

# Ad-Hoc Committee Discusses Criteria for Bona Fide Agricultural, Recreational, and Natural Resource Land Use

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bona fide activities agricultural, recreational, natural resource Land use

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## Meeting Information

- Date & Time: 2024-10-09 18:02:41
- Location: Community Room, City Hall
- Attendees: Chris Carson, John Cleveland, David Bell, Stanwood Grey, Barbara Mitchell, Philip Savignano, John Blais, Mayor Jeff Harmon, Dave Griswold
- Not present: Dave Trask

## Meeting Notes

### 1. Ad-Hoc Committee Operations and Responsibilities

- **Committee Introductions**  
Members of the Ad-Hoc Committee introduced themselves and their affiliations.
- **Committee Charge**  
The mayor explained the committee's charge to develop criteria for determining bonafide agricultural, recreational, and natural resource land uses that meet the requirements of the ordinance.
- **Timeline**  
The committee is expected to report back to the city council by November 18, 2024, with any proposed criteria.
- **Committee Operations**  
The committee can determine its own schedule, meeting durations, and how their meetings are conducted. Agendas must be posted for the required public notice.
- **Minutes Requirement**  
The committee must take minutes for each meeting, capturing key details such as date, attendees, topics discussed, and actions taken.

- **Remote Meetings**  
Remote participation is not allowed for public meetings, but remote presentations by individuals are permitted.

## **2. Defining criteria for bona fide activities in agricultural, recreational, and natural resource sectors.**

- **Committee's Purpose**  
The committee's purpose is to define factors to determine if an activity is bona fide under the ordinance, particularly in the agricultural, recreational, and natural resource sections.
- **Ordinance Reference**  
The ordinance specifies that farming, agriculture, recreational, and natural resource uses, must be bona fide before a residential structure can be permitted.
- **Elimination of Income Standard**  
The council adopted the new Ag ordinance that removed the income standard for farming activities, leading to the need for clear criteria to determine if the proposed activity meet the requirement that it meets the bona fide standard.
- **Role of City Staff and Committees**  
City staff will rely on the committee for advice on bona fide activities, especially since they lack expertise in these areas.
- **Public Understanding and Transparency**  
The goal is to ensure the public understands the factors considered in determining bona fide activities, promoting consistency and transparency.
- **Residential Development in Ag Zone**  
Residential development is secondary to the bona fide activities in the Ag Zone. The committee will provide recommendations to the City Council to clarify the criteria to use in determining that the activity meets the bona fide requirement in the ordinance.
- **Factors vs. Prescriptive Standards**  
The committee will define factors, not prescriptive standards, to determine bona fide activities, allowing for case-by-case evaluation.
- **State Definition of Bona Fide Agricultural Activity**  
A member of the public stated that the state defines bona fide agricultural activity as land producing \$2,000 annually for two out of five years. The member of the public stated this definition was previously stated at a City Council meeting but not acted upon.
- **Organizational Structure**  
The committee discussed organizational aspects, including meeting schedules and the possibility of appointing a chair. The committee decided not to appoint a chairperson for the committee.

- **Next Steps**

The committee will gather existing work from the Ag Committee and brainstorm factors to be considered for bona fide activities.

### **3. Defining Bona Fide Agricultural and Recreational Uses**

#### **Meeting Dates**

The committee discussed and confirmed three upcoming meeting dates: October 24th, and October 29th, all at 5:30 PM, and another meeting on November 7th at 5:30 PM.

- **Meeting Focus**

The committee plans to focus on three critical pieces per meeting to stay efficient and provide recommendations to the council. They aim to avoid wordsmithing and focus on the concepts.

- **Committee Resources**

The committee was advised to contact John Blais or another staff member if they need resources to get their work done.

- **Recreational Use**

The committee discussed the challenges of defining recreational use, such as snowmobile trails, and how it should be considered in the context of a bona fide activity.

- **Agricultural Use**

The committee discussed what constitutes bona fide agricultural use, including subsistence farming, and the challenges of defining it for small lots.

- **Consistency and Guidance**

The committee emphasized the need for consistency and clear guidance for staff and applicants to ensure fair and uniform application of the rules.

- **Ordinance Interpretation**

The committee discussed the interpretation of the ordinance, particularly what qualifies as bona fide agricultural or recreational use and how it triggers residential development.

- **Examples and Scenarios**

Various examples and scenarios were discussed to illustrate the challenges in defining bona fide use, such as subsistence farming and recreational trails.

### **4. Clarification and interpretation of the ordinance regarding bona fide agricultural and recreational activities.**

- **Definition of Bonafide Farm**

Members of the public commented on whether there is a state-level definition for a bonafide farm and how it applies to the Ag ordinance.

- **Intent of the Ordinance**  
Members of the public commend that in their view the intent of the ordinance is to allow liberal use of AG/RP land while preserving land, and its integrity, including building houses, Ag uses, recreational activities, and natural resource uses.
- **Recreation Definition**  
There were comments from committee members regarding the lack of a clear definition of 'recreation' in the ordinance and the need for city staff to interpret it with guidance from city legal counsel.
- **Permitting Recreational Activities**  
Discussion by members of the committee on the requirement for activities to be shown as bonafide recreational, agricultural, farming, or natural resource activities to get permits.
- **Scope of Committee**  
Clarification that the committee's scope is to determine factors for bonafide activities and not to change the intent of the ordinance as written.
- **City Administration's Role**  
Explanation that the city administration will administer the ordinance with guidance from city legal counsel, regardless of individual opinions as written.
- **Ordinance Complexity**  
A member of the committee observed that the ordinance's agricultural part is detailed, while natural resource and recreational parts are vague.

## Next Arrangements

- 1.) The committee must report back to the city council by November 18, 2024.
- 2.) Jenna-Rae Brown will coordinate materials distribution and agendas posting.
- 3.) Next meeting is scheduled for October 24, 2024, at 5:30 PM.
  - October 29th meeting at 5:30 PM
  - November 7th meeting at 5:30 PM
- 4.) A separate Ag working group will share criteria they drafted for the Bona Fide Ag Discussion at the next meeting.
  - Information will be sent out to the Ad-hoc committee members.