

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2007-520

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Elizabeth K. Olsen	EKO	11/14/2007	<p>RECEIVED</p> <p>NOV 27 2007</p> <p>WHATCOM COUNTY COUNCIL</p>	12/4/2007	Introduction
Division Head: Linda Peterson, AICP	LP	11.20.07		1/29/08	P&D/Council
Dept. Head: David Stalheim	DKS fnds	11.21.07			
Prosecutor: Royce Buckingham	RBW	11-21-07			
Purchasing/Budget:					
Executive: Peter Kremen	PK	11/26			

TITLE OF DOCUMENT:

A Resolution Adopting Recommendations For Open Space/Farm and Agriculture Conservation, Open Space/Open Space, and Open Space/Timber Applications.

ATTACHMENTS:

*Draft Resolution
Agency Report with attached Staff Report, ratings sheets and maps*

SEPA review required? () Yes (X) No
SEPA review completed? () Yes (N/A) No

Should Clerk schedule a hearing? () Yes (X¹) No
Requested Date:

¹The Council must hold a hearing if they want to change the Planning Commission's recommendation (WCC 20.10.110).

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Of the seven (7) OPEN SPACE/TIMBER applications received, recommendation is approval for all of the applications.

Of the two (2) OPEN SPACE/FARM AND AGRICULTURAL CONSERVATION applications received, recommendation is approval for both of the applications.

Of the one (1) Open Space/Open Space application received, recommendation is for approval for the application. Due to the sensitivity of the pristine wetlands of this property, which is in the Prime Aquifer Recharge Area of northern Lummi Island, no Public Access shall be allowed

** Distribution Request: Assessors Dept – Jean Eastman*

COMMITTEE ACTION:

1/29/2008: Forwarded to Council for approval

COUNCIL ACTION:

12/4/2007: Introduced
1/29/2008: Council Approved 6-0
Caskey-Schreiber absent Res. 2008-006

Related County Contract #:

Related File Numbers:
OS 2007-2

Ordinance or Resolution Number: Res. 2008-006

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.

Sponsored by: Consent

PROPOSED BY: Planning / Dev. Services
Introduction Date: 12/4/2007

RESOLUTION NO. 2008-006

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

WHEREAS, The Planning Commission received ten (10) Open Space applications 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 Sunday, October 14, 2007, and a copy of said notice was sent in a timely manner to all applicants; and

WHEREAS, on Thursday, October 25, 2007, the Planning Commission opened the public hearing on the applications and received testimony from the Planning Division staff regarding the proposed Open Space/Open Space, Open Space Farm and Agriculture Conservation, and Open Space Timber applications; and

WHEREAS, Open Space/Open Space and Open Space Farm and Agriculture Conservation 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 recommended approval of the Open Space/Timber applications for:

Four transfers from Designated Forestry to Open Space Timber for:
Robert and Marilyn McBeath; and

New applications for Open Space Timber from Roseanne Broussard, Tim and Elizabeth Rybka, and Steven Bailey; and

WHEREAS, the Planning Commission recommended approval for the transfer from Open Space Agriculture to Open Space Farm and Agriculture Conservation for:
Pam Gould, and Nancy Simmerman; and

WHEREAS, the Planning Commission recommended approval for the transfer from Open Space Agriculture to Open Space/Open Space for:
Michelle Judson and Barry Hembree, with the recommendation that Open Space Public Access not be allowed on the property due to the sensitivity of the wetlands.

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

WHEREAS, County Council held a public meeting on January 29, 2008 to consider the Planning Commission's recommendations, and

WHEREAS, County Council adopted the Planning Commission's recommendations on January 29, 2008.

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

1. The Whatcom County Council recommends approval of the Open Space/Timber applications for:
New applications for Open Space Timber from Roseanne Broussard, Tim and Elizabeth Rybka, and Steven Bailey.
Transfers from Designated Forestry to Open Space Timber for:
Robert and Marylin McBeath (4).
Transfers from Open Space Agriculture to Open Space Farm and Agriculture Conservation for Pam Gould, and Nancy Simmerman.
Transfer from Open Space Agriculture to Open Space/Open Space for Michelle Judson and Barry Hembree, with a recommendation that Open Space Public Access not be allowed on the property due to the sensitivity of the wetlands.
2. The Whatcom County 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.

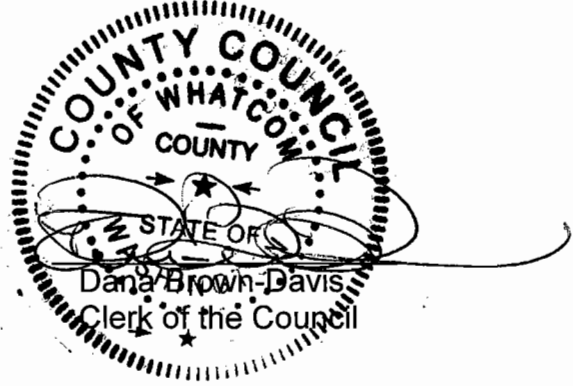
PASSED this 29th day of January, 2008

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

ATTEST:-


Carl Weimer, Chairperson

() APPROVED () VETOED



Approved as to form:

Royce Buckingham
 Royce Buckingham
 Civil Deputy Prosecutor

Pete Kremen

 Pete Kremen, County Executive

1-30-08

 Date