

# CLARK COUNTY STAFF REPORT

**DEPARTMENT:** Public Works / Parks & Lands Division / Land & Vegetation Management

**DATE:** April 17, 2018

**REQUESTED ACTION:** Review and approve the 2017 Current Use Assessment applications for Open Space Soil Conservation, Stream Protection and Historic Sites.

Consent       Hearing       County Manager

**BACKGROUND**

As required by RCW 84.34.037, Current Use Assessment requests are processed in the same manner as Comprehensive Plan Amendments. All requests for "Open Space" designations require Planning Commission review and recommendation to the Clark County Council. If approved, the requests will become effective in September 2018 for the 2019 tax statements.

This year, Public Works received five applications for Current Use under the Open Space Soil Conservation, Stream Protection and Historic Sites designations. Staff reviewed the requests and determined they meet the criteria outlined in Clark County Code, Chapter 3.08, Open Space Taxation.

The Planning Commission reviewed the applications during a work session on March 1, 2018, and a public hearing on March 15, 2018. The commission unanimously recommended approval of each of the five applications.

**COUNCIL POLICY IMPLICATIONS**

This action does not propose a new policy, change in policy, or refinement of an existing policy. The action does confirm an existing policy. This is the 30th year the county has reviewed Current Use Assessment applications.

**ADMINISTRATIVE POLICY IMPLICATIONS**

See Council Policy Implications above. This action does not propose a new policy, change in policy, or refinement of an existing policy, but it does confirm an existing policy.

**COMMUNITY OUTREACH**

Notification about this program is done through stakeholders, such as the Washington Farm Forestry Association's Clark County Chapter, other local agricultural groups, the Clark Conservation District and the Clark County Assessor's Office.

**BUDGET IMPLICATIONS**

YES	NO	
X		Action falls within existing budget capacity.
	X	Action falls within existing budget capacity but requires a change of purpose within existing appropriation
	X	Additional budget capacity is necessary and will be requested at the next supplemental. If YES, please complete the budget impact statement. If YES, this action will be referred to the county council with a recommendation from the county manager.

PW 18-060

**BUDGET DETAILS**


Local Fund Dollar Amount	NA
Grant Fund Dollar Amount	NA
Account	General Fund
Company Name	NA

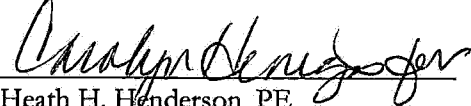
**DISTRIBUTION:**

Council staff will post all staff reports to the county website, [www.clark.wa.gov/the-grid](http://www.clark.wa.gov/the-grid).

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**Attachments:** 2017 Current Use Real Property Assessment Resolution; March 15, 2018, Planning Commission recommendation

  
Kevin Tyler  
Lands Manager

  
Heath H. Henderson, PE  
Public Works Director/County Engineer

Primary Staff Contact: Hunter Decker Ext. 4852

**APPROVED:** \_\_\_\_\_  
**CLARK COUNTY, WASHINGTON**  
**CLARK COUNTY COUNCIL**

DATE: 4/17/18

SR# \_\_\_\_\_

**APPROVED:** \_\_\_\_\_  
**Jim Rumpeltes, Interim County Manager**

DATE: \_\_\_\_\_



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**DEPARTMENT OF  
PUBLIC WORKS**

**Planning Commission Recommendation to the  
Clark County Board of County Councilors**

**FROM:** Steve Morasch, Chair

**DATE:** April 17, 2018

**SUBJECT:** Year 2018 Reviews for the Year 2017 Current Use Assessment Requests (Timberland/Open Space)

**RECOMMENDATION:** **Approval** of five applications for Current Use Assessment in the Open Space Soil Conservation, Stream Protection, & Historic Site designations.

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**INTRODUCTION**

The Department of Public Works has reviewed the Current Use Assessment requests accepted during 2017, and has proposed that the Planning Commission forward the request to the Clark County Councilors for consideration and approval. The Planning Commission, in a duly noticed public hearing held March 15 2018, voted to recommend that the Clark County Councilors approve the request.

If approved, the request will become effective during September 2018 for the 2019 calendar year tax statements. As required by Revised Code of Washington (RCW) 84.34.037, Current Use Assessment requests are processed in the same manner as Comprehensive Plan Amendments. These requests are usually evaluated after receiving the applications late in the calendar year preceding the year of tax assessment to be under Current Use.

All requests for Current Use classification require Planning Commission review, and are also considered by the Clark County Councilors. This is the 31st year the county has reviewed Current Use Assessment applications. The Open Space criteria vary according to the category requested.

