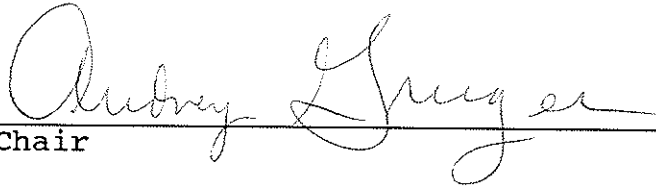


14
15 conditions, the timber land designation application for current
16 use valuation of Lon H. Matthews, designated department of
17 development and environmental services file no. L92CT021, and
18 the council does hereby adopt as its action the
19 recommendation(s) contained in said report.


20 INTRODUCED AND READ for the first time this 15th day of
21 March, 19 93.

22 PASSED this 14th day of June, 19 93.

23 KING COUNTY COUNCIL
24 KING COUNTY, WASHINGTON

25 
26 Chair

27
28 ATTEST:

29 
30 Clerk of the Council

31

32

33

34

182303-9177 & 182303-9183 & 242202-9003

FILE No. L92CT019

OWNER: NANCY M. MATTHEWS, 463 West St, G-112, New York, New York 10014

LOCATION: N 10 ACS OF FOLG E 1/2 OF W 1/2 OF E 1/2 OF SE 1/4 LESS CO RD LESS R R R/W, SE SECT 26, TWN 23, RNG 08, near North Bend

STR: NE,SE,26-23-08

REQUEST: Timber

SIZE: 9.19 acres

ZONE: AR10, AR5

Tax # 262308-9074

FILE No. L92CT020

OWNER: JOHN W. MATTHEWS, P.O. Box 110801, Anchorage, AK 99511

LOCATION: W 1/4 OF E 1/2 OF E 1/2 OF SE 1/4 LY NLY OF NLY MGN OF SE EDGEWICK RD LESS RR R/W, SE SECT 26, TWN 23, RNG 08, near North Bend

STR: NE,SE,26-23-08

REQUEST: Timber

SIZE: 9.64 acres

ZONE: AR10, AR5

Tax # 262308-9013 & 262308-9110

FILE No. L92CT021

OWNER: LON H. MATTHEWS, 43010 SE North Bend Way, #59, North Bend, WA 98045

LOCATION: E 1/4 OF W 1/2 OF SE 1/4 LY SLY OF SLY MGN OF EDGEWICK RD; E 1/4 OF W 1/2 OF SE 1/4 LY R/W NLY OF NLY MGN OF EDGEWICK RD & SLY OF SLY MGN OF B N RR CO; E 1/4 OF W 1/2 OF SE 1/4 LY NLY OF NLY MGN OF B N R R CO R/W, all of SE SECT 26, TWN 23, RNG 08, near North Bend

STR: W,SE,26-23-08

REQUEST: Timber

SIZE: 19.01 acres

ZONE: AR10, AR5

Tax # 262308-9028 & 262308-9149 & 262308-9150

93-186

93-186

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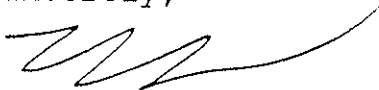
Intro : 3/15/93

Dear Councilmembers:

Attached are Introductory Ordinances for the items listed on the Zoning and Subdivision Examiner's agenda scheduled for public hearing on April 22, 27, and 29, 1993.

A copy of the agenda is attached for your information.

Sincerely,



Richard Tucker
Program Analyst

RT:mv

Attachments

"Preserving the Balance"





King County Council

James N. O'Connor, Zoning & Subdivision Hearing Examiner
300 Prefontaine Building
110 Prefontaine Place South
Seattle, Washington 98104
(206) 296-4660

10890

RECEIVED

93 JUN 10 AM 9:46

CLERK
KING COUNTY COUNCIL

Mr. Gerald Peterson
Clerk of the Court
Suite 403
King County Courthouse
Seattle, WA 98104

June 10, 1993

Re: Department of Development and Environmental Services
File No. L92CT021

Dear Mr. Peterson:

Attached you will find the report of the Zoning and Subdivision Examiner recommending that the Council approve, subject to conditions, the timber land designation application for current use valuation submitted by LON H. MATTHEWS.

Also attached is an ordinance indicating the Council's concurrence with said report.

If the attached ordinance is passed by the Council, please transmit a copy to the Department of Development and Environmental Services, Environmental Division.

Very truly yours,

James N. O'Connor
Zoning and Subdivision Examiner

10890

May 21, 1993

OFFICE OF THE ZONING AND SUBDIVISION EXAMINER
KING COUNTY, WASHINGTON
300 Prefontaine Building
110 Prefontaine Place South
Seattle, Washington 98104

REPORT AND RECOMMENDATION TO THE KING COUNTY COUNCIL.

