

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Planning & Development Services, Elizabeth K. Olsen	EKO	1/29/98	<p style="text-align: center;">RECEIVED</p> <p style="text-align: center;">FEB 04 1998</p> <p style="text-align: center;">WHATCOM COUNTY COUNCIL</p>	2/10/98	P & D / Council
Division Head: Sylvia Goodwin	SG	1/29/98			
Dept. Head: Michael T. Knapp	MK	1-29-98			
Prosecutor:	OG	1/30/98			
Purchasing/Budget:					
Executive:	PK	2-3-98			

SUBJECT: FILE NO: OS: 1997d A RESOLUTION ADOPTING RECOMMENDATIONS FOR OPEN SPACE/TIMBER APPLICATIONS

ATTACHMENTS: Draft Resolution
 Agency Report with attached Staff Report with ratings and maps
 Excerpts from Draft Planning Commission Minutes, January 8, 1998

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

Related County contract #: n/a	Should Clerk schedule a hearing? NO /X/ YES / / 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	

Planning & Development Services received four tabled Open Space/Timber applications of which two were Open Space/Timber applications; two were transfers from Designated Forest to Open Space/Timber. On January 8, 1998, the Planning Commission recommended to approve one application to Open Space/Timber, to deny one Open Space/Timber application and to deny two Designated Forest transfer to Open Space/Timber applications.

ORIGINATOR'S RECOMMENDED ACTION: The Director of Planning & Development Services recommends the Council uphold the Planning Commission recommendations as described in the attached resolution.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

1998 - 85 2/10/98: Approved 7 - 0. Res. #98-008

Related File Numbers:

Ordinance or Resolution Number (this item only):

Res # 98-008

INTRODUCED BY: E.K.O.

PROPOSED BY: PLANNING

DATE: January 16, 1998

RESOLUTION NO. 98-008

**A RESOLUTION ADOPTING RECOMMENDATIONS FOR
1997 OPEN SPACE/TIMBER**

WHEREAS, The Planning Commission received four (tabled) applications 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 Dec. 30, 1997; and

WHEREAS, on January 8, 1998 the Planning Commission opened the public hearing on the applications and received testimony from the Planning Division staff regarding the proposed Open Space/Timber; and

WHEREAS, Space/Timber is evaluated upon conformance with RCW 84.34.041; and

WHEREAS, the Planning Commission recommends approval of the Open Space/Timber application from Bittner subject to revised ratings; and

WHEREAS, the Planning Commission recommends denial of the application to Open Space/Timber from James Mullen; and

WHEREAS, the Planning Commission recommends denial to two Designated Forest transfers to Open Space/Timber applications from Timberline Logging Inc. and Nielsen Bros. Inc.; and

WHEREAS, the Planning Commission has forwarded its recommendations to Council;
and

WHEREAS, Council held a public meeting on February 10, 1998, to consider the Planning Commission's recommendations.


NOW THEREFORE BE IT RESOLVED BY THE WHATCOM COUNTY COUNCIL:

1. The Whatcom County Council approves the Open Space/Timber application for: Bittner, subject to revised ratings.
2. The Whatcom County Council denies the applications for transfer from Designated Forest to Open Space/Timber application for: Timberline Logging Inc. and Nielsen Bros..
3. The Whatcom County Council denies the Open Space/Timber application from James Mullen
4. The Council directs the Assessor to place the Bittner parcel in the appropriate Open Space status category.
5. 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 10 day of February, 1998.

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Robert Imhoff Council Chair

ATTEST

Clerk of the Council

APPROVED AS TO FORM:


Karen N. Frakes
Civil Deputy Prosecuting Attorney