These applications have requested the Soil Conservation designation, Stream Protection, and Historic Sites designation. According to Chapters 3.08 (.040), (.050), (.060) of the Clark County Code, Soil Conservation of more than the required 10 acres of class I or class II soil types and greater than 80% of the property is in food or fiber production; for Stream Protection tracts contiguous to or straddling major streams designated shorelines of the state, or identified in the county's shoreline master program; for Historic Sites of preservation of historic sites will be limited to historic sites

and land containing structures of historic significance so long as they are listed on the local, state or national historic registers and protected as such; These applications have been evaluated in light of these criteria.

## **BACKGROUND**

### Current Use Application# 2017-00003: Tudor, LLC.

The applicant has requested that 2.79 acres of the 2.79 acres in Tideland Tax Lot No. 500101-000 in Section 01, Township 04 North, Range 01 West, of the Willamette Meridian, including Parcel # 500101-000 be classified as Open Space Stream Protection.

The site is located on portion of the BNSF Railway Company Second Class Tidelands in a portion of Government Lot 5 and Government Lot 6 along the south bank of the Lewis River. An on-site review indicated that the area applied for is within the Shoreline Management Zone of the Lewis River. The acreage is contiguous with the same ownership already in the program. The application meets all criteria for Open Space Stream Protection as specified in Chapter 3.08.040 of the Clark County Code. Therefore, staff recommends **APPROVAL** of the application.

### Current Use Application #2017-00004: Kromminga Family

The applicant has requested that 80.97 acres of the 80.97 acres in Tax Lots #1 Samuel R Whipple DLC, 19; parcel #s 190860-000, 180286-000 be transferred from a Farm & Agriculture classification to Open Space Soil Conservation and Stream Protection.

The site is located west of NW Krieger Road and South of NW 192ND Street, south west of Ridgefield. An on-site review indicated that the area applied for contains a class I soil type of Hillsboro Silt Loam (HoA) greater than 10 acres in area at least 80% of the property is in food and fiber production. The area is also within the Shoreline Management Zone of the Whipple Creek. The application meets all criteria for Open Space Soil Conservation and Stream Protection as specified in Chapter 3.08 (.040) and (.050) of the Clark County Code. Therefore, staff recommends **APPROVAL** of the 80.97 acres.

### Current Use Application #2017-00005: Hunter Project

The applicant has requested that 14.32 acres of the 14.32 acres in parcel # 196660-000 be classified as Open Space Historic Preservation and Stream Protection.

The site is located at 15716 NE 112TH Ave, in Brush Prairie 98606. An on-site review indicated that there are two historic buildings on site. The Bertha "Bertie" Fifeld House, built in circa 1910, and the The Kapus Granary, built in 1929, are listed on the Clark County Heritage Register. The area is also within the Shoreline Management Zone of the Salmon Creek. The application meets all criteria for Open Space Historic Preservation and Stream Protection as specified in Chapter 3.08 (.060) and (.040) of the Clark County Code. Therefore, staff recommends **APPROVAL** of the 14.32 acres.

Current Use Application # 2017-00006: Paula Parnell-Davis

The applicant has requested that 24.63 acres of the 24.63 acres in parcel # 212116-000 be classified Open Space Stream Protection.

The site is located south of NE Stoughton Road. An on-site review indicated that the area applied for is within the Shoreline Management Zone of Mason Creek and the East Fork Lewis River. The application meets all criteria for Open Space Stream Protection as specified in Chapter 3.08.040 of the Clark County Code. Therefore, staff recommends **APPROVAL** of the 24.63 acres.

Current Use Application # 2017-00007: Sharleen James

The applicant has requested that 79 acres of the 80 acres in Tax lots No. 4 and 7 in Section 23 and 24, Township 01 North, Range 04 East, of the Willamette Meridian, including Parcel #s 135508-000, 135819-000, 501100-000 be classified as Open Space Soil Conservation and Stream Protection.

The site is located south of SE Evergreen Hwy at 39315 SE Evergreen Hwy, Washougal, 98671 East of Washougal. An on-site review indicated that the area applied for contains class II soil types Sauvie Silt Loam (SnA) and Newberg Silt Loam (NbA & NbB) greater than 10 acres in area, and at least 80% of the property is in food and fiber production. The area is also within the Shoreline Management Zone of the Columbia River. The application meets all criteria for Open Space Soil Conservation and Stream Protection as specified in Chapter 3.08 (.040) and (.050) of the Clark County Code. Therefore, staff recommends **APPROVAL** of the 79 acres.

## **PROPOSED ACTION**

The applications meet their criteria for Open Space Soil Conservation, Stream Protection, and Historic Sites as specified in Chapter 3.08 (.040), (.050), (.060) of the Clark County Code. Therefore, staff recommended approval of these applications.

## **PUBLIC OUTREACH**

On March 1, 2018 staff met with the Planning Commission to hold a work session regarding the 2017-2018 Current Use application.

