

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON**

IN THE MATTER OF:

RESOLUTION NO. 22-057

NOTICE OF A PUBLIC HEARING TO CONSIDER
APPROVAL OF OPEN SPACE LAND DESIGNATION
AND ASSESSED VALUE REDUCTION FOR PARCEL
NO. 032800000000

WHEREAS, the Lewis County Assessor received an application, Exhibit A, under RCW Chapter 84.34 and Chapter 3.50 Lewis County Code, the Lewis County Public Benefit Rating System Ordinance, for Open Space Land designation and tax reduction; and

WHEREAS, the Lewis County Planning Commission (PC) held a public hearing on February 22, 2022, where the PC considered testimony and voted to approve transmittal of a recommendation, Exhibit B, to the Board of County Commissioners (BOCC) concerning designation and tax reductions on said application; and

WHEREAS, publication of notice and a hearing before the BOCC is required in order to take public testimony and formal action on the application for Open Space Land designation and tax reduction.

NOW THEREFORE BE IT RESOLVED that a hearing before the BOCC will take place at or after 10 a.m. March 29, 2022, to receive public testimony on the application for Open Space Land designation and tax reductions within Lewis County; and

NOW THEREFORE BE IT FURTHER RESOLVED that the Clerk of the Board is hereby instructed to proceed with all appropriate and necessary notifications, postings and publications as required by law.

DONE IN OPEN SESSION this 8th day of March, 2022.

APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

Amber Smith
By: Amber Smith,
Deputy Prosecuting Attorney

Lindsey R. Pollock, DVM
Lindsey R. Pollock, DVM, Chair

ATTEST:

Sean D. Swope
Sean D. Swope, Vice Chair

Rieva Lester
Rieva Lester,
Clerk of the Lewis County Board of
County Commissioners

F. Lee Grose
F. Lee Grose, Commissioner



**NOTICE OF PUBLIC HEARING BEFORE THE
LEWIS COUNTY BOARD OF COUNTY COMMISSIONERS
AND INTENT TO ADOPT**

NOTICE IS HEREBY GIVEN that the **LEWIS COUNTY, WASHINGTON, BOARD OF COUNTY COMMISSIONERS** will hold a public hearing on **March 29, 2022** to receive public testimony on an application for the Open Space Land designation and assess tax reduction for Parcel No. 032800000000.

The hearing will take place at or after 10 a.m. in the Commissioners' Hearing Room on the second floor of the Historic Courthouse in Chehalis, Washington. Interested parties are encouraged to check the Commissioners' Business Meeting agenda for the Zoom log-in details. The agenda will be posted at least 24 hours in advance of the meeting on the [Lewis County Agendas & Calendar webpage](#).

The public hearing will consider an application by Onalaska Alliance, owner of Parcel No. 032800000000, to designate Carlisle Lake and its shoreline as Open Space Land. The total area assessed is 32.88 acres. The application was reviewed by the County Public Benefits Rating System Committee (PBRSC) on January 19, 2022 and found to contribute to the retention and conservation of open space as defined in Lewis County Code 3.50. The recommendation of PBRSC was the subject of a duly notice public hearing before the Planning Commission on February 22, 2022.

During the hearing, individuals will be invited to speak and/or provide written statements regarding the proposed changes. All individuals wishing to speak are encouraged to attend. Written comments may be submitted in advance of the hearing by emailing Mindy Brooks, Senior Long Range Planner, at mindy.brooks@lewiscountywa.gov or postal mail to Community Development, c/o Mindy Brooks, 2025 NE Kresky Ave., Chehalis, WA 98532.

Details about the proposal will be available online at the agenda link provided above. Please select the agenda for March 8 (Notice) or March 29 (Hearing) to see the draft resolution. The draft is subject to change before or at the hearing. If you wish to receive a paper copy of the proposals, contact Megan Sathre at megan.sathre@lewiscountywa.gov or (360)740-2677 and a copy will be mailed to you.

The meeting site is barrier free. People needing special assistance or accommodations should contact Rieva Lester at 360.740.1419 at the Community Development Department 72 hours in advance of the meeting.

Exhibit A

Memo

To: Dianne Dorey, Lewis County Assessor

From: Tanya Hahn, Current Use Audit Clerk

Cc: Megan Sathre, Preston Pinkston & Leah Daarud, Planning Department

Date: January 26th, 2022

Re: Recommendation of the Public Benefit Rating System Committee

The Public Benefit Rating System Committee met on January 19, 2022, at 1:00 PM to rate One application for the designation in the Open Space programs. One (1) application for the Open Space Land Program also known as Open Space Open Space (OSOS) under RCW 76 and 84.34 and in the Washington Administrative Codes (WAC) 222 and 458.

In attendance were:

Sean Swope, Lewis County Commissioner
Preston Pinkston & Leah Daarud (non- voting), Lewis County Planning Commission
Leslie Myers, representing the Lewis County Planning Commission
Vic Khvoroff, representing the Lewis County Community Members
Greg Lund, representing Open Space Advisory Committee
Tanya Hahn, Current Use Audit Clerk, Assessor's office

All applications were scored with the minimum three points necessary to qualify for the Open Space category as required by the Lewis County Code. Attached is the applicant that met the criteria and the review and consideration given to application.

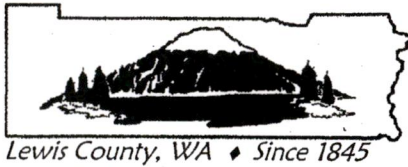
The properties being recommended for the classification are all consistent with the Lewis County Comprehensive Plan.

1. Onalaska Alliance PN 032800000000 for 32.88 acres in OSL.

Attachment A - Application Packet

Attachment B - Point Tally

Lewis County Assessor



DIANNE DOREY
ASSESSOR

David Campbell
Chief Deputy

Chris Lanegan
Chief Appraiser

January 12, 2022

To: Sean Swope, Lewis County Commissioner
Greg Lund, Open Space Advisory Committee
Leslie Meyers, Lewis County Planning Commission
Megan Sathre/ Preston Pinkston, Leah Daarud Lewis County Planning Commission
Vic Khvoroff, Community Representative

Re: 2022 PBRs Committee Meeting

Dear Committee Member:

Thank you for your willingness to participate in the Public Benefit Rating System (PBRs) Committee meeting scheduled for **1:00 PM, Wednesday the 26th of January, at the Lewis County Assessor's Office.**

Enclosed is one (1) application packets for your review:

1. **Onalaska Alliance** is applying to enroll parcel No. 032800000000 in the Open Space Land program (OSL).

Each application packet includes notes and photos taken during an Assessor's Office representative's physical inspection of the property, the landowner's application, and the Planning Department's staff report for each parcel involved. PBRs scoring sheets are attached to the back of each application packet.

If you have any questions, please don't hesitate to contact me by phone, by email or in person. And if for any reason you are unable to attend, please contact me. We must be sure to have a quorum present.

