



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19798

Proposed No. 2024-0135.2

Sponsors Upthegrove

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 Jill Burton, Marcia
 5 Knadle, Estate of David Knadle (represented by Debra
 6 Smith), and the Estate of Lois Clapper (represented by
 7 Laura Capili) for property located at 21330 Sweeny Road
 8 SE, East of 21330 Sweeny Road SE, and West of 21325
 9 204th Avenue SE, Maple Valley, WA, designated
 10 department of natural resources and parks, water and land
 11 resources division file no. E23CT016c.

12 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

13 SECTION 1. This ordinance does hereby adopt and incorporate herein as its
 14 findings and conclusions the findings and conclusions contained in Attachment A to this
 15 ordinance, the report and recommendation of the hearing examiner dated June 12, 2024,
 16 to approve subject to conditions, the application for public benefit rating system assessed
 17 valuation for open space submitted by Jill Burton, Marcia Knadle, Estate of David
 18 Knadle (represented by Debra Smith), and the Estate of Lois Clapper (represented by
 19 Laura Capili) for property located at 21330 Sweeny Road SE, East of 21330 Sweeny
 20 Road SE, and West of 21325 204th Avenue SE, Maple Valley, WA, designated

Ordinance 19798

21 department of natural resources and parks, water and land resources division file no.
22 E23CT016c. The council does hereby adopt as its action the recommendation or
23 recommendations contained in the examiner's report.
24

Ordinance 19798 was introduced on 5/7/2024 and passed by the Metropolitan King County Council on 7/16/2024, by the following vote:


Yes: 9 - Balducci, Barón, Dembowski, Dunn, Mosqueda, Perry, Upthegrove, von Reichbauer and Zahilay

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

DocuSigned by:

E76CE01F07B14EF...
Dave Upthegrove, Chair

ATTEST:

DocuSigned by:

8DE1BB375AD3422...
Melani Hay, Clerk of the Council

Attachments: A. Hearing Examiner Report dated June 12, 2024

June 12, 2024

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

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. **E23CT016c**
Proposed ordinance no. **2024-0135**
Parcel nos. **082206-9020, 082206-9021, and 082206-9026**

KNADLE, CLAPPER, BURTON

Open Space Taxation Application (Public Benefit Rating System)

Location: 21330 Sweeny Road SE, East of 21330 Sweeny Road SE, and
West of 21325 204th Avenue SE, Maple Valley

Applicants: **Jill Burton**
21044 204th Avenue SE
Maple Valley, WA 98038
Telephone: (360) 505-9160
Email: jillburton425@hotmail.com

Marcia Knadle
21044 204th Avenue SE,
Maple Valley, WA 98038
Telephone: (425) 432-9645
Email: mknadle1@aol.com

Estate of David Knadle
represented by **Debra Smith**
9726 Woodlawn Avenue N Unit A
Seattle, WA 98103
Telephone: (253) 486-3933
Email: debkaye@hotmail.com

Estate of Lois Clapper
represented by **Laura Capili**
18435 SE 164th Street

Zoning: RA5
 Parcel no.: 082206-9020, 082206-9021, and 082206-9026
 Total acreage: 16.26 acres

2. 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 2024. As required by law, notification of the application occurred.
3. The property is currently enrolled in the State’s farm and agricultural land program. The purpose of this application is to reclassify the property and enroll it in PBRS. Any new open space taxation agreement must supersede that agreement.
4. 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. ~~Strikethrough~~ represents a category an applicant requested an award for but that DNRP disagrees is warranted. *Italics* represents a category an applicant did not request an award for, but that DNRP nonetheless concludes is warranted. And an *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>Buffer to public or current use classified land</i>	3*
	Farm and agricultural conservation land	5*
	Forest stewardship land	0
	Historic landmark or archaeological site; designated site	0
	Rural open space	0
	Scenic resource, viewpoint or view corridor	0
	Significant wildlife or salmonid habitat	5*
	<i>Surface water quality buffer</i>	*
	 <u>Bonus Categories</u>	
	Resource restoration	*
	<hr/> Total	<hr/> 13

The DNRP-recommended score of 13 points results in a current use valuation of 40% of assessed value for the enrolled portion of the property.

5. Enrollment is contingent on submittal of a King Conservation District-approved farm management plan by **December 31, 2024**. Failure to qualify as farm and agricultural conservation land precludes the property from enrolling in PBRS.
6. Additional credit may be awarded administratively under the surface water quality buffer category, subject to submittal to DNRP, by **November 29, 2024**, of a map and report detailing the locations and types of aquatic features, and DNRP determining, by **December 31, 2024**, that the property is providing a buffer sufficiently exceeding the normal regulatory buffer. A buffer 1.5x the regulatory buffer earns five points, a buffer

