

SENATE BILL REPORT

SB 6199

As of January 23, 1998

Title: An act relating to aquatic protection and enhancement.

Brief Description: Including aquatic protection and enhancement in open space land planning.

Sponsors: Senators Fraser, Swecker, Spanel, Rasmussen, Haugen, Jacobsen and Winsley.

Brief History:

Committee Activity: Agriculture & Environment: 1/28/98.

SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

Staff: Kari Guy (786-7437)

Background: Property meeting certain conditions may have property taxes determined on current use values rather than market values. Three categories of lands that may be classified and assessed on current use are covered in the open space law: open space lands, farm and agriculture lands, and timber lands.

Open space land is land designated as open space in an adopted comprehensive plan, or land that conserves natural or scenic resources, protects streams or water supply, promotes conservation of soils, wetlands, beaches or tidal marshes, enhances neighboring parks, enhances recreational opportunities, preserves historic sites, preserves visual quality along road corridors, retains land in urban areas in its natural state, or preserves land meeting the definition of farm and agricultural conservation land. The legislative body granting open space classification may require the land be open to public use.

Applications for open space classification are made to the county legislative authority. If the land is in an area subject to a comprehensive plan, the classification may be acted upon in the same manner as an amendment to the comprehensive plan. If the land is in an area not subject to a comprehensive plan, the classification may be acted upon after a public hearing.

A county legislative authority may also adopt an open space plan after public hearing. The plan must include criteria for determining eligibility of lands, a process for establishing a public benefit rating system, and an assessed valuation schedule. Owners of lands classified as open space in the plan are notified of the classification and new assessed value. The land may be removed from classification on request of the owner.

Summary of Bill: Land areas that protect or enhance aquatic habitat are added to the definition of open space land. The criteria for determining the eligibility of lands in an open space plan must include aquatic habitat protection and enhancement. In determining the eligibility of land under the criteria for aquatic habitat, the lack of eligibility under other criteria must not be considered.

Appropriation: None.

Fiscal Note: Requested on January 22, 1998.

Effective Date: Ninety days after adjournment of session in which bill is passed.