Again, thank you for your willingness to participate in this important activity. Your opinion is valued and appreciated.

Respectfully,

Tanya Hahn

Deputy Assessor – Exemptions Clerk | Lewis County Assessor's Office

351 NW North Street | Chehalis, WA 98532

Direct telephone line: 360-740-1103 | Email: Tanya.Hahn@lewiscountywa.gov

PUBLIC BENEFIT RATING SYSTEM COMMITTEE

AS OF JANUARY 12, 2022

Sean Swope

Lewis County Commissioner

360-740-1286

seanswope@lewiscountywa.gov

LESLIE MYERS

Lewis County Planning Commission

621 W 6th Street

Centralia, WA 98531

360-508-6436

myerscollection@yahoo.com

VIC KHVOROFF

Representing the Lewis County Commissioners

116 Joerk Rd.

Randle, WA 98377

360-497-2419 (home)

Megan Sathre/ Preston Pinkston Leah Daarud

Lewis County Planning Department

360-740-2602

Megan.Sathre@lewiscountywa.gov

Preston.Pinkston@lewiscountywa.gov

Leah.Daarud@lewiscountywa.gov

GREG LUND

Representing the Open Space Advisory Committee

PO Box 965

Chehalis, WA 98532

360-740-9457 (home), 360-748-8619 (work)

greg.lund@century21.com

Tanya Hahn

Lewis County Assessor's Office

(non-voting member)

360-740-1103

tanya.hahn@lewiscountywa.gov

Chapter 3.50 OPEN SPACE TAXATION

Sections:

<u>3.50.010</u>	Authority and title.
<u>3.50.020</u>	Purpose.
<u>3.50.030</u>	Definitions.
<u>3.50.040</u>	Applicability.
<u>3.50.050</u>	Application forms.
<u>3.50.060</u>	General open space.
<u>3.50.070</u>	Open space farm and agricultural conservation.
<u>3.50.080</u>	Designation of administrator.
<u>3.50.090</u>	Procedure for processing applications.
<u>3.50.100</u>	Assessor's report.
<u>3.50.110</u>	Committee review.
<u>3.50.120</u>	Recommendation of the committee.
<u>3.50.130</u>	Planning commission public hearing.
<u>3.50.140</u>	Recommendation of the planning commission.
<u>3.50.150</u>	Board review and action.
<u>3.50.160</u>	Current use assessment contracts.
<u>3.50.170</u>	Basic criteria.
<u>3.50.180</u>	Assessed benefit rating and valuation schedule.
<u>3.50.190</u>	Removal from open space classification.
<u>3.50.200</u>	Fees and charges.

3.50.010 Authority and title.

This chapter is established pursuant to Chapter 84.34 RCW and shall be known as the "Lewis County Public Benefit Rating System Ordinance." [Ord. 1244 §1 (Exh. A), 2013; Ord. 1216 §1 (Exh. A), 2010; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 §1.01, 1996. Formerly 17.140.010]

3.50.020 Purpose.

The purposes of this chapter are to:

- (1) Establish an open space current use assessment program based on land characteristics and public benefit;
- (2) Identify, restore, preserve and conserve those sites of historical, cultural, ecological and scientific significance, and other open space land as defined in RCW 84.34.020(1) and (8), as currently enacted or hereafter amended;
- (3) Provide incentives to landowners to conserve current use open space lands for the use and benefit of the public and for production of food and fiber, as provided in Chapter 84.34 RCW;
- (4) Provide assurance to the general public that any land reclassified under this chapter is and will be managed for the benefit of the public;
- (5) Provide a means to evaluate each application to ensure a balance of public benefit in exchange for revenue loss or tax shift that occurs with each open space reclassification. [Ord. 1244 §1 (Exh. A), 2013; Ord. 1216 §1 (Exh. A), 2010; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 §1.02, 1996. Formerly 17.140.020]

3.50.030 Definitions.

As used in this chapter, unless the context or subject matter clearly requires otherwise, the following words or phrases shall be given the meaning attributed to them by this section. The term "shall" is always mandatory and the word "may" indicates a use of discretion in making a decision. Words not specifically

defined herein shall be defined by the most recent edition of the American Heritage Dictionary of the office of the Lewis County board of county commissioners.

- (1) "Assessor" means the Lewis County assessor or his designated representative.
- (2) "Board" means the board of Lewis County commissioners.
- (3) "Commercial agricultural production" means the production of saleable quantities of organic materials.
- (4) "Committee" means the Lewis County public benefit rating advisory committee. This committee shall be comprised of (a) a representative of the Lewis County assessor, (b) a representative of the Lewis County department of community development, (c) a member of the board of county commissioners, (d) a member of the Lewis County farm advisory board, and (e) a member of the Lewis County planning commission.
- (5) "Department" means the Lewis County department of community development.
- (6) "Open space farm and agricultural conservation land" means either:
 - (a) Land that was previously classified under RCW 84.34.020(2) (open space farm and agricultural land) that no longer meets the qualifying criteria for that classification; or
 - (b) 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 agricultural production.
- (7) "Open space land" means either:
 - (a) Any land designated by a comprehensive plan adopted by any city or the county and zoned accordingly; or
 - (b) Any land area, the preservation and conservation of which in its present state would:
 - (i) Protect, conserve and enhance natural or scenic resources and scenic vistas;
 - (ii) Protect streams and stream corridors, aquifers and aquifer recharge areas, or water supplies;
 - (iii) Promote conservation of soils, wetlands, or beaches;
 - (iv) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space;
 - (v) Enhance public recreational opportunities;
 - (vi) Preserve historic sites;
 - (vii) Preserve visual quality along highway, road or street corridors;
 - (viii) Retain in a 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 board when granting the open space classification; or
 - (ix) Protect and conserve soil used for or potentially used for commercial agricultural production.
- (8) "Planning commission" means the Lewis County planning commission.
- (9) "Rural" means an area with a planned density of not greater than one dwelling per acre outside city limits.
- (10) "Urban" means an area with a planned residential density of more than one residence per acre inside city limits. [Ord. 1244 §1 (Exh. A), 2013; Ord. 1216 §1 (Exh. A), 2010; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 §2, 1996. Formerly 17.140.030]

