

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2008-198

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Erin Osborn	EO	4/23/08	RECEIVED APR 29 2008 WHATCOM COUNTY COUNCIL	May 6, 2008	Introduction
Division Head: Linda Peterson	LP	4-23-08		5/20/08	P&D/Council
Dept. Head: David Stalheim	DS	4-23-08			
Prosecutor: Royce Buckingham	RB				
Purchasing/Budget:					
Executive: Peter Kremen	PK	4-29			

TITLE OF DOCUMENT: *A Resolution Approving Recommendations For Open Space Current Use Assessment Applications.*

ATTACHMENTS: *Draft Resolution, Agency Report, Excerpts from Planning Commission Public Hearing Draft Minutes: March 27, 2008, Staff Report, Ratings Sheets and Maps.*

SEPA review required? () Yes (<input checked="" type="checkbox"/>) No	Should Clerk schedule a hearing? () Yes (<input checked="" type="checkbox"/>) No
SEPA review completed? () Yes (<input type="checkbox"/>) No	Requested Date:
<small>¹The Council must hold a hearing if they want to change the Planning Commission's recommendation (WCC 20.10.110).</small>	

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Whatcom County Planning Commission reviewed and made recommendations for four (4) applications for Open Space Current Use Assessment referenced under Master File Number OS2008-3: One (1) application for Open Space Farm & Agriculture Conservation & three (3) applications for Open Space Timber.

** Distribution Request: Assessors Dept – Jean Eastman*

COMMITTEE ACTION:

5/20/2008: Forwarded to Council for approval
P&D committee will get a joint presentation from the Assessor and PDS staff on all the different classifications and financial implications to the County in the future.

COUNCIL ACTION:

5/06/2008: Introduced
5/20/2008: Council Approved 7-0
Res. 2008-044

Related County Contract #:	Related File Numbers: OS2008-3	Ordinance or Resolution Number: Res. 2008-044
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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: PDS
INTRODUCTION DATE: 5/6/2008

RESOLUTION NO: 2008-044

**A RESOLUTION APPROVING RECOMMENDATIONS FOR OPEN SPACE
CURRENT USE ASSESSMENT APPLICATIONS**

WHEREAS, Whatcom County Planning and Development Services received four (4) applications for Open Space Current Use Assessment: One (1) Application for Open Space Farm & Agriculture Conservation, three (3) applications for Open Space Timber; and then grouped these individual applications as Master File Number OS2008-3; and

WHEREAS, The Open Space Taxation Act, gives counties legislative authority to grant Open Space Farm and Agriculture Conservation and Open Space Timber Current Use Assessment classification for the purposes of taxation pursuant to RCW 84.34.037 & RCW 84.34.041; and

WHEREAS, pursuant to WCC 3.28.020, applications for Open Space Farm and Agriculture Conservation and Open Space Timber are processed by the Whatcom County Planning Department and then presented to the Whatcom County Planning Commission for a recommendation of approval or denial; and

WHEREAS, pursuant to WAC 197-11-800(6)(c), matters relating to Open Space Current Use Assessment are determined not to be major actions and thus exempt from threshold determination and environmental impact assessment requirements as provided in the State Environmental Policy Act; and

WHEREAS, pursuant to RCW 36.70.390, the statutory requirements regarding legal notice have been met; and

WHEREAS, Whatcom County has adopted a public benefit rating system pursuant to RCW 84.34.055 and WAC 458-30-330 which is used to rate property that is the subject of application for Open Space Farm and Agriculture Conservation; and

WHEREAS, property that is the subject of application for Open Space Farm and Agriculture Conservation is rated according to the adopted Whatcom County Public Benefit Rating System (PBRs). Applications for Open Space Farm and Agriculture Conservation are assigned a score that corresponds with a recommendation of approval or denial, and must receive a score of 45 or above for a recommendation of approval; and

WHEREAS, in accordance with the Whatcom County PBRs, public access is a condition of approval for Open Space Farm and Agriculture Conservation applications, except that this requirement may be waived by the granting authority when the purpose of the Open Space classification is for the conservation of wetlands; or when there is a documented occurrence of: State or Federal Threatened Endangered Species, Federal Proposed Endangered or Threatened Species, State Sensitive or Monitor Species; or when there is a known or potentially significant archaeological site; and

WHEREAS, pursuant to RCW 84.34.041, applications for Open Space Timber are evaluated according to the criteria provided in the Open Space Timber Management Plan Policy as adopted by Whatcom County by ordinance in conformance with RCW 84.34.041; applications for Open Space Timber are assigned a score that corresponds with a recommendation of approval or denial and must receive a score of 7 or above for a recommendation of approval; and

WHEREAS, on March 27, 2008 the Whatcom County Planning Commission held public hearings, considered all testimony, and voted to forward recommendations of approval to the County Council for all applications referenced in Master File OS2008-3; and

WHEREAS, the Whatcom County Council held a public meeting on May 20, 2008 to consider the Planning Commission's recommendations; and

WHEREAS, the Whatcom County Council adopted the Planning Commission's recommendations on May 20, 2008.

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

1. The applications for Open Space Current Use Assessment referenced in Master File Number OS2008-3 listed below are hereby approved subject to conditions and applicable scores as noted herein:

Open Space Farm and Agriculture Conservation

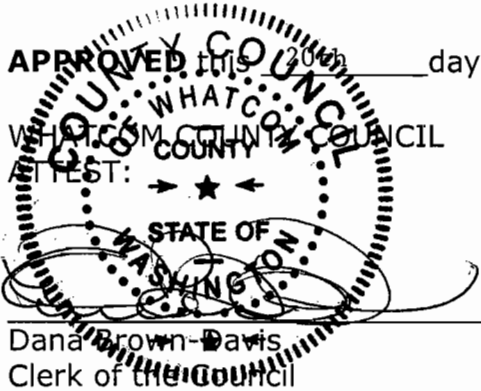
1. **Christianson:** 2735 East Badger Road
Transfer from OSAG: 13.78 Acres
Parcel Numbers: 40418-282464
PBRs Score: 64.5
Approved – With Posted Sign and Public Access

Open Space Timber

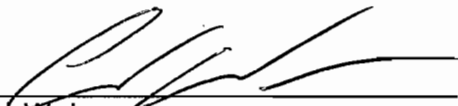
1. **McBeath:** 6000 block Everson Goshen Road
Transfer from Designated Forest/New Application: 13.30 Acres
Parcel Numbers: 390314 – 498380, -498280, -495348
TMP Score: 14
Approved
2. **Erin Baumgart:** 4200 block Blizzard Road
Transfer from Designated Forest: 10.00 Acres
Parcel Numbers: 380132-454061 (Portion of)
TMP Score: 13
Approved
3. **Hank Baumgart:** 4200 Block Blizzard Road
Transfer from Designated Forest: 5.00 Acres
Parcel Numbers: 380132-454061 (Portion of)
TMP Score: 13
Approved

2. The Whatcom County Council directs the Assessor to place the parcels into the appropriate Open Space Current Use classification.
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.

APPROVED this 20th day of May, 2008




WHATCOM COUNTY,
WASHINGTON



Carl Weimer
Council Chair

APPROVED AS TO FORM:



Royce Buckingham
Civil Deputy Prosecutor