

**SNOHOMISH COUNTY COUNCIL
PUBLIC HEARING PACKET**

**MOTION 20-182 APPROVING THE SUMMER 2020 OPEN SPACE
APPLICATIONS**

ECAF 2022-0406

Date/Time: Wednesday, May 18, 2022, at 10:30 a.m.

Staff Person: Ryan Countryman

EXHIBIT LIST

Click on Exhibit # to view document.

Exhibit #	Date	Exhibit Description
1	4/19/22	Council Staff Report
2	4/19/22	Planning & Development Services Recommendation Memo
3	4/19/22	Open Space Spring 2022 Presentation (PDS)
4	3/09/22	Robert & Shelley Coleman - #3223 (ECAF 22-0262)
5	1/03/22	Stillaguamish Tribe of Indians - #3225 (ECAF 21-1124)
6	12/06/21	Jay & Julie Kuhnhenh and Marcia Burnham - #3226 (ECAF 21-1023)
7	12/06/21	Evergreen Land Trust - # 3227 (ECAF 21-1026)
8	12/06/21	Jean, Terry & Todd Allen - #3228 (ECAF 21-1025)
9	12/06/21	Dale Shelton - #3229 (ECAF 21-1003)
10	12/06/21	Karyn Weingarden - #3230 (ECAF 21-1001)
11	12/20/21	Wayne & Phyllis Maslin - #3231 (ECAF 21-1102)
12	12/20/21	Ralph & Rugh Barker - #3232 (ECAF 21-1090)
13	12/06/21	Jeffrey and Eileen Hambleton - #3233 (ECAF 21-0998)
14	12/06/21	Connie McNamee - #3234 (ECAF 21-1024)
15	12/27/21	Pamela Jones - #3235 (ECAF 21-1110)
16	12/27/21	Kimberley Jones - #3236 (ECAF 21-1108)
17	12/29/21	Anthony & Jessica Ronhaar - #3237 (ECAF 21-1121)
18	2/10/22	Elin Ramsey - #3239 (ECAF 22-0153)

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

MOTION NO. 22-178

APPROVING THE SPRING 2022 OPEN SPACE TAXATION APPLICATIONS

WHEREAS, the Snohomish County Council received recommendations from the Snohomish County Department of Planning & Development Services (PDS) in the matter of the following applications for Open Space General and Open Space General-Farm & Agriculture Conservation classifications pursuant to RCW 84.34:

ROBERT AND SHELLEY COLEMAN – #3223 – OPEN SPACE GENERAL

The subject property (Tax Parcel 28062900402200) is approximately 14.59 acres, of which 7.9 acres are recommended for classification to Open Space General. The property is located 2 miles west of the City of Monroe at 12707 132nd Street SE, Snohomish, WA 98290.

STILLAGUAMISH TRIBE OF INDIANS – #3225 – OPEN SPACE GENERAL

The subject properties (Tax Parcels 32061400100100, 32061100400900, 32061200301400, 32061200301300, 32061300200300, 32061300200200, 32061300200500 & 32061300100400) are comprised of approximately 143.41 acres, of which 0.49 acres are recommended for classification to Open Space General, 20.00 acres for reclassification from Designated Forest Land to Open Space General, and 122.92 acres for reclassification from Open Space-Farm & Agriculture to Open Space General. The property is located 6.71 miles northwest of the City of Arlington at 17904 Veach Road, Arlington, WA 98223.

JAY AND JULIE KUHNHENN, MARCIA BURNHAM – #3226 – OPEN SPACE GENERAL – FARM & AGRICULTURE CONSERVATION

The subject property (Tax Parcel 32091700100900) is approximately 10.23 acres, of which 9.23 acres are recommended for reclassification from Open Space-Farm & Agriculture to Open Space General-Farm & Agriculture Conservation. The property is located 2.65 miles west of the Town of Darrington at 29824 412th Drive NE, Arlington, WA 98223.

EVERGREEN LAND TRUST – #3227 – OPEN SPACE GENERAL – FARM & AGRICULTURE CONSERVATION

The subject property (Tax Parcel 31062100200300) is approximately 19.42 acres, all of which are recommended for reclassification from Open Space-Farm & Agriculture to Open Space General-Farm & Agriculture Conservation. The property is located 2.5 miles east of the City of Arlington at 13401 184th Street NE, Arlington, WA 98223.

JEAN, TERRY, AND TODD ALLEN – #3228 – OPEN SPACE GENERAL – FARM & AGRICULTURE CONSERVATION

The subject property (Tax Parcel 32061200301800) is approximately 15.47 acres, all of which are recommended for reclassification from Open Space-Farm & Agriculture to Open Space General-Farm & Agriculture Conservation. The property is located 7.2 miles northeast of the City of Arlington at 17917 State Route 530 NE, Arlington, WA 98223.

DALE SHELTON – #3229 – OPEN SPACE GENERAL – FARM & AGRICULTURE CONSERVATION

The subject property (Tax Parcel 32061600300800) is approximately 10.00 acres, of which 9.00 acres are recommended for reclassification from Open Space-Farm & Agriculture to Open Space General-Farm & Agriculture Conservation. The property is located 4.5 miles northeast of the City of Arlington at 28828 139th Ave NE, Arlington, WA 98223.

KARYN WEINGARDEN – #3230 – OPEN SPACE GENERAL

The subject property (Tax Parcel 28062300400100) is approximately 9.70 acres, of which 8.70 acres are recommended for classification to Open Space General. The property is located 1.6 miles north of the City of Monroe at 17608 Butler Rd, Snohomish WA 98290.

WAYNE AND PHYLLIS MASLIN – #3231 – OPEN SPACE GENERAL

The subject property (Tax Parcel 27072800400500) is approximately 5.00 acres, of which 1.25 acres are recommended for classification to Open Space General. The property is located 4.4 miles southeast of the City of Monroe at 23518 Lake Fontal Rd, Monroe, WA 98272.

RALPH AND RUTH BARKER – #3232 – OPEN SPACE GENERAL – FARM & AGRICULTURE CONSERVATION

The subject properties (Tax Parcels 32062100100100 & 32061600400500) are comprised of approximately 5.80 acres, all of which are recommended for reclassification from Open Space-Farm & Agriculture to Open Space General-Farm & Agriculture Conservation. The property is located 4.6 miles northeast of the City of Arlington at 14618 State Route 530 NE, Arlington, WA 98223.

JEFFREY AND EILEEN HAMBLETON – #3233 – OPEN SPACE GENERAL

The subject properties (Tax Parcels 28083100300100 & 28083100301600) are comprised of approximately 10.95 acres, all of which are recommended for classification to Open Space General. The property is located immediately west of the City of Sultan and east of Reiner Road, Monroe, WA 98272.

CONNIE MCNAMEE – #3234 – OPEN SPACE GENERAL – FARM & AGRICULTURE CONSERVATION

The subject property (Tax Parcel 29060300301600) is approximately 19.90 acres, all of which are recommended for reclassification from Open Space-Farm & Agriculture to Open Space General-Farm & Agriculture Conservation. The property is located 1 mile east of the City of Lake Stevens at 3311 Schwartzmiller Rd, Lake Stevens, WA 98258.

PAMELA JONES – #3235 – OPEN SPACE GENERAL – FARM & AGRICULTURE CONSERVATION

The subject property (Tax Parcel 28061000102400) is approximately 6.00 acres, all of which are recommended for reclassification from Open Space-Farm & Agriculture to Open Space General-Farm & Agriculture Conservation. The property is located 2.9 miles east of the City of Snohomish and south of Three Lakes Rd.

KIMBERLY JONES – #3236 – OPEN SPACE GENERAL – FARM & AGRICULTURE CONSERVATION

The subject properties (Tax Parcels 28061000102600 & 28061000102700) are comprised of approximately 12.00 acres, all of which are recommended for reclassification from Open Space-Farm & Agriculture to Open Space General-Farm & Agriculture Conservation. The property is located 2.8 miles east of the City of Snohomish and south of Three Lakes Rd.

ANTHONY AND JESSICA RONHAAR – #3237 – OPEN SPACE GENERAL – FARM & AGRICULTURE CONSERVATION

The subject property (Tax Parcel 31060400403700) is approximately 5.47 acres, of which 4.47 acres are recommended for reclassification from Open Space-Farm & Agriculture to Open Space General-Farm & Agriculture Conservation. The property is located 3 miles east of the City of Arlington at 22604 141st Dr NE, Arlington, WA 98223.

ELIN RAMSEY – #3239 – OPEN SPACE GENERAL – FARM & AGRICULTURE CONSERVATION

The subject property (Tax Parcel 32061100101200) is approximately 13.10 acres, all of which are recommended for reclassification from Open Space-Farm & Agriculture to Open Space General-Farm & Agriculture Conservation. The property is located 7 miles northeast of the City of Arlington at 17120 313th St NE, Arlington, WA 98223.

WHEREAS, after review of these applications for Open Space General and Open Space General-Farm & Agriculture Conservation classifications pursuant to RCW 84.34, PDS has recommended that these applications be approved based on the findings of fact as contained in PDS Staff Memorandum dated April 19, 2022; and

WHEREAS, the Snohomish County Council has considered in detail, the files, records, findings of fact, and recommendations of PDS concerning these applications for Open Space General and Open Space General-Farm & Agriculture Conservation classifications pursuant to RCW 84.34; and

WHEREAS, it appears to the Council that:

1. There were no irregularities in the actions taken on these applications; and
2. The findings of PDS are in the best interest of the general welfare of the people of Snohomish County.

NOW, THEREFORE, ON MOTION, the Snohomish County Council, after due consideration, concurs with the findings of fact and the recommendations of the Department of Planning and Development Services, and hereby approves the above applications for Open Space General and Open Space General and Open Space General-Farm & Agriculture Conservation classifications pursuant to RCW 84.34.

DATED this _____ day of _____, 2022.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Council Chair

ATTEST:

Asst. Clerk of the Council



Snohomish County Council

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 1

FILE MOT 22-178

Committee: Planning & Community Development **Analyst:** Ryan Countryman

ECAF: 2022-0406, + others in Exhibit A

Proposal: Spring 2022 Open Space Applications **Date:** April 19, 2022

Consideration:

The Spring 2022 batch of open space taxation applications includes fifteen applications. Eleven of the fifteen transmitted applications are requests for transfer from Open Space – Farm & Agriculture (OSFA) to Open Space General – Farm and Agriculture Conservation (OSG-FAC). Four applications are requesting the Open Space General (OSG) classification. Requests would add 29.29 acres to the Open Space Program and would reclassify 257.31 acres already existing within the program.

Background

The Washington State Legislature passed the Open Space Taxation Act in 1970 to support the maintenance, preservation, conservation, and overall existence of open space lands for agriculture, forestry, natural resources, and scenic beauty.

Applications for enrollment into or reclassification within the county's open space taxation program are submitted to the Assessor's Office then forwarded to the County Council and referred to the department of Planning & Development Services for a recommendation and referral back to the council. The Clerk of the Council will prepare a draft motion for approval of those applications that are advanced to a public hearing.

The act allows property owners to have certain agricultural, forest, and open space lands valued at their current use for property taxation purposes rather than at their highest and best use (e.g., as developable residential land) as is typically the case with property assessments. This reduction in assessed value reduces the annual property tax bill for properties enrolled in the program, providing an incentive for the landowner to keep the land as open space. The forgone property tax obligations are shifted to other property owners within a given taxing district.

State law (RCW 80.34) provides a process for property owners to apply into the program, identifies the county council as the determining body for applications, and provides considerations for making the decision. Snohomish County Code (SCC 4.28) provides additional procedures, criteria, and standards. The granting or denial of the application is a legislative determination that is reviewable only for arbitrary and

capricious actions. RCW 84.34.037 requires the council to consider the following when deciding on an application:

- The resulting revenue loss or tax shift;
- Whether it will conserve valuable resources and provide public benefit;
- Whether it will preserve agricultural land; and
- Other benefits of preserving the current use of the property.

Chapter 4.28 SCC provides additional policies, considerations, and criteria for council review of open space applications within Snohomish County.

The Assessor's Office and Planning and Development Services jointly process applications to enroll in the open space taxation program or change classification and forward them to the County Council.

Analysis

Very little tax shift will result from the Spring 2022 open space applications because nearly all of acreage involved is transferring from one classification to another (meaning that they already have reduced taxes and that the tax shift occurred previously).

The PDS recommendations detailed in Exhibit A (taken from an April 19, 2022, memo from PDS) do not always recommend placing the full acreage requested in open space tax status. This is because PDS has reviewed the requests on a case-by-case basis and found that some portions of certain sites did not meet the full criteria, for example by having buildings or other n

As recommended by PDS, this batch of open space application will conserve valuable resources and agricultural land for the public benefit.

Current Proposal

Consideration of 15 open space tax applications and potential direction to the Clerk to prepare a motion approving the recommendations made by PDS.

Fiscal Impacts: No impact to county revenues or expenditures.

Executive Recommendation: Approve as recommended by PDS

Attachment: Summary table from PDS recommendation packet

Request: Move to General Legislative Session April 27 to set time and date for a public hearing.

Exhibit A: Summary Table from PDS Recommendation Packet

Open Space General Spring 2022 Summary Table – PDS Staff Recommendations to the Snohomish County Council

Appl. #	Applicant	Tax Parcel #(s)	Total Requested Acreage	Classification Requested	Recommendation	ECAF #	Basis for Recommendation (SCC 4.28.040)
3223	Coleman	28062900402200	10.00	Classify as OSG	APPROVE 7.9 acres	22-0262	Criterion (14) - Wetland areas of at least one-fourth acre in size. Associated wetland buffers may also be included. The wetland buffer width may be increased from the standard wetland buffer listed in SCC 30.62A.320 Table 2b due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
3225	Stillaguamish Tribe	32061400100100 32061100400900 32061200301400 32061200301300 32061300200300 32061300200200 32061300200500 32061300100400	.49 20.00 122.92	Classify as OSG Transfer from DFL to OSG Transfer from OSFA to OSG	APPROVE .49 acres APPROVE 20.00 acres APPROVE 122.92 acres	21-1124	Criterion (3) – Areas which have plant or animal species which are considered rare, sensitive, threatened or endangered by an authority recognized by the county.
3226	Kuhnehenn /Burnham	32091700100900	9.23	Transfer from OSFA to OSG - FAC	APPROVE 9.23 acres	21-1023	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
3227	Evergreen Trust	31062100200300	19.42	Transfer from OSFA to OSG -FAC	APPROVE 19.42 acres	21-1026	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
3228	Allen	32061200301800	15.47	Transfer from OSFA to OSG -FAC	APPROVE 15.47 acres	21-1025	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
3229	Shelton	32061600300800	9.00	Transfer from OSFA to OSG - FAC	APPROVE 9.00 acres	21-1003	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
3230	Weingarden	28062300400100	9.7	Classify as OSG	APPROVE 8.7 acres	21-1001	Criterion (11)(d) – Areas which contain features of unique historic, cultural or educational values which are open to the public’s use, free of charge or at reasonable, customary rates- where there are historic or archeological features on the site of at least 50 years of age, which would have value to future generations due to the uncommon nature of rare representation of the past times and events.

3231	Maslin	27072800400500	5.00	Classify as OSG	APPROVE 1.25 acres	21-1102	Criterion (19) – Areas which are protective buffers as required by development regulations implementing the Growth Management Act.
3232	Barker	32062100100100 32061600400500	5.8	Transfer from OSFA to OSG - FAC	APPROVE 5.8 acres	21-1090	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
3233	Hambleton	28083100300100 28083100301600	10.95	Classify as OSG	APPROVE 10.95 acres	21-0998	Criterion (6) - Undeveloped, natural areas adjacent to water bodies which come under the jurisdiction of the state Shoreline Management Act and are designated by the Snohomish County Shoreline Management Program. Criterion (14) - Wetland areas of at least one-fourth acre in size. Associated wetland buffers may also be included. The wetland buffer width may be increased from the standard wetland buffer listed in SCC 30.62A.320 Table 2b due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
3234	McNamee	29060300301600	19.90	Transfer from OSFA to OSG - FAC	APPROVE 19.90 acres	21-1024	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
3235	P. Jones	28061000102400	6.00	Transfer from OSFA to OSG	APPROVE 6.00 acres	21-1110	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
3236	K. Jones	28061000102600 28061000102700	12.00	Transfer from OSFA to OSG	APPROVE 12.00 acres	21-1108	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
3237	Ronhaar	31060400403700	4.47	Transfer from OSFA to OSG - FAC	APPROVE 4.47 acres	21-1121	Criterion (20)(b) – Land that is traditional farmland that is not classified under chapter 84.33 or 84.34, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.
3239	Ramsey	32061100101200	13.10	Transfer from OSFA to OSG - FAC	APPROVE 13.10 acres	22-0153	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
TOTALS			293.45 acres		286.60 acres		

LEGEND: **OSG** = Open Space General, **OSFA** = Open Space Farm and Agriculture, **OSG-FAC** = Open Space General – Farm and Agriculture Conservation, **OST** = Open Space Timber, **DFL** = Designated Forest Land

**Snohomish County****Planning and Development Services***Long Range Planning***SNOHOMISH COUNTY COUNCIL****EXHIBIT #** 2**FILE** MOT 22-178

3000 Rockefeller Ave., M/S 604
Everett, WA 98201-4046
(425) 388-3311
www.snoco.org

MEMORANDUM

Dave Somers
County Executive

TO: Debbie Eco, Clerk of the Council

FROM: Scott Lindquist, Planner, PDS

SUBJECT: Spring 2022 Open Space Taxation Program Applications

DATE: April 19, 2022

The purpose of this memo is to transmit fifteen individual recommendations on Open Space General classification applications referred to the Department of Planning and Development Services (PDS) by the County Council.

The fifteen applications apply to parcels or portions of parcels in unincorporated Snohomish County. Eleven of the fifteen transmitted applications are requests for transfer from Open Space – Farm & Agriculture (OSFA) to Open Space General – Farm and Agriculture Conservation (OSG-FAC). Four applications are requesting the Open Space General (OSG) classification. Requests would add 29.29 acres to the Open Space Program and would reclassify 257.31 acres already existing within the program.

A PDS recommendation for each application is attached along with a matrix summarizing the recommendations. The Assessor's Office previously transmitted Executive/Council Approval Forms (ECAFs) for each application to Council via the Executive's Office. The PDS recommendations on the applications are being transmitted with this memo directly to the Council Clerk to accompany each ECAF.

Listed below are the fifteen applications, along with the motion and date the Council referred each application to PDS:

<u>Application</u>	<u>Date referred to PDS</u>
3223 – Coleman	March 16, 2022 (Motion 22-055)
3225 – Stillaguamish Tribe	January 12, 2022 (Motion 22-015)
3226 – Kuhnehenn/Burnham	December 15, 2021 (Motion 21-449)
3227 – Evergreen Land Trust	December 15, 2021 (Motion 21-449)
3228 – Allen	December 15, 2021 (Motion 21-449)
3229 – Shelton	December 15, 2021 (Motion 21-449)
3230 – Weingarden	December 15, 2021 (Motion 21-449)
3231 – Maslin	January 12, 2022 (Motion 22-015)
3232 – Barker	January 12, 2022 (Motion 22-015)
3233 – Hambleton	December 15, 2021 (Motion 21-449)
3234 – McNamee	December 15, 2021 (Motion 21-449)
3235 – P. Jones	January 12, 2022 (Motion 22-015)

3236 – K. Jones

3237 – Ronhaar

3239 – Ramsey

January 12, 2022 (Motion 22-015)

January 12, 2022 (Motion 22-015)

February 16, 2022 (Motion 22-072)

PDS determined that portions of all fifteen applications meet the standards and requirements for Open Space General classification under Chapter 4.28 Snohomish County Code (SCC) and Chapter 84.34 RCW. An explanation of how the conclusions were reached for each application is included in the individual staff recommendation. A list of the designation criteria and standards for the Open Space General classification are attached to this memo.

In determining whether an application should be approved, pursuant to RCW 84.34.037, the following criteria can be considered by the Council: (a) the benefits to the general welfare of preserving the current use of the property; (b) the resulting revenue loss or tax shift; (c) whether approval of the application preserves farmland or land with a potential for returning to commercial agriculture; and (d) whether approval of the application enhances open space policies outlined in SCC 4.28.030 and .050.

PDS recommends that the Council approve all fifteen applications as described in the attached summary table. According to SCC 4.28.085, following a Council briefing, the Council may either take no action or set the date and time for a public hearing on these applications. At the conclusion of the public hearing, the Council may approve, amend or deny the applications consistent with the review factors and criteria in RCW 84.34.037 and 84.34.041.

Attachments:

1. Summary Table Containing PDS Staff Recommendations
2. Countywide Overview Map
3. Individual Staff Recommendations
4. Designation Criteria and Standards: Open Space-General

Cc: Ken Klein, Executive Director
Courtney Mary-Ann, Exemptions Coordinator, Assessor's Office
Michael McCrary, PDS Director
David Killingstad, Planning Manager, PDS
Steve Skorney, Senior Planner, PDS
Ryan Countryman, County Council Legislative Analyst

Open Space General Spring 2022 Summary Table – PDS Staff Recommendations to the Snohomish County Council

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3226	Kuhnehenn/Burnham	32091700100900	9.23	Transfer from OSFA to OSG - FAC	APPROVE 9.23 acres	21-1023	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
3227	Evergreen Trust	31062100200300	19.42	Transfer from OSFA to OSG - FAC	APPROVE 19.42 acres	21-1026	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
3228	Allen	32061200301800	15.47	Transfer from OSFA to OSG - FAC	APPROVE 15.47 acres	21-1025	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
3229	Shelton	32061600300800	9.00	Transfer from OSFA to OSG - FAC	APPROVE 9.00 acres	21-1003	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
3230	Weingarden	28062300400100	9.7	Classify as OSG	APPROVE 8.7 acres	21-1001	Criterion (11)(d) – Areas which contain features of unique historic, cultural or educational values which are open to the public's use, free of charge or at reasonable, customary rates- where there are historic or archeological features on the site of at least 50 years of age, which would have value to future generations due to the uncommon nature of rare representation of the past times and events.
3231	Maslin	27072800400500	5.00	Classify as OSG	APPROVE 1.25 acres	21-1102	Criterion (19) – Areas which are protective buffers as required by development regulations implementing the Growth Management Act.
3232	Barker	32062100100100 32061600400500	5.8	Transfer from OSFA to OSG - FAC	APPROVE 5.8 acres	21-1090	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
3233	Hambleton	28083100300100 28083100301600	10.95	Classify as OSG	APPROVE 10.95 acres	21-0998	Criterion (6) - Undeveloped, natural areas adjacent to water bodies which come under the jurisdiction of the state Shoreline Management

Open Space General Spring 2022 Summary Table – PDS Staff Recommendations to the Snohomish County Council

							Act and are designated by the Snohomish County Shoreline Management Program. Criterion (14) - Wetland areas of at least one-fourth acre in size. Associated wetland buffers may also be included. The wetland buffer width may be increased from the standard wetland buffer listed in SCC 30.62A.320 Table 2b due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
3234	McNamee	29060300301600	19.90	Transfer from OSFA to OSG - FAC	APPROVE 19.90 acres	21-1024	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
3235	P. Jones	28061000102400	6.00	Transfer from OSFA to OSG	APPROVE 6.00 acres	21-1110	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
3236	K. Jones	28061000102600 28061000102700	12.00	Transfer from OSFA to OSG	APPROVE 12.00 acres	21-1108	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
3237	Ronhaar	31060400403700	4.47	Transfer from OSFA to OSG - FAC	APPROVE 4.47 acres	21-1121	Criterion (20)(b) – Land that is traditional farmland that is not classified under chapter 84.33 or 84.34, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.
3239	Ramsey	32061100101200	13.10	Transfer from OSFA to OSG - FAC	APPROVE 13.10 acres	22-0153	Criterion (20)(a) - Land no longer meets the criteria for OS Farm & Ag, and may be reclassified as OSG Farm and Ag Conservation
TOTALS			293.45 acres		286.60 acres		





LEGEND: **OSG** = Open Space General, **OSFA** = Open Space Farm and Agriculture, **OSG-FAC** = Open Space General – Farm and Agriculture Conservation,
DFL = Designated Forest Land

Snohomish County

Spring 2022

Open Space Applications

Legend

-  Application Property
-  Incorporated City
-  Urban Growth Area Boundary
-  Township-Range Grid

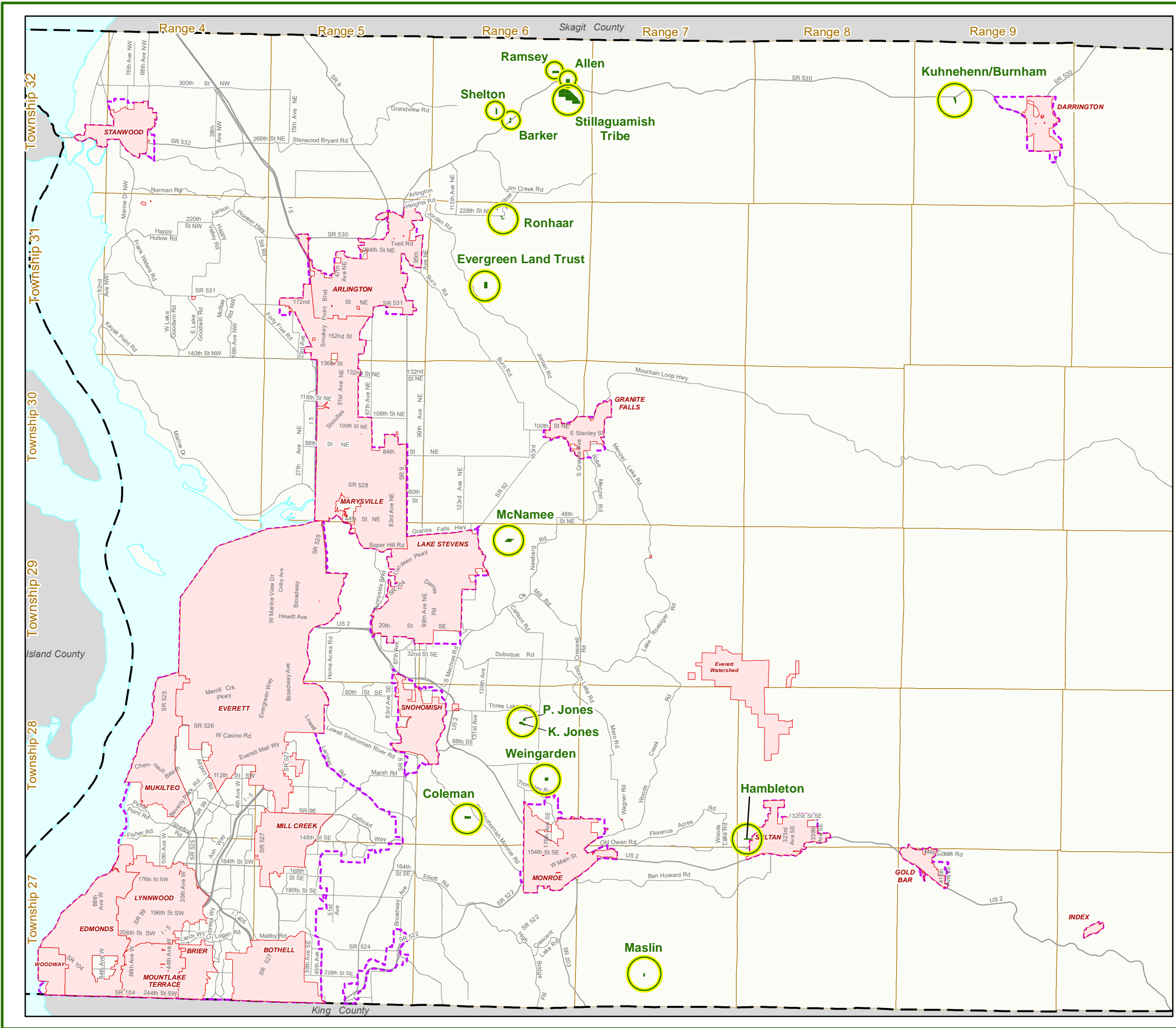


All maps, data, and information set forth herein ("Data"), are for illustrative purposes only and are not to be considered an official citation to, or representation of, the Snohomish County Code. Amendments and updates to the Data, together with other applicable County Code provisions, may apply which are not depicted herein. Snohomish County makes no representation or warranty concerning the content, accuracy, currency, completeness or quality of the Data contained herein and expressly disclaims any warranty of merchantability of fitness for any particular purpose. All persons accessing or otherwise using this Data assume all responsibility for the use thereof and agree to hold Snohomish County harmless from and against any damages, loss, claim or liability arising out of any error, defect or omission contained within said Data. Washington State Law, Ch. 42.56 RCW, prohibits state and local agencies from providing access to lists of individuals intended for use for commercial purposes thus, no commercial use may be made of any Data comprising lists of individuals contained herein.

Produced by Snohomish County Department of Planning and Development Services, Cartography/GIS



Snohomish County





Snohomish County

Planning and Development Services

Long Range Planning

3000 Rockefeller Ave., M/S 604
Everett, WA 98201-4046
(425) 388-3311
www.snoco.org

CURRENT USE ASSESSMENT PDS RECOMMENDATION - SPRING 2022

Dave Somers
County Executive

APPLICANT:	Robert & Shelley Coleman	ECAF #: 22-0262
TAX PARCEL #:	28062900402200	ASSESSOR #: 3223
PROPERTY ADDRESS:	12707 132ND ST SE, SNOHOMISH, WA 98290	
MAILING ADDRESS:	15085 AUSTIN AVE SE, MONROE, WA 98272	
CLASSIFICATION REQUESTED:	OPEN SPACE GENERAL	

The Coleman property is currently not enrolled in the Open Space General classification. The property is located 2 miles west of the City of Monroe. The property is zoned Rural 5-Acre (R-5) with the comprehensive plan designation of Rural Residential - 5 (RR-5), and is approximately 14.59 acres in size.

The landowner has requested that 10.00 acres of the property be classified as Open Space General due to the wetlands that have been identified on the property.

FINDINGS: In addition to satisfying the criteria and standards of RCW 84.34, the property must also meet at least one of the 20 criteria in Snohomish County Code (SCC) 4.28.040 in order to qualify as Open Space General under the Open Space Taxation Program.

The following designation criterion in SCC 4.28.040 merits consideration for classifying the property as Open Space General:

- Criterion (14), which states, "Wetland areas of at least one-fourth acre in size. Associated wetland buffers may also be included. The wetland buffer width may be increased from the standard wetland buffer listed in SCC 30.62A.320 Table 2b due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer."

As illustrated in the attached critical area map, this property is encumbered by .5 acres of wetlands and its buffers. This finding supports criteria 14. The buffer is being increased to include the adjacent forested area of 7.4 acres.

SEPA REVIEW: Minor land use decisions, which include classifications of land for open space taxation under chapter 84.34 RCW, are exempt from a threshold determination under SEPA.

RECOMMENDATION: PDS recommends that 7.9 acres of tax parcel no. 28062900402200 be classified as Open Space General. This recommendation is based on the understanding that the 7.9 acres will remain in an undeveloped, natural state and continue to provide the features for which the classification was granted for the duration of the classification.

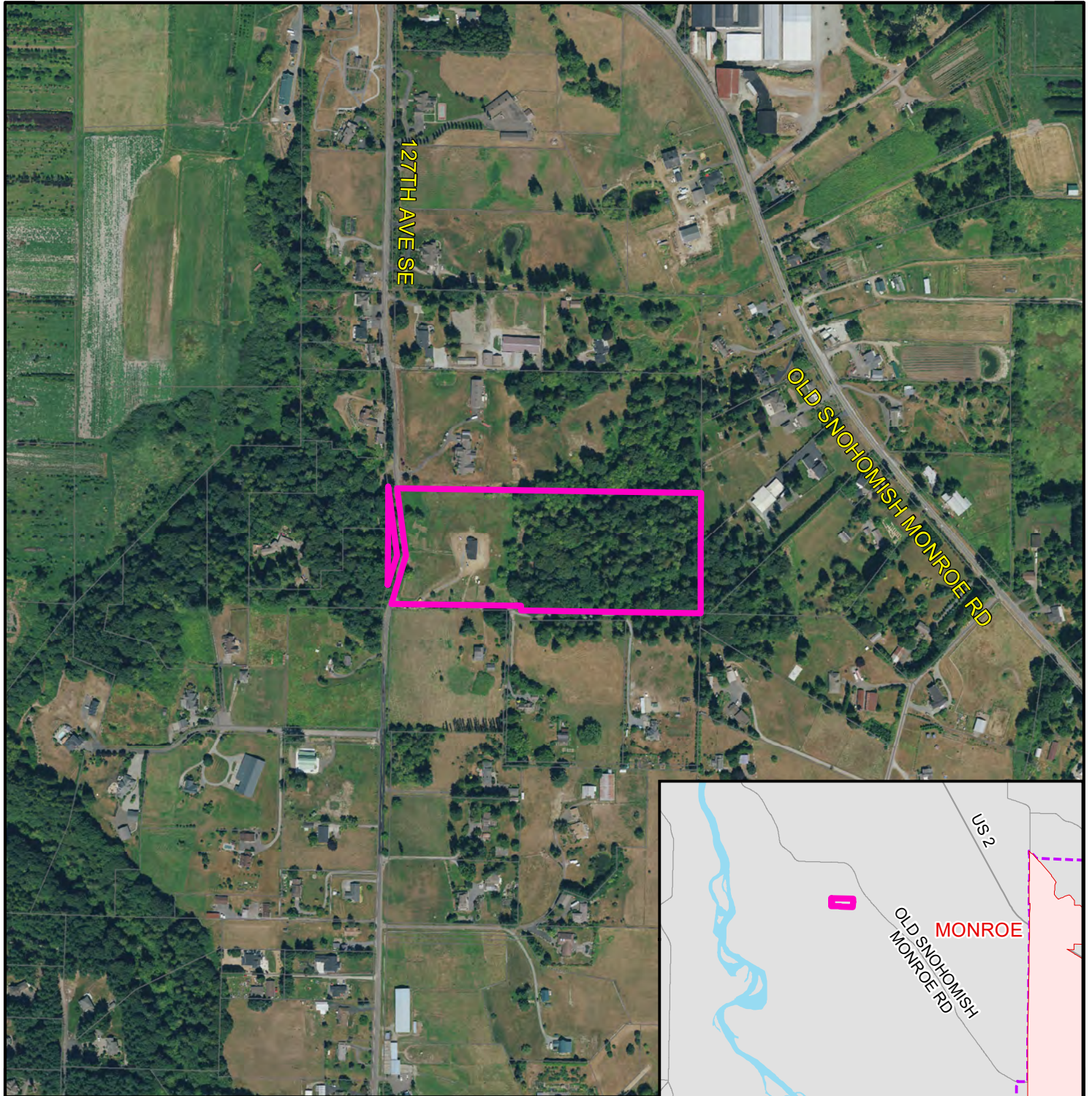
Attachments: Aerial Map
Critical Areas Map
Site Plan




Snohomish County
Spring 2022 Open Space Review

Coleman (3223) - Aerial

Parcel: 28062900402200

R. 6 E.



-  Subject Property
-  Incorporated City
-  Urban Growth Area Boundary

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0 310 620 930 1,240
Feet

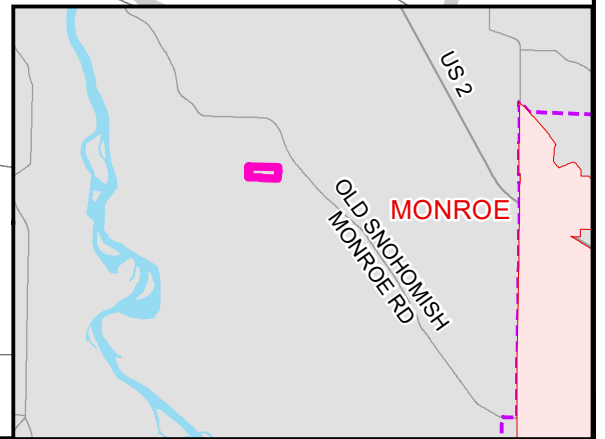
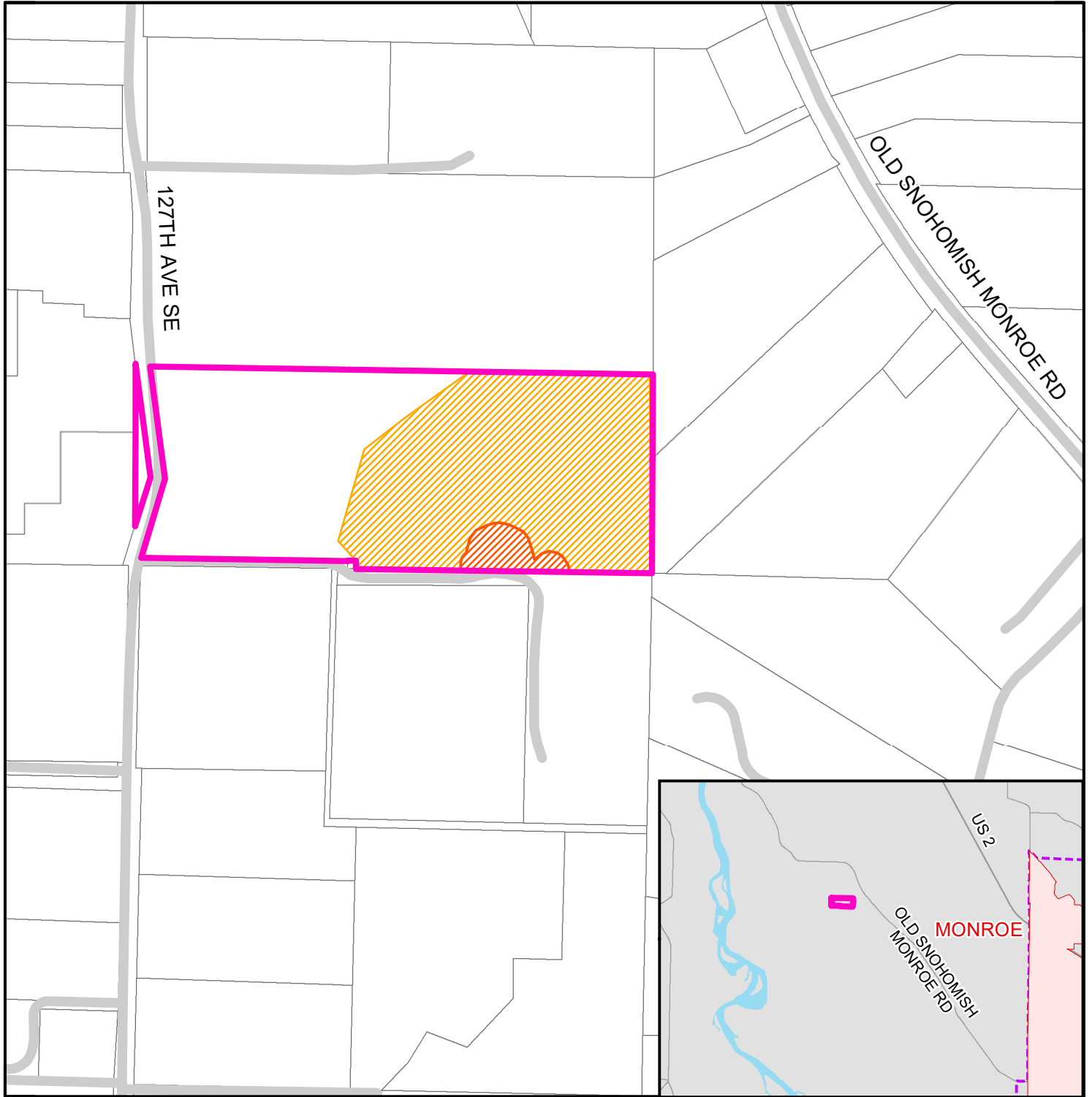
Produced by Snohomish Co. Dept. of Planning & Development Services

Snohomish County
Spring 2022 Open Space Review

Coleman (3223) - Critical Areas

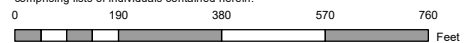
Parcel: 28062900402200

R. 6 E.



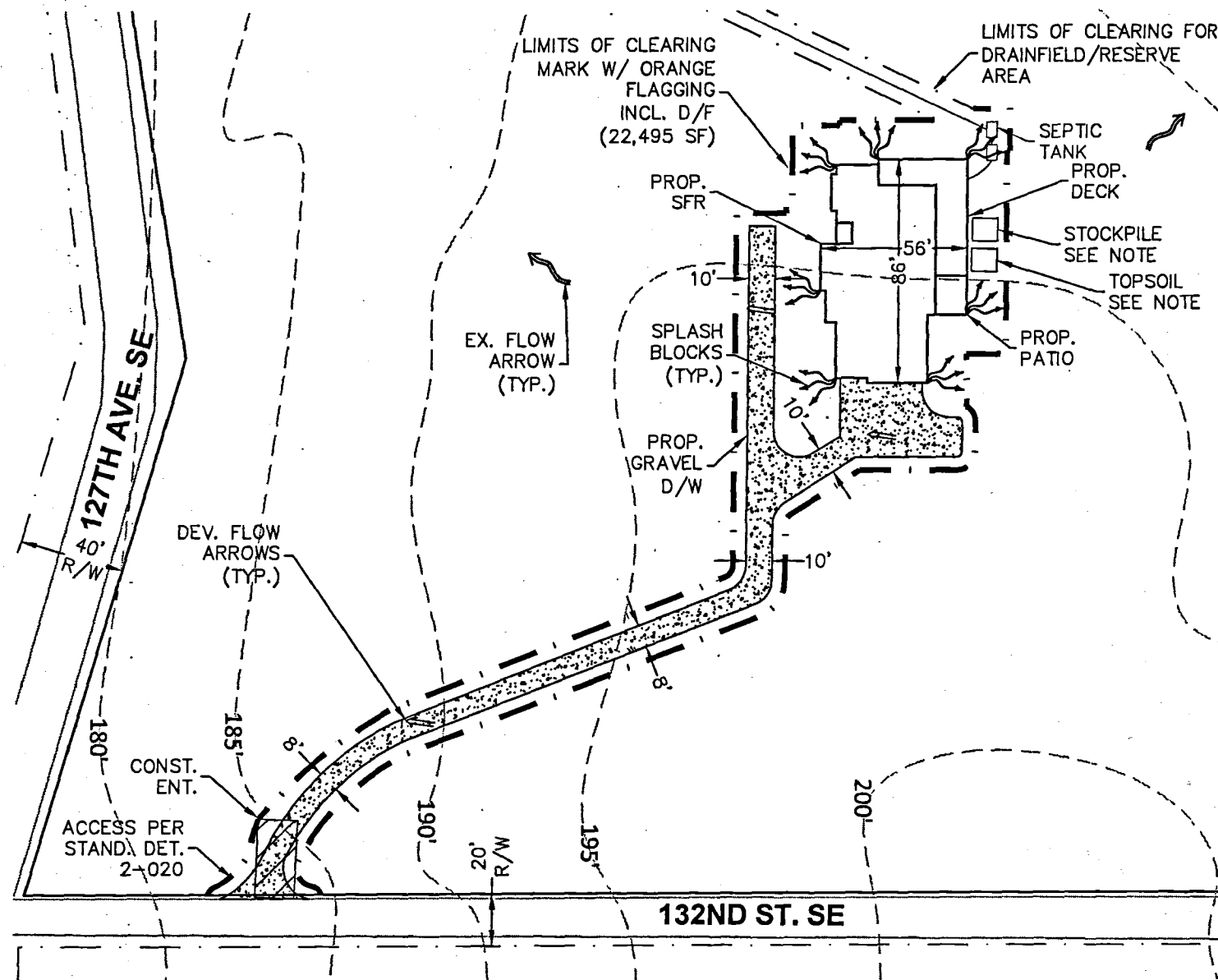
- Subject Property
- Wetland
- Enhanced Buffer
- Incorporated City
- Urban Growth Area Boundary

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SECTION 29, TOWNSHIP 28 N, RANGE 6 E



DETAIL MAP

EXISTING FEATURES NOTE:
NO TOPOGRAPHIC SURVEY HAS BEEN PREPARED FOR THIS SITE. ALL EXISTING INFORMATION SHOWN IS FROM OTHER CONSULTANTS OR BASED ON SITE OBSERVATIONS OR APPROXIMATED FROM INFORMATION AVAILABLE ON THE SNOHOMISH COUNTY WEBSITE.

EXISTING DRAINAGE FEATURES ARE APPROXIMATE AND BASED ON SITE OBSERVATIONS.

NOTE:
NO BOUNDARY SURVEY HAS BEEN PERFORMED FOR THIS PROJECT. PROPERTY DIMENSIONS ARE APPROXIMATE AND HAVE BEEN PROVIDED BY INFORMATION AVAILABLE ON THE SNOHOMISH COUNTY WEBSITE. NO ADDITIONAL SURVEY WORK HAS BEEN PERFORMED ON THIS SITE.

OWNER/APPLICANT
ROBERT AND SHELLEY COLEMAN
15085 AUSTIN AVE SE
MONROE, WA 98272

CONTACT
STACY SMITH, SLDS
425.238.6324

CIVIL ENGINEER
OMEGA ENGINEERING, INC.
JOSEPH SMEBY, PE
2707 WETMORE AVE.
EVERETT, WA 98201
425.903.4852
F: 425.259.1958

LEGAL DESCRIPTION

SEC 29 TWP 28 RGE 06BEG SE COR SEC TH N 990FT TH W 1320FT TH S 990FT TH E TO TPB LESS BEG INT S LN SE1/4 SE1/4 & E LN CO RD TH E 548FT TH N 25FT TH W TO E LN CO RD TH SLY TO TPB & LESS N490FT TH OF & LESS CO RD

SITE DATA

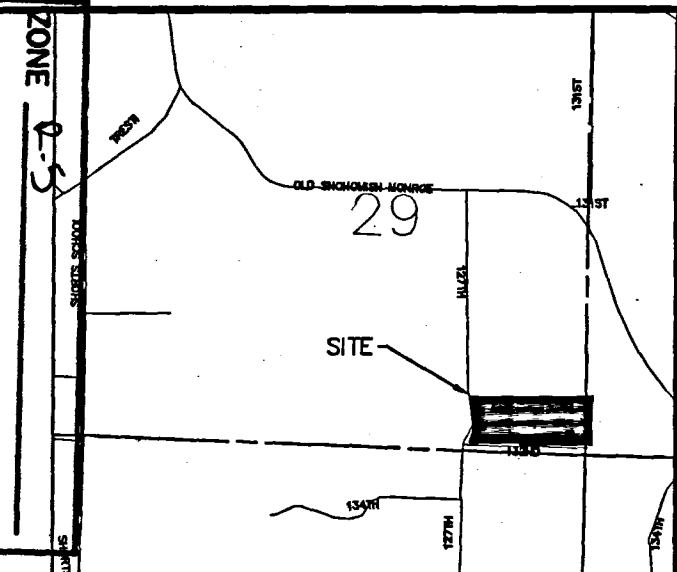
SITE ADDRESS: 128XX 132ND ST SE, SNOHOMISH, WA 98290
TAX ACCOUNT NUMBER: 28062900402200
ZONING : R-5

EXISTING SOIL & VEGETATION NOTE:
THE SOIL ANALYSIS FOR THIS PROJECT FOUND THE EXISTING SOILS TO BE SANDY LOAM TO A DEPTH OF 17 INCHES BELOW GRADE. THE AREA OF DISTURBANCE CURRENTLY CONSISTS OF LAWN.

SET BACKS
AS SPECIFIED ON
FACE OF PERMIT

BUILDING HEIGHT 45' MAX

OWNER LOT REQUIRES FRONT SETBACK FROM BOTH STREETS



VICINITY MAP

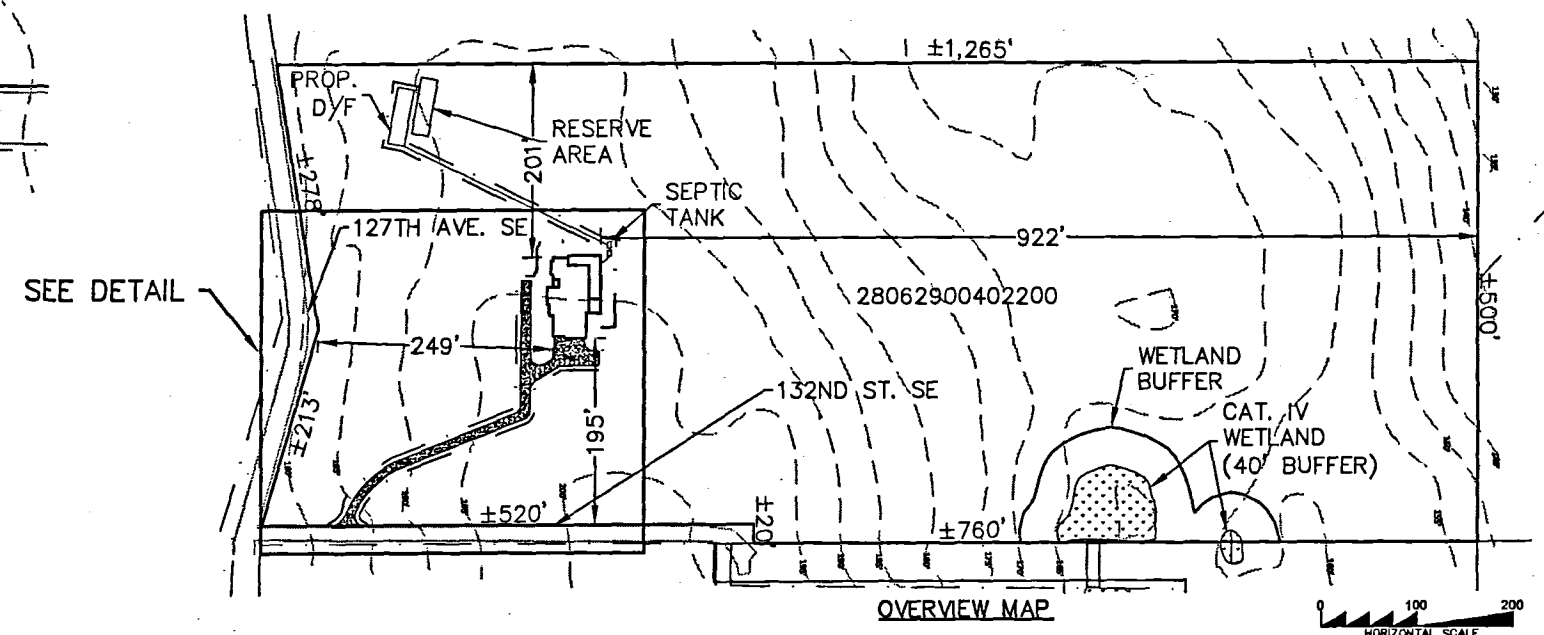
SCALE 1" = 2000'

RECEIVED

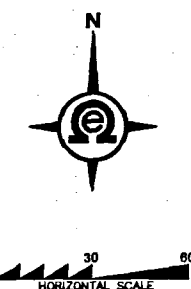
OCT 27 2017

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OVERVIEW MAP



TOTAL AREA - 14.59 Ac

HARD SURFACE AREA SUMMARY TABLE

	PGHS (sf)	NPGHS (sf)	Total (sf)
Existing	0	0	0
Removed	0	0	0
Replaced	0	0	0
New	4,972	4,286	9,258
New + Replaced	4,972	4,286	9,258
Total Hard Surfaces	4,972	4,286	9,258

GRADING QUANTITIES:

CUT = 345 C.Y.
FILL = 345 C.Y.

GRADING QUANTITIES ESTIMATED BASED ON CURRENT SITE INFORMATION & ASSUMED EXCAVATIONS NECESSARY FOR PROPOSED IMPROVEMENTS.



**OMEGA
ENGINEERING, INC.**

2707 Wetmore Avenue
Everett, WA 98201
(o)425.903.4852 (f) 425.259.1958

**SITE MAP
COLEMAN SFR**

DATE	JOB NO.	SCALE	SHEET
9/11/17	17-0602	1" = 60'	1 OF 1



Snohomish County

Planning and Development Services

Long Range Planning

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**CURRENT USE ASSESSMENT
PDS RECOMMENDATION - SPRING 2022**

Dave Somers
County Executive

APPLICANT: Stillaguamish Tribe of Indians ECAF #: 21-1124

TAX PARCEL #: 32061400100100, 32061100400900, ASSESSOR #: 3226
32061200301400, 32061200301300, 32061300200300,
32061300200200, 32061300200500, 32061300100400

PROPERTY ADDRESS: 17904 VEACH RD, ARLINGTON, WA 98223

MAILING ADDRESS: PO BOX 277, ARLINGTON, WA 98223

CLASSIFICATION REQUESTED: **OPEN SPACE GENERAL**

The eight Stillaguamish Tribe of Indians properties currently have 20.00 acres in Designated Forest Land and 122.92 acres in the Open Space Farm and Agriculture classification with only .49 acres not enrolled in the Open Space program. The properties are located 6.71 miles northwest of the City of Arlington. The properties are zoned Agriculture-10 Acre (A-10) and Forestry (F) with comprehensive plan designations of Low Density Rural Residential (LDRR), Riverway Commercial Farmland (RCF), and Commercial Forest – Forest Transition Area (CF-FTA).

The landowner has requested that 142.92 acres be reclassified as Open Space General and that .49 acres be classified as Open Space General. The landowner states that the property no longer meets the income requirements for the Open Space – Farm & Agriculture classification.

FINDINGS: In addition to satisfying the criteria and standards of RCW 84.34, the properties must also meet at least one of the 20 criteria in Snohomish County Code (SCC) 4.28.040 in order to qualify as Open Space General under the Open Space Taxation Program.

The following designation criterion in SCC 4.28.040 merits consideration for reclassifying the property as Open Space General:

- Criterion (3), which states, “Areas which have plant or animal species which are considered rare, sensitive, threatened or endangered by an authority recognized by the county.”

As illustrated in the attached aerial map, this property is adjacent to the North Fork of the Stillaguamish River (Type S). The reach of this river is designated by the county’s Shoreline Management Program as “aquatic”, “resource”, and “rural conservancy” shoreline environments.

Using the county’s GIS Statewide WA Integrated Fish Distribution (SWIFD) data set, PDS identified these rivers as habitat for Steelhead, Rainbow, and Cutthroat Trout, and Chinook and

Chum Salmon. The presence of these threatened species in the shoreline environment meets Criterion (3).

Given that these properties are covered by 100.94 acres of designated shoreline environment and that most of the properties are undeveloped, PDS determined that all of the acreage requested in this open space application supports Criterion (3).

SEPA REVIEW: Minor land use decisions, which include classifications of land for open space taxation under chapter 84.34 RCW, are exempt from a threshold determination under SEPA.

RECOMMENDATION: PDS recommends that 142.92 acres of tax parcel nos. 32061400100100, 32061100400900, 32061200301400, 32061300200300, 32061300200200, 32061300200500, and 32061300100400 be reclassified as Open Space General and that .49 acres of tax parcel no. 32061200301300 be classified as Open Space General. This recommendation is based on the understanding that the property will remain in an undeveloped, natural state and continue to provide the features for which the classification was granted for the duration of the classification.

Attachments: Aerial map of property
Critical Areas Map

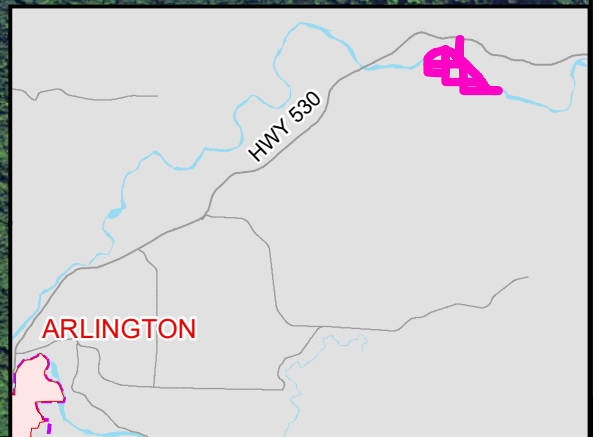
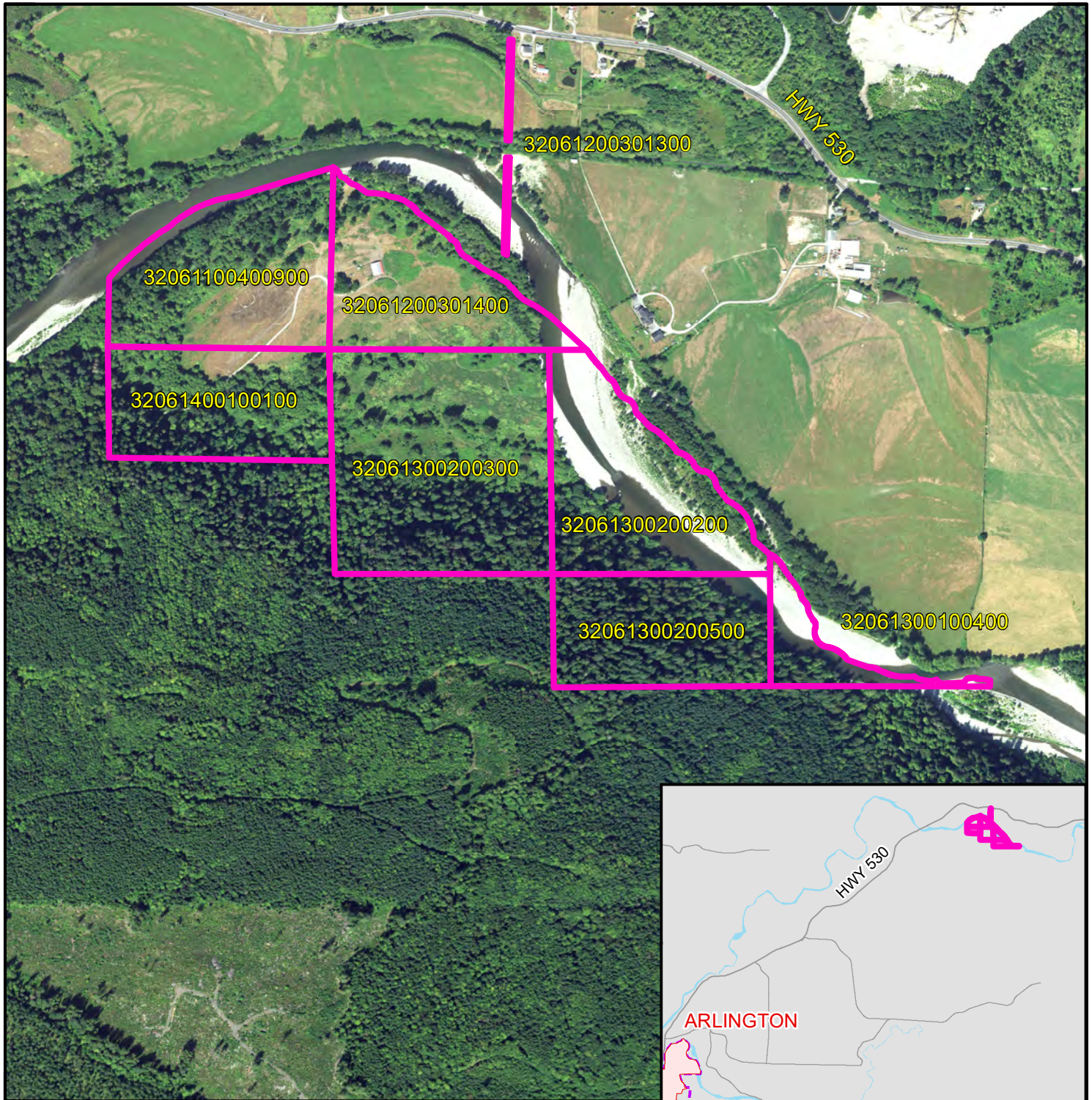
Snohomish County Spring 2022 Open Space Review Stillaguamish Tribes (3225) - Aerial

Parcel: 32061400100100, 32061100400900, 32061200301400,
32061200301300, 32061300200300, 32061300200200,
32061300200500, 32061300100400

R. 6 E.



Snohomish County



- Subject Property
- Incorporated City

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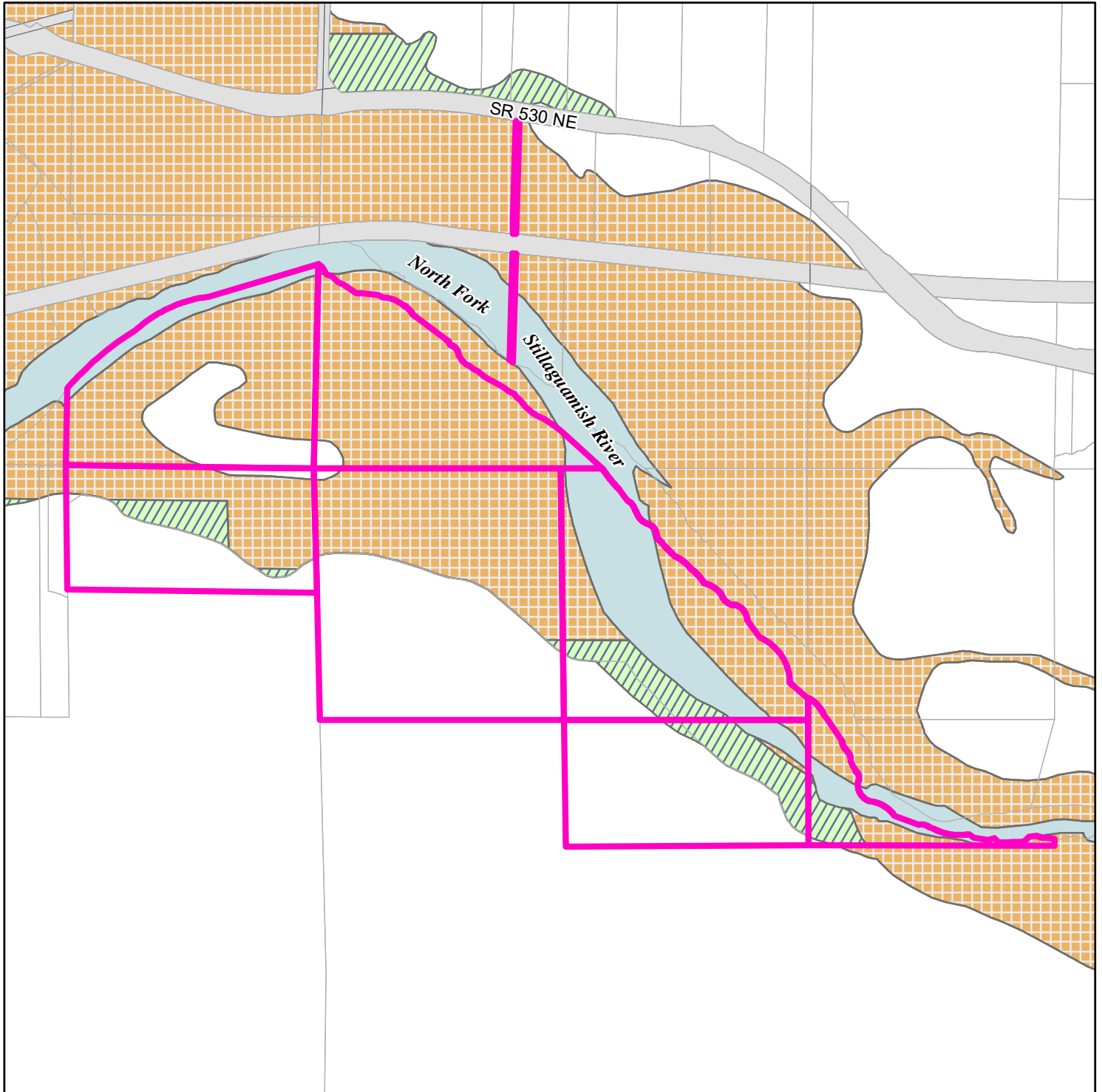
Snohomish County
Spring 2022 Open Space Review

Stillaguamish Tribes (3225) - Critical Areas

Parcel: 32061400100100, 32061100400900, 32061200301400,
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32061300200500, 32061300100400

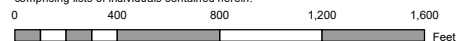


Snohomish County



- Subject Property
- Aquatic Shoreline Environment
- Resource Shoreline Environment
- Rural Conservancy Shoreline Environment
- Assessor Parcels

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CURRENT USE ASSESSMENT PDS RECOMMENDATION - SPRING 2022

Dave Somers
County Executive

APPLICANT: Jay & Julie Kuhnhenh, Marcia Burnham ECAF #: 21-1023

TAX PARCEL #: 32091700100900 ASSESSOR #: 3226

PROPERTY ADDRESS: 29824 412th DR NE, ARLINGTON, WA 98223

MAILING ADDRESS: 29824 412th DR NE, ARLINGTON, WA 98223

CLASSIFICATION REQUESTED: **OPEN SPACE GENERAL – FARM & AGRICULTURE
CONSERVATION**

The Kuhnhenh/Burnham property is currently in the Open Space Farm and Agriculture classification. The property is located 2.65 miles west of the City of Darrington. The property is zoned Rural Diversification (RD) and has a comprehensive plan designation of Rural Residential-RD (RR-RD).