3.50.040 Applicability.

Any person seeking to reclassify land as open space for current use assessment as defined in RCW 84.34.020(1) or (8), and this chapter, as now or hereafter amended, shall comply with the provisions of this chapter. Farm and agricultural conservation land classification(s) for properties not used for commercial farming or agricultural use shall be effective for no less than 10 years, during which time the land shall be maintained to allow for immediate resumption of commercial farming. After 10 years the land must either be returned to commercial farm and agricultural use, or a revised conservation plan must be submitted for approval pursuant to this chapter. Failure to return the land to commercial farm and agricultural use or submit a revised conservation plan shall result in removal of the land from the current use program. The land may, however, be reclassified as open space farm and agriculture land as defined in RCW 84.34.020(2) during the 10-year period of commitment with the approval of the assessor, if it was previously classified as open space farm and agriculture land. The land will remain committed to that open space program for the length of the original 10-year commitment. Failure to maintain the land for future commercial farming shall result in removal of the land from the current use program. Current use open space classification applies to the land and does not include any structure or land area that comprises the principal place of residence or residential accessory structures of the landowner or employee on a one-acre homesite for 20 acres or more pursuant to RCW 84.34.020(2)(d). [Ord. 1244 §1 (Exh. A), 2013; Ord. 1216 §1 (Exh. A), 2010; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156A §3, 1997; Ord. 1156 §3, 1996. Formerly 17.140.040]

3.50.050 Application forms.

All application forms for open space reclassification shall be obtained from the assessor, completed in full and submitted to the assessor with applicable fees for processing. [Ord. 1244 §1 (Exh. A), 2013; Ord. 1216 §1 (Exh. A), 2010; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 §4.01, 1996. Formerly 17.140.050]

3.50.060 General open space.

Each application for land reclassification into an open space category defined in LCC 3.50.030(7) shall include the following:

- (1) A written statement explaining how the proposed reclassification meets one or more of the criteria for the open space category sought.
- (2) A land conservation plan pursuant to WAC 458-30-242(2)(b) showing the measures that will be taken to maintain and protect the current use of the property. The conservation plan shall include:
 - (a) The name, address and daytime telephone number of the land owner;
 - (b) The land owner's goals and objectives for the property;
 - (c) The location of the property;
 - (d) The size of the land area to be reclassified;
 - (e) A site plan map locating all structures, including but not limited to houses, barns, outbuildings, wells, fields, fences, etc.; and
 - (f) An action plan that schedules the actual conservation and management practices that will be used to assure the public that the land will be managed in conformance with this chapter. [Ord. 1244 §1 (Exh. A), 2013; Ord. 1216 §1 (Exh. A), 2010; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 §4.02, 1996. Formerly 17.140.060]

3.50.070 Open space farm and agricultural conservation.

Each application for open space farm and agricultural conservation land classification as defined in LCC 3.50.030(6) shall include the following:

- (1) A written statement explaining how the proposed reclassification meets one or more of the criteria for the open space category sought, and identifying the number of years previously taxed as farm and agricultural land under Chapter 84.34 RCW;

(2) A conservation plan including all interim measures that will be followed to protect and manage the land in a manner that allows immediate resumption of commercial agricultural use. Each conservation plan shall contain the following information:

- (a) The name, address, and daytime telephone number of the land owner;
- (b) The location of the land;
- (c) The size of the land area to be reclassified;
- (d) A list of the applicant's goals and objectives for managing the land;
- (e) A schedule of measures that are and will be used to accomplish the goals and objectives; and
- (f) The steps that will be taken to conserve the agricultural soils to allow immediate return to commercial agricultural production. [Ord. 1244 §1 (Exh. A), 2013; Ord. 1216 §1 (Exh. A), 2010; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 §4.03, 1996. Formerly 17.140.070]

3.50.080 Designation of administrator.

The assessor shall administer the provisions of this chapter. The assessor may prepare any forms and procedures necessary to administer this chapter. [Ord. 1244 §1 (Exh. A), 2013; Ord. 1216 §1 (Exh. A), 2010; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 §5.01, 1996. Formerly 17.140.080]

3.50.090 Procedure for processing applications.

The assessor shall:

- (1) Accept the application and filing fee;
- (2) Review the application;
- (3) Schedule a meeting of the Lewis County public benefit rating advisory committee to review the application; and
- (4) Transmit a copy of the application to the Lewis County department of community development for the following:
 - (a) Preparation of a report on the application for furtherance of the objectives of Chapter 17.30 LCC, as now or hereafter amended and consistency with the Lewis County comprehensive plan. The report may recommend conditions to assure conformity with any applicable zoning, the comprehensive plan, the neighborhood, and other applicable regulations; and
 - (b) Scheduling of a public hearing before the Lewis County planning commission. [Ord. 1244 §1 (Exh. A), 2013; Ord. 1216 §1 (Exh. A), 2010; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 §5.02, 1996. Formerly 17.140.090]

3.50.100 Assessor's report.

The assessor shall prepare a report for planning commission recommendation at the public hearing held pursuant to LCC 3.50.130 for each application.

- (1) The assessor may consult with the Washington State University Cooperative Extension Service, the Washington State Department of Natural Resources, the USDA, Natural Resource Conservation Service, or Lewis County Conservation District, or any other agency with knowledge or expertise regarding any open space reclassification or other current use application.
- (2) The report shall evaluate whether the preservation of the current use of land, when balanced against the revenue loss or tax shift that may result from the application, will protect and conserve open space lands in conformance with this chapter.
- (3) The report may recommend conditions to assure conformity with the neighborhood and other applicable regulations. [Ord. 1244 §1 (Exh. A), 2013; Ord. 1216 §1 (Exh. A), 2010; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 §5.03, 1996. Formerly 17.140.100]

3.50.110 Committee review.

The reports of the assessor and the department for each application shall be submitted to the Lewis County public benefit rating advisory committee for their review. [Ord. 1244 §1 (Exh. A), 2013; Ord. 1216 §1 (Exh. A), 2010; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 §5.04, 1996. Formerly 17.140.110]

3.50.120 Recommendation of the committee.

Following their review the committee shall:

- (1) Determine if the proposed reclassification conforms to the goals and policies of the comprehensive plan and this chapter;
- (2) Determine if the proposed reclassification conforms to other applicable statutes;
- (3) By majority vote, make a recommendation for approval, approval with conditions, or denial to the Lewis County planning commission; and
- (4) Transmit the recommendation to the planning commission, together with all conditions, findings and supporting documentation no later than 14 days following their decision. [Ord. 1244 §1 (Exh. A), 2013; Ord. 1216 §1 (Exh. A), 2010; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 §5.05, 1996. Formerly 17.140.120]

3.50.130 Planning commission public hearing.

As mandated by RCW 84.34.037(1), applications for classification or reclassification shall be acted upon in the same manner in which an amendment to the Lewis County comprehensive plan is processed. Therefore, following the receipt of the recommendation of the committee, the Lewis County planning commission shall conduct a public hearing for each application pursuant to the requirements of RCW 36.70A.130. [Ord. 1244 §1 (Exh. A), 2013; Ord. 1216 §1 (Exh. A), 2010; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 §5.06, 1996. Formerly 17.140.130]

3.50.140 Recommendation of the planning commission.

Following the public hearing the planning commission shall:

- (1) Determine if the proposed reclassification conforms to the goals and policies of the comprehensive plan and this chapter;
- (2) Make a recommendation for approval, approval with conditions, or denial to the board; and
- (3) Transmit the recommendation to the board, together with all conditions, findings and supporting documentation no later than 14 days following the planning commission decision. [Ord. 1244 §1 (Exh. A), 2013; Ord. 1216 §1 (Exh. A), 2010; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 §5.07, 1996. Formerly 17.140.140]

3.50.150 Board review and action.

Upon receipt of the recommendation of the planning commission the board shall review each application at a regular meeting. The board may do the following:

- (1) By motion, approve, approve with conditions, or deny an application as recommended by the planning commission without holding a public hearing; or
- (2) If the board does not concur with the recommendation of the planning commission, the board shall hold a public hearing upon due public notice at least 10 days prior to the hearing. Following such public hearing the board shall make a determination to approve the application, approve the application with conditions, or deny the application.

