



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19932

Proposed No. 2025-0066.2

Sponsors Zahilay

1 AN ORDINANCE concurring with the recommendation
2 of the hearing examiner to approve, subject to conditions,
3 the application for public benefit rating system assessed
4 valuation for open space submitted by Jason Fiorito for
5 property located at 34349 SE 39th Place, Fall City, WA,
6 designated department of natural resources and parks,
7 water and land resources division file no. E24CT016.

8 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

9 SECTION 1. This ordinance does hereby adopt and incorporate herein as its
10 findings and conclusions the findings and conclusions contained in Attachment A to this
11 ordinance, the report and recommendation of the hearing examiner dated April 3, 2025,
12 to approve subject to conditions, the application for public benefit rating system assessed
13 valuation for open space submitted by Jason Fiorito for property located at 34349 SE
14 39th Place, Fall City, WA, designated department of natural resources and parks, water

Ordinance 19932

- 15 and land resources division file no. E24CT016. The council does hereby adopt as its
16 action the recommendation or recommendations contained in the examiner's report.

Ordinance 19932 was introduced on 2/18/2025 and passed by the Metropolitan King County Council on 5/13/2025, by the following vote:

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

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Signed by:



1AEA3C5077F8485...

Girmay Zahilay, Chair

ATTEST:

DocuSigned by:



C267B914088E4A0...

Melani Hay, Clerk of the Council

Attachments: A. Hearing Examiner Report dated April 3, 2025

Ordinance 19932

April 3, 2025

**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. **E24CT016**
Proposed ordinance no. **2025-0066**
Parcel no. **112407-9028**

JASON FIORITO

Open Space Taxation Application (Public Benefit Rating System)

Location: 34349 SE 39th Place, Fall City

Applicant: **Jason Fiorito**
31001 144th Avenue SE
Kent, WA 98042
Telephone: (253) 639-5927
Email: jasonf@pacificraceways.com

King County: Department of Natural Resources and Parks
represented by **Bill Bernstein**
201 S. Jackson Street
Suite 5601
Seattle, WA 98104
Telephone: (206) 477-4643

SUMMARY OF RECOMMENDATIONS:

Department's Recommendation:	Approve 55.00 acres for 10% of assessed value
Examiner's Recommendation:	Approve 55.00 acres for 10% of assessed value

PRELIMINARY REPORT:

On March 7, 2025, the Department of Natural Resources and Parks (DNRP) submitted its report on file no. E24CT016 to the Examiner.

PUBLIC HEARING:

After reviewing the preliminary report and examining available information on file with the application, the Examiner conducted a remote public hearing on the application on March 20, 2025. 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 Examiner’s Office.

FINDINGS AND CONCLUSIONS:

1. General Information:
Owner: Jason Fiorito
31001 144th Avenue SE
Kent, WA 98042

Location: 34349 SE 39th Place, Fall City
STR: SW 11-24-07
Zoning: RA10
Parcel no.: 112407-9028
Total acreage: 62.60 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 2025. As required by law, notification of the application occurred.
3. The property is currently enrolled in the Designated Forestland 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. A ~~strike through~~ represents a category an applicant requested an award for, but that DNRP disagrees is warranted.)

PBRs categories:	<u>Open Space Resources</u>	
	Aquifer protection area	5
	Buffer to public or current use classified land	3
	Rural open space	5
	Significant wildlife or salmonid habitat	5
	Special animal site	3
	Surface water quality buffer	10
	Watershed protection area	5

Bonus Categories

Contiguous parcels under separate ownership	0
Total	36

The DNRP-recommended score of 36 points results in a current use valuation of 10% of assessed value for the enrolled portion of the property.

5. As to the land area recommended for PBRS enrollment, the Applicant requested 56.66 acres and DNRP recommends 55.00 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.)
6. Except as modified herein, we find the facts set forth in DNRP's preliminary report and testimony at the March 20, 2025, 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.
7. Approval of 36 points and a current use valuation of 10% of assessed value for 55.00 acres is 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:

APPROVE a current use valuation of 10% of assessed value for the 55.00-acre enrolled portion of the property.

DATED April 3, 2025.



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 *April 28, 2025*, 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 MARCH 20, 2025, HEARING ON THE APPLICATION OF JASON FIORITO, FILE NO. E24CT016

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: 884A56C6-2649-4504-858C-F5E6449EFA13	Status: Completed
Subject: Complete with Docusign: Ordinance 19932.docx, Ordinance 19932 Attachment A.pdf	
Source Envelope:	
Document Pages: 2	Signatures: 2
Supplemental Document Pages: 4	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
5/14/2025 10:35:03 AM	Cherie.Camp@kingcounty.gov	
Security Appliance Status: Connected	Pool: FedRamp	
Storage Appliance Status: Connected	Pool: King County-Council	Location: Docusign

Signer Events

Girmay Zahilay
girmay.zahilay@kingcounty.gov
Council Chair
Security Level: Email, Account Authentication (None)

Signature

Signed by:

1AEA3C5077F8485...
Signature Adoption: Pre-selected Style
Using IP Address: 71.227.166.164

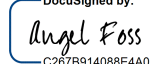
Timestamp

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Viewed: 5/14/2025 12:05:31 PM
Signed: 5/14/2025 12:05:39 PM

Electronic Record and Signature Disclosure:

Accepted: 5/14/2025 12:05:31 PM
ID: 822d93ba-5cc2-4da4-bc26-76d32396dd96

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

DocuSigned by:

C267B914088E4A0...
Signature Adoption: Pre-selected Style
Using IP Address: 198.49.222.20

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Viewed: 5/14/2025 12:22:38 PM
Signed: 5/14/2025 12:22:45 PM

Electronic Record and Signature Disclosure:

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

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	5/14/2025 10:35:42 AM
Certified Delivered	Security Checked	5/14/2025 12:22:38 PM
Signing Complete	Security Checked	5/14/2025 12:22:45 PM
Completed	Security Checked	5/14/2025 12:22:45 PM
Payment Events	Status	Timestamps
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.

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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. Further, 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.

All notices and disclosures will be sent to you electronically

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.

How to contact King County-Department of 02:

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

To advise King County-Department of 02 of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at cipriano.dacanay@kingcounty.gov and in the body of such request you must state: your previous email address, your new email 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 email to cipriano.dacanay@kingcounty.gov and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with King County-Department of 02

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- 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.