

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. **E25CT011**
Proposed ordinance no. **2026-0054**
Parcel no. **252302-9007**

SCOTT AND MICHELLE HARVEY

Application for Current Use Assessment under the Public Benefit Rating System

Location: 12216 SW Cove Road, Vashon, WA 98070

Applicants: **Scott and Michelle Harvey**
12216 SW Cove Road
Vashon, WA 98070
Telephone: (206) 463-6986
Email: sdharvey50@comcast.net

King County: Department of Natural Resources and Parks
represented by **Bill Bernstein**
201 S. Jackson Street Suite 5601
Seattle, WA 98104
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SUMMARY OF RECOMMENDATIONS:

Department's Recommendation: Approve 7.05 acres for 70% reduction in appraised value.

Examiner's Recommendation: Approve 7.05 acres for 70% 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. E25CT011, 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 Scott and Michelle Harvey 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 12216 SW Cove Road, Vashon, WA 98070, Parcel No. 252302-9007, owned by the Applicants Scott and Michelle Harvey.
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. The property is currently enrolled in the Designated Forestland program (RCW 84.33). The purpose of this application is to reclassify the property and enroll it in PBRs as they no longer intend to manage the property for commercial timber purposes.
6. 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 *	*
	Rural open space	5
	Significant wildlife or fish habitat	5
	Watershed protection area	5
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	Total points awarded	20

The DNRP-recommended score of 20 points results in a 70% reduction in the appraised value of the enrolled portion of the property. Each category where points are recommended is discussed below.

7. **Aquifer protection area – 5 points.** The entire property is 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.
8. **Rural open space – 5 points.** To be eligible for this category, a property must be in the rural area and enroll at least five acres of native vegetation in the program. This property contains more than seven acres of contiguous forested open space, which is more than the category's required five acre minimum.
9. **Significant wildlife or salmonid habitat – 5 points.** A staff site visit established that the property contains habitat for numerous wildlife species, including foraging and nesting habitat for the pileated woodpecker, which 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).
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 7.05 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. To be eligible for this category, the property must contain at least four acres of contiguous forestland, which is met on this parcel.
 - B. Qualification for this category is contingent on submittal and approval of a "forest stewardship plan." The owners do have a forest stewardship plan, but it needs to be updated. If their plan is updated and approved by the department on or before December 31, 2026, then credit for this category should be awarded administratively.
 - C. If this category's conditions are met, the property would qualify for 25 total points, which results in qualifying the enrolled property for taxation at 20% of market value.
 - D. The Examiner incorporates all conditions and requirements identified in the PBRS Staff Report. Ex. 1.
12. **Enrollment Acreage.** The Applicants requested 6.87 acres and DNRP recommends 7.05 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 20 points and a current use valuation of 30% of assessed value for 7.05 acres, and conditional approval of 10 additional points and 20% of assessed value for 7.05 acres, 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 "aquifer protection area," "rural open space," "significant wildlife habitat," and "watershed protection area" categories on 7.05 acres on parcel 252302-9007 for a current use valuation of 30% of assessed value for 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 submittal of and approval of an updated forest stewardship plan by December 31, 2026. Award of credit under this category will increase the point total by 10 points, resulting in a current use valuation of 20% of assessed value for the enrolled portion of the property.

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
SCOTT AND MICHELLE HARVEY, FILE NO. E25CT011**

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