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Title: AN ORDINANCE relating to extending the waiver for public benefit rating system and timberlands application fees; and amending Ordinance 1076, Section 4, as amended, and K.C.C. 20.36.040.

Sponsors: Dow Constantine, Larry Phillips

Indexes: Public Benefit Rating System

Code sections:

Attachments: 1. 15579.pdf, 2. 2006-0309 Hearing Notice.doc, 3. 2006-0309 Notice of Enactment.doc, 4. Staff Report 7-11-06

Date	Ver.	Action By	Action	Result
9/5/2006	1	Metropolitan King County Council	Hearing Held	
9/5/2006	1	Metropolitan King County Council	Passed	Pass
7/11/2006	1	Growth Management and Natural Resources Committee	Recommended Do Pass	Pass
7/10/2006	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE relating to extending the waiver for public benefit rating system and timberlands application fees; and amending Ordinance 1076, Section 4, as amended, and K.C.C. 20.36.040.

STATEMENT OF FACTS:

- Chapter 84.34 RCW authorizes counties to assess open space, agricultural lands, and timberlands based on their current use rather than their highest and best use in recognition of the public benefits that these uses provide.
- In 1992, the King County council approved Ordinance 1076 implementing the provisions of chapter 84.34 RCW and establishing procedures, rules and fees for the consideration of applications for public benefit rating system assessed valuation on "open space land" and for current use assessment on "farm and agricultural land" and "timber land" as those lands are

defined in RCW 84.34.020.

3. In doing so, the King County council found that it is in the best interest of the county to maintain, preserve, conserve and otherwise continue in existence adequate open space lands for the production of food, fiber and forest crops, and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the county and its citizens.

4. Since the establishment of King County's public benefit rating system, more than six hundred landowners have enrolled, resulting in protection of more than six thousand acres.

5. King County Comprehensive Plan policy E-101 directs that the county should use incentives to protect and restore the natural environment whenever practicable.

6. In order to facilitate applications to the public benefit rating system program, the King County council approved Ordinance 15137 amending K.C.C 20.36.040 to waive the application fee for the public benefit rating system in 2005.

7. The King County council appropriated funding to the water and land resources division in 2005 and 2006 to offset lost revenue for the fee waiver and to increase the number staff dedicated to outreach and monitoring for the public benefit rating system in 2005 and 2006.

8. With the implementation of the fee waiver and increase outreach to rural land owners, applications to the public benefit rating system program increased from fifty-six land owners in 2004, to eighty-four landowners in 2005.

8. The King County council would like to continue waive the application fee as a mechanism for facilitating participation in the public benefit rating system, and to extend the waiver to the timberlands program which provides an incentive to small forest land owners to continue forest uses.

9. Funds were appropriated to the water and land resources division in 2006 to support

continuation of the fee waiver. However, the authority to offer the fee waiver expired at the end of 2005.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 1076, Section 4, as amended, and K.C.C. 20.36.040 are each hereby amended to read as follows:

A. Except as provided in subsection C. of this section, the applicant shall pay a current use filing fee as provided in K.C.C. 27.10.230, payable to the King County of finance and business operations division, for each open space, farm and agricultural or timber land application filed in calendar year 1973 or thereafter.

B. In the case of all farm and agricultural land applications, whether the application is based on land within or outside of an incorporated area, the entire fee shall be collected and retained by the county. In the case of open space or timber land applications based on land in an incorporated area of the county, where the city legislative authority has set no filing fee, the county fee shall govern and the entire fee shall be collected and retained by the county. Where the city legislative authority has established a filing fee for open space or timber land applications based on land in an incorporated area of the county, fees as set forth in K.C.C. Title 27 shall be collected by the county from the applicant and the county shall pay the city one-half of the fee collected; provided, that in no event shall the amount paid to the city exceed the fee established by the city.

C. Public benefit rating system and timberlands application fees for lands in the unincorporated areas shall be waived from ((April 1, 2005,)) the effective date of this ordinance through December 31, ((2005)) 2007.

30 days prior, official paper

Newspaper: Seattle Times

Publish: 8/2/06

Public Hearing: Tuesday, Sept. 5, 2006