The landowner has requested that 9.23 acres be reclassified as Open Space General – Farm & Agriculture Conservation. The landowner states that the property no longer meets the income requirements for the Open Space – Farm & Agriculture classification.

FINDINGS: In addition to satisfying the criteria and standards of RCW 84.34, the property must also meet at least one of the 20 criteria in Snohomish County Code (SCC) 4.28.040 in order to qualify as Open Space General under the Open Space Taxation Program.

The following designation criterion in SCC 4.28.040 merits consideration for classifying the property as Open Space General – Farm and Agriculture Conservation:

- Criterion (20)(a), which states, “Land that was previously classified under RCW 84.34.020(2) that no longer meets the criteria of subsection RCW 84.34.020(2), and that is reclassified under RCW 84.34.020(1).”

SEPA REVIEW: Minor land use decisions, which include classifications of land for open space taxation under chapter 84.34 RCW, are exempt from a threshold determination under SEPA.

RECOMMENDATION: PDS recommends that 9.23 acres of tax parcel no. 32091700100900 be reclassified as Open Space General. This recommendation is based on the understanding that the 9.23 acres will remain in an undeveloped, natural state and continue to provide the features for which the classification was granted for the duration of the classification.

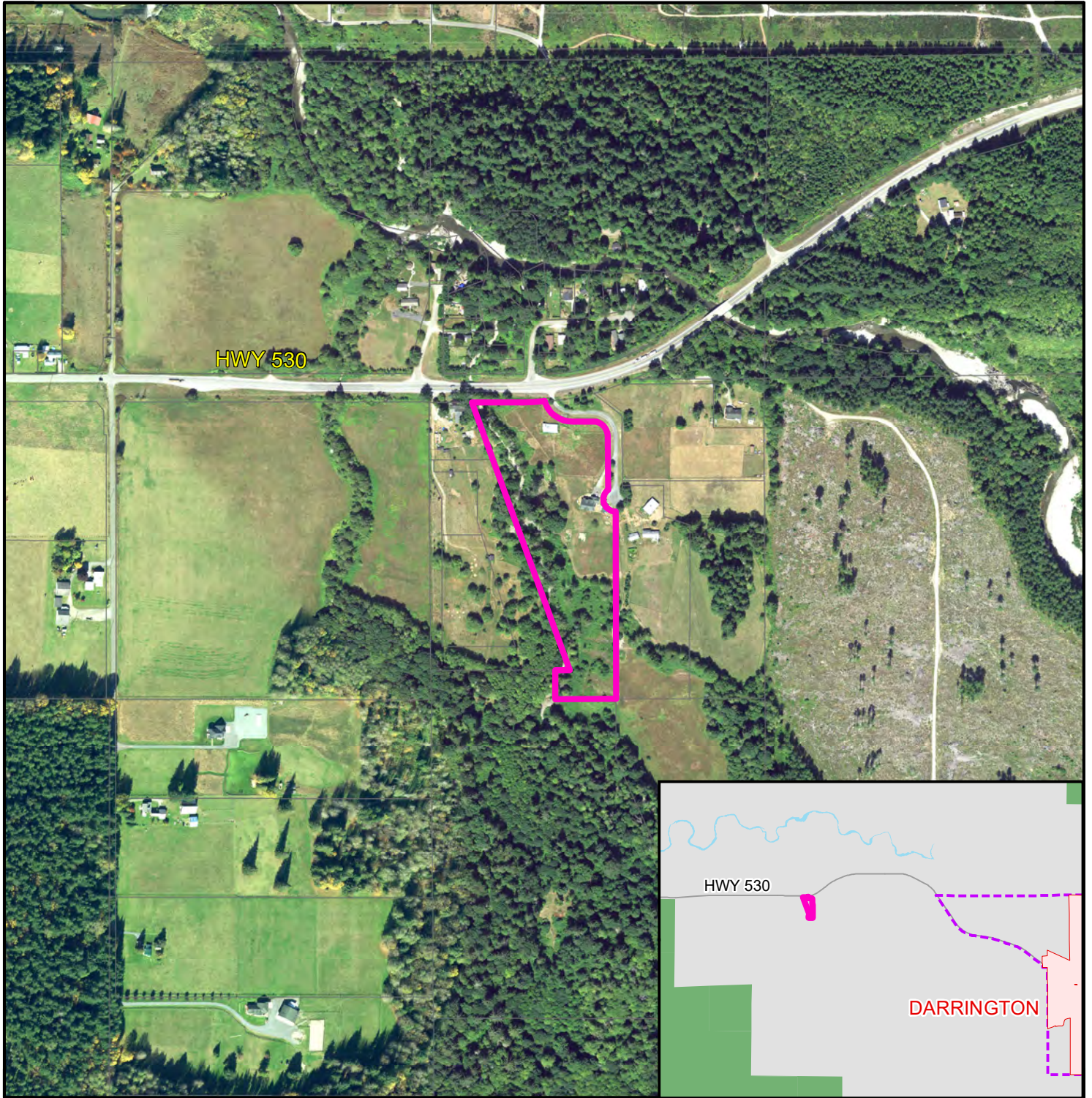
Attachments: Aerial map of property




Snohomish County
Spring 2022 Open Space Review

Kuhnehenn/Burnham (3226) - Aerial

Parcel: 32091700100900

R. 9 E.



-  Subject Property
-  Incorporated City
-  Urban Growth Area Boundary

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CURRENT USE ASSESSMENT PDS RECOMMENDATION - SPRING 2022

Dave Somers
County Executive

APPLICANT: Evergreen Land Trust ECAF #: 21-1026

TAX PARCEL #: 31062100200300 ASSESSOR #: 3227

PROPERTY ADDRESS: 13401 184th ST NE, ARLINGTON, WA 98223

MAILING ADDRESS: 13401 184th ST NE, ARLINGTON, WA 98223

CLASSIFICATION REQUESTED: **OPEN SPACE GENERAL – FARM & AGRICULTURE
CONSERVATION**

The entirety of the Evergreen Land Trust property is currently in the Open Space Farm and Agriculture classification. The property is located 2.5 miles east of the City of Arlington. The property is zoned Rural 5-Acre (R-5), has a comprehensive plan designation of Rural Residential-5 (RR- 5), and is approximately 19.42 acres in size.

The landowner has requested that 19.42 acres be reclassified as Open Space General – Farm & Agriculture Conservation. The landowner states that the property no longer meets the income requirements for the Open Space – Farm & Agriculture classification.

FINDINGS: In addition to satisfying the criteria and standards of RCW 84.34, the property must also meet at least one of the 20 criteria in Snohomish County Code (SCC) 4.28.040 in order to qualify as Open Space General under the Open Space Taxation Program.

The following designation criterion in SCC 4.28.040 merits consideration for classifying the property as Open Space General – Farm and Agriculture Conservation:

- Criterion (20)(a), which states, “Land that was previously classified under RCW 84.34.020(2) that no longer meets the criteria of subsection RCW 84.34.020(2), and that is reclassified under RCW 84.34.020(1).”

SEPA REVIEW: Minor land use decisions, which include classifications of land for open space taxation under chapter 84.34 RCW, are exempt from a threshold determination under SEPA.

RECOMMENDATION: PDS recommends that 19.42 acres of tax parcel no. 31062100200300 be reclassified as Open Space General – Farm & Agriculture Conservation. This recommendation is based on the understanding that the property will remain in an undeveloped, natural state and continue to provide the features for which the classification was granted for the duration of the classification.

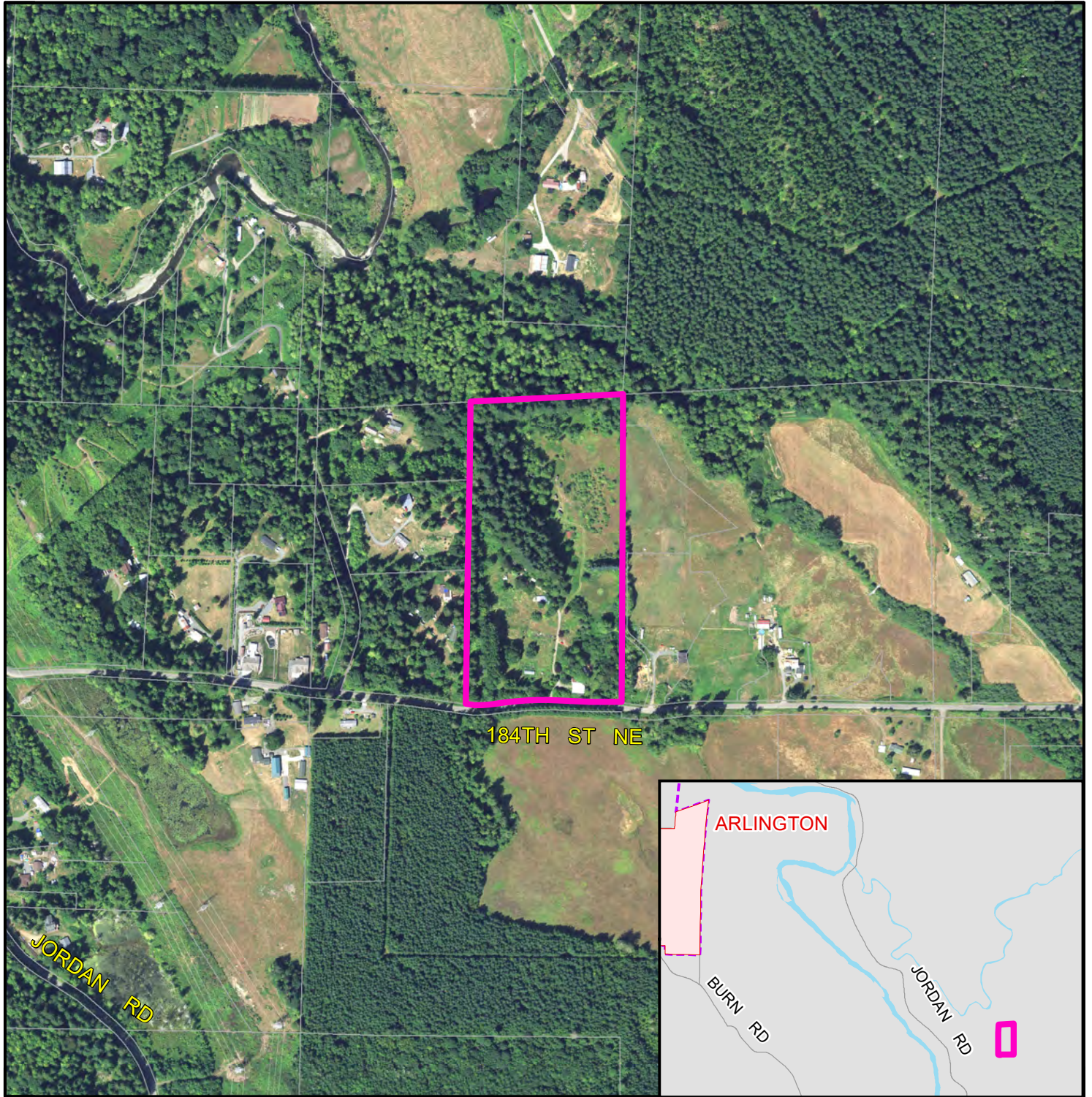
Attachments: Aerial map of property

Snohomish County
Spring 2022 Open Space Review

Evergreen Land Trust (3227) - Aerial

Parcel: 31062100200300

R. 6 E.



- Subject Property
- Incorporated City
- Urban Growth Area Boundary

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**CURRENT USE ASSESSMENT
PDS RECOMMENDATION - SPRING 2022**

Dave Somers
County Executive

APPLICANT: Jean, Terry, & Todd Allen ECAF #: 21-1025

TAX PARCEL #: 32061200301800 ASSESSOR #: 3228

PROPERTY ADDRESS: 17917 STATE ROUTE 530 NE, ARLINGTON, WA 98223

MAILING ADDRESS: 17917 STATE ROUTE 530 NE, ARLINGTON, WA 98223

CLASSIFICATION REQUESTED: **OPEN SPACE GENERAL – FARM & AGRICULTURE
CONSERVATION**

The Allen property is currently in the Open Space Farm and Agriculture classification. The property is located 7.2 miles northeast of the City of Arlington. The property is zoned Rural 5-Acre (R-5) and Agriculture-10 Acre (A-10) with the comprehensive plan designation of Rural Residential (RR) and Riverway Commercial Farmland (RCF).

The landowner has requested that the entirety of the property (15.47 acres) be reclassified as Open Space General – Farm & Agriculture Conservation. The landowner states that the property no longer meets the income requirements for the Open Space – Farm & Agriculture classification.

FINDINGS: In addition to satisfying the criteria and standards of RCW 84.34, the properties must also meet at least one of the 20 criteria in Snohomish County Code (SCC) 4.28.040 in order to qualify as Open Space General under the Open Space Taxation Program.

The following designation criterion in SCC 4.28.040 merits consideration for classifying the property as Open Space General – Farm and Agriculture Conservation:

- Criterion (20)(a), which states, “Land that was previously classified under RCW 84.34.020(2) that no longer meets the criteria of subsection RCW 84.34.020(2), and that is reclassified under RCW 84.34.020(1).”

SEPA REVIEW: Minor land use decisions, which include classifications of land for open space taxation under chapter 84.34 RCW, are exempt from a threshold determination under SEPA.

RECOMMENDATION: PDS recommends that 15.47 acres of tax parcel no. 32061200301800 be reclassified as Open Space General – Farm & Agriculture Conservation. This recommendation is based on the understanding that the property will remain in an undeveloped, natural state and continue to provide the features for which the classification was granted for the duration of the classification.

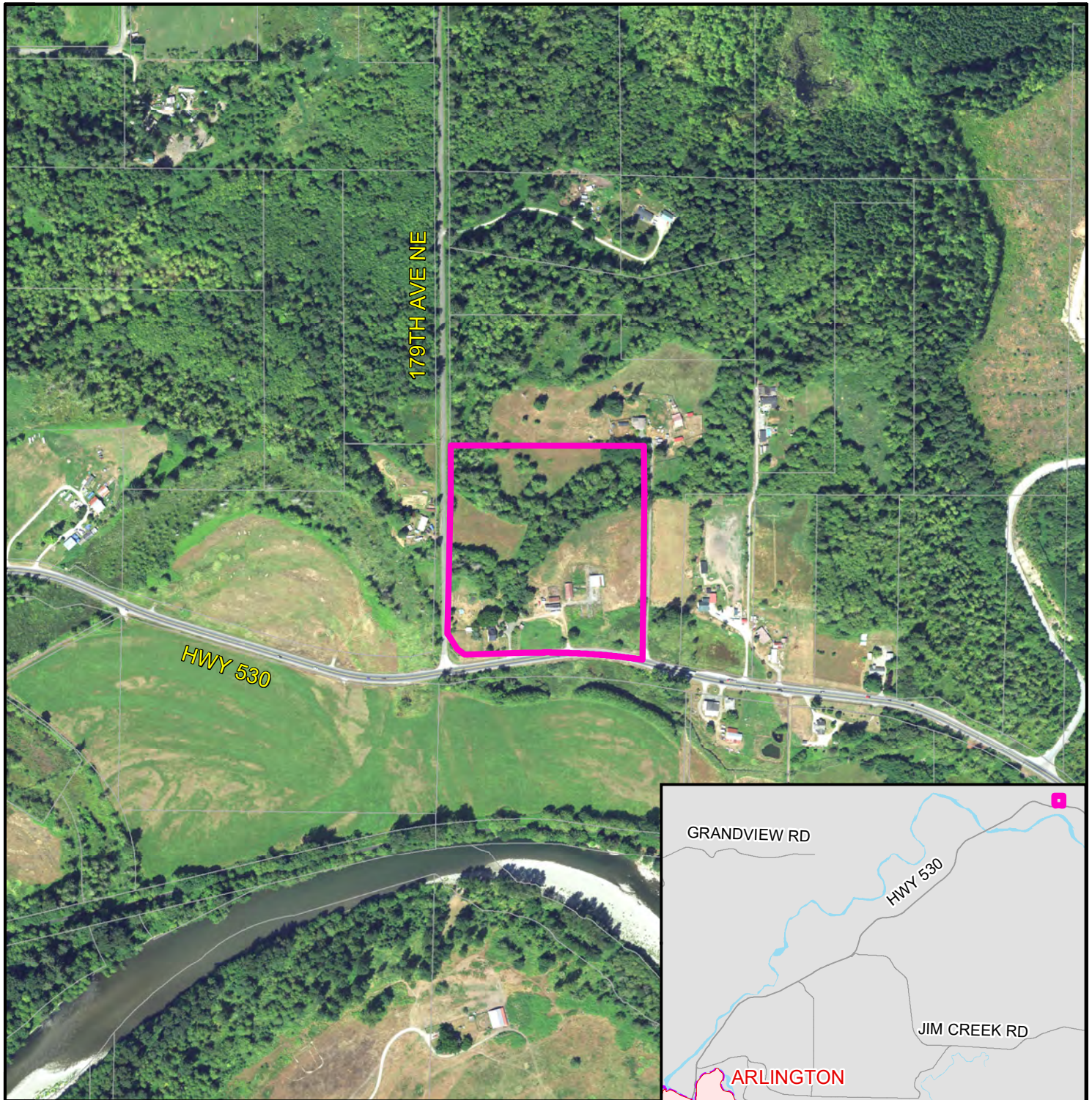
Attachments: Aerial map of property

Snohomish County
Spring 2022 Open Space Review

Allen (3228) - Aerial

Parcel: 32061200301800

R. 6 E.



- Subject Property
- Incorporated City

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**CURRENT USE ASSESSMENT
PDS RECOMMENDATION - SPRING 2022**

Dave Somers
County Executive

APPLICANT: Dale Shelton ECAF #: 21-1003

TAX PARCEL #: 32061600300800 ASSESSOR #: 3229

PROPERTY ADDRESS: 28828 139TH AVE NE, ARLINGTON, WA 98223

MAILING ADDRESS: 28828 139TH AVE NE, ARLINGTON, WA 98223

CLASSIFICATION REQUESTED: **OPEN SPACE GENERAL – FARM & AGRICULTURE
CONSERVATION**

The Shelton property is currently in the Open Space Farm and Agriculture classification. The property is located 4.5 miles northeast of the City of Arlington. The property is zoned Agriculture-10 Acre (A-10) with a comprehensive plan designation of Riverway Commercial Farmland (RCF).

The landowner has requested that 9.00 acres of the 10 acre property be reclassified as Open Space General – Farm & Agriculture Conservation. The landowner states that the property no longer meets the income requirements for the Open Space – Farm & Agriculture classification.

FINDINGS: In addition to satisfying the criteria and standards of RCW 84.34, the property must also meet at least one of the 20 criteria in Snohomish County Code (SCC) 4.28.040 in order to qualify as Open Space General under the Open Space Taxation Program.

The following designation criterion in SCC 4.28.040 merits consideration for classifying the property as Open Space General – Farm and Agriculture Conservation:

- Criterion (20)(a), which states, “Land that was previously classified under RCW 84.34.020(2) that no longer meets the criteria of subsection RCW 84.34.020(2), and that is reclassified under RCW 84.34.020(1).”

SEPA REVIEW: Minor land use decisions, which include classifications of land for open space taxation under chapter 84.34 RCW, are exempt from a threshold determination under SEPA.

RECOMMENDATION: PDS recommends that 9.00 acres of tax parcel no. 32061600300800 be reclassified as Open Space General – Farm & Agriculture Conservation. This recommendation is based on the understanding that the 9 acres will remain in an undeveloped, natural state and continue to provide the features for which the classification was granted for the duration of the classification.

Attachments: Aerial map of property

Snohomish County Spring 2022 Open Space Review Shelton (3229) - Aerial

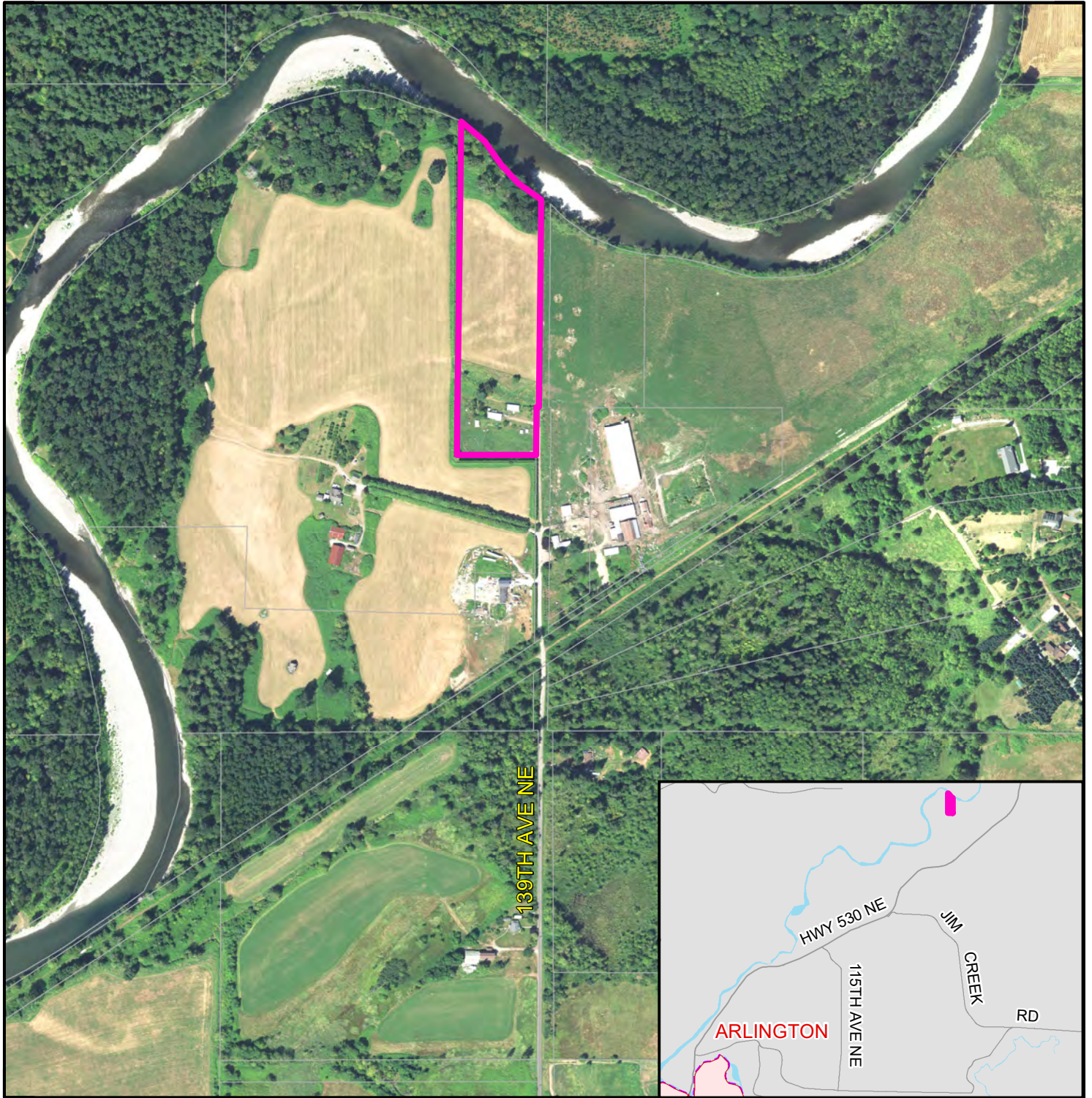
Parcel: 32061600300800

R. 6 E.



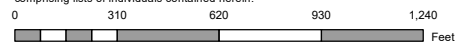
T. 32 N.

139TH AVE NE



- Subject Property
- Incorporated City

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CURRENT USE ASSESSMENT PDS RECOMMENDATION - SPRING 2022

Dave Somers
County Executive

APPLICANT: Karyn Weingarden ECAF #: 21-1001

TAX PARCEL #: 28062300400100 ASSESSOR #: 3230

PROPERTY ADDRESS: 17608 BUTLER RD, SNOHOMISH WA 98290

MAILING ADDRESS: 17608 BUTLER RD, SNOHOMISH WA 98290

CLASSIFICATION REQUESTED: **OPEN SPACE GENERAL**

The Weingarden property is presently not in the Open Space Taxation program. The property is located 1.6 miles north of the City of Monroe. The property is zoned Rural 5 - Acre (R-5) with a comprehensive plan designation of Rural Residential (RR). The landowner has requested that the entire 9.7 acre property be classified as Open Space General.

FINDINGS: In addition to satisfying the criteria and standards of RCW 84.34, the property must also meet at least one of the 20 criteria in Snohomish County Code (SCC) 4.28.040 in order to qualify as Open Space General under the Open Space Taxation Program.

The following designation criterion in SCC 4.28.040 merits consideration for classifying the property as Open Space General:

- Criterion (11), which states, "Areas which contain features of unique historic, cultural or education values which are open to the public's use, (e.g., public access to displays, interpretive centers, etc.), free of charge or at reasonable, customary rates:
 - (d) Where there are historic or archeological features on the site of at least 50 years of age, which would have value to future generations due to the uncommon nature or rare representation of past times and events."

The barn on the property was constructed in 1932 and is listed on the Historic Barn Register of the Washington Department of Archaeology and Historic Preservation. This barn serves as a representation of Snohomish County's historic farming culture which is important to maintain as farms continue to disappear from the County. PDS has determined that this supports criterion 11.

SEPA REVIEW: Minor land use decisions, which include classifications of land for open space taxation under chapter 84.34 RCW, are exempt from a threshold determination under SEPA.

RECOMMENDATION: PDS recommends that 8.7 acres of tax parcel no. 28062300400100 be classified as Open Space General. This recommendation is based on the understanding that the

8.7 acres will remain in current state and continue to provide the features for which the classification was granted for the duration of the classification.

Attachments: Aerial map of property

Snohomish County Spring 2022 Open Space Review

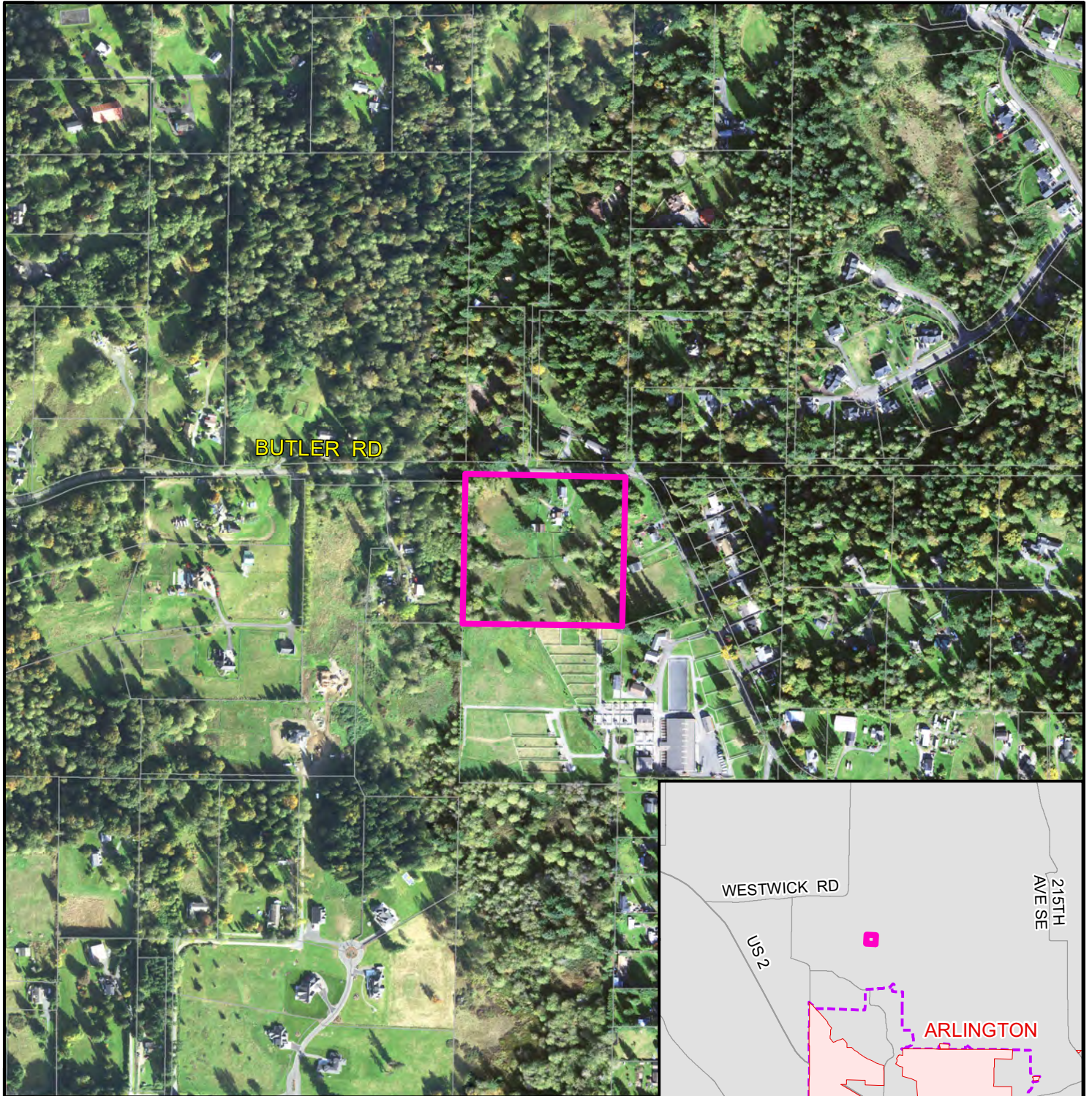
Weingarden (3230) - Aerial

Parcel: 28062300400100

R. 6 E.



Snohomish County



- Subject Property
- Incorporated City
- Urban Growth Area Boundary

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0 310 620 930 1,240 Feet

Produced by Snohomish Co. Dept. of Planning & Development Services

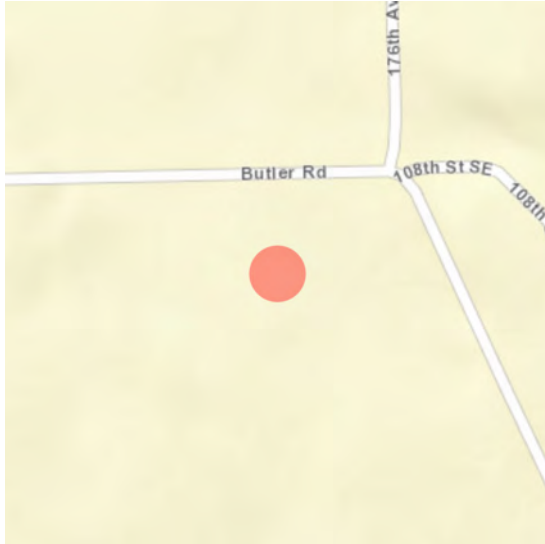


Historic Property Report

Resource Name: Nelson, John, Farmstead

Property ID: 226417

Location



Address: 17608 Butler Road, Snohomish, WA
Tax No/Parcel No: 28062300400100
Plat/Block/Lot: SEC 23 TWP 28 RGE 06 NW1/4 NE1/4 SE1/4 LESS CO RD
Geographic Areas: Snohomish County, LAKE ROESIGER Quadrangle, T28R06E23

Information

Number of stories: 1

Construction Dates:

Construction Type	Year	Circa
Built Date	1932	<input type="checkbox"/>

Historic Use:

Category	Subcategory
Agriculture/Subsistence	Agriculture/Subsistence - Agricultural Outbuilding
Agriculture/Subsistence	Agriculture/Subsistence - Agricultural Outbuilding

Historic Context:

Category

Agriculture

Architecture

Architect/Engineer:

Category	Name or Company
----------	-----------------



Historic Property Report

Resource Name: Nelson, John, Farmstead

Property ID: 226417

Registers:

Register Type	Listed Date	Removed Date	Period of Significance	Level of Significance	Criteria
Washington Heritage Barn Register	5/20/2015		-	Local	

Thematics:

Local Registers and Districts

Name	Date Listed	Notes
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Project History

Project Number, Organization, Project Name	Resource Inventory	SHPO Determination	SHPO Determined By, Determined Date
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Snohomish County

Planning and Development Services

Long Range Planning

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**CURRENT USE ASSESSMENT
PDS RECOMMENDATION - SPRING 2022**

Dave Somers
County Executive

APPLICANT: Wayne & Phyllis Maslin ECAF #: 21-1102

TAX PARCEL #: 27072800400500 ASSESSOR #: 3231

PROPERTY ADDRESS: 23518 LAKE FONTAL RD, MONROE, WA 98272

MAILING ADDRESS: 23518 LAKE FONTAL RD, MONROE, WA 98272

CLASSIFICATION REQUESTED: **OPEN SPACE GENERAL**

The Maslin property is currently not participating in the Open Space General program. The property is located approximately 4.4 miles southeast of the City of Monroe. The property is zoned Forestry (F) with a comprehensive plan designation of Low Density Rural Residential (LDRR).

The landowner has requested that the entirety of the property (5.0 acres) be classified as Open Space General (OSG).

FINDINGS: In addition to satisfying the criteria and standards of RCW 84.34, the property must also meet at least one of the 20 criteria in Snohomish County Code (SCC) 4.28.040 in order to qualify as Open Space General under the Open Space Taxation Program.

The following designation criterion in SCC 4.28.040 merits consideration for reclassifying the property as Open Space General:

- Criterion (19), which states, "Areas which are protective buffers as required by development regulations implementing the Growth Management Act.

As illustrated in the attached aerial map, this property is bisected by a non-fish bearing stream that requires a 50-foot buffer which supports criterion (19).

This non-fish bearing stream and its buffer occupies .7 acres of the site. The buffer is being expanded to include the southern portion of the property rendered inaccessible by the stream as well as the eastern wooded portion of the property. PDS has determined that 1.25 acres of the property qualify for the open space program.

SEPA REVIEW: Minor land use decisions, which include classifications of land for open space taxation under chapter 84.34 RCW, are exempt from a threshold determination under SEPA.

RECOMMENDATION: PDS recommends that 1.25 acres of tax parcel no. 27072800400500 be classified as Open Space General. This recommendation is based on the understanding that the 1.25 acres will remain in an undeveloped, natural state and continue to provide the features for which the classification was granted for the duration of the classification.

Attachments: Aerial map of property
Critical Areas Map

Snohomish County Spring 2022 Open Space Review **Maslin (3231) - Aerial**

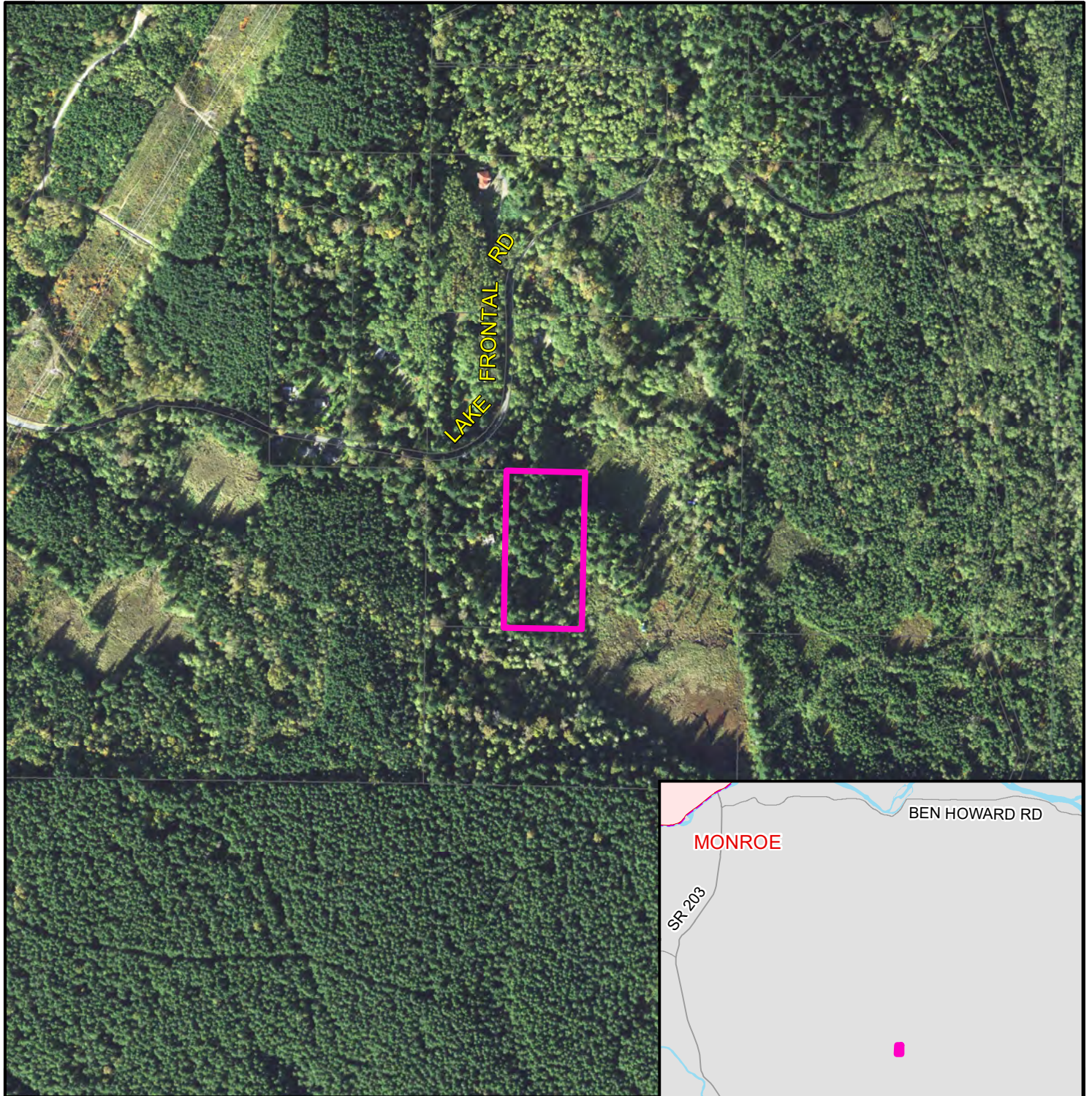
Parcel: 27072800400500



Snohomish County

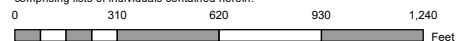
R. 7 E.

T. 27 N.



- Subject Property
- Incorporated City

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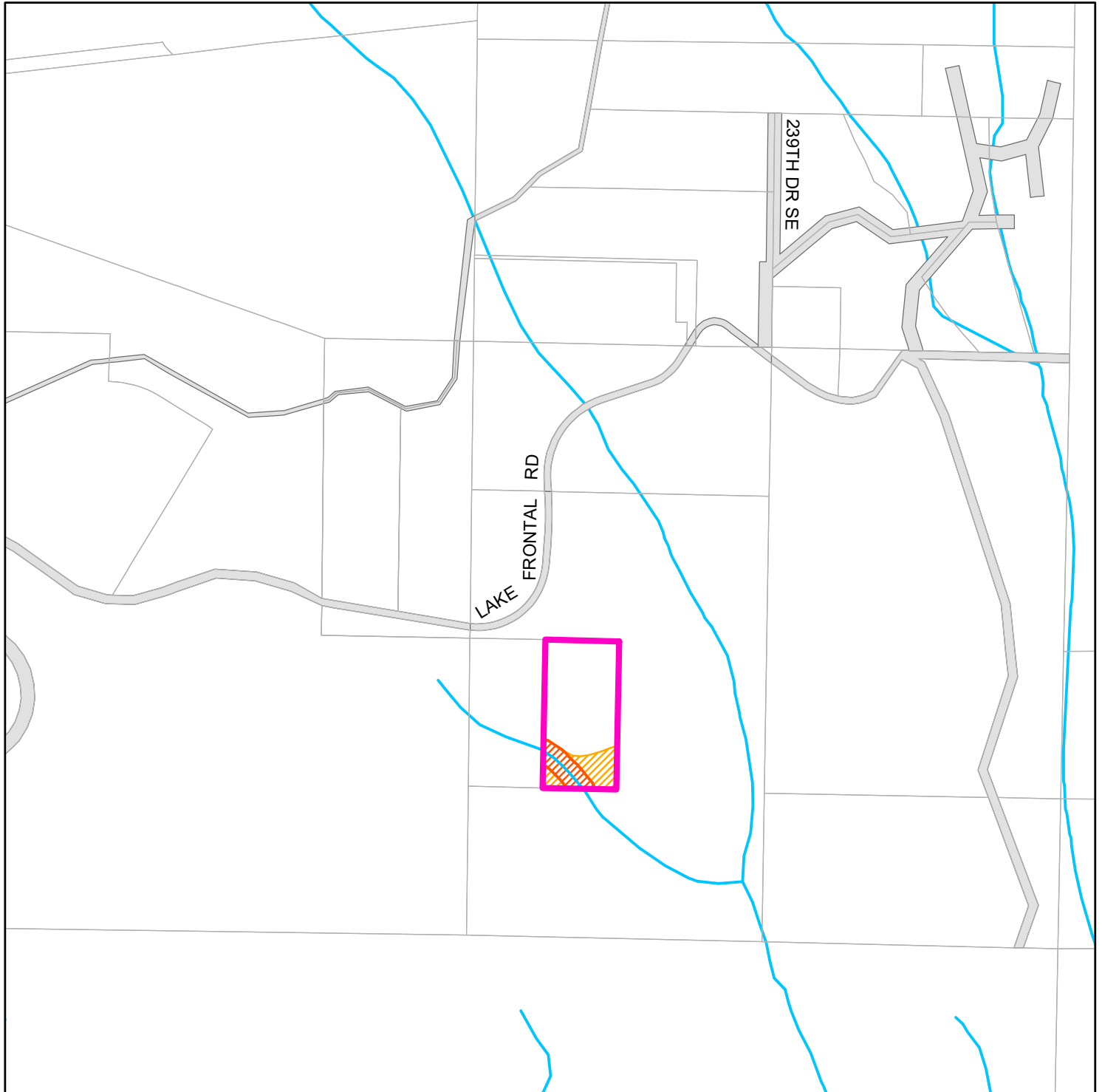
Produced by Snohomish Co. Dept. of Planning & Development Services

Snohomish County Spring 2022 Open Space Review Maslin (3231) - Critical Areas

Parcel: 27072800400500

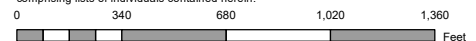


Snohomish County



- Subject Property
- Critical Areas
- Enhanced Buffer
- Assessor Parcels
- Streams

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**CURRENT USE ASSESSMENT
PDS RECOMMENDATION - SPRING 2022**

Dave Somers
County Executive

APPLICANT: Ralph & Ruth Barker ECAF #: 21-1090
TAX PARCEL #: 32062100100100, 32061600400500 ASSESSOR #: 3232
PROPERTY ADDRESS: 14618 STATE ROUTE 530 NE, ARLINGTON, WA 98223
MAILING ADDRESS: 526 N WEST AVE PMB 89, ARLINGTON, WA 98223
CLASSIFICATION REQUESTED: **OPEN SPACE GENERAL – FARM & AGRICULTURE
CONSERVATION**

The Barker properties are currently in the Open Space Farm and Agriculture classification. The properties are located 4.6 miles northeast of the City of Arlington. The property north of SR 530 (32061600400500) is zoned Agriculture-10 Acre (A-10) with a comprehensive plan designation of Riverway Commercial Farmland (RCF). The property to the south of SR 530 (32062100100100) is zoned Rural Residential - 5 with a comprehensive plan designation of Rural Residential.

The landowner has requested that the entirety of both properties (5.8 acres) be reclassified as Open Space General – Farm & Agriculture Conservation. The landowner states that the properties no longer meet the income requirements for the Open Space – Farm & Agriculture classification.

FINDINGS: In addition to satisfying the criteria and standards of RCW 84.34, the properties must also meet at least one of the 20 criteria in Snohomish County Code (SCC) 4.28.040 in order to qualify as Open Space General under the Open Space Taxation Program.

The following designation criteria in SCC 4.28.040 merit consideration for classifying the property as Open Space General – Farm and Agriculture Conservation:

- Criterion(20)(a), which states, “Land that was previously classified under RCW 84.34.020(2) that no longer meets the criteria of subsection RCW 84.34.020(2), and that is reclassified under RCW 84.34.020(1).”

SEPA REVIEW: Minor land use decisions, which include classifications of land for open space taxation under chapter 84.34 RCW, are exempt from a threshold determination under SEPA.

RECOMMENDATION: PDS recommends that 5.8 acres of tax parcel nos. 32062100100100 and 32061600400500 be reclassified as Open Space General – Farm & Agriculture Conservation. This recommendation is based on the understanding that the property will remain in an undeveloped, natural state and continue to provide the features for which the classification was granted for the duration of the classification.

Attachments: Aerial map of property

Snohomish County Spring 2022 Open Space Review **Barker (3232) - Aerial**

Parcel: 32062100100100, 32061600400500



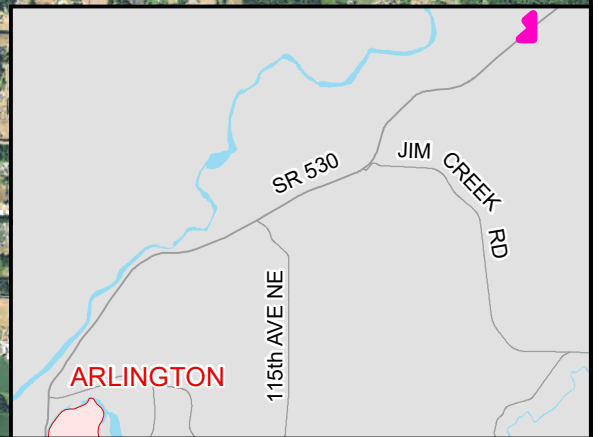
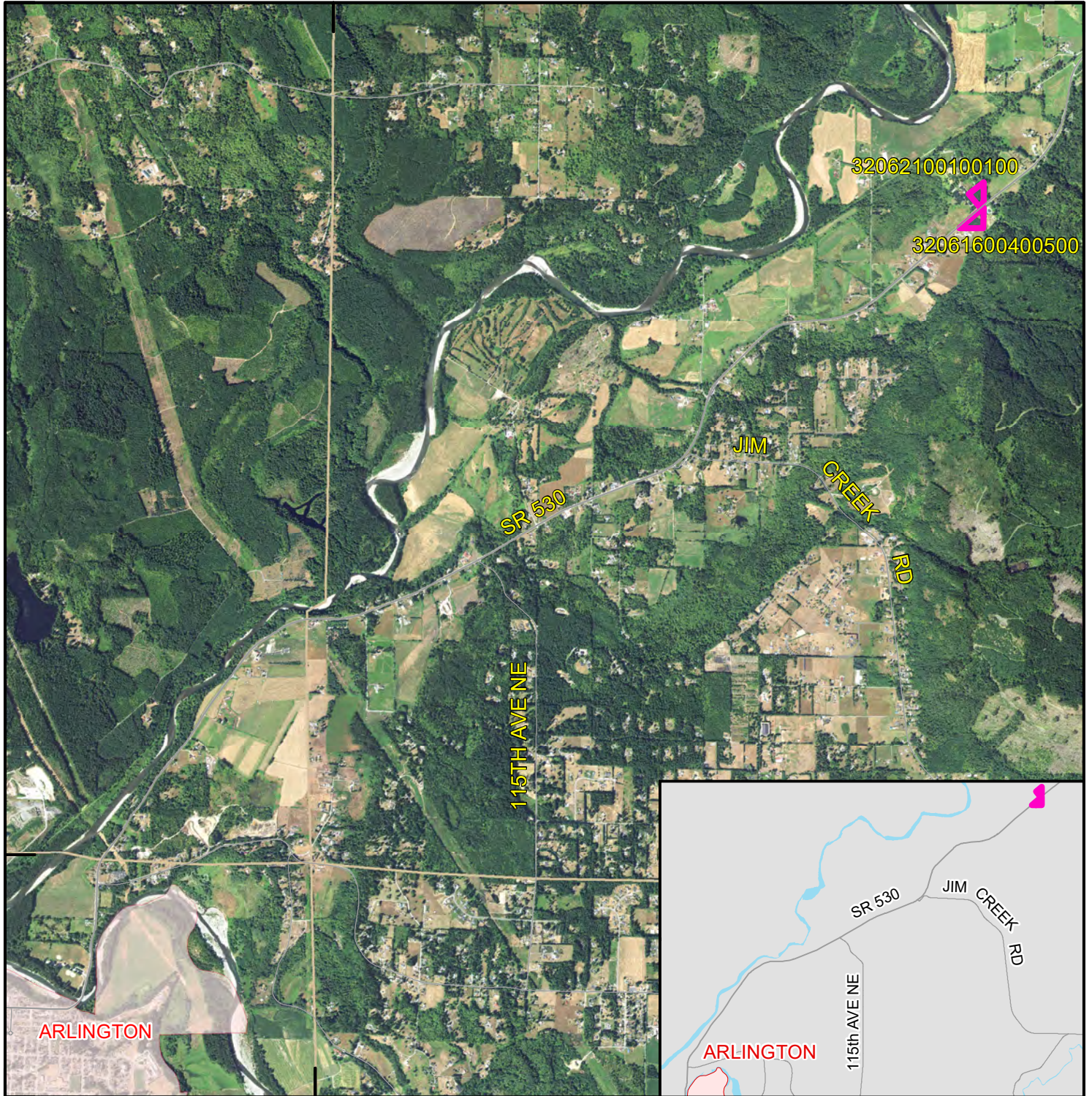
Snohomish County

R. 5 E.

R. 6 E.

T. 32 N.

T. 31 N.



- Subject Property
- Incorporated City

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**CURRENT USE ASSESSMENT
PDS RECOMMENDATION - SPRING 2022**

Dave Somers
County Executive

APPLICANT: Jeffrey & Eileen Hambleton ECAF #: 21-0998

TAX PARCEL #: 28083100300100, 28083100301600 ASSESSOR #: 3233

PROPERTY ADDRESS: UNASSIGNED

MAILING ADDRESS: 14119 REINER RD, MONROE, WA 98272

CLASSIFICATION REQUESTED: **OPEN SPACE GENERAL**

The Hambleton properties are not currently enrolled in the Open Space program. The properties are located immediately west of the City of Sultan. The property is zoned Rural 5 - Acre (R-5) with a comprehensive plan designation of Rural Residential - 5 (RR-5).

The landowner has requested that the entirety of the properties (10.95 acres) be classified as Open Space General. This is being requested since the properties are encumbered by a rural conservancy shoreline buffer from the Sultan River and a wetland along with its buffer.

FINDINGS: In addition to satisfying the criteria and standards of RCW 84.34, the properties must also meet at least one of the 20 criteria in Snohomish County Code (SCC) 4.28.040 in order to qualify as Open Space General under the Open Space Taxation Program.

The following designation criteria in SCC 4.28.040 merit consideration for classifying the property as Open Space General:

- Criterion (6), which states, "Undeveloped, natural areas adjacent to water bodies which come under the jurisdiction of the state Shoreline Management Act and are designated by the Snohomish County Shoreline Management Program."
- Criterion (14), which states, "Wetland areas of at least one-fourth acre in size. Associated wetland buffers may also be included. The wetland buffer width may be increased from the standard wetland buffer listed in SCC 30.62A.320 Table 2b due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer."

As illustrated in the attached Critical Areas map, the wetland, the shoreline environment, and their buffers cover the majority of the parcels. This meets criterion (6) and criterion (14). The buffers are being expanded to cover the entirety of both properties.

SEPA REVIEW: Minor land use decisions, which include classifications of land for open space taxation under chapter 84.34 RCW, are exempt from a threshold determination under SEPA.

RECOMMENDATION: PDS recommends that 10.95 acres of tax parcel nos. 28083100300100 and 28083100301600 be classified as Open Space General. This recommendation is based on the understanding that the properties will remain in an undeveloped, natural state and continue to provide the features for which the classification was granted for the duration of the classification.

Attachments: Aerial map of property
Critical Area Map
Letter of Finding

Snohomish County
Spring 2022 Open Space Review

Hambleton (3223) - Aerial

Parcel: 28083100300100, 28083100301600



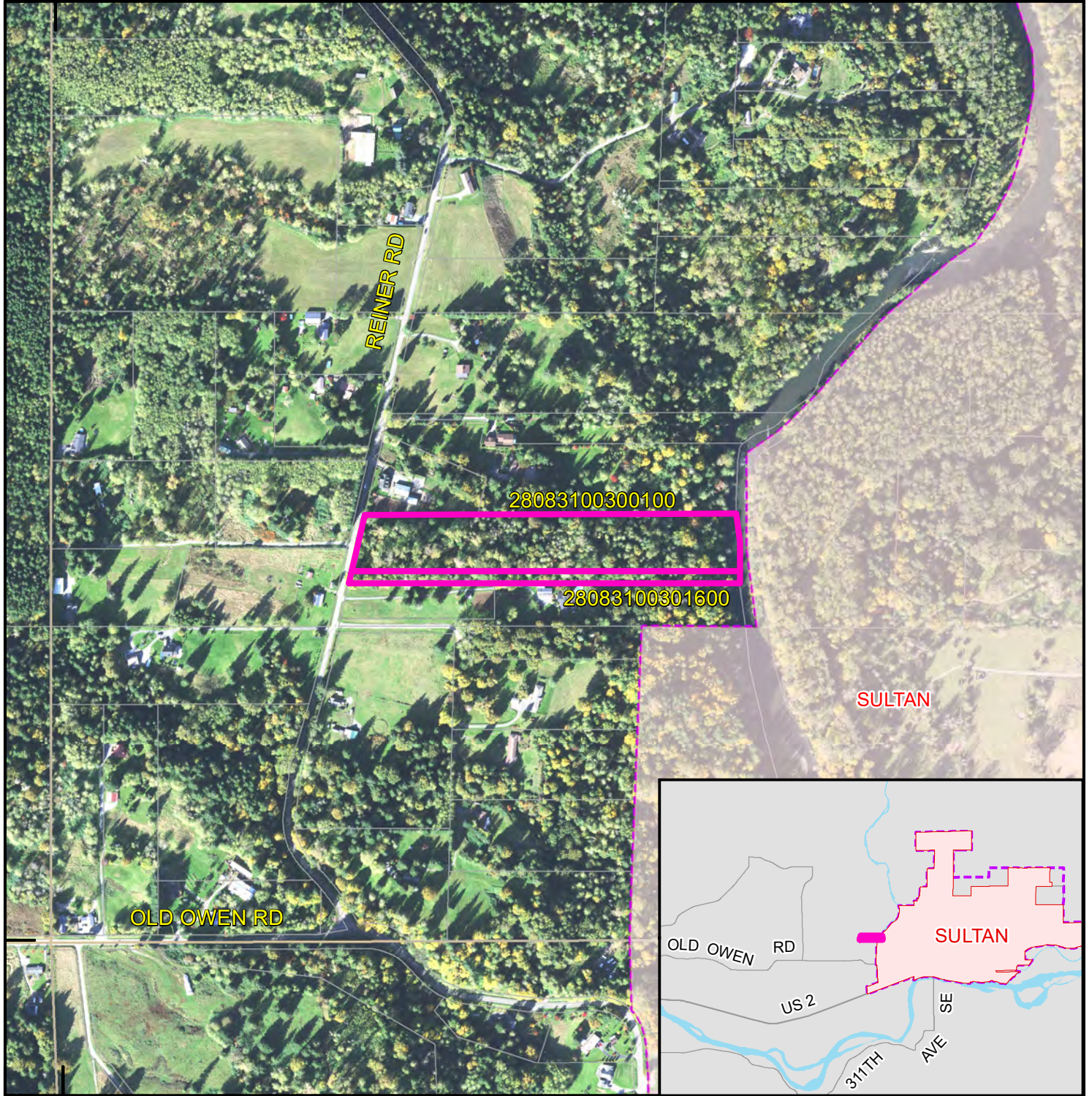
R. 7 E.

R. 8 E.

Snohomish County

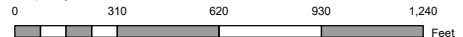
T. 28 N.

T. 27 N.



- Subject Property
- Incorporated City
- Urban Growth Area Boundary

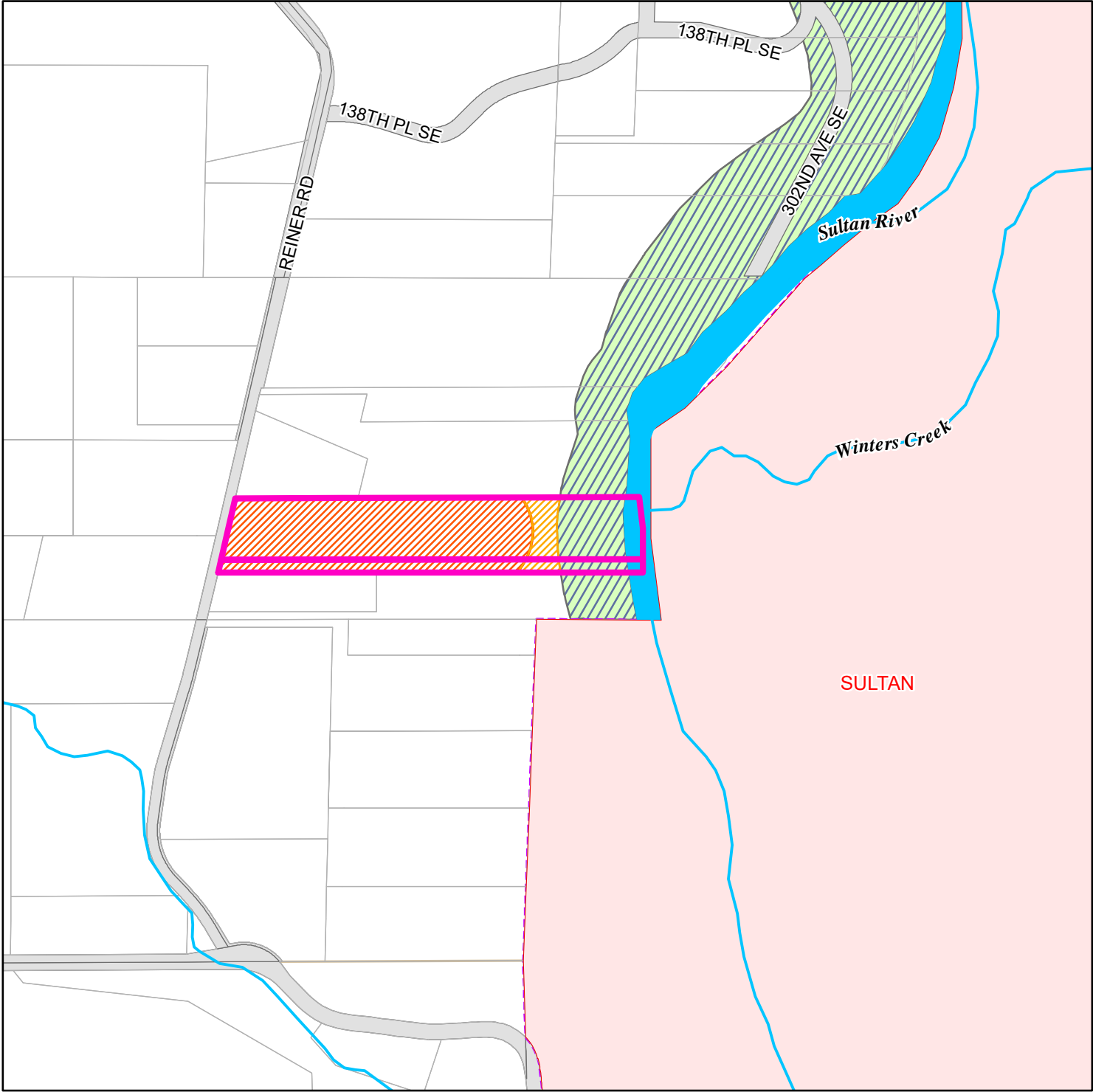
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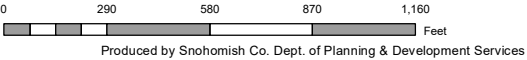
Snohomish County
Spring 2022 Open Space Review
Hambleton (3233) - Critical Areas

Parcel: 28083100300100, 28083100301600



- Subject Property
- Critical Area
- Enhanced Buffer
- Rural Conservancy Shoreline Environment
- Assessor Parcels
- Streams

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Nancy Greenup
TPN 280831-003-001-00 & -003-016-00
Reiner Rd, Sultan WA

August 30, 2021
Harmsen #21-398
(206) 276-6156
ngreenup52@gmail.com

Letter of Findings

On 30 August 2021, I visited your parcels of interest situated on Reiner Rd north of Sultan (TPNs 280831-003-001-00, 016-00), to investigate the property for vegetation, hydrology, and soil indicators associated with potential wetland conditions, and for vegetative, geotic, and hydrologic indicators associated with stream conditions. I did not perform a wetland delineation, therefore all descriptions and buffers mentioned in this letter of findings are approximate.



Figure 1. Mapped & observed critical areas on TPNs 280831-003-001-001, 016-001: regulated steep slopes depicted in orange & approx. minimum slope setback of $\approx 230'$ depicted by orange line; wetland boundary depicted in black/white. AFI locations approximate. Image Source: Snohomish County PDS

The site is located in the Lower Sultan River sub-basin, in the Skykomish watershed, within the Snohomish River basin (WRIA 7). Soil above the critical slope is mapped as **Pastik silt loam 0 to 8 percent slopes**, which does not carry a hydric soil rating, although a minor component of this soil, **Bellingham**, does carry a hydric soil rating.

The site is located east of Reiner Rd and slopes from west to east, before the topography breaks to the Sultan River valley: these slopes are regulated and require a standard setback equal to the height of the slope (1h), which is approximately **230'** at this site (Fig. 1).

EVERETT (ASPI)
5205 S. 2nd Avenue, Ste. A
Everett, WA 98203
425-252-1884

MONROE
125 East Main Street., Ste. 104
Monroe, WA 98272
360-794-7811

MOUNT VERNON
603 South First Street
Mount Vernon, WA 98273
360-336-9199

OAK HARBOR
840 SE 8th Avenue, Ste. 102
Oak Harbor, WA 98271
360-675-5973

OPEN SPACE
Assessor's
Ap c No.

The central portion of the site is encumbered by an extensive depressional wetland, situate within a topographic low area stretching from the road to the top of bank (Fig. 1). Indicators of wetland hydrology were consistently saturation and sparsely vegetated concave surface; indicators of hydric soil were redoximorphic features (depletions and iron concentrations) below dark surface soils; all areas are dominated by hydrophytic vegetation. Due to a high Habitat Score of 8/9 per the Wetland Rating System for Western Washington (2014), the estimated standard buffer for all observed wetlands is **225'**; this standard buffer encumbers the entire upland portion of the parcel.

These conditions severely restrict the developable area on the parcel, and only a formal wetland delineation will determine the usable area. Snohomish County does allow residential development within critical areas buffers, if there is not enough area or alternate location available for the development outside of the standard buffer. However, any development within critical areas buffers is limited to 4,000 sqft: this includes driveways and lawn, in addition to any building footprints (**30.62A.520 Snohomish County Code**).

Snohomish County also allows buffer averaging as a remedy, but the buffer cannot be reduced beyond **half (112.5')** which would make virtually no difference on this property, given the parcel dimensions. All disturbances within critical areas buffers must be mitigated for, preferably in-kind and on-site: again, given the parcel dimensions this could be challenging, and Innovative Development Design is allowed only at the discretion of the Planning Dept.

We appreciate the opportunity to serve you. Please do not hesitate call us if you have any questions regarding this determination.

Sincerely,

Erynn O. Sullivan
Wetland Specialist





Snohomish County

Planning and Development Services

Long Range Planning

3000 Rockefeller Ave., M/S 604
Everett, WA 98201-4046
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**CURRENT USE ASSESSMENT
PDS RECOMMENDATION - SPRING 2022**

Dave Somers
County Executive

APPLICANT: Connie McNamee ECAF #: 21-1024

TAX PARCEL #: 29060300301600 ASSESSOR #: 3234

PROPERTY ADDRESS: 3311 SCHWARTZMILLER RD, LAKE STEVENS, WA 98258

MAILING ADDRESS: 3311 SCHWARTZMILLER RD, LAKE STEVENS, WA 98258

CLASSIFICATION REQUESTED: **OPEN SPACE GENERAL – FARM & AGRICULTURE
CONSERVATION**

The McNamee property is currently in the Open Space Farm and Agriculture classification. The property is located 1.00 mile east of the City of Lake Stevens. The property is zoned Rural - 5 Acre (R-5) with a comprehensive plan designation of Rural Residential - 5 (RR-5).

The landowner has requested that the entirety of the property (19.90 acres) be reclassified as Open Space General – Farm & Agriculture Conservation. The landowner states that the property no longer meets the income requirements for the Open Space – Farm & Agriculture classification.

FINDINGS: In addition to satisfying the criteria and standards of RCW 84.34, the property must also meet at least one of the 20 criteria in Snohomish County Code (SCC) 4.28.040 in order to qualify as Open Space General under the Open Space Taxation Program.

The following designation criterion in SCC 4.28.040 merits consideration for classifying the property as Open Space General – Farm and Agriculture Conservation:

- Criterion (20)(a), which states, “Land that was previously classified under RCW 84.34.020(2) that no longer meets the criteria of subsection RCW 84.34.020(2), and that is reclassified under RCW 84.34.020(1).”

SEPA REVIEW: Minor land use decisions, which include classifications of land for open space taxation under chapter 84.34 RCW, are exempt from a threshold determination under SEPA.

RECOMMENDATION: PDS recommends that 19.90 acres of tax parcel no. 29060300301600 be reclassified as Open Space General – Farm & Agriculture Conservation. This recommendation is based on the understanding that the property will remain in an undeveloped, natural state and continue to provide the features for which the classification was granted for the duration of the classification.

Attachments: Aerial map of property

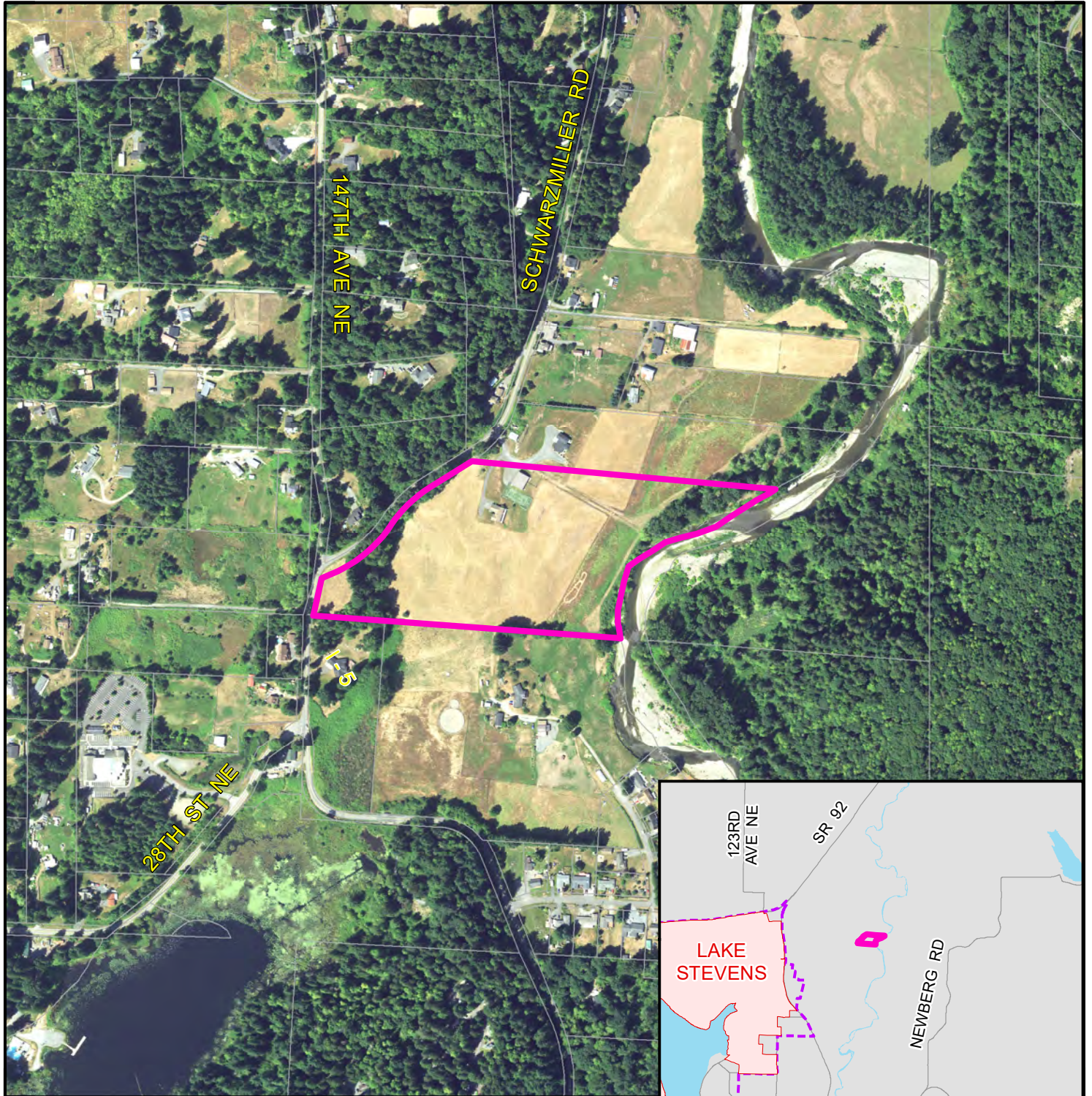
Snohomish County Spring 2022 Open Space Review **McNamee (3234) - Aerial**

Parcel: 29060300301600

R. 6 E.

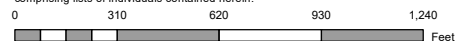


Snohomish County



- Subject Property
- Incorporated City
- Urban Growth Area Boundary

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Produced by Snohomish Co. Dept. of Planning & Development Services



**CURRENT USE ASSESSMENT
PDS RECOMMENDATION - SPRING 2022**

Dave Somers
County Executive

APPLICANT: Pamela Jones ECAF #: 21-1110

TAX PARCEL #: 28061000102400 ASSESSOR #: 3235

PROPERTY ADDRESS: 1349 GUERRERO ST, SAN FRANCISCO, CA 94110

MAILING ADDRESS: 1349 GUERRERO ST, SAN FRANCISCO, CA 94110

CLASSIFICATION REQUESTED: **OPEN SPACE GENERAL – FARM & AGRICULTURE
CONSERVATION**

The Pamela Jones property is currently in the Open Space Farm and Agriculture classification. The property is located 2.9 miles east of the City of Snohomish. The property south of Three Lakes Rd is zoned Rural – 5 Acre (R-5) with a comprehensive plan designation of Rural Residential (RR).

The landowner has requested that the entire parcel (6.0 acres) be reclassified as Open Space General – Farm & Agriculture Conservation. The landowner states that the property no longer meets the income requirements for the Open Space – Farm & Agriculture classification.

FINDINGS: In addition to satisfying the criteria and standards of RCW 84.34, the property must also meet at least one of the 20 criteria in Snohomish County Code (SCC) 4.28.040 in order to qualify as Open Space General under the Open Space Taxation Program.

The following designation criterion in SCC 4.28.040 merit consideration for classifying the property as Open Space General – Farm and Agriculture Conservation:

- Criterion (20)(a), which states, “Land that was previously classified under RCW 84.34.020(2) that no longer meets the criteria of subsection RCW 84.34.020(2), and that is reclassified under RCW 84.34.020(1).”

SEPA REVIEW: Minor land use decisions, which include classifications of land for open space taxation under chapter 84.34 RCW, are exempt from a threshold determination under SEPA.

RECOMMENDATION: PDS recommends that 6.00 acres of tax parcel no. 28061000102400 be reclassified as Open Space General – Farm & Agriculture Conservation. This recommendation is based on the understanding that the property will remain in an undeveloped, natural state and continue to provide the features for which the classification was granted for the duration of the classification.

Attachments: Aerial map of property

Snohomish County Spring 2022 Open Space Review P. Jones (3235) - Aerial

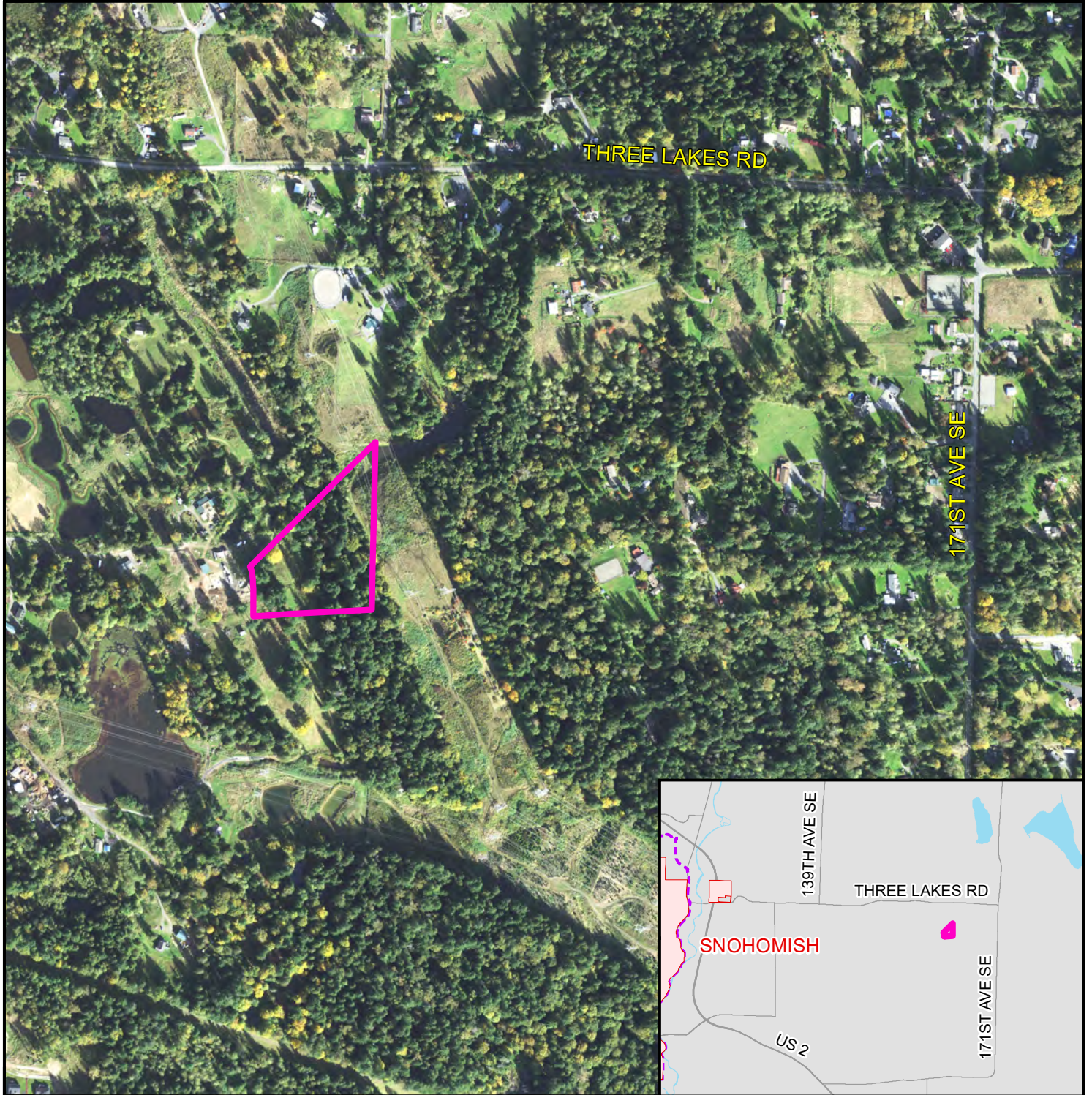
Parcel: 28061000102400



Snohomish County

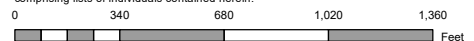
R. 6 E.

T. 28 N.



- ▬ Subject Property
- ▬ Incorporated City
- - - Urban Growth Area Boundary

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Snohomish County

Planning and Development Services

Long Range Planning

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(425) 388-3311
www.snoco.org

**CURRENT USE ASSESSMENT
PDS RECOMMENDATION - SPRING 2022**

Dave Somers
County Executive

APPLICANT: Kimberly Jones ECAF #: 21-1108

TAX PARCEL #: 28061000102600, 28061000102700 ASSESSOR #: 3236

PROPERTY ADDRESS: UNASSIGNED

MAILING ADDRESS: 475 I ST, INDEPENDENCE, OR 97351

CLASSIFICATION REQUESTED: **OPEN SPACE GENERAL – FARM & AGRICULTURE
CONSERVATION**

The Kimberly Jones properties are currently in the Open Space Farm and Agriculture classification. The property is located 2.8 miles east of the City of Snohomish. The properties south of Three Lakes Rd is zoned Rural-5 Acre (R-5) with a comprehensive plan designation of Rural Residential – 5 (RR-5).

The landowner has requested that the entirety of both parcels (12.00) acres be reclassified as Open Space General – Farm & Agriculture Conservation. The landowner states that the property no longer meets the income requirements for the Open Space – Farm & Agriculture classification.

FINDINGS: In addition to satisfying the criteria and standards of RCW 84.34, the properties must also meet at least one of the 20 criteria in Snohomish County Code (SCC) 4.28.040 in order to qualify as Open Space General under the Open Space Taxation Program.

The following designation criterion in SCC 4.28.040 merits consideration for classifying the property as Open Space General – Farm and Agriculture Conservation:

- Criterion (20)(a), which states, “Land that was previously classified under RCW 84.34.020(2) that no longer meets the criteria of subsection RCW 84.34.020(2), and that is reclassified under RCW 84.34.020(1).”

SEPA REVIEW: Minor land use decisions, which include classifications of land for open space taxation under chapter 84.34 RCW, are exempt from a threshold determination under SEPA.

RECOMMENDATION: PDS recommends that 12.00 acres of tax parcel nos. 28061000102600 and 28061000102700 be reclassified as Open Space General – Farm & Agriculture Conservation. This recommendation is based on the understanding that the properties will remain in an undeveloped, natural state and continue to provide the features for which the classification was granted for the duration of the classification.

Attachments: Aerial map of property

Snohomish County Spring 2022 Open Space Review **K. Jones (3236) - Aerial**

Parcel: 28061000102600, 28061000102700



Snohomish County

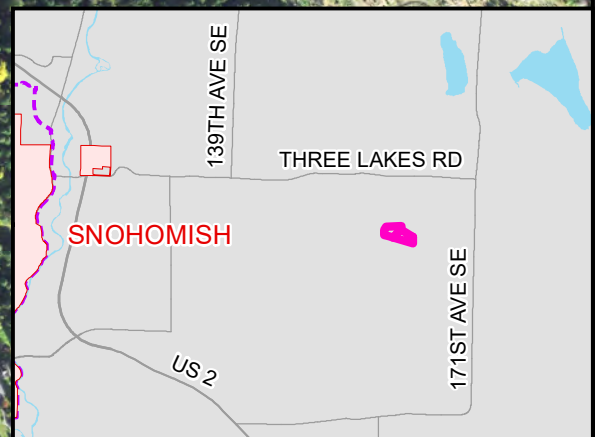
R. 6 E.

THREE LAKES RD

156TH AVE SE

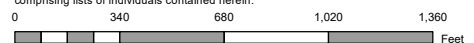
28061000102700

28061000102600



- Subject Property
- Incorporated City
- Urban Growth Area Boundary

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**CURRENT USE ASSESSMENT
PDS RECOMMENDATION - SPRING 2022**

Dave Somers
County Executive

APPLICANT: Anthony & Jessica Ronhaar ECAF #: 21-1121

TAX PARCEL #: 31060400403700 ASSESSOR #: 3237

PROPERTY ADDRESS: 22604 141ST DR NE, ARLINGTON, WA 98223

MAILING ADDRESS: 1011 PARK HILL DR, ARLINGTON, WA 98223

CLASSIFICATION REQUESTED: **OPEN SPACE GENERAL – FARM & AGRICULTURE
CONSERVATION**

The Ronhaar property is currently in the Open Space Farm and Agriculture classification. The property is located about 3 miles east of the City of Arlington. The property is zoned Rural 5-Acre (R-5) with a comprehensive plan designation of Rural Residential (RR), and is approximately 5.47 acres in size.

The landowner has requested that 4.47 acres be reclassified as Open Space General – Farm & Agriculture Conservation. The landowner states that the property no longer meets the income requirements for the Open Space – Farm & Agriculture classification.

FINDINGS: In addition to satisfying the criteria and standards of RCW 84.34, the property must also meet at least one of the 20 criteria in Snohomish County Code (SCC) 4.28.040 in order to qualify as Open Space General under the Open Space Taxation Program.

The following designation criterion in SCC 4.28.040 merits consideration for classifying the property as Open Space General – Farm and Agriculture Conservation:

- Criterion (20)(a), which states, “Land that was previously classified under RCW 84.34.020(2) that no longer meets the criteria of subsection RCW 84.34.020(2), and that is reclassified under RCW 84.34.020(1).”

SEPA REVIEW: Minor land use decisions, which include classifications of land for open space taxation under chapter 84.34 RCW, are exempt from a threshold determination under SEPA.

RECOMMENDATION: PDS recommends that 4.47 acres of tax parcel no. 31060400403700 be reclassified as Open Space General – Farm & Agriculture Conservation. This recommendation is based on the understanding that the 4.47 acres will remain in an undeveloped, natural state and continue to provide the features for which the classification was granted for the duration of the classification.

Attachments: Aerial map of property

Snohomish County Spring 2022 Open Space Review **Ronhaar (3237) - Aerial**

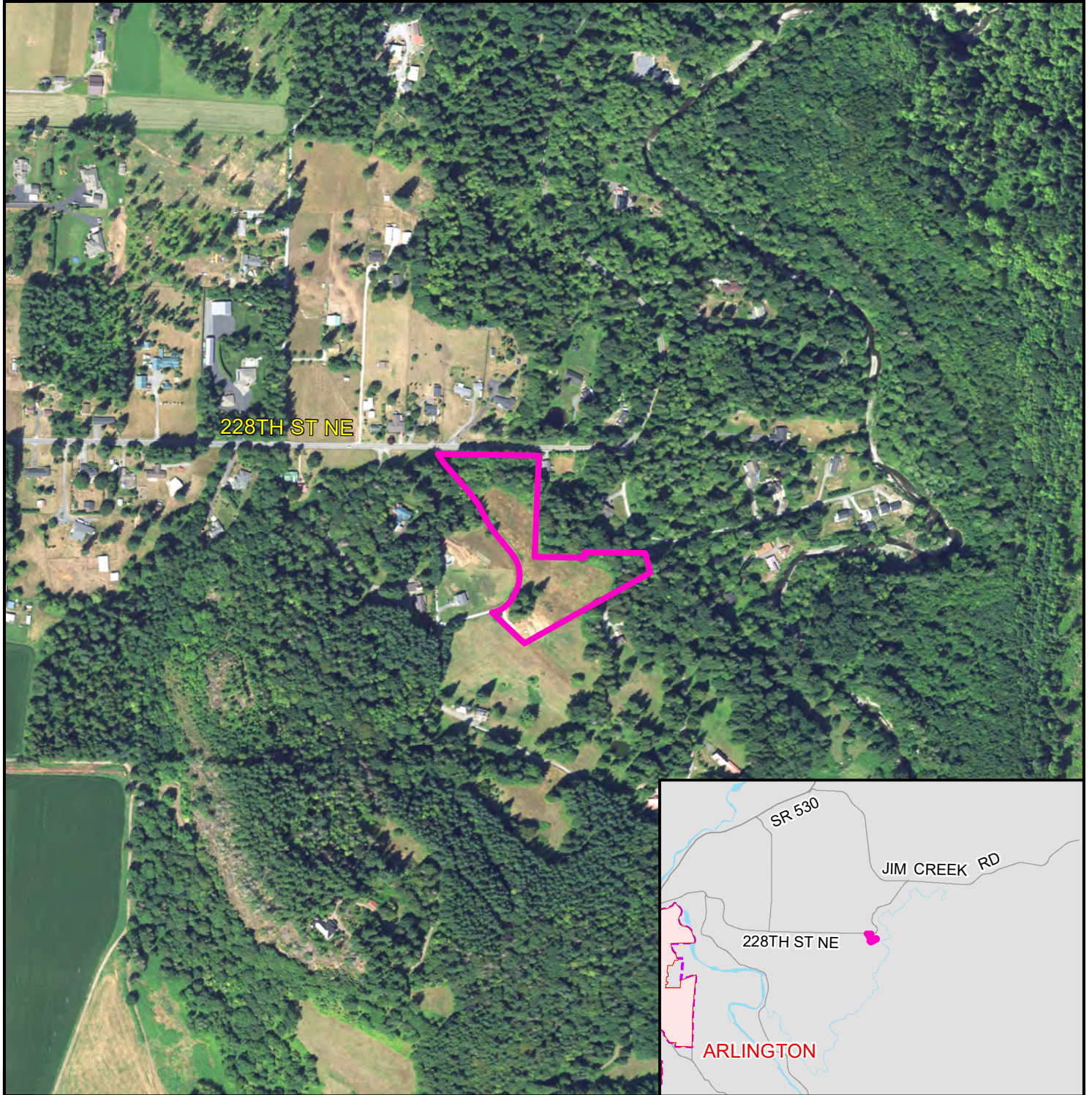
Parcel: 31060400403700



Snohomish County

R. 6 E.

T. 31 N.



- Subject Property
- Incorporated City
- - - Urban Growth Area Boundary

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0 310 620 930 1,240 Feet

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Planning and Development Services

Long Range Planning

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**CURRENT USE ASSESSMENT
PDS RECOMMENDATION - SPRING 2022**

Dave Somers
County Executive

APPLICANT: Elin Ramsey ECAF #: 22-0153

TAX PARCEL #: 32061100101200 ASSESSOR #: 3239

PROPERTY ADDRESS: 17120 313th ST NE, ARLINGTON, WA 98223

MAILING ADDRESS: 17120 313th ST NE, ARLINGTON, WA 98223

CLASSIFICATION REQUESTED: **OPEN SPACE GENERAL – FARM & AGRICULTURE
CONSERVATION**

The Ramsey property is currently in the Open Space Farm and Agriculture classification. The property is located about 7 miles northeast of the City of Arlington. The property is zoned Rural 5- Acre (R-5) with a comprehensive plan designation of Rural Residential (RR).

The landowner has requested that the entire parcel (13.10 acres) be reclassified as Open Space General – Farm & Agriculture Conservation. The landowner states that the property no longer meets the income requirements for the Open Space – Farm & Agriculture classification.

FINDINGS: In addition to satisfying the criteria and standards of RCW 84.34, the property must also meet at least one of the 20 criteria in Snohomish County Code (SCC) 4.28.040 in order to qualify as Open Space General under the Open Space Taxation Program.

The following designation criterion in SCC 4.28.040 merits consideration for classifying the property as Open Space General – Farm and Agriculture Conservation:

- Criterion (20)(a), which states, “Land that was previously classified under RCW 84.34.020(2) that no longer meets the criteria of subsection RCW 84.34.020(2), and that is reclassified under RCW 84.34.020(1).”

SEPA REVIEW: Minor land use decisions, which include classifications of land for open space taxation under chapter 84.34 RCW, are exempt from a threshold determination under SEPA.

RECOMMENDATION: PDS recommends that 13.10 acres of tax parcel no. 32061100101200 be reclassified as Open Space General – Farm & Agriculture Conservation. This recommendation is based on the understanding that the 13.10 acres will remain in an undeveloped, natural state and continue to provide the features for which the classification was granted for the duration of the classification.

Attachments: Aerial map of property

Snohomish County Spring 2022 Open Space Review Ramsey (3239) - Aerial

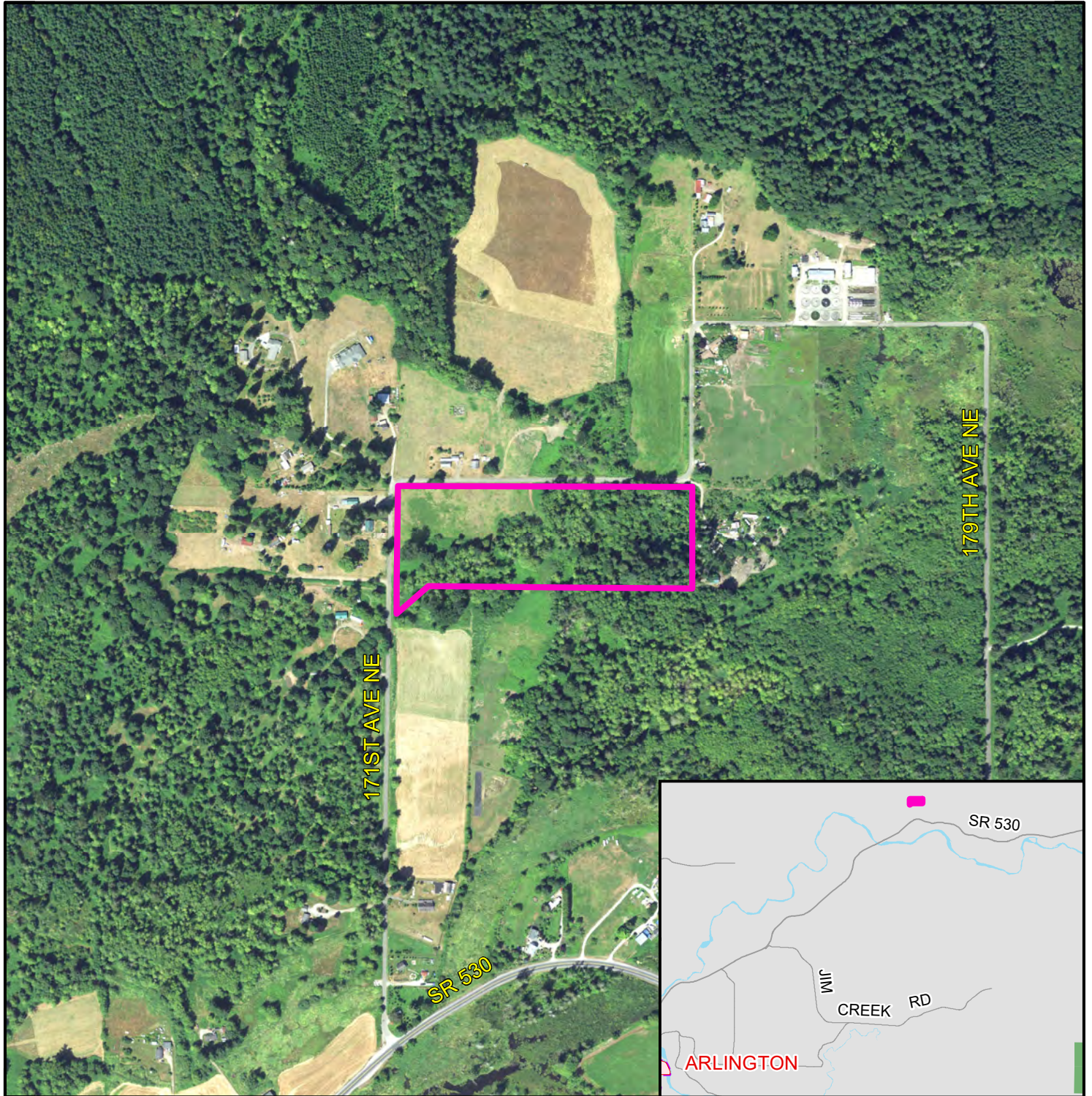
Parcel: 32061100101200



Snohomish County

R. 6 E.

T. 32 N.



- Subject Property
- Incorporated City

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0 340 680 1,020 1,360 Feet

Produced by Snohomish Co. Dept. of Planning & Development Services

4.28.040 Designation criteria and standards - Openspace-general.

The following areas may be considered for designation as open space-general:

- (1) Urban areas where the entire site is in an undeveloped, natural state and has slopes of 25 percent or greater or where at least one-half of the total site area is in slopes of at least 35 percent in gradient.
- (2) Areas designated on the comprehensive land use plan or the county park and recreation plan as potential parks, trails, or open space, or designated as a critical area or environmentally sensitive area.
- (3) Areas which have plant or animal species which are considered rare, sensitive, threatened or endangered by an authority recognized by the county.
- (4) Sites within urban areas to be left in their natural state where the site is of at least one acre in size and is predominantly forested with mature, specimen trees.
- (5) Areas which are in an undeveloped, natural state and are not under the jurisdiction of the state Shoreline Management Act and are situated within stream corridors, i.e., streams and/or their associated stream buffers on either side of the stream. Buffer width may be increased from the standards for streams listed in SCC [30.62A.320](#) Table 2a due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- (6) Undeveloped, natural areas adjacent to water bodies which come under the jurisdiction of the state Shoreline Management Act and are designated by the Snohomish County Shoreline Management Program.
- (7) Sites within an urban area which would serve as a buffer between residential development and tracts of land in excess of five acres which are designated on an adopted comprehensive plan for commercial or industrial development:
 - (a) Where the site area is covered by stands of trees in excess of 20 feet in height; and
 - (b) Where the ground vegetation creates a visual separation of at least 50 feet between the residential tracts of land and the commercial or industrial lands; or
 - (c) Where the topographic features of the site form a physical separation from the abutting commercial or industrial lands by reason of a gully or ravine or similar land condition.
- (8) Areas that would safely provide either public vehicular or pedestrian access to public bodies of water:
 - (a) Where the site area abutting the water is at least 60 feet in width for vehicular access; or
 - (b) Where the site area abutting the water is at least 25 feet in width for pedestrian access.
- (9) Areas which provide a scenic vista to which the general public has safe vehicular or pedestrian access.
- (10) Sites devoted to private outdoor recreational pursuits such as golf courses, riding stables, lakes, etc., PROVIDED That access to such facilities and areas is provided to the general public free of charge or at reasonable, customary rates.
- (11) Areas which contain features of unique historic, cultural or educational values which are open to the **public's** use, (e.g., public access to displays, interpretive centers, etc.), free of charge or at reasonable, customary rates:
 - (a) Where there are several varieties or species of flora, fauna, or both present on the site making it desirable for educational study; or
 - (b) Where there are habitats or species of plant life which are considered rare, sensitive, threatened or

endangered by an authority recognized by the county; or

(c) Where there is or are recognized landmarks present on the site which provide visual reference and orientation for surrounding terrain (would include major promontories and rock formations but would exclude mountain forms and ranges); or

(d) Where there are historic or archeological features on the site of at least 50 years of age, which would have value to future generations due to the uncommon nature or rare representation of past times and events.

The Snohomish County Code is current through legislation passed February 2, 2022.

(12) Areas located adjacent to public parks, public trails or other public lands which would materially add to or enhance the recreational opportunities of that facility:

- (a) Where such a site would constitute a logical extension of the park or other public lands including provisions for public use but had been excluded principally by lack of funds; or
- (b) Where the site would provide additional public access to such lands during the duration of its open space classification; or
- (c) Where the site contains unique features of recreational value which if public use of the site were allowed would expand the variety of recreational opportunities contained in the park or public lands; or
- (d) Where the site would act as a buffer between the park and surrounding development.

(13) Areas which contain or abut managed or monitored wildlife preserves or sanctuaries, arboretums or other designated open space and which will enhance the value of those resources:

- (a) Where the open space designation would encompass a minimum of 10 acres in land area; and
 - (i) Where plant life and/or animal life contained within the site are found in abundant varieties; or
 - (ii) Where the site area can be distinguished from surrounding lands due to the unusualness of the vegetation or the animal life inhabitants.

(14) Wetland areas of at least one-fourth acre in size. Associated wetland buffers may also be included. The wetland buffer width may be increased from the standard wetland buffer listed in SCC [30.62A.320](#) Table 2b due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.

(15) Areas which lie adjacent to scenic highways which if not designated as open space would otherwise be subject to pressures for intense development:

- (a) Where such highways have been designated by a city, the county or the state as scenic; and
- (b) Where at least one-half of the total site lies within 200 feet of the highway; and
- (c) Where pressures for urbanization are evident either due to provision of public water and sewer facilities to the area, subdivision activity in the immediate vicinity of the site, or the development of previously platted lands.

(16) Undeveloped areas five acres and larger which are not within the 100-year flood plain, suitable for agricultural pursuits which may not currently be devoted to such use:

- (a) Where the comprehensive land use plan or the agricultural preservation plan designates the site as suitable for agricultural development; or
- (b) Where more than 75 percent of the total site area contains tillable class 2 or 3 agricultural soils as categorized by the Natural Resources Conservation Service land capability classification system.

(17) Undeveloped areas which contain a minimum of five acres which are located within the 100-year flood plain as established by Snohomish County.

(18) Areas where the entire site is in an undeveloped, natural state and is considered geologically hazardous by an authority recognized by the county.

(19) Areas which are protective buffers as required by development regulations implementing the Growth

Management Act.

(20) Farm and agricultural conservation land as defined in RCW [84.34.020\(8\)](#):

(a) Land that was previously classified under RCW [84.34.020\(2\)](#) that no longer meets the criteria of subsection RCW [84.34.020\(2\)](#), and that is reclassified under RCW [84.34.020\(1\)](#); or

(b) Land that is traditional farmland that is not classified under chapter [84.33](#) or [84.34](#) RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture. (Added by Ord. 92-080, July 23, 1992; Amended by Amended Ord. 12-025, June 6, 2012, Eff date July 27, 2012; Amended by Amended Ord. 14-054, Aug. 20, 2014, Eff date Sept. 4, 2014).

The Snohomish County Code is current through legislation passed February 2, 2022.

Disclaimer: The Clerk of the Council's Office electronically retains the ordinances as passed by Council and subsequently enacted. The Snohomish County Code is updated on the web as new ordinances become effective, and includes new ordinances through 21-098. New ordinances do not necessarily become effective in **chronological or numerical order. Users should contact the Clerk of the Council's Office for information on** legislation not yet reflected in the web version.

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County Telephone: (425) 388-3494

[Code Publishing Company](#)

Spring 2022 Open Space Applications

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 3

FILE MOT 22-178



PDS Recommendations
Snohomish County Council Briefing
April 2022

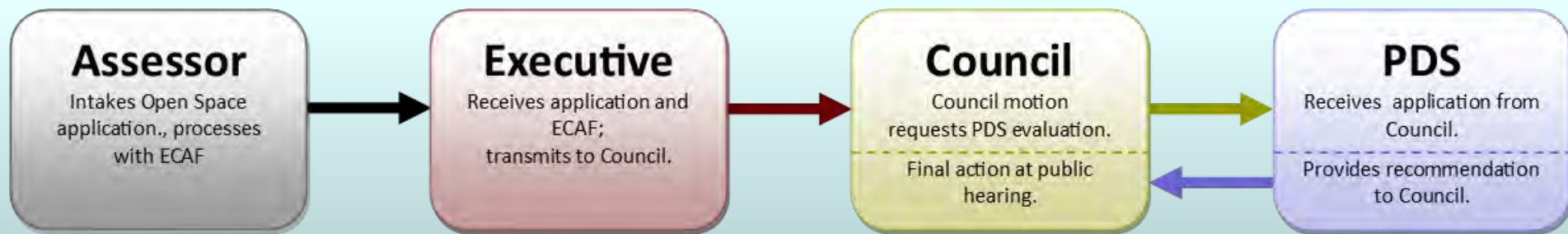
Open Space Program

- Open Space Taxation Act - Chapter 84.34 RCW
 - Purpose is to conserve adequate open space lands for production of food and forest crops, and preserve natural and scenic resources
 - Participating properties are valued based on current use
- Three Open Space Classifications:
 - Open Space General (OS-G)
 - Open Space General – Farm & Agriculture Conservation (OS-FAC)
 - Open Space Farm and Agriculture (OS-FA)
 - Open Space – Timber (OS-T)

Open Space Program

- Chapter 4.28 SCC – Open Space policies and procedures
 - Implements the Open Space Taxation Act
 - Applications must meet one of 20 criteria in SCC 4.28.040
- PDS evaluates OS-G, OS-FAC, and OS-T applications
- County Council, after a public hearing, approves or denies OS-G, OS-FAC, and OS-T applications
- Assessor approves OS-FA applications

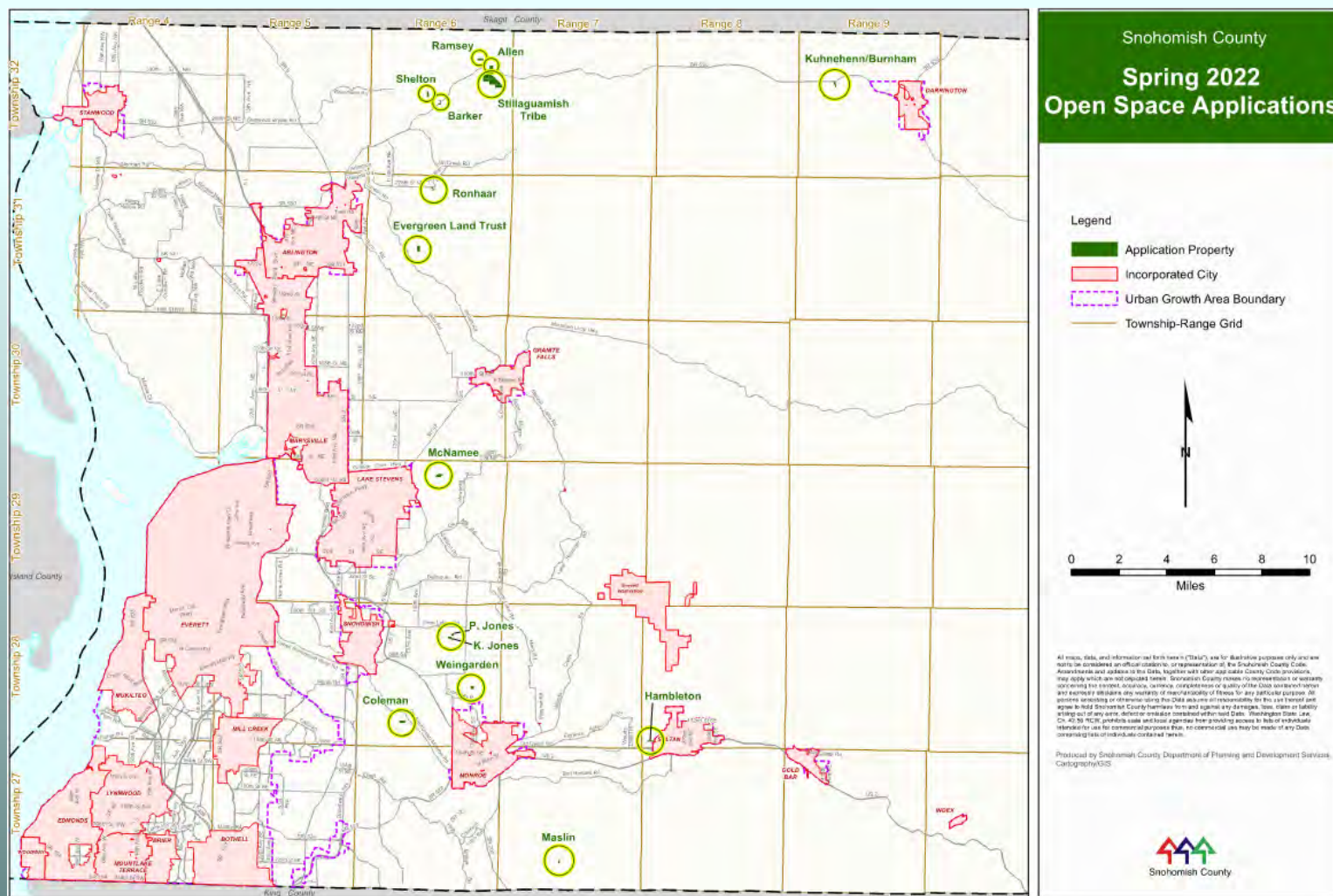
Open Space Program Administrative Process



Spring 2022 Open Space Applications

- Fifteen applications
- The requests are new classifications and reclassifications
- Requests would add 29.29 acres to the Open Space Program and would reclassify 257.31 acres within the Program

Spring 2022 Applications Countywide Map

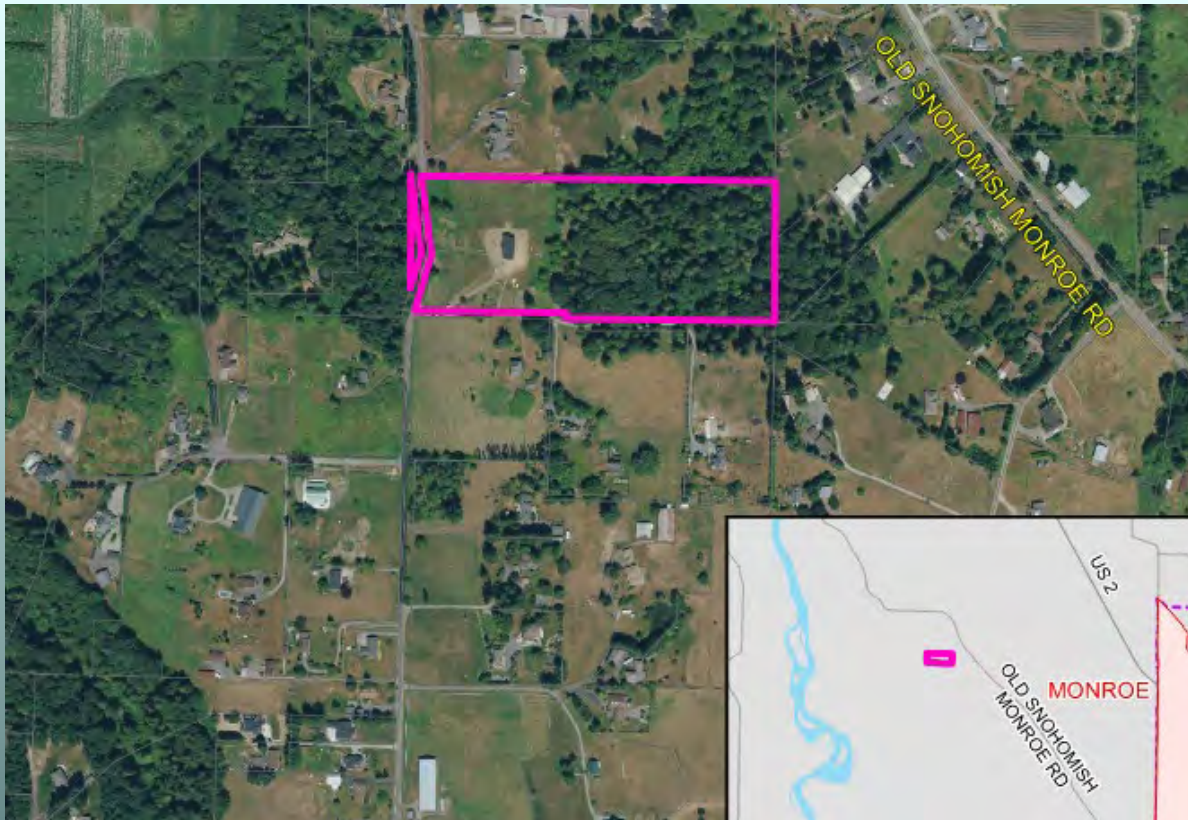


Coleman (3223)

Proposal: Classify to Open Space-General

Location: Approximately two and a half miles west of the City of Monroe

Requested Acreage: 10.00



Coleman (3223)

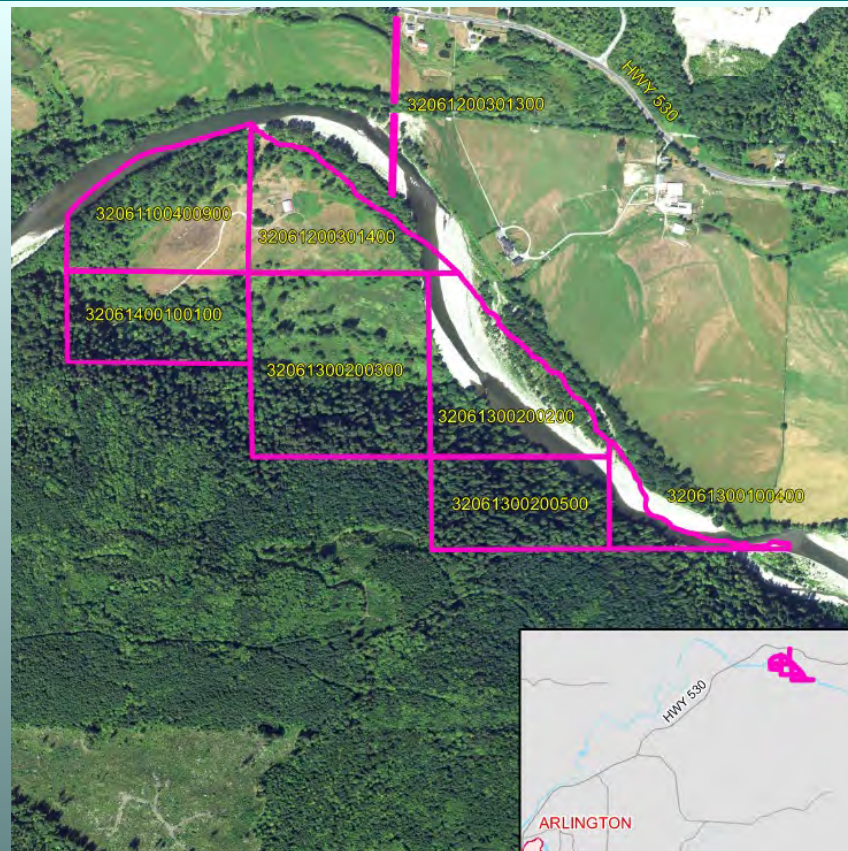
- 7.49 acres of requested acreage meets state & county open space requirements
- Consistent with county criteria for **Open Space-General** classification:
 - (14) – Contains wetland areas
- PDS recommends approval of 7.49 acres of the 10 acres requested

Stillaguamish Tribes (3225)

Proposal: Reclassify to Open Space-General

Location: Approximately seven miles northeast of the City of Arlington

Requested Acreage: 143.41



Stillaguamish Tribes (3225)

- Requested acreage meets state & county open space requirements
- Consistent with county criteria for **Open Space-General** classification:
 - (3) – Presence of threatened or endangered species
- PDS recommends approval

Kuhnehenn/Burnham (3226)

Proposal: Reclassify to Open Space - General Farm & Agriculture Conservation

Location: Approximately two and a half miles west of the City of Darrington

Requested Acreage: 9.23



Kuhnehenn/Burnham (3226)

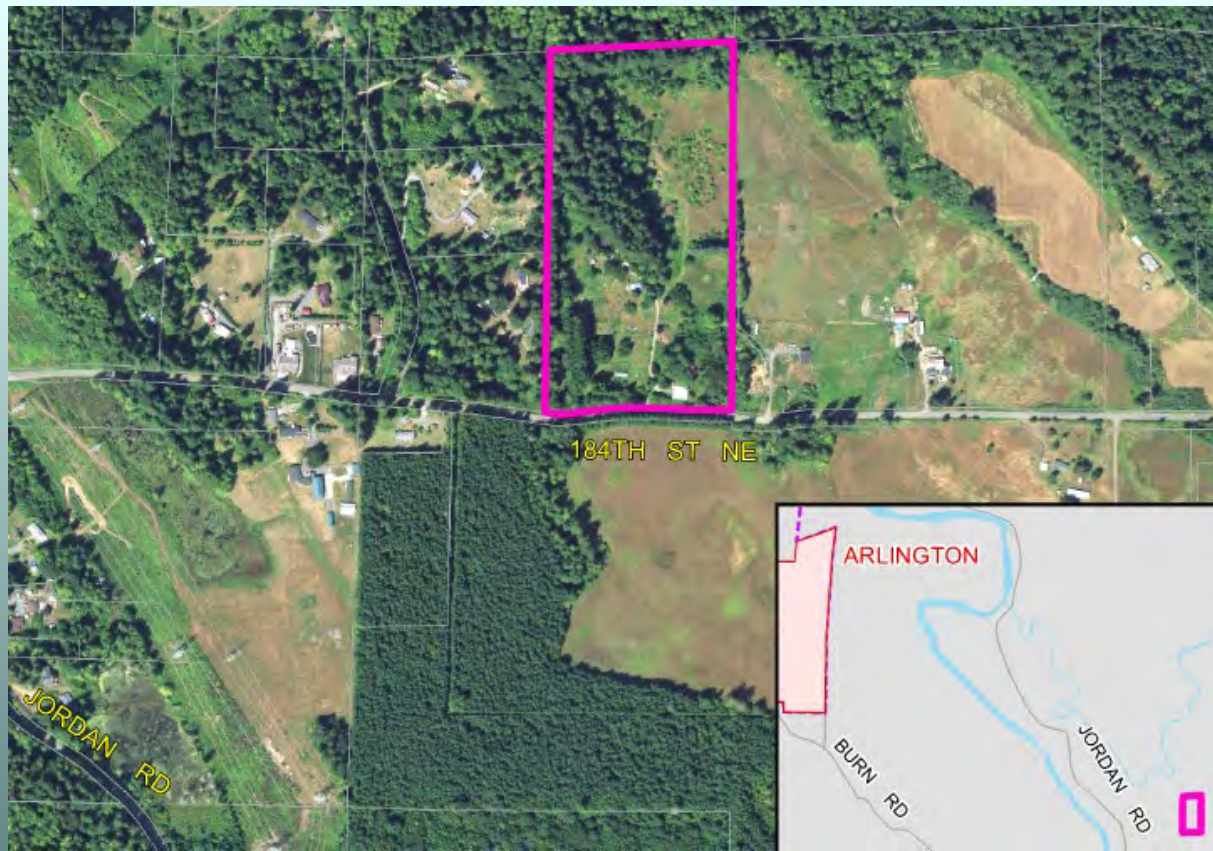
- Requested acreage meets state & county open space requirements
- Consistent with county criteria for **Open Space-General-Farm and Agriculture Conservation** classification:
 - (20)(a) – No longer meets the income requirements for Open Space – Farm & Agriculture
- PDS recommends approval

Evergreen Land Trust (3227)

Proposal: Reclassify to Open Space - General Farm & Agriculture Conservation

Location: Approximately two and a half miles east of the City of Arlington

Requested Acreage: 19.42



Evergreen Land Trust (3227)

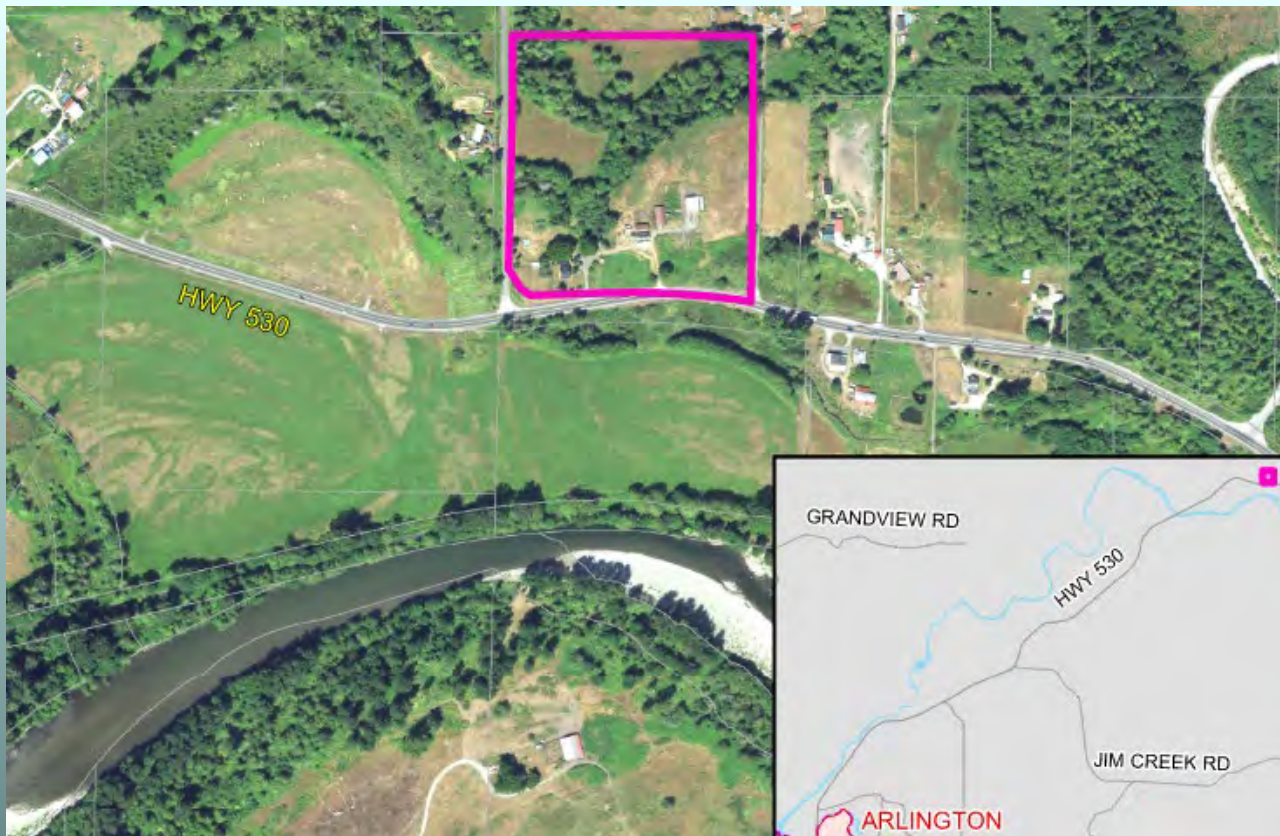
- Requested acreage meets state & county open space requirements
- Consistent with county criteria for **Open Space-General-Farm and Agriculture Conservation** classification:
 - (20)(a) – No longer meets the income requirements for Open Space – Farm & Agriculture
- PDS recommends approval

Allen (3228)

Proposal: Reclassify to Open Space - General Farm & Agriculture Conservation

Location: Approximately seven miles northeast of the City of Arlington

Requested Acreage: 15.47



Allen (3228)

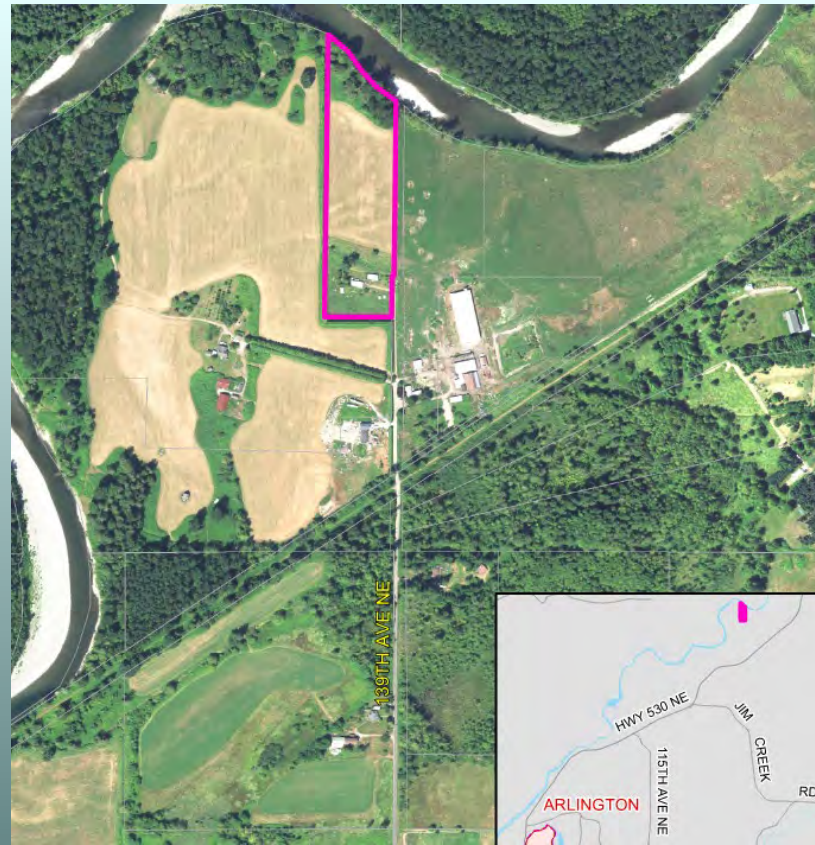
- Requested acreage meets state & county open space requirements
- Consistent with county criteria for **Open Space-General-Farm and Agriculture Conservation** classification:
 - (20)(a) – No longer meets the income requirements for Open Space – Farm & Agriculture
- PDS recommends approval

Shelton (3229)

Proposal: Reclassify to Open Space - General Farm & Agriculture Conservation

Location: Approximately four and a half miles northeast of the City of Arlington

Requested Acreage: 9.00



Shelton (3229)

- Requested acreage meets state & county open space requirements
- Consistent with county criteria for **Open Space-General-Farm and Agriculture Conservation** classification:
 - (20)(a) – No longer meets the income requirements for Open Space – Farm & Agriculture
- PDS recommends approval

Weingarden (3230)

Proposal: Classify as Open Space - General

Location: Approximately one and a half miles north of the City of Monroe

Requested Acreage: 9.7



Weingarden (3230)

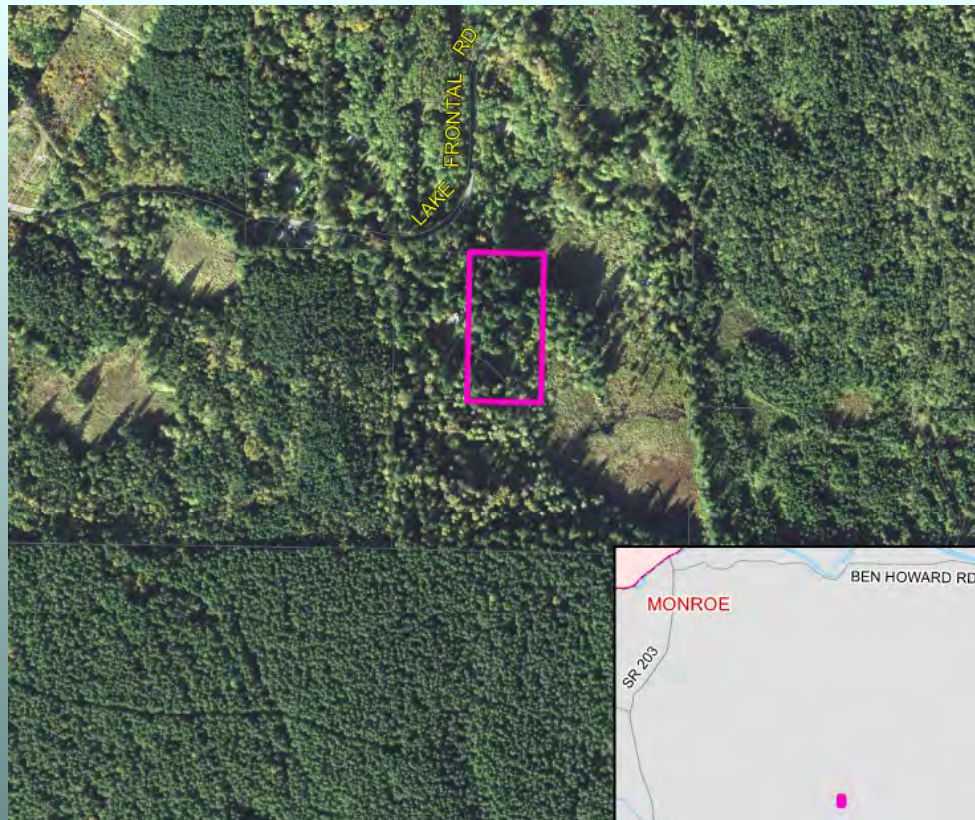
- 8.7 acres of requested acreage meets state & county open space requirements
- Consistent with county criteria for **Open Space-General** classification:
 - (11)(d) – Historic feature on site
- PDS recommends approval of 8.7 acres of the 9.7 acres requested

Maslin (3231)

Proposal: Classify to Open Space - General

Location: Approximately two and a half miles west of the City of Darrington

Requested Acreage: 5.00



Maslin (3231)

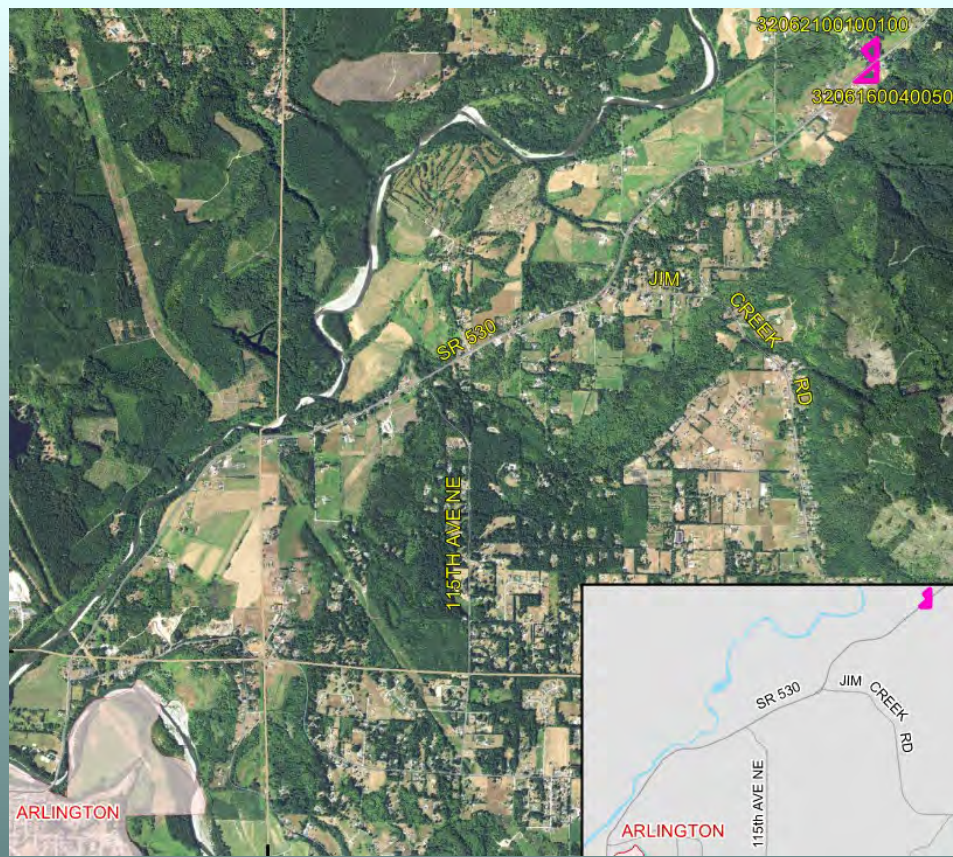
- 1.25 acres of the requested acreage meets state & county open space requirements
- Consistent with county criteria for **Open Space-General-Farm and Agriculture Conservation** classification:
 - (19) – Protective Buffers required by GMA
- PDS recommends approval of 1.25 acres of the 5 acres requested

Barker (3232)

Proposal: Reclassify to Open Space - General Farm & Agriculture Conservation

Location: Approximately four and a half miles northeast of the City of Arlington

Requested Acreage: 5.8



Barker (3232)

- Requested acreage meets state & county open space requirements
- Consistent with county criteria for **Open Space-General-Farm and Agriculture Conservation** classification:
 - (20)(a) – No longer meets the income requirements for Open Space – Farm & Agriculture
- PDS recommends approval

Hambleton (3233)

Proposal: Classify to Open Space - General

Location: Immediately adjacent to the west of the City of Sultan

Requested Acreage: 10.95



Hambleton (3233)

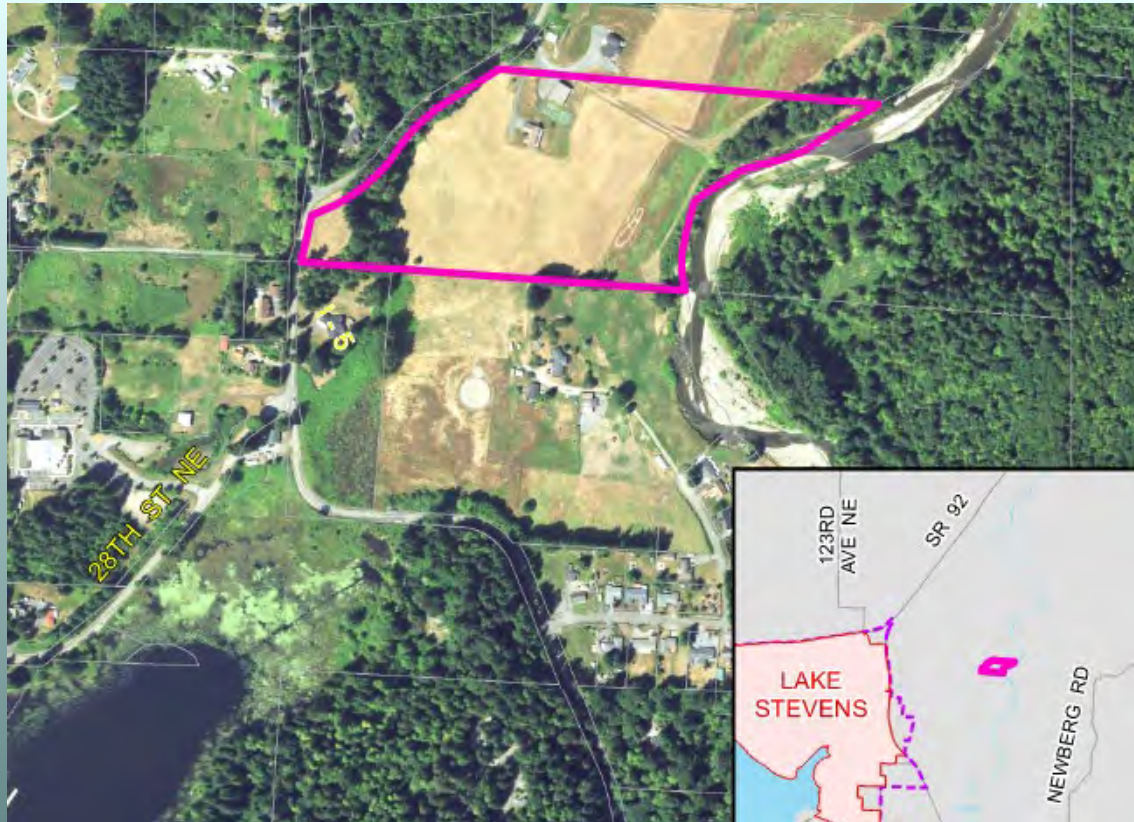
- Requested acreage meets state & county open space requirements
- Consistent with county criteria for **Open Space-General** classification:
 - (6) – Contains undeveloped shoreline environment
 - (14) – Wetlands of at least one quarter acre
- PDS recommends approval

McNamee (3234)

Proposal: Reclassify to Open Space - General Farm & Agriculture Conservation

Location: Approximately one mile east of the City of Lake Stevens

Requested Acreage: 19.90



McNamee (3234)

- Requested acreage meets state & county open space requirements
- Consistent with county criteria for **Open Space-General-Farm and Agriculture Conservation** classification:
 - (20)(a) – No longer meets the income requirements for Open Space – Farm & Agriculture
- PDS recommends approval

P. Jones (3235)

Proposal: Reclassify to Open Space - General Farm & Agriculture Conservation

Location: Approximately three miles east of the City of Snohomish

Requested Acreage: 6.00



P. Jones (3235)

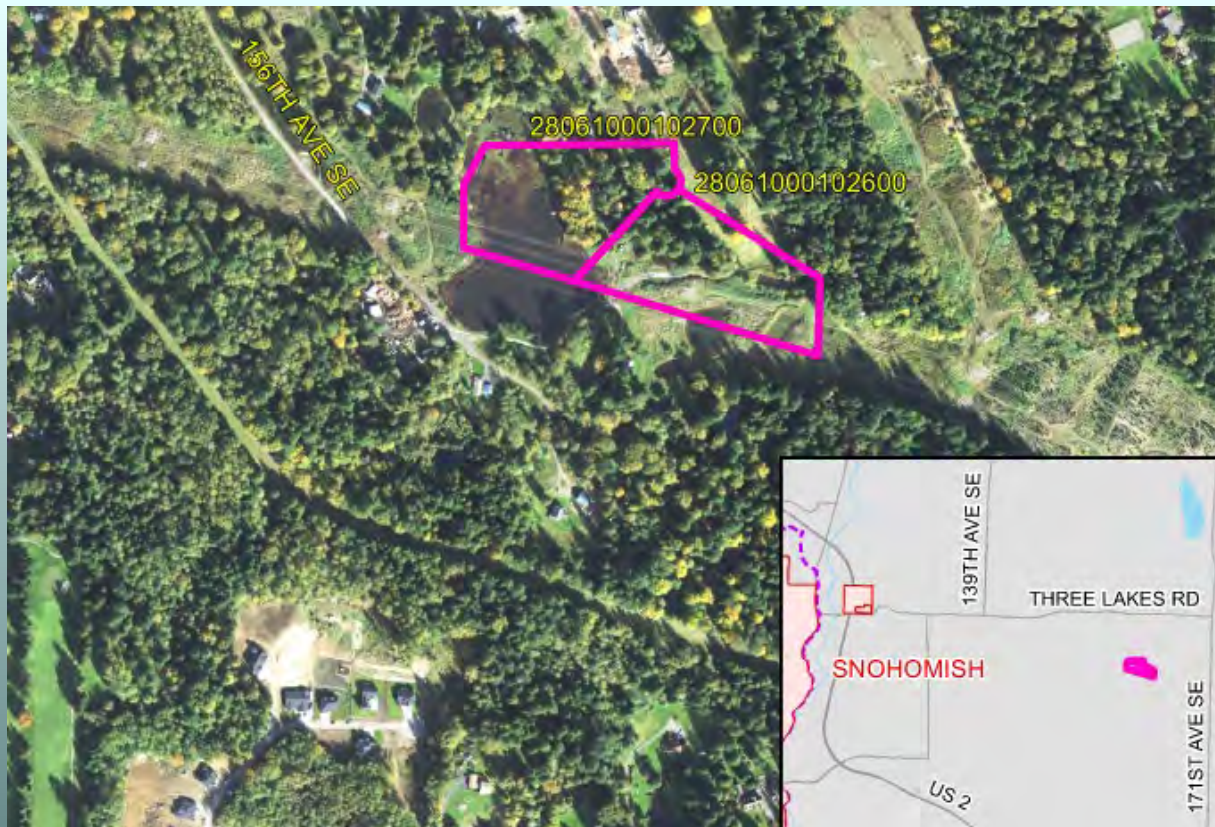
- Requested acreage meets state & county open space requirements
- Consistent with county criteria for **Open Space-General-Farm and Agriculture Conservation** classification:
 - (20)(a) – No longer meets the income requirements for Open Space – Farm & Agriculture
- PDS recommends approval

K. Jones (3236)

Proposal: Reclassify to Open Space - General Farm & Agriculture Conservation

Location: Approximately two and a half miles east of the City of Snohomish

Requested Acreage: 12.00



K. Jones (3236)

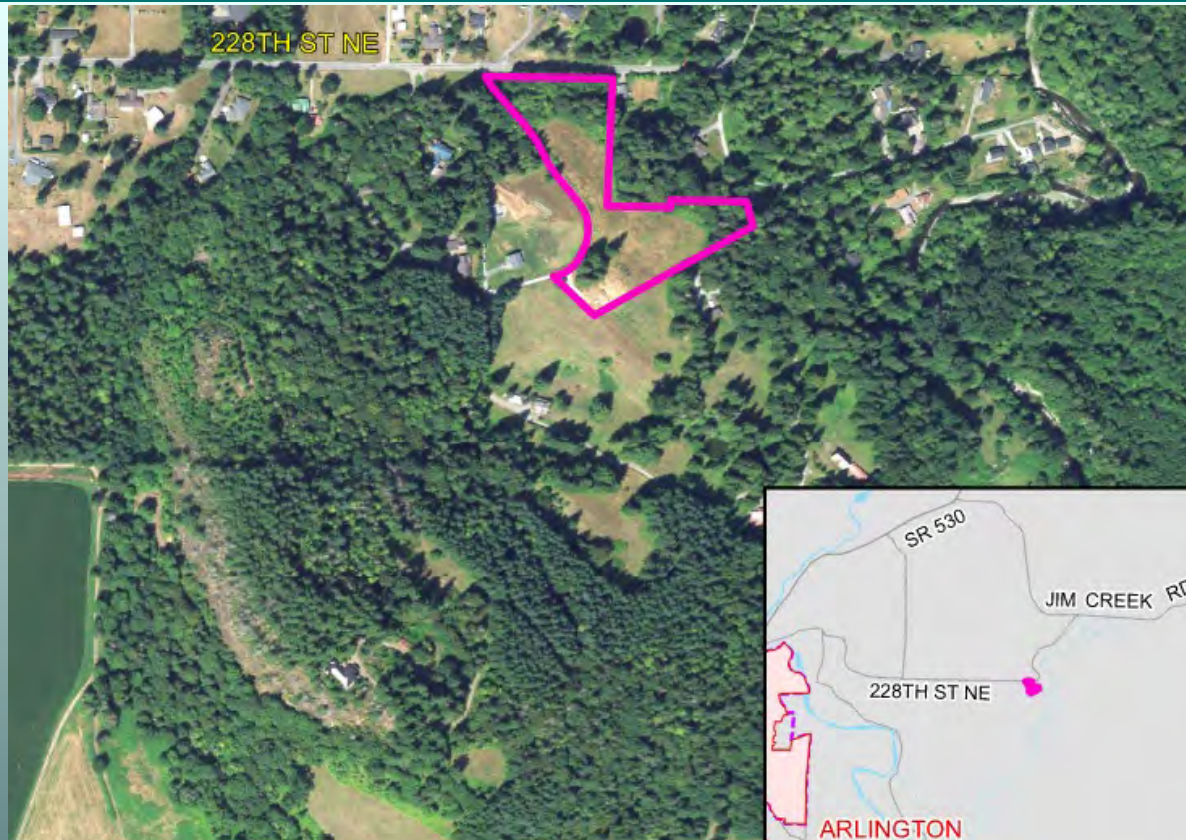
- Requested acreage meets state & county open space requirements
- Consistent with county criteria for **Open Space-General-Farm and Agriculture Conservation** classification:
 - (20)(a) – No longer meets the income requirements for Open Space – Farm & Agriculture
- PDS recommends approval

Ronhaar (3237)

Proposal: Reclassify to Open Space - General Farm & Agriculture Conservation

Location: Approximately three miles east of the City of Arlington

Requested Acreage: 4.47



Ronhaar (3237)

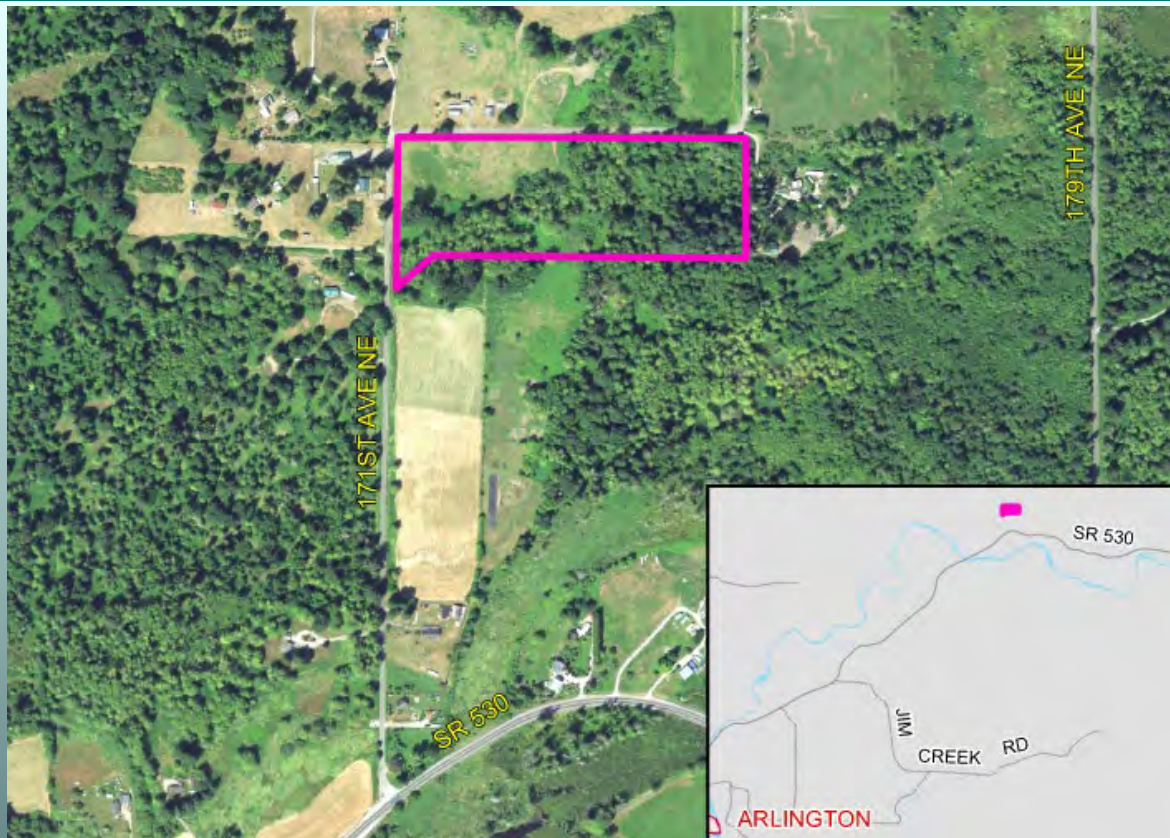
- Requested acreage meets state & county open space requirements
- Consistent with county criteria for **Open Space-General-Farm and Agriculture Conservation** classification:
 - (20)(a) – No longer meets the income requirements for Open Space – Farm & Agriculture
- PDS recommends approval

Ramsey (3239)

Proposal: Reclassify to Open Space - General Farm & Agriculture Conservation

Location: Approximately seven miles northeast of the City of Arlington

Requested Acreage: 13.10



Ramsey (3239)

- Requested acreage meets state & county open space requirements
- Consistent with county criteria for **Open Space-General-Farm and Agriculture Conservation** classification:
 - (20)(a) – No longer meets the income requirements for Open Space – Farm & Agriculture
- PDS recommends approval

Comments or Questions





**Application for Classification or Reclassification
Open Space Land
Chapter 84.34 RCW**

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 4

FILE MOT 22-178

File With The County Legislative Authority

Name of Owner(s): Robert + Shelley Coleman Phone No: 425-238-7301
 Email Address: Coleman_4@msn.com
 Address: 12707 132nd ST SE, Snohomish, WA 98290

Parcel Number(s): 2806 2900 402200
 Legal Description: SEC 29 TWP 28 RGE 06BEG SE COR SEC TH N 990FT TH W
1320 FT TH S 990 FT TH E TO TPB LESS BEG INT S LN SE 1/4 SE 1/4
E LN CO RD TH E 518 FT TH N 25 FT TH W TO E LN CO RD TH SLY D
TPB r less N 990 FT TH OF & Less CO RD
 Total Acres In Application: 10

Indicate what category of open space this land will qualify for:

- ☒ Conserve or enhance natural, cultural, or scenic resources
- ☐ Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- ☐ Protect soil resources, unique or critical wildlife, or native plant habitat
- ☐ Promote conservation principles by example or by offering educational opportunities
- ☐ Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- ☐ Enhance recreation opportunities
- ☐ Preserve historic or archaeological sites
- ☐ Preserve visual quality along highway, road, street corridors, or scenic vistas
- ☐ Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority
- ☐ Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
- ☐ Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture

**OPEN SPACE
Assessor's
Application No.
3223**

1. Describe the present use of the land. Idle forest lands.
Have trail system for personal use.
2. Is the land subject to a lease or agreement which permits any other use than its present use? ☐ Yes ☒ No
If yes, attach a copy of the lease agreement.
3. Describe the present improvements (residence, buildings, etc.) located on the land.
None
4. Is the land subject to any easements? ☐ Yes ☒ No
If yes, describe the type of easement, the easement restrictions, and the length of the easement.
5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land.

NOTICE:

The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.

As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070)

Print the name of each owner:	Signature of each owner:	Date
<u>Robert F Coleman</u>	<u>Robert F Coleman</u>	<u>12/21/20</u>
<u>Shelley Coleman</u>	<u>Shelley Coleman</u>	<u>12/21/20</u>

The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.

Statement of Additional Tax, Interest, and Penalty Due Upon Removal of Classification

1. 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 in (a), paid at the same statutory rate charged on delinquent property taxes; plus
 - (c) A penalty of 20% will be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal as described in RCW 84.34.070(1).
2. The additional tax, interest, and penalty specified in (1) 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, 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 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 84.38.020.
 - (f) Acquisition of property interests by State agencies or agencies or organizations qualified under RCW 84.34.210 and 84.04.130 (See RCW 84.34.108(8)(f)).
 - (g) Removal of land classified as farm & agricultural land under RCW 84.34.020(2)(f) (farm home site).
 - (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 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 designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.
- (l) The discovery that the land was classified in error through no fault of the owner.

SKETCHED MAP SHEET REQUIRED

Please sketch a representative drawing of your property which clearly locates all buildings, residence(s), sheds, forestlands, wetlands, buffers, roads, trails, etc. An aerial map may be attached, but will not be accepted as a replacement for this detailed sketch, as aerial maps may not always reflect recent activity on the property.

LEGAL DESCRIPTION

SEC 29 TWP 28 RGE 06BEG SE COR SEC TH N 990FT TH W 1320FT TH S 990FT TH E TO TPB LESS BEG INT S LN SE1/4 SE1/4 & E LN CO RD TH E 548FT TH N 25FT TH W TO E LN CO RD TH SLY TO TPB & LESS N490FT THOF & LESS CO RD

VICINITY MAP

SCALE 1" = 2000'



SITE DATA

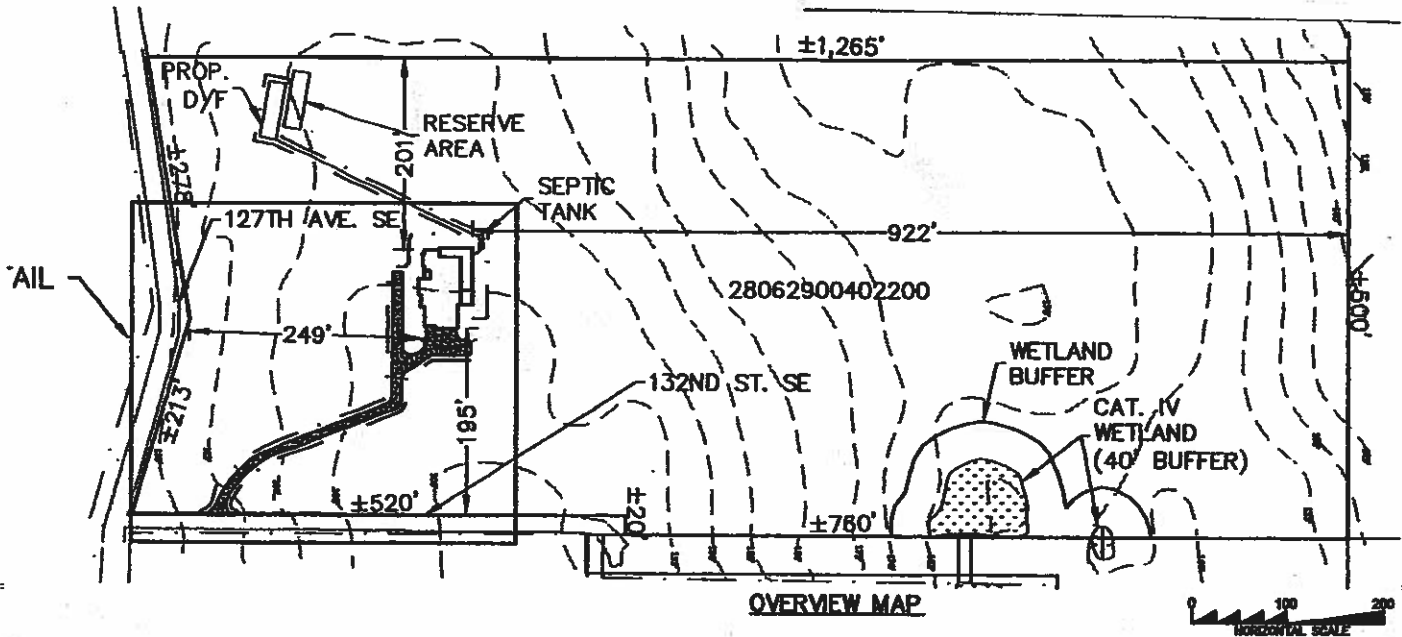
SITE ADDRESS: 128XX 132ND ST SE, SNOHOMISH, WA 98290

TAX ACCOUNT NUMBER: 28062900402200

ZONING: R-5

EXISTING SOIL & VEGETATION NOTE:

THE SOIL ANALYSIS FOR THIS PROJECT FOUND THE EXISTING SOILS TO BE SANDY LOAM TO A DEPTH OF 17 INCHES BELOW GRADE. THE AREA OF DISTURBANCE CURRENTLY CONSISTS OF LAWN.



Property Owner

Robert & Shelley Coleman

Parcel Number(s)

2806 2900 402200

OPEN SPACE
Assessor's
Application No.

3223

FOR LEGISLATIVE AUTHORITY USE ONLY

Date application received: 12-23-2020

By: Deby Sundheim

Amount of processing fee collected: \$ 500⁰⁰

- Is the land subject to a comprehensive land use plan adopted by a city or county? ☐ Yes ☐ No

If yes, application should be processed in the same manner in which an amendment to the comprehensive land use plan is processed.

If no, application must be acted upon after a public hearing and notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing.

- If the land is not subject to a comprehensive land use plan, is the land located within an incorporated part of the county? ☐ Yes ☐ No

If yes, application must be acted upon by three members of the county legislative authority and three members of the city legislative authority. See RCW 84.34.037(1) for details.

If no, application must be acted upon by three members of the county legislative authority.

☐ Application approved

☐ In whole

☐ In part

☐ Application denied

☐ Date owner notified of denial (Form 64 0103): _____

If approved, date Open Space Taxation Agreement (OSTA) was mailed to owner: _____

Signed OSTA received by Legislative Authority on: _____

Copy of signed OSTA forwarded to Assessor on: _____

To ask about the availability of this publication in an alternate format for the visually impaired, please call 1-800-647-7706. Teletype (TTY) users may use the Washington Relay Service by calling 711. For assistance, contact your local county assessor's office.

EXHIBIT # 5FILE MOT 22-178

**Application for Transfer of Designated
Forest Land to Current Use Classification
(Chapters 84.33 AND 84.34 RCW)**

File with County Assessor

Applicant's Name: Stillaguamish Tribe County: SNOHOMISH
 Address: P.O. BOX 277 Tax Code Area: N/A
 City, State, Zip: Arlington WA 98223
 Phone Number: 360.631.0868 - Jasm Griffith

Land Subject To This Application: (legal description)

Please see Exhibit A

Parcel No. or Account No.:

See Exhibit A**Change Of Designation**

The land is currently designated as forest land under the provisions of Chapter 84.33 RCW and meets the definition of one of the following and I/we request reclassification as: (Check appropriate box.)

- ☒ Open space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
☐ Farm and agricultural land as provided under RCW 84.34.020(2). (Attach completed form REV 64 0024)
☐ Timber land as provided under RCW 84.34.020(3). (Attach completed form REV 64 0021 and a timber management plan)

Affirmation

As owner(s) or contract purchaser(s) of the land described in this application, I/we hereby indicate by my/our signature that I/we am aware of the potential tax liability involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW.

If this land is removed from classification before ten years have elapsed, compensating tax will be due for the part of the period it was designated as forest land.

Signature(s) of All Owner(s) or Contract Purchaser(s)

Date

4/5/21**Attachments:**

- ☐ REV 64 0021
☐ REV 64 0024

Assessors Use Only

If the parcel subject to this transfer document is considered contiguous, as defined in RCW 84.33.035(4), with other parcels having different ownerships, verify all remaining designated parcels with different ownerships are still:

- ☐ Adjoining
☐ Being managed as part of a single operation
☐ Meeting the definition of "family" as defined in RCW 84.34.020(6)(b)(ii) with the owner of an adjoining parcel

See next page

RCW 84.33.145

(1) If no later than thirty days after removal of designation the owner applies for classification under RCW 84.34.020(1), (2) or (3), then the designated forest land shall not be considered removed from designation for purposes of compensating tax under RCW 84.33.140 until the application for current use classification under chapter 84.34 RCW is denied or the property is removed from classification under RCW 84.34.108. Upon removal from classification under RCW 84.34.108, the amount of compensating tax due under chapter 84.33 RCW shall be equal to:

(a) The difference, if any, between the amount of the assessed valuation on such land as forest land and the amount of the new assessed valuation of such land when removed from classification under RCW 84.34.108 multiplied by the dollar rate of the last levy extended against such land, multiplied by;

(b) A number equal to:

(i) The number of years the land was designated under this chapter, if the total number of years the land was designated under chapter 84.33 RCW and classified under chapter 84.34 RCW is less than ten; or

(ii) Ten minus the number of years the land was classified under chapter 84.34 RCW, if the total number of years the land was designated under chapter 84.33 RCW and classified under chapter 84.34 RCW is at least ten.

(2) Nothing in this section authorizes the continued designation under this chapter or defers or reduces the compensating tax imposed upon forest land not transferred to classification under subsection (1) of this section which does not meet the necessary definitions of forest land under RCW 84.33.35. Nothing in this section affects the additional tax imposed under RCW 84.34.108.

Note: The county assessor will act as the granting authority on all applications for transfer to the farm and agricultural land classification.

In all unincorporated areas, the county legislative authority shall act as the granting authority for applications for transfer to the timber land classification. Lands within the incorporated areas shall be acted upon by a group composed of three members of the county legislative authority and three members of the city legislative authority.

The application shall be accompanied by a reasonable processing fee if such fee is established by the city or county legislative authority.



Application for Classification or Reclassification
Open Space Land
Chapter 84.34 RCW

File With The County Legislative Authority

Name of Owner(s): Stillaguamish Tribe
Email Address: jynthm@stillaguamish.com
Address: P.O. Box 277 Arlington WA 98023

Phone No: 360.631.0868

Parcel Number(s): Please See Exhibit A

Legal Description:

Total Acres In Application: 143.41 ac

Indicate what category of open space this land will qualify for:

- ☒ Conserve or enhance natural, cultural, or scenic resources
- ☒ Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- ☐ Protect soil resources, unique or critical wildlife, or native plant habitat
- ☐ Promote conservation principles by example or by offering educational opportunities
- ☐ Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- ☐ Enhance recreation opportunities
- ☐ Preserve historic or archaeological sites
- ☐ Preserve visual quality along highway, road, street corridors, or scenic vistas
- ☐ Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority
- ☐ Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
- ☐ Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture

1. Describe the present use of the land. Fallow farmland with tenant in house
2. Is the land subject to a lease or agreement which permits any other use than its present use? ☐ Yes ☒ No
If yes, attach a copy of the lease agreement.
3. Describe the present improvements (residence, buildings, etc.) located on the land.
House, Barn, garage, well pump house.
4. Is the land subject to any easements? ☒ Yes ☐ No
If yes, describe the type of easement, the easement restrictions, and the length of the easement.
Access easement to western neighbor
5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land.
NIA. Applying to OSG

NOTICE:

The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.

As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070)

Print the name of each owner:

Signature of each owner:

Eric White
Stillaquamish Tribe

[Signature]

The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.

Statement of Additional Tax, Interest, and Penalty Due Upon Removal of Classification

1. 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; plus
 - (c) A penalty of 20% will be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal as described in RCW 84.34.070(1).
2. The additional tax, interest, and penalty specified in (1) 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 84.04.130 (See RCW 84.34.108(6)(f)).
 - (g) Removal of land classified as farm & agricultural land under RCW 84.34.020(2)(f) (farm home site).
 - (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 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 designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.
 - (l) The discovery that the land was classified in error through no fault of the owner.

FOR LEGISLATIVE AUTHORITY USE ONLY

Date application received: _____

By: _____

Amount of processing fee collected: \$

- Is the land subject to a comprehensive land use plan adopted by a city or county? ☐ Yes ☐ No

If yes, application should be processed in the same manner in which an amendment to the comprehensive land use plan is processed.

If no, application must be acted upon after a public hearing and notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing.

- If the land is not subject to a comprehensive land use plan, is the land located within an incorporated part of the county? ☐ Yes ☐ No

If yes, application must be acted upon by three members of the county legislative authority and three members of the city legislative authority. See RCW 84.34.037(1) for details.

If no, application must be acted upon by three members of the county legislative authority.

- ☐ Application approved ☐ In whole ☐ In part
- ☐ Application denied ☐ Date owner notified of denial (Form 64 0103):

If approved, date Open Space Taxation Agreement (OSTA) was mailed to owner:

Signed OSTA received by Legislative Authority on:

Copy of signed OSTA forwarded to Assessor on:

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EXHIBIT "A"
Legal Description

**For APN/Parcel ID(s): 320614-001-001-00, 320611-004-009-00, 320612-003-014-00,
320612-003-013-00, 320613-002-003-00, 320613-002-002-00,
320613-002-005-00 and 320613-001-004-00**

Parcel A:

Government Lot 7, Section 11, Township 32 North, Range 6 East of the Willamette Meridian, Snohomish County, Washington;

Less that portion thereof in the Southwest quarter of the Southeast quarter of said Sections lying South of the Stillaguamish River.

Situate in the County of Snohomish, State of Washington.

Parcel B:

The North half of Government Lot 1, Section 14, Township 32 North, Range 6 East of the Willamette Meridian, Snohomish County, Washington.

Situate in the County of Snohomish, State of Washington.

Parcel C:

Government Lot 3, Section 12, Township 32 North, Range 6 East of the Willamette Meridian, Snohomish County, Washington.

Situate in the County of Snohomish, State of Washington.

Parcel D:

The Northwest quarter of the Northwest quarter of Section 13, Township 32 North, Range 6 East of the Willamette Meridian, Snohomish County, Washington.

Situate in the County of Snohomish, State of Washington.

Parcel E:

Government Lot 3, Section 13, Township 32 North, Range 6 East of the Willamette Meridian, Snohomish County, Washington.

Situate in the County of Snohomish, State of Washington.

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EXHIBIT "A"
Legal Description

Parcel F:

The North Half of Government Lot 4, Section 13, Township 32 North, Range 6 East of the Willamette Meridian, Snohomish County, Washington.

Situate in the County of Snohomish, State of Washington.

Parcel G:

The North half of the Southeast quarter of the Northwest quarter of Section 13, Township 32 North, Range 6 East of the Willamette Meridian, Snohomish County, Washington.

Situate in the County of Snohomish, State of Washington.

Parcel H:

A strip of land 20 feet wide running from the North bank of the Stillaguamish River North to the South boundary of County Road (now state highway), along the East side of the West 990 feet of the Northwest quarter of the Southwest quarter and of Government Lot 2, Section 12, Township 32 North, Range 6 East of the Willamette Meridian, Snohomish County, Washington;

Except railway right of way;

Except that portion conveyed to the State of Washington per deed recorded under Auditor's File No. 8908250382, records of Snohomish County, Washington.

Situate in the County of Snohomish, State of Washington.

Parcel I:

A non-exclusive easement for ingress and egress as described in and created by Easement, upon and subject to the provisions therein contained, dated July 17, 1964, recorded on August 7, 1964, under Auditor's File No. 1717216, records of Snohomish County, Washington, EXCEPT that portion thereof lying within Parcel A and B.

Situate in the County of Snohomish, State of Washington.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; a counter-signature by the Company or its issuing agent that may be in electronic form.

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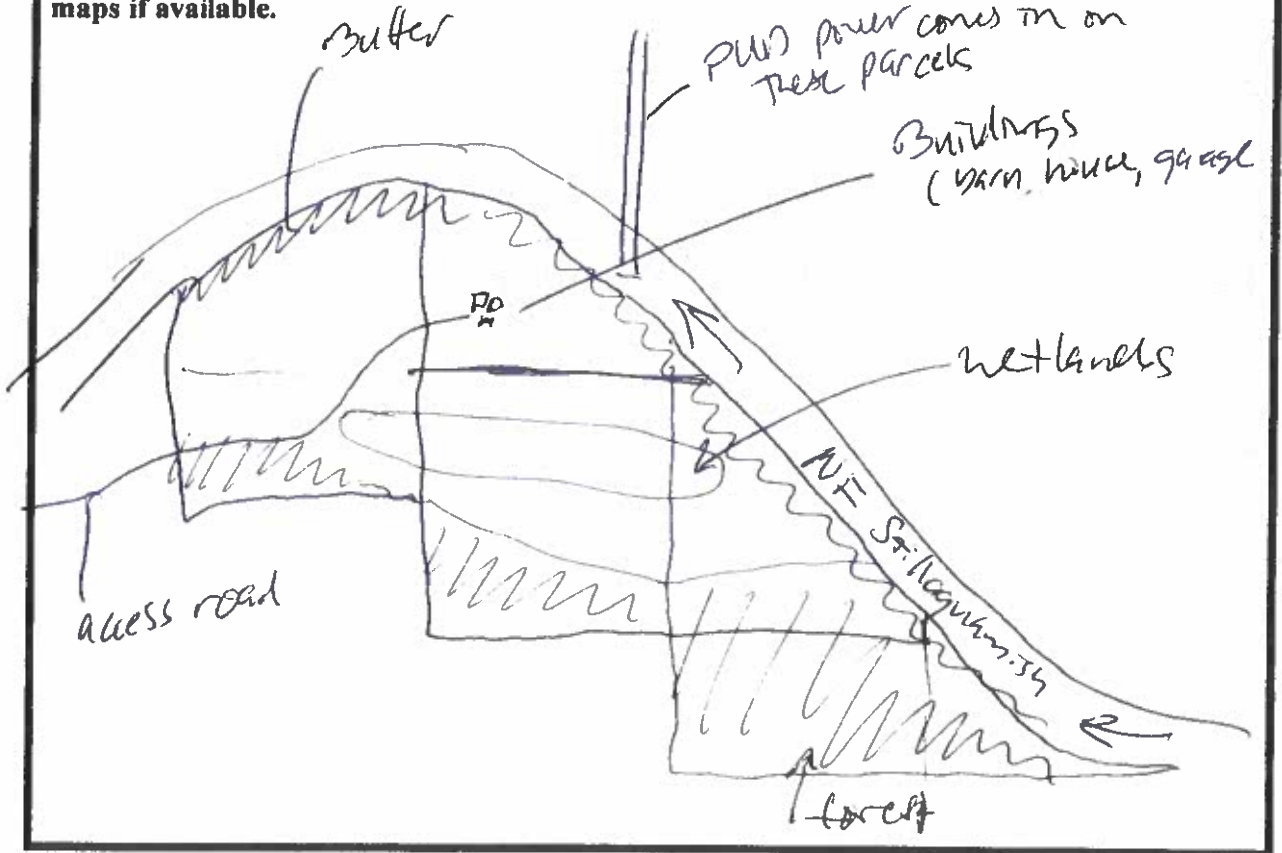
The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

ALTA Commitment for Title Insurance w-WA Mod (08/01/2016)



MAP SHEET

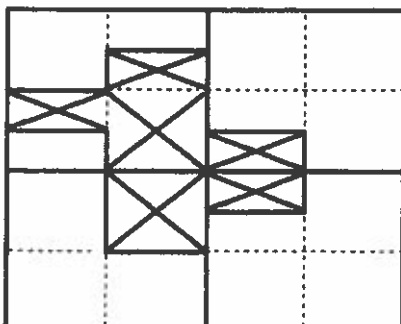
Please sketch a representative drawing of your property which clearly locates all buildings, residence(s), sheds, forestlands, wetlands, buffers, roads, trails, etc., or you may attach aerial maps if available.



Sketch Location of Land Applied For

Section 11, 12, 13, 14
 Township 32N
 Range 06E
 Total Acres Applied
 For 143.41

Example:



NW NW	NE NW	NW NE	NE NE
	11	12	
SW NW	SE NW	SW NE	SE NE
NW SW	NE SW	NW SE	NE SE
SW SW	SE SW	SW SE	SE SE
	14	13	



Snohomish County

PLANNING & DEVELOPMENT SERVICES

3000 Rockefeller Avenue, M/S #304
Everett, WA 98201-4046

OPEN SPACE CRITERIA

The Department of Planning & Development Services (PDS) reviews all Open Space/General applications according to the following checklist. In order to qualify for Open Space/General classification, parcels must meet at least one of the criteria listed below.

- ____(1) Urban areas where the entire site is in an undeveloped, natural state and has slopes of 25% or greater or where at least one-half of the total site area has slopes of at least 35% or more.
- ____(2) Areas designated on the comprehensive land use plan or the county park and recreation plan as potential parks, trails, or greenbelt, or designated as a critical area or environmentally sensitive area.
- ~~____~~(3) Areas which have plant or animal species which are considered rare, sensitive, threatened or endangered by an authority recognized by the county. *ESA listed chinook, steelhead, bull trout critical habitat*
- ____(4) Sites within urban areas to be left in their natural state where the site is of at least 1-acre in size and is predominately forested with mature specimen trees.
- ____(5) Areas which are in an undeveloped, natural state and are not under the jurisdiction of the State Shoreline Management Act and are situated within stream corridors, i.e., streams and/or their associated stream buffers of 50-feet on either side of the stream. Buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- ____(6) Undeveloped, natural areas adjacent to water bodies which come under the jurisdiction of the State Shoreline Management Act and are designated by the master plan as "natural", "conservancy", "rural", "suburban" or "urban" type environment.

- ____(7) Sites within an urban area which would serve as a buffer between residential development and tracts of land in excess of five acres which are designated on an adopted comprehensive plan for commercial or industrial development:
 - ____(a) Where the site area is covered by stands of trees in excess of 20-feet in height, and,
 - ____(b) Where the ground vegetation creates a visual separation of at least 50-feet between the residential tracts of land and the commercial or industrial lands, or;
 - ____(c) Where the topographic features of the site form a physical separation from the abutting commercial or industrial lands by reason of gull or ravine or similar land condition.
- ____(8) Areas that would safely provide either public vehicular or pedestrian access to public bodies of water:
 - ____(a) Where the site area abutting the water is at least 60-feet in width for vehicular access, or;
 - ____(b) Where the site area abutting the water is at least 25-feet in width for pedestrian access.
- ____(9) Areas which provide a scenic vista to which the general public has safe vehicular or pedestrian access.
- ____(10) Sites devoted to private outdoor recreational pursuits such as golf courses, riding stables, lakes, etc., provided that access to such facilities and areas is provided to the general public free of charge or at reasonable, customary rates.
- ____(11) Areas which contain features of unique historic, cultural or educational values which are open to the public's use, (e.g. public access to displays, interpretive centers, etc.), free of charge or at reasonable, customary rates:
 - ____(a) Where there are several varieties or species of flora, fauna, or both present on the site making it desirable for educational study, or;

- ____(b) Where there are habitats or species of plant life which are considered rare, sensitive, threatened or endangered by an authority recognized by the county, or;
- ____(c) Where there is or are recognized landmarks present on the site which provide visual reference and orientation for surrounding terrain (would include major promontories and rock formations but would exclude mountain forms and ranges), or;
- ____(d) Where there are historic or archeological features on the site of at least fifty years of age, which would have value to future generations due to the uncommon nature or rare representation of past times and events.
- ____(12) Areas located adjacent to public parks, public trails or other public lands which would materially add to or enhance the recreational opportunities of that facility:
- other ____ (a) Where such a site would constitute a logical extension of the park or public lands including provisions for public use but has been excluded principally by lack of funds, or;
- ____(b) Where the site would provide additional public access to such lands during the duration of its open space classification, or;
- ____(c) Where the site contains unique features of recreational value which if public use of the site were allowed would expand the variety of recreational opportunities contained in the park or public land, or;
- ____(d) Where the site would act as a buffer between the park and surrounding development.
- ____(13) Areas which contain or abut managed or monitored wildlife preserves or sanctuaries, arboretums or other designated open space and which will enhance the value of those resources:
- ____(a) Where the open space designation would encompass a minimum of 10 acres in land area, and;
- ____(b) Where plant life and/or animal life contained within the site are found in abundant varieties, or;

- ____(c) Where the site area can be distinguished from surrounding land due to the unusualness of the vegetation or the animal life inhabitants.
- ____(14) Wetland areas of at least 1/4 acres in size. Associated wetland buffers of 50-feet may also be included. The wetland buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- ____(15) Areas which lie adjacent to scenic highways which if not designated as open space would otherwise be subject to pressures for intense development:
- ____(a) Where such highways have been designated by a city, the county or the state as scenic, and;
- ____(b) Where at least one-half of the total site lies within 200 feet of the highway,
and;
- ____(c) Where pressures for urbanization are evident either due to provision of public water and sewer facilities to the area, subdivision activity in the immediate vicinity or the site, or the development of previously platted lands.
- ____(16) Undeveloped areas, five acres and larger which are not within the 100 year flood plain, suitable for agricultural pursuits which may not currently be devoted to such use:
- ____(a) Where the comprehensive land use plan or the agricultural preservation plan designates the site as suitable for agricultural development, or;
- ____(b) Where more than 75% of the total site area contains tillable Class II or III variety soils as classified by the Soil Conservation Service.
- ____(17) Undeveloped areas which contain a minimum of five (5) acres which are located within the 100-year flood plain as established by the U. S. Army Corps of Engineers or Snohomish County.
- ____(18) Areas where the entire site is in an undeveloped, natural state and is considered geological hazardous by an authority recognized by Snohomish County.

_____(19) Areas which are protective buffers as required by development regulations implementing the Growth Management Act.

_____(20) Farm & agricultural conservation land as defined in RCW 84.34.020(8)

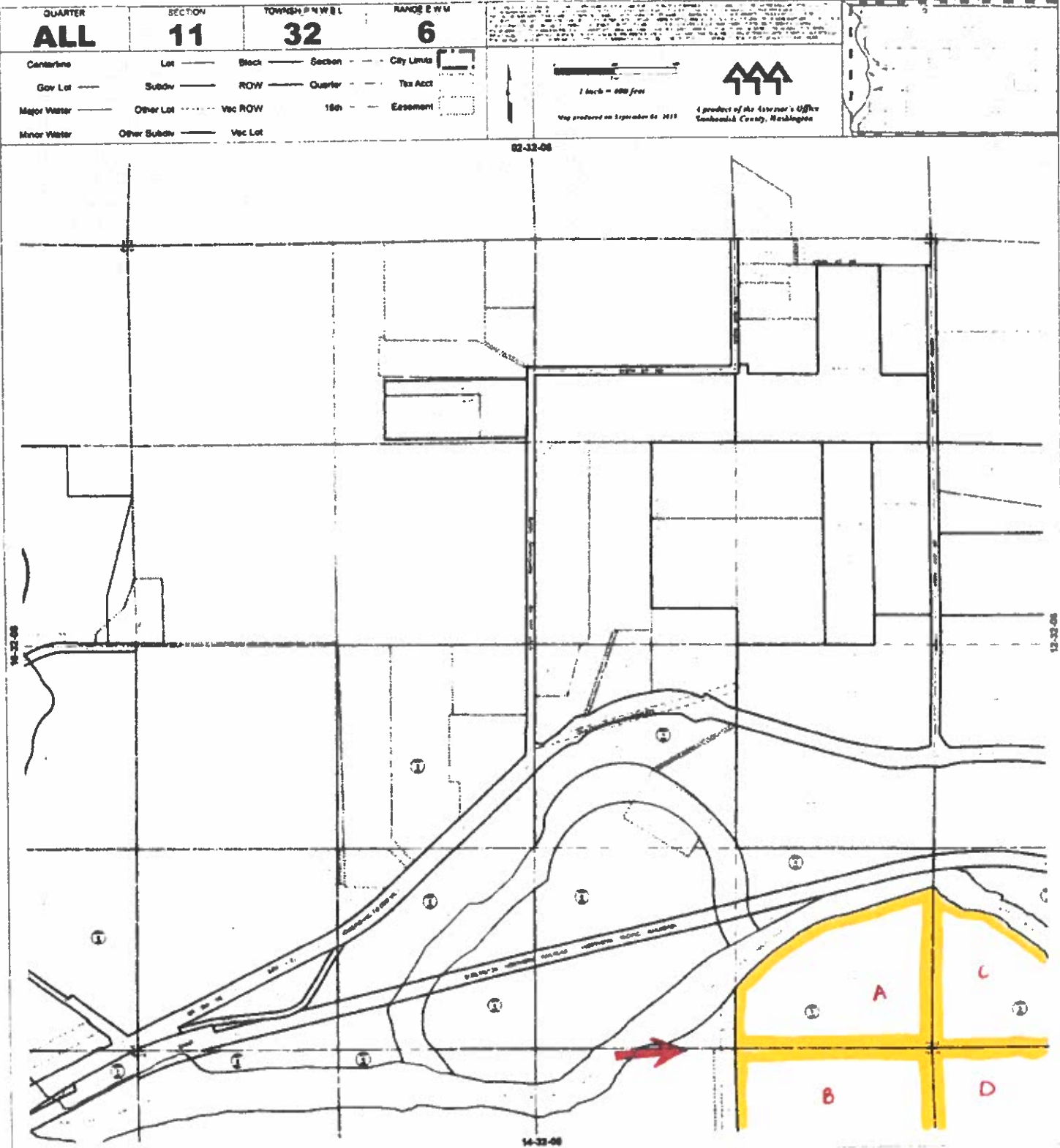
_____(a) Land that was previously classified as Open Space Farm & Agriculture under subsection (2) of this section, that no longer meets the criteria of subsection (2) of this section, and that is reclassified under subsection (1) of this section; or

_____(b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

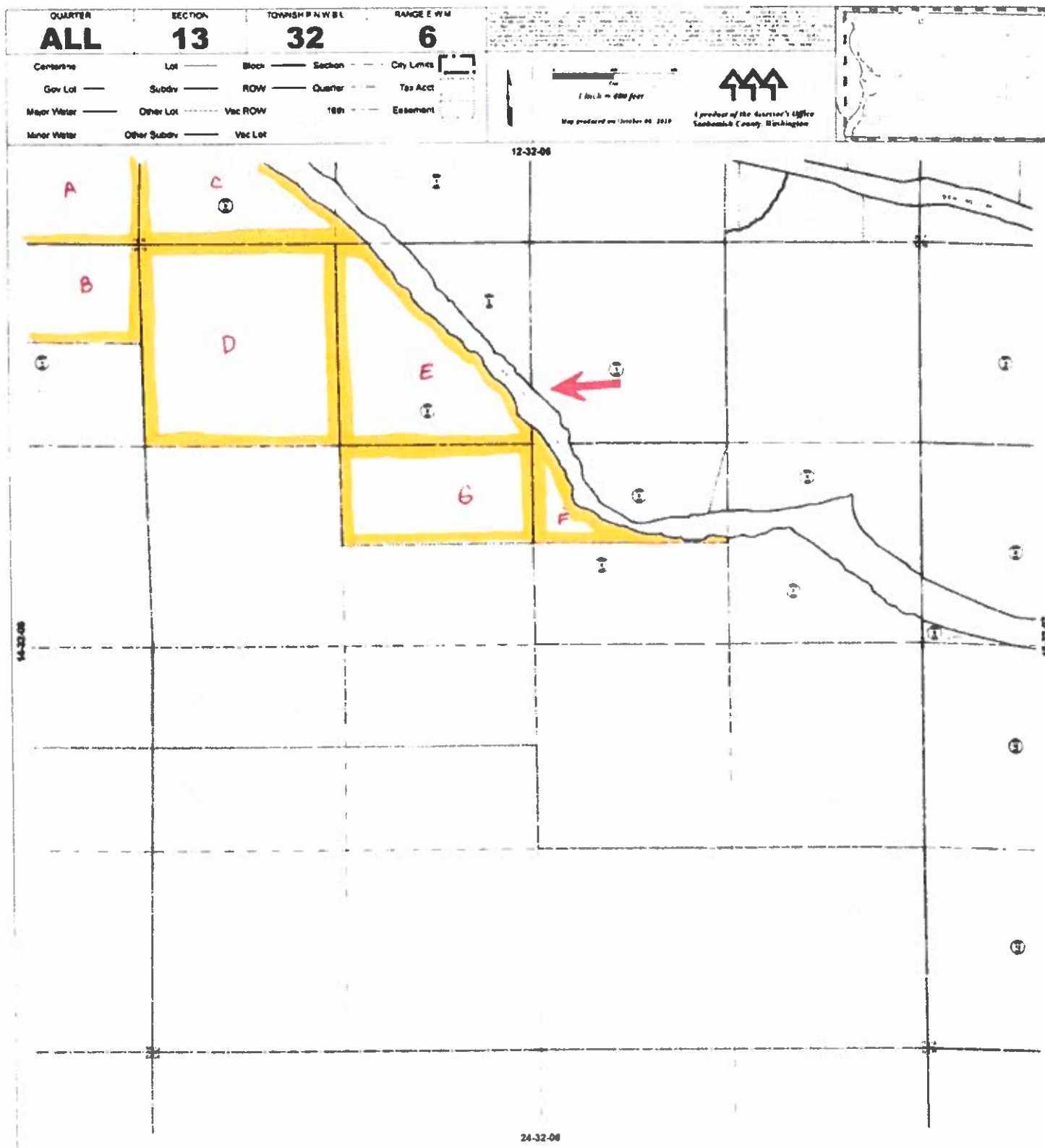
NOTE: An **URBAN AREA** is defined as: an area, designated on an adopted comprehensive plan with a density of 2 or more dwelling units per acre; and/or zoned residential 20,000 (R-20,000), or at a higher density than R-20,000; and/or within an incorporated area.

Upon the adoption of urban growth boundaries pursuant to RCW 36.70A.110, urban area shall be defined as the areas within the adopted boundaries.

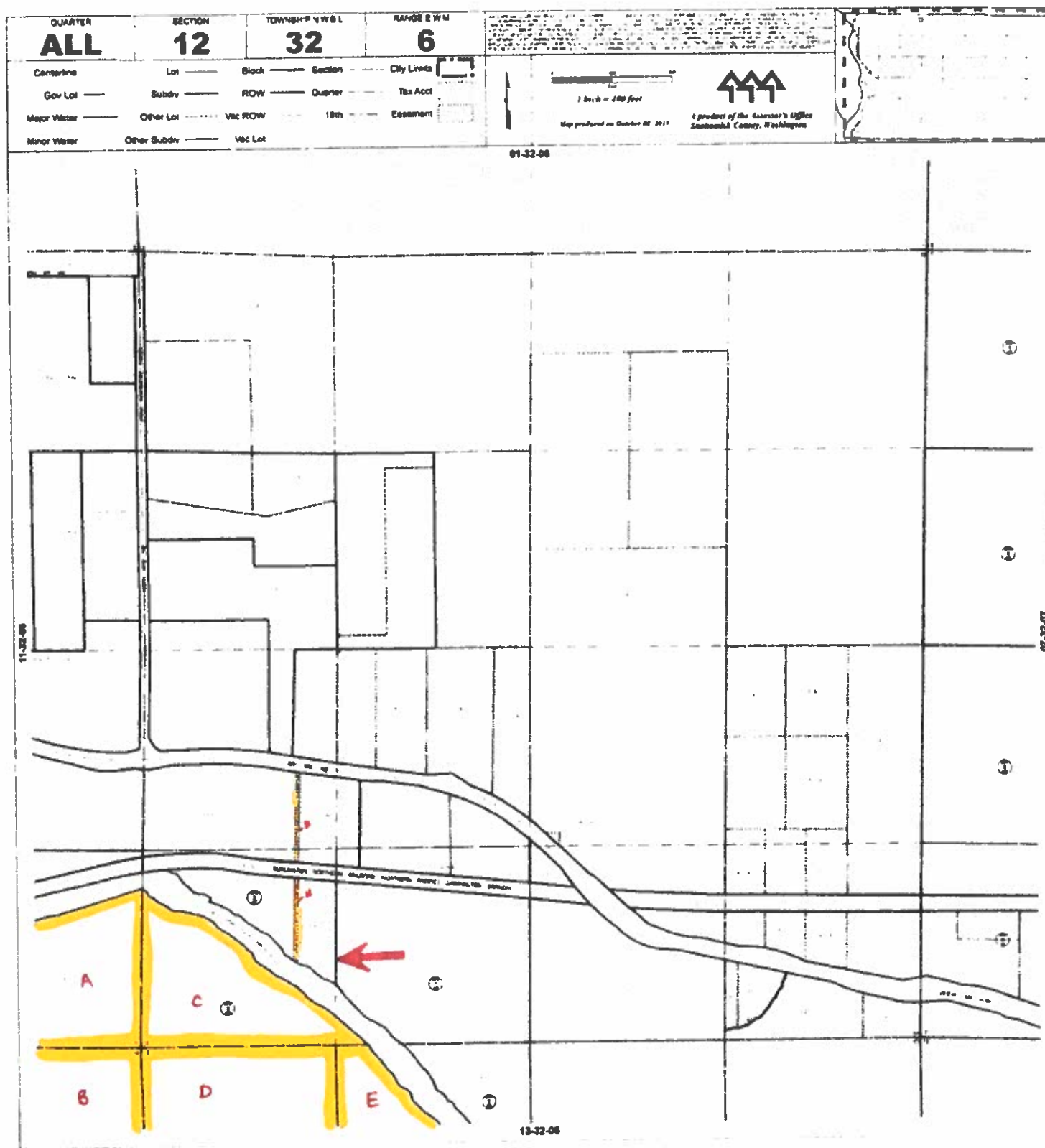
This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



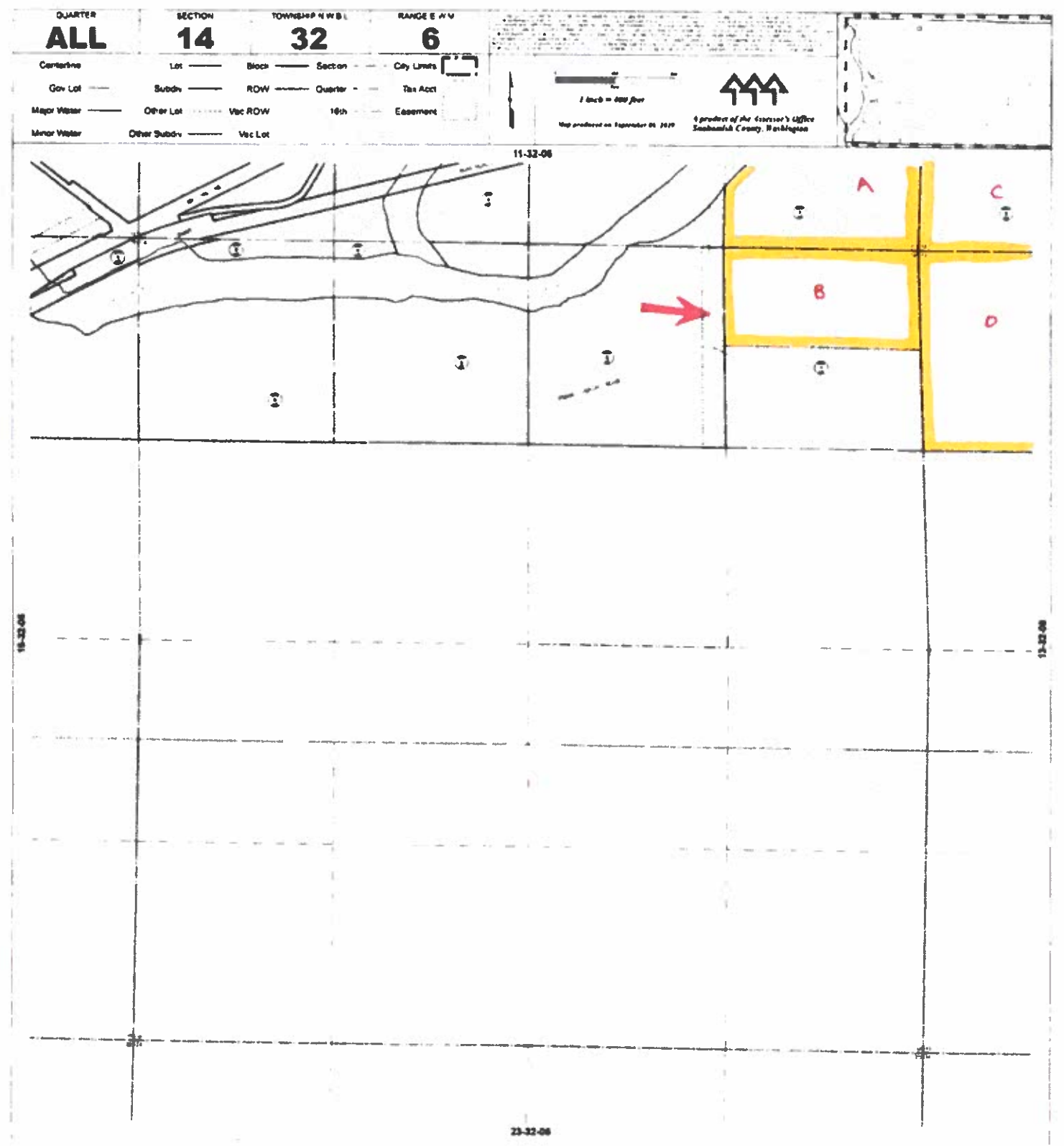
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Change of Classification (Chapters 84.33 and 84.34 RCW)

EXHIBIT # 6FILE MOT 22-178

Tax Code: _____

County: SNOHOMISH**File With County Assessor**

Applicant(s) name and address:

Jay A Kuhnhen
Julie D Kuhnhen
Marcia A Burnham

Assessor's Parcel or Account No:

32091700100900

Auditor's File No. on original application:

Phone No: 425 931 2358

Land subject to this application (legal description): Lot 4 of Snohomish County Short Plat PN-01-113615SP Recorded under Auditor File # 200312055018, Records of Snohomish County, Washington, Being a portion of the Northwest Quarter of the Northeast Quarter of Section 17, Township 32 North, Range 9 East, WM

RECEIVED
JUN 30 2021
**EXEMPTION
DEPARTMENT**

Change of Classification (Check appropriate box)

The land is currently classified as Farm and Agricultural land under RCW 84.34.020(2) and I hereby request reclassification as:

- ☐ Timber land as provided under RCW 84.34.020(3), unless county has merged their timber land classification into their designated forest land program. (Attach completed form REV 64 0109 or 64 0111 and a timber-management plan)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Forest Land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☒ Farm and Agricultural Conservation land as defined in RCW 84.34.020(8)(a). (Attach completed form REV 64 0021)

The land is currently classified as Farm and Agricultural Conservation land under RCW 84.34.020(8)(a) and I hereby request reclassification to:

- ☐ Farm and Agricultural land under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

The land is currently classified as Timber land under RCW 84.34.020(3) and I hereby request reclassification as:

- ☐ Forest land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Farm and Agricultural land as provided under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

NOTE: If request to change classification is approved, no additional tax, interest, and penalty will be imposed.

Requests to transfer from Forest Land designation under provisions of Chapter 84.33 RCW to Current Use classification under Chapter 84.34 RCW should be made on REV 64 0038.

Attachment:

- ☐ REV 62 0021 ☐ REV 64 0021 ☐ REV 64 0108 ☐ REV 64 0111
- ☐ REV 62 0110 ☐ REV 64 0024 ☐ REV 64 0109
- ☐ Timber Management Plan

REV 64 0060 (6/5/14)

**OPEN SPACE
Assessor's
Application No.
3226**

General Information

RECLASSIFICATIONS are defined in RCW 84.34.070(2) as follows:

- (2) The following reclassifications are not considered withdrawals or removals and are not subject to additional tax under RCW 84.34.108:
 - (a) Reclassification between lands under RCW 84.34.020(2) and (3);
 - (b) Reclassification of land classified under RCW 84.34.020(2) or (3) or Chapter 84.33 RCW to open space land under RCW 84.34.020(1);
 - (c) Reclassification of land classified under RCW 84.34.020(2) or (3) to forest land classified under Chapter 84.33 RCW; and
 - (d) Reclassification of land classified as open space land under RCW 84.34.020(1)(c) and reclassified to farm and agricultural land under RCW 84.34.020(2) if the land had been previously classified as farm and agricultural land under RCW 84.34.020(2).
- (3) Applications for reclassification shall be subject to applicable provisions of RCW 84.34.035, 84.34.037, 84.34.041, and Chapter 84.33 RCW.
- (4) The income criteria for land classified under RCW 84.34.020(2)(b) and (c) may be deferred for land being reclassified from land classified under RCW 84.34.020(1)(c) or (3), or Chapter 84.33 RCW into RCW 84.34.020(2)(b) or (c) for a period of up to five years from the date of reclassification.




FARM AND AGRICULTURAL CONSERVATION LAND is defined in RCW 84.34.020(8)(a & b) as follows:

- (8) "Farm and agricultural conservation land" means either:
 - (a) Land that was previously classified under RCW 84.34.020(2), that no longer meets the criteria and is reclassified under RCW 84.34.020 (1)(c); or
 - (b) Land that is traditional farmland that is not classified under Chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

And also defined in RCW 84.34.037(2)(c) as follows:

- (c) Whether granting the application for land applying under RCW 84.34.020(1)(c) will; (i) preserve land previously classified under RCW 84.34.020(2) or preserve land that is traditional farmland and not classified under Chapter 84.33 or 84.34 RCW; (ii) preserve land with a potential for returning to commercial agriculture; and (iii) affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of property.

Signatures of Owner(s) or Contract Purchaser(s):

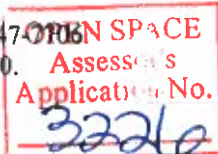



Date 6-27-2021

Assessor Use Only

If the parcel(s) subject to this document is considered contiguous, as defined in RCW 84.34.020(6), with other parcels having different ownerships, verify all remaining classified parcels with different ownerships are still:

- ☐ Adjoining
- ☐ Being managed as part of a single operation
- ☐ Meeting the definition of "family" as defined in RCW 84.34.020(6)(b)(ii) with the owner of an adjoining parcel

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Application for Classification or Reclassification
Open Space Land
Chapter 84.34 RCW

RECEIVED
JUN 30 2021
**EXEMPTION
DEPARTMENT**

File With The County Legislative Authority

Name of Owner(s): Jay A Kuhnhen
Julie D Kuhnhen
Marcia A. Burnham Phone No: 425 931 2358
Email Address: 29824 412th Dr NE
Address: Arlington WA 98223
jaykuhnhen@comcast.net

Parcel Number(s): 32091700100900

Legal Description: Lot 4 of Snohomish County Start Plat PFN 01-113615SP Recorded under
Auditor File # 200312055018, Records of Snohomish County, WA, Being a portion of
the Northwest Quarter of the Northeast Quarter of Section 17, Township 32 North,
Range 9 East, WM
Total Acres in Application: 9.935

Indicate what category of open space this land will qualify for:

- ☐ Conserve or enhance natural, cultural, or scenic resources
- ☒ Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- ☐ Protect soil resources, unique or critical wildlife, or native plant habitat
- ☐ Promote conservation principles by example or by offering educational opportunities
- ☐ Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- ☐ Enhance recreation opportunities
- ☐ Preserve historic or archaeological sites
- ☐ Preserve visual quality along highway, road, street corridors, or scenic vistas
- ☐ Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority
- ☐ Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
- ☒ Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture

1. Describe the present use of the land. Residential, Restoration Project (Conservation Pasture, Christmas tree plugs planted 2021, chicken coop

2. Is the land subject to a lease or agreement which permits any other use than its present use?

☒ Yes ☐ No

If yes, attach a copy of the lease agreement.

3. Describe the present improvements (residence, buildings, etc.) located on the land.

Residence, Shed, Barn (will be demolished 2021-22), Riparian repair started 2020

4. Is the land subject to any easements?

☒ Yes ☐ No

If yes, describe the type of easement, the easement restrictions, and the length of the easement.

Shared drive to include 30' both side from center of drive extends the entire length of the east side of property

5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land.

I believe it was mainly pasture with a few head of cattle. Currently unused pasture, starting to plant Christmas tree plugs, riparian restoration project, residence, large garden, chicken coop. Future Conservation land, small pasture, Christmas trees (undecided on commercial or our own 530 buffer).

NOTICE:

The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.

As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070)

Jay A Kuhnhen
Print the name of each owner:

Jay A Kuhnhen
Signature of each owner:

Date 6-27-2021

Marcia A Burnham

Marcia A. Burnham 6-27-2021

Julie D Kuhnhen

Julie D. Kuhnhen 6-27-2021

The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.

Statement of Additional Tax, Interest, and Penalty Due Upon Removal of Classification

1. 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 in (a), paid at the same statutory rate charged on delinquent property taxes; plus
 - (c) A penalty of 20% will be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal as described in RCW 84.34.070(1).
2. The additional tax, interest, and penalty specified in (1) 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, 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 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)(f) (farm home site).
 - (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 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 designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.
- (l) The discovery that the land was classified in error through no fault of the owner.

FOR LEGISLATIVE AUTHORITY USE ONLY

Date application received: _____ By: _____

Amount of processing fee collected: \$ _____

- Is the land subject to a comprehensive land use plan adopted by a city or county? ☐ Yes ☐ No

If yes, application should be processed in the same manner in which an amendment to the comprehensive land use plan is processed.

If no, application must be acted upon after a public hearing and notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing.

- If the land is not subject to a comprehensive land use plan, is the land located within an incorporated part of the county? ☐ Yes ☐ No

If yes, application must be acted upon by three members of the county legislative authority and three members of the city legislative authority. See RCW 84.34.037(1) for details.

If no, application must be acted upon by three members of the county legislative authority.

☐ Application approved

☐ In whole

☐ In part

☐ Application denied

☐ Date owner notified of denial (Form 64 0103): _____

If approved, date Open Space Taxation Agreement (OSTA) was mailed to owner: _____

Signed OSTA received by Legislative Authority on: _____

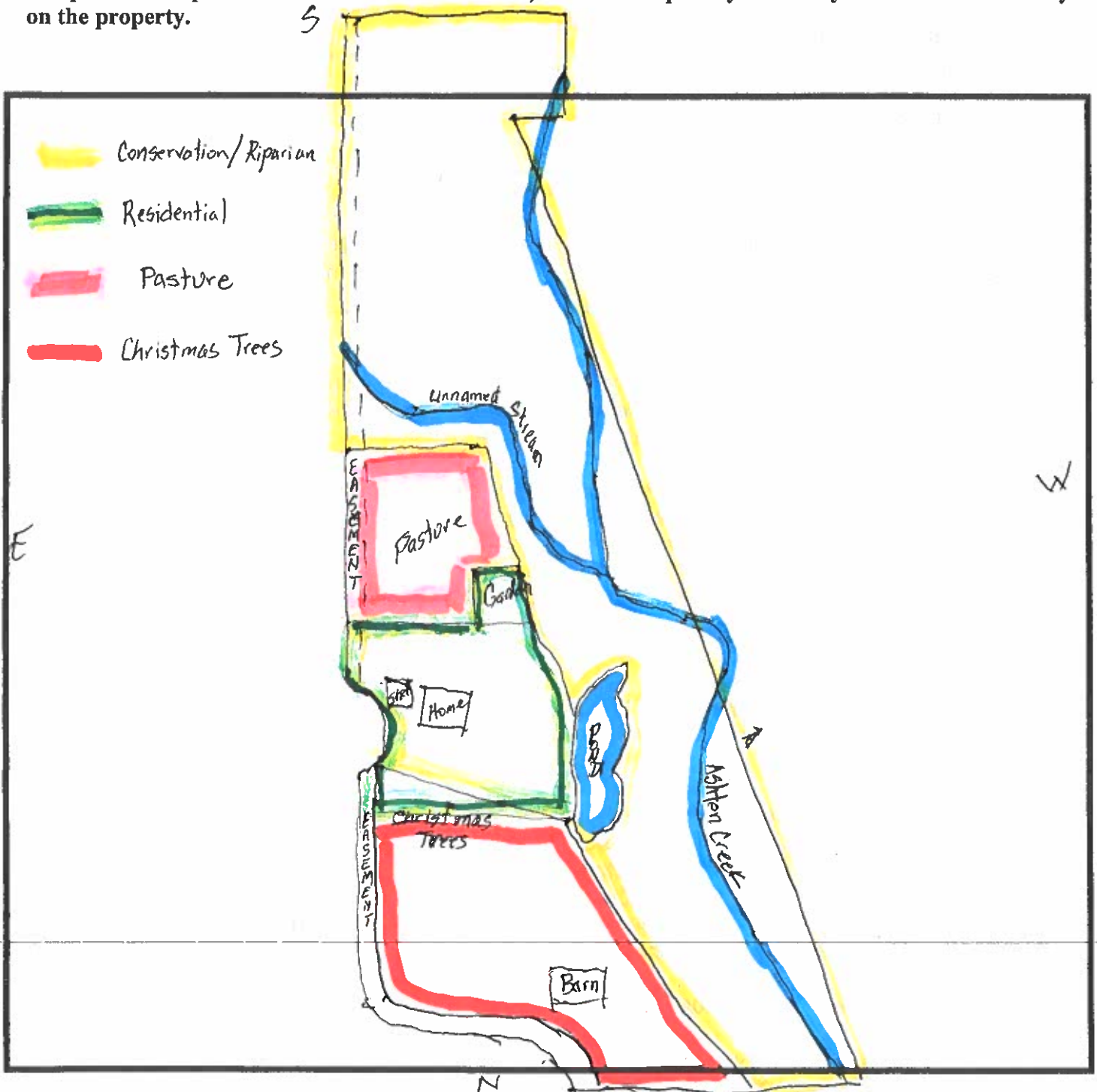
Copy of signed OSTA forwarded to Assessor on: _____

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SKETCHED MAP SHEET REQUIRED

Please sketch a representative drawing of your property which clearly locates all buildings, residence(s), sheds, forestlands, wetlands, buffers, roads, trails, etc. An aerial map may be attached, but will not be accepted as a replacement for this detailed sketch, as aerial maps may not always reflect recent activity on the property.



Property Owner Jay A. Kuhnhehn Julie D. Kuhnhehn Marcia A. Burnham

Parcel Number(s) 32091700/100900

OPEN SPACE
Assessor's
Application No.
3226



Snohomish County

PLANNING & DEVELOPMENT SERVICES

3000 Rockefeller Avenue, M/S #304
Everett, WA 98201-4046

OPEN SPACE CRITERIA

The Department of Planning & Development Services (PDS) reviews all Open Space/General applications according to the following checklist. In order to qualify for Open Space/General classification, parcels must meet at least one of the criteria listed below.

- ____(1) Urban areas where the entire site is in an undeveloped, natural state and has slopes of 25% or greater or where at least one-half of the total site area has slopes of at least 35% or more.
- ____(2) Areas designated on the comprehensive land use plan or the county park and recreation plan as potential parks, trails, or greenbelt, or designated as a critical area or environmentally sensitive area.
- ____(3) Areas which have plant or animal species which are considered rare, sensitive, threatened or endangered by an authority recognized by the county.
- ____(4) Sites within urban areas to be left in their natural state where the site is of at least 1-acre in size and is predominately forested with mature specimen trees.
- ☒ (5) Areas which are in an undeveloped, natural state and are not under the jurisdiction of the State Shoreline Management Act and are situated within stream corridors, i.e., streams and/or their associated stream buffers of 50-feet on either side of the stream. Buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- ____(6) Undeveloped, natural areas adjacent to water bodies which come under the jurisdiction of the State Shoreline Management Act and are designated by the master plan as "natural", "conservancy", "rural", "suburban" or "urban" type environment.

- ____(7) Sites within an urban area which would serve as a buffer between residential development and tracts of land in excess of five acres which are designated on an adopted comprehensive plan for commercial or industrial development:
- ____(a) Where the site area is covered by stands of trees in excess of 20-feet in height, **and**,
- ____(b) Where the ground vegetation creates a visual separation of at least 50-feet between the residential tracts of land and the commercial or industrial lands, **or**;
- ____(c) Where the topographic features of the site form a physical separation from the abutting commercial or industrial lands by reason of gull or ravine or similar land condition.
- ____(8) Areas that would safely provide either public vehicular or pedestrian access to public bodies of water:
- ____(a) Where the site area abutting the water is at least 60-feet in width for vehicular access, **or**;
- ____(b) Where the site area abutting the water is at least 25-feet in width for pedestrian access.
- ____(9) Areas which provide a scenic vista to which the general public has safe vehicular or pedestrian access.
- ____(10) Sites devoted to private outdoor recreational pursuits such as golf courses, riding stables, lakes, etc., provided that access to such facilities and areas is provided to the general public free of charge or at reasonable, customary rates.
- ____(11) Areas which contain features of unique historic, cultural or educational values which are open to the public's use, (e.g. public access to displays, interpretive centers, etc.), free of charge or at reasonable, customary rates:
- ____(a) Where there are several varieties or species of flora, fauna, or both present on the site making it desirable for educational study, **or**;

____(b) Where there are habitats or species of plant life which are considered rare, sensitive, threatened or endangered by an authority recognized by the county, or:

____(c) Where there is or are recognized landmarks present on the site which provide visual reference and orientation for surrounding terrain (would include major promontories and rock formations but would exclude mountain forms and ranges), or;

____(d) Where there are historic or archeological features on the site of at least fifty years of age, which would have value to future generations due to the uncommon nature or rare representation of past times and events.

____(12) Areas located adjacent to public parks, public trails or other public lands which would materially add to or enhance the recreational opportunities of that facility:

other ____ (a) Where such a site would constitute a logical extension of the park or public lands including provisions for public use but has been excluded principally by lack of funds, or;

____(b) Where the site would provide additional public access to such lands during the duration of its open space classification, or;

____(c) Where the site contains unique features of recreational value which if public use of the site were allowed would expand the variety of recreational opportunities contained in the park or public land, or:

____(d) Where the site would act as a buffer between the park and surrounding development.

____(13) Areas which contain or abut managed or monitored wildlife preserves or sanctuaries, arboretums or other designated open space and which will enhance the value of those resources:

____(a) Where the open space designation would encompass a minimum of 10 acres in land area, and:

____(b) Where plant life and/or animal life contained within the site are found in abundant varieties, or:

- ____(c) Where the site area can be distinguished from surrounding land due to the unusualness of the vegetation or the animal life inhabitants.
- ____(14) Wetland areas of at least 1/4 acres in size. Associated wetland buffers of 50-feet may also be included. The wetland buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- ____(15) Areas which lie adjacent to scenic highways which if not designated as open space would otherwise be subject to pressures for intense development:
- ____(a) Where such highways have been designated by a city, the county or the state as scenic, and:
- ____(b) Where at least one-half of the total site lies within 200 feet of the highway, and;
- ____(c) Where pressures for urbanization are evident either due to provision of public water and sewer facilities to the area, subdivision activity in the immediate vicinity or the site, or the development of previously platted lands.
- ____(16) Undeveloped areas, five acres and larger which are not within the 100 year flood plain, suitable for agricultural pursuits which may not currently be devoted to such use:
- ____(a) Where the comprehensive land use plan or the agricultural preservation plan designates the site as suitable for agricultural development, or;
- ____(b) Where more than 75% of the total site area contains tillable Class II or III variety soils as classified by the Soil Conservation Service.
-
- ____(17) Undeveloped areas which contain a minimum of five (5) acres which are located within the 100-year flood plain as established by the U. S. Army Corps of Engineers or Snohomish County.
- ____(18) Areas where the entire site is in an undeveloped, natural state and is considered geological hazardous by an authority recognized by Snohomish County.

____ (19) Areas which are protective buffers as required by development regulations implementing the Growth Management Act.

X (20) Farm & agricultural conservation land as defined in RCW 84.34.020(8)

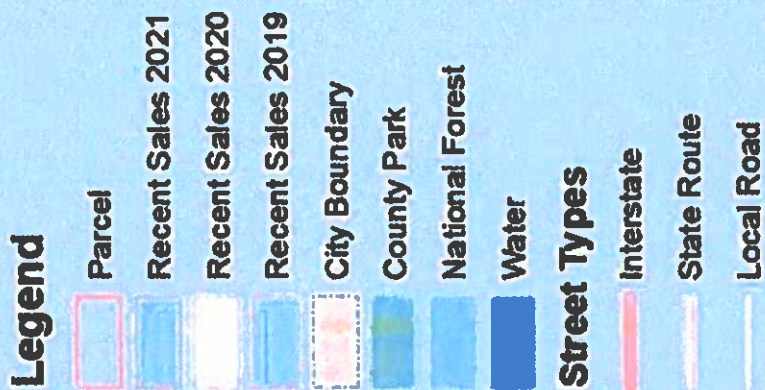
X (a) Land that was previously classified as Open Space Farm & Agriculture under subsection (2) of this section, that no longer meets the criteria of subsection (2) of this section, and that is reclassified under subsection (1) of this section; or

____ (b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

NOTE: An **URBAN AREA** is defined as: an area, designated on an adopted comprehensive plan with a density of 2 or more dwelling units per acre; and/or zoned residential 20,000 (R-20,000), or at a higher density than R-20,000; and/or within an incorporated area.

Upon the adoption of urban growth boundaries pursuant to RCW 36.70A.110, urban area shall be defined as the areas within the adopted boundaries.

Map Title

[illegible]

6/25/2021

900 Feet

OPEN SPACE
Assessor's
Application No.

3226

Jay Kuhnenn Riparian Restoration Plan

Prepared by Thomas Bulhuis, Snohomish Conservation District

Date: September 6, 2019

Last revised:



1. Introduction and Project Description

The Snohomish Conservation District (SCD or District) will work to restore and enhance the Kuhnenn property along Ashton Creek and an unnamed tributary that enters into Ashton Creek on the property, which flows into Squire Creek 500ft downstream of the northern boundary of the property. Squire Creek then flows into the North Fork Stillaguamish River. SCD will complete 5.2 acres of riparian and floodplain planting along 1,200 linear feet of the right stream bank of Ashton Creek and 465 linear feet of both the left and right bank of the unnamed tributary on Snohomish County Parcel 32091700100900. This planting will improve degraded temperature conditions and improve habitat for Threatened Chinook salmon and steelhead as well as coho and other salmonid species that spawn and rear in Ashton Creek, Squire Creek, and the North Fork Stillaguamish River. The Snohomish Conservation District will use existing grant funding to complete the 5.2 acre riparian and floodplain restoration project.

1.1 Existing Site Conditions

The Kuhnenn property is a residential parcel. The 5.2 acre riparian buffer is dominated by Himalayan blackberry (*Rubus armeniacus*) and evergreen blackberry (*Rubus Laciniatus*). Approximately 2.5 acres of this area has mixed hardwood tree species providing a sparse native canopy under which the understory is dominated by Himalayan blackberry (*Rubus armenicus*). Approximately 1.5 acres of this area is vegetated with dense bracken fern and/or pasture grasses and contains very few native trees and shrubs. A small pasture is planned for the north end of the property adjacent to State Route 530 and the planned 100ft buffer on Ashton Creek.

2. Goals and Objectives

The goal of this restoration plan is to reforest the floodplain and riparian area of Ashton creek and the seasonal tributary on site to improve and preserve water quality and increase habitat for native fish and wildlife. Despite water quality in the lower reaches of Squire Creek being listed as impaired for high temperature (Category 4a), the North Fork Stillaguamish River has been documented to receive significant cold water inputs from Ashton and Squire Creek. Both streams identified as cold water refuge habitat for salmon, most notably Chinook, steelhead, and coho.

The objectives of this project include:

- Planting native, woody vegetation on at least 5.2 acres of riparian buffer
- Installing at least 4,200 native plants
- Monitoring and maintaining the planting site for at least 4 years and up to 10 years post installation

This project intends to remove non-native vegetation in order to establish a functioning riparian buffer. There is not an expectation of complete eradication of non-native species but rather, by increasing the cover and density of native trees and shrubs, the plan aims to reduce non-native vegetation to a level where there is minimal threat to the establishment and function of the riparian buffer.



The site will be monitored in years 1, 2, 3, 5, 7, and 10 to determine success of the project. A detailed description of monitoring actions can be found in Section 5 of this plan. Overall, a goal of 85% survival after year 10 will indicate success.

3. Planting Plan

This plan outlines the planting of native shrub and tree species to re-establish riparian and floodplain forest buffers along the right bank of Ashton Creek and along both right and left banks of the unnamed tributary.

The planting plan is specified for three zones; Appendix A describes the draft plant list for the three zones. Zone 1 is the 15ft buffer off the Ashton Creek, the unnamed tributary, and the small pond on site where live stakes will be installed to allow for improved shading of the stream. Zone 2 encompasses the more forested areas with mixed native/non-native vegetation. Understory plantings in Zone 2 will increase species and structural diversity, promote large wood recruitment, and increase the resiliency and functionality of the buffer.

Zone 3 includes the areas currently dominated by invasive Himalayan blackberry and areas lacking significant native woody species (dominated by remnant pasture grasses from previous agricultural activities).

3.1 Site Preparation

Prior to installation of plants, invasive vegetation will be cleared. The site is dominated by Himalayan and Evergreen blackberry (*R. armeniacus* and *R. lacinatus*). To improve planting conditions and survival, the blackberry will be either cut and grubbed out or a cutting followed by a spray of regrowth. Other invasive species include reed canarygrass (*Phalaris arundinaceae*) and bittersweet nightshade (*Solanum dulcamara*). The grass will be mowed to prepare for planting and maintained as needed for plant survival until installed plants can out-compete the grass. The nightshade will be removed by manual pulling.

A. Landowner Responsibilities

Landowners will allow field crews to access restoration site and communicate parking instructions for crew vehicles. Landowners will work with the District to identify the location of maintenance access trails.

B. Snohomish Conservation District Responsibilities

The District will secure funding and will hire and supervise field crews to complete site preparation work. The District will secure any permits and licenses needed to complete work, including aquatic noxious weed control permits or land use permits, and will ensure field crews possess necessary licenses and qualifications. SCD will provide 48 hour notice prior to accessing the property and a minimum of one week notice prior to completing any herbicide application.

3.2 Planting Implementation

Planting will consist of bare root, container, and live stake native plant material installed with hand tools. A draft planting plan is included in Appendix A. The species list is specified for each planting zone. This list is subject to change based on plant availability and landowner input. Buffer width will vary between 100 feet and 250 feet from the top of bank of Ashton creek with an average width of 150ft.



A pathway from the bridge crossing on the unnamed tributary into the southern portion of the property will be left unplanted to allow crew and landowner access. A 12'x 35' area will also be left unplanted for archery recreation for landowner use.

Plant protectors such as beaver exclusion tree cages and plastic or vinyl tree protectors may be installed as needed to prevent herbivory and plant damage during maintenance. Orange or pink flagging may be tied onto installed plants to assist in site preparation and maintenance.

A. Landowner Responsibilities

Landowners will allow field crews to access restoration areas and communicate parking instructions for crew vehicles. Landowners will review plant species lists and provide input on final plant species list. Landowners will work with the District and field crews/contractors to determine unplanted stream access.

B. SCD Responsibilities

The District will provide draft plant lists to the property owner for review prior to finalizing plant orders for each planting season. The District will hire and supervise field crews and contractors and procure all materials, supplies, and equipment needed to complete the planting. The District will secure any permits and licenses needed to complete work and will ensure field crews and contractors possess necessary qualifications and training. SCD will provide 48 hour notice prior to accessing the property.

3.3 Project Timeline

The District will work with field crews to complete site preparation prior to planting. Field crews will complete plant installation between November 1st, 2019 and April 30th, 2020.

4. Livestock Exclusion Fencing plan

4.1 Livestock Exclusion Fence Construction

A barbed wire livestock exclusion fence will be built on the north portion of the property where the 100 foot buffer is adjacent to the pasture (see Appendix B). The fence will be a total of 320 feet in length and will be built to NRCS standards per practice code Fence (382). Any pasture fencing that is not adjacent to the buffer planting will be built at the landowner's expense as it is outside of the project area.

A. Landowner Responsibilities

Landowners will allow field crews to access restoration areas and communicate parking instructions for crew vehicles. Landowners will review plant species lists and provide input on final plant species list. Landowners will work with the District and field crews/contractors to determine unplanted stream access.

B. SCD Responsibilities

The District will provide draft plant lists to the property owner for review prior to finalizing plant orders for each planting season. The District will hire and supervise field crews and contractors and procure all materials, supplies, and equipment needed to complete the planting. The District will secure any permits and licenses needed to complete work and will ensure field crews and contractors possess necessary qualifications and training. SCD will provide 48 hour notice prior to accessing the property.



4.2 Fencing Construction Timeline

enter timeline

5. Maintenance, Monitoring, and Adaptive Management

5.1 Monitoring

Installed vegetation will be monitored following the timeline below to evaluate planting performance. A combination of belt transects and circle plots may be used to capture a representative sample of the site when monitoring. Belt transects should be placed perpendicular to the stream, and circle plots should be placed randomly to capture a representative sample of the site in areas further from the stream. Metal posts (T-bar posts) and flagging will be used to mark vegetation plot/belt locations. Metrics to be assessed through vegetation monitoring of transects, circle plots, and experimental plots, include:

- Survival
- Growth rate (height, width, diameter)
- Percent cover (based on line-intercept data)
- Vigor assessment
- Native species richness (species count from line-intercept data)

In addition to the performance standard of 85% survival at year 10 post-installation, these metrics will allow project managers to assess success, and will aid in the adaptive management of the restoration site.

5.2 Maintenance

Maintenance will include control of non-native, invasive vegetation and replanting to achieve 85% survival at year 10 post-installation. Project integrity will be maintained according to the NRCS standard and specification 391: Riparian Forest Buffer to ensure project elements are functioning properly and as originally intended.

Maintenance will occur until plants reach a free to grow stage. Control methods of most invasive vegetation will include hand or small mechanical (hand-held brushcutter) mowing or removal of and digging of roots.

Regular inspection of the planting area will increase the likelihood of a successful project. Replanting may be required to achieve goal of 85% survival by year 10 if initial planting experiences mortality. If excessive beaver browse occurs, exclusion tree cages or fencing will be installed to protect plants.

A. Landowner Responsibilities

The landowner agrees to perform visual inspection of a portion of the planting area annually for ten years and inform the Conservation District of any issues to the project's success, including beaver browse, flood damage, or other plant mortality. The visual inspection may occur at any time throughout the year as the property owners or agents are available to inspect the project, although the growing season (March – October) is the best time to inspect plants for mortality. The landowner inspection is intended to be qualitative and limited in nature and will supplement the annual vegetation monitoring completed by the Conservation District. The landowner may request copies of vegetation monitoring data and reports.



B. SCD Responsibilities

The Snohomish Conservation District will perform vegetation monitoring in years 1, 2, 3, 5, 7, and 10 after installation, between April 15th and September 15th each season. Data will be collected and analyzed by the Conservation District and District-managed field crews trained in monitoring protocol. The Conservation District will maintain and store the data for the entire 10-year monitoring period and will submit monitoring reports to grant funders as needed.

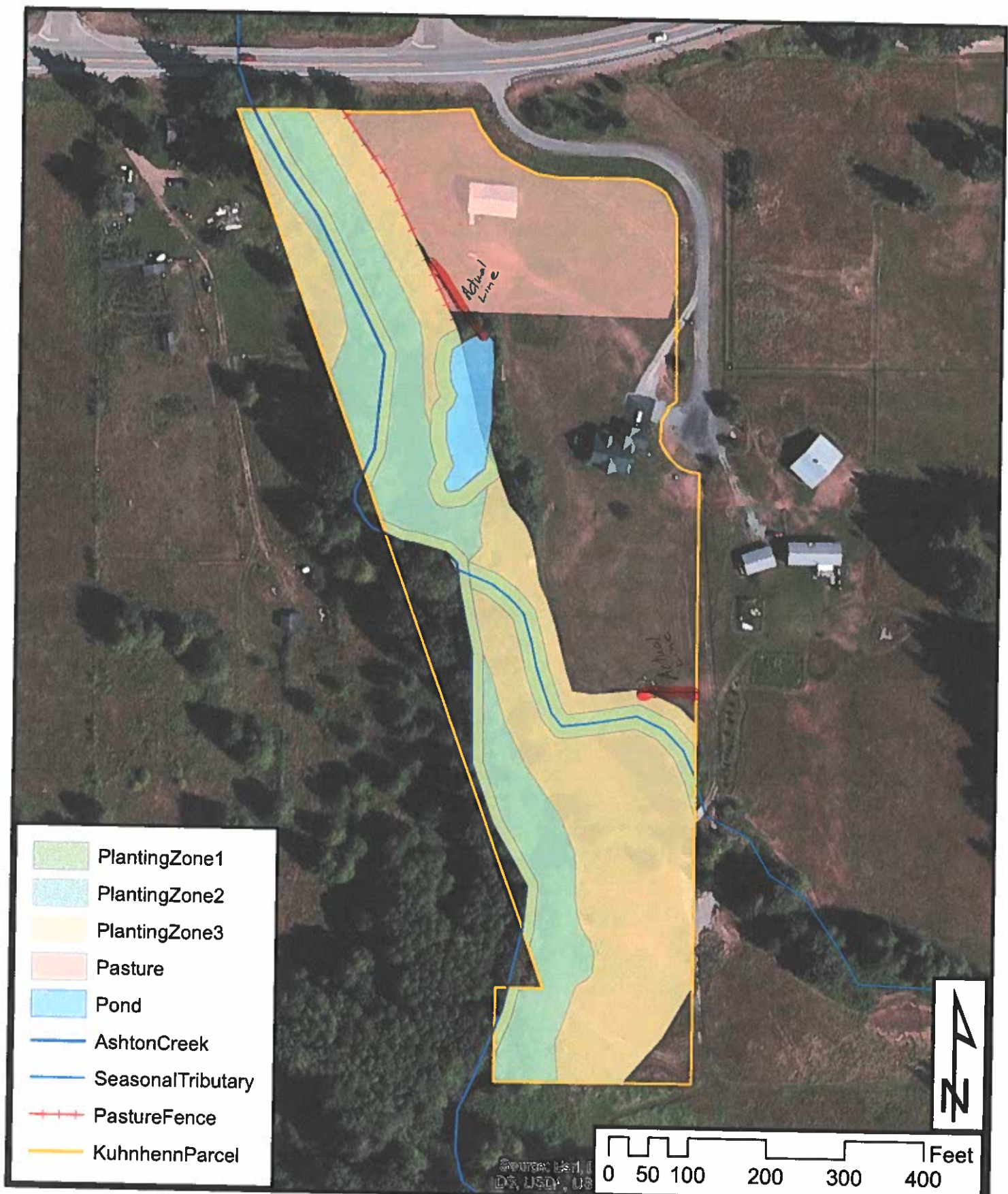
5.3 Maintenance and Monitoring Timeline

Vegetation monitoring will occur in years 1, 2, 3, 5, 7, and 10 after installation, between April 15th and September 15th each season. Competing vegetation growing in the planting area shall be controlled annually during the growing season for a period of at least four years, and then monitored at post-project years 5, 7, and 10 to evaluate plant establishment and maintenance needs.

6. Funding Information

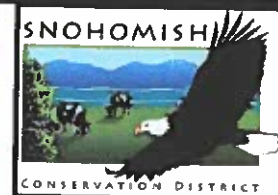
The Snohomish Conservation District has secured grant funding from the Washington State Department of Ecology (DOE) and the Recreation and Conservation Office Salmon Recovery Funding Board (RCO SRFB) to complete planting and maintenance through year four. Maintenance and monitoring after year four will be funded through a combination of the District's Rates and Charges (local funding collected from rate-payers in the District) and annual project maintenance awards from WSCC.





Kuhnhenh Riparian Restoration Project

OPEN SPACE
Conservation District's
Application No.
3226



T. Bulthuis
September 2019

Change of Classification

(Chapters 84.33 and 84.34 RCW)

EXHIBIT # 7FILE MOT 22-178Tax Code: 84.34
County: SNOHOMISH**File With County Assessor**

Applicant(s) name and address:

Evergreen Land Trust Assn
13401 184th St NE
Arlington, WA 98223

Phone No: 615-944-7333

Land subject to this application (legal description):

Pragtree Farm

corey.snelson@gmail.com

Assessor's Parcel or Account No:

31062100200300

Auditor's File No. on original application:

RECEIVED
JUL 09 2021
**EXEMPTION
DEPARTMENT**

Change of Classification

(Check appropriate box)

The land is currently classified as Farm and Agricultural land under RCW 84.34.020(2) and I hereby request reclassification as:

- ☐ Timber land as provided under RCW 84.34.020(3), unless county has merged their timber land classification into their designated forest land program. (Attach completed form REV 64 0109 or 64 0111 and a timber-management plan)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Forest Land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☒ Farm and Agricultural Conservation land as defined in RCW 84.34.020(8)(a). (Attach completed form REV 64 0021)

The land is currently classified as Farm and Agricultural Conservation land under RCW 84.34.020(8)(a) and I hereby request reclassification to:

- ☐ Farm and Agricultural land under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

The land is currently classified as Timber land under RCW 84.34.020(3) and I hereby request reclassification as:

- ☐ Forest land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Farm and Agricultural land as provided under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

NOTE: If request to change classification is approved, no additional tax, interest, and penalty will be imposed.

Requests to transfer from Forest Land designation under provisions of Chapter 84.33 RCW to Current Use classification under Chapter 84.34 RCW should be made on REV 64 0038.

Attachment:

- | | | | |
|---|---|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> REV 62 0021 | <input checked="" type="checkbox"/> REV 64 0021 | <input type="checkbox"/> REV 64 0108 | <input type="checkbox"/> REV 64 0111 |
| <input type="checkbox"/> REV 62 0110 | <input type="checkbox"/> REV 64 0024 | <input type="checkbox"/> REV 64 0109 | |
| <input type="checkbox"/> Timber Management Plan | | | |

REV 64 0060 (6/5/14)

OPEN SPACE
Assessor's
Application No.
3227

General Information

RECLASSIFICATIONS are defined in RCW 84.34.070(2) as follows:

- (2) The following reclassifications are not considered withdrawals or removals and are not subject to additional tax under RCW 84.34.108:
 - (a) Reclassification between lands under RCW 84.34.020(2) and (3);
 - (b) Reclassification of land classified under RCW 84.34.020(2) or (3) or Chapter 84.33 RCW to open space land under RCW 84.34.020(1);
 - (c) Reclassification of land classified under RCW 84.34.020(2) or (3) to forest land classified under Chapter 84.33 RCW; and
 - (d) Reclassification of land classified as open space land under RCW 84.34.020(1)(c) and reclassified to farm and agricultural land under RCW 84.34.020(2) if the land had been previously classified as farm and agricultural land under RCW 84.34.020(2).
- (3) Applications for reclassification shall be subject to applicable provisions of RCW 84.34.035, 84.34.037, 84.34.041, and Chapter 84.33 RCW.
- (4) The income criteria for land classified under RCW 84.34.020(2)(b) and (c) may be deferred for land being reclassified from land classified under RCW 84.34.020(1)(c) or (3), or Chapter 84.33 RCW into RCW 84.34.020(2)(b) or (c) for a period of up to five years from the date of reclassification.

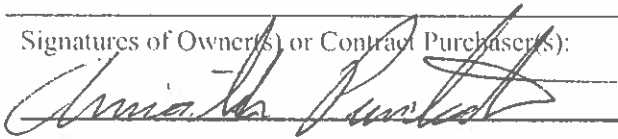
FARM AND AGRICULTURAL CONSERVATION LAND is defined in RCW 84.34.020(8)(a & b) as follows:

- (8) "Farm and agricultural conservation land" means either:
 - (a) Land that was previously classified under RCW 84.34.020(2), that no longer meets the criteria and is reclassified under RCW 84.34.020 (1)(c); or
 - (b) Land that is traditional farmland that is not classified under Chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

And also defined in RCW 84.34.037(2)(c) as follows:

- (c) Whether granting the application for land applying under RCW 84.34.020(1)(c) will: (i) preserve land previously classified under RCW 84.34.020(2) or preserve land that is traditional farmland and not classified under Chapter 84.33 or 84.34 RCW; (ii) preserve land with a potential for returning to commercial agriculture; and (iii) affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of property.

Signatures of Owner(s) or Contract Purchaser(s):



Evergreen Land Trusts
Board President

Date

7/1/21

Assessor Use Only

If the parcel(s) subject to this document is considered contiguous, as defined in RCW 84.34.020(6), with other parcels having different ownerships, verify all remaining classified parcels with different ownerships are still:

- ☐ Adjoining
- ☐ Being managed as part of a single operation
- ☐ Meeting the definition of "family" as defined in RCW 84.34.020(6)(b)(ii) with the owner of an adjoining parcel

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Application for Classification or Reclassification
Open Space Land
Chapter 84.34 RCW

RECEIVED
JUL 09 2021
**EXEMPTION
DEPARTMENT**

File With The County Legislative Authority

Name of Owner(s): Evergreen Land Trust
Email Address: Corey.snelson@gmail.com
Address: 13401 164th St NE
Arlington, WA 98223

Phone No. 615-944-7333

Parcel Number(s): 31062100200300
Legal Description: Sec 21 Twp 31 RGE 06RT-8A) E1/2 NW1/4
NW 1/4 Less Co Rd Est by court order
#1693 OSA 79
Total Acres in Application: 11.42

Indicate what category of open space this land will qualify for:

- ☐ Conserve or enhance natural, cultural, or scenic resources
- ☐ Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- ☐ Protect soil resources, unique or critical wildlife, or native plant habitat
- ☐ Promote conservation principles by example or by offering educational opportunities
- ☐ Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- ☐ Enhance recreation opportunities
- ☐ Preserve historic or archaeological sites
- ☐ Preserve visual quality along highway, road, street corridors, or scenic vistas
- ☐ Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority
- ☒ Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
- ☐ Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture

1. Describe the present use of the land.

Land is fallow. Currently used as residential rental property

2. Is the land subject to a lease or agreement which permits any other use than its present use?

☐ Yes ☒ No

If yes, attach a copy of the lease agreement.

3. Describe the present improvements (residence, buildings, etc.) located on the land.

Cottage, Garden Sheds, Barn, Greenhouse, Pump House, Tool Barn

4. Is the land subject to any easements?

☐ Yes ☒ No

If yes, describe the type of easement, the easement restrictions, and the length of the easement.

5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land.

NOTICE:

The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.

As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

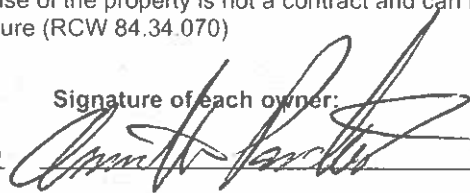
The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070)

Print the name of each owner:

Signature of each owner:

Date

Ariathar Pemberton



7/7/21

The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.

Ariathar Pemberton is the Evergreen Land Trust's Board President

Statement of Additional Tax, Interest, and Penalty Due Upon Removal of Classification

1. 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 in (a), paid at the same statutory rate charged on delinquent property taxes; plus
 - (c) A penalty of 20% will be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal as described in RCW 84.34.070(1).
2. The additional tax, interest, and penalty specified in (1) 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, 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 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)(f) (farm home site).
 - (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 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 designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.
 - (l) The discovery that the land was classified in error through no fault of the owner.

FOR LEGISLATIVE AUTHORITY USE ONLY

Date application received: _____ By: _____

Amount of processing fee collected: \$ _____

- Is the land subject to a comprehensive land use plan adopted by a city or county? ☐ Yes ☐ No

If yes, application should be processed in the same manner in which an amendment to the comprehensive land use plan is processed.

If no, application must be acted upon after a public hearing and notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing.

- If the land is not subject to a comprehensive land use plan, is the land located within an incorporated part of the county? ☐ Yes ☐ No

If yes, application must be acted upon by three members of the county legislative authority and three members of the city legislative authority. See RCW 84.34.037(1) for details.

If no, application must be acted upon by three members of the county legislative authority.

- ☐ Application approved ☐ In whole ☐ In part
☐ Application denied ☐ Date owner notified of denial (Form 64 0103):

If approved, date Open Space Taxation Agreement (OSTA) was mailed to owner:

Signed OSTA received by Legislative Authority on:

Copy of signed OSTA forwarded to Assessor on:

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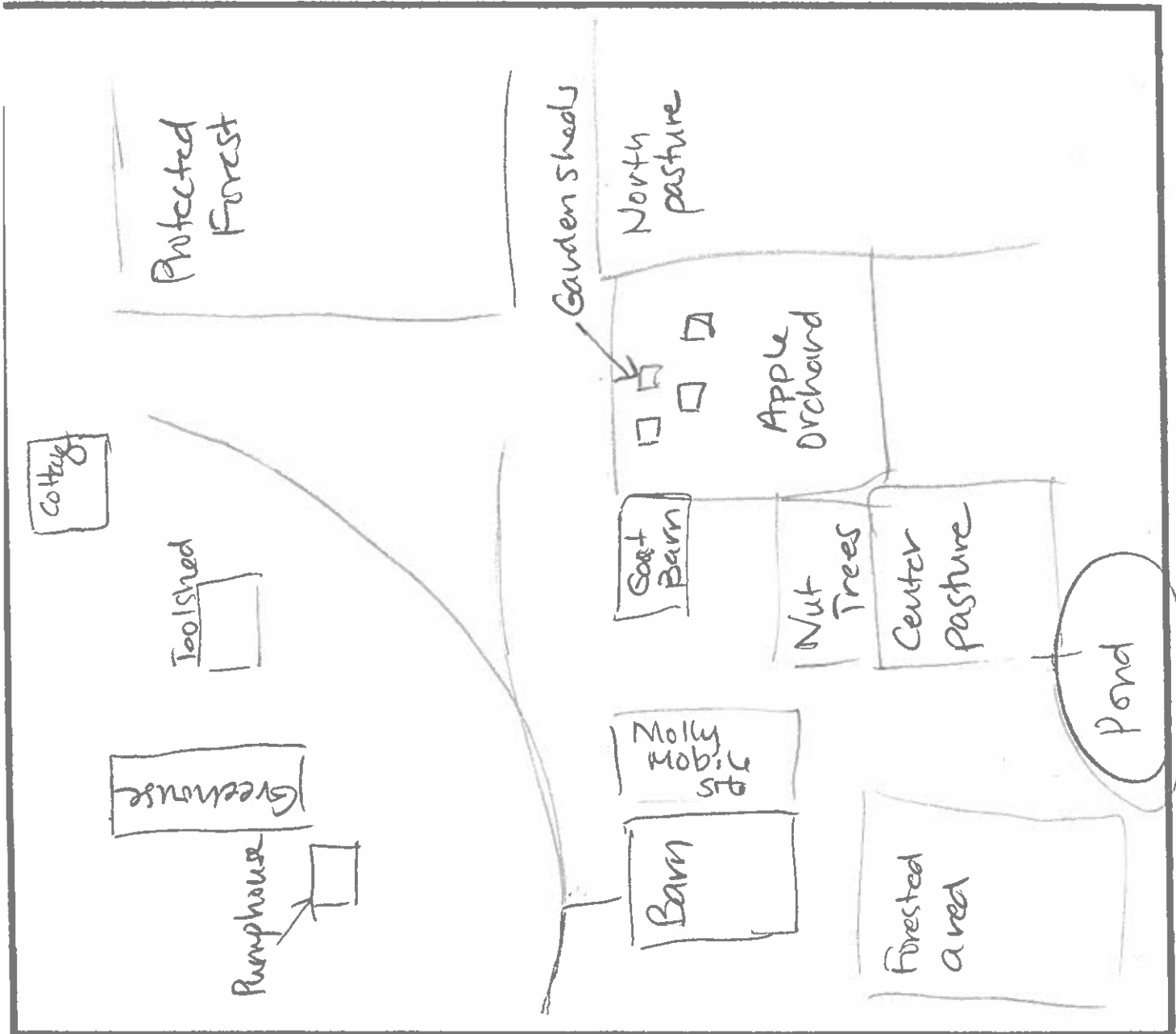
REV 64 0021e (6/26/19)

REV 64 0021 (08/02/17)

OPEN SPACE
Assessor's
Application No.
3227

SKETCHED MAP SHEET REQUIRED

Please sketch a representative drawing of your property which clearly locates all buildings, residence(s), sheds, forestlands, wetlands, buffers, roads, trails, etc. An aerial map may be attached, but will not be accepted as a replacement for this detailed sketch, as aerial maps may not always reflect recent activity on the property.



Property Owner

Evergreen Land Trust

Parcel Number(s)

3106 2100200300

OPEN SPACE
Assessor's
Application No.
3227



Snohomish County

PLANNING & DEVELOPMENT SERVICES

3130 Rockefeller Avenue, M/S #304
Everett, WA 98201-4046

OPEN SPACE CRITERIA

The Department of Planning & Development Services (PDS) reviews all Open Space/General applications according to the following checklist. In order to qualify for Open Space/General classification, **parcels must meet at least one of the criteria listed below.**

- ____(1) Urban areas where the entire site is in an undeveloped, natural state and has slopes of 25% or greater or where at least one-half of the total site area has slopes of at least 35% or more.
- ____(2) Areas designated on the comprehensive land use plan or the county park and recreation plan as potential parks, trails, or greenbelt, or designated as a critical area or environmentally sensitive area.
- ____(3) Areas which have plant or animal species which are considered rare, sensitive, threatened or endangered by an authority recognized by the county.
- ____(4) Sites within urban areas to be left in their natural state where the site is of at least 1-acre in size and is predominately forested with mature specimen trees.
- ____(5) Areas which are in an undeveloped, natural state and are not under the jurisdiction of the State Shoreline Management Act and are situated within stream corridors, i.e., streams and/or their associated stream buffers of 50-feet on either side of the stream. Buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- ____(6) Undeveloped, natural areas adjacent to water bodies which come under the jurisdiction of the State Shoreline Management Act and are designated by the master plan as "natural", "conservancy", "rural", "suburban" or "urban" type environment.



Page 1

- ____(7) Sites within an urban area which would serve as a buffer between residential development and tracts of land in excess of five acres which are designated on an adopted comprehensive plan for commercial or industrial development:
- ____(a) Where the site area is covered by stands of trees in excess of 20-feet in height, **and**,
- ____(b) Where the ground vegetation creates a visual separation of at least 50-feet between the residential tracts of land and the commercial or industrial lands, **or**;
- ____(c) Where the topographic features of the site form a physical separation from the abutting commercial or industrial lands by reason of gull or ravine or similar land condition.
- ____(8) Areas that would safely provide either public vehicular or pedestrian access to public bodies of water:
- ____(a) Where the site area abutting the water is at least 60-feet in width for vehicular access, **or**;
- ____(b) Where the site area abutting the water is at least 25-feet in width for pedestrian access.
- ____(9) Areas which provide a scenic vista to which the general public has safe vehicular or pedestrian access.
- ____(10) Sites devoted to private outdoor recreational pursuits such as golf courses, riding stables, lakes, etc., provided that access to such facilities and areas is provided to the general public free of charge or at reasonable, customary rates.
- ____(11) Areas which contain features of unique historic, cultural or educational values which are open to the public's use, (e.g. public access to displays, interpretive centers, etc.), free of charge or at reasonable, customary rates:
- ____(a) Where there are several varieties or species of flora, fauna, or both present on the site making it desirable for educational study, **or**;



____(b) Where there are habitats or species of plant life which are considered rare, sensitive, threatened or endangered by an authority recognized by the county, **or**:

____(c) Where there is or are recognized landmarks present on the site which provide visual reference and orientation for surrounding terrain (would include major promontories and rock formations but would exclude mountain forms and ranges), **or**;

____(d) Where there are historic or archeological features on the site of at least fifty years of age, which would have value to future generations due to the uncommon nature or rare representation of past times and events.

____(12) Areas located adjacent to public parks, public trails or other public lands which would materially add to or enhance the recreational opportunities of that facility:

other ____ (a) Where such a site would constitute a logical extension of the park or public lands including provisions for public use but has been excluded principally by lack of funds, **or**;

____(b) Where the site would provide additional public access to such lands during the duration of its open space classification, **or**;

____(c) Where the site contains unique features of recreational value which if public use of the site were allowed would expand the variety of recreational opportunities contained in the park or public land, **or**:

____(d) Where the site would act as a buffer between the park and surrounding development.

____(13) Areas which contain or abut managed or monitored wildlife preserves or sanctuaries, arboretums or other designated open space and which will enhance the value of those resources:

____(a) Where the open space designation would encompass a minimum of 10 acres in land area, **and**:

____(b) Where plant life and/or animal life contained within the site are found in abundant varieties, **or**:

- ____(c) Where the site area can be distinguished from surrounding land due to the unusualness of the vegetation or the animal life inhabitants.
- ____(14) Wetland areas of at least 1/4 acres in size. Associated wetland buffers of 50-feet may also be included. The wetland buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- ____(15) Areas which lie adjacent to scenic highways which if not designated as open space would otherwise be subject to pressures for intense development:
- ____(a) Where such highways have been designated by a city, the county or the state as scenic, **and**:
- ____(b) Where at least one-half of the total site lies within 200 feet of the highway,
and;
- ____(c) Where pressures for urbanization are evident either due to provision of public water and sewer facilities to the area, subdivision activity in the immediate vicinity or the site, or the development of previously platted lands.
- ____(16) Undeveloped areas, five acres and larger which are not within the 100 year flood plain, suitable for agricultural pursuits which may not currently be devoted to such use:
- ____(a) Where the comprehensive land use plan or the agricultural preservation plan designates the site as suitable for agricultural development, **or**;
- ____(b) Where more than 75% of the total site area contains tillable Class II or III variety soils as classified by the Soil Conservation Service.
- ____(17) Undeveloped areas which contain a minimum of five (5) acres which are located within the 100-year flood plain as established by the U. S. Army Corps of Engineers or Snohomish County.
- ____(18) Areas where the entire site is in an undeveloped, natural state and is considered geological hazardous by an authority recognized by Snohomish County.



____(19) Areas which are protective buffers as required by development regulations implementing the Growth Management Act.

X (20) Farm & agricultural conservation land as defined in RCW 84.34.020(8)

X (a) Land that was previously classified as Open Space Farm & Agriculture under subsection (2) of this section, that no longer meets the criteria of subsection (2) of this section, and that is reclassified under subsection (1) of this section; or

____(b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

NOTE: An **URBAN AREA** is defined as: an area, designated on an adopted comprehensive plan with a density of 2 or more dwelling units per acre; and/or zoned residential 20,000 (R-20,000), or at a higher density than R-20,000; and/or within an incorporated area.

Upon the adoption of urban growth boundaries pursuant to RCW 36.70A.110, urban area shall be defined as the areas within the adopted boundaries.



Change of Classification

(Chapters 84.33 and 84.34 RCW)

EXHIBIT # 8FILE MOT 22-178

Tax Code: _____

County: SNOHOMISH**File With County Assessor**

Applicant(s) name and address:

Jean Allen 17917 SR 530 NE
 Terry Allen Arlington, WA
 Todd Allen 98223

Assessor's Parcel or Account No:

32061200301800

Auditor's File No. on original application:

Phone No: 425 530-2304

Land subject to this application (legal description):

RECEIVED
 AUG 05 2021

**EXEMPTION
 DEPARTMENT**

Change of Classification

(Check appropriate box)

The land is currently classified as Farm and Agricultural land under RCW 84.34.020(2) and I hereby request reclassification as:

- ☐ Timber land as provided under RCW 84.34.020(3), unless county has merged their timber land classification into their designated forest land program. (Attach completed form REV 64 0109 or 64 0111 and a timber-management plan)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Forest Land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☒ Farm and Agricultural Conservation land as defined in RCW 84.34.020(8)(a). (Attach completed form REV 64 0021)

The land is currently classified as Farm and Agricultural Conservation land under RCW 84.34.020(8)(a) and I hereby request reclassification to:

- ☒ Farm and Agricultural land under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

The land is currently classified as Timber land under RCW 84.34.020(3) and I hereby request reclassification as:

- ☐ Forest land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Farm and Agricultural land as provided under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

NOTE: If request to change classification is approved, no additional tax, interest, and penalty will be imposed.

Requests to transfer from Forest Land designation under provisions of Chapter 84.33 RCW to Current Use classification under Chapter 84.34 RCW should be made on REV 64 0038.

Attachment:

- | | | | |
|---|--------------------------------------|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> REV 62 0021 | <input type="checkbox"/> REV 64 0021 | <input type="checkbox"/> REV 64 0108 | <input type="checkbox"/> REV 64 0111 |
| <input type="checkbox"/> REV 62 0110 | <input type="checkbox"/> REV 64 0024 | <input type="checkbox"/> REV 64 0109 | |
| <input type="checkbox"/> Timber Management Plan | | | |

REV 64 0060 (6/5/14)

OPEN SPACE
 Assessor's
 Application No.
3228

General Information

RECLASSIFICATIONS are defined in
RCW 84.34.070(2) as follows:

- (2) The following reclassifications are not considered withdrawals or removals and are not subject to additional tax under RCW 84.34.108:
 - (a) Reclassification between lands under RCW 84.34.020(2) and (3);
 - (b) Reclassification of land classified under RCW 84.34.020(2) or (3) or Chapter 84.33 RCW to open space land under RCW 84.34.020(1);
 - (c) Reclassification of land classified under RCW 84.34.020(2) or (3) to forest land classified under Chapter 84.33 RCW; and
 - (d) Reclassification of land classified as open space land under RCW 84.34.020(1)(c) and reclassified to farm and agricultural land under RCW 84.34.020(2) if the land had been previously classified as farm and agricultural land under RCW 84.34.020(2).
- (3) Applications for reclassification shall be subject to applicable provisions of RCW 84.34.035, 84.34.037, 84.34.041, and Chapter 84.33 RCW.
- (4) The income criteria for land classified under RCW 84.34.020(2)(b) and (c) may be deferred for land being reclassified from land classified under RCW 84.34.020(1)(c) or (3), or Chapter 84.33 RCW into RCW 84.34.020(2)(b) or (c) for a period of up to five years from the date of reclassification.

FARM AND AGRICULTURAL CONSERVATION LAND is defined in RCW 84.34.020(8)(a & b) as follows:

- (8) "Farm and agricultural conservation land" means either:
 - (a) Land that was previously classified under RCW 84.34.020(2), that no longer meets the criteria and is reclassified under RCW 84.34.020 (1)(c); or
 - (b) Land that is traditional farmland that is not classified under Chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

And also defined in RCW 84.34.037(2)(c) as follows:

- (c) Whether granting the application for land applying under RCW 84.34.020(1)(c) will; (i) preserve land previously classified under RCW 84.34.020(2) or preserve land that is traditional farmland and not classified under Chapter 84.33 or 84.34 RCW; (ii) preserve land with a potential for returning to commercial agriculture; and (iii) affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of property.

Signatures of Owner(s) or Contract Purchaser(s):

x Say W. Allen
Jean Allen
Jill W. Allen

Date 08/02/21

Assessor Use Only

If the parcel(s) subject to this document is considered contiguous, as defined in RCW 84.34.020(6), with other parcels having different ownerships, verify all remaining classified parcels with different ownerships are still:

- ☐ Adjoining
☐ Being managed as part of a single operation
☐ Meeting the definition of "family" as defined in RCW 84.34.020(6)(b)(ii) with the owner of an adjoining parcel

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Application for Classification or Reclassification
Open Space Land
Chapter 84.34 RCW

File With The County Legislative Authority

Name of Owner(s): Terry & Jean Allen, Todd Allen

Phone No: 425 530-2304

Email Address: jean.terry1943@gmail.com

Address: 17917 SR 530 NE

Arlington, WA 98223

Parcel Number(s): 32061200301800

Legal Description: Sec 12 TWP 32 N RGE 06 TH PTN FDP LY 1/4 of SR 530

CARP ON SEC LN between Sec 11 & 12 TWP 32N RGE

1/4 E.W.M. 12 Rods N of 1/4 LN TH E 52 Rods TH ST

Total Acres in Application: 15.41 Present LAID CORD ABOUT 54 RODS TH E 8 RODS TH ST to Stilla-quamish River being about 68

Indicate what category of open space this land will qualify for:

- ☐ Conserve or enhance natural, cultural, or scenic resources
- ☐ Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- ☐ Protect soil resources, unique or critical wildlife, or native plant habitat
- ☐ Promote conservation principles by example or by offering educational opportunities
- ☐ Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- ☐ Enhance recreation opportunities
- ☐ Preserve historic or archaeological sites
- ☐ Preserve visual quality along highway, road, street corridors, or scenic vistas
- ☐ Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority
- ☒ Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
- ☐ Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture

1. Describe the present use of the land. Home and open land.
2. Is the land subject to a lease or agreement which permits any other use than its present use? ☐ Yes ☒ No
If yes, attach a copy of the lease agreement.
3. Describe the present improvements (residence, buildings, etc.) located on the land.
4. Is the land subject to any easements? ☐ Yes ☒ No
If yes, describe the type of easement, the easement restrictions, and the length of the easement.
5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land.
Previous use-dairy, current use, open land,
future - may raise few farm animals.

NOTICE:

The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.

As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070)

Print the name of each owner:	Signature of each owner:	Date
Terry Allen	* <u>[Signature]</u>	08/02/21
Jean Allen	<u>[Signature]</u>	08/02/21
Todd Allen	<u>[Signature]</u>	08.02.21

The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.

Statement of Additional Tax, Interest, and Penalty Due Upon Removal of Classification

1. 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 in (a), paid at the same statutory rate charged on delinquent property taxes; plus
 - (c) A penalty of 20% will be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal as described in RCW 84.34.070(1).
2. The additional tax, interest, and penalty specified in (1) 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, 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 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)(f) (farm home site).
 - (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 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 designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.
 - (l) The discovery that the land was classified in error through no fault of the owner.

FOR LEGISLATIVE AUTHORITY USE ONLY

Date application received: _____ By: _____

Amount of processing fee collected: \$ _____

- Is the land subject to a comprehensive land use plan adopted by a city or county? ☐ Yes ☐ No

If yes, application should be processed in the same manner in which an amendment to the comprehensive land use plan is processed.

If no, application must be acted upon after a public hearing and notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing.

- If the land is not subject to a comprehensive land use plan, is the land located within an incorporated part of the county? ☐ Yes ☐ No

If yes, application must be acted upon by three members of the county legislative authority and three members of the city legislative authority. See RCW 84.34.037(1) for details.

If no, application must be acted upon by three members of the county legislative authority.

☐ Application approved ☐ In whole ☐ In part

☐ Application denied ☐ Date owner notified of denial (Form 64 0103): _____

If approved, date Open Space Taxation Agreement (OSTA) was mailed to owner: _____

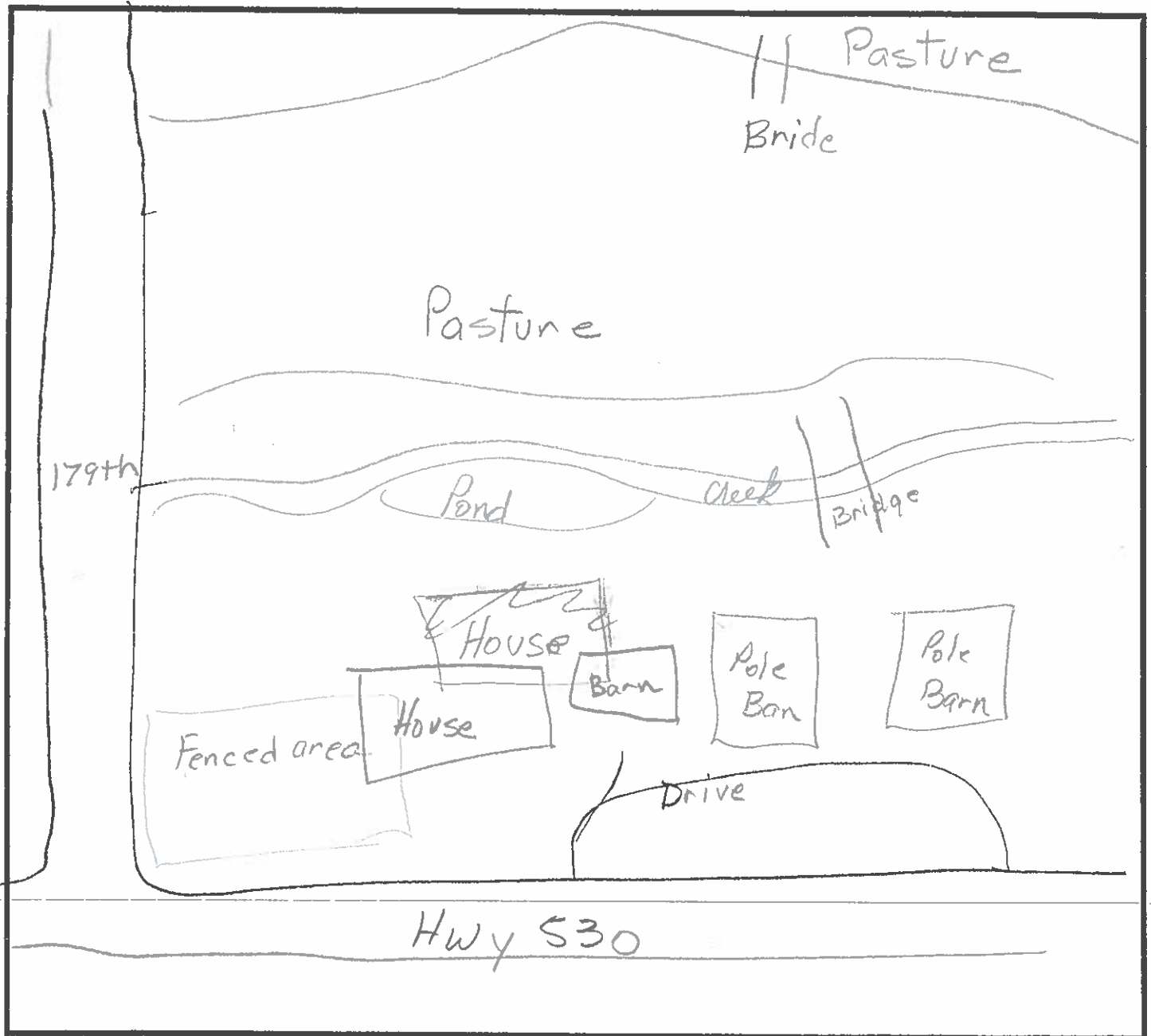
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Property Owner Terry & Jean Allen, Todd Allen

Parcel Number(s) 32061200301800

OPEN SPACE
Assessor's
Application No.
3228

As you can see not very good at drawing.
Attached picture.

Again not sure checked proper criteria -



Snohomish County

PLANNING & DEVELOPMENT SERVICES

3000 Rockefeller Avenue, M/S #304

Everett, WA 98201-4046

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____(7) Sites within an urban area which would serve as a buffer between residential development and tracts of land in excess of five acres which are designated on an adopted comprehensive plan for commercial or industrial development:

____(a) Where the site area is covered by stands of trees in excess of 20-feet in height, and,

____(b) Where the ground vegetation creates a visual separation of at least 50-feet between the residential tracts of land and the commercial or industrial lands, or;

____(c) Where the topographic features of the site form a physical separation from the abutting commercial or industrial lands by reason of gull or ravine or similar land condition.

____(8) Areas that would safely provide either public vehicular or pedestrian access to public bodies of water:

____(a) Where the site area abutting the water is at least 60-feet in width for vehicular access, or;

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____(11) Areas which contain features of unique historic, cultural or educational values which are open to the public's use, (e.g. public access to displays, interpretive centers, etc.), free of charge or at reasonable, customary rates:

____(a) Where there are several varieties or species of flora, fauna, or both present on the site making it desirable for educational study, or;

____(b) Where there are habitats or species of plant life which are considered rare, sensitive, threatened or endangered by an authority recognized by the county, or;

____(c) Where there is or are recognized landmarks present on the site which provide visual reference and orientation for surrounding terrain (would include major promontories and rock formations but would exclude mountain forms and ranges), or;

____(d) Where there are historic or archeological features on the site of at least fifty years of age, which would have value to future generations due to the uncommon nature or rare representation of past times and events.

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____(b) Where the site would provide additional public access to such lands during the duration of its open space classification, or;

____(c) Where the site contains unique features of recreational value which if public use of the site were allowed would expand the variety of recreational opportunities contained in the park or public land, or;

____(d) Where the site would act as a buffer between the park and surrounding development.

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☒ (a) Where the open space designation would encompass a minimum of 10 acres in land area, and;

☒ (b) Where plant life and/or animal life contained within the site are found in abundant varieties, or;

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- ____(a) Where such highways have been designated by a city, the county or the state as scenic, and;
- ____(b) Where at least one-half of the total site lies within 200 feet of the highway, and;
- ____(c) Where pressures for urbanization are evident either due to provision of public water and sewer facilities to the area, subdivision activity in the immediate vicinity or the site, or the development of previously platted lands.
- ____(16) Undeveloped areas, five acres and larger which are not within the 100 year flood plain, suitable for agricultural pursuits which may not currently be devoted to such use:
- ____(a) Where the comprehensive land use plan or the agricultural preservation plan designates the site as suitable for agricultural development, or;
- ____(b) Where more than 75% of the total site area contains tillable Class II or III variety soils as classified by the Soil Conservation Service.
-
- ____(17) Undeveloped areas which contain a minimum of five (5) acres which are located within the 100-year flood plain as established by the U. S. Army Corps of Engineers or Snohomish County.
- ____(18) Areas where the entire site is in an undeveloped, natural state and is considered geological hazardous by an authority recognized by Snohomish County.

____(19) Areas which are protective buffers as required by development regulations implementing the Growth Management Act.

____(20) Farm & agricultural conservation land as defined in RCW 84.34.020(8)

____(a) Land that was previously classified as Open Space Farm & Agriculture under subsection (2) of this section, that no longer meets the criteria of subsection (2) of this section, and that is reclassified under subsection (1) of this section; or

____(b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

NOTE: An **URBAN AREA** is defined as: an area, designated on an adopted comprehensive plan with a density of 2 or more dwelling units per acre: and/or zoned residential 20,000 (R-20,000), or at a higher density than R-20,000; and/or within an incorporated area.

Upon the adoption of urban growth boundaries pursuant to RCW 36.70A.110, urban area shall be defined as the areas within the adopted boundaries.

EXHIBIT # 9FILE MOT 22-178

Change of Classification

(Chapters 84.33 and 84.34 RCW)

Tax Code: _____

County: SNOHOMISH

File With County Assessor

Applicant(s) name and address:

DALE SHELTON
28828 139TH AVE NE
ARLINGTON WA 98228

Phone No:

360 435 8739

Assessor's Parcel or Account No:

32061600300800

Auditor's File No. on original application:

Land subject to this application (legal description):

SEC 16 TWP 32 RGE 06 ALL TH PT NOF
GOVT LOT 9 & 12 DAF COM AT SE COR SD
GOVT LOT 12 11' N 00' 00" E ALG E LN
SD GOVT LOT 11 20' E TO BOTH N 00' 00" W
850' E TH N 00' 00" E TO SWLY MGN OF N FORK OF STILL
RN TRSELY ALG SD MGN DE LN SD GOVT LOT 9 TH 00' 00" W

Change of Classification
(Check appropriate box)

The land is currently classified as Farm and Agricultural land under RCW 84.34.020(2) and I hereby request reclassification as:

- ☐ Timber land as provided under RCW 84.34.020(3), unless county has merged their timber land classification into their designated forest land program. (Attach completed form REV 64 0109 or 64 0111 and a timber-management plan)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Forest Land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☒ Farm and Agricultural Conservation land as defined in RCW 84.34.020(8)(a). (Attach completed form REV 64 0021)

The land is currently classified as Farm and Agricultural Conservation land under RCW 84.34.020(8)(a) and I hereby request reclassification to:

- ☐ Farm and Agricultural land under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

The land is currently classified as Timber land under RCW 84.34.020(3) and I hereby request reclassification as:

- ☐ Forest land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Farm and Agricultural land as provided under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

NOTE: If request to change classification is approved, no additional tax, interest, and penalty will be imposed.

Requests to transfer from Forest Land designation under provisions of Chapter 84.33 RCW to Current Use classification under Chapter 84.34 RCW should be made on REV 64 0038.

Attachment:

- ☐ REV 62 0021 ☐ REV 64 0021 ☐ REV 64 0108 ☐ REV 64 0111
- ☐ REV 62 0110 ☐ REV 64 0024 ☐ REV 64 0109
- ☐ Timber Management Plan

REV 64 0060 (6/5/14)

OPEN SPACE
Assessor's
Application No.

32061

General Information

RECLASSIFICATIONS are defined in

RCW 84.34.070(2) as follows:

- (2) The following reclassifications are not considered withdrawals or removals and are not subject to additional tax under RCW 84.34.108:
 - (a) Reclassification between lands under RCW 84.34.020(2) and (3);
 - (b) Reclassification of land classified under RCW 84.34.020(2) or (3) or Chapter 84.33 RCW to open space land under RCW 84.34.020(1);
 - (c) Reclassification of land classified under RCW 84.34.020(2) or (3) to forest land classified under Chapter 84.33 RCW; and
 - (d) Reclassification of land classified as open space land under RCW 84.34.020(1)(c) and reclassified to farm and agricultural land under RCW 84.34.020(2) if the land had been previously classified as farm and agricultural land under RCW 84.34.020(2).
- (3) Applications for reclassification shall be subject to applicable provisions of RCW 84.34.035, 84.34.037, 84.34.041, and Chapter 84.33 RCW.
- (4) The income criteria for land classified under RCW 84.34.020(2)(b) and (c) may be deferred for land being reclassified from land classified under RCW 84.34.020(1)(c) or (3), or Chapter 84.33 RCW into RCW 84.34.020(2)(b) or (c) for a period of up to five years from the date of reclassification.

FARM AND AGRICULTURAL CONSERVATION LAND is defined in RCW 84.34.020(8)(a & b) as follows:

- (8) "Farm and agricultural conservation land" means either:
 - (a) Land that was previously classified under RCW 84.34.020(2), that no longer meets the criteria and is reclassified under RCW 84.34.020 (1)(c); or
 - (b) Land that is traditional farmland that is not classified under Chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

And also defined in RCW 84.34.037(2)(c) as follows:

- (c) Whether granting the application for land applying under RCW 84.34.020(1)(c) will; (i) preserve land previously classified under RCW 84.34.020(2) or preserve land that is traditional farmland and not classified under Chapter 84.33 or 84.34 RCW; (ii) preserve land with a potential for returning to commercial agriculture; and (iii) affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of property.

Signatures of Owner(s) or Contract Purchaser(s):



Date 8-19-2021

Assessor Use Only

If the parcel(s) subject to this document is considered contiguous, as defined in RCW 84.34.020(6), with other parcels having different ownerships, verify all remaining classified parcels with different ownerships are still:

- ☐ Adjoining
- ☐ Being managed as part of a single operation
- ☐ Meeting the definition of "family" as defined in RCW 84.34.020(6)(b)(ii) with the owner of an adjoining parcel

To ask about the availability of this publication in an alternate format for the visually impaired, please call 1-800-647-7706. Teletype (TTY) users may use the Washington Relay Service by calling 711. For tax assistance, call (360) 534-1400.

Application for Classification or Reclassification
Open Space Land
Chapter 84.34 RCW

File With The County Legislative Authority

Name of Owner(s): DALE I SHELTON Phone No: 360 435 8739 H
Email Address: dishelton65@gmail.com 425 422 4386 C
Address: 28328 139TH AVENUE
ARLINGTON 98223

Parcel Number(s): 32061600300800

Legal Description: See attached

Total Acres in Application: ~~10~~ 9

Indicate what category of open space this land will qualify for:

- ☐ Conserve or enhance natural, cultural, or scenic resources
- ☐ Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- ☐ Protect soil resources, unique or critical wildlife, or native plant habitat
- ☐ Promote conservation principles by example or by offering educational opportunities
- ☐ Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- ☐ Enhance recreation opportunities
- ☐ Preserve historic or archaeological sites
- ☐ Preserve visual quality along highway, road, street corridors, or scenic vistas
- ☐ Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority
- ☒ Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
- ☐ Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture

Property Tax Account Number: **320616-003-008-00**

A legal description is described as follows (you may attach separate pages and make reference to it):

SEC 16 TWP 32 RGE 06 ALL TH PTN OF GOVT LOTS 9 & 12 DAF - COM AT SE COR SD GOVT LOT 12
TH N00*00 00E ALG E LN SD GOVT LOT 1120FT TO TPB TH N90*00 00W 350FT TH N00*00 00E TO
SWLY MGN OF N FK OF STILLI RIV THSELY ALG SD MGN TO E LN SD GOVT LOT 9 TH S00*00 00W
ALG E LN OF SD GOVT LOTS 9 & 12 TO TPB EXC CO RDS PER BLA 017-94 REC AF NO 9601030131

1. Describe the present use of the land. HAYFIELD, LIVESTOCK
PASTURE

2. Is the land subject to a lease or agreement which permits any other use than its present use?

☐ Yes ☒ No

If yes, attach a copy of the lease agreement.

3. Describe the present improvements (residence, buildings, etc.) located on the land.

MOBILE HOME 1979 MODULINE
24' X 57'
MACHINE SHED/EQUIPMENT STORAGE
24' X 48' 3-SIDED

4. Is the land subject to any easements?

☐ Yes ☒ No

If yes, describe the type of easement, the easement restrictions, and the length of the easement.

5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land.

PREVIOUS USE, CURRENT USE
AND FUTURE USE HAS BEEN
IS PASTURE, HAY.

NOTICE:

The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.

As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070)

Print the name of each owner:

Signature of each owner:

Date

DALE SHELTON

[Signature]

[Signature]

8-19-2021

The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.

Statement of Additional Tax, Interest, and Penalty Due Upon Removal of Classification

1. 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 in (a), paid at the same statutory rate charged on delinquent property taxes; plus
 - (c) A penalty of 20% will be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal as described in RCW 84.34.070(1).
2. The additional tax, interest, and penalty specified in (1) 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, 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 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)(f) (farm home site).
 - (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 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 designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.
- (l) The discovery that the land was classified in error through no fault of the owner.

FOR LEGISLATIVE AUTHORITY USE ONLY

Date application received: _____ By: _____

Amount of processing fee collected: \$ _____

- Is the land subject to a comprehensive land use plan adopted by a city or county? ☐ Yes ☐ No

If yes, application should be processed in the same manner in which an amendment to the comprehensive land use plan is processed.

If no, application must be acted upon after a public hearing and notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing.

- If the land is not subject to a comprehensive land use plan, is the land located within an incorporated part of the county? ☐ Yes ☐ No

If yes, application must be acted upon by three members of the county legislative authority and three members of the city legislative authority. See RCW 84.34.037(1) for details.

If no, application must be acted upon by three members of the county legislative authority.

☐ Application approved

☐ In whole

☐ In part

☐ Application denied

☐ Date owner notified of denial (Form 64 0103): _____

If approved, date Open Space Taxation Agreement (OSTA) was mailed to owner: _____

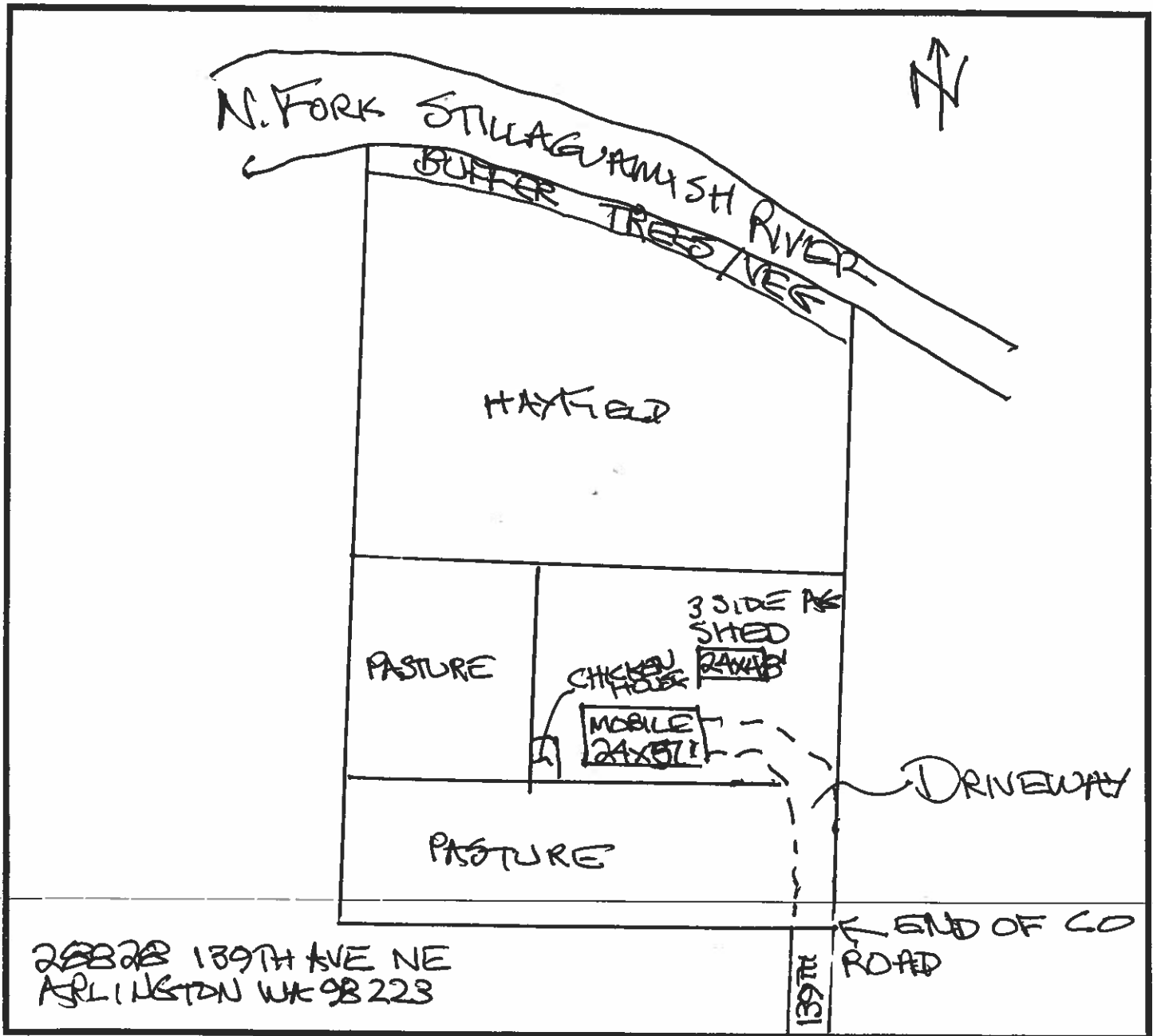
Signed OSTA received by Legislative Authority on: _____

Copy of signed OSTA forwarded to Assessor on: _____

To ask about the availability of this publication in an alternate format for the visually impaired, please call 1-800-647-7706. Teletype (TTY) users may use the Washington Relay Service by calling 711. For assistance, contact your local county assessor's office.

SKETCHED MAP SHEET REQUIRED

Please sketch a representative drawing of your property which clearly locates all buildings, residence(s), sheds, forestlands, wetlands, buffers, roads, trails, etc. An aerial map may be attached, but will not be accepted as a replacement for this detailed sketch, as aerial maps may not always reflect recent activity on the property.



Property Owner

DALE SHELTON

Parcel Number(s)

32061600300800

OPEN SPACE
Assessor's
Application No
3229



Snohomish County

PLANNING & DEVELOPMENT SERVICES

3000 Rockefeller Avenue, M/S #304
Everett, WA 98201-4046

OPEN SPACE CRITERIA

The Department of Planning & Development Services (PDS) reviews all Open Space/General applications according to the following checklist. In order to qualify for Open Space/General classification, **parcels must meet at least one of the criteria listed below.**

- ____(1) Urban areas where the entire site is in an undeveloped, natural state and has slopes of 25% or greater or where at least one-half of the total site area has slopes of at least 35% or more.
- ____(2) Areas designated on the comprehensive land use plan or the county park and recreation plan as potential parks, trails, or greenbelt, or designated as a critical area or environmentally sensitive area.
- ____(3) Areas which have plant or animal species which are considered rare, sensitive, threatened or endangered by an authority recognized by the county.
- ____(4) Sites within urban areas to be left in their natural state where the site is of at least 1-acre in size and is predominately forested with mature specimen trees.
- ____(5) Areas which are in an undeveloped, natural state and are not under the jurisdiction of the State Shoreline Management Act and are situated within stream corridors, i.e., streams and/or their associated stream buffers of 50-feet on either side of the stream. Buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- ____(6) Undeveloped, natural areas adjacent to water bodies which come under the jurisdiction of the State Shoreline Management Act and are designated by the master plan as "natural", "conservancy", "rural", "suburban" or "urban" type environment.

____(7) Sites within an urban area which would serve as a buffer between residential development and tracts of land in excess of five acres which are designated on an adopted comprehensive plan for commercial or industrial development:

____(a) Where the site area is covered by stands of trees in excess of 20-feet in height, and,

____(b) Where the ground vegetation creates a visual separation of at least 50-feet between the residential tracts of land and the commercial or industrial lands, or;

____(c) Where the topographic features of the site form a physical separation from the abutting commercial or industrial lands by reason of gull or ravine or similar land condition.

____(8) Areas that would safely provide either public vehicular or pedestrian access to public bodies of water:

____(a) Where the site area abutting the water is at least 60-feet in width for vehicular access, or;

____(b) Where the site area abutting the water is at least 25-feet in width for pedestrian access.

____(9) Areas which provide a scenic vista to which the general public has safe vehicular or pedestrian access.

____(10) Sites devoted to private outdoor recreational pursuits such as golf courses, riding stables, lakes, etc., provided that access to such facilities and areas is provided to the general public free of charge or at reasonable, customary rates.

____(11) Areas which contain features of unique historic, cultural or educational values which are open to the public's use, (e.g. public access to displays, interpretive centers, etc.), free of charge or at reasonable, customary rates:

____(a) Where there are several varieties or species of flora, fauna, or both present on the site making it desirable for educational study, or;

- ____(b) Where there are habitats or species of plant life which are considered rare, sensitive, threatened or endangered by an authority recognized by the county, **or**:
- ____(c) Where there is or are recognized landmarks present on the site which provide visual reference and orientation for surrounding terrain (would include major promontories and rock formations but would exclude mountain forms and ranges), **or**;
- ____(d) Where there are historic or archeological features on the site of at least fifty years of age, which would have value to future generations due to the uncommon nature or rare representation of past times and events.
- ____(12) Areas located adjacent to public parks, public trails or other public lands which would materially add to or enhance the recreational opportunities of that facility:
- other ____ (a) Where such a site would constitute a logical extension of the park or public lands including provisions for public use but has been excluded principally by lack of funds, **or**;
- ____(b) Where the site would provide additional public access to such lands during the duration of its open space classification, **or**;
- ____(c) Where the site contains unique features of recreational value which if public use of the site were allowed would expand the variety of recreational opportunities contained in the park or public land, **or**;
- ____(d) Where the site would act as a buffer between the park and surrounding development.
- ____(13) Areas which contain or abut managed or monitored wildlife preserves or sanctuaries, arboretums or other designated open space and which will enhance the value of those resources:
- ____(a) Where the open space designation would encompass a minimum of 10 acres in land area, **and**:
- ____(b) Where plant life and/or animal life contained within the site are found in abundant varieties, **or**:

- ____(c) Where the site area can be distinguished from surrounding land due to the unusualness of the vegetation or the animal life inhabitants.
- ____(14) Wetland areas of at least 1/4 acres in size. Associated wetland buffers of 50-feet may also be included. The wetland buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- ____(15) Areas which lie adjacent to scenic highways which if not designated as open space would otherwise be subject to pressures for intense development:
- ____(a) Where such highways have been designated by a city, the county or the state as scenic, and:
- ____(b) Where at least one-half of the total site lies within 200 feet of the highway,
and;
- ____(c) Where pressures for urbanization are evident either due to provision of public water and sewer facilities to the area, subdivision activity in the immediate vicinity or the site, or the development of previously platted lands.
- ____(16) Undeveloped areas, five acres and larger which are not within the 100 year flood plain, suitable for agricultural pursuits which may not currently be devoted to such use:
- ____(a) Where the comprehensive land use plan or the agricultural preservation plan designates the site as suitable for agricultural development, or;
- ____(b) Where more than 75% of the total site area contains tillable Class II or III variety soils as classified by the Soil Conservation Service.
-
- ____(17) Undeveloped areas which contain a minimum of five (5) acres which are located within the 100-year flood plain as established by the U. S. Army Corps of Engineers or Snohomish County.
- ____(18) Areas where the entire site is in an undeveloped, natural state and is considered geological hazardous by an authority recognized by Snohomish County.

____(19) Areas which are protective buffers as required by development regulations implementing the Growth Management Act.

X(20) Farm & agricultural conservation land as defined in RCW 84.34.020(8)

X(a) Land that was previously classified as Open Space Farm & Agriculture under subsection (2) of this section, that no longer meets the criteria of subsection (2) of this section, and that is reclassified under subsection (1) of this section; or

____(b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

NOTE: An **URBAN AREA** is defined as: an area, designated on an adopted comprehensive plan with a density of 2 or more dwelling units per acre: and/or zoned residential 20,000 (R-20,000), or at a higher density than R-20,000; and/or within an incorporated area.

Upon the adoption of urban growth boundaries pursuant to RCW 36.70A.110, urban area shall be defined as the areas within the adopted boundaries.



**Application for Classification or Reclassification
Open Space Land
Chapter 84.34 RCW**

File With The County Legislative Authority

Name of Owner(s): Karen L Wingardner Phone No: (425) 923-8072
 Email Address: K2Westrebi@AOL.Com
 Address: 17604 Butler RD
Snohomish WA 98290

Parcel Number(s): 28062300400100
 Legal Description: Sec 23 TWP 28 RGE06 NW 1/4 NE 1/4 SE 1/4 Less LOR

 Total Acres in Application: 9.7000

Indicate what category of open space this land will qualify for:

- ☐ Conserve or enhance natural, cultural, or scenic resources
- ☒ Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- ☐ Protect soil resources, unique or critical wildlife, or native plant habitat
- ☐ Promote conservation principles by example or by offering educational opportunities
- ☐ Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- ☐ Enhance recreation opportunities
- ☐ Preserve historic or archaeological sites
- ☐ Preserve visual quality along highway, road, street corridors, or scenic vistas
- ☐ Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority
- ☐ Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
- ☐ Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture

1. Describe the present use of the land. Personal Cows
2. Is the land subject to a lease or agreement which permits any other use than its present use? ☐ Yes ☒ No
If yes, attach a copy of the lease agreement.
3. Describe the present improvements (residence, buildings, etc.) located on the land.
House Pump House
Det Garage
Barn
4. Is the land subject to any easements? ☐ Yes ☒ No
If yes, describe the type of easement, the easement restrictions, and the length of the easement.
5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land.

NOTICE:

The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.

As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070)

Print the name of each owner:

Signature of each owner:

Date

Karen L Weingarden

Karen L Weingarden

9-12-2021

The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.

Statement of Additional Tax, Interest, and Penalty Due Upon Removal of Classification

1. 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 in (a), paid at the same statutory rate charged on delinquent property taxes; plus
 - (c) A penalty of 20% will be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal as described in RCW 84.34.070(1).
2. The additional tax, interest, and penalty specified in (1) 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, 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 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 84.38.020.
 - (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)(f) (farm home site).
 - (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 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 designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.
 - (l) The discovery that the land was classified in error through no fault of the owner.

FOR LEGISLATIVE AUTHORITY USE ONLY

Date application received: _____ By: _____

Amount of processing fee collected: \$ _____

- Is the land subject to a comprehensive land use plan adopted by a city or county? ☐ Yes ☐ No

If yes, application should be processed in the same manner in which an amendment to the comprehensive land use plan is processed.

If no, application must be acted upon after a public hearing and notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing.

- If the land is not subject to a comprehensive land use plan, is the land located within an incorporated part of the county? ☐ Yes ☐ No

If yes, application must be acted upon by three members of the county legislative authority and three members of the city legislative authority. See RCW 84.34.037(1) for details.

If no, application must be acted upon by three members of the county legislative authority.

- ☐ Application approved ☐ In whole ☐ In part
- ☐ Application denied ☐ Date owner notified of denial (Form 64 0103): _____

If approved, date Open Space Taxation Agreement (OSTA) was mailed to owner: _____

Signed OSTA received by Legislative Authority on: _____

Copy of signed OSTA forwarded to Assessor on: _____

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Snohomish County

PLANNING & DEVELOPMENT SERVICES

3000 Rockefeller Avenue, M/S #304
Everett, WA 98201-4046

OPEN SPACE CRITERIA

The Department of Planning & Development Services (PDS) reviews all Open Space/General applications according to the following checklist. In order to qualify for Open Space/General classification, **parcels must meet at least one of the criteria listed below.**

- ____(1) Urban areas where the entire site is in an undeveloped, natural state and has slopes of 25% or greater or where at least one-half of the total site area has slopes of at least 35% or more.
- ____(2) Areas designated on the comprehensive land use plan or the county park and recreation plan as potential parks, trails, or greenbelt, or designated as a critical area or environmentally sensitive area.
- ____(3) Areas which have plant or animal species which are considered rare, sensitive, threatened or endangered by an authority recognized by the county.
- ____(4) Sites within urban areas to be left in their natural state where the site is of at least 1-acre in size and is predominately forested with mature specimen trees.
- ____(5) Areas which are in an undeveloped, natural state and are not under the jurisdiction of the State Shoreline Management Act and are situated within stream corridors, i.e., streams and/or their associated stream buffers of 50-feet on either side of the stream. Buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- ____(6) Undeveloped, natural areas adjacent to water bodies which come under the jurisdiction of the State Shoreline Management Act and are designated by the master plan as "natural", "conservancy", "rural", "suburban" or "urban" type environment.

- ____(7) Sites within an urban area which would serve as a buffer between residential development and tracts of land in excess of five acres which are designated on an adopted comprehensive plan for commercial or industrial development:
- ____(a) Where the site area is covered by stands of trees in excess of 20-feet in height, and,
- ____(b) Where the ground vegetation creates a visual separation of at least 50-feet between the residential tracts of land and the commercial or industrial lands, or;
- ____(c) Where the topographic features of the site form a physical separation from the abutting commercial or industrial lands by reason of gull or ravine or similar land condition.
- ____(8) Areas that would safely provide either public vehicular or pedestrian access to public bodies of water:
- ____(a) Where the site area abutting the water is at least 60-feet in width for vehicular access, or;
- ____(b) Where the site area abutting the water is at least 25-feet in width for pedestrian access.
- ____(9) Areas which provide a scenic vista to which the general public has safe vehicular or pedestrian access.
- ____(10) Sites devoted to private outdoor recreational pursuits such as golf courses, riding stables, lakes, etc., provided that access to such facilities and areas is provided to the general public free of charge or at reasonable, customary rates.
- ____(11) Areas which contain features of unique historic, cultural or educational values which are open to the public's use, (e.g. public access to displays, interpretive centers, etc.), free of charge or at reasonable, customary rates:
- ____(a) Where there are several varieties or species of flora, fauna, or both present on the site making it desirable for educational study, or;

____(b) Where there are habitats or species of plant life which are considered rare, sensitive, threatened or endangered by an authority recognized by the county, or:

____(c) Where there is or are recognized landmarks present on the site which provide visual reference and orientation for surrounding terrain (would include major promontories and rock formations but would exclude mountain forms and ranges), or;

____(d) Where there are historic or archeological features on the site of at least fifty years of age, which would have value to future generations due to the uncommon nature or rare representation of past times and events.

____(12) Areas located adjacent to public parks, public trails or other public lands which would materially add to or enhance the recreational opportunities of that facility:

other ____ (a) Where such a site would constitute a logical extension of the park or public lands including provisions for public use but has been excluded principally by lack of funds, or;

____(b) Where the site would provide additional public access to such lands during the duration of its open space classification, or;

____(c) Where the site contains unique features of recreational value which if public use of the site were allowed would expand the variety of recreational opportunities contained in the park or public land, or:

____(d) Where the site would act as a buffer between the park and surrounding development.

____(13) Areas which contain or abut managed or monitored wildlife preserves or sanctuaries, arboretums or other designated open space and which will enhance the value of those resources:

____(a) Where the open space designation would encompass a minimum of 10 acres in land area, and:

____(b) Where plant life and/or animal life contained within the site are found in abundant varieties, or:

- ____(c) Where the site area can be distinguished from surrounding land due to the unusualness of the vegetation or the animal life inhabitants.
- X____(14) Wetland areas of at least 1/4 acres in size. Associated wetland buffers of 50-feet may also be included. The wetland buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- ____(15) Areas which lie adjacent to scenic highways which if not designated as open space would otherwise be subject to pressures for intense development:
- ____(a) Where such highways have been designated by a city, the county or the state as scenic, and;
- ____(b) Where at least one-half of the total site lies within 200 feet of the highway, and;
- ____(c) Where pressures for urbanization are evident either due to provision of public water and sewer facilities to the area, subdivision activity in the immediate vicinity or the site, or the development of previously platted lands.
- ____(16) Undeveloped areas, five acres and larger which are not within the 100 year flood plain, suitable for agricultural pursuits which may not currently be devoted to such use:
- ____(a) Where the comprehensive land use plan or the agricultural preservation plan designates the site as suitable for agricultural development, or;
- ____(b) Where more than 75% of the total site area contains tillable Class II or III variety soils as classified by the Soil Conservation Service.
- ____(17) Undeveloped areas which contain a minimum of five (5) acres which are located within the 100-year flood plain as established by the U. S. Army Corps of Engineers or Snohomish County.
- ____(18) Areas where the entire site is in an undeveloped, natural state and is considered geological hazardous by an authority recognized by Snohomish County.

_____(19) Areas which are protective buffers as required by development regulations implementing the Growth Management Act.

_____(20) Farm & agricultural conservation land as defined in RCW 84.34.020(8)

_____(a) Land that was previously classified as Open Space Farm & Agriculture under subsection (2) of this section, that no longer meets the criteria of subsection (2) of this section, and that is reclassified under subsection (1) of this section; or

_____(b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

NOTE: An **URBAN AREA** is defined as: an area, designated on an adopted comprehensive plan with a density of 2 or more dwelling units per acre: and/or zoned residential 20,000 (R-20,000), or at a higher density than R-20,000; and/or within an incorporated area.

Upon the adoption of urban growth boundaries pursuant to RCW 38.70A.110, urban area shall be defined as the areas within the adopted boundaries.

September 13, 2021

Open Space Application for Reclassification

Open Space Land
Chapter 84.34 RCW

This is a written explanation of the property located at 17608 Butler Rd. Parcel # 28062300400100 owned by Karyn L. Weingarden to be noted with my application for General Reclassification of property due to wetlands.

I am boarded on the **Left NW side** (you would be looking at the house from Butler Rd which is North) by Robert Blair parcel #28062300400400 17706 Butler Rd/ and on the **Right NE side** by Malcomb George Parcel #28062300400700 17326 Butler Rd./ and on the back **South side** by Pumpkin Farm (Equeitech LLC) Parcel #28062300403100 17728 Butler Rd. My front **North side** borders Butler Rd.

I own 7.9 acres as 660' Butler Rd side 660' Pumpkin Farm side and 640' George side and 640 Blair side. The area use to be 10 acres when plotted. My father bought the land in 1953. And the Deed noted the County took the other 2.1 acres for use on building Butler Rd.

The wetland area runs parallel to the boundary of Malcomb George and Robert Blair. My land has many hills located on it and those hills run the water down to the end of a good portion of the property boundary lines.

On the NW side of property line there has always been a small creek flowing starting 197' from the George property line then it flows smaller about ½ way to 107' and then 78' and then final turn is 58' and then on to the George property. Which makes a good portion of the land wet this creek runs through from run off.

The Pumpkin Farm built a Pipe system ending at their property line (picture enclosed) which lets their water flow on to my property and into the small creek making water even more of a problem. The pipe is 197 ft. from George boundary which lays Pumpkin Farm water right into the creek that flows through my property and into George Property. The area was already wetland but the piping system makes the water increase the area of wetlands. Often the creek over flows in to the lower area located near the creek.

On the Butler Rd. side NE again the land has many hills which runs the water down to the end of the property making it a wetlands area at the boundary.

On the Butler Rd side NW again the land has many hills which runs the water down to the end of the property making it a wetlands area at the boundary.

I am sending a hand drawn drawing of the wetlands and buildings as request but thought this written explanation would make things clearer.

House is 31' from Butler Rd and 128' from Weingarden/Blair property line Butler Rd side

Garage is 36' down from house and 12' over

Overhang is 2' down from garage

Pump house is 5' over from garage and 12 ft. back

Barn is 18' over from pump house and 30' down garage

Drive way is half circle 25' from left side of house 25' from back of House and circles to 150' past right side of house

Karyn L. Weingarden

17608 Butler Rd.

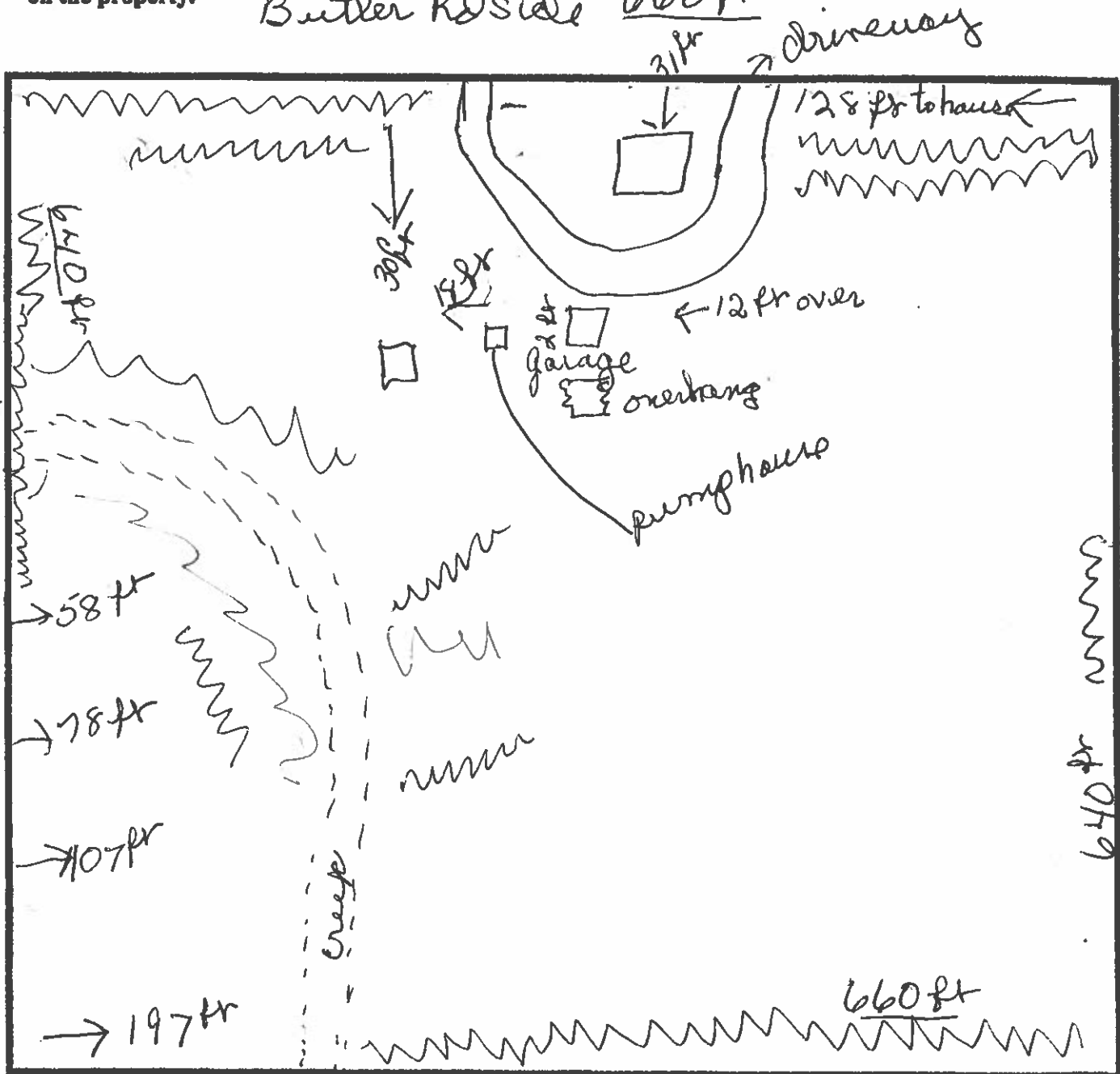
Snohomish, WA 98290 425-923-8072



SKETCHED MAP SHEET REQUIRED

Please sketch a representative drawing of your property which clearly locates all buildings, residence(s), sheds, forestlands, wetlands, buffers, roads, trails, etc. An aerial map may be attached, but will not be accepted as a replacement for this detailed sketch, as aerial maps may not always reflect recent activity on the property.

Butler Road 660 ft



Robert & Devin Parcel 3.20 acres

George parcel II 10 acres

* Pipe, Equitech LLC parcel - 10 acres

Property Owner Karen L. Weingarden

Parcel Number(s) 28062300400100

~~~~ means water sets

OPEN SPACE  
Assessor's  
Application No.  
3230

Pumkin Farms side



←  
W. Sengarden  
side

\* Pipe installed by Pumkin Farm to send water to my property about 10 yrs ago



Puumkin Farms side



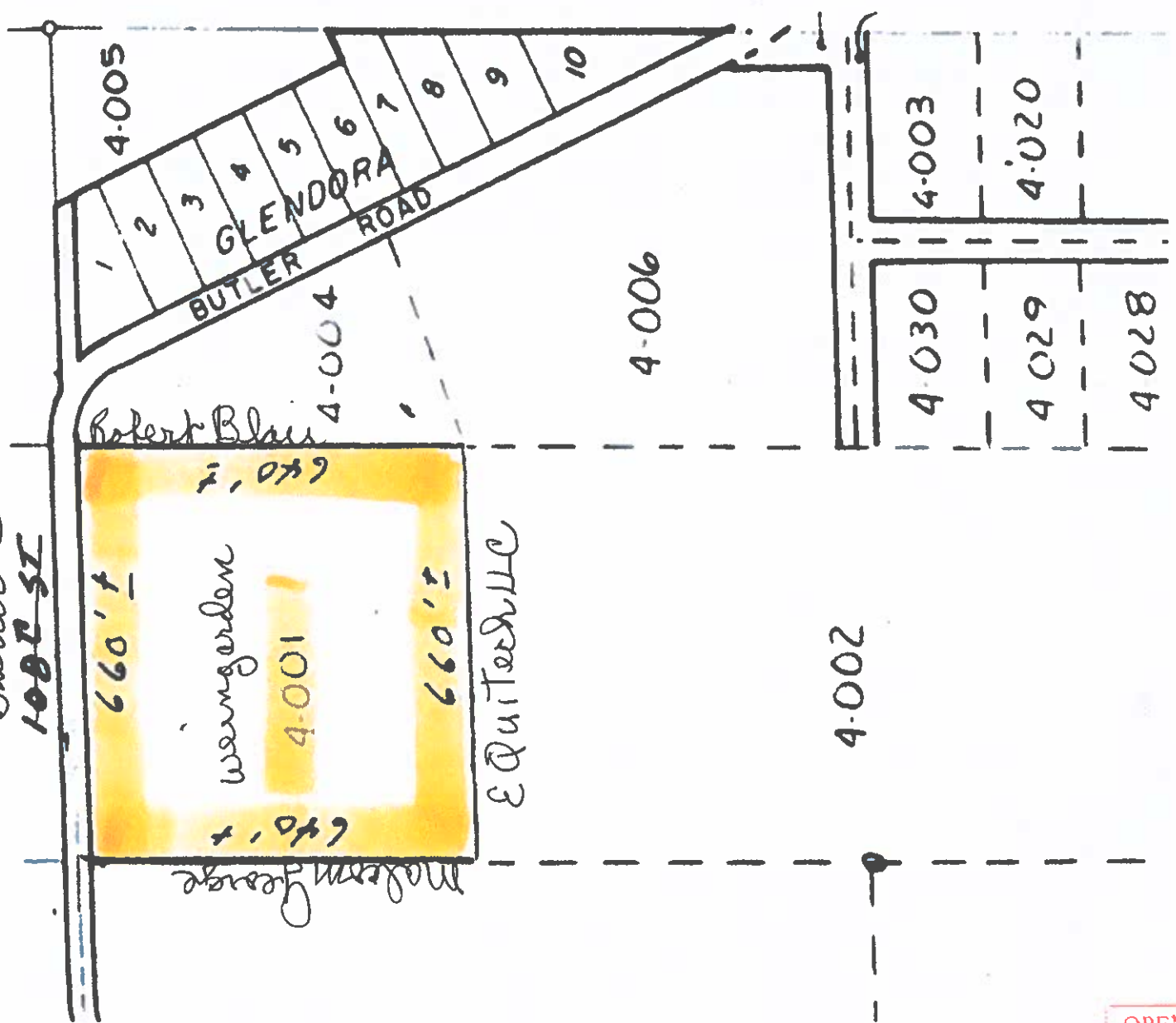
Wingarden  
Side



28062300403100 17728-1000000



Butler Rd  
100' ST



N  
SCALE

Application for Classification or Reclassification  
Open Space Land  
Chapter 84.34 RCW

RECEIVED  
OCT 06 2021  
EXEMPTION  
DEPARTMENT

AL  
D.

File With The County Legislative Authority

Name of Owner(s): WAYNE MASLIN (+PHYLLIS) Phone No: 360-799-5606  
Email Address: waynemaslin@frontier.com  
Address: 23518 LAKE FONTAL ROAD, MONROE WA. 98272  
OR P.O. BOX 854, DUWALL, WA. 98019

SNOHOMISH COUNTY COUNCIL

Parcel Number(s): 27072800400500  
Legal Description: SEC 28 TWP 27 RGE 07 RT-ISA)  
E 1/2 NW 1/4 SW 1/4 SE 1/4  
Total Acres in Application: 5

EXHIBIT #

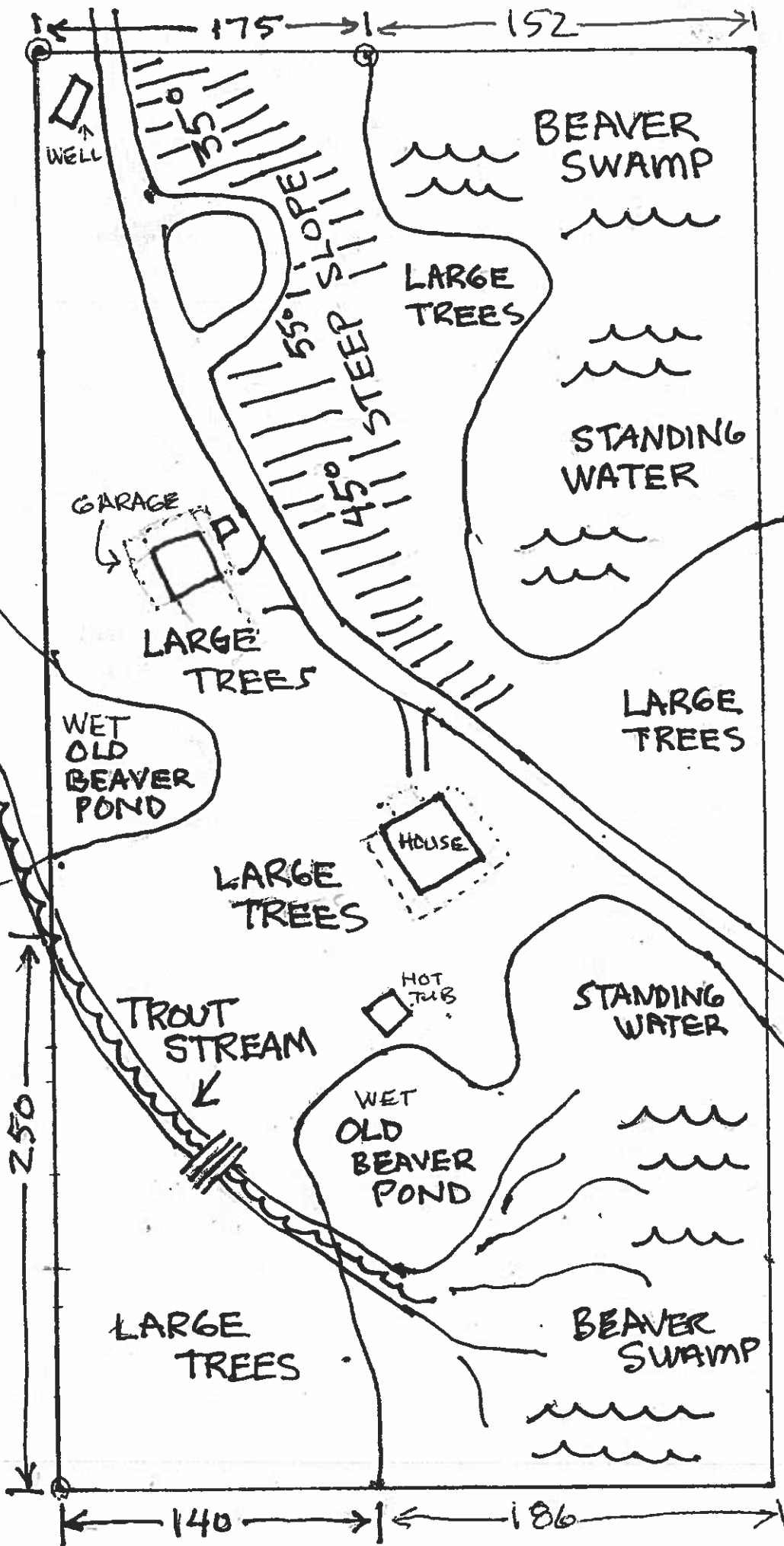
11

FILE

MOT 22-178

Indicate what category of open space this land will qualify for:

- ☐ Conserve or enhance natural, cultural, or scenic resources
- ☒ Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- ☒ Protect soil resources, unique or critical wildlife, or native plant habitat
- ☐ Promote conservation principles by example or by offering educational opportunities
- ☐ Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- ☐ Enhance recreation opportunities
- ☐ Preserve historic or archaeological sites
- ☐ Preserve visual quality along highway, road, street corridors, or scenic vistas
- ☐ Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority
- ☐ Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
- ☐ Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture



MAP  
DATA  
SURVEY  
GARY R. BOURNE  
#7903210136  
JAN. 1977

LARGE  
BEAVER  
WETLAND

\*  
LARGE  
TREE =  
3FT + 150FT  
DIA. TALL

LARGE  
BEAVER  
WETLAND  
OPEN SPACE  
Assessor's  
Application No.  
3231

1. Describe the present use of the land single family dwelling  
surrounded by wetland and forest

2. Is the land subject to a lease or agreement which permits any other use than its present use? ☐ Yes ☒ No

If yes, attach a copy of the lease agreement

3. Describe the present improvements (residence, buildings, etc.) located on the land.  
HOUSE, GARAGE, WELL HOUSE SEE MAP  
DRIVE WAY

4. Is the land subject to any easements? ☐ Yes ☒ No

If yes, describe the type of easement, the easement restrictions, and the length of the easement.

5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land.

**NOTICE:**

The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.

As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070)

Print the name of each owner:

Signature of each owner:

Date

WAYNE E MASLIN

Wayne E Maslin

9/26/21

PHYLLIS A MASLIN

Phyllis A Maslin

9/26/21

The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.



**Statement of Additional Tax, Interest, and Penalty Due Upon Removal of Classification**

1. 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 in (a), paid at the same statutory rate charged on delinquent property taxes; plus
  - (c) A penalty of 20% will be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal as described in RCW 84.34.070(1).
2. The additional tax, interest, and penalty specified in (1) 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, 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 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 84.34.103(5)(f)).
  - (g) Removal of land classified as farm & agricultural land under RCW 84.34.020(2)(f) (farm home site).
  - (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 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 designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.
  - (l) The discovery that the land was classified in error through no fault of the owner.

7 yrs

Rate (?)

to build?

(2)

FOR LEGISLATIVE AUTHORITY USE ONLY

Date application received: \_\_\_\_\_ By: \_\_\_\_\_

Amount of processing fee collected: \$ \_\_\_\_\_

- Is the land subject to a comprehensive land use plan adopted by a city or county? ☐ Yes ☐ No

If yes, application should be processed in the same manner in which an amendment to the comprehensive land use plan is processed.

If no, application must be acted upon after a public hearing and notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing.

- If the land is not subject to a comprehensive land use plan, is the land located within an incorporated part of the county? ☐ Yes ☐ No

If yes, application must be acted upon by three members of the county legislative authority and three members of the city legislative authority. See RCW 84.34.037(1) for details.

If no, application must be acted upon by three members of the county legislative authority.

☐ Application approved

☐ In whole

☐ In part

☐ Application denied

☐ Date owner notified of denial (Form 64-0103): \_\_\_\_\_

If approved, date Open Space Taxation Agreement (OSTA) was mailed to owner: \_\_\_\_\_

Signed OSTA received by Legislative Authority on: \_\_\_\_\_

Copy of signed OSTA forwarded to Assessor on: \_\_\_\_\_

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STEVE SKORNEY

425 262 2207

Snohomish County

PLANNING & DEVELOPMENT SERVICES

3000 Rockefeller Avenue, M/S #304  
Everett, WA 98201-4046

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- \_\_\_\_(6) Undeveloped, natural areas adjacent to water bodies which come under the jurisdiction of the State Shoreline Management Act and are designated by the master plan as "natural", "conservancy", "rural", "suburban" or "urban" type environment.

*SKR*

Page 1

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OPEN SPACE  
Assessor's  
Application No.  
3231



- \_\_\_\_(7) Sites within an urban area which would serve as a buffer between residential development and tracts of land in excess of five acres which are designated on an adopted comprehensive plan for commercial or industrial development:
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and;
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- 
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\_\_\_\_\_(20) Farm & agricultural conservation land as defined in RCW 84.34.020(8)

\_\_\_\_\_(a) Land that was previously classified as Open Space Farm & Agriculture under subsection (2) of this section, that no longer meets the criteria of subsection (2) of this section, and that is reclassified under subsection (1) of this section; or

\_\_\_\_\_(b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

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Upon the adoption of urban growth boundaries pursuant to RCW 36.70A.110, urban area shall be defined as the areas within the adopted boundaries.

**Application for Classification or Reclassification**  
**Open Space Land**  
**Chapter 84.34 RCW**

**SNOHOMISH COUNTY COUNCIL**

**EXHIBIT #** 12

**FILE** MOT 22-178

**File With The County Legislative Authority**

Name of Owner(s): RAUPH + Ruth Barker Phone No: 360-770-7688  
Email Address: ruth.barker54@gmail.com  
Address: 5216 N WEST AVE PMB 89  
ARLINGTON WA 98223

Parcel Number(s): 32062100100100 & 32061600400500  
Legal Description: See attached  
Total Acres in Application: 5.8

Indicate what category of open space this land will qualify for:

- ☐ Conserve or enhance natural, cultural, or scenic resources
- ☐ Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- ☐ Protect soil resources, unique or critical wildlife, or native plant habitat
- ☐ Promote conservation principles by example or by offering educational opportunities
- ☐ Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- ☐ Enhance recreation opportunities
- ☐ Preserve historic or archaeological sites
- ☐ Preserve visual quality along highway, road, street corridors, or scenic vistas
- ☐ Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority
- ☒ Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
- ☐ Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture

1. Describe the present use of the land.

FOREST LAND



2. Is the land subject to a lease or agreement which permits any other use than its present use?

If yes, attach a copy of the lease agreement.

Yes

No

3. Describe the present improvements (residence, buildings, etc.) located on the land.

BARN

4. Is the land subject to any easements?

If yes, describe the type of easement, the easement restrictions, and the length of the easement.

Yes

No

POD Easement to change out power pole

5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land.

N/A

**NOTICE:**

The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.

As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070)

Print the name of each owner:

RALPH W BARKER

ROTH BARKER

Signature of each owner:

*Ralph W Barker*

*Roth Barker*

Date

11/10/2021

11/10/2021

The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.

---

**Statement of Additional Tax, Interest, and Penalty Due Upon Removal of Classification**

- 
1. 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 in (a), paid at the same statutory rate charged on delinquent property taxes; plus
    - (c) A penalty of 20% will be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal as described in RCW 84.34.070(1).
  2. The additional tax, interest, and penalty specified in (1) 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, 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 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)(f) (farm home site).
    - (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 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 designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.
    - (l) The discovery that the land was classified in error through no fault of the owner.
-

**FOR LEGISLATIVE AUTHORITY USE ONLY**

Date application received:

By:

Amount of processing fee collected: \$ \_\_\_\_\_

- Is the land subject to a comprehensive land use plan adopted by a city or county? ☐ Yes ☐ No

If yes, application should be processed in the same manner in which an amendment to the comprehensive land use plan is processed.

If no, application must be acted upon after a public hearing and notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing.

- If the land is not subject to a comprehensive land use plan, is the land located within an incorporated part of the county? ☐ Yes ☐ No

If yes, application must be acted upon by three members of the county legislative authority and three members of the city legislative authority. See RCW 84.34.037(1) for details.

If no, application must be acted upon by three members of the county legislative authority.

☐ Application approved ☐ In whole ☐ In part

☐ Application denied ☐ Date owner notified of denial (Form 64 0103):

If approved, date Open Space Taxation Agreement (OSTA) was mailed to owner:

Signed OSTA received by Legislative Authority on:

Copy of signed OSTA forwarded to Assessor on:

To ask about the availability of this publication in an alternate format for the visually impaired, please call 1-800-647-7706. Teletype (TTY) users may use the Washington Relay Service by calling 711. For assistance, contact your local county assessor's office.

**BARKER**

**Parcel 32061600400500**

SEC 16 TWP 32 RGE 06 TH PTN OF E1/2 SE1/4 SE1/4 DAF - COM AT SE COR SD SEC TH N ALG E LN SD SEC TO NWLY R/W S/HY 530 & TPB TH CONT N ALG E LN SD SEC 482.91FT TH SWLY PLW SD S/HY 455.75FT TH SELY PERP TO SD S/HY 365.49FT TO SD NWLY R/W TH NELY ALG SD NWLY R/W 140.12FT TO TPB PER BLA 96-101495 REC AF 9605160178

**BARKER**

**Parcel 32062100100100**

SEC 21 TWP 32 RGE 06 RT-1) BEG NE COR SEC TH S 510.84FT TH W TO CO RD TH NELY ALG SD RD TO POB LESS RD & LESS S/HY OSA 80





## **Snohomish County**

### **PLANNING & DEVELOPMENT SERVICES**

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3000 Rockefeller Avenue, M/S #304  
Everett, WA 98201-4046

## **OPEN SPACE CRITERIA**

The Department of Planning & Development Services (PDS) reviews all Open Space/General applications according to the following checklist. In order to qualify for Open Space/General classification, **parcels must meet at least one of the criteria listed below.**

- \_\_\_\_(1) Urban areas where the entire site is in an undeveloped, natural state and has slopes of 25% or greater or where at least one-half of the total site area has slopes of at least 35% or more.
- \_\_\_\_(2) Areas designated on the comprehensive land use plan or the county park and recreation plan as potential parks, trails, or greenbelt, or designated as a critical area or environmentally sensitive area.
- \_\_\_\_(3) Areas which have plant or animal species which are considered rare, sensitive, threatened or endangered by an authority recognized by the county.
- \_\_\_\_(4) Sites within urban areas to be left in their natural state where the site is of at least 1-acre in size and is predominately forested with mature specimen trees.
- \_\_\_\_(5) Areas which are in an undeveloped, natural state and are not under the jurisdiction of the State Shoreline Management Act and are situated within stream corridors, i.e., streams and/or their associated stream buffers of 50-feet on either side of the stream. Buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- \_\_\_\_(6) Undeveloped, natural areas adjacent to water bodies which come under the jurisdiction of the State Shoreline Management Act and are designated by the master plan as "natural", "conservancy", "rural", "suburban" or "urban" type environment.

- \_\_\_\_(7) Sites within an urban area which would serve as a buffer between residential development and tracts of land in excess of five acres which are designated on an adopted comprehensive plan for commercial or industrial development:
- \_\_\_\_(a) Where the site area is covered by stands of trees in excess of 20-feet in height, and,
  - \_\_\_\_(b) Where the ground vegetation creates a visual separation of at least 50-feet between the residential tracts of land and the commercial or industrial lands, or;
  - \_\_\_\_(c) Where the topographic features of the site form a physical separation from the abutting commercial or industrial lands by reason of gull or ravine or similar land condition.
- \_\_\_\_(8) Areas that would safely provide either public vehicular or pedestrian access to public bodies of water:
- \_\_\_\_(a) Where the site area abutting the water is at least 60-feet in width for vehicular access, or;
  - \_\_\_\_(b) Where the site area abutting the water is at least 25-feet in width for pedestrian access.
- \_\_\_\_(9) Areas which provide a scenic vista to which the general public has safe vehicular or pedestrian access.
- \_\_\_\_(10) Sites devoted to private outdoor recreational pursuits such as golf courses, riding stables, lakes, etc., provided that access to such facilities and areas is provided to the general public free of charge or at reasonable, customary rates.
- \_\_\_\_(11) Areas which contain features of unique historic, cultural or educational values which are open to the public's use, (e.g. public access to displays, interpretive centers, etc.), free of charge or at reasonable, customary rates:
- \_\_\_\_(a) Where there are several varieties or species of flora, fauna, or both present on the site making it desirable for educational study, or;

- \_\_\_\_(b) Where there are habitats or species of plant life which are considered rare, sensitive, threatened or endangered by an authority recognized by the county, **or**:
- \_\_\_\_(c) Where there is or are recognized landmarks present on the site which provide visual reference and orientation for surrounding terrain (would include major promontories and rock formations but would exclude mountain forms and ranges), **or**;
- \_\_\_\_(d) Where there are historic or archeological features on the site of at least fifty years of age, which would have value to future generations due to the uncommon nature or rare representation of past times and events.
- \_\_\_\_(12) Areas located adjacent to public parks, public trails or other public lands which would materially add to or enhance the recreational opportunities of that facility:
  - \_\_\_\_(a) Where such a site would constitute a logical extension of the park or other public lands including provisions for public use but has been excluded principally by lack of funds, **or**;
  - \_\_\_\_(b) Where the site would provide additional public access to such lands during the duration of its open space classification, **or**;
  - \_\_\_\_(c) Where the site contains unique features of recreational value which if public use of the site were allowed would expand the variety of recreational opportunities contained in the park or public land, **or**;
  - \_\_\_\_(d) Where the site would act as a buffer between the park and surrounding development.
- \_\_\_\_(13) Areas which contain or abut managed or monitored wildlife preserves or sanctuaries, arboretums or other designated open space and which will enhance the value of those resources:
  - \_\_\_\_(a) Where the open space designation would encompass a minimum of 10 acres in land area, **and**:
  - \_\_\_\_(b) Where plant life and/or animal life contained within the site are found in abundant varieties, **or**:

- \_\_\_\_(c) Where the site area can be distinguished from surrounding land due to the unusualness of the vegetation or the animal life inhabitants.
- \_\_\_\_(14) Wetland areas of at least 1/4 acres in size. Associated wetland buffers of 50-feet may also be included. The wetland buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- \_\_\_\_(15) Areas which lie adjacent to scenic highways which if not designated as open space would otherwise be subject to pressures for intense development:
  - \_\_\_\_(a) Where such highways have been designated by a city, the county or the state as scenic, **and**:
  - \_\_\_\_(b) Where at least one-half of the total site lies within 200 feet of the highway, **and**;
  - \_\_\_\_(c) Where pressures for urbanization are evident either due to provision of public water and sewer facilities to the area, subdivision activity in the immediate vicinity or the site, or the development of previously platted lands.
- \_\_\_\_(16) Undeveloped areas, five acres and larger which are not within the 100 year flood plain, suitable for agricultural pursuits which may not currently be devoted to such use:
  - \_\_\_\_(a) Where the comprehensive land use plan or the agricultural preservation plan designates the site as suitable for agricultural development, **or**;
  - \_\_\_\_(b) Where more than 75% of the total site area contains tillable Class II or III variety soils as classified by the Soil Conservation Service.
- \_\_\_\_(17) Undeveloped areas which contain a minimum of five (5) acres which are located within the 100-year flood plain as established by the U. S. Army Corps of Engineers or Snohomish County.
- \_\_\_\_(18) Areas where the entire site is in an undeveloped, natural state and is considered geological hazardous by an authority recognized by Snohomish County.



\_\_\_\_(19) Areas which are protective buffers as required by development regulations implementing the Growth Management Act.

X (20) Farm & agricultural conservation land as defined in RCW 84.34.020(8)

X (a) Land that was previously classified as Open Space Farm & Agriculture under subsection (2) of this section, that no longer meets the criteria of subsection (2) of this section, and that is reclassified under subsection (1) of this section; or

\_\_\_\_(b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

**NOTE:** An **URBAN AREA** is defined as: an area, designated on an adopted comprehensive plan with a density of 2 or more dwelling units per acre: and/or zoned residential 20,000 (R-20,000), or at a higher density than R-20,000; and/or within an incorporated area.

Upon the adoption of urban growth boundaries pursuant to RCW 36.70A.110, urban area shall be defined as the areas within the adopted boundaries.



## **Snohomish County**

### **PLANNING & DEVELOPMENT SERVICES**

3000 Rockefeller Avenue, Everett, WA 98201-4046

M/S #304

## **OPEN SPACE GENERAL CHECKLIST**

The Snohomish County Department of Planning & Development Services reviews all applications for OPEN SPACE GENERAL and REQUIRES the following information be submitted with each application:

1. A completed application with the signatures of all persons having an interest in the property.
2. The legal description (s) and Snohomish County property tax number (s).
3. The completed OPEN SPACE CRITERIA enclosed with the application packet. Read the document and check any items that pertain or describe the property. Additional information and pictures are also useful.
4. A map or drawing of the property, showing placement of streams, buildings of all kinds, roads, wooded areas, swamp areas, etc. A map sheet is provided with the application package.
5. A copy of any lease or agreement that would permit uses other than the present use.
6. A non-refundable application fee of \$500.00. Checks may be made payable to the Snohomish County Assessor's Office.

**WITHOUT ALL OF THIS INFORMATION AND THE APPLICATION FEE, THE APPLICATION CANNOT BE PROCESSED.**

### **PERFORMANCE STANDARDS AND CHANGES OF USE FOR SPACE GENERAL.**

- Developed portions of a property are generally not eligible for Open Space General Classification. Exceptions to this include, but are not limited to: outdoor recreational facilities, interpretive centers, outdoor displays, ETC.,
- Lands, which have been granted Open Space General Classification, must remain in a natural, undeveloped state and/or provide the features for which the classification was granted.
- Subdivision and/or development of property may result in revocation of the classification. Failure to meet the intent of the classification criteria and standards or any conditions of the approval will result in revocation of the classification and the assessment of the deferred taxes, penalties and interest.

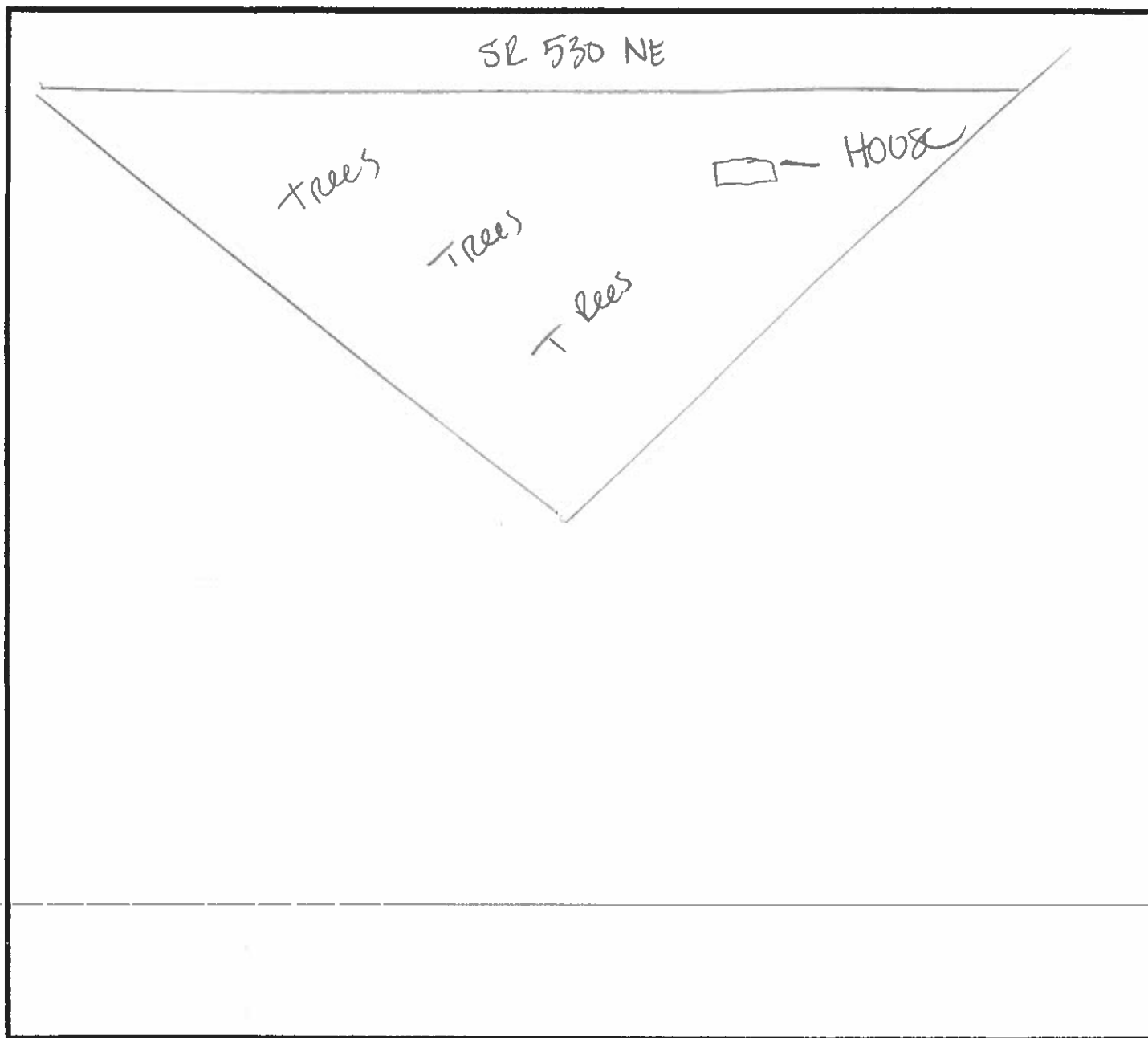
Return completed applications to:  
**Snohomish County Assessor's Office**  
3000 Rockefeller Ave., M/S 510  
Everett, WA 98201

IF YOU HAVE ANY QUESTIONS CONCERNING THE APPLICATION CALL THE EXEMPTION DEPARTMENT IN THE ASSESSOR'S OFFICE AT (425) 388-3540

IF YOU HAVE QUESTIONS ABOUT ELIGIBILITY, PLEASE CALL SCOTT LINDQUIST, IN PLANNING & DEVELOPMENT SERVICES AT 425-262-2086 OR EMAIL: [scott.lindquist@snoco.org](mailto:scott.lindquist@snoco.org)

## SKETCHED MAP SHEET REQUIRED

Please sketch a representative drawing of your property which clearly locates all buildings, residence(s), sheds, forestlands, wetlands, buffers, roads, trails, etc. An aerial map may be attached, but will not be accepted as a replacement for this detailed sketch, as aerial maps may not always reflect recent activity on the property.



Property Owner

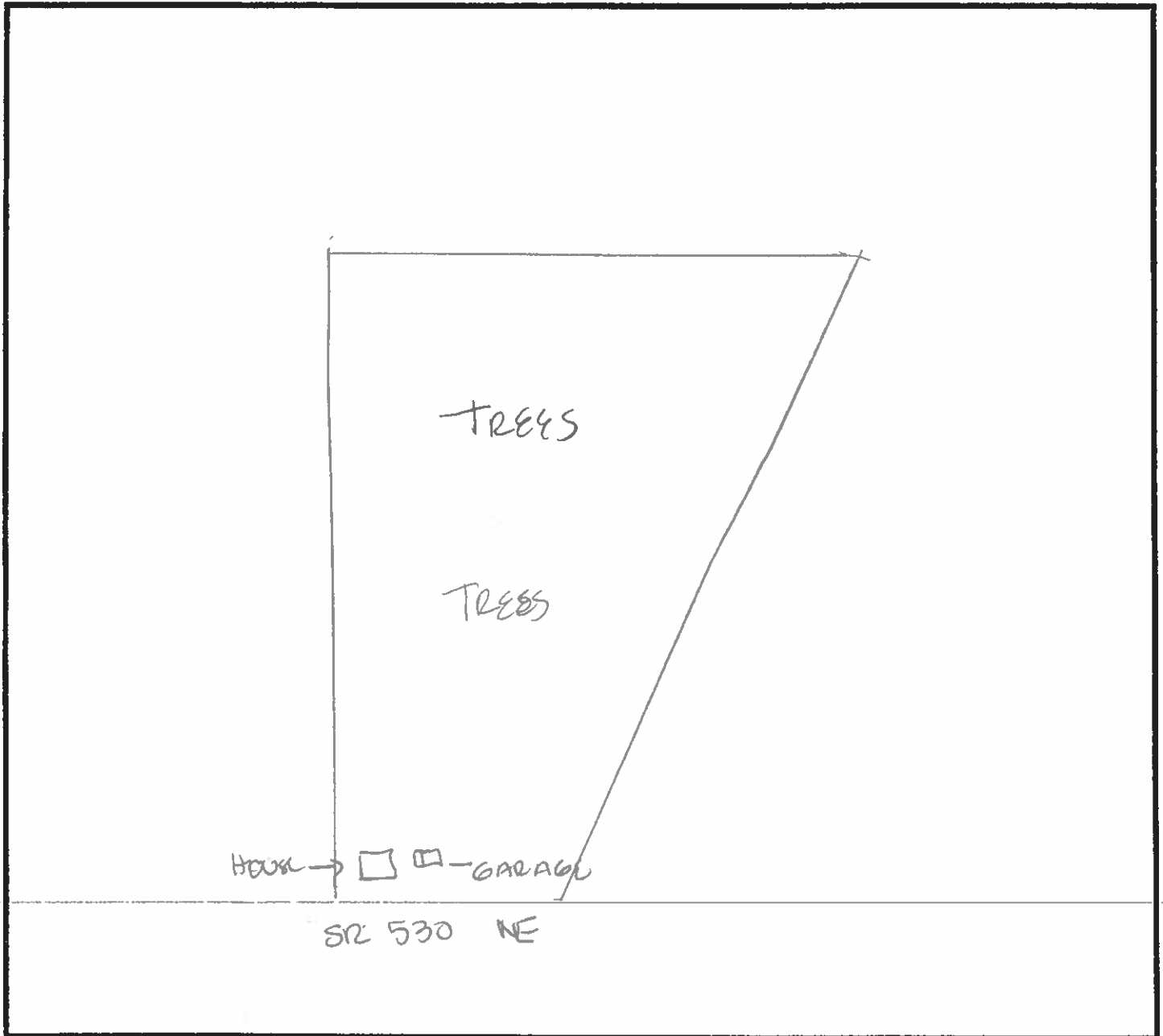
RALPH WAYNE & Ruth Barker

Parcel Number(s)

3206 21 00160 100

## SKETCHED MAP SHEET REQUIRED

Please sketch a representative drawing of your property which clearly locates all buildings, residence(s), sheds, forestlands, wetlands, buffers, roads, trails, etc. An aerial map may be attached, but will not be accepted as a replacement for this detailed sketch, as aerial maps may not always reflect recent activity on the property.



Property Owner

RAULH WAYNE & RUTH PERL

Parcel Number(s)

32061600400500



**Change of Classification**  
(Chapters 84.33 and 84.34 RCW)

01151

Tax Code: \_\_\_\_\_

County: SNOHOMISH

**File With County Assessor**

Applicant(s) name and address:

RAULPH & RUTH BARKER  
526 N WEST AVE PMB 89  
ARLINGTON WA 98223

Assessor's Parcel or Account No:

32061600400500 i  
32062100100100

Auditor's File No. on original application:  
\_\_\_\_\_

Phone No: 360 770 7688

Land subject to this application (legal description):

SEE Attached

**Change of Classification**  
(Check appropriate box)

The land is currently classified as Farm and Agricultural land under RCW 84.34.020(2) and I hereby request reclassification as:

- ☐ Timber land as provided under RCW 84.34.020(3), unless county has merged their timber land classification into their designated forest land program. (Attach completed form REV 64 0109 or 64 0111 and a timber-management plan)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☒ Forest Land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☒ Farm and Agricultural Conservation land as defined in RCW 84.34.020(8)(a). (Attach completed form REV 64 0021)

The land is currently classified as Farm and Agricultural Conservation land under RCW 84.34.020(8)(a) and I hereby request reclassification to:

- ☐ Farm and Agricultural land under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

The land is currently classified as Timber land under RCW 84.34.020(3) and I hereby request reclassification as:

- ☒ Forest land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Farm and Agricultural land as provided under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

**NOTE: If request to change classification is approved, no additional tax, interest, and penalty will be imposed.**

Requests to transfer from Forest Land designation under provisions of Chapter 84.33 RCW to Current Use classification under Chapter 84.34 RCW should be made on REV 64 0038.

Attachment:

- |                                                 |                                      |                                      |                                      |
|-------------------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> REV 62 0021            | <input type="checkbox"/> REV 64 0021 | <input type="checkbox"/> REV 64 0108 | <input type="checkbox"/> REV 64 0111 |
| <input type="checkbox"/> REV 62 0110            | <input type="checkbox"/> REV 64 0024 | <input type="checkbox"/> REV 64 0109 |                                      |
| <input type="checkbox"/> Timber Management Plan |                                      |                                      |                                      |

## General Information

**RECLASSIFICATIONS are defined in RCW 84.34.070(2) as follows:**

- (2) The following reclassifications are not considered withdrawals or removals and are not subject to additional tax under RCW 84.34.108:
  - (a) Reclassification between lands under RCW 84.34.020(2) and (3);
  - (b) Reclassification of land classified under RCW 84.34.020(2) or (3) or Chapter 84.33 RCW to open space land under RCW 84.34.020(1);
  - (c) Reclassification of land classified under RCW 84.34.020(2) or (3) to forest land classified under Chapter 84.33 RCW; and
  - (d) Reclassification of land classified as open space land under RCW 84.34.020(1)(c) and reclassified to farm and agricultural land under RCW 84.34.020(2) if the land had been previously classified as farm and agricultural land under RCW 84.34.020(2).
- (3) Applications for reclassification shall be subject to applicable provisions of RCW 84.34.035, 84.34.037, 84.34.041, and Chapter 84.33 RCW.
- (4) The income criteria for land classified under RCW 84.34.020(2)(b) and (c) may be deferred for land being reclassified from land classified under RCW 84.34.020(1)(c) or (3), or Chapter 84.33 RCW into RCW 84.34.020(2)(b) or (c) for a period of up to five years from the date of reclassification.

**FARM AND AGRICULTURAL CONSERVATION LAND is defined in RCW 84.34.020(8)(a & b) as follows:**

- (8) "Farm and agricultural conservation land" means either:
  - (a) Land that was previously classified under RCW 84.34.020(2), that no longer meets the criteria and is reclassified under RCW 84.34.020(1)(c); or
  - (b) Land that is traditional farmland that is not classified under Chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

**And also defined in RCW 84.34.037(2)(c) as follows:**

- (c) Whether granting the application for land applying under RCW 84.34.020(1)(c) will; (i) preserve land previously classified under RCW 84.34.020(2) or preserve land that is traditional farmland and not classified under Chapter 84.33 or 84.34 RCW; (ii) preserve land with a potential for returning to commercial agriculture; and (iii) affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of property.

Signatures of Owner(s) or Contract Purchaser(s):

Ralph W. Barker

Ruth Barker

Date 10/10/2021

### Assessor Use Only

If the parcel(s) subject to this document is considered contiguous, as defined in RCW 84.34.020(6), with other parcels having different ownerships, verify all remaining classified parcels with different ownerships are still:

- ☐ Adjoining
- ☐ Being managed as part of a single operation
- ☐ Meeting the definition of "family" as defined in RCW 84.34.020(6)(b)(ii) with the owner of an adjoining parcel

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**BARKER**

**Parcel 32061600400500**

SEC 16 TWP 32 RGE 06 TH PTN OF E1/2 SE1/4 SE1/4 DAF - COM AT SE COR SD SEC TH N ALG E LN SD SEC TO NWLY R/W S/HY 530 & TPB TH CONT N ALG E LN SD SEC 482.91FT TH SWLY PLW SD S/HY 455.75FT TH SELY PERP TO SD S/HY 365.49FT TO SD NWLY R/W TH NELY ALG SD NWLY R/W 140.12FT TO TPB PER BLA 96-101495 REC AF 9605160178

**BARKER**

**Parcel 32062100100100**

SEC 21 TWP 32 RGE 06 RT-1) BEG NE COR SEC TH S 510.84FT TH W TO CO RD TH NELY ALG SD RD TO POB LESS RD & LESS S/HY OSA 80



Application for Classification or Reclassification  
Open Space Land  
Chapter 84.34 RCW

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 13

FILE MOT 22-178

File With The County Legislative Authority

Name of Owner(s): Jeffrey D + Eileen W. Hambleton Phone No: 425-923-0227

Email Address: j.hambleton@comcast.net

Address: 14119 Reiner Rd  
Monroe WA 98272

Parcel Number(s): 280831-003-001-00, 280831-003-016-00

Legal Description: see attached official Notice of Assessed Value

Total Acres in Application: 10.95

Indicate what category of open space this land will qualify for:

- ☐ Conserve or enhance natural, cultural, or scenic resources
- ☒ Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- ☐ Protect soil resources, unique or critical wildlife, or native plant habitat
- ☐ Promote conservation principles by example or by offering educational opportunities
- ☐ Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- ☐ Enhance recreation opportunities
- ☐ Preserve historic or archaeological sites
- ☐ Preserve visual quality along highway, road, street corridors, or scenic vistas
- ☐ Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority
- ☐ Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
- ☐ Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture



**28083100300100**

SEC 31 TWP 28 RGE 08 RT-9) N1/2 FDP ALL TH PTN GOVT LOT 8 & ALL TH PTN NE1/4 SW1/4 LY E OF CO RD ALLESS  
FDT BEG AT INT OF N LN SD NE1/4 SW1/4 WITH E BDY OF CO RD TH SWLY ALG SDE BDY OF CO RD TO CTR LN RUN E &  
W IN SD SUB TH CONT SWLY ALG SD E BDY CO RD 200FT TH E TO W BDY OF SULTAN RIV TH NLYALG W BDY SULTAN  
RIV TO N LN SD LOT 8 TH W ALG N LN SD LOT 8 & N LN NE1/4 SW1/4 TO POB 11 WRONG CHANGE # SHOULD BE  
C750784

**28083100301600**

SEC 31 TWP 28 RGE 08 RT-9C) N 50FT OF S1/2 FDP ALL THAT PTN GOVT LOT 8 & ALL TH PTN NE1/4 SW1/4 LY E OF CO  
RD LESS FDT BEG INT N LN SD NE1/4 SW1/4 WITH E LN CO RD TH SWLY ALG SD E LN CO RD TO C/L RUN E & W IN SD  
SUB TH CONT SWLY ALG RD 200FT TH E TO W BDY SULTAN RIV TH NLY ALG RIV TO N LN SD LOT 8 TH W ALG N LN SD  
LOT & N LN SD NE1/4 SW1/4 POB

OPEN SPACE  
Assessor's  
Application No.  
3233

1. Describe the present use of the land. Undeveloped open space.
2. Is the land subject to a lease or agreement which permits any other use than its present use? ☐ Yes ☒ No  
If yes, attach a copy of the lease agreement.
3. Describe the present improvements (residence, buildings, etc.) located on the land.  
None.
4. Is the land subject to any easements? ☐ Yes ☒ No  
If yes, describe the type of easement, the easement restrictions, and the length of the easement.
5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land.  
N/A

**NOTICE:**

The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.

As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070)

| Print the name of each owner: | Signature of each owner: | Date              |
|-------------------------------|--------------------------|-------------------|
| <u>Jeffrey Hambleton</u>      | <u>J. Hambleton</u>      | <u>11/15/2021</u> |
| <u>Eileen Hambleton</u>       | <u>Eileen Hambleton</u>  | <u>11/15/2021</u> |

The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.

### SKETCHED MAP SHEET REQUIRED

Please sketch a representative drawing of your property which clearly locates all buildings, residence(s), sheds, forestlands, wetlands, buffers, roads, trails, etc. An aerial map may be attached, but will not be accepted as a replacement for this detailed sketch, as aerial maps may not always reflect recent activity on the property.

See attached Letter of Findings prepared by Eryn Sullivan, Wetland Specialist for Harmsen LLC. This was prepared as a feasibility study for a prospective buyer.

Property Owner

Hambleton, Jeffrey and Eileen

Parcel Number(s)

280831-003-001-00, 280831-003-016-00

OPEN SPACE  
Assessor's  
Application No.

3233

Nancy Greenup  
TPN 280831-003-001-00 & -003-016-00  
Reiner Rd, Sultan WA

August 30, 2021  
Harmsen #21-398  
(206) 276-6156  
ngreenup52@gmail.com

### Letter of Findings

On 30 August 2021, I visited your parcels of interest situated on Reiner Rd north of Sultan (TPNs 280831-003-001-00, 016-00), to investigate the property for vegetation, hydrology, and soil indicators associated with potential wetland conditions, and for vegetative, geotic, and hydrologic indicators associated with stream conditions. I did *not* perform a wetland delineation, therefore all descriptions and buffers mentioned in this letter of findings are approximate.

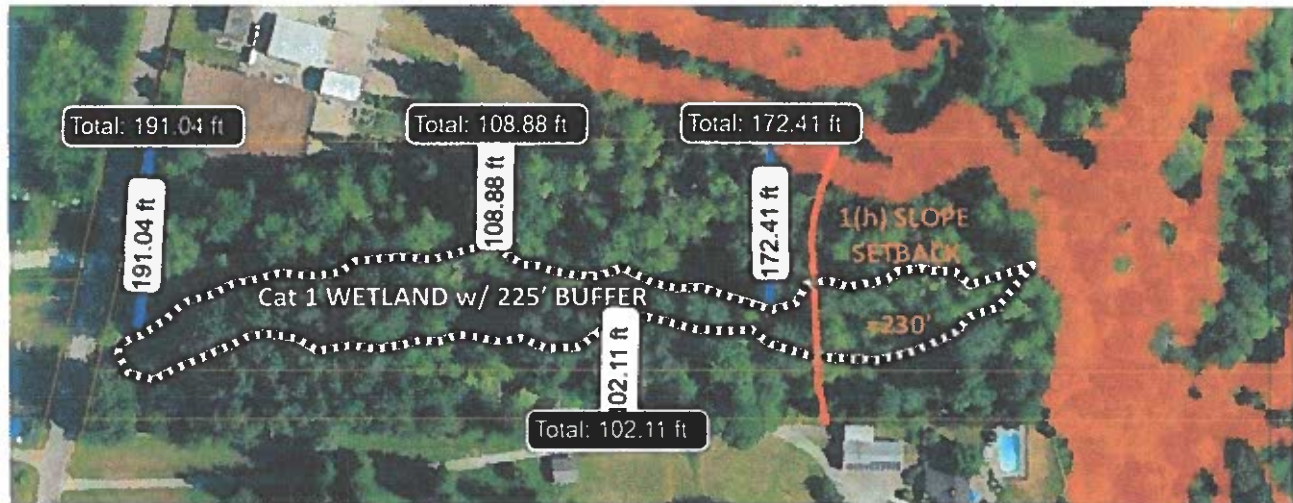


Figure 1. Mapped & observed critical areas on TPNs 280831-003-001-00, 016-00: regulated steep slopes depicted in orange & approx. minimum slope setback of ≈230' depicted by orange line; wetland boundary depicted in black/white. All locations approximate. Image Source: Snohomish County PDS

The site is located in the Lower Sultan River sub-basin, in the Skykomish watershed, within the Snohomish River basin (WRIA 7). Soil above the critical slope is mapped as *Pastik silt loam 0 to 8 percent slopes*, which does not carry a hydric soil rating, although a minor component of this soil, *Bellingham*, does carry a hydric soil rating.

The site is located east of Reiner Rd and slopes from west to east, before the topography breaks to the Sultan River valley: these slopes are regulated and require a standard setback equal to the height of the slope (1h), which is approximately 230' at this site (Fig.1).

EVERETT (ASPI)  
5205 S. 2<sup>nd</sup> Avenue, Ste. A  
Everett, WA 98203  
425-252-1884

MONROE  
125 East Main Street., Ste. 104  
Monroe, WA 98272  
360-794-7811

MOUNT VERNON  
603 South First Street  
Mount Vernon, WA 98273  
360-336-9199

OAK HARBOR  
840 SE 8<sup>th</sup> Avenue, Ste. 102  
Oak Harbor, WA 98271  
360-675-5973

OPEN SPACE  
Assessor's  
Application No.  
3233




The central portion of the site is encumbered by an extensive depressional wetland, situate within a topographic low area stretching from the road to the top of bank (Fig.1). Indicators of wetland hydrology were consistently saturation and sparsely vegetated concave surface; indicators of hydric soil were redoximorphic features (depletions and iron concentrations) below dark surface soils; all areas are dominated by hydrophytic vegetation. Due to a high Habitat Score of 8/9 per the Wetland Rating System for Western Washington (2014), the estimated standard buffer for all observed wetlands is 225': this standard buffer encumbers the entire upland portion of the parcel.

These conditions severely restrict the developable area on the parcel, and only a formal wetland delineation will determine the usable area. Snohomish County does allow residential development within critical areas buffers, if there is not enough area or alternate location available for the development outside of the standard buffer. However, any development within critical areas buffers is limited to 4,000 sqft: this includes driveways and lawn, in addition to any building footprints (30.62A.520 *Snohomish County Code*).

Snohomish County also allows buffer averaging as a remedy, but the buffer cannot be reduced beyond half (112.5') which would make virtually no difference on this property, given the parcel dimensions. All disturbances within critical areas buffers must be mitigated for, preferably in-kind and on-site: again, given the parcel dimensions this could be challenging, and Innovative Development Design is allowed only at the discretion of the Planning Dept.

We appreciate the opportunity to serve you. Please do not hesitate call us if you have any questions regarding this determination.

Sincerely,



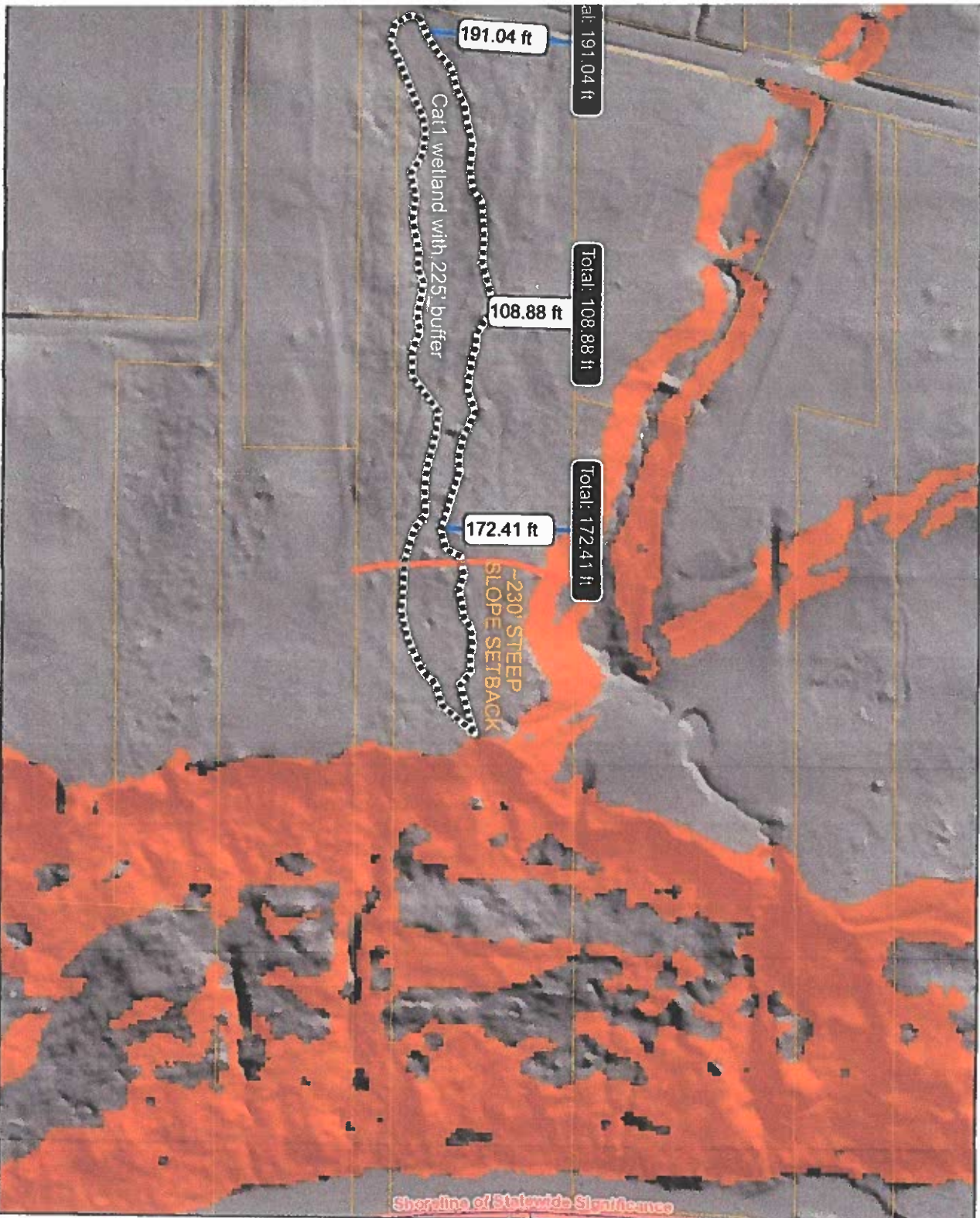
Erynn O. Sullivan  
Wetland Specialist



SWM | Mearl Est. HERE IPC

Info Search Page





Projection: NAD\_1983\_StatePlane\_Washington\_North\_FIPS\_4601\_Feet  
Snohomish County Planning & Development Services, Snohomish County

All maps, data and information on this map (TDS's) are for illustrative purposes only and are not to be considered an official action or recommendation of the Snohomish County Planning & Development Services. Snohomish County makes no representation as to the accuracy, completeness or quality of the data contained herein and expressly disclaims any warranty of merchantability or fitness for any particular purpose. All persons accessing or otherwise using this data assume all responsibility for use thereof and agree to hold Snohomish County harmless from and against any damages, loss, claim or liability arising out of any error, defect or omission contained within said data. Snohomish County does not warrant, either explicitly or implicitly, that the data is accurate, complete, or up-to-date. Snohomish County makes no representation as to the accuracy, completeness or quality of the data contained herein and expressly disclaims any warranty of merchantability or fitness for any particular purpose. All persons accessing or otherwise using this data assume all responsibility for use thereof and agree to hold Snohomish County harmless from and against any damages, loss, claim or liability arising out of any error, defect or omission contained within said data. Snohomish County does not warrant, either explicitly or implicitly, that the data is accurate, complete, or up-to-date. Snohomish County makes no representation as to the accuracy, completeness or quality of the data contained herein and expressly disclaims any warranty of merchantability or fitness for any particular purpose. All persons accessing or otherwise using this data assume all responsibility for use thereof and agree to hold Snohomish County harmless from and against any damages, loss, claim or liability arising out of any error, defect or omission contained within said data.

**OPEN SPACE**  
Asessor's  
Application No.  
**3239**

- Legend**
- Snohomish County Tax Parc
  - Snohomish County Streams
  - Shoreline of Statewide Significance
  - Fish Habitat
  - Non-fish Habitat: Perennial
  - Non-fish Habitat: Seasonal
  - Unknown, Untyped
  - NE Quad **REGULATED**
  - NW Quad **STEEP**
  - SE Quad **SLOPE**
  - SW Quad

Orange line depicts approx. minimum (1h) steep slope setback of ~230' from top of bank

Approx wetland boundary, depicted by black/white line  
\*ALL portions of the parcels are encumbered by the 225' standard buffer

1:2,344



**Notes**  
This map was automatically generated from Geocortex Essentials.



## Snohomish County

### PLANNING & DEVELOPMENT SERVICES

3000 Rockefeller Avenue, M/S #304  
Everett, WA 98201-4046

## OPEN SPACE CRITERIA

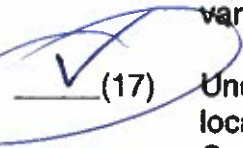
The Department of Planning & Development Services (PDS) reviews all Open Space/General applications according to the following checklist. In order to qualify for Open Space/General classification, **parcels must meet at least one of the criteria listed below.**

- \_\_\_\_(1) Urban areas where the entire site is in an undeveloped, natural state and has slopes of 25% or greater or where at least one-half of the total site area has slopes of at least 35% or more.
- \_\_\_\_(2) Areas designated on the comprehensive land use plan or the county park and recreation plan as potential parks, trails, or greenbelt, or designated as a critical area or environmentally sensitive area.
- \_\_\_\_(3) Areas which have plant or animal species which are considered rare, sensitive, threatened or endangered by an authority recognized by the county.
- \_\_\_\_(4) Sites within urban areas to be left in their natural state where the site is of at least 1-acre in size and is predominately forested with mature specimen trees.
- \_\_\_\_(5) Areas which are in an undeveloped, natural state and are not under the jurisdiction of the State Shoreline Management Act and are situated within stream corridors, i.e., streams and/or their associated stream buffers of 50-feet on either side of the stream. Buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- \_\_\_\_(6) Undeveloped, natural areas adjacent to water bodies which come under the jurisdiction of the State Shoreline Management Act and are designated by the master plan as "natural", "conservancy", "rural", "suburban" or "urban" type environment.

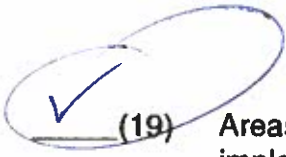


- \_\_\_\_(7) Sites within an urban area which would serve as a buffer between residential development and tracts of land in excess of five acres which are designated on an adopted comprehensive plan for commercial or industrial development:
- \_\_\_\_(a) Where the site area is covered by stands of trees in excess of 20-feet in height, **and**,
- \_\_\_\_(b) Where the ground vegetation creates a visual separation of at least 50-feet between the residential tracts of land and the commercial or industrial lands, **or**;
- \_\_\_\_(c) Where the topographic features of the site form a physical separation from the abutting commercial or industrial lands by reason of gull or ravine or similar land condition.
- \_\_\_\_(8) Areas that would safely provide either public vehicular or pedestrian access to public bodies of water:
- \_\_\_\_(a) Where the site area abutting the water is at least 60-feet in width for vehicular access, **or**;
- \_\_\_\_(b) Where the site area abutting the water is at least 25-feet in width for pedestrian access.
- \_\_\_\_(9) Areas which provide a scenic vista to which the general public has safe vehicular or pedestrian access.
- \_\_\_\_(10) Sites devoted to private outdoor recreational pursuits such as golf courses, riding stables, lakes, etc., provided that access to such facilities and areas is provided to the general public free of charge or at reasonable, customary rates.
- \_\_\_\_(11) Areas which contain features of unique historic, cultural or educational values which are open to the public's use, (e.g. public access to displays, interpretive centers, etc.), free of charge or at reasonable, customary rates:
- \_\_\_\_(a) Where there are several varieties or species of flora, fauna, or both present on the site making it desirable for educational study, **or**;

- \_\_\_\_(b) Where there are habitats or species of plant life which are considered rare, sensitive, threatened or endangered by an authority recognized by the county, **or**:
- \_\_\_\_(c) Where there is or are recognized landmarks present on the site which provide visual reference and orientation for surrounding terrain (would include major promontories and rock formations but would exclude mountain forms and ranges), **or**;
- \_\_\_\_(d) Where there are historic or archeological features on the site of at least fifty years of age, which would have value to future generations due to the uncommon nature or rare representation of past times and events.
- \_\_\_\_(12) Areas located adjacent to public parks, public trails or other public lands which would materially add to or enhance the recreational opportunities of that facility:
- \_\_\_\_(a) Where such a site would constitute a logical extension of the park or other public lands including provisions for public use but has been excluded principally by lack of funds, **or**;
- \_\_\_\_(b) Where the site would provide additional public access to such lands during the duration of its open space classification, **or**;
- \_\_\_\_(c) Where the site contains unique features of recreational value which if public use of the site were allowed would expand the variety of recreational opportunities contained in the park or public land, **or**;
- \_\_\_\_(d) Where the site would act as a buffer between the park and surrounding development.
- \_\_\_\_(13) Areas which contain or abut managed or monitored wildlife preserves or sanctuaries, arboretums or other designated open space and which will enhance the value of those resources:
- \_\_\_\_(a) Where the open space designation would encompass a minimum of 10 acres in land area, **and**:
- \_\_\_\_(b) Where plant life and/or animal life contained within the site are found in abundant varieties, **or**:

- \_\_\_ (c) Where the site area can be distinguished from surrounding land due to the unusualness of the vegetation or the animal life inhabitants.
- \_\_\_ (14) Wetland areas of at least 1/4 acres in size. Associated wetland buffers of 50-feet may also be included. The wetland buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- \_\_\_ (15) Areas which lie adjacent to scenic highways which if not designated as open space would otherwise be subject to pressures for intense development:
- \_\_\_ (a) Where such highways have been designated by a city, the county or the state as scenic, and:
- \_\_\_ (b) Where at least one-half of the total site lies within 200 feet of the highway, and;
- \_\_\_ (c) Where pressures for urbanization are evident either due to provision of public water and sewer facilities to the area, subdivision activity in the immediate vicinity or the site, or the development of previously platted lands.
- \_\_\_ (16) Undeveloped areas, five acres and larger which are not within the 100 year flood plain, suitable for agricultural pursuits which may not currently be devoted to such use:
- \_\_\_ (a) Where the comprehensive land use plan or the agricultural preservation plan designates the site as suitable for agricultural development, or;
- \_\_\_ (b) Where more than 75% of the total site area contains tillable Class II or III variety soils as classified by the Soil Conservation Service.
2.  (17) Undeveloped areas which contain a minimum of five (5) acres which are located within the 100-year flood plain as established by the U. S. Army Corps of Engineers or Snohomish County.
- \_\_\_ (18) Areas where the entire site is in an undeveloped, natural state and is considered geological hazardous by an authority recognized by Snohomish County.

?



(19) Areas which are protective buffers as required by development regulations implementing the Growth Management Act.

\_\_\_\_ (20) Farm & agricultural conservation land as defined in RCW 84.34.020(8)

\_\_\_\_ (a) Land that was previously classified as Open Space Farm & Agriculture under subsection (2) of this section, that no longer meets the criteria of subsection (2) of this section, and that is reclassified under subsection (1) of this section; or

\_\_\_\_ (b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

**NOTE:** An **URBAN AREA** is defined as: an area, designated on an adopted comprehensive plan with a density of 2 or more dwelling units per acre: and/or zoned residential 20,000 (R-20,000), or at a higher density than R-20,000; and/or within an incorporated area.

Upon the adoption of urban growth boundaries pursuant to RCW 36.70A.110, urban area shall be defined as the areas within the adopted boundaries.



# Change of Classification

(Chapters 84.33 and 84.34 RCW)

EXHIBIT # 14

MOT 22-178

Tax Code: 03162 FILE  
County: SNOHOMISH**File With County Assessor**

Applicant(s) name and address:

Connie J. McNamee  
3311 Schwarzmiller Rd  
LK. Stevens, WA 98258

Phone No: (425) 290-2408

Land subject to this application (legal description): SEC 03  
TWP 29 RGE 06 LOT 2 OF 2A 8812562SP  
REC AF NO 9012210259 BEING A PTN  
OF N 1/2 SW 1/4

Assessor's Parcel or Account No:

29060300301600

Auditor's File No. on original application:

9104090304

## Change of Classification

(Check appropriate box)

The land is currently classified as Farm and Agricultural land under RCW 84.34.020(2) and I hereby request reclassification as:

- ☐ Timber land as provided under RCW 84.34.020(3), unless county has merged their timber land classification into their designated forest land program. (Attach completed form REV 64 0109 or 64 0111 and a timber-management plan)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Forest Land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☒ Farm and Agricultural Conservation land as defined in RCW 84.34.020(8)(a). (Attach completed form REV 64 0021)

The land is currently classified as Farm and Agricultural Conservation land under RCW 84.34.020(8)(a) and I hereby request reclassification to:

- ☐ Farm and Agricultural land under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

The land is currently classified as Timber land under RCW 84.34.020(3) and I hereby request reclassification as:

- ☐ Forest land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Farm and Agricultural land as provided under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

**NOTE: If request to change classification is approved, no additional tax, interest, and penalty will be imposed.**

Requests to transfer from Forest Land designation under provisions of Chapter 84.33 RCW to Current Use classification under Chapter 84.34 RCW should be made on REV 64 0038.

Attachment:

- |                                                 |                                      |                                      |                                      |
|-------------------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> REV 62 0021            | <input type="checkbox"/> REV 64 0021 | <input type="checkbox"/> REV 64 0108 | <input type="checkbox"/> REV 64 0111 |
| <input type="checkbox"/> REV 62 0110            | <input type="checkbox"/> REV 64 0024 | <input type="checkbox"/> REV 64 0109 |                                      |
| <input type="checkbox"/> Timber Management Plan |                                      |                                      |                                      |

## General Information

**RECLASSIFICATIONS are defined in RCW 84.34.070(2) as follows:**

- (2) The following reclassifications are not considered withdrawals or removals and are not subject to additional tax under RCW 84.34.108:
  - (a) Reclassification between lands under RCW 84.34.020(2) and (3);
  - (b) Reclassification of land classified under RCW 84.34.020(2) or (3) or Chapter 84.33 RCW to open space land under RCW 84.34.020(1);
  - (c) Reclassification of land classified under RCW 84.34.020(2) or (3) to forest land classified under Chapter 84.33 RCW; and
  - (d) Reclassification of land classified as open space land under RCW 84.34.020(1)(c) and reclassified to farm and agricultural land under RCW 84.34.020(2) if the land had been previously classified as farm and agricultural land under RCW 84.34.020(2).
- (3) Applications for reclassification shall be subject to applicable provisions of RCW 84.34.035, 84.34.037, 84.34.041, and Chapter 84.33 RCW.
- (4) The income criteria for land classified under RCW 84.34.020(2)(b) and (c) may be deferred for land being reclassified from land classified under RCW 84.34.020(1)(c) or (3), or Chapter 84.33 RCW into RCW 84.34.020(2)(b) or (c) for a period of up to five years from the date of reclassification.

**FARM AND AGRICULTURAL CONSERVATION LAND is defined in RCW 84.34.020(8)(a & b) as follows:**

- (8) "Farm and agricultural conservation land" means either:
  - (a) Land that was previously classified under RCW 84.34.020(2), that no longer meets the criteria and is reclassified under RCW 84.34.020 (1)(c); or
  - (b) Land that is traditional farmland that is not classified under Chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

**And also defined in RCW 84.34.037(2)(c) as follows:**

- (c) Whether granting the application for land applying under RCW 84.34.020(1)(c) will; (i) preserve land previously classified under RCW 84.34.020(2) or preserve land that is traditional farmland and not classified under Chapter 84.33 or 84.34 RCW; (ii) preserve land with a potential for returning to commercial agriculture; and (iii) affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of property.

Signatures of Owner(s) or Contract Purchaser(s):

Connie J. McNamee

\_\_\_\_\_

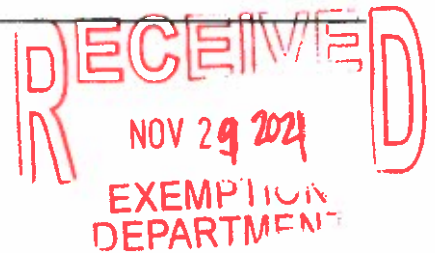
Date 11/22/21

### Assessor Use Only

If the parcel(s) subject to this document is considered contiguous, as defined in RCW 84.34.020(6), with other parcels having different ownerships, verify all remaining classified parcels with different ownerships are still:

- ☐ Adjoining
- ☐ Being managed as part of a single operation
- ☐ Meeting the definition of "family" as defined in RCW 84.34.020(6)(b)(ii) with the owner of an adjoining parcel

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**Application for Classification or Reclassification  
Open Space Land  
Chapter 84.34 RCW**

**File With The County Legislative Authority**

Name of Owner(s): Connie J. McNamee

Phone No: (425) 290-2408

Email Address: \_\_\_\_\_

Address: 3311 Schwarzmiller Rd  
LK Stevens, WA 98258

Parcel Number(s): 29060300301600

Legal Description: SEC 03 TWP 29 RGE 06 LOT 2 OF  
2A8812562 SP REC AF NO 9012210259  
BEING A PTN OF N 1/2 SW 1/4

Total Acres in Application: 19 + 0R - 19.90

Indicate what category of open space this land will qualify for:

- ☐ Conserve or enhance natural, cultural, or scenic resources
- ☐ Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- ☐ Protect soil resources, unique or critical wildlife, or native plant habitat
- ☐ Promote conservation principles by example or by offering educational opportunities
- ☐ Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- ☐ Enhance recreation opportunities
- ☐ Preserve historic or archaeological sites
- ☐ Preserve visual quality along highway, road, street corridors, or scenic vistas
- ☐ Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority
- ☒ Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
- ☐ Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture

1. Describe the present use of the land. HAY FIELD

2. Is the land subject to a lease or agreement which permits any other use than its present use? ☐ Yes ☒ No  
If yes, attach a copy of the lease agreement.

3. Describe the present improvements (residence, buildings, etc.) located on the land.  
There is a house and shop on the land, but are not included in the open space classification, they were removed before.

4. Is the land subject to any easements? ☐ Yes ☒ No  
If yes, describe the type of easement, the easement restrictions, and the length of the easement.

5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land.  
I have been doing hay on land the past 32 years. I intend to continue doing hay, but am finding it difficult to find someone to do it.

**NOTICE:**

The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.

As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070)

Print the name of each owner:

Signature of each owner:

Date

Connie J. McNamee

Connie J. McNamee

11/22/21

The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.



### **Statement of Additional Tax, Interest, and Penalty Due Upon Removal of Classification**

1. 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 in (a), paid at the same statutory rate charged on delinquent property taxes; plus
  - (c) A penalty of 20% will be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal as described in RCW 84.34.070(1).
2. The additional tax, interest, and penalty specified in (1) 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, 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 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)(f) (farm home site).
  - (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 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 designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.
  - (l) The discovery that the land was classified in error through no fault of the owner.

**FOR LEGISLATIVE AUTHORITY USE ONLY**

Date application received: \_\_\_\_\_ By: \_\_\_\_\_

Amount of processing fee collected: \$ \_\_\_\_\_

- Is the land subject to a comprehensive land use plan adopted by a city or county? ☐ Yes ☐ No

If yes, application should be processed in the same manner in which an amendment to the comprehensive land use plan is processed.

If no, application must be acted upon after a public hearing and notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing.

- If the land is not subject to a comprehensive land use plan, is the land located within an incorporated part of the county? ☐ Yes ☐ No

If yes, application must be acted upon by three members of the county legislative authority and three members of the city legislative authority. See RCW 84.34.037(1) for details.

If no, application must be acted upon by three members of the county legislative authority.

- ☐ Application approved      ☐ In whole      ☐ In part  
☐ Application denied      ☐ Date owner notified of denial (Form 64 0103): \_\_\_\_\_

If approved, date Open Space Taxation Agreement (OSTA) was mailed to owner: \_\_\_\_\_

Signed OSTA received by Legislative Authority on: \_\_\_\_\_

Copy of signed OSTA forwarded to Assessor on: \_\_\_\_\_

To ask about the availability of this publication in an alternate format for the visually impaired, please call 1-800-647-7706. Teletype (TTY) users may use the Washington Relay Service by calling 711. For assistance, contact your local county assessor's office.



## Snohomish County

### PLANNING & DEVELOPMENT SERVICES

3000 Rockefeller Avenue, M/S #304

Everett, WA 98201-4046

## OPEN SPACE CRITERIA

The Department of Planning & Development Services (PDS) reviews all Open Space/General applications according to the following checklist. In order to qualify for Open Space/General classification, **parcels must meet at least one of the criteria listed below.**

- \_\_\_\_(1) Urban areas where the entire site is in an undeveloped, natural state and has slopes of 25% or greater or where at least one-half of the total site area has slopes of at least 35% or more.
- \_\_\_\_(2) Areas designated on the comprehensive land use plan or the county park and recreation plan as potential parks, trails, or greenbelt, or designated as a critical area or environmentally sensitive area.
- \_\_\_\_(3) Areas which have plant or animal species which are considered rare, sensitive, threatened or endangered by an authority recognized by the county.
- \_\_\_\_(4) Sites within urban areas to be left in their natural state where the site is of at least 1-acre in size and is predominately forested with mature specimen trees.
- \_\_\_\_(5) Areas which are in an undeveloped, natural state and are not under the jurisdiction of the State Shoreline Management Act and are situated within stream corridors, i.e., streams and/or their associated stream buffers of 50-feet on either side of the stream. Buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- \_\_\_\_(6) Undeveloped, natural areas adjacent to water bodies which come under the jurisdiction of the State Shoreline Management Act and are designated by the master plan as "natural", "conservancy", "rural", "suburban" or "urban" type environment.

- \_\_\_\_(7) Sites within an urban area which would serve as a buffer between residential development and tracts of land in excess of five acres which are designated on an adopted comprehensive plan for commercial or industrial development:
- ✓\_\_\_\_(a) Where the site area is covered by stands of trees in excess of 20-feet in height, and, *(some of the site area has trees in excess of 20')*
- \_\_\_\_(b) Where the ground vegetation creates a visual separation of at least 50-feet between the residential tracts of land and the commercial or industrial lands, **or**;
- \_\_\_\_(c) Where the topographic features of the site form a physical separation from the abutting commercial or industrial lands by reason of gull or ravine or similar land condition.
- \_\_\_\_(8) Areas that would safely provide either public vehicular or pedestrian access to public bodies of water:
- \_\_\_\_(a) Where the site area abutting the water is at least 60-feet in width for vehicular access, **or**;
- \_\_\_\_(b) Where the site area abutting the water is at least 25-feet in width for pedestrian access.
- \_\_\_\_(9) Areas which provide a scenic vista to which the general public has safe vehicular or pedestrian access.
- \_\_\_\_(10) Sites devoted to private outdoor recreational pursuits such as golf courses, riding stables, lakes, etc., provided that access to such facilities and areas is provided to the general public free of charge or at reasonable, customary rates.
- \_\_\_\_(11) Areas which contain features of unique historic, cultural or educational values which are open to the public's use, (e.g. public access to displays, interpretive centers, etc.), free of charge or at reasonable, customary rates:
- \_\_\_\_(a) Where there are several varieties or species of flora, fauna, or both present on the site making it desirable for educational study, **or**;



- \_\_\_\_(b) Where there are habitats or species of plant life which are considered rare, sensitive, threatened or endangered by an authority recognized by the county, **or**:
- \_\_\_\_(c) Where there is or are recognized landmarks present on the site which provide visual reference and orientation for surrounding terrain (would include major promontories and rock formations but would exclude mountain forms and ranges), **or**;
- \_\_\_\_(d) Where there are historic or archeological features on the site of at least fifty years of age, which would have value to future generations due to the uncommon nature or rare representation of past times and events.
- \_\_\_\_(12) Areas located adjacent to public parks, public trails or other public lands which would materially add to or enhance the recreational opportunities of that facility:
  - \_\_\_\_(a) Where such a site would constitute a logical extension of the park or other public lands including provisions for public use but has been excluded principally by lack of funds, **or**;
  - \_\_\_\_(b) Where the site would provide additional public access to such lands during the duration of its open space classification, **or**;
  - \_\_\_\_(c) Where the site contains unique features of recreational value which if public use of the site were allowed would expand the variety of recreational opportunities contained in the park or public land, **or**;
  - \_\_\_\_(d) Where the site would act as a buffer between the park and surrounding development.
- \_\_\_\_(13) Areas which contain or abut managed or monitored wildlife preserves or sanctuaries, arboretums or other designated open space and which will enhance the value of those resources:
  - \_\_\_\_(a) Where the open space designation would encompass a minimum of 10 acres in land area, **and**:
  - \_\_\_\_(b) Where plant life and/or animal life contained within the site are found in abundant varieties, **or**:

- ☐ (c) Where the site area can be distinguished from surrounding land due to the unusualness of the vegetation or the animal life inhabitants.
- ☐ (14) Wetland areas of at least 1/4 acres in size. Associated wetland buffers of 50-feet may also be included. The wetland buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- ☐ (15) Areas which lie adjacent to scenic highways which if not designated as open space would otherwise be subject to pressures for intense development:
  - ☐ (a) Where such highways have been designated by a city, the county or the state as scenic, **and**:
  - ☐ (b) Where at least one-half of the total site lies within 200 feet of the highway, **and**;
  - ☐ (c) Where pressures for urbanization are evident either due to provision of public water and sewer facilities to the area, subdivision activity in the immediate vicinity or the site, or the development of previously platted lands.
- ☒ (16) Undeveloped areas, five acres and larger which are not within the 100 year flood plain, suitable for agricultural pursuits which may not currently be devoted to such use:
  - ☐ (a) Where the comprehensive land use plan or the agricultural preservation plan designates the site as suitable for agricultural development, **or**;
  - ☐ (b) Where more than 75% of the total site area contains tillable Class II or III variety soils as classified by the Soil Conservation Service.
- ☒ (17) Undeveloped areas which contain a minimum of five (5) acres which are located within the 100-year flood plain as established by the U. S. Army Corps of Engineers or Snohomish County.
- ☐ (18) Areas where the entire site is in an undeveloped, natural state and is considered geological hazardous by an authority recognized by Snohomish County.

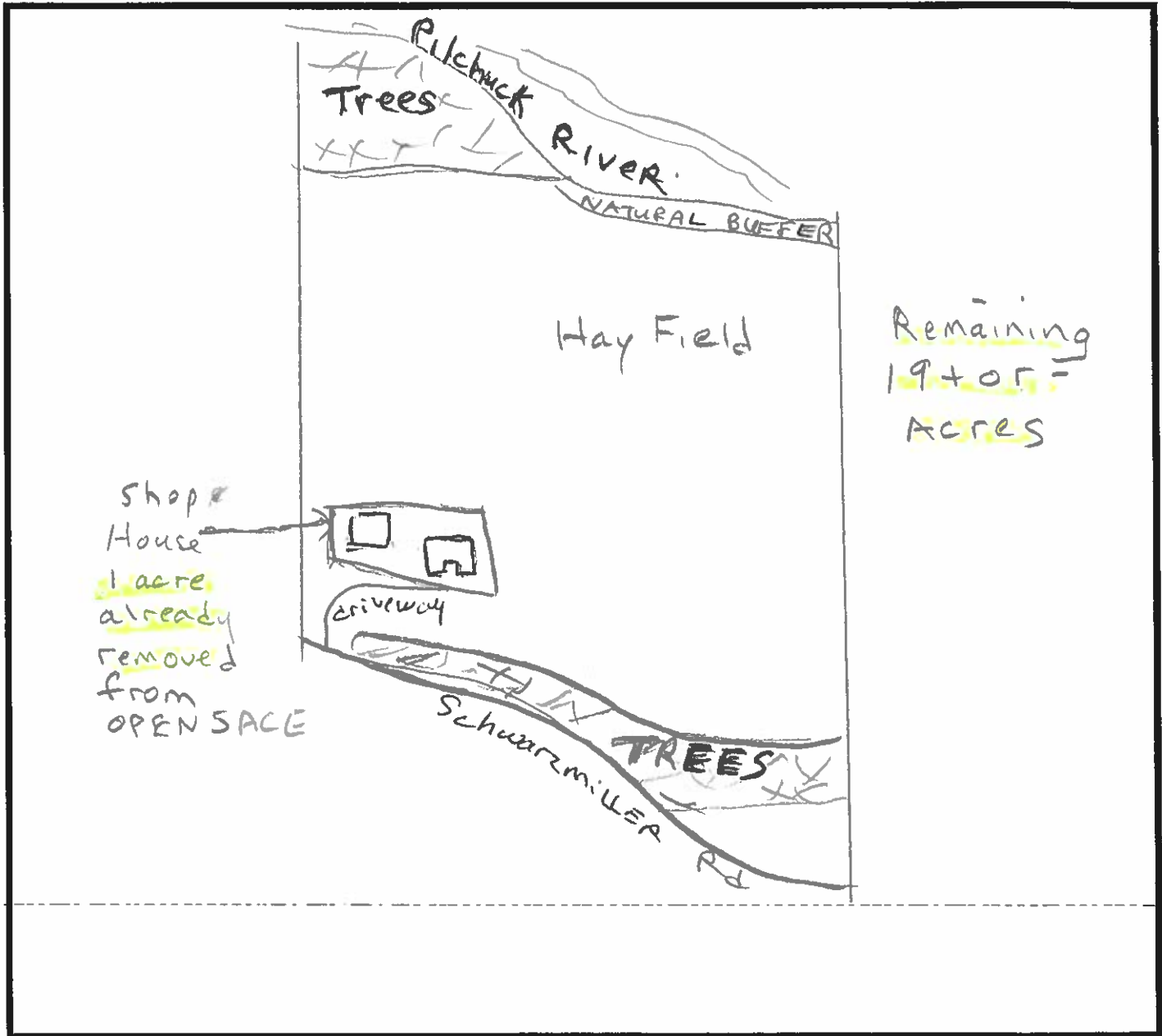
- ✓ (19) Areas which are protective buffers as required by development regulations implementing the Growth Management Act. *Area along the river*
- ✓ (20) Farm & agricultural conservation land as defined in RCW 84.34.020(8)
- ✓ (a) Land that was previously classified as Open Space Farm & Agriculture under subsection (2) of this section, that no longer meets the criteria of subsection (2) of this section, and that is reclassified under subsection (1) of this section; or
- (b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

**NOTE:** An **URBAN AREA** is defined as: an area, designated on an adopted comprehensive plan with a density of 2 or more dwelling units per acre: and/or zoned residential 20,000 (R-20,000), or at a higher density than R-20,000; and/or within an incorporated area.

Upon the adoption of urban growth boundaries pursuant to RCW 36.70A.110, urban area shall be defined as the areas within the adopted boundaries.

## SKETCHED MAP SHEET REQUIRED

Please sketch a representative drawing of your property which clearly locates all buildings, residence(s), sheds, forestlands, wetlands, buffers, roads, trails, etc. An aerial map may be attached, but will not be accepted as a replacement for this detailed sketch, as aerial maps may not always reflect recent activity on the property.



Property Owner

Courie McNamee

Parcel Number(s)

29060300301600









Connie McNamee  
3311 Schwarzmiller Rd.  
Lk. Stevens, WA98258  
(424) 290-2408

November 12, 2021

Sno. Co. Assessor's office  
3000 Rockefeller Ave. M/S 510  
Everett, WA 982021

RE: Change to Open Space Farm & Agricultural

My property has been in Farm & Agricultural for decades; this however, is the first year that I couldn't find anyone willing to cut hay. My concern going forward is I will not be able to find someone to continue doing hay for me.

I hope to keep farming the land in the future, but have enclosed the necessary documents to change the classification to Open Space Farm/Agricultural Conservation status, in the event that doesn't happen,

I purchased the property in 1988, and built a house and shop. An acre was taken out of Farm/Ag taxation at that time. Since that time I quit claimed 8 1/4 acres to my son, so that leaves 19 + or - acres to go into the new Conservation classification.

Thank you,

  
Connie McNamee

## Change of Classification

EXHIBIT # 15

(Chapters 84.33 and 84.34 RCW)

FILE MOT 22-178

Tax Code: \_\_\_\_\_

County: SNOHOMISH**File With County Assessor**

Applicant(s) name and address:

Pamela Sue Jones  
1349 Guerrero St  
San Francisco CA 94110

Assessor's Parcel or Account No:

28061000102400

Auditor's File No. on original application:

Phone No: 415-290-2508

Land subject to this application (legal description):

Section 10 Township 28 Range 06 Quarter NE Lot 13 of  
Survey REC AFN 201506028007+per testamentary  
provision REC AFN 201709120311 being PTN NE 1/4  
SP SEC (DF-78 TRANS OSA-02)

## Change of Classification

(Check appropriate box)

The land is currently classified as Farm and Agricultural land under RCW 84.34.020(2) and I hereby request reclassification as:

- ☐ Timber land as provided under RCW 84.34.020(3), unless county has merged their timber land classification into their designated forest land program. (Attach completed form REV 64 0109 or 64 0111 and a timber-management plan)
- ☒ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Forest Land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☐ Farm and Agricultural Conservation land as defined in RCW 84.34.020(8)(a). (Attach completed form REV 64 0021)

The land is currently classified as Farm and Agricultural Conservation land under RCW 84.34.020(8)(a) and I hereby request reclassification to:

- ☐ Farm and Agricultural land under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

The land is currently classified as Timber land under RCW 84.34.020(3) and I hereby request reclassification as:

- ☐ Forest land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Farm and Agricultural land as provided under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

**NOTE: If request to change classification is approved, no additional tax, interest, and penalty will be imposed.**

Requests to transfer from Forest Land designation under provisions of Chapter 84.33 RCW to Current Use classification under Chapter 84.34 RCW should be made on REV 64 0038.

Attachment:

- ☐ REV 62 0021      ☒ REV 64 0021      ☐ REV 64 0108      ☐ REV 64 0111
- ☐ REV 62 0110      ☐ REV 64 0024      ☐ REV 64 0109
- ☐ Timber Management Plan

REV 64 0060 (6/5/14)

## General Information

OPEN SPACE  
Assessor's  
Application No.

3235



**RECLASSIFICATIONS are defined in  
RCW 84.34.070(2) as follows:**

- (2) The following reclassifications are not considered withdrawals or removals and are not subject to additional tax under RCW 84.34.108:
- (a) Reclassification between lands under RCW 84.34.020(2) and (3);
  - (b) Reclassification of land classified under RCW 84.34.020(2) or (3) or Chapter 84.33 RCW to open space land under RCW 84.34.020(1);
  - (c) Reclassification of land classified under RCW 84.34.020(2) or (3) to forest land classified under Chapter 84.33 RCW; and
  - (d) Reclassification of land classified as open space land under RCW 84.34.020(1)(c) and reclassified to farm and agricultural land under RCW 84.34.020(2) if the land had been previously classified as farm and agricultural land under RCW 84.34.020(2).
- (3) Applications for reclassification shall be subject to applicable provisions of RCW 84.34.035, 84.34.037, 84.34.041, and Chapter 84.33 RCW.
- (4) The income criteria for land classified under RCW 84.34.020(2)(b) and (c) may be deferred for land being reclassified from land classified under RCW 84.34.020(1)(c) or (3), or Chapter 84.33 RCW into RCW 84.34.020(2)(b) or (c) for a period of up to five years from the date of reclassification.

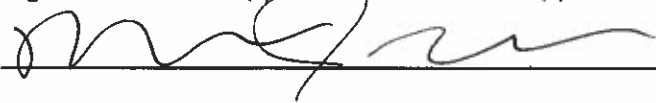
**FARM AND AGRICULTURAL CONSERVATION  
LAND is defined in RCW 84.34.020(8)(a & b) as  
follows:**

- (8) "Farm and agricultural conservation land" means either:
- (a) Land that was previously classified under RCW 84.34.020(2), that no longer meets the criteria and is reclassified under RCW 84.34.020 (1)(c); or
  - (b) Land that is traditional farmland that is not classified under Chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

**And also defined in RCW 84.34.037(2)(c) as follows:**

- (c) Whether granting the application for land applying under RCW 84.34.020(1)(c) will; (i) preserve land previously classified under RCW 84.34.020(2) or preserve land that is traditional farmland and not classified under Chapter 84.33 or 84.34 RCW; (ii) preserve land with a potential for returning to commercial agriculture; and (iii) affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of property.

Signatures of Owner(s) or Contract Purchaser(s):



Date Dec 15 2021

Assessor Use Only

If the parcel(s) subject to this document is considered contiguous, as defined in RCW 84.34.020(6), with other parcels having different ownerships, verify all remaining classified parcels with different ownerships are still:

- ☐ Adjoining
- ☐ Being managed as part of a single operation
- ☐ Meeting the definition of "family" as defined in RCW 84.34.020(6)(b)(ii) with the owner of an adjoining parcel

To ask about the availability of this publication in an alternate format for the visually impaired, please call 1-800-647-7706. Teletype (TTY) users may use the Washington Relay Service by calling 711. For tax assistance, call (360) 534-1400.

**Application for Classification or Reclassification  
Open Space Land  
Chapter 84.34 RCW**

**RECEIVED**  
DEC 20 2021  
EXEMPTION  
DEPARTMENT

**File With The County Legislative Authority**

Name of Owner(s): Pamela Sue Jones Phone No: 415-290-2508  
Email Address: Pamela.jones@gmail.com  
Address: 1349 Guerrero St.  
San Francisco CA 94110

Parcel Number(s): 28061000102400  
Legal Description: Section 10 Township 28 Range 06 Quarter NE  
Lot 13 of Surv rec AFN 201506025007+  
per testamentary prov rec AFN 201709120311 being PTN NE1/4  
SD SEC (DF-78 TRANS OSA-02)  
Total Acres in Application: 6.00

Indicate what category of open space this land will qualify for:

- ☒ Conserve or enhance natural, cultural, or scenic resources
- ☐ Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- ☐ Protect soil resources, unique or critical wildlife, or native plant habitat
- ☐ Promote conservation principles by example or by offering educational opportunities
- ☐ Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- ☐ Enhance recreation opportunities
- ☐ Preserve historic or archaeological sites
- ☐ Preserve visual quality along highway, road, street corridors, or scenic vistas
- ☐ Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority
- ☐ Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
- ☐ Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture

1. Describe the present use of the land. Undeveloped open space
2. Is the land subject to a lease or agreement which permits any other use than its present use? ☐ Yes ☒ No  
If yes, attach a copy of the lease agreement.
3. Describe the present improvements (residence, buildings, etc.) located on the land.  
none
4. Is the land subject to any easements? ☐ Yes ☒ No  
If yes, describe the type of easement, the easement restrictions, and the length of the easement.
5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land.

**NOTICE:**

The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.

As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070)

Print the name of each owner:

Pamela Sue Jones

Signature of each owner:

[Signature]

Date

Dec 15 2021

The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.

**FOR LEGISLATIVE AUTHORITY USE ONLY**

Date application received: \_\_\_\_\_ By: \_\_\_\_\_

Amount of processing fee collected: \$ \_\_\_\_\_

- Is the land subject to a comprehensive land use plan adopted by a city or county? ☐ Yes ☐ No

If yes, application should be processed in the same manner in which an amendment to the comprehensive land use plan is processed.

If no, application must be acted upon after a public hearing and notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing.

- If the land is not subject to a comprehensive land use plan, is the land located within an incorporated part of the county? ☐ Yes ☐ No

If yes, application must be acted upon by three members of the county legislative authority and three members of the city legislative authority. See RCW 84.34.037(1) for details.

If no, application must be acted upon by three members of the county legislative authority.

- ☐ Application approved ☐ In whole ☐ In part  
☐ Application denied ☐ Date owner notified of denial (Form 64 0103): \_\_\_\_\_

If approved, date Open Space Taxation Agreement (OSTA) was mailed to owner: \_\_\_\_\_

Signed OSTA received by Legislative Authority on: \_\_\_\_\_

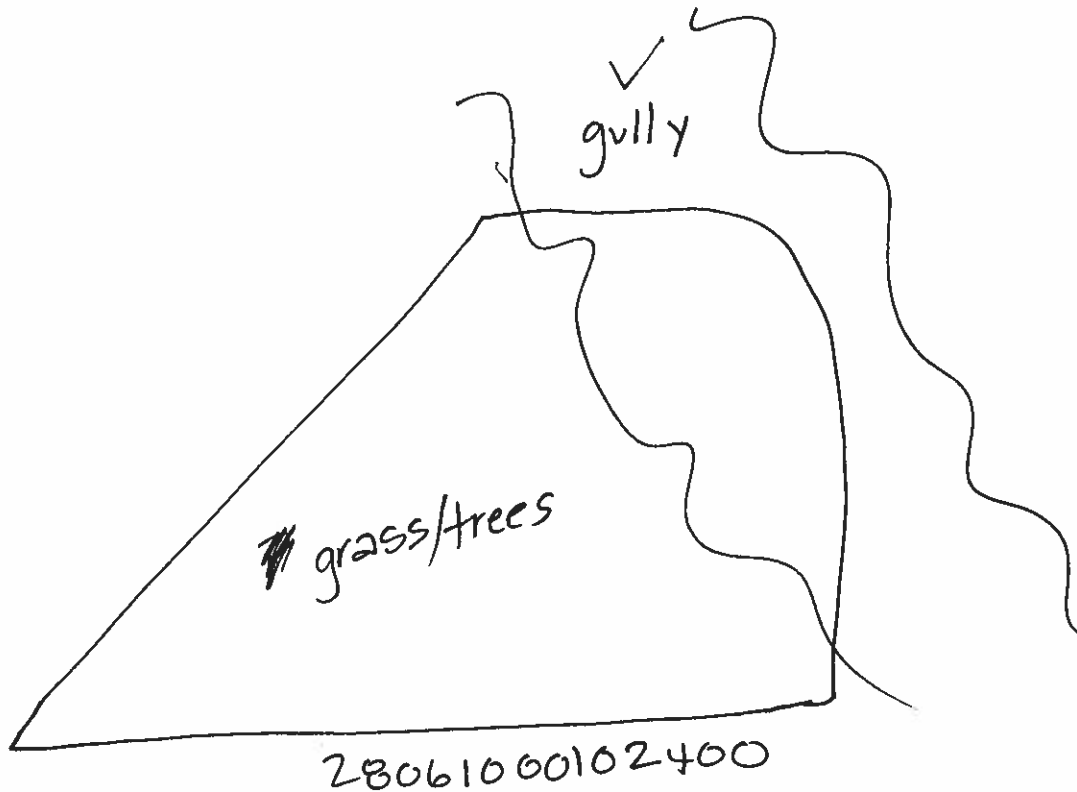
Copy of signed OSTA forwarded to Assessor on: \_\_\_\_\_

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Property Owner

Pamela S Jones

Parcel Number(s)

28061000102400

OPEN SPACE  
Assessor's  
Application No.  
3235



**Snohomish County**

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**PLANNING & DEVELOPMENT SERVICES**

3000 Rockefeller Avenue, M/S #304  
Everett, WA 98201-4046

see pp 4-5

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**Change of Classification**  
(Chapters 84.33 and 84.34 RCW)

EXHIBIT # 16FILE MOT 22-178

Tax Code: \_\_\_\_\_

County: SNOHOMISH**File With County Assessor**

Applicant(s) name and address:

Kimberley A Jones  
475 I st.  
Independence, OR 97351

Assessor's Parcel or Account No:

28061000102600 & 28061000102700

Auditor's File No. on original application:

Phone No: 503-420-1160

Land subject to this application (legal description):

Section 10 Township 28 Range 06 Quarter NE LOT 10 & 11 of Survey  
REC AFN 201506025007 & per Testamentary Provision REC AFN  
201709120309 being PTN SE 1/4 NE 1/4 SD Sec (DF-78 Trans OSA-02

**Change of Classification**  
(Check appropriate box)

The land is currently classified as Farm and Agricultural land under RCW 84.34.020(2) and I hereby request reclassification as:

- ☐ Timber land as provided under RCW 84.34.020(3), unless county has merged their timber land classification into their designated forest land program. (Attach completed form REV 64 0109 or 64 0111 and a timber-management plan)
- ☒ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Forest Land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☐ Farm and Agricultural Conservation land as defined in RCW 84.34.020(8)(a). (Attach completed form REV 64 0021)

The land is currently classified as Farm and Agricultural Conservation land under RCW 84.34.020(8)(a) and I hereby request reclassification to:

- ☐ Farm and Agricultural land under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

The land is currently classified as Timber land under RCW 84.34.020(3) and I hereby request reclassification as:

- ☐ Forest land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Farm and Agricultural land as provided under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

**NOTE: If request to change classification is approved, no additional tax, interest, and penalty will be imposed.**

Requests to transfer from Forest Land designation under provisions of Chapter 84.33 RCW to Current Use classification under Chapter 84.34 RCW should be made on REV 64 0038.

Attachment:

- ☒ REV 62 0021  
☐ REV 62 0110  
☐ Timber Management Plan

- ☐ REV 64 0021  
☐ REV 64 0024

- ☐ REV 64 0108  
☐ REV 64 0109

- ☐ REV 64 0111

REV 64 0060 (6/5/14)

OPEN SPACE  
Assessor's  
Application No  
**3236**

## General Information

**RECLASSIFICATIONS are defined in RCW 84.34.070(2) as follows:**

- (2) The following reclassifications are not considered withdrawals or removals and are not subject to additional tax under RCW 84.34.108:
  - (a) Reclassification between lands under RCW 84.34.020(2) and (3);
  - (b) Reclassification of land classified under RCW 84.34.020(2) or (3) or Chapter 84.33 RCW to open space land under RCW 84.34.020(1);
  - (c) Reclassification of land classified under RCW 84.34.020(2) or (3) to forest land classified under Chapter 84.33 RCW; and
  - (d) Reclassification of land classified as open space land under RCW 84.34.020(1)(c) and reclassified to farm and agricultural land under RCW 84.34.020(2) if the land had been previously classified as farm and agricultural land under RCW 84.34.020(2).
- (3) Applications for reclassification shall be subject to applicable provisions of RCW 84.34.035, 84.34.037, 84.34.041, and Chapter 84.33 RCW.
- (4) The income criteria for land classified under RCW 84.34.020(2)(b) and (c) may be deferred for land being reclassified from land classified under RCW 84.34.020(1)(c) or (3), or Chapter 84.33 RCW into RCW 84.34.020(2)(b) or (c) for a period of up to five years from the date of reclassification.

**FARM AND AGRICULTURAL CONSERVATION LAND is defined in RCW 84.34.020(8)(a & b) as follows:**

- (8) "Farm and agricultural conservation land" means either:
  - (a) Land that was previously classified under RCW 84.34.020(2), that no longer meets the criteria and is reclassified under RCW 84.34.020 (1)(c); or
  - (b) Land that is traditional farmland that is not classified under Chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

**And also defined in RCW 84.34.037(2)(c) as follows:**

- (c) Whether granting the application for land applying under RCW 84.34.020(1)(c) will; (i) preserve land previously classified under RCW 84.34.020(2) or preserve land that is traditional farmland and not classified under Chapter 84.33 or 84.34 RCW; (ii) preserve land with a potential for returning to commercial agriculture; and (iii) affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of property.

Signatures of Owner(s) or Contract Purchaser(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date 12/15/2021

### Assessor Use Only

If the parcel(s) subject to this document is considered contiguous, as defined in RCW 84.34.020(6), with other parcels having different ownerships, verify all remaining classified parcels with different ownerships are still:

- ☐ Adjoining
- ☐ Being managed as part of a single operation
- ☐ Meeting the definition of "family" as defined in RCW 84.34.020(6)(b)(ii) with the owner of an adjoining parcel

To ask about the availability of this publication in an alternate format for the visually impaired, please call 1-800-647-7706. Teletype (TTY) users may use the Washington Relay Service by calling 711. For tax assistance, call (360) 534-1400.





**Snohomish County**

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**PLANNING & DEVELOPMENT SERVICES**

3000 Rockefeller Avenue, M/S #304  
Everett, WA 98201-4046

## **OPEN SPACE CRITERIA**

The Department of Planning & Development Services (PDS) reviews all Open Space/General applications according to the following checklist. In order to qualify for Open Space/General classification, **parcels must meet at least one of the criteria listed below.**

- \_\_\_\_(1) Urban areas where the entire site is in an undeveloped, natural state and has slopes of 25% or greater or where at least one-half of the total site area has slopes of at least 35% or more.
- \_\_\_\_(2) Areas designated on the comprehensive land use plan or the county park and recreation plan as potential parks, trails, or greenbelt, or designated as a critical area or environmentally sensitive area.
- \_\_\_\_(3) Areas which have plant or animal species which are considered rare, sensitive, threatened or endangered by an authority recognized by the county.
- \_\_\_\_(4) Sites within urban areas to be left in their natural state where the site is of at least 1-acre in size and is predominately forested with mature specimen trees.
- \_\_\_\_(5) Areas which are in an undeveloped, natural state and are not under the jurisdiction of the State Shoreline Management Act and are situated within stream corridors, i.e., streams and/or their associated stream buffers of 50-feet on either side of the stream. Buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- \_\_\_\_(6) Undeveloped, natural areas adjacent to water bodies which come under the jurisdiction of the State Shoreline Management Act and are designated by the master plan as "natural", "conservancy", "rural", "suburban" or "urban" type environment.

- \_\_\_\_(7) Sites within an urban area which would serve as a buffer between residential development and tracts of land in excess of five acres which are designated on an adopted comprehensive plan for commercial or industrial development:
- \_\_\_\_(a) Where the site area is covered by stands of trees in excess of 20-feet in height, and,
  - \_\_\_\_(b) Where the ground vegetation creates a visual separation of at least 50-feet between the residential tracts of land and the commercial or industrial lands, or;
  - \_\_\_\_(c) Where the topographic features of the site form a physical separation from the abutting commercial or industrial lands by reason of gull or ravine or similar land condition.
- \_\_\_\_(8) Areas that would safely provide either public vehicular or pedestrian access to public bodies of water:
- \_\_\_\_(a) Where the site area abutting the water is at least 60-feet in width for vehicular access, or;
  - \_\_\_\_(b) Where the site area abutting the water is at least 25-feet in width for pedestrian access.
- \_\_\_\_(9) Areas which provide a scenic vista to which the general public has safe vehicular or pedestrian access.
- \_\_\_\_(10) Sites devoted to private outdoor recreational pursuits such as golf courses, riding stables, lakes, etc., provided that access to such facilities and areas is provided to the general public free of charge or at reasonable, customary rates.
- \_\_\_\_(11) Areas which contain features of unique historic, cultural or educational values which are open to the public's use, (e.g. public access to displays, interpretive centers, etc.), free of charge or at reasonable, customary rates:
- \_\_\_\_(a) Where there are several varieties or species of flora, fauna, or both present on the site making it desirable for educational study, or;

- \_\_\_\_(b) Where there are habitats or species of plant life which are considered rare, sensitive, threatened or endangered by an authority recognized by the county, or;
- \_\_\_\_(c) Where there is or are recognized landmarks present on the site which provide visual reference and orientation for surrounding terrain (would include major promontories and rock formations but would exclude mountain forms and ranges), or;
- \_\_\_\_(d) Where there are historic or archeological features on the site of at least fifty years of age, which would have value to future generations due to the uncommon nature or rare representation of past times and events.
- \_\_\_\_(12) Areas located adjacent to public parks, public trails or other public lands which would materially add to or enhance the recreational opportunities of that facility:
- \_\_\_\_(a) Where such a site would constitute a logical extension of the park or other public lands including provisions for public use but has been excluded principally by lack of funds, or;
- \_\_\_\_(b) Where the site would provide additional public access to such lands during the duration of its open space classification, or;
- \_\_\_\_(c) Where the site contains unique features of recreational value which if public use of the site were allowed would expand the variety of recreational opportunities contained in the park or public land, or;
- \_\_\_\_(d) Where the site would act as a buffer between the park and surrounding development.
- \_\_\_\_(13) Areas which contain or abut managed or monitored wildlife preserves or sanctuaries, arboretums or other designated open space and which will enhance the value of those resources:
- \_\_\_\_(a) Where the open space designation would encompass a minimum of 10 acres in land area, and:
- \_\_\_\_(b) Where plant life and/or animal life contained within the site are found in abundant varieties, or;

- \_\_\_\_(c) Where the site area can be distinguished from surrounding land due to the unusualness of the vegetation or the animal life inhabitants.
- \_\_\_\_(14) Wetland areas of at least 1/4 acres in size. Associated wetland buffers of 50-feet may also be included. The wetland buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- \_\_\_\_(15) Areas which lie adjacent to scenic highways which if not designated as open space would otherwise be subject to pressures for ~~X~~intense development:
- \_\_\_\_(a) Where such highways have been designated by a city, the county or the state as scenic, and;
- \_\_\_\_(b) Where at least one-half of the total site lies within 200 feet of the highway, and;
- \_\_\_\_(c) Where pressures for urbanization are evident either due to provision of public water and sewer facilities to the area, subdivision activity in the immediate vicinity or the site, or the development of previously platted lands.
- X\_\_\_\_(16) Undeveloped areas, five acres and larger which are not within the 100 year flood plain, suitable for agricultural pursuits which may not currently be devoted to such use:
- X\_\_\_\_(a) Where the comprehensive land use plan or the agricultural preservation plan designates the site as suitable for agricultural development, or;
- \_\_\_\_(b) Where more than 75% of the total site area contains tillable Class II or III variety soils as classified by the Soil Conservation Service.
- \_\_\_\_(17) Undeveloped areas which contain a minimum of five (5) acres which are located within the 100-year flood plain as established by the U. S. Army Corps of Engineers or Snohomish County.
- \_\_\_\_(18) Areas where the entire site is in an undeveloped, natural state and is considered geological hazardous by an authority recognized by Snohomish County.



\_\_\_\_\_(19) Areas which are protective buffers as required by development regulations implementing the Growth Management Act.

\_\_\_\_\_(20) Farm & agricultural conservation land as defined in RCW 84.34.020(8)

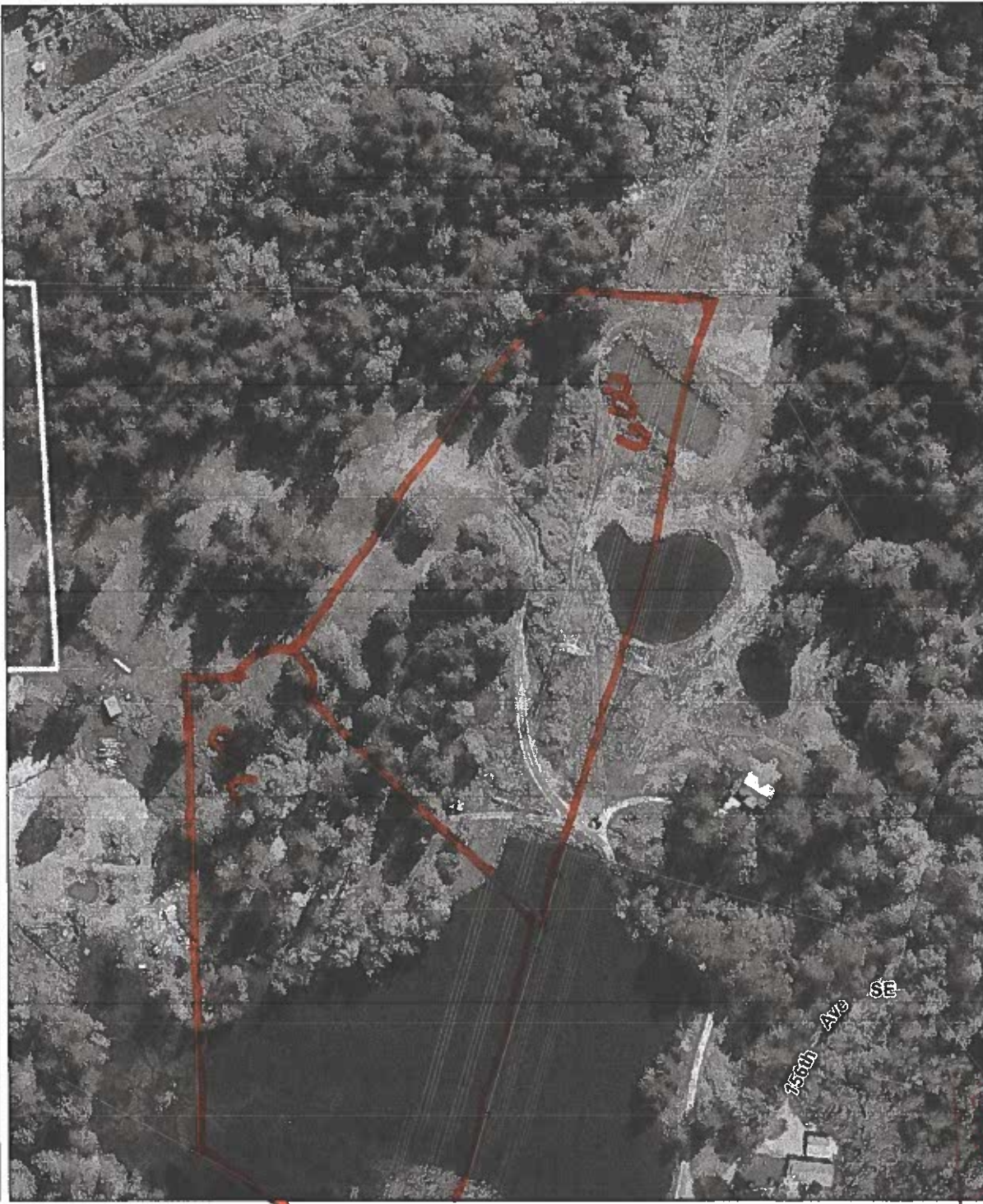
  X   (a) Land that was previously classified as Open Space Farm & Agriculture under subsection (2) of this section, that no longer meets the criteria of subsection (2) of this section, and that is reclassified under subsection (1) of this section; or

\_\_\_\_\_(b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

**NOTE:** An **URBAN AREA** is defined as: an area, designated on an adopted comprehensive plan with a density of 2 or more dwelling units per acre: and/or zoned residential 20,000 (R-20,000), or at a higher density than R-20,000; and/or within an incorporated area.

Upon the adoption of urban growth boundaries pursuant to RCW 36.70A.110, urban area shall be defined as the areas within the adopted boundaries.

### Map Title



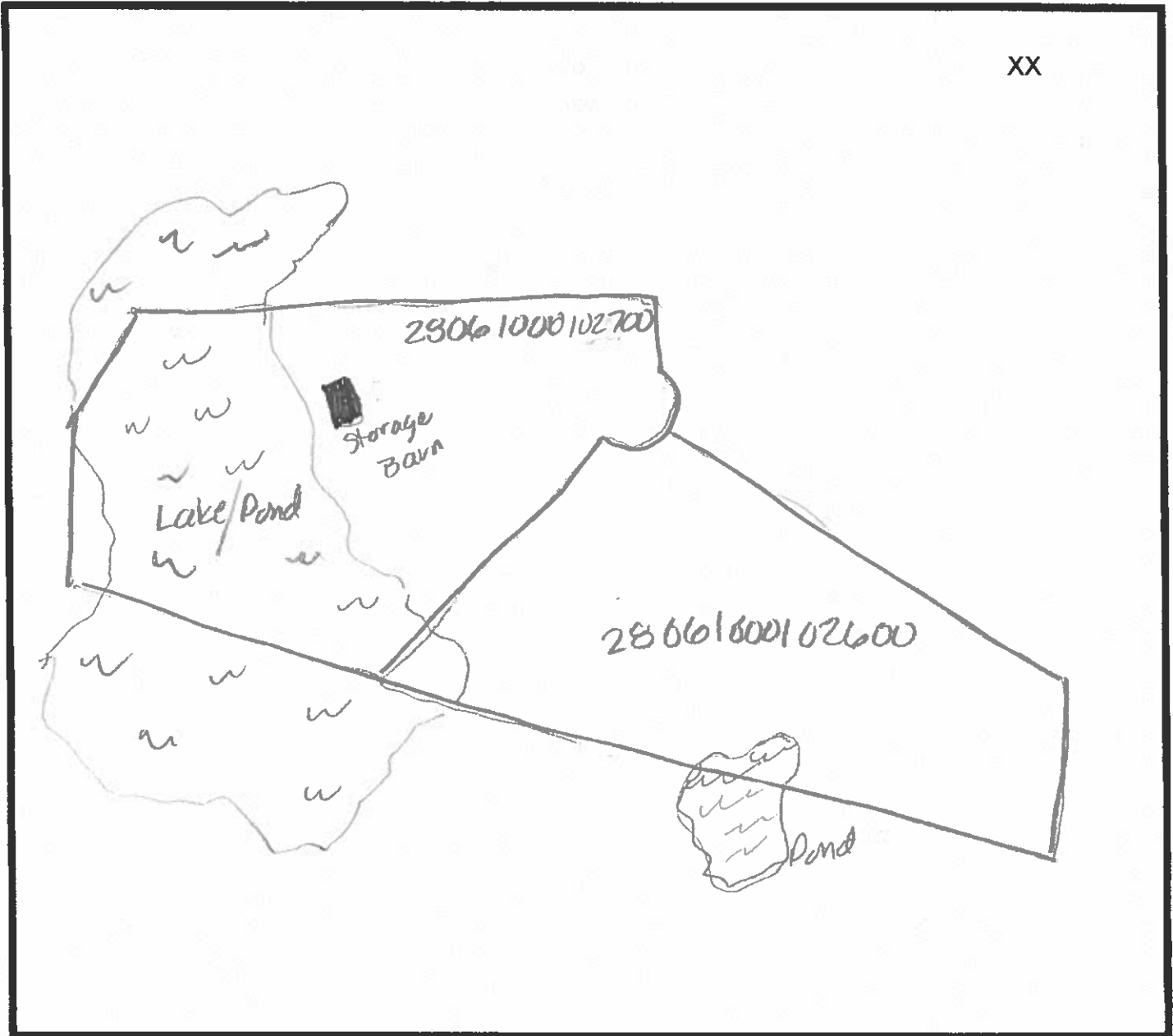
12/14/2021

450 Feet  
225

PEN SPACE  
Assessor's  
Application No.  
3236

## SKETCHED MAP SHEET REQUIRED

Please sketch a representative drawing of your property which clearly locates all buildings, residence(s), sheds, forestlands, wetlands, buffers, roads, trails, etc. An aerial map may be attached, but will not be accepted as a replacement for this detailed sketch, as aerial maps may not always reflect recent activity on the property.



Property Owner \_\_\_\_\_

Parcel Number(s) 28061000102700 + 28061000102600

OPEN SPACE  
Assessor's  
Application No.  
3236





Application for Classification or Reclassification  
Open Space Land  
Chapter 84.34 RCW

File With The County Legislative Authority

Name of Owner(s): Kimberley A Jones Phone No: 503-420-1160  
Email Address: kianjo7347@gmail.com  
Address: 475 T Street, Independence, OR 97351

Parcel Number(s): 28061000102600 & 28061000102700  
Legal Description: Section 10, Twnshp 28, Range 06, Quarter NE, LOTS 10 and 11  
of survey REC AFN 201506025007 & per testamentary provision  
rec AFN 201709120309 being PTN SE 1/4 NE 1/4 SEC (DF-78 Trans OSA-02  
Total Acres in Application: 12

Indicate what category of open space this land will qualify for:

- ☒ Conserve or enhance natural, cultural, or scenic resources
- ☐ Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- ☐ Protect soil resources, unique or critical wildlife, or native plant habitat
- ☐ Promote conservation principles by example or by offering educational opportunities
- ☐ Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- ☐ Enhance recreation opportunities
- ☐ Preserve historic or archaeological sites
- ☐ Preserve visual quality along highway, road, street corridors, or scenic vistas
- ☐ Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority
- ☐ Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
- ☐ Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture



1. Describe the present use of the land. Undeveloped open space
2. Is the land subject to a lease or agreement which permits any other use than its present use? ☐ Yes ☒ No  
If yes, attach a copy of the lease agreement.
3. Describe the present improvements (residence, buildings, etc.) located on the land.
4. Is the land subject to any easements? ☐ Yes ☒ No  
If yes, describe the type of easement, the easement restrictions, and the length of the easement.
5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land.

**NOTICE:**

The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.

As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070)

Print the name of each owner:

Kimberley A Jones

Signature of each owner:

Kimberley A Jones

Date

12/7/2021

The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.

**Statement of Additional Tax, Interest, and Penalty Due Upon Removal of Classification**

1. 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 in (a), paid at the same statutory rate charged on delinquent property taxes; plus
  - (c) A penalty of 20% will be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal as described in RCW 84.34.070(1).
2. The additional tax, interest, and penalty specified in (1) 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, 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 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 84.04.130 (See RCW 84.34.108(6)(f)).
  - (g) Removal of land classified as farm & agricultural land under RCW 84.34.020(2)(f) (farm home site).
  - (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 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 designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.
  - (l) The discovery that the land was classified in error through no fault of the owner.

**FOR LEGISLATIVE AUTHORITY USE ONLY**

Date application received: \_\_\_\_\_ By: \_\_\_\_\_

Amount of processing fee collected: \$ \_\_\_\_\_

- Is the land subject to a comprehensive land use plan adopted by a city or county? ☐ Yes ☐ No

If yes, application should be processed in the same manner in which an amendment to the comprehensive land use plan is processed.

If no, application must be acted upon after a public hearing and notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing.

- If the land is not subject to a comprehensive land use plan, is the land located within an incorporated part of the county? ☐ Yes ☐ No

If yes, application must be acted upon by three members of the county legislative authority and three members of the city legislative authority. See RCW 84.34.037(1) for details.

If no, application must be acted upon by three members of the county legislative authority.

- ☐ Application approved ☐ In whole ☐ In part  
☐ Application denied ☐ Date owner notified of denial (Form 64 0103): \_\_\_\_\_

If approved, date Open Space Taxation Agreement (OSTA) was mailed to owner: \_\_\_\_\_

Signed OSTA received by Legislative Authority on: \_\_\_\_\_

Copy of signed OSTA forwarded to Assessor on: \_\_\_\_\_

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# Change of Classification

(Chapters 84.33 and 84.34 RCW)

EXHIBIT # 17FILE MOT 22-178

Tax Code: \_\_\_\_\_

County: SNOHOMISH**File With County Assessor**

Applicant(s) name and address:

Anthony & Jessica Poulhaar  
22604 141st Dr NE  
98223  
Arlington Wc.

Assessor's Parcel or Account No:

31060400403700

Auditor's File No. on original application:

Phone No:

360-631-0277

Land subject to this application (legal description):

Sec 04 TWP 31 R6E 06

**Change of Classification**

(Check appropriate box)

The land is currently classified as Farm and Agricultural land under RCW 84.34.020(2) and I hereby request reclassification as:

- ☐ Timber land as provided under RCW 84.34.020(3), unless county has merged their timber land classification into their designated forest land program. (Attach completed form REV 64 0109 or 64 0111 and a timber-management plan)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Forest Land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☒ Farm and Agricultural Conservation land as defined in RCW 84.34.020(8)(a). (Attach completed form REV 64 0021)

The land is currently classified as Farm and Agricultural Conservation land under RCW 84.34.020(8)(a) and I hereby request reclassification to:

- ☐ Farm and Agricultural land under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

The land is currently classified as Timber land under RCW 84.34.020(3) and I hereby request reclassification as:

- ☐ Forest land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Farm and Agricultural land as provided under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

**NOTE: If request to change classification is approved, no additional tax, interest, and penalty will be imposed.**

Requests to transfer from Forest Land designation under provisions of Chapter 84.33 RCW to Current Use classification under Chapter 84.34 RCW should be made on REV 64 0038.

Attachment:

☐ REV 62 0021☐ REV 64 0021☐ REV 64 0108☐ REV 64 0111☐ REV 62 0110☐ REV 64 0024☐ REV 64 0109☐ Timber Management Plan



## General Information

### RECLASSIFICATIONS are defined in

#### RCW 84.34.070(2) as follows:

- (2) The following reclassifications are not considered withdrawals or removals and are not subject to additional tax under RCW 84.34.108:
  - (a) Reclassification between lands under RCW 84.34.020(2) and (3);
  - (b) Reclassification of land classified under RCW 84.34.020(2) or (3) or Chapter 84.33 RCW to open space land under RCW 84.34.020(1);
  - (c) Reclassification of land classified under RCW 84.34.020(2) or (3) to forest land classified under Chapter 84.33 RCW; and
  - (d) Reclassification of land classified as open space land under RCW 84.34.020(1)(c) and reclassified to farm and agricultural land under RCW 84.34.020(2) if the land had been previously classified as farm and agricultural land under RCW 84.34.020(2).
- (3) Applications for reclassification shall be subject to applicable provisions of RCW 84.34.035, 84.34.037, 84.34.041, and Chapter 84.33 RCW.
- (4) The income criteria for land classified under RCW 84.34.020(2)(b) and (c) may be deferred for land being reclassified from land classified under RCW 84.34.020(1)(c) or (3), or Chapter 84.33 RCW into RCW 84.34.020(2)(b) or (c) for a period of up to five years from the date of reclassification.


### FARM AND AGRICULTURAL CONSERVATION LAND is defined in RCW 84.34.020(8)(a & b) as follows:

- (8) "Farm and agricultural conservation land" means either:
  - (a) Land that was previously classified under RCW 84.34.020(2), that no longer meets the criteria and is reclassified under RCW 84.34.020 (1)(c); or
  - (b) Land that is traditional farmland that is not classified under Chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

### And also defined in RCW 84.34.037(2)(c) as follows:

- (c) Whether granting the application for land applying under RCW 84.34.020(1)(c) will; (i) preserve land previously classified under RCW 84.34.020(2) or preserve land that is traditional farmland and not classified under Chapter 84.33 or 84.34 RCW; (ii) preserve land with a potential for returning to commercial agriculture; and (iii) affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of property.

Signatures of Owner(s) or Contract Purchaser(s):



Date 12/28/2021

### Assessor Use Only

If the parcel(s) subject to this document is considered contiguous, as defined in RCW 84.34.020(6), with other parcels having different ownerships, verify all remaining classified parcels with different ownerships are still:

- ☐ Adjoining
- ☐ Being managed as part of a single operation
- ☐ Meeting the definition of "family" as defined in RCW 84.34.020(6)(b)(ii) with the owner of an adjoining parcel

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Application for Classification or Reclassification  
Open Space Land  
Chapter 84.34 RCW

File With The County Legislative Authority

Name of Owner(s): Anthony & Jessica Ronhaar Phone No: 360-631-0277  
Email Address: Anthony.Ronhaar@gmail.com JRonhaar@YD.org  
Address: 22604 / 141st Dr NE Arlington WA 98223

Parcel Number(s): 31060400403700

Legal Description: Sec 04 TWP 31 R6E Q2 RT-14B2 E  
1/2 NW 1/4 SE 1/4 SE 1/4 ENE N

Total Acres in Application: 4.47

Indicate what category of open space this land will qualify for:

- ☐ Conserve or enhance natural, cultural, or scenic resources
- ☐ Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- ☐ Protect soil resources, unique or critical wildlife, or native plant habitat
- ☐ Promote conservation principles by example or by offering educational opportunities
- ☐ Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- ☐ Enhance recreation opportunities
- ☐ Preserve historic or archaeological sites
- ☐ Preserve visual quality along highway, road, street corridors, or scenic vistas
- ☐ Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority
- ☐ Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
- ☒ Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture

1. Describe the present use of the land. Unused Field, Deer Grazing

2. Is the land subject to a lease or agreement which permits any other use than its present use? ☐ Yes ☒ No  
If yes, attach a copy of the lease agreement.

3. Describe the present improvements (residence, buildings, etc.) located on the land.  
None

4. Is the land subject to any easements? ☒ Yes ☐ No  
If yes, describe the type of easement, the easement restrictions, and the length of the easement.  
Shared Well agreement, allows shared well user access to approximate 20'x30' strip at bottom of hill.

5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land.  
Previous owner had kept horses, sheep on property. We had hoped to raise livestock but have not yet been able to. In the future we hope that an orchard will be on property.

**NOTICE:**  
The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.

As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070)

| Print the name of each owner: | Signature of each owner: | Date             |
|-------------------------------|--------------------------|------------------|
| <u>Anthony Renhaar</u>        | <u>Anthony Renhaar</u>   | <u>12-2-2021</u> |
| <u>Jessica Renhaar</u>        | <u>Jessica Renhaar</u>   | <u>12/2/2021</u> |

The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.



**Snohomish County**

**PLANNING & DEVELOPMENT SERVICES**

3000 Rockefeller Avenue, M/S #304  
Everett, WA 98201-4046

## **OPEN SPACE CRITERIA**

The Department of Planning & Development Services (PDS) reviews all Open Space/General applications according to the following checklist. In order to qualify for Open Space/General classification, **parcels must meet at least one of the criteria listed below.**

- \_\_\_\_(1) Urban areas where the entire site is in an undeveloped, natural state and has slopes of 25% or greater or where at least one-half of the total site area has slopes of at least 35% or more.
- \_\_\_\_(2) Areas designated on the comprehensive land use plan or the county park and recreation plan as potential parks, trails, or greenbelt, or designated as a critical area or environmentally sensitive area.
- \_\_\_\_(3) Areas which have plant or animal species which are considered rare, sensitive, threatened or endangered by an authority recognized by the county.
- \_\_\_\_(4) Sites within urban areas to be left in their natural state where the site is of at least 1-acre in size and is predominately forested with mature specimen trees.
- \_\_\_\_(5) Areas which are in an undeveloped, natural state and are not under the jurisdiction of the State Shoreline Management Act and are situated within stream corridors, i.e., streams and/or their associated stream buffers of 50-feet on either side of the stream. Buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- \_\_\_\_(6) Undeveloped, natural areas adjacent to water bodies which come under the jurisdiction of the State Shoreline Management Act and are designated by the master plan as "natural", "conservancy", "rural", "suburban" or "urban" type environment.



- \_\_\_\_(7) Sites within an urban area which would serve as a buffer between residential development and tracts of land in excess of five acres which are designated on an adopted comprehensive plan for commercial or industrial development:
  - \_\_\_\_(a) Where the site area is covered by stands of trees in excess of 20-feet in height, and,
  - \_\_\_\_(b) Where the ground vegetation creates a visual separation of at least 50-feet between the residential tracts of land and the commercial or industrial lands, or;
  - \_\_\_\_(c) Where the topographic features of the site form a physical separation from the abutting commercial or industrial lands by reason of gull or ravine or similar land condition.
- \_\_\_\_(8) Areas that would safely provide either public vehicular or pedestrian access to public bodies of water:
  - \_\_\_\_(a) Where the site area abutting the water is at least 60-feet in width for vehicular access, or;
  - \_\_\_\_(b) Where the site area abutting the water is at least 25-feet in width for pedestrian access.
- \_\_\_\_(9) Areas which provide a scenic vista to which the general public has safe vehicular or pedestrian access.
- \_\_\_\_(10) Sites devoted to private outdoor recreational pursuits such as golf courses, riding stables, lakes, etc., provided that access to such facilities and areas is provided to the general public free of charge or at reasonable, customary rates.
- \_\_\_\_(11) Areas which contain features of unique historic, cultural or educational values which are open to the public's use, (e.g. public access to displays, interpretive centers, etc.), free of charge or at reasonable, customary rates:
  - \_\_\_\_(a) Where there are several varieties or species of flora, fauna, or both present on the site making it desirable for educational study, or;

\_\_\_\_(b) Where there are habitats or species of plant life which are considered rare, sensitive, threatened or endangered by an authority recognized by the county, or;

\_\_\_\_(c) Where there is or are recognized landmarks present on the site which provide visual reference and orientation for surrounding terrain (would include major promontories and rock formations but would exclude mountain forms and ranges), or;

\_\_\_\_(d) Where there are historic or archeological features on the site of at least fifty years of age, which would have value to future generations due to the uncommon nature or rare representation of past times and events.

\_\_\_\_(12) Areas located adjacent to public parks, public trails or other public lands which would materially add to or enhance the recreational opportunities of that facility:

other \_\_\_\_ (a) Where such a site would constitute a logical extension of the park or public lands including provisions for public use but has been excluded principally by lack of funds, or;

\_\_\_\_(b) Where the site would provide additional public access to such lands during the duration of its open space classification, or;

\_\_\_\_(c) Where the site contains unique features of recreational value which if public use of the site were allowed would expand the variety of recreational opportunities contained in the park or public land, or;

\_\_\_\_(d) Where the site would act as a buffer between the park and surrounding development.

\_\_\_\_(13) Areas which contain or abut managed or monitored wildlife preserves or sanctuaries, arboreturns or other designated open space and which will enhance the value of those resources:

\_\_\_\_(a) Where the open space designation would encompass a minimum of 10 acres in land area, and:

\_\_\_\_(b) Where plant life and/or animal life contained within the site are found in abundant varieties, or:

- \_\_\_\_(c) Where the site area can be distinguished from surrounding land due to the unusualness of the vegetation or the animal life inhabitants.
- \_\_\_\_(14) Wetland areas of at least 1/4 acres in size. Associated wetland buffers of 50-feet may also be included. The wetland buffer width may be increased from the 50-foot standard due to topographic, vegetative or wildlife habitat features which would logically suggest a wider buffer.
- \_\_\_\_(15) Areas which lie adjacent to scenic highways which if not designated as open space would otherwise be subject to pressures for intense development:
- \_\_\_\_(a) Where such highways have been designated by a city, the county or the state as scenic, and:
- \_\_\_\_(b) Where at least one-half of the total site lies within 200 feet of the highway,  
and;
- \_\_\_\_(c) Where pressures for urbanization are evident either due to provision of public water and sewer facilities to the area, subdivision activity in the immediate vicinity or the site, or the development of previously platted lands.
- \_\_\_\_(16) Undeveloped areas, five acres and larger which are not within the 100 year flood plain, suitable for agricultural pursuits which may not currently be devoted to such use:
- \_\_\_\_(a) Where the comprehensive land use plan or the agricultural preservation plan designates the site as suitable for agricultural development, or;
- \_\_\_\_(b) Where more than 75% of the total site area contains tillable Class I or III variety soils as classified by the Soil Conservation Service.
- \_\_\_\_(17) Undeveloped areas which contain a minimum of five (5) acres which are located within the 100-year flood plain as established by the U. S. Army Corps of Engineers or Snohomish County.
- \_\_\_\_(18) Areas where the entire site is in an undeveloped, natural state and is considered geological hazardous by an authority recognized by Snohomish County.

\_\_\_\_ (19) Areas which are protective buffers as required by development regulations implementing the Growth Management Act.

✓ \_\_\_\_ (20) Farm & agricultural conservation land as defined in RCW 84.34.020(8)

\_\_\_\_ (a) Land that was previously classified as Open Space Farm & Agriculture under subsection (2) of this section, that no longer meets the criteria of subsection (2) of this section, and that is reclassified under subsection (1) of this section; or

✓ \_\_\_\_ (b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

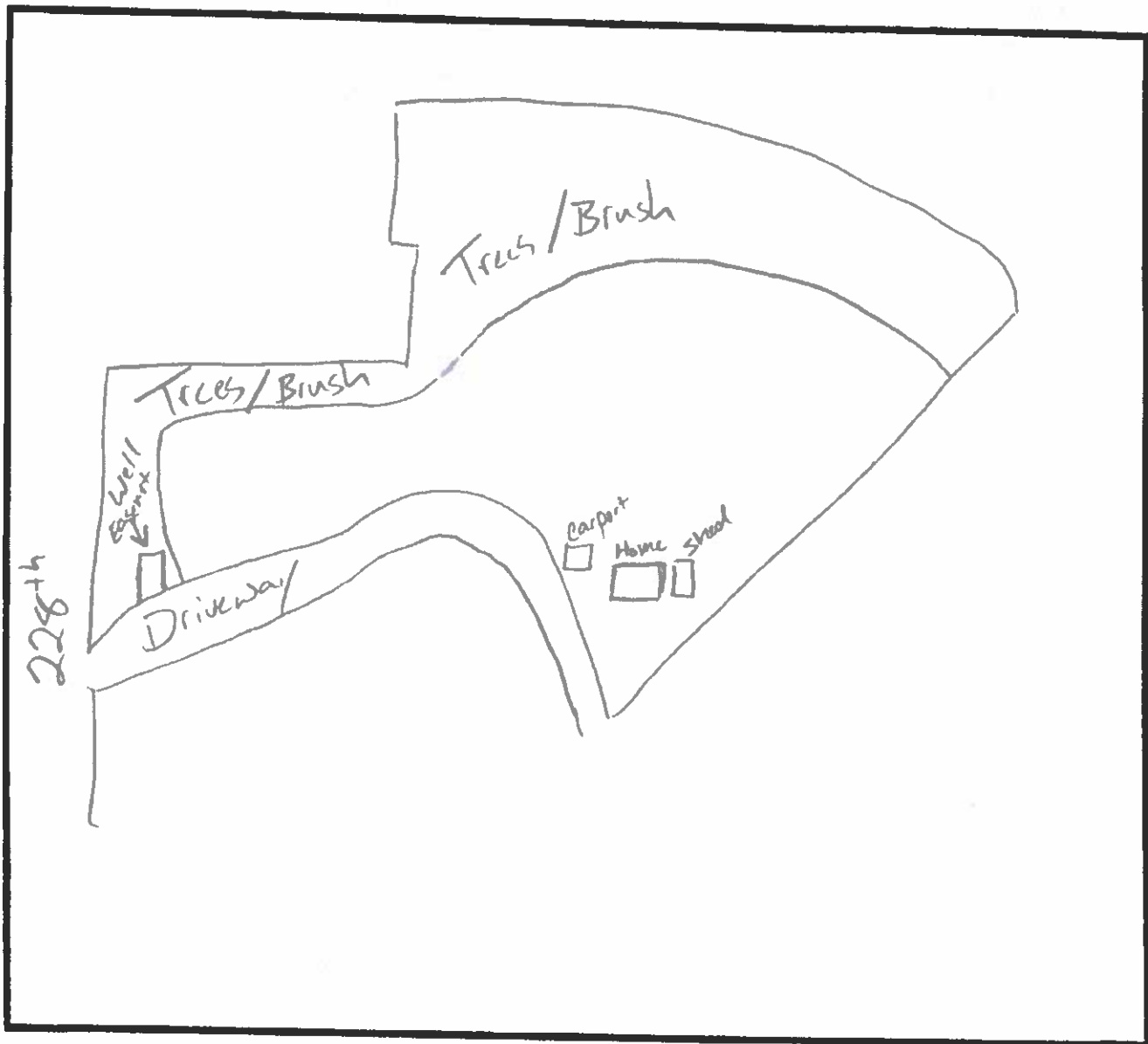
**NOTE:** An **URBAN AREA** is defined as: an area, designated on an adopted comprehensive plan with a density of 2 or more dwelling units per acre; and/or zoned residential 20,000 (R-20,000), or at a higher density than R-20,000; and/or within an incorporated area.

Upon the adoption of urban growth boundaries pursuant to RCW 36.70A.110, urban area shall be defined as the areas within the adopted boundaries.



### SKETCHED MAP SHEET REQUIRED

Please sketch a representative drawing of your property which clearly locates all buildings, residence(s), sheds, forestlands, wetlands, buffers, roads, trails, etc. An aerial map may be attached, but will not be accepted as a replacement for this detailed sketch, as aerial maps may not always reflect recent activity on the property.



Property Owner

Anthony & Jessica Ronhaar

Parcel Number(s)

31060400403700



Application for Classification or Reclassification  
Open Space Land  
Chapter 84.34 RCW

SNOHOMISH COUNTY COUNCIL  
EXHIBIT # 18  
FILE MOT 22-178

File With The County Legislative Authority

Name of Owner(s): Elin Ramsey Phone No: 4257858873  
Email Address: elinramsey@gmail.com  
Address: 17120 313th st NE Arlington WA, 98223

|                             |                                                                                                                                                                                       |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Parcel Number(s):           | <u>32061100101200</u>                                                                                                                                                                 |
| Legal Description:          | <u>SEC 11 TWP 32 RGE 06 RT-3A) W1/2 OF BEG SE COR NE1/4 NE1/4 TH</u><br><u>N 434.5FT TH W 2640FT TH S 571.72FT TH NELY TO S LN NW1/4</u><br><u>NE1/4 TH E 2497.75FT TO POB OSA 72</u> |
| Total Acres in Application: | <u>13.2</u>                                                                                                                                                                           |

- Indicate what category of open space this land will qualify for:
- ☐ Conserve or enhance natural, cultural, or scenic resources
  - ☒ Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
  - ☒ Protect soil resources, unique or critical wildlife, or native plant habitat
  - ☐ Promote conservation principles by example or by offering educational opportunities
  - ☐ Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
  - ☐ Enhance recreation opportunities
  - ☐ Preserve historic or archaeological sites
  - ☐ Preserve visual quality along highway, road, street corridors, or scenic vistas
  - ☐ Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority
  - ☐ Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
  - ☐ Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture

RECEIVED  
JAN 21 2022  
EXEMPTION  
DEPARTMENT


OPEN SPACE  
Assessor's  
Application No.  
3239

1. Describe the present use of the land. Pasture in ~3.5 acre. Unmanaged wetland in remaining
2. Is the land subject to a lease or agreement which permits any other use than its present use? ☐ Yes ☒ No  
If yes, attach a copy of the lease agreement.
3. Describe the present improvements (residence, buildings, etc.) located on the land.  
No buildings currently
4. Is the land subject to any easements? ☐ Yes ☐ No  
If yes, describe the type of easement, the easement restrictions, and the length of the easement.
5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land.  
Previously 3.5 acres were used for pasture. Please see attached narrative for future plan

**NOTICE:**  
The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.

As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070)

|                                      |                                                                                                                                          |             |
|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <b>Print the name of each owner:</b> | <b>Signature of each owner:</b>                                                                                                          | <b>Date</b> |
| Elin Ramsey                          | <div>DocuSigned by:<br/><br/>12A449B800394A4...</div> | 1/21/2022   |

The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.

**Statement of Additional Tax, Interest, and Penalty Due Upon Removal of Classification**

1. 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 in (a), paid at the same statutory rate charged on delinquent property taxes; plus
  - (c) A penalty of 20% will be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal as described in RCW 84.34.070(1).
2. The additional tax, interest, and penalty specified in (1) 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, 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 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)(f) (farm home site).
  - (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 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 designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.
  - (l) The discovery that the land was classified in error through no fault of the owner.



**FOR LEGISLATIVE AUTHORITY USE ONLY**

Date application received: \_\_\_\_\_ By: \_\_\_\_\_

Amount of processing fee collected: \$ \_\_\_\_\_

- Is the land subject to a comprehensive land use plan adopted by a city or county? ☐ Yes ☐ No

If yes, application should be processed in the same manner in which an amendment to the comprehensive land use plan is processed.

If no, application must be acted upon after a public hearing and notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing.

- If the land is not subject to a comprehensive land use plan, is the land located within an incorporated part of the county? ☐ Yes ☐ No

If yes, application must be acted upon by three members of the county legislative authority and three members of the city legislative authority. See RCW 84.34.037(1) for details.

If no, application must be acted upon by three members of the county legislative authority.

- ☐ Application approved ☐ In whole ☐ In part  
☐ Application denied ☐ Date owner notified of denial (Form 64 0103): \_\_\_\_\_

If approved, date Open Space Taxation Agreement (OSTA) was mailed to owner: \_\_\_\_\_

Signed OSTA received by Legislative Authority on: \_\_\_\_\_

Copy of signed OSTA forwarded to Assessor on: \_\_\_\_\_

To ask about the availability of this publication in an alternate format for the visually impaired, please call 1-800-647-7706. Teletype (TTY) users may use the Washington Relay Service by calling 711. For assistance, contact your local county assessor's office.

**Change of Classification**  
**(Chapters 84.33 and 84.34 RCW)**

Tax Code: 32061100101200

**File With County Assessor**

County: **SNOHOMISH**

|                                                                                                                                                                                                                                                                                        |                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| <p>Applicant(s) name and address:<br/>Elin Ramsey 17120 313th st NE Arlington WA</p> <p>Phone No: 4257858873</p> <p>Land subject to this application (legal description):<br/>SEC 11 TWP 32 RGE 06 RT-3A) W1/2 OF BEG SE COR NE1/4 NE1/4 TH N 434.5FT TH W 2640FT TH S 571.72FT TH</p> | <p>Assessor's Parcel or Account No:<br/>_____</p> <p>Auditor's File No. on original application:<br/>_____</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|

**Change of Classification**  
(Check appropriate box)

The land is currently classified as Farm and Agricultural land under RCW 84.34.020(2) and I hereby request reclassification as:

- ☐ Timber land as provided under RCW 84.34.020(3), unless county has merged their timber land classification into their designated forest land program. (Attach completed form REV 64 0109 or 64 0111 and a timber-management plan)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Forest Land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☒ Farm and Agricultural Conservation land as defined in RCW 84.34.020(8)(a). (Attach completed form REV 64 0021)

The land is currently classified as Farm and Agricultural Conservation land under RCW 84.34.020(8)(a) and I hereby request reclassification to:

- ☐ Farm and Agricultural land under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

The land is currently classified as Timber land under RCW 84.34.020(3) and I hereby request reclassification as:

- ☐ Forest land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Farm and Agricultural land as provided under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

**NOTE: If request to change classification is approved, no additional tax, interest, and penalty will be imposed.**

Requests to transfer from Forest Land designation under provisions of Chapter 84.33 RCW to Current Use classification under Chapter 84.34 RCW should be made on REV 64 0038.

Attachment:

- |                                                 |                                      |                                      |                                      |
|-------------------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|
| <input checked="" type="checkbox"/> REV 62 0021 | <input type="checkbox"/> REV 64 0021 | <input type="checkbox"/> REV 64 0108 | <input type="checkbox"/> REV 64 0111 |
| <input type="checkbox"/> REV 62 0110            | <input type="checkbox"/> REV 64 0024 | <input type="checkbox"/> REV 64 0109 |                                      |
| <input type="checkbox"/> Timber Management Plan |                                      |                                      |                                      |

OPEN SPACE  
Assessor's  
Application No.  
**3239**

## General Information

### RECLASSIFICATIONS are defined in

#### RCW 84.34.070(2) as follows:

- (2) The following reclassifications are not considered withdrawals or removals and are not subject to additional tax under RCW 84.34.108:
  - (a) Reclassification between lands under RCW 84.34.020(2) and (3);
  - (b) Reclassification of land classified under RCW 84.34.020(2) or (3) or Chapter 84.33 RCW to open space land under RCW 84.34.020(1);
  - (c) Reclassification of land classified under RCW 84.34.020(2) or (3) to forest land classified under Chapter 84.33 RCW; and
  - (d) Reclassification of land classified as open space land under RCW 84.34.020(1)(c) and reclassified to farm and agricultural land under RCW 84.34.020(2) if the land had been previously classified as farm and agricultural land under RCW 84.34.020(2).
- (3) Applications for reclassification shall be subject to applicable provisions of RCW 84.34.035, 84.34.037, 84.34.041, and Chapter 84.33 RCW.
- (4) The income criteria for land classified under RCW 84.34.020(2)(b) and (c) may be deferred for land being reclassified from land classified under RCW 84.34.020(1)(c) or (3), or Chapter 84.33 RCW into RCW 84.34.020(2)(b) or (c) for a period of up to five years from the date of reclassification.

### FARM AND AGRICULTURAL CONSERVATION LAND is defined in RCW 84.34.020(8)(a & b) as follows:

- (8) "Farm and agricultural conservation land" means either:
  - (a) Land that was previously classified under RCW 84.34.020(2), that no longer meets the criteria and is reclassified under RCW 84.34.020 (1)(c); or
  - (b) Land that is traditional farmland that is not classified under Chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

### And also defined in RCW 84.34.037(2)(c) as follows:

- (c) Whether granting the application for land applying under RCW 84.34.020(1)(c) will; (i) preserve land previously classified under RCW 84.34.020(2) or preserve land that is traditional farmland and not classified under Chapter 84.33 or 84.34 RCW; (ii) preserve land with a potential for returning to commercial agriculture; and (iii) affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of property.

Signatures of Owner(s) or Contract Purchaser(s):

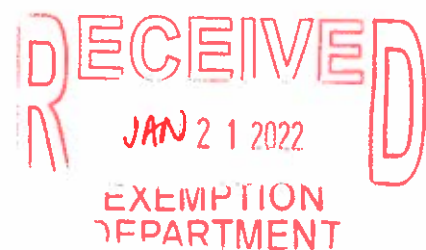
DocuSigned by:

*Elin Ramsey*

12A449B800394A4...

Elin Ramsey

Date 1/21/2022



### Assessor Use Only

If the parcel(s) subject to this document is considered contiguous, as defined in RCW 84.34.020(6), with other parcels having different ownerships, verify all remaining classified parcels with different ownerships are still:

- ☐ Adjoining
- ☐ Being managed as part of a single operation
- ☐ Meeting the definition of "family" as defined in RCW 84.34.020(6)(b)(ii) with the owner of an adjoining parcel

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Teletype (TTY) users may use the Washington Relay Service by calling 711. For tax assistance, call (360) 534-1400.

The Belle Roe Farm project consists of shifting the current agricultural use on parcel 32061100101200 from pasture to a mixed vegetable, berry, and fruit tree farm that will also serve as a residence. This will match the neighborhood character of mixed residential and agricultural uses.

The parcel is 13.2 acres, of which approximately 3.5 acres are currently cleared for pasture. All building and farming activities will take place in the already cleared area while respecting the Cat III wetlands and forested area on the rest of the parcel.

3 structures, residence, farm stand/ag building, and animal barn will be built over the course of 3-5 years to support the agricultural business.

The farm stand/ag building will be approximately 2,500 sq ft and serve as a farm stand as well as a general storage, washing, and processing area for agricultural building. Construction is desired to begin in Nov 2022.

The residence will be approximately 2,400 sq ft and serve as a residence for the farm owners (Elin Ramsey and Jon Kimbel) as well for potential farm workers. Construction is not yet scheduled.

The barn will be approximately 2,400 sq ft and house a mixture of fowl, sheep, or other farm animals. Construction is not yet scheduled.

All buildings are situated outside of the wetland buffer. Farming activities will be done in accordance with a farm plan co-authored with the Snohomish County Conservation dept.