The determination and findings of the board shall be made available to the public for review upon request. [Ord. 1244 §1 (Exh. A), 2013; Ord. 1216 §1 (Exh. A), 2010; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 §5.08, 1996. Formerly 17.140.150]

3.50.160 Current use assessment contracts.

All applications requiring a current use assessment contract in conformance with Chapter 84.34 RCW shall meet the following requirements:

- (1) The clerk of the board shall by certified mail send any current use assessment contract to the landowner.
- (2) The landowner shall sign and return the contract within 10 business days from the date of mailing, or all approvals for current use assessment reclassification shall become null and void.
- (3) The assessor shall monitor the contract to determine compliance for the duration of the open space classification in conformance with Chapter 84.34 RCW. [Ord. 1244 §1 (Exh. A), 2013; Ord. 1216 §1 (Exh. A), 2010; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 §5.09, 1996. Formerly 17.140.160]

3.50.170 Basic criteria.

Applications for open space current use assessment reclassification will be evaluated and determined in accordance with the provisions of Chapter 84.34 RCW and this chapter. To qualify for classification, each applicant shall demonstrate that the land meets a minimum of three points under one or more of the rating criteria headings shown in the Qualifying Criteria and Scoring Sheet for Open Space Land as developed and maintained by the county assessor. Applicants are encouraged to apply for more than one open space conservation and preservation category to achieve a higher open space public benefits rating score. [Ord. 1244 §1 (Exh. A), 2013; Ord. 1216 §1 (Exh. A), 2010; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156A §6, 1997; Ord. 1156 §6, 1996. Formerly 17.140.170]

3.50.180 Assessed benefit rating and valuation schedule.

A landowner's assessed valuation for land reclassification as open space shall be reduced according to the schedule listed in Table 3:

Table 3

Public Benefit Rating	Assessed Value Reduction Benefit
1 – 2 points	Ineligible for open space classification
3 points	30%
4 points	40%
5 points	50%
6 points	60%
7 points	70%
8 points	80%

[Ord. 1244 §1 (Exh. A), 2013; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 § 7, 1996. Formerly 17.140.180]

3.50.190 Removal from open space classification.

Any land not managed in conformance with the conditions of approval, and with the approved conservation plan and contract, shall be removed from classification as open space for current use assessment by the assessor, and all additional taxes shall become due. In order to requalify for an open space classification the landowner shall be required to reapply pursuant to this chapter. [Ord. 1244 §1 (Exh. A), 2013; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 § 8, 1996. Formerly 17.140.190]

3.50.200 Fees and charges.

Fees and charges for processing an application under this chapter shall be as from time to time adopted by resolution of the board. Such fees shall be nonrefundable. [Ord. 1244 §1 (Exh. A), 2013; Ord. 1170B, 2000; Ord. 1157, 1998; Ord. 1156 § 9, 1996. Formerly 17.140.200]

The Lewis County Code is current through Ordinance 1283, passed December 4, 2017.

Disclaimer: The Clerk of the Board's Office has the official version of the Lewis County Code. Users should contact the Clerk of the Board's Office for ordinances passed subsequent to the ordinance cited above.



Lewis County Open Space Taxing Review

Community Development • 2025 NE Kresky Ave, Chehalis, WA 98532 • Phone: (360) 740-1146

Parcel Number(s): 032800000000

Applicant's Name: Onalaska Alliance

Review #: 1

Proposal: Reclassification of Open Space Land (open water area) from Designated Forest Land taxation to OSOS taxation

Associated Planning Permits: none

Zoning: Rural Development District (RDD-5)

- 1 Any change in the project from the current proposal requires further review.
- 2 A legal lot of record would not be created as a result of a change in taxation type if a new tax number is created and assigned for the open space land. Both tax numbers would be one legal lot of record.

The recommendations and requirements in the following reports may be conditions of development:

None

The current proposal is in compliance with the Critical Area Ordinance. If the project changes from the current scope, a review of the following critical areas may be required.

- Wetlands Review – due to the site's proximity to mapped wetlands or hydric soils.
- Aquatic Habitat Review – associated with the nearby Type F stream and its required 150 foot buffer.
- Shoreline review – as a result of the proximity of the site to shoreline jurisdiction, as identified in the Shoreline Master Program.
- Geologically Hazardous Areas Review – due to the proximity of the site to steep slopes, erosion hazard areas and/or historic landslide areas.
- Critical Aquifer Recharge Areas Review – due to the proximity of the site to a mapped critical aquifer recharge area.
- An adjacent property is a designated Agricultural Resource Land, Forest Resource Land or Mineral Resource Land. Additional setbacks may apply, pursuant to LCC 17.30 unless otherwise approved.

The following notices are provided for the proposal:

- The subject property is within or near land designated for long-term commercially significant resource use in which natural resource activities are permitted and encouraged, including a variety of activities that may not be compatible with residential or other types of development. These activities may be conducted over periods that extend beyond the normal workday and/or work week and produce noise, dust, smoke, visual impacts, and odors. When performed in accordance with best management practices, these resource utilization activities are to be expected and shall not be subject to legal action or public nuisance.

