JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS

CONSENT AGENDA REQUEST

TO:	**Board of County Commissioners (BoCC)**
FROM:	**Josh Peters, DCD Director** **David Wayne Johnson, Associate Planner DCD**
DATE:	**November 4, 2024**
SUBJECT:	**HEARING NOTICE** re: Notice of Public Hearing for 2024 Open Space Tax Applications; Hearing to be held November 18, 2024 at 11:15 a.m.

STATEMENT OF ISSUE:

On August 5, 2024, the BoCC heard a presentation from DCD on a request to Amend the Open Space Tax Program adopting resolution with a new resolution to remove the requirement for the Hearing Examiner to hold the required public hearing and make a recommendation to the BoCC on either approval or denial on Open Space Tax applications. On September 16, 2024 the BoCC signed Resolution 50-0916-24R, effectively removing the requirement for a Hearing Examiner public hearing. Since a public hearing is required before the BoCC can either approve or deny an open space application under the program, staff is requesting the BoCC hold the public hearing on Monday November 18, 2024 at 11:15 am during their regular Board meeting, to hear a presentation of the staff report, take testimony and take action to either approve or deny pending applications CUA2022-00002, CUA2023-00001 & CUA2023-00002. The program requires that the public hearing receive notice in the local newspaper one time at least ten days before the hearing. Per the attached notice to be published on November 6, 2024 satisfies the public notice requirement.

ANALYSIS:

Staff has prepared the attached public notice and staff report reviewing, and analyzing the pending applications under the Open Space Tax Program, and making recommendations to the BoCC on either approval or denial, as well as the Public Benefit Rating for each application, which shall determine the amount of tax benefit each property owner should receive per the Jefferson County Assessor.

FISCAL IMPACT:

This request has no fiscal impact. If approved, the pending open space applications would have a fiscal impact to the assessed property tax of the subject parcels, however the impact is allowed under the program in exchange for the public benefit of preservation and protection of open space lands, including lands of high value, such as critical and environmentally sensitive areas, public access, transfer of development rights, and lands that assist in implementing the Jefferson County Comprehensive Plan.

RECOMMENDATION:

That the Board of Commissioners approve the attached notice for publication, and review the staff report prior to the public hearing.

REVIEWED BY:

Mark McCauley, County Administrator — Date 10/30/24

Please publish One (1) time: November 6, 2024

Contact Person: David Wayne Johnson
Bill to: Department of Community Development
621 Sheridan St.
Port Townsend, WA 98368

NOTICE OF PUBLIC HEARING

Current Use Open Space Tax Program Pending Applications for 2024

NOTICE IS HEREBY GIVEN that a public hearing is scheduled by the Jefferson County Board of Commissioners for ***MONDAY, November 18, 2024 at 11:15 a.m.*** in the Commissioners' Chambers, County Courthouse, 1820 Jefferson Street, Port Townsend, WA 98368 (HYBRID). Notice of said hearing is to be published in the official newspaper of Jefferson County.

The Jefferson County Departments of Community Development and Assessors are processing four (4) applications for consideration in the Open Space Tax Program for the Open Space designation: CUA2022-00002 Hood Canal Salmon Enhancement Group; CUA2024-00001 Zuker; and CUA2024-00002 Thorndyke LLC. Staff is requesting the Board review the staff report, hold the required public hearing, take testimony, and either approve or deny the applications.

The staff report and other information is available for viewing on the County website by visiting: www.co.jefferson.wa.us and follow this pathway – Services – Laserfiche Web Portal (username and password is: public) - Board of Commissioners – BOCC Agenda Packets – 2024 Weekly Agenda Items – 11 November 2024 – 111824 – HEARING re Open Space Tax Applications

You are welcome to participate in this hearing. You will need to join the meeting by 11:15 a.m. using the following methods: **VIRTUALLY:** Via the following Zoom, link: https://zoom.us/j/93777841705, **PHONE:** Dial 1-253-215-8782 and enter access code: 937-7784-1705# and press *9 to "raise your hand" to be called upon. Access for the hearing impaired can be accommodated using Washington Relay Service at 1-800-833-6384, or **IN-PERSON**

In addition, written testimony is also invited beginning on November 6th through November 18th at the end of the Public Hearing, unless extended by the Board of County Commissioners. Written public testimony may be submitted by **Email to:** jeffbocc@co.jefferson.wa.us You may view documents and testimony received by visiting: www.co.jefferson.wa.us and following this pathway – Services – Laserfiche Web Portal (username and password is: public) – Board of Commissioners – BOCC Agenda Packets – 2024 Weekly Agenda Items – 11 November 2024 – 111824 – HEARING re Open Space Tax Applications

You can also **Mail** your testimony to: Jefferson County Commissioners' Office; P.O. Box 1220, Port Townsend, WA 98368. Written testimony must be received by the Board of County Commissioners by the end of the hearing testimony period.

Signed this 4th day of November, 2024.

JEFFERSON COUNTY
BOARD OF COMMISSIONERS
/S/Kate Dean, Chair

JEFFERSON COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
621 Sheridan Street | Port Townsend, WA 98368 | Web: www.co.jefferson.wa.us/communitydevelopment
Tel: 360.379.4450 | Fax: 360.379.4451 | Email: dcd@co.jefferson.wa.us
Building Permits & Inspections | Development Consistency Review | Long Range Planning | Watershed Stewardship Resource Center

**COMMUNITY DEVELOPMENT
STAFF REPORT
TO
THE BOARD OF COUNTY COMMISSIONERS**

Re:	Current Use Tax Assessment (CUA) Open Space/Open Space Applications For 2024	))))	FINDINGS, CONCLUSIONS AND PROPOSED RECOMMENDATIONS
Case No.s:	CUA2022-00002 Hood Canal Salmon Enhancement Group (HCSEG) CUA2024-00001 Zuker CUA2024-00002 Thorndyke LLC	))))))	
Project Planner:	David Wayne Johnson	)	

BACKGROUND INFORMATION

The Open Space Taxation Act, enacted in 1970, allows property owners to have their open space, agricultural, and timber lands valued at their current use rather than at their highest and best use. The Act provides a property tax reduction as an incentive to preserve certain types of lands in their current use, when such preservation will provide a public and/or environmental benefit.

Chapter 84.34 RCW empowers the Jefferson County Board of Commissioners to adopt an open space program and public benefit rating system to evaluate lands proposed for open space current use assessment. Resolution No. 82-91 was passed by the Board August 12, 1991, and has served to guide citizens and the County in processing applications for participation in the Open Space Tax Program. Resolution No. 75-95 was adopted into the program in 1995 to address Tidelands, Shorelands and Buffers.

