



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19424

Proposed No. 2022-0036.2

Sponsors Balducci

1 AN ORDINANCE concurring with the recommendation of
2 the hearing examiner to approve, subject to conditions, the
3 application for public benefit rating system assessed
4 valuation for open space submitted by Thomas Amorose
5 and Vicki Adams for property located at 21103 131st Place
6 SW, Vashon, WA, designated department of natural
7 resources and parks, water and land resources division file
8 no. E21CT027.

9 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

10 SECTION 1. This ordinance does hereby adopt and incorporate herein as its
11 findings and conclusions the findings and conclusions contained in Attachment A to this
12 ordinance, the report and recommendation of the hearing examiner dated March 16,
13 2022, to approve subject to conditions, the application for public benefit rating system
14 assessed valuation for open space submitted by Thomas Amorose and Vicki Adams for
15 property located at 21103 131st Place SW, Vashon, WA, designated department of
16 natural resources and parks, water and land resources division file no. E21CT027. The

Ordinance 19424

- 17 council does hereby adopt as its action the recommendation or recommendations
18 contained in the examiner's report.

Ordinance 19424 was introduced on 2/1/2022 and passed by the Metropolitan King County Council on 4/19/2022, by the following vote:

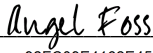
Yes: 9 - Balducci, Dembowski, Dunn, Kohl-Welles, Perry, McDermott, Upthegrove, von Reichbauer and Zahilay

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

DocuSigned by:

7E1C273CE9994B6...
Claudia Balducci, Chair

ATTEST:

DocuSigned by:

92FC09E4162E45A...
Melani Pedroza, Clerk of the Council

Attachments: A. Hearing Examiner Report dated March 16, 2022

Ordinance 19424

March 16, 2022

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

King County Courthouse
516 Third Avenue Room 1200
Seattle, Washington 98104
Telephone (206) 477-0860

hearingexaminer@kingcounty.gov
www.kingcounty.gov/independent/hearing-examiner

**REPORT AND RECOMMENDATION TO THE
METROPOLITAN KING COUNTY COUNCIL**

SUBJECT: Department of Natural Resources and Parks file no. **E21CT027**
Proposed ordinance no. **2022-0036**
Parcel no. **1122029143**

THOMAS AMOROSE AND VICKI ADAMS

Open Space Taxation Application (Public Benefit Rating System)

Location: 21103 131st Place SW, Vashon

Applicants: **Thomas Amorose and Vicki Adams**
21109 131st Place SW
Vashon, WA 98070
Telephone: (206) 463-5289
Email: thomasamorose3@gmail.com

King County: Department of Natural Resources and Parks
represented by **Bill Bernstein**
201 S. Jackson Street
Suite 5600
Seattle, WA 98104
Telephone: (206) 477-4643

SUMMARY OF RECOMMENDATIONS:

Department's Recommendation: Approve 3.02 acres for 30% of assessed value
Conditionally approve 3.13 acres for 20% of assessed value

Examiner's Recommendation: Approve 3.02 acres for 30% of assessed value
Conditionally approve 3.13 acres for 20% of assessed value

PRELIMINARY REPORT:

On February 18, 2022, the Department of Natural Resources and Parks (DNRP) submitted its report on file no. E21CT027 to the Examiner.

PUBLIC HEARING:

After reviewing the preliminary report and examining available information on file with the application, the Examiner conducted a Zoom public hearing on the application on March 3, 2022.

Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the Hearing Examiner's Office.

FINDINGS AND CONCLUSIONS:

1. General Information:

Owners:	Thomas Amorose and Vicki Adams 21109 131st Place SW Vashon, WA 98070
Location:	21103 131st Place SW, Vashon
STR:	NE-11-22-02
Zoning:	RA10SO
Parcel no.:	1122029143
Total acreage:	3.42 acres

2. The Applicant timely filed an application to King County for the Public Benefit Rating System (PBRS) program current use valuation of the property to begin in 2022. As required by law, notification of the application occurred.

3. A summary of relevant PBRS categories follows below. (Plain text represents a category an applicant requested an award for and that DNRP agrees is warranted. Any ~~strike through~~ represents a category an applicant requested an award for but that DNRP disagrees is warranted. Any *italics* represents a category an applicant did not request an award for, but that DNRP nonetheless concludes is warranted. And any *asterisk* represents a category where DNRP finds an award is warranted, but only if certain contingencies or conditions are met.)