Review Completed by: _____

Date: 01/12/2022

Review Completed By: Preston Pinkston, Planner

Inspector's Notes

Name: Onalaska Alliance
Parcel No. 032800-000-000

Date: 12/10/21

Type: DFL OST OSFA OSFA CONS OSDS

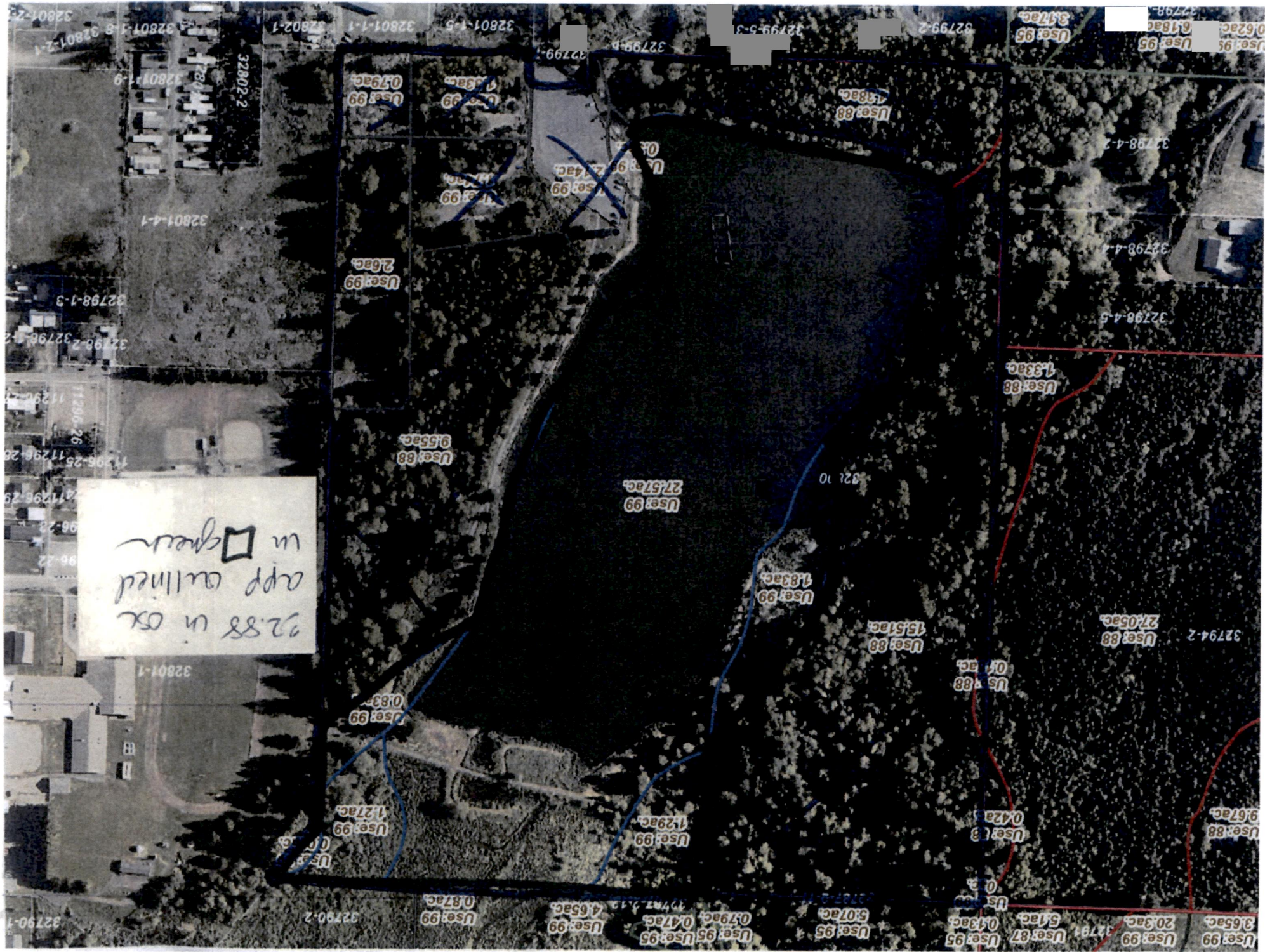
PROPERTY HAS A NONMOTORIZED TRAIL AROUND THE LAKE, A FEW PICNIC TABLES ALONG THE BANK OF THE LAKE, A LARGE UNDISTURBED TREES AREA, A BOAT RAMP FOR NONMOTORIZED VESSELS, A DESIGNATED AREA OF THE LAKE FOR FISH BREEDING

IMPROVEMENTS TO TRAIL ARE METAL POLE SIDE PUBLIC PARKING, PLAYGROUND AREA, AND RV PAD IN PARTIAL HOOKUPS.

Sketch (if needed)


Inspector's Signature





1 inch = 200 feet

Lewis County Assessor's Mapping



Date: 05/07/2018
File: 131e_30.pdf

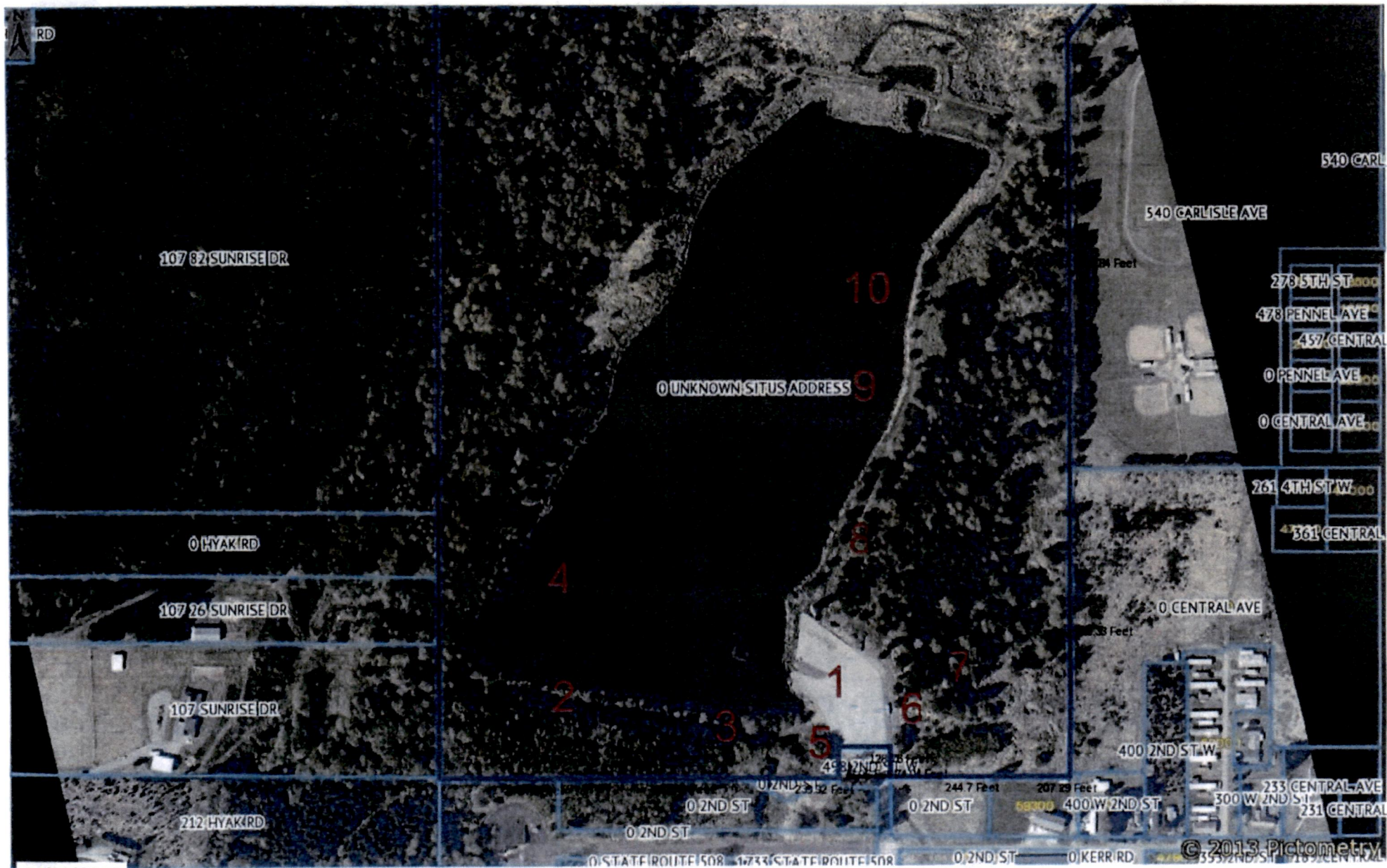
Section 30
Township 13 N Range 01 E

Map for Locating Property Only
Measurements Not Guaranteed
Scale May Change When Printed

