

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

FINDINGS AND RECOMMENDATION

Applicant: Skagit Land Trust

Address: P. O. Box 1017
Mount Vernon, WA 98273

File No: C/U OS#2-2011

Request: To include approximately 54.96 acres in the Current Use Open Space Program.

Location: 32481 Lady Bug Lane, Sedro Woolley, WA; located in Section 33, Township 35 North, Range 6 East, W.M., Skagit County, Washington

Assessor's No: P42147, P42148

Public Hearing: After reviewing the report of the Assessor's Office, the Hearing Examiner conducted a public hearing on November 16, 2011.

Recommendation: Approval

FINDINGS

1. This is Current Use Open Space application #2-2011 submitted by Skagit Land Trust.

2. The open space application is to allow the inclusion of approximately 54.96 acres in the current use open space program under RCW 84.34. The assessor's account numbers are P42147 and P42148.

3. The assessor's report to the hearing examiner presented by Susan Saum was admitted as exhibit 1. The map submitted by the assessor's office containing the location of the property was admitted as exhibit 2. The application received October 4, 2011 was admitted as exhibit 3. An application for a portion of the property to be reclassified from farm and agricultural land to open space was submitted by Skagit Land Trust on September 13, 2011, and admitted as exhibit 4. An aerial map submitted by Skagit Land Trust showing the location of the property was admitted as exhibit 5.

4. The purpose of the application is to conserve or enhance natural, cultural or scenic resources; protect streams, stream corridors, wetlands, natural shorelines or aquifers; protect soil resources, unique or critical wildlife, or native plant habitat; promote conservations principles by example or promote educational opportunities; and enhance recreational opportunities.

5. The land is not subject to any lease or any agreement permitting other uses.

6. The land does have an ingress/egress easement of 30 feet in favor of the neighbor for access and a 10 foot utility easement for phone and power.

7. The portion of the property currently classified as farm and agricultural land is more appropriately defined as open space under the proposed uses of Skagit Land Trust.

8. Notice of the public hearing was published on October 27, 2011.

9. The hearing on this matter was held on November 16, 2011. No members of the public appeared.

10. Any conclusion herein which may be deemed a finding is hereby adopted as such.

CONCLUSIONS

1. The Skagit County Hearing Examiner has jurisdiction over this matter.

2. The entire property of 54.96 acres meets the criteria for open space land under RCW 84.34.020(1).

3. The notice requirements of state law and Skagit County Code were completed.
4. Any finding herein which may be deemed a conclusion is hereby adopted as such.

RECOMMENDATION

The Examiner recommends approval of the request by Skagit Land Trust for open space classification.

Wm. H. Nielsen, Hearing Examiner *pro tem*

Date: December 7, 2011

Copies transmitted to Applicant December 7, 2011