

April 1, 2025

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

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www.kingcounty.gov/independent/hearing-examiner

**REPORT AND RECOMMENDATION TO THE
METROPOLITAN KING COUNTY COUNCIL**

SUBJECT: Department of Natural Resources and Parks file no. **E24CT012**
Proposed ordinance no. **2025-0064**
Parcel no. **172206-9163**

THOMAS AND BARBARA KOCH

Open Space Taxation Application (Public Benefit Rating System)

Location: [REDACTED] Renton

Applicants: **Thomas and Barbara Koch**

[REDACTED]
Renton, WA 98058

Telephone: [REDACTED]

Email: [REDACTED]

King County: Department of Natural Resources and Parks
represented by **Megan Kim**
201 S. Jackson Street
Suite 5601
Seattle, WA 98104
Telephone: (206) 477-4788

SUMMARY OF RECOMMENDATIONS:

Department's Recommendation: Approve 5.20 acres for 40% of assessed value
Conditionally approve 6.32 acres and 20% of assessed value

Examiner's Recommendation: Approve 5.20 acres for 40% of assessed value
Conditionally approve 6.32 acres and 20% of assessed value

PRELIMINARY REPORT:

On March 6, 2025, the Department of Natural Resources and Parks (DNRP) submitted its report on file no. E24CT012 to the Examiner.

PUBLIC HEARING:

After reviewing the preliminary report and examining available information on file with the application, the Examiner conducted a remote public hearing on the application on March 20, 2025. Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the Examiner's Office.

FINDINGS AND CONCLUSIONS:

1. General Information:

Owners:	Thomas & Barbara Koch 22834 196th Avenue SE Renton, WA 98058
Location:	22834 196th Avenue SE, Renton
STR:	NW 17-22-06
Zoning:	RA5
Parcel no.:	172206-9163
Total acreage:	7.60 acres

2. The Applicants timely filed an application to King County for the Public Benefit Rating System (PBRS) program current use valuation of the property to begin in 2025. As required by law, notification of the application occurred.

3. A summary of relevant PBRS categories follows below. (Plain text represents a category an applicant requested an award for and that DNRP agrees is warranted. Any ~~strikethrough~~ represents a category an applicant requested an award for, but that DNRP disagrees is warranted. Any *italics* represents a category an applicant did not request an award for, but that DNRP nonetheless concludes is warranted. And any *asterisk* represents a category where DNRP finds an award is warranted, but only if certain contingencies or conditions are met.)

PBRS categories:	<u>Open Space Resources</u>	
	Aquifer protection area	0
	Farm and agricultural conservation land	*
	Rural stewardship land	0
	<i>Significant wildlife or salmonid habitat</i>	*
	Surface water quality buffer	10
	Watershed protection area	5

<u>Bonus Categories</u>	
<i>Resource restoration</i>	**
Total	15

The DNRP-recommended score of 15 points results in a current use valuation of 40% of assessed value for the enrolled portion of the property.

4. Additional credit may be awarded administratively under the farm and agricultural conservation land category (five points) and the significant wildlife or salmonid habitat category (five points), subject to submittal of a farm management plan by **October 31, 2025**, and subsequent DNRP approval of that plan by **December 31, 2025**. Award of credit under these categories would increase the point total by ten, increase the enrolled portion of the property by 1.12 acres, and result in a current use valuation of 20% of assessed value for the enrolled portion of the property.
5. Additional credit may be awarded administratively under the resource restoration category, subject to submittal of a restoration plan increasing species diversity and overall forest health by **August 1, 2025**, and subsequent DNRP approval of that plan by **October 1, 2025**. The current use valuation would remain at 20% of assessed value but forestry activities could occur in the participating open space area.
6. As to the land area recommended for PBRS enrollment, the Applicants requested 6.60 acres and DNRP recommends 5.20 acres, increasing to 6.32 acres with an approved farm plan. (Enrollment acreage is the entire parcel less the excluded area, as calculated by DNRP. In the event the County Assessor's official parcel size is revised, the PBRS acreage shall be administratively adjusted to reflect that change.)
7. Except as modified herein, we find the facts set forth in DNRP's preliminary report and testimony at the March 20, 2025, public hearing correct and we incorporate them by reference. We will provide copies of this report and DNRP's report to the Metropolitan King County Council for final approval.
8. Approval of 15 points and a current use valuation of 40% of assessed value for 5.20 acres, and conditional approval of 15 additional points and 20% of assessed value for 6.32 acres, are consistent with KCC chapter 20.36 and with the purposes and intent of King County 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 King County and its citizens.


RECOMMENDATION:

1. APPROVE a current use valuation of 40% of assessed value for the 5.20-acre enrolled portion of the property.
2. CONDITIONALLY APPROVE additional credit for the farm and agricultural conservation land category and the significant wildlife or salmonid habitat, subject to

submittal of a farm management plan by **October 31, 2025**, and subsequent DNRP approval of that plan by **December 31, 2025**, increasing the enrolled portion of the property by 1.12 acres, and resulting in a current use valuation of 20% of assessed value for the 6.32-acre enrolled portion of the property.

3. **CONDITIONALLY APPROVE** additional credit for the resource restoration category, subject to submittal of a restoration plan increasing species diversity and overall forest health by **August 1, 2025**, and subsequent DNRP approval of that plan by **October 1, 2025**. This would not impact the assessed value or acreage.

DATED April 1, 2025.



David Spohr
King County Hearing Examiner

NOTICE OF RIGHT TO APPEAL

A party may appeal an Examiner report and recommendation by following the steps described in KCC 20.22.230. By **4:30 p.m.** on **April 25, 2025**, an electronic appeal statement must be sent to Clerk.Council@kingcounty.gov, to hearingexaminer@kingcounty.gov, and to the party email addresses on the front page of this report and recommendation. Please consult KCC 20.22.230 for the exact filing requirements.

If a party fails to timely file an appeal, the Council does not have jurisdiction to consider that appeal. Conversely, if the appeal requirements of KCC 20.22.230 are met, the Examiner will notify parties and interested persons and will provide information about next steps in the appeal process.

MINUTES OF THE MARCH 20, 2025, HEARING ON THE APPLICATION OF THOMAS AND BARBARA KOCH, FILE NO. E24CT012

David Spohr was the Hearing Examiner in this matter. Megan Kim participated in the hearing.

The following exhibits were offered and entered into the hearing record:

Exhibit no. 1	DNRP report to the Hearing Examiner
Exhibit no. 2	<i>Reserved for future submission of the affidavit of hearing publication</i>
Exhibit no. 3	Legal notice and introductory ordinance to the King County Council
Exhibit no. 4	Arcview/orthophotograph and aerial map
Exhibit no. 5	Application signed and notarized

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CERTIFICATE OF SERVICE

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Parcel no/s. 172206-9163

Thomas and Barbara **Koch**
Open Space Taxation Application (Public Benefit Rating System)

I, Jessica Oscoy, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **REPORT AND RECOMMENDATION TO THE METROPOLITAN KING COUNTY COUNCIL** to those listed on the attached page as follows:

- EMAILED to all County staff listed as parties/interested persons and parties with e-mail addresses on record.
- placed with the United States Postal Service, through Quadient-Impress, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED April 1, 2025.



Jessica Oscoy
Office Manager

Bernstein, Bill

Department of Natural Resources and Parks

Bonyeau, Elenore

Department of Assessments

Hay, Melani

Metropolitan King County Council

Kim, Megan

Department of Natural Resources and Parks

Koch, Thomas/Barbara

Hardcopy

Ngo, Jenny

Metropolitan King County Council