

OKANOGAN COUNTY

Ordinance 2008-14

AN ORDINANCE AMENDING OKANOGAN COUNTY CODE CHAPTER 14.08 "OPEN SPACE OPEN SPACE"; AMENDING ELIGIBILITY STANDARDS FOR FARM AND AGRICULTURAL CONSERVATION LAND AS A HIGH PRIORITY RESOURCE.

SECTION 1: FINDINGS AND RECITALS

WHEREAS, The proposed code amendment modifies Okanogan County's Open Space Open Space Ordinance, Okanogan County Code 14.08.150, A. 9, Farm and Agricultural Conservation Land.

WHEREAS, Lands that qualify for "Farm and Agricultural Conservation Land" as a high priority resource must meet the "Farm and Agricultural Land" definition found in RCW 84.34.020(2).

WHEREAS, Lands qualifying for "Farm and Agricultural Conservation Land" as a high priority resource are expected to return the land back to the production of livestock or agricultural commodities for commercial purposes in the future.

WHEREAS, The Open Space Open Space Ordinance, Okanogan County Code 14.08 currently does not require that land return to the production of livestock or agricultural commodities for commercial purposes in the future.

WHEREAS, On February 11, 2008, information regarding the proposed code amendment was forwarded to appropriate public agencies for their respective review and comment.

WHEREAS, On February 13 and 14, 2008, public notice of the proposed code amendment, public hearing, and SEPA environmental determination was published in the Omak Chronicle, Methow Valley News, Quad City Herald, The Star Newspaper, and Okanogan County's legal periodical of record, the Oroville Gazette Tribune.

WHEREAS, Information regarding the proposed code amendment has been forwarded to those persons requesting additional information.

WHEREAS, A threshold (preliminary) environmental determination of non-significance was issued by the Okanogan County responsible SEPA official on February 14, 2008, as authorized under WAC 197-11. The comment period ended as of February 29, 2008.

WHEREAS, A final environmental determination of non-significance was issued by the Okanogan County responsible SEPA official on March 13, 2008, as authorized under WAC 197-11. On that same day, notice of the final determination was published in Okanogan County's legal periodical of record, the Oroville Gazette Tribune. Notice of the final SEPA determination was published in the Omak Chronicle, Methow Valley News, Quad City Herald, and Star Newspaper on March 12, 2008. The determination appeal period ends March 31, 2008.

WHEREAS, On March 24, 2008, the Okanogan County Regional Planning Commission conducted a public hearing for the proposed code amendment. At this time, the Planning Commission heard public testimony.

WHEREAS, The Board of Okanogan County Commissioners conducted a public hearing for the proposed code amendment.

SECTION 2: OPEN SPACE OPEN SPACE ORDINANCE AMENDMENT

The Board of Okanogan County Commissioners do hereby ordain as follows:

Based on the Findings and Recitals cited herein, the following section of Okanogan County Code Chapter 14.08, is hereby amended:

- 14.08.150, A. 9.

The following language shall be amended:

Open Space Open Space Ordinance

OCC 14.08.150 A. 9, "Farm and Agricultural Conservation Land"

Definition: Land that was previously classified under RCW 84.34.020(2) ("Farm and Agricultural Land") that no longer meets the criteria of said subsection and that is reclassified under this Chapter.

Source: RCW 84.34.020(8)

Eligibility: Eligible lands are those which meet the definition above, and have a high potential of returning to commercial agricultural production as defined in RCW 84.34.020(2). Applications will include a thorough description of expected future commercial agricultural production. A performance review will occur 5 years from the date of enrolment into the Open Space Open Space tax classification. At this time the landowner must show adequate proof qualifying for enrolment into Current Use Agriculture according to RCW 84.34, or prove to the Planning Department (administrator) that the land will return to commercial agricultural production within 1 year, or be removed from the Open Space Open Space tax classification. Proposals needing more than 1 year to qualify for enrolment into the Current Use Agriculture tax program will be reviewed by the administrator on a case-by-case basis. If the land does not return to commercial agricultural production within this time period, the property will be removed from this category and the additional tax, interest and penalty will be due per RCW 84.34.108 (4), (a), (b), & (c).

DATED at Okanogan, Washington this 2nd day of December, 2008.

BOARD OF COUNTY COMMISSIONERS OKANOGAN, WASHINGTON



Mary Lou Peterson, Chair



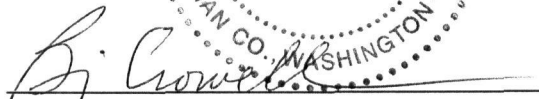
Don (Bud) Hover, Member



Andrew Lampe, Member

ATTEST:




Brenda Crowell, Clerk of the Board