SUBJECT: Department of Development and Environmental
Services File No. L92CT021
Proposed Ordinance No. 93-186

Open Space Taxation (Current Use Assessment)
for Timber Land

Application of LON H. MATTHEWS

Location: E 1/4 of W 1/2 of SE 1/4 of LY SLY
OFSLY MGN OF EDGEWICK ROAD; E 1/4
OF W 1/2 SE 1/4 LY R/W NLY OF NLY
MGN OF EDGEWICK RD & SLY OF SLY MGN
OF B N RR CO; E 1/4 OF W 1/2 OF SE
1/4 LY NLY OF NLY MGN OF B N R R CO
R/W, all of SE SECT 26, TWN 23, RNG
08, near North Bend

SUMMARY OF RECOMMENDATIONS:

Division's Preliminary:	Approve, subject to conditions
Division's Final:	Same as above
Examiner:	Same as above


CONCLUSIONS:

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

RECOMMENDATION:

APPROVE the subject application for current use classification of 19.01 acres as timber land, subject to the attached standard conditions of approval, and subject to submission of a Timber Management Plan to the Department of Development and Environmental Services.

RECOMMENDED this 21st day of May, 1993.


James N. O'Connor
Zoning and Subdivision Examiner

TRANSMITTED this 21st day of May, 1993, by first class mail, to the following parties of record:

Lon H. Matthews
Don Theoe

TRANSMITTED this 21st day of May, 1993, to the following:

George Kritsonis, Tax Assessor's Office
Arthur Thornbury, King County Council
Richard Tucker, Environmental Division

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

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.

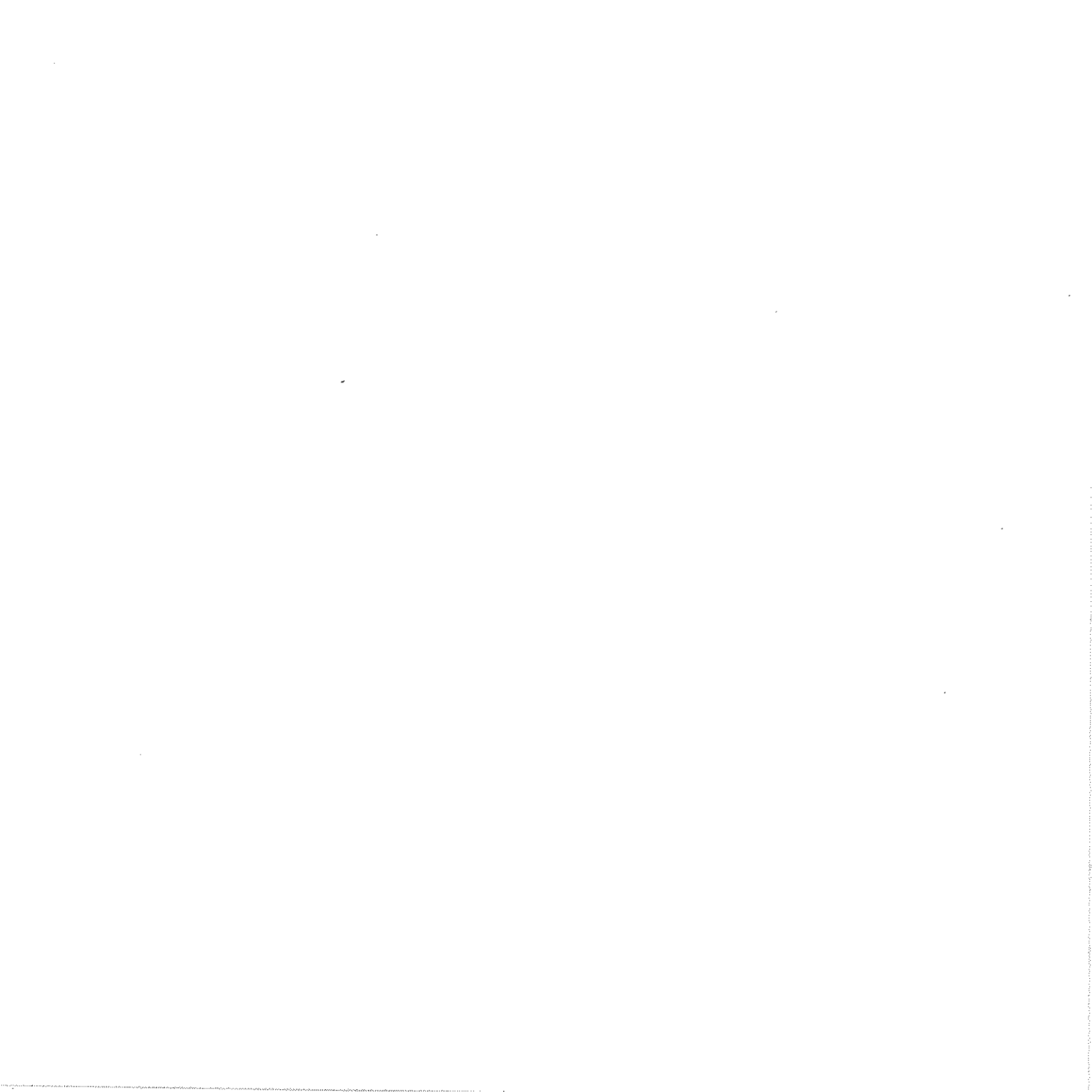
Action of the Council Final. The action of the Council approving or adopting a recommendation of the Examiner shall be final and conclusive unless within thirty (30) days from the date of the action an aggrieved party or person applies for a writ of certiorari from the Superior Court in and for the County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

MINUTES OF THE APRIL 27, 1993 PUBLIC HEARING ON DDES FILE NO. L92CT021 - LON MATTHEWS:

James N. O'Connor was the Hearing Examiner in this matter. Participating in the hearing was Richard Tucker.