Applications for "Current Use Assessment" (CUA) are made through the Department of Community Development (DCD), but is not a Land Use application under Jefferson County Code. DCD evaluates the property per the public benefit ratings system (PBRS), while the Assessor determines the potential property tax reduction based on ratings points. Together, DCD and the Assessor make a recommendation for approval, or inclusion in the program and how much of a benefit or tax reduction the property owner should receive. The Board of County Commissioners (BoCC) then considers the recommendation and signs an Open Space Tax Agreement with the property owner upon approval of the application.

Of the 3 categories of the Open Space Taxation Act, Community Development administers the open space category while the Assessor administers the farm category. The timber category has been managed by Community Development for parcels under 20 acres, but due to statutory changes, timberlands can now be administered by the Assessor under 84.33 RCW Forestlands for all acreage sizes. Many counties have transferred their legacy 84.34 timber accounts to 84.33, which we may also do in the future.

APPLICATIONS

As noted in the heading of this report, there are three (3) applications that need to be reviewed and evaluated by staff, with a recommendation to the Board for either approval or denial for each, and how much tax benefit would be granted. The following table provides basic information on each of the applications.

Case No./Property Owner/ Address	**Parcel No. - Acres**	**Legal Description/Location**	**Zoning**
CUA2022-00002 Hood Canal Salmon Enhancement Group PO Box 2169 Belfair, WA 98528	702233006 - 54	S23 T27 R2W TAX 41 BND THRU BLA #139781 SUBJ/EASE, Located adjacent to 300 Glen Logie Road Quilcene, WA 98376	AL-20
CUA2024-00001 Zuker 175 Dabob Post Office Road Quilcene, WA 98376	801333001 - 21	S33 T28 R1W SW QUARTER(LY E'LY OF DABOB PO RD AND LY N'LY OF COYLE RD) LS TX 4, Located at 175 Dabob Post Office Road Quilcene, WA 98376	CF-80
CUA2024-00002 Thorndyke LLC 101 SW Madison St. Portland, OR 98376	701252001 - 104	S25 T27N R1W GOV LOTS 1(N900'),2(ALL),3(N1056') AND W1/4 OF SEC (E150' OF N3717.77' W/RD) - PARCEL B LOT CERT MLA22-00061/AF#658106, Located at 6267 Thorndyke Road, Quilcene, WA 98376	CF-80

PUBLIC BENEFIT RATING SYSTEM

In order to evaluate the benefit of the proposed property, Part IV Open Space Lands of the Open Space Tax Program makes use of a list of evaluation elements such as resources, assess to the site, transfer of development rights, County policy goals, and shoreland buffers, that if present on the property, can be claimed through a point system to determine the total number points. The total number of points is then used to determine the rating and current use value of the property as a percentage of the market value. For ease of use, staff has developed a worksheet for the applicant and staff to use to determine the rating of the property, and thus the current use value. A maximum of the 12, and a minimum of 5 points are required to qualify for a tax reduction under the program.

Based upon the applicants submitted PBRS worksheet, each application has been evaluated separately under the PBRS as described below (see attached public benefit rating system PBRS worksheets for each application). Staff evaluates the worksheets based upon the detailed descriptions under Section V, and

Section VI – Current Use Valuation. In some cases, a site visit may be necessary to confirm the existence of an element or category. If staff disagrees with the select of an element by the applicant, that will be noted on the PBRS worksheets that are attached to this report.

PBRS Summary Table

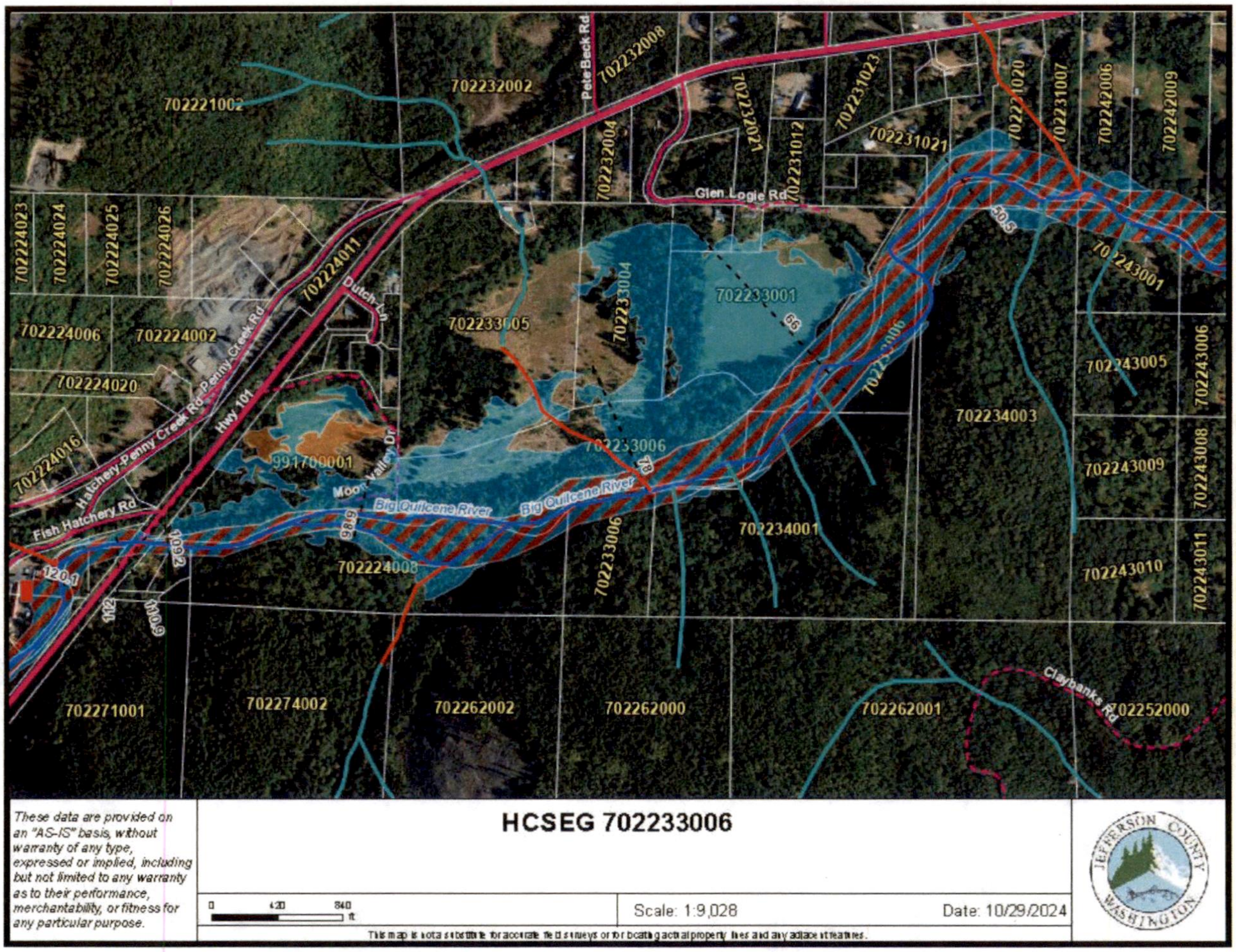
Evaluation Elements	CUA2022-00002 Points	CUA2024-00001 Points	CUA2024-00002 Points
High Priority Resources	4	2	2
Low Priority Resources			
Access	3		
Transfer of Development Rights	6	6	
County Policy Goals		1	
Shorelands and Buffers			11
Total Points (not less than 5 and not to exceed 12)	12	9	12
Current Use Assessment Valuation Schedule (percent of market value)	10%	30%	10%