On March 15, 2018 staff presented five applications for Current Use, Open Space Soil Conservation, by Martin & Cherie Nye, Open Space Stream Protection at the Planning Commission public hearing.

Information presented to the Planning Commission was also available on the Planning Commission website.

## **RECOMMENDATION AND CONCLUSIONS**

The Planning Commission voted unanimously on each application **5-0** to forward the applications to the Clark County Councilors with a recommendation that the Clark County Councilors approve the applications. The Planning Commission recommends that the Clark County Councilors **APPROVE** Current Use Applications # 2017-00003, #2017-00004, #2017-00005, #2017-00006, and #2017-00007.

**RESOLUTION NO.: 2018-04-04**

**A Resolution relating to the 2017 Current Use Real Property Assessment Applications for Open Space and Timberland designation.**

WHEREAS, Clark County Public Works (Public Works) received five applications for Current Use Assessment for Open Space Soil Conservation, Stream Protection, and Historic Site designations; and

WHEREAS, Current Use Real Property Assessment requests are processed in the same manner as a Comprehensive Plan Amendment, per Revised Code of Washington (RCW) 84.34.037; and

WHEREAS, staff finds that the Kromminga Family application #2017-00004 and Sharleen James application #2017-00007 satisfy the requirements for Soil Conservation by containing more than the required 10 acres of class I or class II soil types, and greater than 80% of the property being in food or fiber production; and

WHEREAS, staff finds that the Tudor, LLC application #2017-00003, Kromminga Family application #2017-00004, Hunter Project application #2017-00005, Paula Parnell-Davis application #2017-00006, and Sharleen James application #2017-00007 satisfy the requirements for Stream Protection because they are contiguous to or straddling major streams, designated shorelines of the state, or are identified in the County's Shoreline Master Program; and

WHEREAS, staff finds that the Hunter Project application #2017-00005 satisfies the requirements for Historic Sites by being listed on a local, state or national historic register; and

WHEREAS, the Clark County Planning Commission held a work session on March 1, 2018 concerning the current use applications at a duly noticed public hearing. At that hearing the Planning Commission unanimously recommended approval of the applications to the Clark County Council; and

WHEREAS, the Council is in receipt of the Planning Commission's recommendations for approval of the five applications for 2017 Current Use Real Property Assessment under the Open Space Soil Conservation, Stream Protection, and Historic Site designations; and,

WHEREAS, the Council conducted a duly advertised public hearing on April 17, 2018 to consider the Planning Commission's recommendations for approval of the applications; and

WHEREAS, the Council concludes it is in the best interest of the County to maintain, preserve, conserve and otherwise continue in existence adequate open space lands for the production of food, fiber, and forest crops, and to assure the use and enjoyment of natural resources and the scenic beauty, and the preservation of property of historic significance for the economic and social well-being of the County and its citizens; and

WHEREAS, the Council concurs with the Clark County Planning Commission's analysis and recommendations;

NOW, THEREFORE, BE IT ORDERED AND RESOLVED BY THE CLARK COUNTY COUNCIL, as follows:

Section 1. Approval of Applications

- A. Current Use Application #2017-00003 for Open Space Stream Protection, as recommended for approval by the Clark County Planning Commission, is hereby approved.
- B. Current Use Application #2017-00004 for Open Space Soil Conservation and Stream Protection, as recommended for approval by the Clark County Planning Commission, is hereby approved.
- C. Current Use Application #2017-00005 for Open Space, Historic Sites, and Steam Protection, as recommended for approval by the Clark County Planning Commission, is hereby approved.



D. Current Use Application #2017-00006 for Open Space Stream Protection, as recommended for approval by the Clark County Planning Commission, is hereby approved.

E. Current Use Application #2017-00007 for Open Space Soil Conservation and Stream Protection, as recommended for approval by the Clark County Planning Commission, is hereby approved.

Section 2. Instructions to Clerk

- A. Record this resolution with the Clark County Auditor.
- B. Transmit a copy of this resolution to the Clark County Assessor (Roni Batton, Program Manager).
- C. Cause notice of adoption of this ordinance to be published forthwith, pursuant to RCW 36.70A.290.

ADOPTED on this 17<sup>th</sup> day of April, 2018.

Attest:

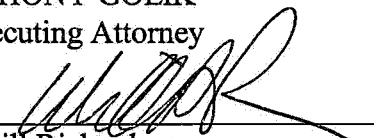
  
Clerk to the Council

CLARK COUNTY COUNCIL  
CLARK COUNTY, WASHINGTON

  
Marc Boldt, Chair



Approved as to Form Only:  
ANTHONY GOLIK  
Prosecuting Attorney

By:   
Bill Richardson,  
Deputy Prosecuting Attorney

Jeanne E. Stewart, Councilor

Julie Olson, Councilor

John Blom, Councilor

Eileen Quiring, Councilor