

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2006-130

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Elizabeth K. Olsen	EKO	2/03/06	RECEIVED FEB 21 2006 WHATCOM COUNTY COUNCIL	2/28/06	P&D/Council
Division Head: Troy Holbrook.	TH	2-16-06			
Dept. Head: Hal H. Hart, A.I.C.P.	HH	2-16-06			
Prosecutor:	R.J.	2-16-06			
Purchasing/Budget:					
Executive: Peter Kremen	PK	2/18/06			

TITLE OF DOCUMENT:
A Resolution Adopting Recommendations For Open Space/Farm and Agricultural Conservation, Open Space/Open Space and Open Space/Timber Applications

ATTACHMENTS:
*Draft Resolution
 Agency Report with attached Staff Report, ratings sheets and maps
 Excerpts from Planning Commission Minutes, November 10, 2005, and December 14, 2005.*

SEPA review required? () Yes (X) NO	Should Clerk schedule a hearing? () Yes (X) NO
SEPA review completed? () Yes (N/A) NO	Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Of the eleven (11) OPEN SPACE/TIMBER applications received, staff recommends approval for all applications.

Of the one (1) OPEN SPACE/FARM AND AGRICULTURAL CONSERVATION application received, staff recommends approval for the application.

Of the one (1) OPEN SPACE/OPEN SPACE application received, Planning Commission recommends denial for the application.

COMMITTEE ACTION:
 2/28/06: Forwarded to Council for approval.

COUNCIL ACTION:
 2/28/06: Council approved the resolution.
 7-0

Related County Contract #:

Related File Numbers:
 OS 2005-2

Ordinance or Resolution Number: Res 2006-019

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

INTRODUCED BY:
PROPOSED BY: Planning/Dev. Services
DATE:

RESOLUTION NO. 2006-019

**A RESOLUTION ADOPTING RECOMMENDATIONS FOR OPEN SPACE/TIMBER
AND OPEN SPACE/FARM AND AGRICULTURAL CONSERVATION**

WHEREAS, The Planning Commission received eleven (11) applications for OST/Timber Management Plans and two (2) applications for Open Space Current Use 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 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 Thursday, October 27, 2005, and Sunday, December 4, 2005, and a copy of said notice was sent in a timely manner to all applicants; and

WHEREAS, on Thursday, November 10, 2005, the Planning Commission opened the public hearing on the applications and received testimony from the Planning Division staff regarding the proposed Open Space/Farm and Agricultural Conservation, Open Space/Open Space and Open Space Timber parcels; and

WHEREAS, the Planning Commission continued the work session on the Open Space applications on Wednesday, December 14, 2005; and

WHEREAS, Open Space/Farm and Agricultural Conservation and Open Space/Open Space evaluations are based on the Public Benefit Rating System; and

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

WHEREAS, the Planning Commission recommends approval of the Open Space/Farm and Agricultural Conservation application for Winifred Person; and

WHEREAS, the Planning Commission recommends that a Public Access sign not be required for the Winifred Person application for Open Space Farm and Agricultural Conservation due to the sensitivity of the property and surrounding area; and

WHEREAS, the Planning Commission concurs with the Planning Division's recommendation for Open Space Timber for Ivan and Christine Ivanov, and Amwest Properties (4); transfers from Designated Forestry to Open Space Timber for Barry Zwiers, and Peter Schutt; and updated Timber Management Plans for continuance of Open Space Timber for Far North Ventures, Carol Lane, Russell Eiriksson, and Vince Gallant; and

WHEREAS, the Planning Commission concurs with the Planning Department's recommendation of approval for Open Space/Farm and Agricultural Conservation for Winifred Person and the non-posting of Public Access signs on the property; and

WHEREAS, the Planning Commission reviewed the Open Space/Open Space application of Lois Van Winkle and recommended denial; and

WHEREAS, the Planning Commission has forwarded its recommendation to the Whatcom County Council; and

WHEREAS, County Council held a public meeting on February 28, 2006, to consider the Planning Commission's recommendations, and

WHEREAS, County Council adopted the Planning Commission's recommendations on February 28, 2006.

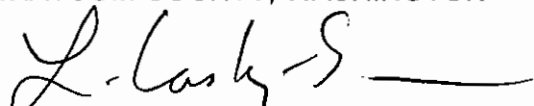
NOW, THEREFORE, BE IT RESOLVED BY THE WHATCOM COUNTY COUNCIL:

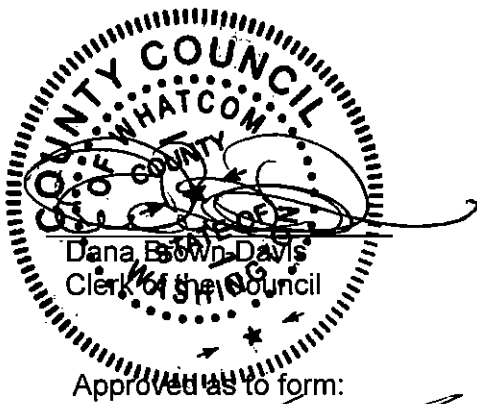
1. The Whatcom County Council approves the Open Space/Farm and Agricultural Conservation application from Winifred Person and approves the recommendation of not posting a Public Access notice for the Winifred Person Open Space Farm and Agricultural Conservation property; and
2. The Whatcom County Council approves the Open Space Timber applications from Ivan and Christine Ivanov, and Amwest Properties (4); Transfers from Designated Forestry to Open Space Timber for Barry Zwiers, and Peter Schutt; and Updated Timber Management Plans for continuance of Open Space Timber designation for Far North Ventures, Carol Lane, Russell Eiriksson, and Vince Gallant;
3. The Planning Commission voted denial for the Open Space/Open Space application of Lois Van Winkle.
4. The Whatcom County Council directs the Assessor to place the parcels 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 28 day of February, 2006.


ATTEST:-

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Laurie Caskey-Schreiber, Chairperson



Approved as to form:


Karen Frakes *Royce Buckingham*
Civil Deputy Prosecutor