



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**Ordinance 19567**

**Proposed No.** 2022-0367.2

**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 Craig and Mary  
5 Celigoy for property located at 15329 SE May Valley  
6 Road, Renton, WA, designated department of natural  
7 resources and parks, water and land resources division file  
8 no. E22CT006.

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 November 10,  
13 2022, to approve subject to conditions, the application for public benefit rating system  
14 assessed valuation for open space submitted by Craig and Mary Celigoy for property  
15 located at 15329 SE May Valley Road, Renton, WA, designated department of natural  
16 resources and parks, water and land resources division file no. E22CT006. The council

Ordinance 19567

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

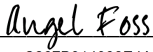
Ordinance 19567 was introduced on 9/27/2022 and passed by the Metropolitan King County Council on 12/13/2022, by the following vote:

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

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

DocuSigned by:  
  
F8830816F1C4427...  
Claudia Balducci, Chair

ATTEST:

DocuSigned by:  
  
C267B914088E4A0...  
Melani Pedroza, Clerk of the Council

**Attachments:** A. Hearing Examiner Report dated November 10, 2022

Ordinance 19567

November 10, 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](mailto:hearingexaminer@kingcounty.gov)  
[www.kingcounty.gov/independent/hearing-examiner](http://www.kingcounty.gov/independent/hearing-examiner)

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

SUBJECT: Department of Natural Resources and Parks file no. **E22CT006**  
Proposed ordinance no. **2022-0367**  
Parcel nos. **0223059005, 0223059079, 0223059072, and 0223059071**

**CRAIG AND MARY CELIGOY**

Open Space Taxation Application (Public Benefit Rating System)

Location: 15329 SE May Valley Road, Renton

Applicants: **Craig and Mary Celigoy**  
10736 154th Place SE  
Renton, WA 98059  
Telephone: (206) 200-7874  
Email: [maryceligoy@comcast.net](mailto:maryceligoy@comcast.net)

King County: Department of Natural Resources and Parks  
*represented by* **Megan Kim**  
201 S. Jackson Street Suite 5600  
Seattle, WA 98104  
Telephone: (206) 477-4788  
Email: [megan.kim@kingcounty.gov](mailto:megan.kim@kingcounty.gov)

**SUMMARY OF RECOMMENDATIONS:**

Department's Recommendation: Approve 64.63 acres for 20% of assessed value  
Conditionally approve 64.63 acres for 20% of assessed value

Examiner's Recommendation: Approve 64.63 acres for 20% of assessed value  
Conditionally approve 64.63 acres for 20% of assessed value

E22CT006–Craig and Mary Celigoy

2

**PRELIMINARY REPORT:**

On October 17, 2022, the Department of Natural Resources and Parks (DNRP) submitted its report on file no. E22CT006 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 October 27, 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:	Craig and Mary Celigoy 10736 154th Place SE Renton, WA 98059
Location:	15329 SE May Valley Road, Renton
STR:	SE-02-23-05
Zoning:	RA10 and RA5
Parcel nos.:	0223059005, 0223059079, 0223059072, and 0223059071
Total acreage:	66.77 acres

- The Applicants timely filed an application to King County for the Public Benefit Rating System (PBRS) program current use valuation of the property to begin in 2023. As required by law, notification of the application occurred.
- The property is currently enrolled in the state's farm and agricultural land category program. The purpose of this application is to reclassify the property and enroll it in PBRS. Any new open space taxation agreement must supersede the farm and agricultural land agreement.
- 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 ~~strikethrough~~ 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>	
	Aquifer protection area	5
	<i>Farm and agricultural conservation land</i>	5
	*Forest stewardship land	*
	<del>Historic landmark or archaeological site: —designated site</del>	0
	<i>Historic landmark or archaeological site: eligible site</i>	3
	Rural open space	5
	Scenic resource, viewpoint, or view corridor	5
	*Significant wildlife or salmonid habitat	5
	*Surface water quality area	*
	<del>Water quality protection area</del>	0
	<u>Bonus Categories</u>	
	*Additional surface water quality buffer	*
	*Conservation easement or historic easement	*
	*Environmental education awareness	*
	<hr/> Total	<hr/> 28

The DNRP-recommended score of 28 points results in a current use valuation of 20% of assessed value for the enrolled portion of the property.

5. This application is somewhat complicated. In addition to the above-listed categories where an award seems clearly warranted (and the water quality protection area where it seems clearly not), there are several categories and bonus categories where additional credit may be administratively awarded if certain benchmarks are reached.
6. Three of these are straightforward. Credit may be awarded administratively under the:
  - forest stewardship land category, subject to submittal of a forest stewardship plan by **April 3, 2023**, and DNRP approval of that plan by **July 1, 2023**;
  - conservation easement or historic easement bonus category, if the Applicants record an approved conservation easement by **December 31, 2023**; and
  - environmental education access, if the Applicants: enter into an agreement with a school or other appropriate community organization to allow public access and provide environmental education; submit this documentation to DNRP by **April 3, 2023**; and DNRP approves it by **June 1, 2023**.
7. The other three are more involved, and turn on the May Creek buffer. Although the required regulatory stream buffer width is normally 165 feet, such regulatory buffers are reduceable to a 25-foot buffer via a farm plan. If the Applicants then:

- provide an average buffer at least 15% wider than 25 feet (i.e., 28.75 feet) on either side of the creek, five points are awardable under the significant wildlife or salmonid habitat category;
  - provide an average buffer at least 50% wider than 25 feet (i.e., 37.5 feet) on either side of the creek, five more points are awardable under the surface water quality buffer category;
  - provide an average buffer at least 100% wider than 25 feet (i.e., 50 feet) on either side of the creek, three additional points are awardable under the additional surface water quality buffer bonus category; and
  - provide an average buffer at least 200% wider than 25 feet (i.e., 75 feet) on either side of the creek, two extra points are awardable under the additional surface water quality buffer bonus category.
8. DNRP noted in its staff report that the avenue for awarding points is the Applicants completing an update to their existing farm management plan that addresses the buffer and their planting plan. DNRP did not, in its staff report, suggest a deadline for submitting such an updated farm management plan, but given the complexity of the undertaking DNRP described at hearing, we will push the date out as far as possible, matching the **December 31, 2023**, deadline for recording an easement.
  9. As to the tax impact, with no administrative awards the Applicant would be at 28 points and a current use valuation of 20% for the enrolled portion of the property. An administrative award under credit in one or more of the categories that push the point total to 35 or higher would reduce the current use valuation to 10% of assessed value for the enrolled portion of the property.
  10. As to the land area recommended for PBRS enrollment, the Applicant did not request a specific acreage, while DNRP recommends a total of 64.63 acres spread across the four parcels. (Enrollment acreage is the entire parcels less the excluded area, as calculated by DNRP. In the event the County Assessor revises the official parcel size, the PBRS acreage shall be administratively adjusted to reflect that change.)
  11. We find the facts set forth in DNRP's preliminary report and testimony at the October 27, 2022, public hearing correct, and we incorporate them by reference. Copies of this report and DNRP's report will be provided to the Metropolitan King County Council for final approval.
  12. Approval of 28 points and a current use valuation of 20% of assessed value for 64.63 acres, and conditional approval of additional points and 10% of assessed value for the enrolling 64.63 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 20% of assessed value for the 64.63-acre enrolled portion of the property.
2. CONDITIONALLY APPROVE a current use valuation of 10% of assessed value for the 64.63-acre enrolled portion of the property, provided additional credit in one or more of the categories discussed in paragraphs 6 through 8 is awarded, according to the criteria and deadlines set in those paragraphs, and the award or awards bring the point total to 35 or greater.

DATED November 10, 2022.



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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 *December 5, 2022*, an electronic copy of the appeal statement must be sent to [Clerk.Council@kingcounty.gov](mailto: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 *December 5, 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 *December 5, 2022*, the Examiner will notify all parties and interested persons and provide information about “next steps.”

### MINUTES OF THE OCTOBER 27, 2022, HEARING ON THE APPLICATION OF CRAIG AND MARY CELIGOY, FILE NO. E22CT006

David Spohr was the Hearing Examiner in this matter. Megan Kim 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
Exhibit no. 6	Farm management plan



**Certificate Of Completion**

Envelope Id: B43973F91A644357A970F82DB8BF6273	Status: Completed
Subject: Complete with DocuSign: Ordinance 19567.docx, Ordinance 19567 Attachment A.pdf	
Source Envelope:	
Document Pages: 2	Signatures: 2
Supplemental Document Pages: 6	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)	SEATTLE, WA 98104
	Cherie.Camp@kingcounty.gov
	IP Address: 198.49.222.20


**Record Tracking**

Status: Original	Holder: Cherie Camp	Location: DocuSign
12/15/2022 12:46:52 PM	Cherie.Camp@kingcounty.gov	
Security Appliance Status: Connected	Pool: FedRamp	
Storage Appliance Status: Connected	Pool: King County-Council	Location: DocuSign

**Signer Events**

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

**Signature**

DocuSigned by:  
  
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 Signature Adoption: Pre-selected Style  
 Using IP Address: 73.181.163.252

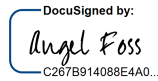
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 Signed: 12/16/2022 11:24:00 AM

**Electronic Record and Signature Disclosure:**

Accepted: 12/16/2022 11:23:42 AM  
 ID: 726dc844-8417-45b6-92b2-6dab66a5a009

Angel Foss  
 Angel.Foss@kingcounty.gov  
 Deputy Clerk of the Council  
 King County Council  
 Security Level: Email, Account Authentication (None)

DocuSigned by:  
  
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 Signature Adoption: Pre-selected Style  
 Using IP Address: 198.49.222.20

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 Signed: 12/16/2022 11:31:59 AM

**Electronic Record and Signature Disclosure:**

Accepted: 9/30/2022 11:28:30 AM  
 ID: 020c9a0a-c529-4443-8490-bad8ecc7fb95

Supplemental Documents: Ordinance 19567 Attachment A.pdf

Viewed: 12/16/2022 11:31:56 AM  
 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**

**Carbon Copy Events**

**Status**

**Timestamp**

**Witness Events**

**Signature**

**Timestamp**

<b>Notary Events</b>	<b>Signature</b>	<b>Timestamp</b>
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<b>Envelope Summary Events</b>	<b>Status</b>	<b>Timestamps</b>
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Certified Delivered	Security Checked	12/16/2022 11:31:52 AM
Signing Complete	Security Checked	12/16/2022 11:31:59 AM
Completed	Security Checked	12/16/2022 11:31:59 AM

<b>Payment Events</b>	<b>Status</b>	<b>Timestamps</b>
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<b>Electronic Record and Signature Disclosure</b>
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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: [cipriano.dacanay@kingcounty.gov](mailto:cipriano.dacanay@kingcounty.gov)

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- ii. send us an email to [cipriano.dacanay@kingcounty.gov](mailto:cipriano.dacanay@kingcounty.gov) and in the body of such request you must state your email, full name, mailing 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..

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- Until or unless you notify King County-Department of 02 as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by King County-Department of 02 during the course of your relationship with King County-Department of 02.