas**, the Pierce County Council has determined that adopting the proposed
17 amendments is in the best interest and general welfare of the citizens of Pierce County;

18 **Now Therefore,**

19
20 **BE IT ORDAINED by the Council of Pierce County:**

21
22 Section 1. A new Chapter 18G.10 of the Pierce County Code, "Transfer and
23 Purchase of Development Rights," is hereby adopted as shown in Exhibit A, which is
24 attached hereto and incorporated herein by reference.

25
26 Section 2. Chapter 18.25 of the Pierce County Code, "Definitions", is hereby
27 amended as shown in Exhibit B, which is attached hereto and incorporated herein by
28 reference.

29
30 Section 3. Amendments to Chapter 19C.10 of the Pierce County Code,
31 "Procedures for Amendments to the Comprehensive Plan," are hereby adopted as
32 shown in Exhibit C, which is attached hereto and incorporated herein by reference.

33
34 Section 4. Amendments to Pierce County Code Chapter 18A.35, "Development
35 Standards," and Chapter 18A.75, "Use Permits," are hereby adopted as shown in
36 Exhibit D, which is attached hereto and incorporated herein by reference.

37
38 Section 5. A new Chapter 2.101 of the Pierce County Code, "Transfer of
39 Development Rights Committee", is hereby dopted as shown in Exhibit E, which is
40 attached hereto and incorporated herein by reference.



1 Section 6. Findings of Fact are hereby adopted as shown in Exhibit F, which is
2 attached hereto and incorporated herein by reference.

4 Section 7. The effective date of this Ordinance shall be April 1, 2008.

6 **PASSED** this _____ day of _____, 2007.

8 ATTEST:

PIERCE COUNTY COUNCIL
Pierce County, Washington

12 _____
13 **Denise D. Johnson**
14 Clerk of the Council

12 _____
13 **Terry Lee**
14 Council Chair

17 _____
18 **John W. Ladenburg**
19 Pierce County Executive
20 Approved _____ Vetoed _____, this
21 _____ day of _____,
22 2007.

24 Date of Publication of
25 Notice of Public Hearing: _____

27 Effective Date of Ordinance: _____

