



Staff Report and Recommendation

Report Date: November 13, 2018
Hearing Date: November 20, 2018

Application Submittal Date: July 10, 2018
Application Complete Date: July 16, 2018

Project Name: Burke Open Space
Type of Application: Open Space Application
Permit Number: 18-02890

Project Location

No Assigned Address
Angeline Ave NE
Suquamish, WA 98392
Parcel #:4390-007-003-0101
Commissioner District #1

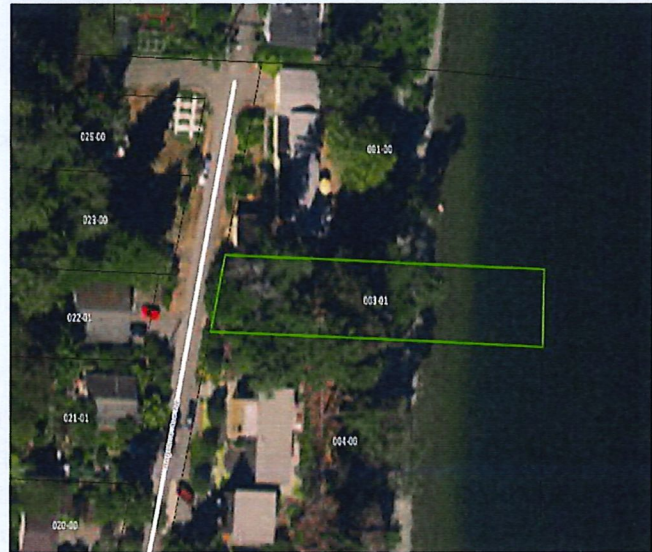
Assessor's Account

4390-007-003-0101

Applicant/Owner of Record

Martha Burke
18754 Angeline Ave NE
Suquamish, WA 98392

VICINITY MAP



Recommendation Summary

Approved subject to conditions listed under section 11 of this report.

1. Background

Martha Burke is requesting to transfer 0.10 acre currently designated "Undeveloped Land" by the Assessor to "Current Use Open Space."

2. Project Request

The purpose of the Kitsap County open space program is to maintain, preserve, conserve and otherwise continue in existence adequate open space lands and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the state and its citizens. Parcels with qualifying environmental characteristics can apply for the open space program and received a reduction in taxes.

3. SEPA (State Environmental Policy Act)

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

4. Physical Characteristics

The subject property is a vacant, rectangle-shaped parcel that abuts the shoreline on the eastern side. The western portion of the property abutting Angeline Ave NE is flat; and sharply slopes down toward the shoreline. The site is heavily vegetated.

Table 1 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Single-Family Residence	Suquamish Village Residential (SVR)
South	Single-Family Residence	Suquamish Village Residential (SVR)
East	Port Madison Bay	Suquamish Village Residential (SVR)
West	Single-Family Residence	Suquamish Village Residential (SVR)

5. Access

The property is accessed off Angeline Ave NE which is a county-maintained road.

6. Policies and Regulations Applicable to the Subject Proposal

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

Kitsap County Comprehensive Plan, adopted June 30, 2016.

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

Environment

Environmental Goal 3

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

Environment Policy 19

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

Parks, Recreation and Open Space Parks Policy 9

Identify new and preserve existing open space in rural areas.

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

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

7. Public Outreach and Comments

The Notice of Application was mailed to properties within 800' on July 26, 2018. One person called to inquire about the project but had no formal comments.

The Notice of Public Hearing was also mailed to properties within 800' on November 6, 2018 and a sign was posted at the property informing neighbors of the upcoming hearing.

8. Analysis

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

- a. High-Priority Resources**
Special Animals and Plants

- b. Medium-Priority Resources**
Geologic and Shoreline Features

- c. Low-Priority Resources**
Preservation of visual quality

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

9. Additional Tax

Additional tax may be due when either a portion or all of the property is removed from the Current Use Open Space classification. Additional tax equals the difference between the tax paid under the classification and the tax at true and fair market value for the current year and

the last seven years plus interest at 1 percent per month. An additional 20 percent penalty is also imposed if the property is classified less than ten years and two years notice of withdrawal is not supplied or if there is a change in use.

