

COUNTY COMMISSIONERS

Cathy Wolfe
District One

Sandra Romero
District Two

Karen Valenzuela
District Three



PLANNING DEPARTMENT

Creating Solutions for Our Future

Scott Clark
Director

**PLANNING COMMISSION
PROPOSED 2011 OPEN SPACE-OPEN SPACE
TAX PROGRAM APPLICATION
PUBLIC HEARING**

Individuals wishing to speak on Public Hearing items need to sign in on the sheet provided for that purpose upon entering the public hearing room, and mark the appropriate box indicating a desire to speak. When the Planning Commission addresses that specific item, anyone wishing to offer comments will be permitted up to three (3) minutes to offer his or her statement to the Commission regarding the proposed amendment. Any deviation of the above time limit must be approved by the Commission before commencing any presentation by members of the general public.

At the conclusion of the public hearing, the Planning Commission may discuss the proposed amendments, make changes, or make a decision.

The decision of the Planning Commission is advisory to the Thurston County Board of Commissioners. Following the recommendation by the Planning Commission, the recommendation will be forwarded to the Thurston County Board of Commissioners for final consideration.

Any meetings, open houses, or public hearings will be advertised as required by the Thurston County Code, RCW 36.70A The Growth Management Act, or other applicable state laws.



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Tab 1. Public Hearing Notice

Tab 2. Memorandum to Planning Commission

Tab 3. Wald Staff Report and Application

Public Hearing Notice



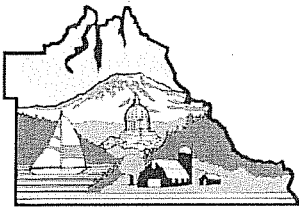
**NOTICE OF PUBLIC HEARING
FOR THE THURSTON COUNTY
PLANNING COMMISSION**

The Thurston County Planning Commission will hold two public hearings on September 7, 2011 at 7:00 p.m., in Room 129, Building #2 Superior Court, of the Thurston County Courthouse Complex, 2000 Lakeridge Drive SW, Olympia, Washington, 98502. The purpose of the first hearing is to accept public comment on the draft regulations relating to the designation of mineral resource lands criteria as required by the Western Washington Growth Management Hearings Board Final Decision Order. The purpose of the second hearing is to accept public comment on an application proposing to be accepted into the open space tax program. The parcel in the application: 11918310000. The open space program allows the land to remain open and preserve wildlife by giving property owners incentive to not develop to the fullest potential by lowering the taxes on the accepted applications.

The Planning Commission will go into a work session at the conclusion of each of the hearings. The draft ordinance is available for review at the Thurston County Permit Assistance Center in the Thurston County Courthouse, and online at http://www.co.thurston.wa.us/permitting/Mineral_Lands_Task_Force/Mineral_Lands_Home.htm

Those wishing to testify should appear and be heard. If unable to attend, mailed and email comments must be received by September 7, 2011 by 4:00 pm. Send letters to Olivia Story, Assistant Planner, Thurston County Courthouse 2nd Floor, 2000 Lakeridge Drive SW, Olympia, WA, 98502 or to storyo@co.thurston.wa.us. Or contact her at (360) 754-3355 ext. 5477 for more information. If you need special accommodations to participate, please call (360) 754-4001 by 10:00 a.m. at least three days prior to the meeting. Ask for the ADA Coordinator. Citizens with hearing impairments may call the TDD line at (360) 754-2933.

Memorandum to Planning Commission



THURSTON COUNTY
WASHINGTON
SINCE 1852

COUNTY COMMISSIONERS

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MEMORANDUM

SUBJECT: Planning Commission Consideration of an Open Space Application

Planning Commissioners,

Staff completed its review of the open space tax program application, considered the merits of the proposal, and found it to be appropriate for the open space tax classification and an asset to the County. After the public hearing on September 7, 2011, a vote may be taken and recommendations made accordingly. The following is a brief outline of the application in question:

Wald Property

- 21.32 acres
- Farm and Agricultural Conservation Land (FACL), 3 points
- Significant Wildlife Habitat Areas, 3 points
- public land buffers, 2 points
- Conservation easement with the Department of Natural Resources
- Total reduction: 90%
- Estimated Tax Shift: \$2,018
- Recommendation: approval

If you have any questions, please contact me at (360) 754-3355 x5477

Olivia Story

Wald Property

**STAFF REPORT
APPLICATION FOR OPEN SPACE CLASSIFICATION**

Date	September 7, 2011
Applicant	Alan and Pat B. Wald
Address	6973 Woodard Bay Rd NE, Olympia, WA 98506
Location of Property	North Thurston County, near Woodard Bay
Acres in Application	21.32
Parcel number(s)	11918310000