PBRS ANALYSIS BY APPLICATION

CUA2022-00002 Hood Canal Salmon Enhancement Group

Applicant's Statement:
The Hood Canal Salmon Enhancement Group (HCSEG) purchased a 30-acre parcel along the Big Quilcene River in February 2022 (parcel ID# 702233006). HCSEG will also be purchasing a 24-acre portion of a neighboring property in October 2022 (parcel ID# 702233001). The two areas are being combined via boundary line adjustment into a single 54-acre parcel that will retain the #702233006 parcel ID. Once acquired, this area will be used for conservation purposes including the construction of a floodplain and salmon restoration project. The property will also be open to the public for recreational purposes. The properties currently carry separate land use designations. 702233006 is in Designated Forest Land and 702233001 is in Open Space Agriculture. HCSEG is requesting that these designations be removed from the property and be replaced with an Open Space designation. This change in designation is appropriate since it will most accurately reflect the future uses of the property.

PBRS Detail:
As stated above, the Big Quilcene River (see GIS map below), is within the Conservancy Shoreline Designation, runs through the parcel, and qualifies for 2 points as a High Priority Shoreline. One Hundred Year Flood Plains are associated with the river which qualifies for 2 points under the Floodplains category. Both High Priority Shoreline and Floodplains are categories under the High Priority Resources for a total of 4 points under that evaluation element.

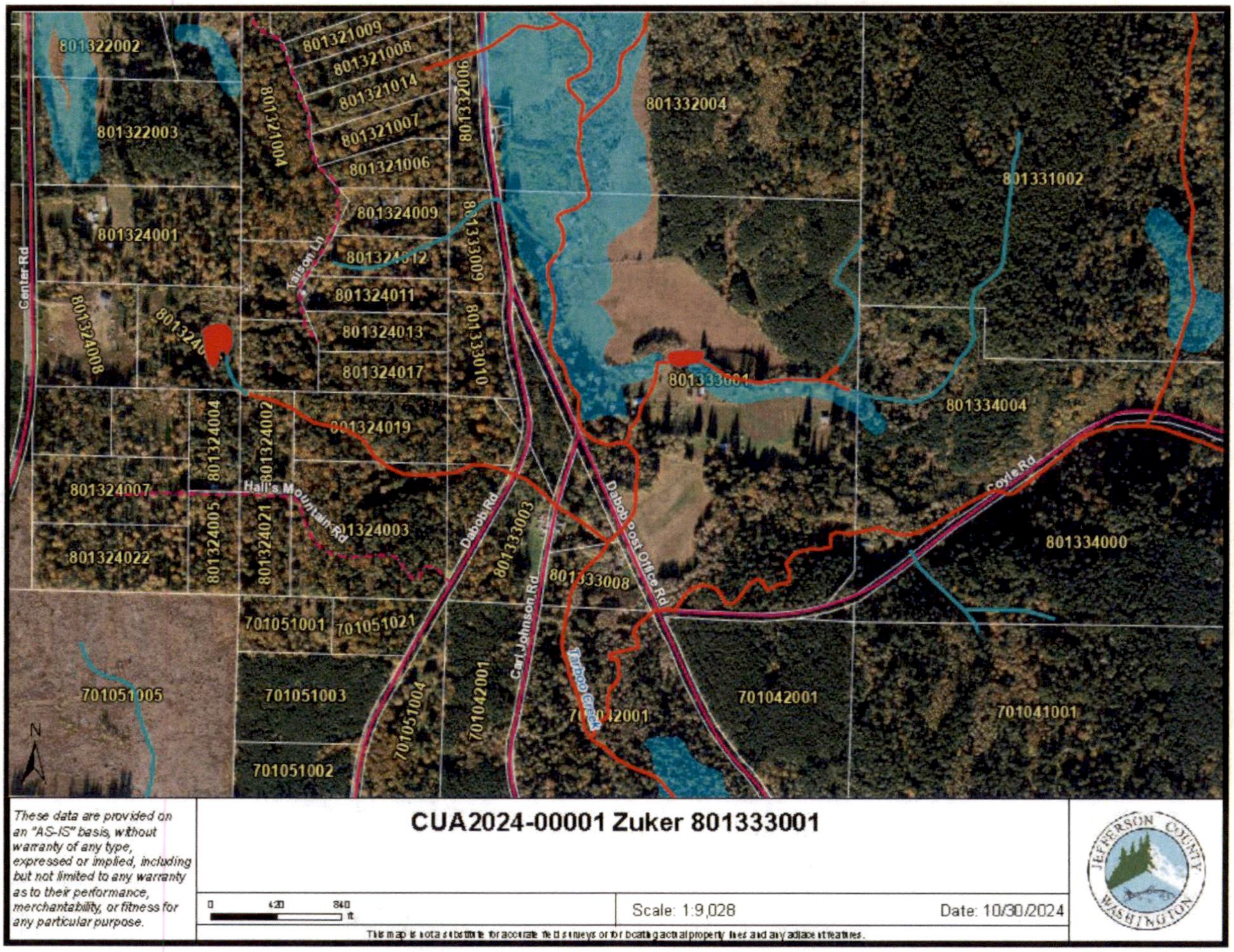


The applicant will offer the public access to the site for recreational purposes which qualifies for 3 points under the Access element. Signage to access the site will be required, and this will be a condition of approval on the Tax Agreement form (see attached Tax Agreement forms for each application).

