

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
<i>Originator:</i>	Olson	8/1/2006		8/7/2006	P&D Committee
<i>Division Head:</i>				12/04/2006	Special Meeting
<i>Dept. Head:</i>					
<i>Prosecutor:</i>					
<i>Purchasing/Budget:</i>					
<i>Executive:</i>					

TITLE OF DOCUMENT:
 Open Space Timber Application - Amwest Properties Inc., Vancouver, BC

ATTACHMENTS:
 Memo from Elizabeth Olson, Staff Report, Application, Map, Management Plan

<i>SEPA review required?</i> () <i>Yes</i> () <i>NO</i>	<i>Should Clerk schedule a hearing ?</i> () <i>Yes</i> () <i>NO</i>
<i>SEPA review completed?</i> () <i>Yes</i> () <i>NO</i>	<i>Requested Date:</i>

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: *(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)*

On June 6, 2005, the County received a completed Open Space Timber Application from Amwest Properties Inc., Vancouver, B.C. The application is to transfer approximately 69.01 acres to the current use tax designation of Open Space Timber. Because the property is located with the city limits of Blaine,

COMMITTEE ACTION:

COUNCIL ACTION:
 8/7/2006: Special meeting cancelled.

 12/4/2006: Special meeting with Whatcom County Planning & Development and Blaine City Council approved Resolution 2006-077

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number: Res. 2006-077

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 PDS:
DATE: December 4, 2006

RESOLUTION NO. 2006-077

**A RESOLUTION ADOPTING A RECOMMENDATION FOR
AN OPEN SPACE TIMBER APPLICATION**

WHEREAS, The Planning and Development Services Department received one application for an Open Space land tax assessment for review and recommendation 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 November 24, 2006, and a copy of said notice was sent in a timely manner to the applicant; and

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

WHEREAS, the application is for land currently within the city limits of Blaine; 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 has forwarded its recommendation to three members of the Whatcom County Council and three members of the Bellingham City Council (hereinafter referred to as the "Joint Council"); and

WHEREAS, on December 4, 2006, the Joint Council opened the public hearing on the applications and received testimony regarding the proposed Open Space Timber parcels.

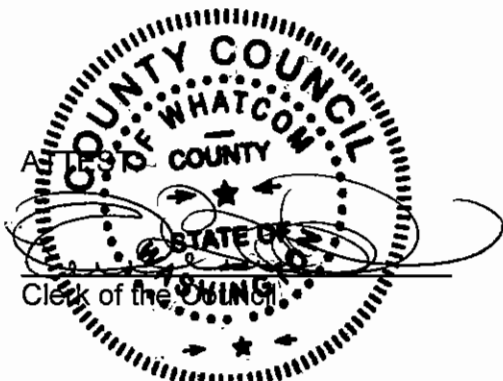
NOW, THEREFORE, BE IT RESOLVED BY THE WHATCOM COUNTY COUNCIL:

1. The Joint Council approves the Open Space Timber Management Plan application from Amwest Properties with the condition of no aerial spraying within Blaine City limits.
2. The Joint Council directs the Assessor to place the parcels in the appropriate Open Space status category.
3. 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 4 day of December, 2006.

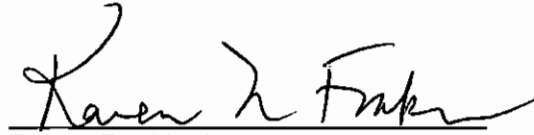
JOINT COUNCIL
WHATCOM COUNTY, WASHINGTON
CITY OF BLAINE, WASHINGTON

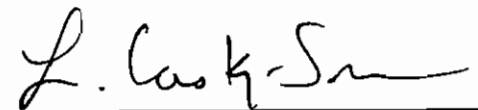

Chairperson



Clerk of the Council

APPROVED AS TO FORM:


Royce Buckingham
Civil Deputy Prosecuting Attorney


Laurie Caskey-Schreiber, Council Chair