

August 26, 2024

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

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

SUBJECT: Department of Natural Resources and Parks file no. **E24CT001**
Proposed ordinance no. **2024-0218**
Parcel no. **102107-9160**

DARREN AND CARRIE DOFELMIER

Open Space Taxation Application (Public Benefit Rating System)

Location: 30766 Cumberland Kanaskat Road SE, Ravensdale

Applicants: **Darren and Carrie Dofelmier**
PO Box 553
Black Diamond, WA 98010
Telephone: (206) 793-9411
Email: darren@trmwoodproducts.net

King County: Department of Natural Resources and Parks
represented by **Megan Kim**
201 S. Jackson Street
Suite 5601
Seattle, WA 98104
Telephone: (206) 477-4788

SUMMARY OF RECOMMENDATIONS:

Department's Recommendation: Contingently approve 3.43 acres for 30% of assessed value
Examiner's Recommendation: Contingently approve 3.43 acres for 30% of assessed value

PRELIMINARY REPORT:

On July 30, the Department of Natural Resources and Parks (DNRP) submitted its report on file no. E24CT001 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 August 13, 2024.

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:	Darren and Carrie Dofelmier PO Box 553 Black Diamond, WA 98010
Location:	30766 Cumberland Kanaskat Road SE, Ravensdale
STR:	NW-10-21-07
Zoning:	RA5
Parcel no:	102107-9160
Total acreage:	5.23 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 (DFL) 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. 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>	
	<i>Buffer to public or current use classified land</i>	3*
	<i>Significant wildlife or salmonid habitat</i>	5*
	<i>Watershed protection area</i>	5*
	<u>Bonus Categories</u>	
	<i>Resource restoration</i>	5*
	<hr/>	
	Total	18*

The DNRP-recommended score of 18 points results in a current use valuation of 30% of assessed value for the enrolled portion of the property.

5. Enrollment is contingent on approval, by **April 1, 2025** (and subsequent implementation) of a restoration plan. The restoration will make the enrolled portion of the property eligible for the significant wildlife or salmonid habitat (here, elk foraging and habitat), the watershed protection (once blackberry are removed enough to enhance the native forest cover), the abutting other classified lands, and the resource restoration categories. Continuing control and removal of invasives will remain mandatory to keep the property enrolled in PBRS.
6. As to the land area recommended for PBRS enrollment, the Applicants requested 3.25 acres and DNRP recommends 3.43 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.)
7. Except as modified herein, we find the facts set forth in DNRP's preliminary report and testimony at the August 13, 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.
8. Contingent approval of 18 points and a current use valuation of 30% of assessed value for 3.43 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 30% of assessed value for the 3.43-acre enrolled portion of the property, CONTINGENT on approval, by **April 1, 2025** (and subsequent implementation) of a restoration plan.

DATED August 26, 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 **September 19, 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 AUGUST 13, 2024, HEARING ON THE APPLICATION OF
DARREN AND CARRIE DOFELMIER, FILE NO. E24CT001**

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:

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| 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 |