A boundary line adjust was processed by DCD to include and acquire adjacent property that was in the Agriculture designation. Combined with the subject parcel being in the Forest Land Designation, the applicant is requesting transfer from these designations to the Open Space designation. This is considered a transfer of development rights and qualifies for 6 points under that element.

Since no more that 12 points per application is possible, this application should receive 12 points, which would correspond to a 10% of market value tax benefit under the current use assessment valuation schedule, Section VI.C.

CUA2024-00001 Zuker



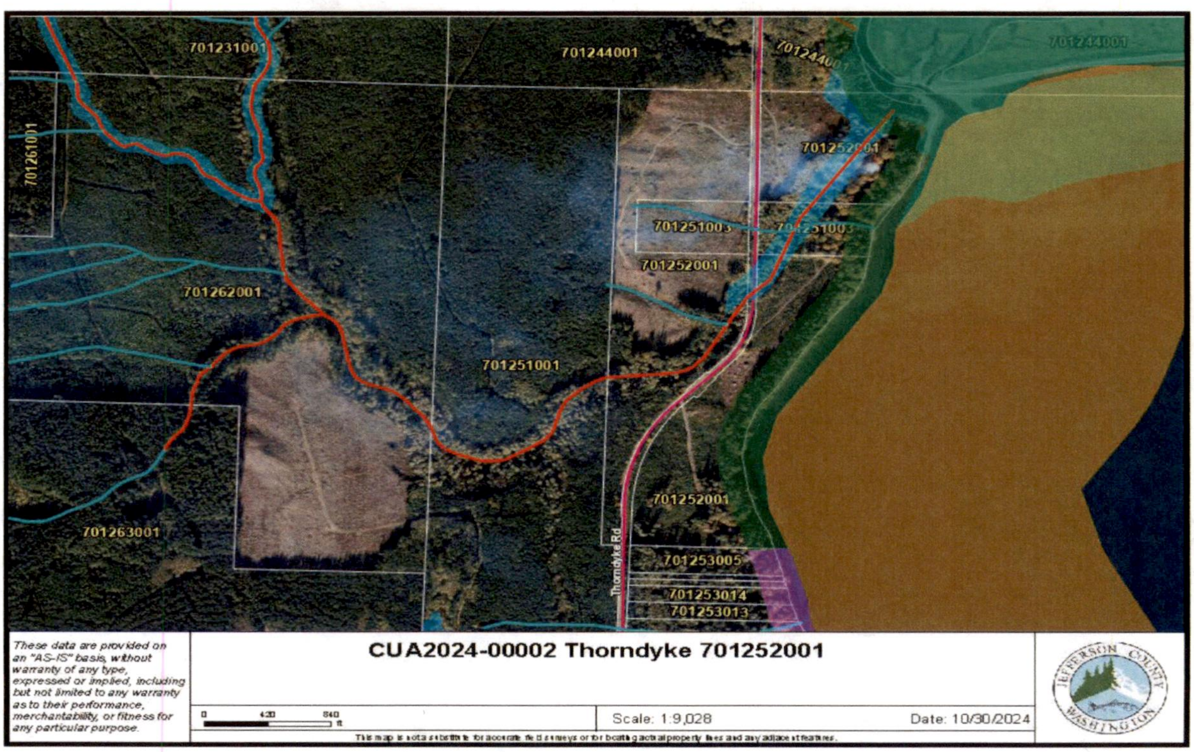
Applicant's Statement:
A portion of APN 801333001 is protected by a perpetual conservation easement (AFN 510365) held by Jefferson Land Trust, which permanently conserves it as open space. The conservation easement was acquired by Jefferson Land Trust in 2006, and protects in perpetuity the approximately 20.5-acre forested property's 'conservation values,' which include fish and wildlife habitat, scenic quality, and educational and scientific opportunity. The conservation easement restricts certain activities on the protected portion of the property, including any residential, agricultural, commercial, or industrial development or use. Jefferson Land Trust monitors the property annually to ensure the terms of the conservation easement are continuously honored.

PBRS Detail:
As stated above, 20.5 acres in the southern portion of the subject parcel of 112 acres is under a conservation easement in perpetuity, which is considered a transfer of development rights, and qualifies for 6 points under the PBRS. Within the conservation easement is a Type F stream, a tributary of Tarboo Creek (see GIS map above), with an associated buffer of 150 foot, which qualifies for 2 points as Surface Water Quality Buffer Area under the High Priority Resources element. Finally, the Type F stream meanders through undisturbed forest land that helps retain fish and wildlife habitat under the County Policy Goals (last bullet) and should receive 1 point under that element. A total of 9 points under the PBRS are possible with this application, corresponding to a 30% of market value tax benefit under the current use assessment valuation schedule, for the 20.5 acre conservation easement site only.

CUA2024-00002 Thorndyke LLC

Applicant's Statement:
None submitted.

PBRS Detail:
The parcel fronts the Hood Canal within the Natural Shoreline Designation, which qualifies for 2 points for High Priority Shorelines. Under the Tidelands, Shorelands, and Buffers element, the parcel qualifies for 11 points as Undisturbed Shoreland Buffers in the CF-80 zone, and designated as Forest Land. As a condition of approval, the buffer must remain as an undisturbed zone of native vegetation, of no less than 200 feet wide and 200 feet deep. A total of 12 points under the PBRS are possible with this application, corresponding to a 10% of market value tax benefit under the current use assessment valuation schedule.



STAFF FINDINGS & CONCLUSIONS

1. Processing of the subject applications is in accordance with the procedures and criteria under Part IV Open Space Land of the Jefferson County Open Space Tax Program (Res. 82-91 & 75-95) and RCW 84.34.037.

2. The subject applications are consistent with the Goals and Policies for Open Space/Open Space Tax Classification as set forth in the Jefferson County Open Space Tax Program, which in turn is consistent with the goals and policies of the Jefferson County Comprehensive Plan.