- 2x the regulatory buffer earns eight points, and a buffer 2x the regulatory buffer earns ten points.
7. Additional credit may also be awarded administratively under the resource restoration category, subject to submittal to DNRP, by **November 29, 2024**, of a resource restoration plan, and DNRP approval of that plan by **December 31, 2024**. An award under this category adds five points.
 8. If some combination of the above two potential administrative awards boosts the property into:
 - A. the 16-20 point range, that will result in a current use valuation of 30% of assessed value for the enrolled portion of the property; or
 - B. the 21-34 point range, that will result in a current use valuation of 20% of assessed value for the enrolled portion of the property.
 9. As to the land area recommended for PBRS enrollment, the Applicants requested 17.00 acres and DNRP recommends 15.69 acres. (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.)
 10. Except as modified herein, we find the facts set forth in DNRP's preliminary report and testimony at the May 29, 2024, public hearing correct and we incorporate them by reference. We will provide copies of this report and DNRP's report to the Metropolitan King County Council for final approval.
 11. Contingent approval of 13 points and a current use valuation of 40% of assessed value for 15.69 acres, and conditional approval of up to 20 additional points and as little as 20% of assessed value for those 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 40% of assessed value for the 15.69-acre enrolled portion of the property, CONTINGENT on submittal of a King Conservation District-approved farm management plan by **December 31, 2024**. Failure to qualify as farm and agricultural conservation land precludes the property from enrolling in PBRS.
2. CONDITIONALLY APPROVE additional credit for the surface water quality buffer category, subject to submittal to DNRP, by **November 29, 2024**, of a map and report detailing the locations and types of aquatic features, and DNRP determining, by **December 31, 2024**, that the property is providing a buffer sufficiently exceeding the

normal regulatory buffer. A buffer 1.5x the regulatory buffer earns five points, a buffer 2x the regulatory buffer earns eight points, and a buffer 2x the regulatory buffer earns ten points.

3. **CONDITIONALLY APPROVE** additional credit under the resource restoration category, subject to submittal to DNRP, **by November 29, 2024**, of a resource restoration plan, and DNRP approval of that plan by **December 31, 2024**. An award under this category adds five points.
4. If some combination of the above two potential administrative awards boosts the property into the 16-20 point range, that will result in a current use valuation of 30% of assessed value for the 15.69 enrolling acre; if it boosts the property into the 21-34 point range, that will result in a current use valuation of 20% of assessed value for the 15.69 enrolling acres.

DATED June 12, 2024.



David Spohr
King County Hearing Examiner

NOTICE OF RIGHT TO APPEAL

A party may appeal an Examiner report and recommendation by following the steps described in KCC 20.22.230. By **4:30 p.m.** on **July 8, 2024**, an electronic appeal statement must be sent to Clerk.Council@kingcounty.gov, to hearingexaminer@kingcounty.gov, and to the party email addresses on the front page of this report and recommendation. Please consult KCC 20.22.230 for the exact filing requirements.

If a party fails to timely file an appeal, the Council does not have jurisdiction to consider that appeal. Conversely, if the appeal requirements of KCC 20.22.230 are met, the Examiner will notify parties and interested persons and will provide information about next steps in the appeal process.

**MINUTES OF THE MAY 29, 2024, HEARING ON THE APPLICATION OF
KNADLE, CLAPPER, BURTON, FILE NO. E23CT016C**

David Spohr was the Hearing Examiner in this matter. Megan Kim and Marcia Knadie 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: C90BE853E5AD4A999EE9F6669F73291C	Status: Completed
Subject: Complete with DocuSign: Ordinance 19798.docx, Ordinance 19798 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
Enveloped 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

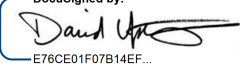
Record Tracking

Status: Original	Holder: Cherie Camp	Location: DocuSign
7/17/2024 11:10:08 AM	Cherie.Camp@kingcounty.gov	
Security Appliance Status: Connected	Pool: FedRamp	
Storage Appliance Status: Connected	Pool: King County-Council	Location: DocuSign

Signer Events

Dave Upthegrove
dave.upthegrove@kingcounty.gov
Chair
Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

E76CE01F07B14EF...
Signature Adoption: Uploaded Signature Image
Using IP Address: 67.185.138.82


Timestamp

Sent: 7/17/2024 11:10:47 AM
Viewed: 7/17/2024 11:18:11 AM
Signed: 7/17/2024 11:18:48 AM

Electronic Record and Signature Disclosure:

Accepted: 7/17/2024 11:18:11 AM
ID: 72d07233-8aed-4c7d-b40d-d913b51c09a8

Melani Hay
melani.hay@kingcounty.gov
Clerk of the Council
King County Council
Security Level: Email, Account Authentication (None)

DocuSigned by:

8DE1BB375AD3422...
Signature Adoption: Pre-selected Style
Using IP Address: 198.49.222.20

Sent: 7/17/2024 11:18:49 AM
Viewed: 7/17/2024 11:21:47 AM
Signed: 7/17/2024 11:21:51 AM

Electronic Record and Signature Disclosure:

Accepted: 9/30/2022 11:27:12 AM
ID: 639a6b47-a4ff-458a-8ae8-c9251b7d1a1f

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
Notary Events	Signature	Timestamp

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	7/17/2024 11:10:47 AM
Certified Delivered	Security Checked	7/17/2024 11:21:47 AM
Signing Complete	Security Checked	7/17/2024 11:21:51 AM
Completed	Security Checked	7/17/2024 11:21:51 AM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

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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:

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- ii. send us an email to 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.