

April 8, 2021

**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. **E20CT036**
Proposed ordinance no. **2021-0099**
Parcel nos. **242302907801 and 242302903602**

ROLF, LISA, AND KARSTEN LORENTZEN

Open Space Taxation Application (Public Benefit Rating System)

Location: 15924 121st Avenue SW, Vashon and 15822 Westside Hwy SW,
Vashon

Applicants: **Rolf, Lisa, and Karsten Lorentzen**
15822 Westside Hwy SW
Vashon, WA 98070
Telephone: (206) 567-5914
Email: rolf.lorentzen19@gmail.com; k.lorentzen@gmail.com

King County: Department of Natural Resources and Parks
represented by **Bill Bernstein**
701 S Jackson Street Suite 701
Seattle, WA 98104
Telephone: (206) 477-4643
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SUMMARY OF RECOMMENDATIONS:

Department's Recommendation: Approve 7.59 acres for 20% of assessed value
Examiner's Recommendation: Approve 7.59 acres for 20% of assessed value

PRELIMINARY REPORT:

On February 23, 2021, the Department of Natural Resources and Parks (DNRP) submitted its report on file no. E20CT036 to the Examiner.

PUBLIC HEARING:

After reviewing the preliminary report and examining available information on file with the application, the Examiner conducted a telephonic public hearing on the application on March 25, 2021.

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:	Rolf, Lisa, and Karsten Lorentzen 15822 Westside Hwy SW Vashon, WA 98070
Location:	15924 121st Avenue SW, Vashon and 15822 Westside Hwy SW, Vashon
STR:	SE-24-23-2
Zoning:	RA5
Parcel nos.:	242302907801 and 242302903602
Total acreage:	14.06 acres

- 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 2021. As required by law, notification of the application occurred.
- The property is currently enrolled in the Timberland program (E95CT006). The purpose of this application is to reclassify the property and enroll it in PBRS. The new open space taxation agreement must supersede any existing agreement.
- 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. 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>Aquifer protection area</i>	5
	*Forest stewardship land	*
	Rural open space	0
	<i>Significant wildlife or salmonid habitat</i>	5
	<i>Surface water quality buffer</i>	5
	Watershed protection area	0
	<u>Bonus Categories</u>	
	<i>Additional surface water quality buffer</i>	5
	Contiguous parcels under separate ownership	2
	<hr/>	22

The DNRP-recommended score of 22 points results in a current use valuation of 20% of assessed value for the enrolled portion of the property.

5. Additional credit may be awarded administratively under the forest stewardship land category, subject to DNRP approval of an updated forest stewardship plan by **December 31, 2021**. Award of credit under this category will increase the point total by five, with no change to the current use valuation; credit may allow approved forestry activities to occur on the property.
6. As to the land area recommended for PBRS enrollment, the Applicants did not request a particular acreage, and DNRP recommends 5.53 acres on parcel 2423029036 and 2.06 acres on parcel 2423029078. (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, the facts set forth in DNRP’s preliminary report and testimony at the March 25, 2021, public hearing are correct and incorporated herein by reference. Copies of this report and DNRP’s report will be provided to the Metropolitan King County Council for final approval.
8. Approval of 22 points and a current use valuation of 20% of assessed value for 5.53 acres on parcel 2423029036 and for 2.06 acres on parcel 2423029078 acres, and conditional approval of five additional points (with no change in the acreage or assessed value) are 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:

1. **APPROVE** a current use valuation of 20% of assessed value for the 5.53-acre enrolled area on parcel 2423029036 and the 2.06-acre enrolled area on parcel 2423029078.

2. **CONDITIONALLY APPROVE** additional credit under the forest stewardship land category, subject to DNRP approval of an updated forest stewardship plan by December 31, 2021. Award of credit under this category will increase the point total by five, with no change to the acreage or current use valuation; credit may allow approved forestry activities to occur on the property.

DATED April 8, 2021.



David Spohr
Hearing Examiner

NOTICE OF RIGHT TO APPEAL

A person appeals an Examiner recommendation by following the steps described in KCC 20.22.230, including filing with the Clerk of the Council a sufficient appeal statement and a \$250 appeal fee (check payable to the King County FBOD). Appeal statements may refer only to facts contained in the hearing record; new facts may not be presented on appeal. KCC 20.22.230 also requires that the appellant provide copies of the appeal statement to the Examiner and to any named parties listed on the front page of the Examiner’s recommendation.

Prior to the close of business (4:30 p.m.) on *May 3, 2021*, an electronic copy of the appeal statement must be sent to Clerk.Council@kingcounty.gov and a paper copy of the appeal statement must be delivered to the Clerk of the Council's Office, Room 1200, King County Courthouse, 516 Third Avenue, Seattle, Washington 98104. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. If the Office of the Clerk is not officially open on the specified closing date, delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

Unless both a timely and sufficient appeal statement and filing fee are filed by *May 3, 2021*, the Clerk of the Council shall place on the agenda of the next available Council meeting a proposed ordinance implementing the Examiner’s recommended action. At that meeting the Council may adopt the Examiner’s recommendation, defer action, refer the matter to a Council committee, or remand to the Examiner for further hearing or further consideration.

If a timely and sufficient appeal statement and filing fee are filed by *May 3, 2021*, the Examiner will notify all parties and interested persons and provide information about “next steps.”

**MINUTES OF THE MARCH 25, 2021, HEARING ON THE APPLICATION OF
ROLF, LISA, AND KARSTEN LORENTZEN, FILE NO. E20CT036**

David Spohr was the Hearing Examiner in this matter. Megan Kim participated in the hearing on behalf of the department.

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

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