3. Agency Comments Received

4. Staff Response to Comments

5. Notice of Public Hearing
   RCW 84.34.037 requires that notice of the hearing shall have provide to the public by one publication in a local newspaper of general circulation in the area at least ten days before the hearing. Publication of Legal Notice: November 6, 2024 (Port Townsend-Jefferson County Leader)

6. Public Comments
   As of November __, 2024 no comments from the public have been received.

STAFF RECOMMENDATION

Based on the above findings, analysis, and conclusions, the applications for enrollment in the Jefferson County Open Space Tax Program as Open Space/Open Space Lands Current Use Assessment as described in this report, is hereby recommended for **APPROVAL** subject to the following conditions:

RECOMMENDED CONDITIONS

1. As required in Part I, Section 1, B of Resolution 82-91, prior to approval, the applicant shall provide certification of "no delinquent property tax" issued by the Jefferson County Treasurer. Approval will be denied if the landowner has failed to satisfy any judgments Jefferson County has obtained against the landowner, or if the landowner owes any fee to Jefferson County, or has failed to pay traffic fines or penalties of the Jefferson County District Court.
2. The applicant shall enter into an Open Space Taxation Agreement with the Jefferson County Board of County Commissioners. The executed agreement shall be recorded at the expense of the applicant.
3. Any compensating tax due at the time of the transfer shall be paid in full.
4. CUA2022-00002 shall provide and maintain signage for public access to the site.
5. CUA2024-00002 must continuously maintain an undisturbed zone of native vegetation, along the marine shoreline of the parcel, not less than 200 feet from the ordinary high water mark.

Prepared by Associate Lead Planner, David Wayne Johnson, November 1, 2024.
Materials for each application will be provided upon request: djohnson@co.jefferson.wa.us 360-379-4465

PBRS WORKSHEETS

CUA2022-00002

OPEN SPACE CURRENT USE TAX ASSESSMENT
PUBLIC BENEFIT RATING WORKSHEET

Applicant: Hood Canal Salmon Enhancement Group   Phone: 360-775-4967

Case Number/Site Address: TPN: 702233006 (subject to BLA)

HIGH PRIORITY RESOURCES	(2 points each)
Significant Archaeological and Historical Sites	
Significant Geologic and Shoreline Features	✓
High Priority Wetlands	✓
High Priority Shorelines	✓ Big Quilcene River Conservancy
Significant Fish and Wildlife Habitat Areas	✓
Special Animal and Plant Sites	
Public Water Supply Watersheds	
Surface Water Quality Buffer Areas	
Floodplains	✓ 100 year flood Plain
Urban Open Spaces	
Total	4

LOW PRIORITY RESOURCES	(1 point each)
Low Priority Shorelines	
Public Lands Buffer	✓
Scenic Vista	
Steep Unstable Slopes	
Prime Agricultural Lands	
Low Priority Wetlands	
Total	

Total Priority Resource Points (4 Points Max): 4

ACCESS

- Unlimited Public Access (signs required) (3 points) ✓
- Restricted Access due to Environmental Sensitivity (3 points) ____
- Some Public Access (1 point) ____

Total Access Points (3 Points Max): 3 Condition of Approval

TRANSFER OF DEVELOPMENT RIGHTS (TDR)

Conveyance recorded with the Auditor (6 points) ✓

AFN 237525 ? 1976
438221 DF
439613 DF 12/15/2000 Re-recorded

Total TDR Points (6 Points Max): 6

COUNTY POLICY GOALS (1 point each)

- Implements Jefferson County Parks, Recreation and Open Space Plan ______
- Provides buffer between conflicting uses ______
- Limits access, congestion and strip-commercial Development ______
- Preserves corridors for future public roads ______
- Enhances the value to the public of abutting or neighboring nature reservation, sanctuaries, or other open spaces ✓
- Assists in implementing the Jefferson County Comprehensive Plan by establishing open space corridors between urban growth areas or by retaining fish and wildlife habitat ✓

Total County Policy Goals Points 2
(2 Maximum Points)

TIDELANDS, SHORELANDS, AND BUFFERS (Resolution 75-95)

Undeveloped Shorelands Buffers (3 points)
Undeveloped zone of vegetation, adjacent to marine waters, of no less than 200 feet deep. Undeveloped means no permanent man-made alterations to the land. ______

Undisturbed Shorelands Buffers (11 points) adjacent to Marine undisturbed zone of native vegetation, adjacent to marine waters, of no less than 200 feet wide and 200 feet deep and backed by classified or designated forest lands [RCW84.33.035(2)] or open space timber land [RCW 84.34.020 (3)]. All characteristics must be continuously maintained to receive bonus points. ______

Aquaculture Tidelands (11 points)
Tidelands used for commercial growth and harvest of aquatic plants and animals. ______

Total Tidelands, Shorelands & Buffers Points 0

TOTAL PUBLIC BENEFIT RATING FOR ALL CATEGORIES ~~15~~ 13

12 Pts. Max

X = doesn't meet criteria
? = need more information
 = meets criteria

CUA2024-00001

OPEN SPACE CURRENT USE TAX ASSESSMENT
PUBLIC BENEFIT RATING WORKSHEET

Applicant Eugene Allday & Zoe Zuker Case Phone: 303-386-5480

Number/Site Address: 175 Dabob Post Office Rd, Quilcene, WA 98382 801333001

HIGH PRIORITY RESOURCES (2 points each)

Significant Archaeological and Historical Sites	
Significant Geologic and Shoreline Features	
High Priority Wetlands	
High Priority Shorelines	
Significant Fish and Wildlife Habitat Areas	2
Special Animal and Plant Sites	2
Public Water Supply Watersheds	
Surface Water Quality Buffer Areas	2
Floodplains	
Urban Open Spaces	
Total	

Type "F" Stream Tributary of Tarboo Creek

LOW PRIORITY RESOURCES (1 point each)

Low Priority Shorelines	
Public Lands Buffer	
Scenic Vista	
Steep Unstable Slopes	
Prime Agricultural Lands	
Low Priority Wetlands	
Total	

Total Priority Resource Points (4 Points Max) 2

ACCESS

- Unlimited Public Access (signs required) (3 points) ______
- Restricted Access due to Environmental Sensitivity (3 points) ______
- Some Public Access (1 point) ______

Total Access Points (3 Points Max) 0

TRANSFER OF DEVELOPMENT RIGHTS (TDR)

Conveyance recorded with the Auditor (6 points) 6
AFN 510365 2006

Land Trust Conservation Easement parcel 001333001 → ?

