

WHATCOM COUNTY
Planning & Development Services
5280 Northwest Drive
Bellingham, WA 98226-9097
360-778-5900, TTY 800-833-6384
360-778-5901 Fax



Mark Personius, AICP
Director

Memorandum

TO: Honorable Whatcom County Councilmembers

THROUGH: Mark Personius, Director, Planning and Development Services

FROM: Joshua Fleischmann, Open Space Land Administrator

DATE: September 18, 2020

SUBJECT: 2018 Open Space Land Applications

The Open Space Taxation Act was passed by the Washington State legislature in 1970, in part in response to concerns that lands were being irrevocably converted to uses inconsistent with commercial agriculture, commercial forestry, and the conservation or preservation of farmland, shorelines, wetlands, scenic vistas, historical sites of importance, and recreational opportunities.

The Open Space Taxation Act gives counties the authority to assess the value of property on the basis of its current use, rather than what might be considered highest and best use (i.e. fair market value). Lands classified under the open space current use program receive a significant reduction in assess value (tax reduction); thereby providing a financial incentive to property owners to voluntarily conserve and preserve open space lands as defined in state law and further defined by county ordinance.

Whatcom County PDS administers the Open Space Land classification and the Farm and Agricultural Conservation Land sub-classification. Open Space Lands (OSL) are generally land which if preserved in their present use would conserve, protect or enhance natural or scenic resources, recreation opportunities, wildlife/nature preserves or historic sites, among others. The subset of Farm and Agricultural Conservation Land (OSFAC) are historically commercial agricultural operations that no longer meet criteria for other current use tax programs, or which have not been irrevocably devoted to a use inconsistent with commercial agriculture.

Please see the attached staff report to the Planning Commission and supporting documents providing a review of one application to reclassify land as Open Space Land. The application was one of two that were evaluated by staff and presented to the Planning Commission for review on September 10, 2020. A public hearing was also held at the September 10th Planning Commission meeting. The Planning Commission unanimously recommended denial of the applications. Subsequent to the Planning Commission meeting one of the applicants (Ver Mulm) withdrew their application, so while the staff report was for review of two applications there is now only one application for review (Kelstrup).

I look forward to discussing the merits of this application with you. Thank You.