A. Site Characteristics & Context

The parcel under consideration totals 22.32 acres with 21.32 for the open space—open space tax program. The existing home site and accessory buildings occupy 1 acre, and are not part of this application. This property was previously in the Open Space-Agricultural tax program administered by the assessor's office. Unfortunately, the applicant was not able to meet the minimum income requirements to remain in that program. However, they do qualify for the open space-open space tax program. The property owners are applying for a high priority classification of Farm and Agricultural Conservation Land (FACL), and Significant Wildlife Habitat Areas. The property owners are also applying for a medium priority resource classification as Public Land Buffers with no public access. The zoning of the site is Rural Residential/Resource 1 unit per 5 acres (RRR 1/5). The land to the north south, and west are also zoned RRR 1/5. The property to the east is zoned Public Parks Trails and Preserves (PP). The City of Olympia Urban Growth Area is located approximately 3 miles to the south of the subject property. The property has a conservation easement through the Washington State Department of Natural Resources, in the Natural Area Program.



B. Public Benefit Rating System

1. For which Priority Resources categories does the property qualify?
 - Farm and Agriculture Conservation Land (FACL)
 - Significant Wildlife Habitat Areas
 - Public Land Buffers
2. Which public access category has the property owner agreed to?
 - No public access
3. Does a conservation easement or historic easement apply to the property?
 - Yes, through Washington State Department of Natural Resources
4. Summary of Public Benefit rating:

Category	Points
Farm and Agriculture Conservation Land	3
Significant Wildlife Habitat Areas	3
Public Land Buffers	2
TOTAL	8

5. Estimated tax shift:

The property is eligible for 8 points under the Thurston County Public Benefit Rating System, plus a conservation easement, qualifying the property for a 90% reduction in market value. The following estimate shows the existing tax shift under the current tax rate, the proposed tax shift under the Open Space-Open Space Program and the estimated difference:

Land Value	149,460	
Avg Levy Rate	x 0.015	
Current Taxes Paid		\$2,241.90
Land Value	\$149,460	
Reduction Percent	x 90%	
Assessment With Reduction		\$134,514
Land Value	\$149,460	
Reduction	- \$134,514	
Land Value under Program		\$14,946
Reduced Value	\$14,946	
Avg Levy Rate	x 0.015	
Tax Paid Under Program		\$224
Current Taxes Paid	\$2,242	
Tax Paid Under Program	- \$224	
Estimated Tax Shift:		\$2,018

Note: These estimates are based on Thurston County Assessor averages. Actual taxes will vary from year to year as the property's base market value changes.

C. Additional Considerations

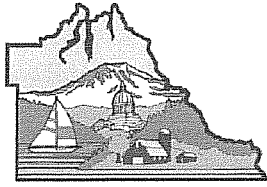
1. *Does the property meet the definition of open space?*
Yes, minimum eligibility requirements ensure that only properties meeting the open space classifications definitions could be classified as open space.

2. *Any other factors relevant to the application in weighing the benefits to the public?*
Protecting this property from further development will prevent further potential storm water runoff from impervious surfaces and potential septic tank problems associated with development, and contribute to the protection of the wetland and water quality. The management of the property as open space is consistent with other properties in the area.

D. Recommendation

Staff recommends approval of classification of 21.32 acres owned by Alan and Pat B. Wald as open-space land for current use assessment.

- Attachments:
1. Application form
 2. Conservation plan
 3. Site map
 4. Aerial photo



THURSTON COUNTY
SINCE 1852

Thurston County Development Services

2000 Lakeridge Dr. SW
Olympia, WA 98502
(360)786-5490 / (360)754-2939 (Fax)
Email: permit@co.thurston.wa.us
www.co.thurston.wa.us/permitting

OPEN SPACE CLASSIFICATION APPLICATION
FOR CURRENT USE-BASED PROPERTY TAX ASSESSMENT

IMPORTANT: Please read the Instructions, Things to Know, and Eligibility Criteria sheets before completing this form.

Name(s) of Applicant(s) ALAN AND PAT B. WALD
Mailing Address 6943 WOODARD BAY RD NE Day Phone Number(s) 754 7383
754 4590
Tax Parcel Number(s) 11918310000
General Location of Property

SIG T19 N R 1 W N. THURSTON COUNTY, NR. WOODARD BAY

1. Legal Interest in Property:
 Owner Contract Purchaser Other (Describe) _____
2. Total Acreage of Property 22.32
3. Acreage to be Enrolled in Open Space Program 21.32
4. What is the Property Currently Used for? AGRIC.
5. What kind of public access do you propose? (Note: Public access is not required for program eligibility.)
 None
 Partial Access (1 point): Public access on a seasonal basis or access by members of the organization utilizing the facility.
 Substantial Access (2 points): Year-round access to members and available to the public upon special arrangement. Any user fees may not exceed three times the average cost for members.
 Unlimited Access (4 points): Year-round access to the public without special arrangement.