Total TDR Points (6 Points Max) 6

Correction needed

COUNTY POLICY GOALS (1 point each)

- Implements Jefferson County Parks, Recreation and Open Space Plan ______
- Provides buffer between conflicting uses ______
- Limits access, congestion and strip-commercial Development ______
- Preserves corridors for future public roads ______
- Enhances the value to the public of abutting or neighboring nature reservation, sanctuaries, or other open spaces ______
- Assists in implementing the Jefferson County Comprehensive Plan by establishing open space corridors between urban growth areas or by retaining fish and wildlife habitat 1 Type F Stream

Total County Policy Goals Points 1
(2 Maximum Points)

TIDELANDS, SHORELANDS, AND BUFFERS (Resolution 75-95)

Undeveloped Shorelands Buffers (3 points)
Undeveloped zone of vegetation, adjacent to marine waters, of no less than 200 feet deep. Undeveloped means no permanent man-made alterations to the land. ______

Undisturbed Shorelands Buffers (11 points) adjacent to Marine undisturbed zone of native vegetation, adjacent to marine waters, of no less than 200 feet wide and 200 feet deep and backed by classified or designated forest lands [RCW84.33.035(2)] or open space timber land [RCW 84.34.020 (3)]. All characteristics must be continuously maintained to receive bonus points. ______

Aquaculture Tidelands (11 points)
Tidelands used for commercial growth and harvest of aquatic plants and animals. ______

Total Tidelands, Shorelands & Buffers Points ______

TOTAL PUBLIC BENEFIT RATING FOR ALL CATEGORIES 9

X = doesn't meet criteria
? = need more information
= meets criteria

CUA2024-00002

OPEN SPACE CURRENT USE TAX ASSESSMENT
PUBLIC BENEFIT RATING WORKSHEET

Applicant THORNDYKE LLC / MARIA POPE Phone: 503-775-0831

Case Number/Site Address: 6267 Thorndyke, Quilcene, WA 98376

HIGH PRIORITY RESOURCES (2 points each)

Significant Archaeological and Historical Sites	
Significant Geologic and Shoreline Features	
High Priority Wetlands	
High Priority Shorelines	2 Natural Shoreline Designation
Significant Fish and Wildlife Habitat Areas	2
Special Animal and Plant Sites	
Public Water Supply Watersheds	
Surface Water Quality Buffer Areas	
Floodplains	
Urban Open Spaces	
Total	

LOW PRIORITY RESOURCES (1 point each)

Low Priority Shorelines	
Public Lands Buffer	
Scenic Vista	
Steep Unstable Slopes	
Prime Agricultural Lands	
Low Priority Wetlands	
Total	

Total Priority Resource Points (4 Points Max) ~~4~~ 2

ACCESS

- Unlimited Public Access (signs required) (3 points) ______
- Restricted Access due to Environmental Sensitivity (3 points) ______
- Some Public Access (1 point) ______

Total Access Points (3 Points Max) ______

TRANSFER OF DEVELOPMENT RIGHTS (TDR)

Conveyance recorded with the Auditor (6 points) ______
AFN ____________

Total TDR Points (6 Points Max) ______

COUNTY POLICY GOALS (1 point each)

- Implements Jefferson County Parks, Recreation and Open Space Plan ______
- Provides buffer between conflicting uses ______
- Limits access, congestion and strip-commercial Development ______
- Preserves corridors for future public roads ______
- Enhances the value to the public of abutting or neighboring nature reservation, sanctuaries, or other open spaces 1
- Assists in implementing the Jefferson County Comprehensive Plan by establishing open space corridors between urban growth areas or by retaining fish and wildlife habitat ______

Total County Policy Goals Points ~~1~~
(2 Maximum Points)

TIDELANDS, SHORELANDS, AND BUFFERS (Resolution 75-95)

Undeveloped Shorelands Buffers (3 points)
Undeveloped zone of vegetation, adjacent to marine waters, of no less than 200 feet deep. Undeveloped means no permanent man-made alterations to the land. ______

Undisturbed Shorelands Buffers (11 points) adjacent to Marine undisturbed zone of native vegetation, adjacent to marine waters, of no less than 200 feet wide and 200 feet deep and backed by classified or designated forest lands [RCW84.33.035(2)] or open space timber land [RCW 84.34.020 (3)]. All characteristics must be continuously maintained to receive bonus points. 11

CF-80
Forest Land

Condition of Approval

Aquaculture Tidelands (11 points)
Tidelands used for commercial growth and harvest of aquatic plants and animals. ~~11~~

Total Tidelands, Shorelands & Buffers Points ~~22~~ 11

TOTAL PUBLIC BENEFIT RATING FOR ALL CATEGORIES ~~27~~ 13

12 pts Total Max

X = doesn't meet criteria
? = need more information
= meets criteria

OPEN SPACE TAX AGREEMENTS

When Recorded Return to:

Jefferson County
Department of Community Development
621 Sheridan St.
Port Townsend, WA 98368

Open Space Taxation Agreement

Chapter 84.34 RCW

(To be used for "Open Space" and "Timber Land" Classification or Reclassification Only)

Property Owner Zoe Zuker & Eugene Allday

Property Address 175 Dabob Post Office Road, Quilcene, WA 98376

Legal Description S33 T28 R1W SW QUARTER(LY E'LY OF DABOB PO RD AND LY N'LY OF COYLE RD) LS TX 4,

Assessor's Property Tax Parcel or Account Number 801333001

Reference Numbers of Documents Assigned or Released CUA2024-00001

This agreement between Zoe Zuker & Eugene Allday

hereinafter called the "Owner", and Jefferson County

hereinafter called the "Granting Authority".

Whereas, the owner of the above described real property having made application for classification of that property under the provisions of Chapter 84.34 RCW. And whereas, both the owner and granting authority agree to limit the use of said property, recognizing that such land has substantial public value as open space and that the preservation of such land constitutes an important physical, social, esthetic, and economic asset to the public, and both parties agree that the classification of the property during the life of this agreement shall be for:

☒ **Open Space Land – RCW 84.34.020(1)(a) or (b)**

☐ **Farm and Agricultural Conservation Land (a sub classification of open space land) – RCW 84.34.020(1)(c)**

☐ **Timber Land – RCW 84.34.020(3)**

Now, therefore, the parties, in consideration of the mutual covenants and conditions set forth herein, do agree as follows:

1. During the term of this agreement, the land shall be used only in accordance with its classified use.
2. No structures shall be built upon such land except those directly related to, and compatible with, the classified use of the land.
3. This agreement shall be effective commencing on the date the legislative body receives the signed agreement from the property owner and shall remain in effect until the property is withdrawn or removed from classification.
4. This agreement shall apply to the parcels of land described herein and shall be binding upon the heirs, successors and assignees of the parties hereto.
5. A request may be filed with the assessor to withdraw from the program after the land has been classified for 10 or more years. No 20% penalty will be imposed. The applicable taxes and interest shall be imposed as provided in RCW 84.34.070.

