

June 10, 1993  
Ord92.110

Introduced by Audrey Gruger  
Proposed No. 93-176

ORDINANCE NO. 10887

AN ORDINANCE concurring with the recommendation of the Zoning and Subdivision Examiner to approve, subject to conditions, the timber land designation application, as amended, for current use valuation of LOUIS W. KNOWLES, designated Department of Development and Environmental Services File No. L92CT009.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

This ordinance does hereby adopt and incorporate herein as its findings and conclusions the findings and conclusions contained in the report and recommendation of the zoning and subdivision examiner dated May 21, 1993, which was filed with the clerk of the council June 10, 1993, to approve, subject to conditions, the timber land designation application, as amended, for current use valuation of Louis W. Knowles, designated department of development and environmental services file no. L92CT009, and the council does hereby adopt as its action the recommendation(s) contained in said report.

INTRODUCED AND READ for the first time this 15<sup>th</sup> day of

March, 19 93.

PASSED this 14<sup>th</sup> day of June, 19 93.

10887

CURRENT USE AGENDA  
ZONING AND SUBDIVISION EXAMINER  
For the King County Council

APRIL 27, 1993 - PUBLIC HEARING

DEPARTMENT OF DEVELOPMENT & ENVIRONMENT SERVICES  
3600 - 136th Place SE, Hearing Room 2, Bellevue, WA 98006

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9:15 a.m., or as soon thereafter as possible.

FILE No. L92CT005

OWNER: PAUL SCHMIDT, 24314 119th St E, Buckley, WA 98321  
LOCATION: 32701 Kuzak Rd SE, near the Black Diamond area  
STR: SW 22-21-07 REQUEST: Timber  
SIZE: 20 acres ZONE: FP  
Tax # 222107-9038

FILE No. L92CT006

OWNER: JAMES H. & DONITA L. ZELLER, 3240 S 368th PL, Auburn,  
WA 98001  
LOCATION: N1/2 of the SE 1/4 of the SW 1/4 of Section 22,  
Township 21N, Range 7E WM King County, Black Diamond area  
STR: SW 22-21-7 REQUEST: Timber  
SIZE: 20 acres ZONE: FP  
Tax # 222107-9039

FILE No. L92CT007

OWNER: DANIEL G. VANHOOF, 46727 244th Ave SE, Enumclaw, WA  
98022  
LOCATION: The south half of the Southeast quarter of the  
Southwest quarter of Section 22, Township 21 North, Range 7  
East, W.M., Black Diamond area  
STR: SE, SW, 22-21-07 REQUEST: Timber  
SIZE: 19.26 acres ZONE: FP  
Tax # 222107-9043

FILE No. L92CT008

OWNER: EUGENE L. DUPUIS, 4026 - 52nd Ave SW, Seattle, WA  
98116  
LOCATION: N 1/2 of S.W. 1/4 of S.W. 1/4 of S.W. 1/4 Less Co  
Rd, Sec 36, TWP 22, RG 02, Vashon Island  
STR: SW, SW, 36-22-2 REQUEST: Timber  
SIZE: 4.96 acres ZONE: AR10P  
Tax # 362202-9021

10887

Introduced by:

AUDREY GRUGER

PROPOSED ORDINANCE

NO. 93-176

AN ORDINANCE for Current Use Assessment Application  
for TIMBER petitioned by LOUIS W. KNOWLES  
and designated Development  
and Environment Services File No. L92CT009

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY

SECTION I.

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**King County  
Environmental Division**

Department of  
Development and Environment Services

3600 - 136th Place Southeast  
Bellevue, Washington 98006-1400

(206) 296-6602

March 3, 1993

King County Councilmembers  
Room 402  
C O U R T H O U S E

ATTN: Jerry Peterson, Clerk of the Council

RE: Introductory Ordinances for File Numbers

L92CT003, L92CT005, L92CT006, L92CT007, L92CT008, L92CT009,  
L92CT010, L92CT011, L92CT014, L92CT015, L92CT016, L92CT017,  
L92CT018, L92CT019, L92CT020, L92CT021, L92CT022, L92CT023,  
L92CT026, L92CT027

10887

RECEIVED  
93 MAR -3 PM 3:30  
KING COUNTY COUNCIL

FINDINGS:

## 1. General Information:

Owner: See "SUBJECT" above  
Location: See "SUBJECT" above  
Zoning: AR5-P  
Acreage:  
    Property Total: 9.70 acres  
    Requested for Timber  
    (Initial): 8.50 acres  
    Amended Request for  
    Timber Land: 8.66 acres  
    Recommended by DDES: 8.66 acres  
STR: SW 12-24-06

2. Except as modified herein, the facts set forth in the King County Department of Development and Environmental Services Preliminary Report to the Zoning and Subdivision Examiner for the April 27, 1993, public hearing are found to be correct and are incorporated herein by this reference. Copies of the said Report will be attached to the copies of this Report submitted to the King County Council.
3. The applicant has provided the King County Assessor with boundaries of the area to be excluded from current use valuation, comprising 1.04 acres as a home site. The remainder of the subject property, for which current use valuation is requested, is 8.66 acres. This request is acceptable to the Department of Development and Environmental Services.

