

May 8, 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. **E23CT014**  
Proposed ordinance no. **2024-0089**  
Parcel nos. **3223039084 and 2923039069**

**ALLEN AND BONNIE DE STEIGUER**

Open Space Taxation Application (Public Benefit Rating System)

Location: 17615 McLean Road SW, Vashon

Applicants: **Allen and Bonnie de Steiguer**  
17615 McLean Road SW  
Vashon, WA 98070  
Telephone: (206) 391-3435  
Email: [adesteiguer@outlook.com](mailto:adesteiguer@outlook.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 5.31 acres for 30% of assessed value
Examiner's Recommendation:	Approve 5.31 acres for 30% of assessed value

## PRELIMINARY REPORT:

On April 12, 2024, the Department of Natural Resources and Parks (DNRP) submitted its report on file no. E23CT014 to the Examiner.

## PUBLIC HEARING:

After reviewing the preliminary report and examining available information on file with the application, the Examiner conducted an April 24, 2024, remote public hearing on this matter.

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:	Allen and Bonnie de Steiguer 17615 McLean Road SW Vashon, WA 98070
Location:	17615 McLean Road SW, Vashon
STR:	NE-32-23-03 and SE-29-23-03
Zoning:	RA2.5 and RA5
Parcel numbers:	3223039084 and 2923039069
Total acreage:	8.54 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. 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 ~~strike through~~ represents a category an applicant requested an award for but that DNRP disagrees 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
	Buffer to public or current use classified land	3
	Forest stewardship land	5
	<del>Significant wildlife or salmonid habitat</del>	0
	<del>Surface water quality buffer</del>	0
	Watershed protection area	5
	<u>Bonus Categories</u>	
	<del>Resource restoration</del>	0

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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.

4. As to the land area recommended for PBRS enrollment, the Applicants requested 5.29 acres and DNRP recommends 5.31 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.)
5. Except as modified herein, we find the facts set forth in DNRP’s preliminary report and testimony at the April 24, 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.
  - A. At hearing, DNRP noted that after further consultation with the Applicants, the Applicants are no longer planning to pursue the significant wildlife or salmonid habitat category. So, while the staff report provided an avenue for an administrative award (subject to submittal DNRP of an expert determination, by **September 1, 2024**, and subsequent DNRP approval of that determination), this has been removed from today’s recommendation.
6. Approval of 18 points and a current use valuation of 30% of assessed value for 5.31 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 5.31-acre enrolled portion of the property.

DATED May 8, 2024.

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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 **June 3, 2024**, an electronic appeal statement must be sent to [Clerk.Council@kingcounty.gov](mailto:Clerk.Council@kingcounty.gov), to [hearingexaminer@kingcounty.gov](mailto: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 24, 2024, HEARING ON THE APPLICATION OF ALLEN AND BONNIE DE STEIGUER, FILE NO. E23CT014

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