

KATHY HILL
SKAGIT COUNTY CLERK

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99 JUL -7 P2:13

RECORDED _____ FILED _____
REQUEST BY _____

AFTER RECORDING RETURN TO:
SKAGIT COUNTY HEARING EXAMINER
302 SOUTH FIRST STREET
MOUNT VERNON, WA 98273

DOCUMENT TITLE: OPEN SPACE RECOMMENDATION OS 99.0270

GRANTOR(S): SKAGIT COUNTY HEARING EXAMINER

GRANTEE: KEITH BRIDGE

ASSESSOR PARCEL NO: P113544, P113545

ABBREVIATED LEGAL DESCRIPTION: a portion of the SW 1/4 of the NE 1/4 of Section 10,
Township 34 North, Range 4 East, W.M., Skagit County, Washington

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OS 99 0270.REC

SKAGIT COUNTY HEARING EXAMINER
STATE OF WASHINGTON

In the matter of:)
Application No. OS 99 0270)
Open Space Application of:) Findings of Fact
KEITH BRIDGE for:) Recommendation
The inclusion of 7.4 acres in) OS 99 0270
the Open Space program.)
)

THIS MATTER having come regularly before the Skagit County Hearing Examiner for a Public Hearing under an application filed with the Skagit County Planning and Permit Center on behalf the applicant requesting an Open Space Classification as described in the attached Report of that Department and located at 21450 Swan Road, Mount Vernon, WA; within the SW 14 of the NE 1/4 of Section 10, Township 34 North, Range 4 East, W.M., Skagit County, Washington;

Assessor Account No: P113545, P113544

And, notice having been given to all property owners within 300 feet of said property, the property having been posted in accordance with Section 14.04 of the Skagit County Code, the public hearing advertised in accordance with Section 14.104 of the Skagit County Code, and all matters in the file having been considered, together with the testimony, evidence, and exhibits in open hearing and made a part of the record in this matter; the Hearing Examiner makes the following:

FINDINGS OF FACT

1. May 19, 1999 was fixed as the date of the public hearing and the Hearing Examiner held a public hearing on that date.
2. All persons present at the Public Hearing were given an opportunity to present evidence and testimony, and all correspondence received was made a part of the record.
3. The Planning and Permit Center issued the attached Staff Report and Findings. The Hearing Examiner adopts Findings no. one (1) through six (6) as presented in that Report.
4. Section 84.34.020, Revised Code of Washington, provides the following information:
 - (1) "Open Space Land" means (a) any land area so designated by an official comprehensive land use plan adopted by any city or county and zoned accordingly or (b) any land area, the preservation of which in its present use would (i) conserve and enhance natural or scenic resources, or (ii) protect streams or water supply, or (iii) promote conservation of soils, wetlands, beaches, or tidal marshes, or (iv) enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space, or (v) enhance recreation opportunities, or (vi) preserve historic sites, or (vii) preserve visual quality along highway, road, and street corridors or scenic vistas, or (viii) retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the legislative body granting the open space classification, or (c) any land meeting the definition of farm and agricultural conservation land under subsection 8 of this section. As a condition of granting

open space classification, the legislative body may not require public access on land classified under (b) (iii) of this subsection for the purpose of promoting conservation of wetlands.

5. The Hearing Examiner reviewed this application with respect to the above definitions and other requirements of the Skagit County Code and the Revised Code of Washington.

CONCLUSIONS

The Hearing Examiner, having duly considered the matter, including all the evidence presented and on file, comments from interested persons, information and comments from other county departments affected, independent studies of the Planning and Permit Center, and the evidence presented at the public hearing; finds that the application has been reviewed in accordance with the definitions and requirements referenced above and has been found to be compatible with those criteria.

DECISION

The Hearing Examiner recommends APPROVAL of the application for inclusion of the subject property in the Open Space Taxation Program.

SKAGIT COUNTY HEARING EXAMINER


BRADFORD E. FURLONG, PRO TEM

Date of Action: 6/2/99

Attachment: Staff Report and Findings

SKAGIT COUNTY PLANNING AND PERMIT DEVELOPMENT
FINDINGS OF FACT

HEARING AUTHORITY: SKAGIT COUNTY HEARING EXAMINER

HEARING DATE: MAY 19, 1999

APPLICATION NUMBER: OPEN SPACE # OSP-PL99-270
269

APPLICANT: KEITH BRIDGE HEARING EXAMINER

ADDRESS: 121450 SWAN ROAD EXHIBIT 1
(PREVIOUSLY 1942 SWAN ROAD)
MOUNT VERNON, WA 98273

PROJECT LOCATION: The subject property is located at 21450 Swan Road (previously 1942 Swan Road), Mount Vernon, WA; within a portion of the Southwest ¼ of the Northeast ¼ of Section 10, all in Township 34 North, Range 4 East, W.M., Skagit County, Washington.

PROJECT DESCRIPTION: Open Space Classification Request to allow the inclusion of approximately 7.4 acres in the Open Space Open Space Program

ASSESSOR'S ACCOUNT NUMBER: 340410-2-010-0600 P113545
340410-1-005-0200 P113544

STAFF FINDINGS:

1. The following items are submitted as exhibits:
 1. Staff report and attachments
 2. Application and site plan, dated September 8, 1998
 3. Conservation Easement
2. The subject property is zoned Agricultural and the Skagit County Comprehensive Plan adopted by the Board of Commissioners on May 19 and effective June 1, 1997 designates the area as Agricultural-Natural Resource Land.
3. The public hearing has been advertised in accordance with the requirements of Chapter 14.04 of the Skagit County Code.

4. The applicant owns approximately 70 acres at this site. The request is to allow the inclusion of approximately 7.4 acres in the Open Space Open Space Program. The applicant has recently placed a Conservation Easement on this portion of the property. A copy of the Conservation Easement has been submitted as an exhibit.
5. A Conservation Easement has been submitted with the application. The easement has been placed on the property in perpetuity.
6. The Planning Staff does not recommend access to the requested site, as the area being requested is a waterfowl habitat.

RECOMMENDATION:

The Skagit County Planning and Permit Center would recommend approval of the request for inclusion into the Open Space Open Space Program.

Prepared by: G.R.
Approved by: