RESOLUTION NO. 010-13

A RESOLUTION OF THE CITY OF PORT ORCHARD, WASHINGTON, APPROVING THE ERROL DOW APPLICATION FOR A CURRENT USE CLASSIFICATION OF TIMBER LAND


WHEREAS, in 1970, the Washington legislature enacted the Open Space Taxation Act, now codified in Chapter 84.34 RCW, which allows property owners to have their open space, farm and agricultural, and timber lands valued at their current use rather than at their highest and best use; and

WHEREAS, Errol Dow is the owner of approximately 12.5 acres of forested real property located within the Port Orchard city limits (the “Dow Property”) with a zoning designation of “employment\office industrial” but which property is not suitable for industrial development because of the presence of critical areas and limited onsite access; and

WHEREAS, in compliance with RCW 84.34.041, Errol Dow has submitted an application and timber management plan in support of his request for a current use classification of timber land; and

WHEREAS, because the Dow Property is located within city limits, RCW 84.34.041(2) provides that the City Council and the Kitsap County Commissioners shall take separate affirmative action regarding the application for current use classification; and

WHEREAS, in accordance with RCW 84.34.041(2), prior to the time the Kitsap County Commissioners take action on the Dow application, the County will publish notice of and hold a public hearing; and

WHEREAS, the acting Director of Community Development has reviewed the applicable statutes and regulations, the Dow application, and the timber management plan, and recommends approval; and
WHEREAS, the City Council makes the following findings in support of its legislative determination set forth below:

1. The applicant has submitted a complete application;
2. The timber management plan meets the requirements of Chapter 84.34 RCW;
3. The applicant’s request is consistent with the legislative declaration set forth in RCW 84.34.010; and
4. Classifying the Dow Property with a current use of timber land is consistent with the goals and policies of the City’s Comprehensive Plan because it will promote the protection and enhancement of natural systems within the City.

Now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

THAT: In accordance with RCW 84.34.041 and for the reasons set forth above, the City Council does hereby approve the application of Errol Dow for a current use classification of timber land for the Kitsap County parcel numbers set forth above.

PASSED by the City Council of the City of Port Orchard, SIGNED by the Mayor and attested by the Clerk in authentication of such passage this 14th day of May 2013.

Timothy C. Matthes, Mayor

ATTEST:

Brandy Rinearson, CMC, City Clerk