

April 28, 2026

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**
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**REPORT AND RECOMMENDATION TO THE KING
COUNTY COUNCIL FOR CURRENT USE
ASSESSMENT APPLICATION**

SUBJECT: Department of Natural Resources and Parks file no. **E25CT010**
Proposed ordinance no. **2026-0051**
Parcel no. **192303-9020**

BRADFORD SMITH AND JOSHUA FINTO

Application for Current Use Assessment under the Public Benefit Rating System

Location: 15550 115th Avenue SW, Vashon, WA 98070

Applicants: **Bradford Smith and Joshua Finto**
15550 115th Avenue SW
Vashon, WA 98070
Telephone: (512) 657-8303
Email: smithbc.tx@gmail.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
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SUMMARY OF RECOMMENDATIONS:

Department's Recommendation: Approve 7.55 acres for 80% reduction in appraised value.
Examiner's Recommendation: Approve 7.55 acres for 80% reduction in appraised value.

PROCEDURAL BACKGROUND:

Per Ch. 20.36 KCC, the Department of Natural Resources and Parks (DNRP) transmitted the subject application along with its Report for Property Enrollment in the Public Benefit Rating System (PBRS) File No. E25CT010, to the Examiner.

The Examiner conducted a remote public hearing on the application on April 23, 2026. Bill Bernstein, representing DNRP, presented the application and DNRP's recommendation. Applicants Bradford Smith and Joshua Finto did not participate.

FINDINGS AND CONCLUSIONS:

1. Except as modified herein, the facts set forth in DNRP's staff report and testimony at the April 23, 2026, public hearing are correct and incorporated here by reference. We will provide copies of this report and DNRP's staff report to the King County Council for final action.
2. The property at issue is at 15550 115th Avenue SW Vashon, WA 98070, Parcel No. 192303-9020, owned by the Applicants Bradford Smith and Joshua Finto.
3. The Applicants timely filed an application with King County for current use assessment of the above identified property under the PBRS to begin in 2026.
4. Timely and proper legal notice of the public hearing on the application was provided.
5. A list of the PBRS Open Space Resource categories identified by DNRP as relevant to the property are provided below. Categories that DNRP determined were eligible (or eligible with contingencies) for credit are assigned the applicable number of points.

PBRS categories:	Aquifer protection area	5
	Forest stewardship land	0*
	Rural open space	5
	Significant wildlife or fish habitat	5
	Surface water quality buffer	5
	Watershed protection area	5
	<hr/> Total points awarded	<hr/> 25

The DNRP-recommended score of 25 points results in an 80% reduction in the appraised value of the enrolled portion of the property. Each category where points are recommended is discussed below.

6. **Aquifer protection area – 5 points.** The entire property is located in an area designated as a critical aquifer recharge area (CARA 3). The natively forested area is greater than one acre in size and meets the minimum required acreage for this category.

7. **Rural open space – 5 points.** To be eligible for this category, a property must be located in the rural area and enroll at least five acres of native vegetation. This rural property contains more than seven acres of contiguous forested open space.
8. **Significant wildlife or salmonid habitat – 5 points.** A staff site visit established that the property contains foraging and nesting habitat for the pileated woodpecker, and the landowner has made visual observations of pileated woodpeckers actively utilizing the property. The pileated woodpecker is identified in King County’s Comprehensive Plan as a Species of Local Importance (E-328(e)). Award of this category is consistent with habitat as defined by KCC 20.36.100.B.15.a(1).
9. **Surface water quality buffer – 5-10 points.** In order to be eligible for this category, the participating land must provide a buffer greater than 1.5 times that required (or 300 feet) for five points to be awarded, provide a buffer greater than two times that required (or 400 feet) for eight points to be awarded, or provide a buffer greater than three times that required (or 600 feet) for ten points to be awarded. This property has a portion of a Type N or O stream in the center of the property east of the residence. As required by county code (KCC 21A.24.358.B), the buffer width required for Type N waters is 100 feet. The owner is providing a qualifying buffer of native vegetation to the south of this stream that averages 180 feet in width, which is more than 1.5 times the buffer required. Credit for this category is therefore recommended at the five-point award level.
10. **Watershed protection area – 5 points.** To be eligible for this category, the enrolling forested area must consist of additional forest cover beyond that required by county or applicable local government regulation and must be at least one acre or sixty-five percent of the property acreage, whichever is greater. The enrolling open space contains 7.55 acres of native forest cover which is more than 65% of the total property acreage and there are no additional forest retention regulations in place for this property.
11. **Contingencies, Conditions, and Requirements.**
 - A. An additional 5 points may be awarded administratively for the “forest stewardship land” category. Qualification for this category is contingent on approval of a forest stewardship plan on or before December 31, 2026.
 - B. Award of credit under this category will increase the point total by 5 points, with no change to the current use valuation.
 - C. The Examiner incorporates all conditions and requirements identified in the PBRS Staff Report. Ex. 1.
12. **Enrollment Acreage.** The Applicants requested 5.40 acres and DNRP recommends 7.55 acres of the subject property be enrolled in the PBRS program. (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.)

13. Approval of 25 points and an 80% reduction in the assessed value for 7.55 acres, and conditional approval of 5 additional points with the timely submission and approval of a forest stewardship plan, is consistent with Ch. 20.36 KCC 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 credit for the enumerated open space categories, on 7.55 acres of parcel 192303-9020, for an 80% reduction in the appraised value of the enrolled portion of the property. Approval should be subject to any conditions and requirements listed herein or incorporated from the DNRP staff report.
2. CONDITIONALLY APPROVE additional credit for the “forest stewardship land” category, subject to approval of a forest stewardship plan by December 31, 2026. Award of credit under this category will increase the point total by 5 points, with no change to the current use valuation.

DATED April 28, 2026.



Devon Shannon
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 **May 22, 2026**, 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 APRIL 23, 2026, HEARING ON THE APPLICATION OF
BRADFORD SMITH AND JOSHUA FINTO, FILE NO. E25CT010**

Devon Shannon was the Hearing Examiner in this matter. A verbatim recording of the hearing is available in the Hearing Examiner's Office.

The following exhibits were offered by DNRP and entered into the record:

Exhibit no. 1	DNRP staff report
Exhibit no. 2	<i>Reserved for future submission of the affidavit of bearing 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