Please describe or explain:

6. Do you propose to apply a conservation easement or historic easement to your property?

- Yes (type: WDNR NATURAL AREAS CONSERVATION EASEMENT ON 15 AC.) Does one exist now? Yes (type: _____) No

Who will hold (or does hold) the easement? WA. DEPT OF NATURAL RESOURCES NATURAL AREAS PROGRAM

7. Is the open space area dedicated under zoning or subdivision ordinance requirements or used to achieve the maximum development potential under zoning?

- Yes No

8. Before completing this part of the application, use the blue "Eligibility Criteria Checklist" to determine if your property qualifies for any of the Priority Resource categories. (Property must be eligible for at least one Priority Resource and at least 3 points in order to be classified as open space.) Use the list below to indicate which Priority Resource categories you can document eligibility for. Refer to the gray "Help List" for sources of assistance, if needed.

HIGH PRIORITY RESOURCES (3 points each)

Acres

- _____ a. Archaeological Sites
- 6.32 b. Farm and Agricultural Conservation Land (FACL)
- _____ c. Fish-Rearing Habitat--Ponds and Streams
- _____ d. Geological and Shoreline Features
- _____ e. Historical Sites
- _____ f. Private Recreation Areas
- _____ g. Rural Open Space Close to Urban or Growth Areas

LAND IN CONSERVATION EASEMENT NO LONGER ELIGIBLE FOR CLASS. AS AGRIC LAND (15 AC) FARM PLAN ATTACHED NO NON-FARM USES ON 6.32 AC. WILL CONTINUE TO BE FARMED.

6.32 plus 15

- _____ h. Significant Wildlife Habitat Areas
- _____ i. Special Plant Sites
- _____ j. Urban or Growth Area Open Space

INCLUDING FISH REARING HABITAT, PONDS & STREAMS CONSERVATION MANAGEMENT PLAN AND BASELINE STUDY WITH PHOTOS ATTACHED

MEDIUM PRIORITY RESOURCES (2 points each)

Acres

- 6.32 a. Public Land Buffers
- _____ b. Scenic Vista or Resources

ADJACENT TO WDNR NATURAL AREAS ON 3 SIDES AS SHOWN ON AERIAL PHOTO

LOW PRIORITY RESOURCES (1 point each)

Acres

- _____ a. Resource Restoration

9. **IMPORTANT! Read all of the following information regarding tax liabilities before signing this application form.**

You will owe to the County the following additional taxes, interest and penalties when your property is removed or withdrawn from current use classification. The following is a summary of state law. Consult RCW Chapter 84.34 for details.

STATEMENT OF ADDITIONAL TAX, INTEREST, AND PENALTY DUE UPON REMOVAL OF CLASSIFICATION:

- A. Upon removal of classification, an additional tax shall be imposed which shall be due and payable to the county treasurer 30 days after removal or upon sale or transfer, unless the new owner has signed the Notice of Continuance. The additional tax shall be the sum of the following:
- a. The difference between the property tax paid as "Open Space Land" and the amount of property tax otherwise due and payable for the last seven years had the land not been so classified; plus
 - b. Interest upon the amounts of the difference (a), paid at the same statutory rate charged on delinquent property taxes.
 - c. A penalty of 20% shall be applied to the additional tax if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal process, or except as a result of those conditions listed in (B) below.
- B. The additional tax, interest, and penalty specified in (8A) above shall not be imposed if removal 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 of eminent domain in anticipation of the exercise of such power.
 - c. A natural disaster such as a flood, windstorm, earthquake, 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 disallows the present use of such land.
 - e. Transfer of land to a church when such land would qualify for property tax 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 (See RCW 84.34.108(6)(f)).
 - g. Removal of land classified as farm & agricultural land under RCW 84.34.020(2)(e) (farm homesite).



Woodard Bay Natural Resources Conservation Area Management Plan

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March 2002

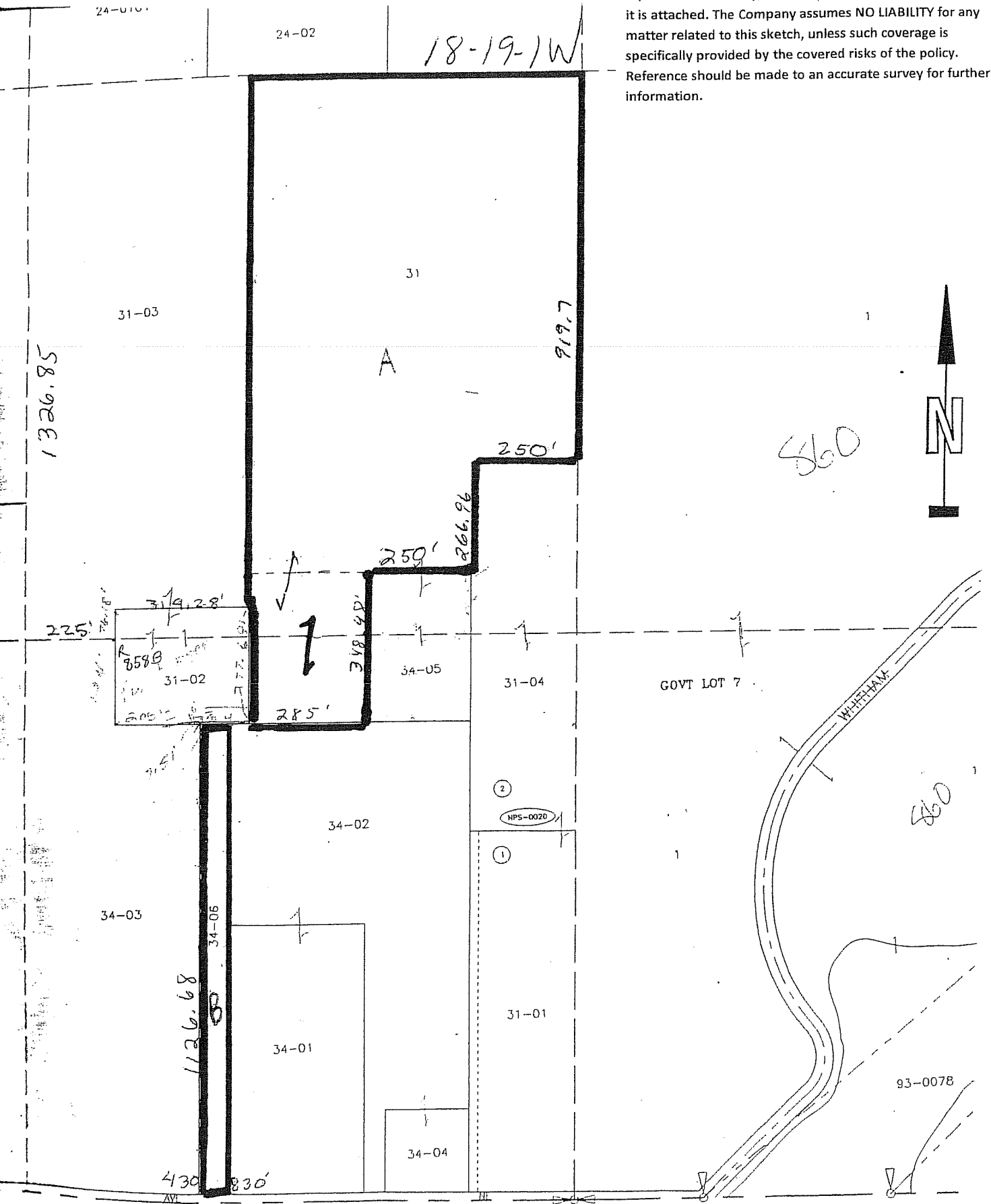
FIRST PART OF
CONSERVATION PROPOSAL
(DOCUMENT ATTACHED
AS DIGITAL FILE)



WASHINGTON STATE DEPARTMENT OF
Natural Resources

Doug Sutherland - Commissioner of Public Lands

This sketch is provided, without charge, for your information. It is not intended to show all matters related to the property, including, but not limited to, area, dimensions, easements, encroachments, or location of boundaries. It is not a part of, nor does it modify, the commitment or policy to which it is attached. The Company assumes NO LIABILITY for any matter related to this sketch, unless such coverage is specifically provided by the covered risks of the policy. Reference should be made to an accurate survey for further information.



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AC CONSERVATION EASEMENT OPEN SPACE

NATURAL PHOTO

FARM OPEN SPACE



1 AC
HAYMESISITE
(NOT OPEN SPACE)

ADJACENT PARCELS
OWNED BY WDNR
(NRCA)

WDNR WOODWARD BAY
NATURAL RESOURCES
CONSERVATION AREA (NRCA)