CONCLUSIONS:

1. The property proposed for current use valuation, as amended, meets the requirements of KCC 20.36.110, and the subject application for current use taxation as timber land should be approved.

NOTICE OF  
RIGHT TO APPEAL AND ADDITIONAL ACTION REQUIRED

In order to appeal the recommendation of the Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$125.00 (check payable to King County Office of Finance) on or before June 4, 1993. If a notice of appeal is filed, the original and 6 copies of a written appeal statement specifying the basis for the appeal and argument in support of the appeal must be filed with the Clerk of the King County Council on or before June 11, 1993. Appeal statements may refer only to facts contained in the hearing record; new facts may not be presented on appeal.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 403, King County Courthouse, prior to the close of business (4:30 p.m.) on the date due. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. The Examiner does not have authority to extend the time period unless the Office of the Clerk is not open on the specified closing date, in which event delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

If a written notice of appeal and filing fee are not filed within 14 days calendar days of the date of this report, or if a written appeal statement and argument are not filed within 21 calendar days of the date of this report, the Clerk of the Council shall place a proposed ordinance which implements the Examiner's recommended action on the agenda of the next available Council meeting. At that meeting, the Council may adopt the Examiner's recommendation, may defer action, may refer the matter to a Council committee, or may remand to the Examiner for further hearing or further consideration.

Action of the Council Final. The action of the Council approving or adopting a recommendation of the Examiner shall be final and conclusive unless within thirty (30) days from the date of the action an aggrieved party or person applies for a writ of certiorari from the Superior Court in and for the County of King, State of Washington, for the purpose of review of the action

Knowles - L92CT009

- Exhibit No. 12 Application (in triplicate) received  
November 10, 1992
- Exhibit No. 13 Legal description received November 10, 1992
- Exhibit No. 14 Assessor maps received November 19, 1992
- Exhibit No. 15 Justification Form received November 10, 1992
- Exhibit No. 16 Copy of Boundary Line Adjustment Application  
received November 10, 1992
- Exhibit No. 17 Copy of Chapter 83.34 received November 10,  
1992
- Exhibit No. 18 Copy of Forest Management Plan received  
November 10, 1992
- Exhibit No. 19 Fee Invoice Only received November 10, 1992
- Exhibit No. 20 Situs File Information received November 12,  
1992
- Exhibit No. 21 Letter to George Kritsonis from Sue Comis dated  
January 19, 1993
- Exhibit No. 22 Vicinity map made January 1993
- Exhibit No. 23 Ordinance made February 2, 1993
- Exhibit No. 24 Agenda for Hearing April 27, 1993
- Exhibit No. 25 Notice of Public Hearing
- Exhibit No. 26 Letter to Sue Comis from Scott Noble dated  
January 28, 1993
- Exhibit No. 27 Letter to applicant from Sue Comis dated  
March 22, 1993

L92CT009/Knowles

JNOC:gb

Attachment

\curr-use\192ct009.rpt

STANDARD CONDITIONS FOR  
CURRENT USE CLASSIFICATION

1. Within sixty (60) days from the date of Council action on the application, the applicant shall file with the Department of Development and Environmental Services a letter from the King County Department of Health certifying that all residences on the property are served by a sewage disposal system which is adequate to prevent the pollution of surface and ground waters.
2. Classification of the subject property shall be subject to the mutual covenants and conditions contained in Washington State Department of Revenue Form PTF 81, "Open Space Taxation Agreement", and subject to the following conditions which shall be added to said Open Space Taxation Agreement form:
  - a. Any residence on the property shall be served by a sewage disposal system which is maintained in an operating condition adequate to prevent the pollution of surface and ground waters.
  - b. Within one (1) year of the effective date of the Open Space Taxation Agreement, the applicant shall obtain a Forest Management Plan for the subject property that is acceptable by King County.
  - c. The subject property shall be managed in accordance with said Forest Management Plan during the term of the Open Space Taxation Agreement.
  - d. Withdrawal from classification. When land has once been classified under this chapter, it shall remain under such classification and shall not be applied to other use for at least ten years from the date of classification and shall continue under such classification until and unless withdrawn from classification after notice of request for withdrawal shall be made by the owner. During any year after eight years of the initial ten-year classification period have elapsed, notice of request for withdrawal of all or a portion of the land, which shall be irrevocable, may be given by the owner to the county assessor or assessors of the county or counties in which such land is situated. In the event that a portion of a parcel is removed from classification, the remaining portion must meet the same requirements as did the entire parcel when such land was originally granted classification pursuant to this chapter.



