

Parks and Open Space Committee Recommendations

Recommendation #1: Langley Open Space Commission

After 18 months of research and discussion, the Parks and Open Space Committee believes that the single most important action that the City of Langley can take to preserve and enhance open space in and around Langley would be to create the Langley Open Space Commission.

Purpose: To recommend to the city council a program and process for acquiring or otherwise preserving forested areas, open space, wildlife habitat, farms and agricultural lands, and a program for overseeing, monitoring and auditing such improvements.

Type: Advisory

Responsible Department: Executive

Lead Staff: Mayor

Members: Seven South Whidbey citizen volunteers (appointed by the City Council)

Open Space Commission Operating Procedures: Since it is unlikely (due to its small size and taxbase) that the City of Langley will be able to use general obligation bonds to cover all the costs of "acquiring or otherwise preserving forested areas, open space, wildlife habitat, farms and agricultural lands and creating new trails and parks....", one role for the Langley Open Space Commission (LOSC) will be the development of innovative funding strategies that can successfully meet the open space needs of the Langley community.

To this end, LOSC will establish written operating procedures, receive and process property nominations, and recommend acquisition (or other strategies) for preserving open space properties.

Recommendation #2: Open Spaces Ranking

Langley is bounded and buffered by miles of surrounding forest inland to the South, a huge farm and meadow with cows and sheep that come right into town on the West side, and forested main entry roads that serve as rural gateways into the village. Together with its distinctive and quaint downtown that sits on a bluff overlooking the city's most precious park and Puget Sound to the North, perhaps nowhere else in America is found this combination of small town charm, all within less than a square mile. Langley is a fragile ring that cannot afford to lose any of the jewels that connect the circle. Our recommended open space priorities include:

Open Spaces Ranking (the six highest priority spaces)

1. Working Farmland
2. Waterfront (Seawall) Park
3. UGA Forest lands (contiguous) Greenbelt
4. Cascade Bluff including Cascade Avenue Viewshed
5. Wetlands Between Sandy Point and Edgecliff (including Noble Creek)
6. Hazelnut grove including Saratoga Creek Ravine

Other important areas (not ranked) :

Park Street & Debruyn open spaces (small)
Brookhaven Creek
Woods between Groom lane and Brookhaven Creek
Trails behind the Middle School
The Grove (Coles Road)
Gateway “scenic” corridors

Recommendation #3: Tools for Preserving Open Space

The setting aside of permanent open space can be accomplished in four ways. The following recommended tools can be used in combination for a given open space acquisition.

1. *Establishing zoning requirements that stipulate a set-aside of land in open space for proposed development projects.* This does not reduce the density on a given parcel, but concentrates the density, while retaining open space. To maximize the benefit of open space, open space set-asides should provide a connected greenbelt for trails, wildlife corridors and habitat protection. The open space could remain privately held, or a portion, or all, of the open space could be transferred as public land.
2. *Private donation of land for open space and parks.*
3. *Public acquisition of land for open space and parks.*
4. *The voluntary removal of all, or some, of the development rights on private property where the property continues to remain privately held.* This can be done through either:

A landowner donation of the development rights through a conservation easement (CE). A CE is a legal agreement that removes development rights and establishes the conservation purpose to be maintained in perpetuity. The CE is binding on the property and must be followed by all future landowners of the property. There has to be a receiving entity to hold the CE and provide the ongoing monitoring and stewardship of the CE. In most cases this would be the City of Langley, with the other possible holder the private, non-profit Whidbey Camano Land Trust.