10. Review Authority

The Board of County Commissioners has review authority for this Current Use Open Space application under KCC, Section 21.04.100. In considering applications for Current Use Open Space, the Board shall find that the subject property meets the requirements for eligible lands as defined in KCC, Section 18.12.020.

11. Recommendation

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

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

10. There shall be no dumping of chemicals, liquids, wastes, trash or junk that might deteriorate the natural character of the land or pollute the water supply.
11. The open space classification for this land will continue if it is primarily devoted to and used as habitat and shoreline protection. The Granting Authority will remove classification if dedication to this purpose ceases to exist.

Report prepared by:

Anna Bausher Katherine Shaffer
Anna Bausher, Planner Katherine Shaffer, Planner

11.9.18
Date

Report approved by:

Shawn Alire
Shawn Alire, Supervisor Development and Engineering Services

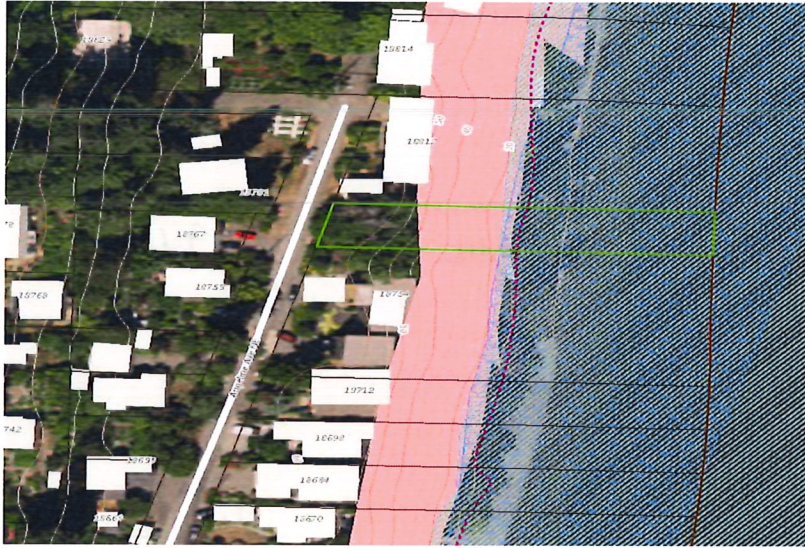
11.9.18
Date

Attachments:

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

CC: Applicant/Owner: Martha Burke, mburke2007@aol.com
Interested Parties: None

Site Plan



TAX SHIFT ESTIMATE

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

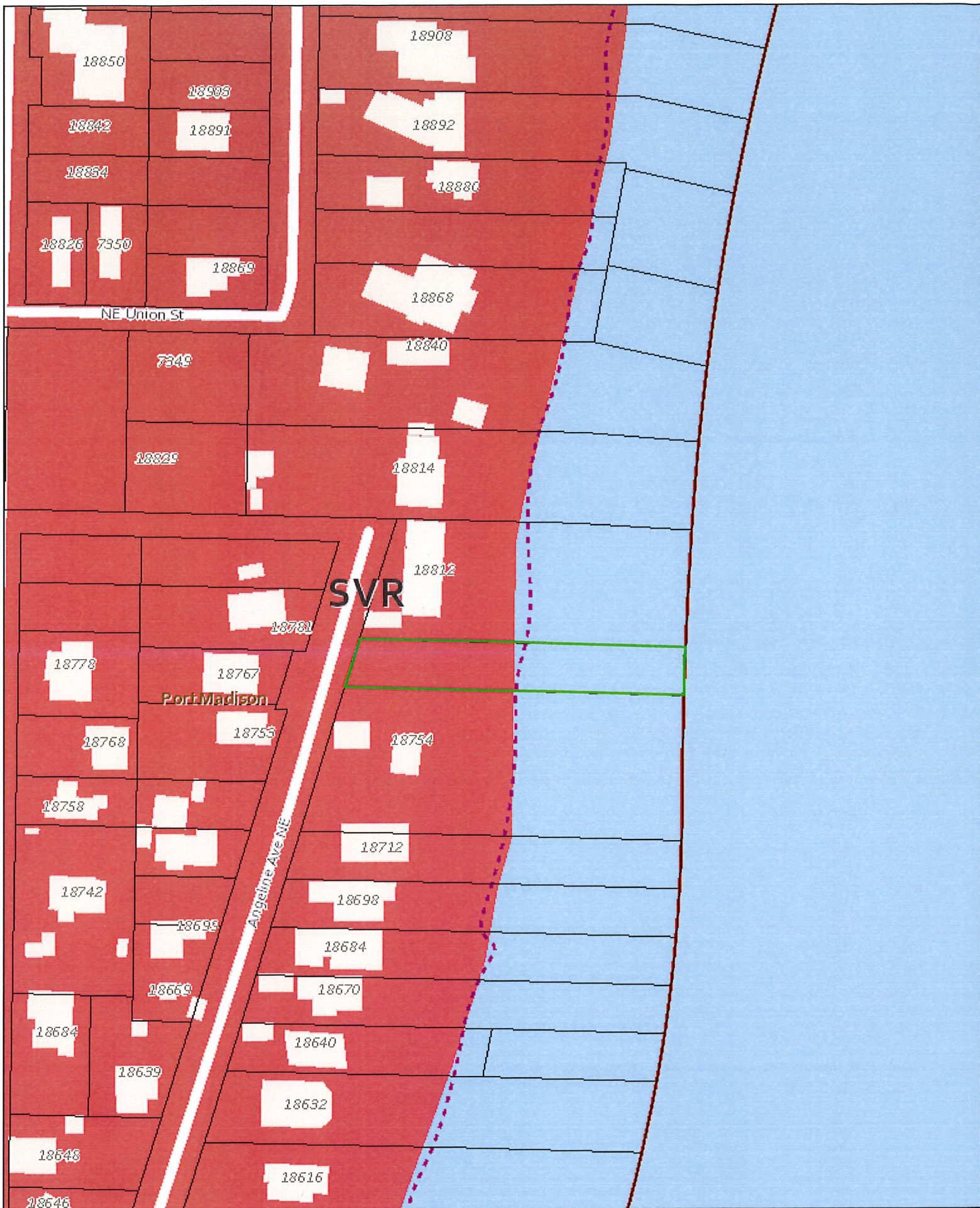
BURKE MARTHA L		
4390-007-003-0101		
DFL	Farm	OpenSpace
0.00	0.00	0.10
0.10		
\$137,900		
0.00	acre(s)	
\$0		
50%		
\$0		
\$0		
\$0		
10.723502		
2018		

				Tax Year 2018	
Taxable Value				Value	Tax
CURRENT	Land			137,900	
	Improvements			0	
	Total				137,900
	Taxes				1,478.77
PROPOSED	Homesite	Ac	Value	0	
		0.00	\$0		
	Designated Forest Land	Ac	Approx Rate	0	
		0.00	\$125		
	CU Farm & Agricultural	Ac	Value	0	
		0.00	\$597		
	CU Open Space	Ac	Value	68,950	
		0.10	\$137,900		
Improvements			0		
Total				68,950	
Taxes				739.39	
Difference				68,950	739.39
Owner's Taxes DECREASE By				\$739	
Total Tax Shift				\$739	

	Acreage	Total Land AV
<i>Total Land:</i>	0.10	= \$137,900
<i>Homesite (taxable land):</i>	0.00	= \$0

<i>Land Value less the homesite (taxable land):</i>	\$137,900
<i>Reduced value with exemption:</i>	\$68,950

<i>Adjusted Land Value:</i>	\$68,950
<i>At the 2018 Tax Rate of :</i>	10.723502
<i>The Estimated Tax Shift (tax reduced by) =</i>	\$739



Comments

Parcel No: 4390-007-003-0101 TaxPayer: BURKE MARTHA L Site Address: NO ADDRESS FOUND

** This map is not a substitute for field survey ** Map Scale: 1 inch = 100 feet

Kitsap Co. Parcel Search Application