Road centerline from mobile GPS, Lewis County
 PLAS lines modified from Wis Dept. Nat. Resources
 Parcel lines digitized from LC Assessor Maps
 and adjusted to the GPS made & PLAS lines.
 2014 Digital Orthophoto from Pictometry

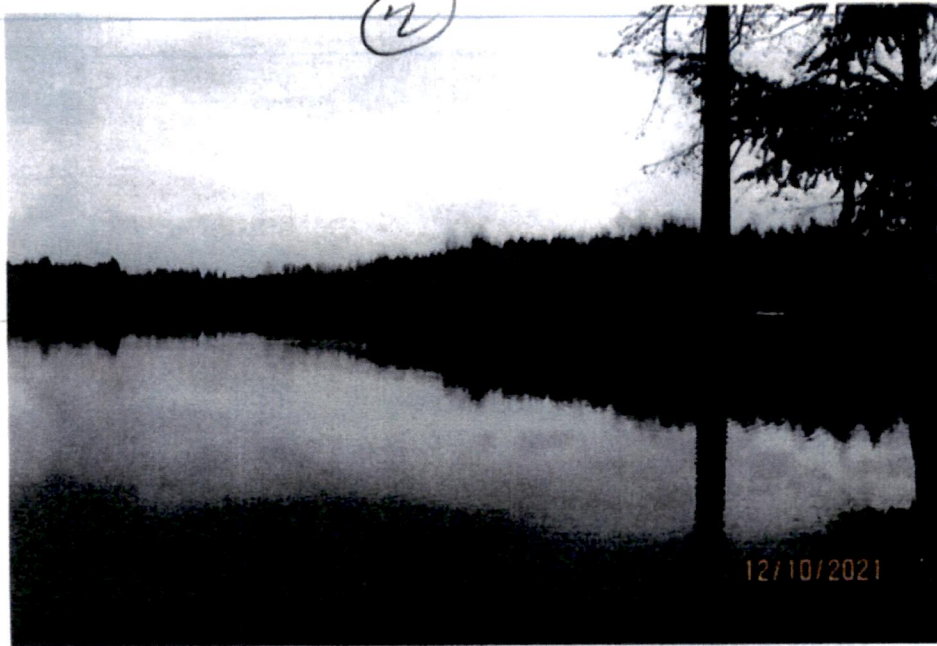
436 2nd St
Onalaska

032800000000

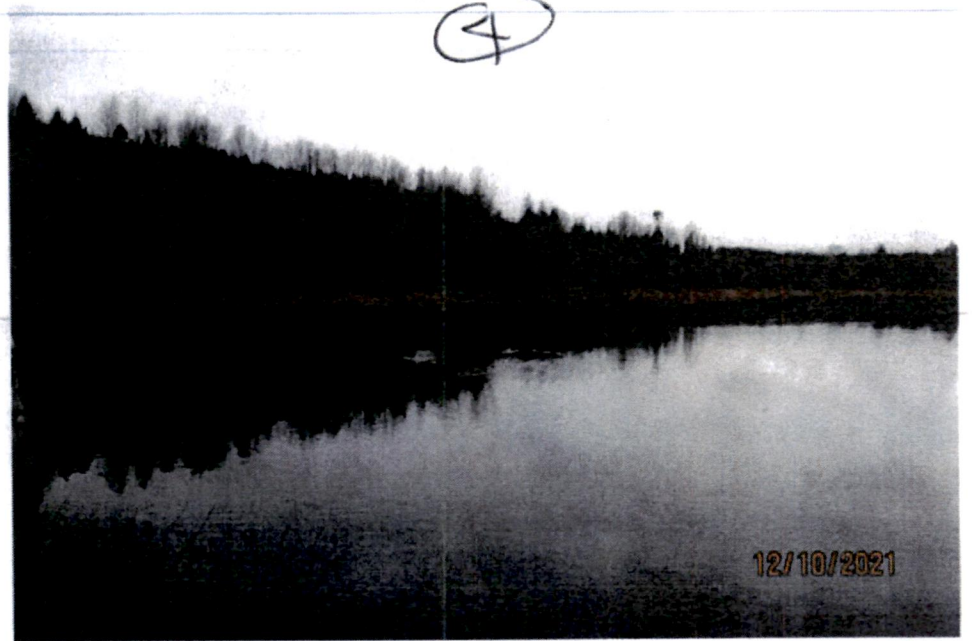


04/23/2013

②



④



①

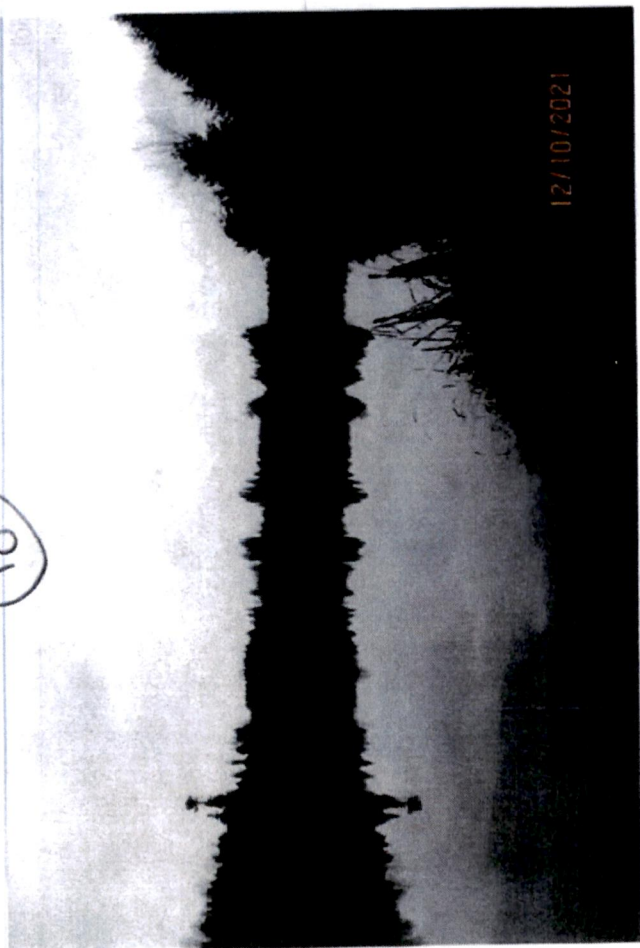


③





10



9





Application for Classification or Reclassification
Open Space Land
Chapter 84.34 RCW