- Purchasing a conservation easement from the landowner, or

· The trading of development rights through a city sponsored Transfer of Development Rights (TDR) program. A TDR program uses market forces to simultaneously promote conservation in high value natural, agricultural, and open space areas while encouraging smart growth in developed and developing sections of a community. In a TDR program, a community identifies an area within its boundaries which it would like to see protected from development (the sending zone) and another area where the community desires more urban style development (the receiving zone). Landowners in the sending zone are allocated a number of development credits, which can be sold to developers, speculators, or the community itself. In return for selling their development credits, the landowner in the sending zone agrees to place a permanent conservation easement on his or her land. Meanwhile, the purchaser of the development credits can apply them to develop at a higher density than otherwise allowed on property within the receiving zone.

The voluntary landowner tools have pros and cons (source: 1000 Friends of Minnesota).

Land Protection Toolbox ProCon

Donated Conservation Easement

- € Permanently protects land from development pressures.
- € Landowners may receive income, estate, and property tax benefits.
- € No or low cost to local unit of government.
- € Land remains in private ownership and on the tax rolls.
- € Tax incentives may not provide enough compensation for many landowners
- € Little local government control over which areas are protected.

Purchase of Development Rights (Conservation Easement)

- € Permanently protects land from development pressures.
- € Landowner is paid to protect their land.
- € Landowners may receive estate and property tax benefits.
- € Local government can target locations effectively.
- € Land remains in private ownership and on the tax rolls.
- € Can be costly for local unit of government.

Transfer of Development Rights (TDR Program)

- € Permanently protects land from development pressures.
- € Landowner is paid to protect their land.
- € Landowners may receive estate and property tax benefits.
- € Local government can target locations effectively.
- € Low cost to local unit of government.
- € Utilizes free market mechanisms.
- € Land remains in private ownership and on the tax rolls.
- € Can be complex to manage
- € Receiving area must be willing to accept higher densities.
- € Most successful programs typically require a strong real estate market.

Funding Options for Open Space

Land protection projects require funding for the acquisition costs of a conservation easement or a fee simple property (i.e. legal fees, survey, environmental assessment, closing costs, land purchase). In addition, there are the ongoing annual costs for easement monitoring and stewardship/maintenance activities.

Current sources for funding open space/parks are:

- Landowner donation (outright, life-estate, planned giving)
- Landowner bargain sale
- Grant programs (Island County Conservation Futures Fund and various state programs depending on qualifying criteria)
- Private contributions

Other funding mechanisms that could provide future sources for funding:

- TDR Program (City of Langley) – sale of development rights
- Real Estate Excise Tax (REET) for Conservation Areas (county authorizes funding that requires passage by county voters)
- Impact fees
- Trail easements
- Sale and lease-back
- Installment sale

Recommendation #4: Level of Service

Level of Service (LOS) refers to how much open space per capita Langley needs to preserve based on comparable communities. Determining our LOS recommendation turns out to be somewhat confusing because it depends on what we arbitrarily choose to measure (e.g. LOS for the City of Langley, Langley 98260, or all of South Whidbey?). We believe that the best comparisons are for the wider areas that encompass the City of Langley and beyond (Langley 98260). See the comparison chart below. But since it seems that cities need to be compared against cities, not in comparison to the wider areas, we believe that more research needs to be done before we can make a meaningful recommendation.

LEVEL OF SERVICE COMPARISON CHART:

Area
Population
Sq Miles/ Acres
DENSITYPop/Square mile
AcresOS/ParksLOS
Acres/1000Acres/Capita

City of Langley

1056
.8 sq. miles/512 acres
1318/sq. mile
47 acres
45 acres/1000.045 acres/capita

Langley - 98260

5271
22 sq. miles (est.)/14,080 acres
240/sq. mile
1768 acres
335 acres/1000.335 acres/capita

South Whidbey

15,513
67 sq. miles (est.)/42,880 acres
232/sq. mile
1974 acres
127 acres/1000.127 acres/capita

Bainbridge Island

22,600
32 sq. miles/20,525 acres
705/sq. mile
2404 acres
106 acres/1000.106 acres/capita

City of Laguna Beach

23,727
9 sq. miles/5824 acres
2636/sq. mile
56 acres
2 acres/1000.002 acres/capita

