



Open Space Staff Report and Recommendation

Report Date: March 12, 2019
Hearing Date: March 19, 2019

Application Submittal Date: December 13, 2018
Application Complete Date: December 13, 2018

Project Name: Kent Open Space
Type of Application: Open Space Application
Permit Number: 18-05662

Project Location

1198 NE Raspberry Ridge Lane
Poulsbo, WA 98370
Commissioner District #1

Assessor's Account

112601-1-014-2004

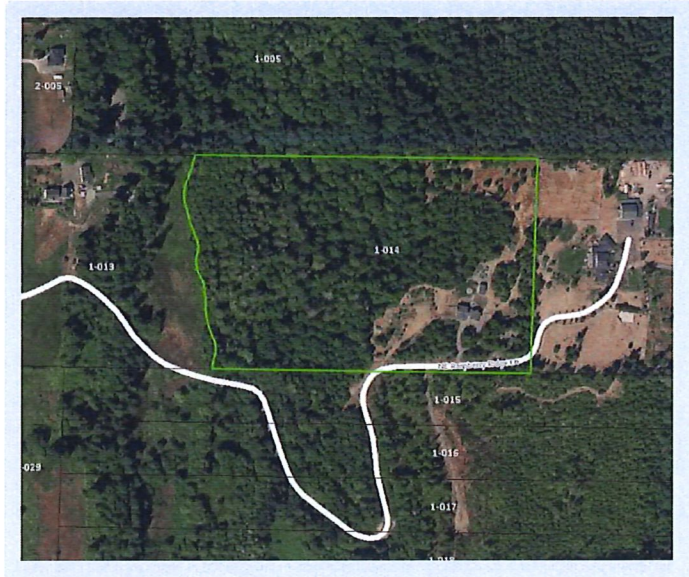
Applicant/Owner of Record

Edward and Beverly Kent
19689 7th Ave NE Suite 183
Poulsbo, WA 98370

Recommendation Summary

Approved/Denied subject to conditions listed under section 10 of this report.

VICINITY MAP



Background

Edward and Beverly Kent have applied to transfer 11 acres currently designated as "Single-Family Residence" by the Kitsap County Assessor to Current Use Open Space. The parcel is 16.23 acres and is developed with a single-family residence with attached garage, detached garage, shed, and barn.

Project Request

The purpose of the Kitsap County open space program is 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 the state and its citizens. Parcels with qualifying environmental characteristics can apply for the open space program and received a reduction in taxes.

SEPA (State Environmental Policy Act)

This project is SEPA exempt under Kitsap County Code 18.04 State Environmental Policy Act.

Physical Characteristics

The subject property is a rectangle shaped parcel. The western portion of the property is sloped and heavily wooded. Dog Fish Creek runs parallel to the western property line.

Table 1 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Undeveloped Land	Rural Protection
South	Undeveloped Land	Rural Protection
East	Single-Family Residence	Rural Protection
West	Single-Family Residence	Rural Protection

Access

The property is accessed off NE Raspberry Ridge which is an easement off Big Valley Road NE. The easement enters the subject property at the southern property line.

Policies and Regulations Applicable to the Subject Proposal

The Growth Management Act of the State of Washington, RCW 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

Kitsap County Comprehensive Plan, adopted June 30, 2016.

The following Comprehensive Plan goals and policies are most relevant to this application:

Environment

Environmental Goal 3

Reduce the risk of damage to life, property and the natural environment through appropriate regulatory and incentive-based approaches in land use, transportation and development engineering programs.

Environment Policy 19

Explore the possible use of tax incentives to protect beneficial open space, forestry, and agriculture areas through agreed commitments with willing landowners.

Parks, Recreation and Open Space Parks Policy 9

Identify new and preserve existing open space in rural areas.

The County's development regulations are contained within the Kitsap County Code. The following development regulations are most relevant to this application:

Code Reference	Subject
Title 18	Environmental
Chapter 18.04	State Environmental Policy Act (SEPA)
Chapter 18.12	Open Space Plan
Chapter 21.04	Project Permit Application Procedures

Public Outreach and Comments

The Notice of Application was mailed to properties within 800' on December 24, 2018. Staff had one person call to inquire about the project but had no formal comments.

Analysis

This land is eligible for Open Space classification under the following qualification criteria set forth by the State of Washington Open Space Act, Ch. 84.34 RCW and the Kitsap County Open Space Plan, h. 18.12 Kitsap County Code (KCC):

High-Priority Resources

Fish-Rearing Habitat Ponds and Primary Stream Buffers
Wetlands, Ponds and Streams
Critical Aquifer Recharge Area, Category 1

Medium-Priority Resources

None

Low-Priority Resources

Steep Slopes

The application has been found to be eligible for a 50% percent reduction to the land value. Property qualifying for Current Use Open Space must have at least two sensitive characteristics/resources. This property has 3 high-priority resources, 0 medium-priority resources and 1 low-priority resources.

Additional Tax

Additional tax may be due when either a portion or all of the property is removed from the Current Use Open Space classification. Additional tax equals the difference between the tax paid under the classification and the tax at true and fair market value for the current year and the last seven years plus interest a 1 percent per month. An additional 20 percent penalty is also imposed if the property is classified less than ten years and two years notice of withdrawal is not supplied or if there is a change in use.

Review Authority

The Board of County Commissioners has review authority for this Current Use Open Space application under KCC, Section 21.04.100. In considering applications for Current Use Open

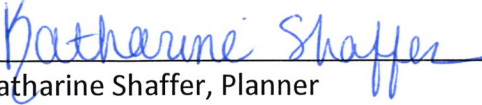
Space, the Board shall find that the subject property meets the requirements for eligible lands as defined in KCC, Section 18.12.020.

Recommendation

Based upon the analysis above, the Department of Community Development recommends that the Kent Open Space Application request be approved, subject to the following 11 conditions:

1. Land Use Agreement shall be established between the owner and the Granting Authority specifying the conditions. Should the owner sign the agreement, it shall be understood that the owner will comply with the conditions. Failure to comply with said conditions shall be basis for withdrawal of the current use designation, in which case the land shall be subject to the penalty tax referred to in RCW 84.34 and assessed at true market value.
2. This agreement and any additional agreement(s) may be modified for the purpose of improving the original intent of the agreement(s). Any new agreement must have the consent of the owner and Granting Authority. If a new agreement is not made, the original and additional agreement(s) shall remain in force. This statement does not release the owner of responsibility to comply with the conditions contained within this report.
3. Upon approval, current use taxation would commence in compliance with WAC 458-30-120.
4. There shall be no motorized vehicles, such as dirt bikes, allowed on the site.
5. There shall be no clearing of vegetation on the site. Trail maintenance, noxious weed and hazard tree removal, however, shall be allowed.
6. There shall be no hunting, fishing or trapping.
7. Camping shall not be allowed.
8. There shall be no smoking, campfires or firearms on the site.
9. There shall be no mining, storage or excavation of materials.
10. There shall be no dumping of chemicals, liquids, wastes, trash or junk that might deteriorate the natural character of the land or pollute the water supply.
11. The open space classification for this land will continue if it is primarily devoted to and used as habitat protection. The Granting Authority will remove classification if dedication to this purpose ceases to exist.

Report prepared by:



Katharine Shaffer, Planner

3-12-19
Date

Report approved by:



Shawn Alire, Supervisor Development and Engineering Services

3-12-19
Date

Attachments:

- Attachment A – Tax Shift
- Attachment B – Zoning Map

CC: Applicant/Owner: Edward and Beverly Kent, edwardkent116276@gmail.com
Interested Parties: None
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
Kitsap County Assessor's Office: Maxine Schoales, MSchoale@co.kitsap.wa.us
DCD Staff Planner: Katharine Shaffer

Site Plan



TAX SHIFT ESTIMATE

Owner
Tax Account

KENT & MCGOWEN		
112601-1-014-2004		
DFL	Farm	OpenSpace
0.00	0.00	11.00
16.23		
\$213,650		
5.23	acre(s)	
\$113,460		
50%		
\$0		
\$0		
\$600,170		
9.901219		
2019		

Current Use Acres
Total Acreage
Land Market Value
Homesite (or fully taxable acreage) Acreage
Homesite (or fully taxable acreage) Market Value
Open Space Land Reduction Factor
Farm Land Value
Desig Forest Land AV
Improvement Value
Taxes based a on levy rate of
Tax Year

				Tax Year 2019	
Taxable Value				Value	Tax
CURRENT	Land		213,650		
	Improvements		600,170		
	Total			813,820	
	Taxes				8,057.81
PROPOSED	Homesite	Ac	Value	113,460	
		5.23	\$113,460		
	Designated Forest Land	Ac	Approx Rate	0	
		0.00	\$125		
	CU Farm & Agricultural	Ac	Value	0	
		0.00	\$597		
	CU Open Space	Ac	Value	50,095	
		11.00	\$100,190		
Improvements			600,170		
Total				763,725	
Taxes				7,561.81	
Difference				50,095	496.00
Owner's Taxes DECREASE By					\$496
Total Tax Shift					\$496

	Acreage	Total Land AV
Total Land:	16.23	= \$213,650
Homesite (taxable land):	5.23	= \$113,460

Land Value less the homesite (taxable land):	\$100,190
Reduced value with exemption:	\$50,095

Adjusted Land Value:	\$50,095
At the 2018 Tax Rate of :	9.901219
The Estimated Tax Shift (tax reduced by) =	\$496



Comments

Parcel No: 112601-1-014-2004 TaxPayer: KENT NOEL EDWARD & Site Address: 1198 NE RASPBERRY RIDGE LN

** This map is not a substitute for field survey ** Map Scale: 1 inch = 400 feet

Kitsap Co. Parcel Search Application