6. After the effective date of this agreement, any change in use of the land, except through compliance with items (5), (7), (9), or (10), shall be considered a **breach** of this agreement, and shall be subject to removal of classification and liable for additional tax, interest, and penalty as provided in RCW 84.34.080 and RCW 84.34.108.
7. A **breach** of agreement shall not have occurred and the additional tax shall not be imposed if removal of classification resulted solely from:
   a) Transfer to a governmental entity in exchange for other land located within the State of Washington;
   b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power in anticipation of the exercise of such power and having manifested its intent in writing or by other official action;
   c) A natural disaster such as a flood, windstorm, earthquake, wildfire or other such calamity rather than by virtue of the act of the landowner changing the use of such property;
   d) Official action by an agency of the State of Washington or by the county or city where the land is located disallowing the present use of such land
   e) Transfer of land to a church when such land would qualify for exemption pursuant to RCW 84.36.020;
   f) Acquisition of property interests by state agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 for the purposes enumerated in those sections (see RCW 84.34.108(6)(f));
   g) Removal of land classified as farm and agricultural land under RCW 84.34.020(2)(f);
   h) Removal of land from classification after enactment of a statutory exemption that qualifies the land for exemption and receipt of notice from the owner to remove the land from classification;
   i) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120;
   j) The creation, sale, or transfer of a fee interest or a conservation easement of private forest lands within unconfined channel migration zones or containing critical habitat for threatened or endangered species under RCW 76.09.040;
   k) The sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as forest land under chapter 84.33 RCW, or under chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used; or
   l) The discovery that the land was classified in error through no fault of the owner.
8. The county assessor may require an owner to submit data relevant to continuing the eligibility of any parcel of land described in this agreement.
9. The owner may apply for reclassification of the land if reclassification is permissible under RCW 84.34.070.
10. Changes to the conditions of this agreement could result in the re-rating of the parcel by the granting authority, subject to a public hearing, and may result in a change in assessed value. If the granting authority approves the changes in conditions, a revised agreement may be required.

The parcel(s) of land described in this agreement is subject to the following conditions:

1. As required in Part I, Section 1, B of Resolution 82-91, prior to approval, the applicant shall provide certification of "no delinquent property tax" issued by the Jefferson County Treasurer. Approval will be denied if the landowner has failed to satisfy any judgments Jefferson County has obtained against the landowner, or if the landowner owes any fee to Jefferson County, or has failed to pay traffic fines or penalties of the Jefferson County District Court.
2. The applicant shall enter into an Open Space Taxation Agreement with the Jefferson County Board of County Commissioners. The executed agreement shall be recorded at the expense of the applicant.
3. Any compensating tax due at the time of the transfer shall be paid in full.

The parcel(s) of land described in this agreement may be used in the following manner:

See Conservation Easment AFN 510365

The parcel(s) of land described in this agreement may be removed if the land is used in the following manner:

It is declared that this agreement specifies the classification and conditions as provided for in Chapter 84.34 RCW and the conditions imposed by this Granting Authority. This agreement to tax according to the use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070).

Dated ______________________ ______________________________
Signature(s) of County and/or City Legislative Authority

____
Title

Dated ______________________ ______________________________
Signature(s) of County and/or City Legislative Authority

____
Title

Dated ______________________ ______________________________
Signature(s) of County and/or City Legislative Authority

____
Title

As owner(s) of the herein-described land I/we indicated by my/our signature(s) that I am/we are aware of the potential tax liability and hereby accept the classification and conditions of this agreement.

____
Owner(s)

Dated ______________________ ______________________________
(Must be signed by all owners)

Date signed agreement received by Legislative Authority ______________________________

Prepare in triplicate with one copy to each of the following: Owner, Granting Authority, and County Assessor

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When Recorded Return to:

Jefferson County
Department of Community Development
621 Sheridan St.
Port Townsend, WA 98368

Open Space Taxation Agreement

Chapter 84.34 RCW

(To be used for "Open Space" and "Timber Land" Classification or Reclassification Only)

Property Owner Hood Canal Salmon Enhancement Group

Property Address Adjacent to 300 Glen Logie Road Quilcene, WA 98376

Legal Description S23 T27 R2W TAX 41 BND THRU BLA #139781 SUBJ/EASE, Located adjacent to 300 Glen Logie Road
Quilcene, WA 98376

Assessor's Property Tax Parcel or Account Number 702233006

Reference Numbers of Documents Assigned or Released CUA2022-00002

This agreement between Hood Canal Salmon Enhancement Group

hereinafter called the "Owner", and Jefferson County

hereinafter called the "Granting Authority".

Whereas, the owner of the above described real property having made application for classification of that property under the provisions of Chapter 84.34 RCW. And whereas, both the owner and granting authority agree to limit the use of said property, recognizing that such land has substantial public value as open space and that the preservation of such land constitutes an important physical, social, esthetic, and economic asset to the public, and both parties agree that the classification of the property during the life of this agreement shall be for:

☒ **Open Space Land – RCW 84.34.020(1)(a) or (b)**

☐ **Farm and Agricultural Conservation Land (a sub classification of open space land) – RCW 84.34.020(1)(c)**

☐ **Timber Land – RCW 84.34.020(3)**

Now, therefore, the parties, in consideration of the mutual covenants and conditions set forth herein, do agree as follows:

1. During the term of this agreement, the land shall be used only in accordance with its classified use.
2. No structures shall be built upon such land except those directly related to, and compatible with, the classified use of the land.
3. This agreement shall be effective commencing on the date the legislative body receives the signed agreement from the property owner and shall remain in effect until the property is withdrawn or removed from classification.
4. This agreement shall apply to the parcels of land described herein and shall be binding upon the heirs, successors and assignees of the parties hereto.
5. A request may be filed with the assessor to withdraw from the program after the land has been classified for 10 or more years. No 20% penalty will be imposed. The applicable taxes and interest shall be imposed as provided in RCW 84.34.070.