10887

DEPARTMENT OF DEVELOPMENT AND  
ENVIRONMENTAL SERVICES

PRELIMINARY REPORT TO THE ZONING AND SUBDIVISION EXAMINER  
APRIL 27, 1993 - PUBLIC HEARING

APPLICANT: LOUIS W. KNOWLES                      FILE NO: L92CT009

A. GENERAL INFORMATION:

Owner:                      Louis W. Knowles  
                                    Phone: (206) 392-3820

Location:                    26445 SE Duthie Hill Rd.  
                                    Issaquah, WA 98027

Request:                    Timber

Zoning:                     AR5-P

Acreage

Total:	9.70 acres
Requested for timber:	8.50 acres
Recommended	8.50 acres

STR:                        SW, 12-24-06

B. FACTS:

1. Zoning in the Vicinity: The property itself and those to the north, south, and east are zoned AR5-P. The property to the west is zoned GR5-P, and the property to the southwest is zoned SR-P.
2. Development of the subject Property: The owner's driveway and power line pass through parcels 9026 and 9032. Parcel 9032 is developed with a house, garage, septic system and drainfield. The proposal consists of two parcels; tax lots 26 and 32, covering 3.38 acres and 6.32 acres, respectively. The portion with improvements which is approximately 1.2 acres will not be included under the Timber Land designation.

C. REQUIREMENTS SPECIFIED BY KING COUNTY CODE (KCC):

1. KCC 20.36.010 Purpose and intent.

"It is the in the best interest of the county to maintain, preserve, conserve and otherwise continue in existence adequate open space lands for the production of food, fiber and forest crops, and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the county and its citizens.

It is the intent of this chapter to implement RCW 84.34, as amended, by establishing procedures, rules and fees for the consideration of applications for public benefit rating system assessment on "open space lands" and for current use assessment on "farm and agricultural land" and "timber land" as those lands are defined in RCW 84.34.020. the provisions of Chapter 84.34, and the regulations adopted thereunder shall govern the matters not expressly covered by this chapter. (Ord. 10511 Sec. 3, 1992; Ord. 1886 Sec. 1, 1974; Ord. 1076 Sec. 1, 1971.)"

COMMENT: The subject application for Timber Land consisting of three signed copies, a legal description, the applicant's justification, timber management plans, and a fee of \$150 dollars was received by the county on November 10, 1992. Assessor maps were received on November 19, 1992.

The forest management plan submitted for tax lot 26 includes a pre-commercial thinning of Douglas Fir thickets to 12 by 12 foot spacing. Some debris removal could be practiced for esthetic purposes, but not needed. In the next decade, pruning and application of fertilizer could be practiced. In the third decade, pole size and deformed trees would be removed for proper spacing for a final harvest or partial cut.

The forest management plan submitted for tax lot 32 includes removing a few scattered defective trees for firewood in the current decade. In the current or next decade a commercial

**PL-210**

"King County should offer incentives to encourage conservation of forest lands in Urban, Transitional and Rural Areas. When conservation of a forest parcel is assured, adjacent land uses, utilities and transportation should be designed to reduce conflicts with forestry."

COMMENT: Chapter 20.36.110 of the County Code specifies the minimum code requirements for qualification as current use "Timber Land". Comments from the King County Assessor's office (Exhibit #26), as partially referenced above in paragraph B.5, indicate a property tax deferral of approximately \$2,942 dollars annually for parcel number 122406-9026, and a deferral of approximately \$693 for parcel number 122406-9032 under the provisions of current use taxation. This provides an incentive for the applicant to designate the property as Timber Land.

Conclusions and Recommendations

A. CONCLUSIONS:

1. The minimum filing requirement for current use taxation "Timber Land" was met by the applicant who filed the subject request in a timely fashion on November 10, 1992 for consideration by King County in 1993.

2. The subject request by attempting to conserve timber land soils suitable for the production of forest crops in a rural area is consistent with the purpose and intent of King County Comprehensive Plan Policy PL-210.

3. The subject request meets the mandatory code requirements of KCC 20.36.110. by including a Timber Management Plan approved by the County. It is also consistent with the intent of King County Comprehensive Plan.

4. Having been shown to be consistent with Comprehensive Plan policy PL-210 and the intent of KCC 20.36.110 and KCC 20.36.010, the subject request should be approved. This approval is for the two parcels, excluding the existing improvements, subject to applicable standard