
HOUSE BILL 1637

State of Washington

59th Legislature

2005 Regular Session

By Representatives Upthegrove, Dickerson, Moeller, Dunshee, McCoy, B. Sullivan, Chase, Williams, Sells, Simpson, Lantz, Hunt, O'Brien and Kagi

Read first time 01/31/2005. Referred to Committee on Local Government.

1 AN ACT Relating to priority consideration of voluntary buffers in
2 open space plans, public benefit rating systems, and assessed valuation
3 schedules; and amending RCW 84.34.055.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 84.34.055 and 1994 c 264 s 76 are each amended to read
6 as follows:

7 (1)(a) The county legislative authority may direct the county
8 planning commission to set open space priorities and adopt, after a
9 public hearing, an open space plan and public benefit rating system for
10 the county. The plan shall consist of criteria for determining
11 eligibility of lands, the process for establishing a public benefit
12 rating system, and an assessed valuation schedule. The assessed
13 valuation schedule shall be developed by the county assessor and shall
14 be a percentage of market value based upon the public benefit rating
15 system. The open space plan, the public benefit rating system, and the
16 assessed valuations schedule shall not be effective until approved by
17 the county legislative authority after at least one public hearing:
18 PROVIDED, That any county which has complied with the procedural

1 requisites of chapter 393, Laws of 1985, prior to July 28, 1985, need
2 not repeat those procedures in order to adopt an open space plan
3 pursuant to chapter 393, Laws of 1985.

4 (b) County legislative authorities, in adopting open space plans,
5 public benefit rating systems, and assessed valuation schedules, shall
6 give priority consideration to lands used for buffers that:

7 (i) Are not required by law; and

8 (ii) Are planted with or primarily contain native vegetation.

9 (c) "Priority consideration" as used in this section may include,
10 but is not limited to, establishing classification eligibility and
11 maintenance criteria for buffers meeting the requirements of (b)(i) and
12 (ii) of this subsection.

13 (2) In adopting an open space plan, recognized sources shall be
14 used unless the county does its own survey of important open space
15 priorities or features, or both. Recognized sources include but are
16 not limited to the natural heritage data base; the state office of
17 historic preservation; the interagency committee for outdoor recreation
18 inventory of dry accretion beach and shoreline features; state,
19 national, county, or city registers of historic places; the shoreline
20 master program; or studies by the parks and recreation commission and
21 by the departments of fish and wildlife and natural resources.
22 Features and sites may be verified by an outside expert in the field
23 and approved by the appropriate state or local agency to be sent to the
24 county legislative authority for final approval as open space.

25 (3) When the county open space plan is adopted, owners of open
26 space lands then classified under this chapter shall be notified in the
27 same manner as is provided in RCW 84.40.045 of their new assessed
28 value. These lands may be removed from classification, upon request of
29 owner, without penalty within thirty days of notification of value.

30 (4) The open space plan and public benefit rating system under this
31 section may be adopted for taxes payable in 1986 and thereafter.

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