PBRS categories:	<u>Open Space Resources</u>	
	<i>Aquifer protection area</i>	5
	Buffer to public or current use classified land	3
	Significant wildlife or salmonid habitat	5
	Surface water quality buffer	0
	Watershed protection area	5

Bonus Categories**Resource restoration*

*

Total

18

The DNRP-recommended score of 18 points results in a current use valuation of 30% of assessed value for the enrolled portion of the property.

4. Credit may be awarded administratively under the resource restoration category, subject to the Applicant submitting a resource restoration plan to DNRP by **November 1, 2022**, and DNRP approving that plan by **December 31, 2022**. If the resource restoration plan adequately addresses replanting the 0.11-acre area outlined in green, the enrolling acreage will increase to 3.13.
5. As to the land area recommended for PBRS enrollment, the Applicant requested 3.00 acres. DNRP recommends 3.02 acres, increasing to 3.13 if a timely resource restoration plan adequately addresses the 0.11 acre grassy/open area (outlined in green). Enrollment acreage is the entire parcel less the excluded area, as calculated by DNRP. In the event the County Assessor's official parcel size is revised, the PBRS acreage shall be administratively adjusted to reflect that change.
6. Except as modified herein, the facts set forth in DNRP's preliminary report and testimony at the March 3, 2022, public hearing are correct and incorporated herein by reference. Copies of this report and DNRP's report will be provided to the Metropolitan King County Council for final approval.
7. Approval of 18 points and a current use valuation of 30% of assessed value for 3.02 acres, and conditional approval of 5 additional points and 20% of assessed value for up to 3.13 enrolling acres, are consistent with KCC Chapter 20.36 and with the purposes and intent of King County to maintain, preserve, conserve, and otherwise continue in existence adequate open space lands and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of King County and its citizens.

RECOMMENDATION:

1. APPROVE a current use valuation of 30% of assessed value for the 3.02-acre enrolled portion of the property.
2. CONDITIONALLY APPROVE additional credit for the resource restoration category, subject to submittal of a resource restoration plan to DNRP by **November 1, 2022**, and DNRP approval of that plan by **December 31, 2022**. Award of credit under this category will increase the point total by five points, resulting in a current use valuation of 20% of assessed value and, if the resource restoration plan adequately addressing replanting a 0.11-acre area (outlined in green), the enrolling acreage increasing to 3.13 acres.

DATED March 16, 2022.



David Spohr
Hearing Examiner

NOTICE OF RIGHT TO APPEAL

A person appeals an Examiner recommendation by following the steps described in KCC 20.22.230, including filing with the Clerk of the Council a sufficient appeal statement and a \$250 appeal fee (check payable to the King County FBOD). Appeal statements may refer only to facts contained in the hearing record; new facts may not be presented on appeal. KCC 20.22.230 also requires that the appellant provide copies of the appeal statement to the Examiner and to any named parties listed on the front page of the Examiner's recommendation.

Prior to the close of business (4:30 p.m.) on *April 11, 2022*, an electronic copy of the appeal statement must be sent to Clerk.Council@kingcounty.gov and a paper copy of the appeal statement must be delivered to the Clerk of the Council's Office, Room 1200, King County Courthouse, 516 Third Avenue, Seattle, Washington 98104. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. If the Office of the Clerk is not officially open on the specified closing date, delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

Unless both a timely and sufficient appeal statement and filing fee are filed by *April 11, 2022*, the Clerk of the Council shall place on the agenda of the next available Council meeting a proposed ordinance implementing the Examiner's recommended action. At that meeting the Council may adopt the Examiner's recommendation, defer action, refer the matter to a Council committee, or remand to the Examiner for further hearing or further consideration.

If a timely and sufficient appeal statement and filing fee are filed by *April 11, 2022*, the Examiner will notify all parties and interested persons and provide information about "next steps."

**MINUTES OF THE MARCH 3, 2022, HEARING ON THE APPLICATION OF
THOMAS AMOROSE AND VICKI ADAMS, FILE NO. E21CT027**

David Spohr was the Hearing Examiner in this matter. Bill Bernstein participated in the hearing.

