

PLACES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Jeff Griffin, Planning & Development Services	JRG				
Interim Division Head: Terry Galvin	TG				
Dept. Head: Michael T. Knapp	MK				
Prosecutor:	KAF	7/18/96			
Purchasing/Budget:					
Executive:					

SUBJECT: FILE NO: OS: 1996C A RESOLUTION REGARDING THE HOMESTEAD NORTHWEST OPEN SPACE/ OPEN SPACE APPLICATION

ATTACHMENTS: Resolution
 Staff Report with Recommendation
 Locational maps
 Homestead Northwest application and public access statement
 Whatcom County Open Space Policy and Criteria and Public Benefit Rating System.

SUMMARY STATEMENT: Please complete sections of box as appropriate & explain the item below.

Related County contract #: n/a	Should Clerk schedule a hearing? NO // YES / x / Requested date:
Amount budgeted for this item/project: \$ n/a	Is it (or will it be) within budget? YES / / NO / / (Please explain below) n/a
Budget line item number(s): n/a	

This open space application is being evaluated separately because the subject property is located within the City of Lynden. State law requires that applications for classification of land in an incorporated area shall be acted upon by a granting authority composed of three members of the county legislative body and three members of the city legislative body in which the land is located. A hearing will be held at Lynden City Hall on August 1, 1996. The County Planning and Development Committee will meet with their Lynden counterparts to conduct the hearing and decide upon the application.

ORIGINATOR'S RECOMMENDED ACTION: The Director of Planning & Development Services recommends the Council uphold the Planning Division recommendation for denial as shown in the attached report.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

Res # 96-073

Related File Numbers:

Ordinance or Resolution Number (this item only):

INTRODUCED BY: Consent
PROPOSED BY: PLANNING
DATE: August 1, 1996

RESOLUTION NO. 96-073

**A RESOLUTION ADOPTING A RECOMMENDATION FOR THE 1996 HOMESTEAD
NORTHWEST OPEN SPACE / OPEN SPACE APPLICATION**

WHEREAS, The Planning and Development Services Department received the Homestead Northwest transfer application for Open Space land tax assessment for review and recommendations pursuant to RCW 84.34; and

WHEREAS, pursuant to WAC Section 197-11-800(6)(c), matters relating to Open Space taxation are determined not to be major actions and are exempt from the threshold determination and environmental impact statement requirements of the State Environmental Policy Act; and

WHEREAS, pursuant to RCW 36.70.390, legal notice was published in the Bellingham Herald on July 120 1996, and a copy of said notice was sent in a timely manner to the applicant; and

WHEREAS, Open Space/Open Space evaluations are based upon the Public Benefit Rating System; and

WHEREAS, the application is for land currently within the city limits of Lynden; and

WHEREAS, RCW 84.34.037 (1) requires that "...applications for classification of land in an incorporated area shall be acted upon by a granting authority composed of three members of the county legislative body and three members of the city legislative body in which the land is located;" and

WHEREAS, the Planning and Development Services Department forwarded its recommendation to three members of the Whatcom County Council and three members of the Lynden City Council (hereinafter referred to as the "Joint Council"); and

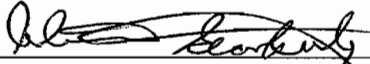
WHEREAS, on August 1, 1996, the Joint Council opened the public hearing on the application and received testimony regarding the proposed Open Space/Open Space parcel.

NOW THEREFORE BE IT RESOLVED BY THE JOINT COUNCIL:

1. The Joint Council approves the Open Space/Open Space application for Homestead Northwest (PBR 67.84).
2. Adjudication of invalidity of any of the sections, clauses or provisions of this Resolution shall not affect or impair the validity of the Resolution as a whole or any part thereof other than the part so declared to be invalid.

PASSED this 1st day of August, 1996.

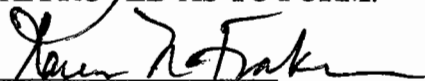
JOINT COUNCIL
WHATCOM COUNTY, WASHINGTON
CITY OF LYNDEN, WASHINGTON


Alvin Starckenburg, Chairman

ATTEST


Clerk of the Council

APPROVED AS TO FORM:


Karen N. Frakes
Civil Deputy Prosecuting Attorney