App ~~DOOR~~
7580

File With The County Legislative Authority

Name of Owner(s): DNALASKA ALLIANCE Phone No: 360 978 4018
Email Address: MURPHY+@TOS.NET
Address: P.O. Box 634 DNALASKA WA 98570
MUDATYS 205 Burchett RD DNALASKA WA 98570

Parcel Number(s): 032800000000

Legal Description: SECTION 30 TOWNSHIP 13 N RANGE 01 E
ABBREVIATED PT SE4 DESC

Total Acres in Application: 31.88

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
DEC 11 8 2021
BY: h. h.

1. Describe the present use of the land.

AD

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

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

*Fish & Wildlife Use of Property for Public fishing
No Designated Time*

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:

ONALASKA ALLIANCE (SOK3)

Signature of each owner:

St. Murphy / Board member

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 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: 12-8-2021 By: Z. Hane

Amount of processing fee collected: \$ 758⁰⁰

- 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

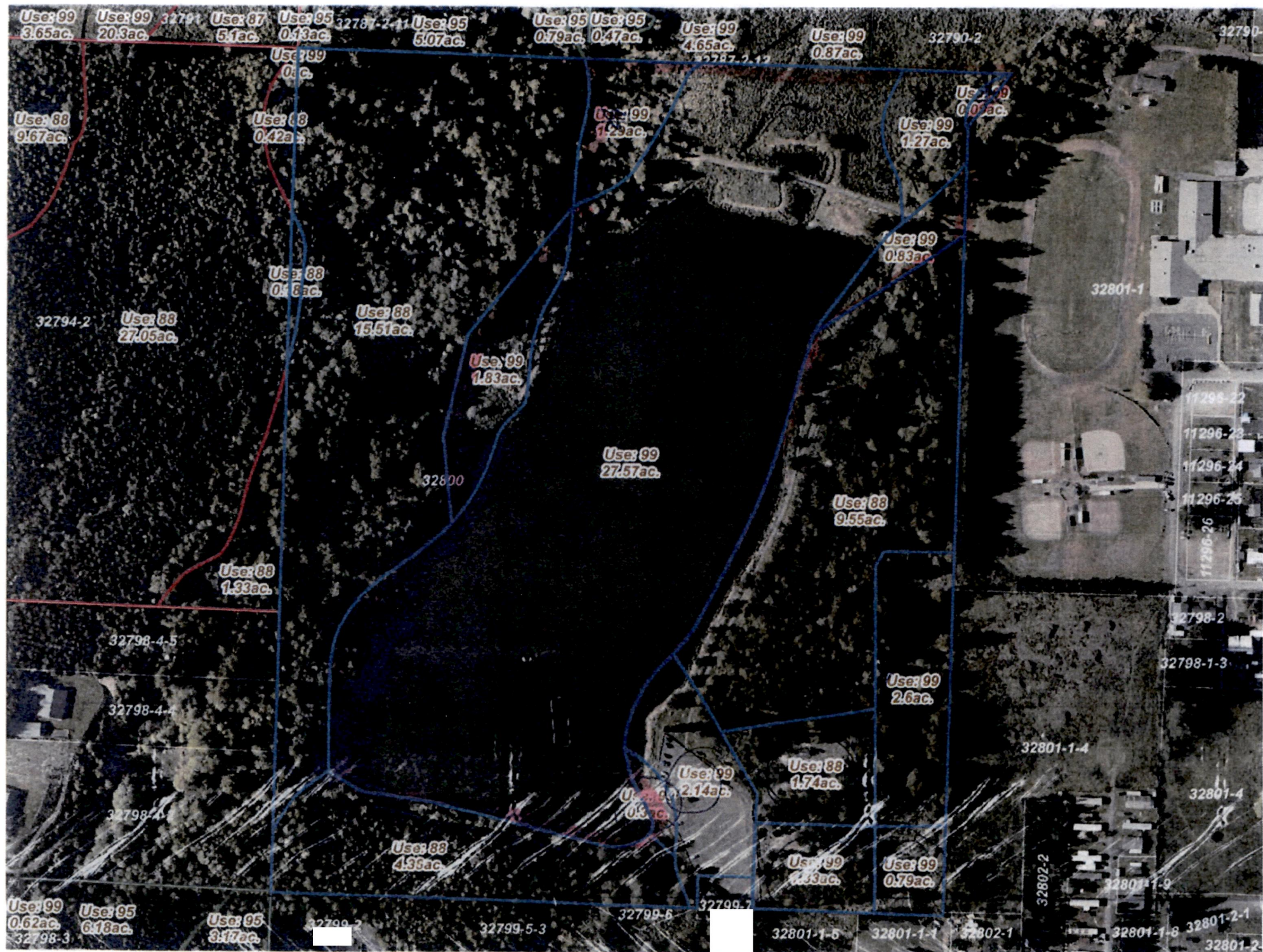
☐ Date owner notified of denial (Form 64 0103):

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 (360) 705-6715. Teletype (TTY) users, please call (360) 705-6718. For tax assistance, call (360) 534-1400.



Lewis County, WA



Since 1845

LEWIS COUNTY ASSESSOR

360 NW North Street
MS:ASR01
Chehalis, WA 98532

Phone: 360-740-1392

Fax: 360-740-1262

Receipt No. 2021

Date: 12/8/2021 Parcel No. 032800000000 Paid
CHECK NO. 1771

Applicant:

ONALASKA ALLIANCE% H. OMROA BHAGWANDIN, PRESIDENT
PO BOX 634
ONALASKA, WA 98570

Date	Type	Description	Amount	Qty.	Subtotal
12/8/2021	OSL	New OSL app, parcel #032800000000	\$350.00	1	\$350.00

RECEIPT

LEWIS
COUNTY

DATE 12-8-2021

150468

RECEIVED FROM Onalaska Alliance

ADDRESS OSL application

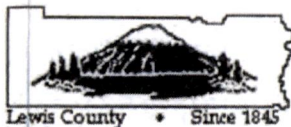
DOLLARS \$ 758⁰⁰

FOR PN 032800-000-000

ACCOUNT	HOW PAID	REVENUE CODE
AMT. OF ACCOUNT	CASH	
AMT. PAID	CHECK #1771	
BALANCE DUE	MONEY ORDER	

By 2 Hahn

		Recording fees (\$408.00 per parcel DFL) (\$408.00 per parcel OSFA)	\$408.00	1	\$408.00
		Total			\$758.00