6. After the effective date of this agreement, any change in use of the land, except through compliance with items (5), (7), (9), or (10), shall be considered a **breach** of this agreement, and shall be subject to removal of classification and liable for additional tax, interest, and penalty as provided in RCW 84.34.080 and RCW 84.34.108.
7. A **breach** of agreement shall not have occurred and the additional tax shall not be imposed if removal of classification resulted solely from:
   a) Transfer to a governmental entity in exchange for other land located within the State of Washington;
   b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power in anticipation of the exercise of such power and having manifested its intent in writing or by other official action;
   c) A natural disaster such as a flood, windstorm, earthquake, wildfire or other such calamity rather than by virtue of the act of the landowner changing the use of such property;
   d) Official action by an agency of the State of Washington or by the county or city where the land is located disallowing the present use of such land
   e) Transfer of land to a church when such land would qualify for exemption pursuant to RCW 84.36.020;
   f) Acquisition of property interests by state agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 for the purposes enumerated in those sections (see RCW 84.34.108(6)(f));
   g) Removal of land classified as farm and agricultural land under RCW 84.34.020(2)(f);
   h) Removal of land from classification after enactment of a statutory exemption that qualifies the land for exemption and receipt of notice from the owner to remove the land from classification;
   i) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120;
   j) The creation, sale, or transfer of a fee interest or a conservation easement of private forest lands within unconfined channel migration zones or containing critical habitat for threatened or endangered species under RCW 76.09.040;
   k) The sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as forest land under chapter 84.33 RCW, or under chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used; or
   l) The discovery that the land was classified in error through no fault of the owner.
8. The county assessor may require an owner to submit data relevant to continuing the eligibility of any parcel of land described in this agreement.
9. The owner may apply for reclassification of the land if reclassification is permissible under RCW 84.34.070.
10. Changes to the conditions of this agreement could result in the re-rating of the parcel by the granting authority, subject to a public hearing, and may result in a change in assessed value. If the granting authority approves the changes in conditions, a revised agreement may be required.

The parcel(s) of land described in this agreement is subject to the following conditions:

1. As required in Part I, Section 1, B of Resolution 82-91, prior to approval, the applicant shall provide certification of "no delinquent property tax" issued by the Jefferson County Treasurer. Approval will be denied if the landowner has failed to satisfy any judgments Jefferson County has obtained against the landowner, or if the landowner owes any fee to Jefferson County, or has failed to pay traffic fines or penalties of the Jefferson County District Court.
2. The applicant shall enter into an Open Space Taxation Agreement with the Jefferson County Board of County Commissioners. The executed agreement shall be recorded at the expense of the applicant.
3. Any compensating tax due at the time of the transfer shall be paid in full.
4. Requires signage for public access to the site.

The parcel(s) of land described in this agreement may be used in the following manner:

Salmon Restoration Project, public access for recreation.

The parcel(s) of land described in this agreement may be removed if the land is used in the following manner:

It is declared that this agreement specifies the classification and conditions as provided for in Chapter 84.34 RCW and the conditions imposed by this Granting Authority. This agreement to tax according to the use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070).

Dated ______________________ ______________________________
Signature(s) of County and/or City Legislative Authority

____
Title

Dated ______________________ ______________________________
Signature(s) of County and/or City Legislative Authority

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Title

Dated ______________________ ______________________________
Signature(s) of County and/or City Legislative Authority

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Title

As owner(s) of the herein-described land I/we indicated by my/our signature(s) that I am/we are aware of the potential tax liability and hereby accept the classification and conditions of this agreement.

____
Owner(s)

Dated ______________________ ______________________________
(Must be signed by all owners)

Date signed agreement received by Legislative Authority ______________________________

Prepare in triplicate with one copy to each of the following: Owner, Granting Authority, and County Assessor

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Department of Community Development
621 Sheridan St.
Port Townsend, WA 98368

Open Space Taxation Agreement

Chapter 84.34 RCW

(To be used for "Open Space" and "Timber Land" Classification or Reclassification Only)

Property Owner Thorndyke LLC

Property Address 6167 Thorndyke Road, Port Ludlow, WA 98365

Legal Description S25 T27N R1W GOV LOTS 1(N900'),2(ALL),3(N1056') AND W1/4 OF SEC (E150' OF N3717.77' W/RD) -PARCEL B LOT CERT MLA22-00061/AF#658106

Assessor's Property Tax Parcel or Account Number 701252001

Reference Numbers of Documents Assigned or Released CUA2024-00002

This agreement between Thorndyke LLC -101 SW Madison St. Portland, OR 98376

hereinafter called the "Owner", and Jefferson County

hereinafter called the "Granting Authority".

Whereas, the owner of the above described real property having made application for classification of that property under the provisions of Chapter 84.34 RCW. And whereas, both the owner and granting authority agree to limit the use of said property, recognizing that such land has substantial public value as open space and that the preservation of such land constitutes an important physical, social, esthetic, and economic asset to the public, and both parties agree that the classification of the property during the life of this agreement shall be for:

☒ **Open Space Land – RCW 84.34.020(1)(a) or (b)**

☐ **Farm and Agricultural Conservation Land (a sub classification of open space land) – RCW 84.34.020(1)(c)**

☐ **Timber Land – RCW 84.34.020(3)**

Now, therefore, the parties, in consideration of the mutual covenants and conditions set forth herein, do agree as follows:

1. During the term of this agreement, the land shall be used only in accordance with its classified use.
2. No structures shall be built upon such land except those directly related to, and compatible with, the classified use of the land.
3. This agreement shall be effective commencing on the date the legislative body receives the signed agreement from the property owner and shall remain in effect until the property is withdrawn or removed from classification.
4. This agreement shall apply to the parcels of land described herein and shall be binding upon the heirs, successors and assignees of the parties hereto.
5. A request may be filed with the assessor to withdraw from the program after the land has been classified for 10 or more years. No 20% penalty will be imposed. The applicable taxes and interest shall be imposed as provided in RCW 84.34.070.

6. After the effective date of this agreement, any change in use of the land, except through compliance with items (5), (7), (9), or (10), shall be considered a **breach** of this agreement, and shall be subject to removal of classification and liable for additional tax, interest, and penalty as provided in RCW 84.34.080 and RCW 84.34.108.
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   b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power in anticipation of the exercise of such power and having manifested its intent in writing or by other official action;
   c) A natural disaster such as a flood, windstorm, earthquake, wildfire or other such calamity rather than by virtue of the act of the landowner changing the use of such property;
   d) Official action by an agency of the State of Washington or by the county or city where the land is located disallowing the present use of such land
   e) Transfer of land to a church when such land would qualify for exemption pursuant to RCW 84.36.020;
   f) Acquisition of property interests by state agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 for the purposes enumerated in those sections (see RCW 84.34.108(6)(f));
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2. The applicant shall enter into an Open Space Taxation Agreement with the Jefferson County Board of County Commissioners. The executed agreement shall be recorded at the expense of the applicant.
3. Any compensating tax due at the time of the transfer shall be paid in full.

The parcel(s) of land described in this agreement may be used in the following manner:

Open Space - undisturbed zone of native vegetation, along the marine shoreline of the parcel, not less than 200 feet from the ordinary high water mark.

The parcel(s) of land described in this agreement may be removed if the land is used in the following manner:

It is declared that this agreement specifies the classification and conditions as provided for in Chapter 84.34 RCW and the conditions imposed by this Granting Authority. This agreement to tax according to the use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070).

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Owner(s)

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