Laguna Coast Area

324,871
123 sq. miles/78,824 acres
2641/sq. mile
17,000 acres
52 acres/1000.052 acres/capita

San Juan County

15,697
175 sq. miles/111,936 acres
90/sq. mile
28,000 acres
1784 acres/10001.78 acres/capita

LOS RANKING CITY + OUTLYING AREA

1 San Juan County

175 sq. miles
1784 acres/1000
160 acres/sq. mile

2 Langley 98260

22 sq. miles
335 acres/1000
80 acres/sq. mile

3 South Whidbey School District boundary

67 sq. miles
127 acres/1000
28 acres/sq. mile

6 Bainbridge Island

32 sq. miles 106 acres/1000
75 acres/sq. mile

4 Laguna Coast Area

123 sq. miles 52 acres/1000 138 acres/sq. mile

CITY LIMITS

5 City of Langley

.8 sq. miles 45 acres/1000
59 acres/sq. mile
National Standard 6.25 – 10.5 acres/1000

7 City of Laguna Beach

9 sq. miles 2 acres/1000
6 acres/sq. mile

The 2000 census data showed:

Langley 98260 = 4878 (34%)
Freeland 98249 = 3690 (26%)
Clinton 98236 = 5720 (40%)
TOTAL 2000 Population = 14,288 (100%)

SWSD boundaries 2000 = 14,357 (A little larger than above, since some Greenbank zip code folks are in the SWSD boundaries.)

SWSD boundaries 2004 = 15,513

We took this difference of 1156 and then took 34% as the increase in 98260 from 2000 to 2004.

98260 LOS SUMMARY

TOTAL 98260 POPULATION (2004 est.) = 5271

TOTAL current OS/PARKS = 1767.56 acres, LOS = 335 acres/1000

CURRENT + IN PROCESS OS/PARKS = 2078.56 acres, LOS = 394 acres/1000

DETAILED LOS FIGURES BASED ON 98260 POPULATION

Total acres of current OS/Parks in 98260 = 1767.56 acres

768.06 (Sharen's list) + 999.5 (Kathleen's list) = 1767.56 acres current, 2078.56 acres including those in the process of being protected

Current LOS Ratio:

1767.56/5,271 = .335 acres per capita

LOS Ratio including lands in process to be protected:

2078.56/5,271 = .394 acres per capita

The county and national standards use a LOS calculated based on acres/1000 population. Using this comparison:

Current 98260 LOS/1000 = 335.3 acres/1000 and in progress 394.3 acres/1000

National standard = 6.25 - 10.5 acres/1000

1998 Island County Parks LOS was 2.9 acres/1000 with a goal of 3.5. acres/1000

98260 Additional OS/Parks Acreage

South Whidbey Parks & Rec = 313.5 acres

- Community Park lands = 113.5 acres

- Maxwelton Valley DNR lands = 200 acres (just transferred for protection! yea!) Part of this land is within the 98260 & part is outside. I suggest we include all of it because it is just down from Bayview Corner off the HWY which is all 98260.

Island County: 418 acres

- Deer Lagoon = 379 acres

- Brainer's Road = 39 acres (This also just got transferred at the same time as the Maxwelton piece)

South Whidbey WCLT protected lands= 28 acres current, + 311 acres in process

- Zimmerman Conservation Easement (CE)= 28 acres

WCLT In Process:

- DNR TLT lands: transfers in progress:

High Point = 40 acres (scheduled for transfer by 6/09)

Skyline West = 40 acres (scheduled for transfer by 6/09)

- Others in process in SW:

Useless Bay = 55 acres

Working Forest lands = 176 acres

Other = 240 acres

- Metcalf Trust Lands Preserve, privately protected using TDRs and open to public (next to Saratoga/Goss Woods) = 40 acres

- Bayview Marine State Park (south end of Deer Lagoon) = estimated 200 acres