LEWIS COUNTY

Property Account Summary

As Of 12/8/2021 Status: Active

Account No.: 032800000000 Alternate Property Number:
Account Type: Real Property
TCA: 540F
Situation Address: 0 UNKNOWN SITUS ADDRESS
ONALASKA WA
Legal: Section 30 Township 13N Range 01E PT SE4 DESC 337/105

Parties:

Role	Name & Address
Owner	ONALASKA ALLIANCE % H. OMROA BHAGWANDIN, PRESIDENT PO BOX 634 ONALASKA WA 98570
Taxpayer	ONALASKA ALLIANCE % H. OMROA BHAGWANDIN, PRESIDENT PO BOX 634 ONALASKA WA 98570

NEW OSC APP
re
3288

Property Values:

Value Name	2021	2020	2019	2018	2017
Taxable Value Regular	\$152,700	\$152,500	\$134,300	\$128,500	\$122,500
Market Total	\$152,700	\$152,500	\$134,300	\$128,500	\$122,500
Assessed Value	\$152,700	\$152,500	\$134,300	\$128,500	\$122,500
Market Land	\$152,700	\$152,500	\$134,300	\$128,500	\$122,500
Market Improvement	\$0	\$0	\$0	\$0	\$0
Current Use Land	\$152,700	\$152,500	\$134,300	\$128,500	\$122,500
Current Use Improvement	\$0	\$0	\$0	\$0	\$0
New Construction					
Added Improvement	\$0	\$0	\$0	\$0	\$0

Property Characteristics:

Tax Year	Characteristic	Value
2021	Use Code	88 Designated Forest Lnd
	Size	71.39
	Appraiser ID	JML
	FP Acres	30.0

Exemptions:

(End of Report)

Tanya Hahn

From: Pete and Cathy Murphy <murphytf@tds.net>
Sent: Sunday, December 12, 2021 8:01 AM
To: Tanya Hahn
Subject: [Spam?] Re: PN 32800000000

Importance: Low

Yes, that would be great if you could do that! Thank you, Pete

From: "Tanya Hahn" <Tanya.Hahn@lewiscountywa.gov>
To: "Pete & Cathy Murphy" <murphytf@tds.net>
Sent: Wednesday, December 8, 2021 3:58:45 PM
Subject: PN 32800000000

Hello ,

I've processed the removal of 1.74 acres of parcel No. 032800-000-000 as requested.

The total amount due appears to be \$403.33.

I'll drop a copy of the removal paperwork in the mail. The Treasurer's Office will send the actual bill separately. The removal fee is due within 30 days to avoid any additional fees.

Also on your Open space land application the amount being applied for should be 32.88.
Total acres currently is 71.39 with 31.35 taxed as DFL, leaving 40.04 that is not taxed in any programs.

Of the 31.35 ac we removed 1.74 acres leaving 29.61 acres DFL. Of the 41.78 acres remaining ,8.90 does not qualify to be in program which leaves 32.88 to be in application of OSL.
29.61 DFL + 8.90 non-program + 32.88 ac OSL app = 71.39 total acres.

May I adjust the acres to 32.88 for application from 31.88 ?

Have a great day,

Work hard, stay humble, be kind

Tanya Hahn

Deputy Assessor – Exemptions Clerk – Classified Land Programs
Lewis County Assessor's Office
351 NW North St.
Chehalis, WA 98532

Direct line: 360-740-1103 | Fax: 360-740-1262
Tanya.Hahn@lewiscountywa.gov

PBRS POINTS AWARDED

PBRS COMMITTEE MEETING HELD JAN. 26, 2016, AT THE LEWIS COUNTY ASSESSOR'S OFFICE

	Sean Swope	Vic Khovoroff	Leslie Myers	Preston Pinkston	Greg Lund
Onalaska Alliance (OSL)- PN 32800	8	8	8	8	8

Also present were Lewis County Assessor's Office representatives Tanya Hahn, exemptions clerk (a non-voting PBRS Committee member).
All PBRS Members were present.

Exhibit B

LEWIS COUNTY PLANNING COMMISSION

Lorie Spogen, Chair

LETTER OF TRANSMITTAL

To: Lewis County Board of County Commissioners
From: Lewis County Planning Commission
Date: February 23, 2022
Subject: Transmittal to the BOCC: Findings and Conclusion regarding Public Benefits Rating System Committee designation for Open Space Land assessment

Dear Commissioners,

The Lewis County Planning Commission has completed its review and hearing of one application for the inclusion of a property in the open space assessment program as allowed under Lewis County Code (LCC) 3.50. The applicant is Onalaska Alliance, Parcel No. 032800000000, which is 32.88 acres including Carlisle Lake and its shoreline.

Findings of Fact

1. The application was made and reviewed in compliance with the provisions of RCW 76 and 84.34, WAC 222 and 458, and LCC 3.50.
2. The review by the County Public Benefit Rating System Committee (PBRSC) on January 19, 2022 resulted in the property being found to contribute to the retention and conservation of open space as defined in LCC 3.50.
3. The application recommended for inclusion by the PBRSC was the subject of a duly noticed public hearing before the Planning Commission on February 22, 2022 as required under LCC 17.05 and LCC 17.12.
4. The recommendations in the Exhibit A, memo regarding the recommendation of the PBRSC, from the Lewis County Assessor to the Planning Commission are consistent with the provisions of the Lewis County Comprehensive Plan Natural Environment Sub Element; in particular as it sets forth goals, objectives and policies relating to GMA Goals 9 (Open Space and Recreation) and 10 (Environment).

Recommendation

Based on the above findings, the Lewis County Planning Commission recommends that the Board of County Commissioners adopt the recommendations of the Public Benefit Rating System Committee, attached hereto, and include the 32.88 acre property, Parcel No. 032800000000, owned by the Onalaska Alliance, in the Open Space Land program.

Being duly authorized to transmit the recommendations on behalf of the Lewis County Planning Commission, I hereby respectfully submit the documents to the Lewis County Board of County Commissioners.

Submitted by Lorie Spogen Date 2-23-2022
Lorie Spogen, Chair
Lewis County Planning Commission

Exhibit

- A. Memo Recommendation of the Public Benefits Rating System Committee

BOCC AGENDA ITEM SUMMARY

Resolution:**BOCC Meeting Date:** March 8, 2022**Suggested Wording for Agenda Item:****Agenda Type:** Legal Notice

Notice of a public hearing to consider approval of Open Space Land designation and assessed value reduction for Parcel No. 032800000000

Contact: Mindy Brooks**Phone:** 3607402610**Department:** CD - Community Development**Description:**

Notice of a public hearing to consider approval of Open Space Land designation and assessed value reduction for Parcel No. 032800000000

Approvals:

User	Status
Amber Smith	Pending
PA's Office	Approved

Publication Requirements:**Publications:**

The Chronicle

Additional Copies:**Cover Letter To:**