The following exhibits were offered and entered into the record:

Exhibit No. 1	Omitted
Exhibit No. 2	Omitted
Exhibit No. 3	Omitted
Exhibit No. 4	Omitted
Exhibit No. 5	Department of Development and Environmental Services Preliminary Report to the Zoning and Subdivision Examiner for the April 27, 1993 public hearing
Exhibit No. 6	Omitted
Exhibit No. 7	Omitted
Exhibit No. 8	Omitted
Exhibit No. 9	Omitted
Exhibit No. 10	Omitted
Exhibit No. 11	Omitted
Exhibit No. 12	Application (in triplicate) received December 31, 1992
Exhibit No. 13	Legal description received December 31, 1992
Exhibit No. 14	Assessor maps received December 31, 1992
Exhibit No. 15	Justification form received December 31, 1992
Exhibit No. 16	Fee Invoice dated December 31, 1992
Exhibit No. 17	Situs File Information dated December 31, 1992



- 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. Within seven days the county assessor shall transmit one copy of such notice to the legislative body which originally approved the application. The county assessor or assessors, as the case may be, shall when two assessment years have elapsed following the date of receipt of such notice, withdraw such land from such classification and the land shall be subject to the additional tax due under RCW 84.34.108, Provided, That agreement to tax according to use shall not be considered to be a contract and can be abrogated at any time by the legislature in which event no additional tax or penalty shall be imposed.
- e. Exploration for oil, gas or other minerals shall not be considered a change of use of the property. The extraction of oil, gas or other minerals from the property shall be considered a change of use of the property, unless the property owner does not have an interest in the mineral rights of the property, and the structures, openings and activities involved in the extraction of minerals in no way diminish the open space and/or recreational characteristics of the property.

NOTE: Conditions 2(b) and 2(c) are applicable only for timber land applications.

ATTACHMENT

Acreage

Total 19.01 acres
Requested for 19.01 acres
Recommended 19.01 acres

STR: W, SE. 26-23-08

B. FACTS:

1. Zoning in the Vicinity: Parcel number 9028 and those to the east and west are zoned AR10. The property to the south is zoned F. Parcel number 9149, to the north of 9028, is also zoned AR10 as are those to the east and west of it. Parcel number 9150, to the north of 9149, is zoned AR5. The parcels to the north, east and west of 9150 are also zoned AR5.
2. Development of the subject Property: No improvements were reported by the applicant. The proposal consists of three parcels; tax lots 28, 149 and 150. Lot 28 covers 6.87 acres, lot 149 covers 7.08 acres, and lot 150 covers 5.06 acres.
3. Site Use: The entire site is proposed as timber land. Timber on the property consists of minimum growth of fir, hemlock and cedar. The applicant has made arrangements for a timber management plan which has not yet been submitted. However, the applicant states that past activity on the site has been firewood cutting.
4. Access: The property is accessible from SE Edgewick Road.
5. Assessed Value vs. Estimated Timber Value:

PARCEL NUMBER	ASSESSED VALUE	TAX
262308-9028	market \$79,900	\$1,114.33
	current use \$ 812	\$ 11.32
262308-9149	market \$81,200	\$1,132.46
	current use \$ 746	\$ 10.40

COMMENT: The subject application for Timber Land consisting of three signed copies, a legal description, assessor maps, the applicant's justification and a fee of \$150 dollars was received by the county on December 31, 1992.

The applicant states that a Forest Management Plan is being prepared by Don Theoe of DNR. This plan has not yet been received. However, the applicant states that past activity on the site has been firewood cutting.

2. **KCC 20.36.110 Current use taxation of timber land.**

"Classification of timber land for current use taxation under the provisions of RCW 84.34 shall be in accordance with the following criteria:

A. The property to be classified shall contain not less than five acres and not more than twenty acres of timber land; and

B. The property must be within an established FR (forestry recreation), F (forest resource), A (agricultural) or A-R (rural area) zone. (Ord. 9322, 1990: Ord. 2537 Sec. 2, 1975)

COMMENT: The subject site consists of three parcels and covers 19.01 acres of land. The subject property is zoned AR10 and AR5.

D. **1985 COMPREHENSIVE PLAN POLICIES AND TEXT:**

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 #23), as partially referenced above in paragraph B.5, indicate a property tax deferral of

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 three parcels, subject to applicable standard conditions of approval.

B. RECOMMENDATION:

Approve the subject request for current use taxation "Timber Land" classification subject to applicable standard conditions of approval.

TRANSMITTED to the parties listed hereafter:

Lon. H. Matthews, 43010 SE North Bend Way #59
North Bend, WA 98045
George Kritsonis, King County Assessor's Office