

Chapter 14.40

OPEN SPACE CURRENT USE ASSESSMENT APPLICATIONS

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14.40.010 Legislative declarations.

The County adopts the Washington State legislative declaration as follows:

The Washington State Legislature declares that it is in the best interest of the State 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 scenic beauty for the economic and social well-being of the State and its citizens. The legislature further declares that assessment practices must be so designed as to permit the continued availability of open space lands for these purposes, and it is the intent of this Chapter so to provide. The legislature further declares its intent that farm and agricultural lands shall be valued on the basis of their value for use as authorized by Section 11 of Article VII of the Constitution of the State of Washington. (Ord. 17938 Atch. F (part), 2000)

14.40.020 Purpose.

The purpose of this Chapter is to outline the review procedures for the processing of open space land current use assessment applications as provided in RCW 84.34.037. (Ord. 17938 Atch. F (part), 2000)

14.40.030 Adoption by reference.

The County's open space current use program shall be guided by Chapter 84.34 RCW, which is hereby adopted by reference. (Ord. 17938 Atch. F (part), 2000)

14.40.040 Procedure.

- (1) Applications for open space open space current use assessment shall be submitted to Planning and Development Services for processing.
- (2) Applications for open space open space current use assessment shall be processed in accordance with applicable State and County laws, rules, and regulations, including review procedures of Chapter 14.08 SCC, Legislative Actions.
- (3) The County's open space current use program shall be guided by Chapter 84.34 RCW, which is hereby adopted by reference.
- (4) The Board shall approve or deny a current use assessment application within 6 months from the receipt of the complete current use assessment application.
- (5) Pursuant to RCW 84.34.037(5) and 84.34.041(3), the decision of the Board on any current use assessment application is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Appeals shall proceed according to the applicable RCW. (Ord. O20070009 (part); Ord. 17938 Atch. F (part), 2000)

14.40.050 Notice of Decision.

If the open space application is approved by the Hearing Examiner, the Hearing Examiner shall prepare a contract and forward the contract to the Board of County Commissioners. The Board shall then schedule a public meeting. Afterwards, the Board may sign the contract. The contract is then posted certified mail to the applicant who must return the signed contract within 25 calendar days. (Ord. 17938 Atch. F (part), 2000)

14.40.060 Notice of approval.

After a Notice of Decision has been provided to the applicant and upon receipt of a contract, signed by all property owners, the County Assessor shall be provided with a notice of the decision and a legal description of the property

affected within 10 days. The County Assessor shall then make the necessary adjustments to the property records and tax status. (Ord. 17938 Attch. F (part), 2000)