The following exhibits were offered and entered into the hearing record:

- | | |
|---------------|---|
| Exhibit no. 1 | DNRP report to the Hearing Examiner |
| Exhibit no. 2 | <i>Reserved for future submission of the affidavit of hearing publication</i> |
| Exhibit no. 3 | Legal notice and introductory ordinance to the King County Council |
| Exhibit no. 4 | Arcview/orthophotograph and aerial map |
| Exhibit no. 5 | Application signed and notarized |

Certificate Of Completion

Envelope Id: 709D5CC97CF8462F8098D5227C80FF4F	Status: Completed
Subject: Please DocuSign: Ordinance 19424.docx, Ordinance 19424 Attachment A.pdf	
Source Envelope:	
Document Pages: 2	Signatures: 2
Supplemental Document Pages: 5	Initials: 0
Certificate Pages: 5	Envelope Originator:
AutoNav: Enabled	Cherie Camp
Envelopeld Stamping: Enabled	401 5th Ave
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	Suite 100
	Seattle, WA 98104
	Cherie.Camp@kingcounty.gov
	IP Address: 198.49.222.20

Record Tracking

Status: Original	Holder: Cherie Camp	Location: DocuSign
4/21/2022 1:50:37 PM	Cherie.Camp@kingcounty.gov	
Security Appliance Status: Connected	Pool: FedRamp	
Storage Appliance Status: Connected	Pool: King County General (ITD)	Location: DocuSign

Signer Events

Claudia Balducci
 claudia.balducci@kingcounty.gov
 King County General (ITD)
 Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

 7E1C273CE9994B6...
 Signature Adoption: Pre-selected Style
 Signed by link sent to
 claudia.balducci@kingcounty.gov
 Using IP Address: 73.83.124.149

Timestamp

Sent: 4/21/2022 1:51:45 PM
 Viewed: 4/22/2022 1:31:00 PM
 Signed: 4/22/2022 1:31:17 PM


Electronic Record and Signature Disclosure:

Not Offered via DocuSign
 Supplemental Documents:

Ordinance 19424 Attachment A.pdf

Viewed: 4/22/2022 1:31:07 PM
 Read: Not Required
 Accepted: Not Required

Angel Foss
 angel.allende@kingcounty.gov
 Security Level: Email, Account Authentication (None)

DocuSigned by:

 92FC09E4162E45A...
 Signature Adoption: Pre-selected Style
 Signed by link sent to angel.allende@kingcounty.gov
 Using IP Address: 198.49.222.20

Sent: 4/22/2022 1:31:17 PM
 Viewed: 4/22/2022 5:24:22 PM
 Signed: 4/22/2022 5:24:35 PM

Electronic Record and Signature Disclosure:

Accepted: 4/22/2022 5:24:22 PM
 ID: 6fea2e31-f068-4395-b5e6-9c140b4f3453
 Supplemental Documents:

Ordinance 19424 Attachment A.pdf

Viewed: 4/22/2022 5:24:29 PM
 Read: Not Required
 Accepted: Not Required

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	4/22/2022 5:24:22 PM
Signing Complete	Security Checked	4/22/2022 5:24:35 PM
Completed	Security Checked	4/22/2022 5:24:35 PM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

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If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of a DocuSign envelope instead of signing it. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

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You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: bob.johnson@kingcounty.gov

To advise Carahsoft OBO King County ITD of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at bob.johnson@kingcounty.gov and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

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To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to bob.johnson@kingcounty.gov and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

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- i. decline to sign a document from within your DocuSign session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to bob.johnson@kingcounty.gov and in the body of such request you must state your e-mail, full name, US Postal Address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows® 2000, Windows® XP, Windows Vista®; Mac OS® X
Browsers:	Final release versions of Internet Explorer® 6.0 or above (Windows only); Mozilla Firefox 2.0 or above (Windows and Mac); Safari™ 3.0 or above (Mac only)
PDF Reader:	Acrobat® or similar software may be required to view and print PDF files
Screen Resolution:	800 x 600 minimum

Enabled Security Settings:	Allow per session cookies
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To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

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- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify Carahsoft OBO King County ITD as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Carahsoft OBO King County ITD during the course of my relationship with you.