

March 13, 2025

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

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

SUBJECT: Department of Natural Resources and Parks file no. **E24CT010**
Proposed ordinance no. **2025-0035**
Parcel nos. **312607-9003** and **312607-9009**

TIMOTHY AND TERI FARNO

Open Space Taxation Application (Public Benefit Rating System)

Location: 28403 NE 112th Way, Duvall

Applicants: **Timothy & Teri Farno**
23538 NE 122nd Court
Redmond, WA 98053
Telephone: (323) 841-0140
Email: timfarno@comcast.net

King County: Department of Natural Resources and Parks
represented by **Bill Bernstein**
201 S. Jackson Street
Suite 5601
Seattle, WA 98104
Telephone: (206) 477-4643

SUMMARY OF RECOMMENDATIONS:

Department's Recommendation:	Approve 16.73 acres for 20% of assessed value
Examiner's Recommendation:	Approve 16.73 acres for 20% of assessed value

PRELIMINARY REPORT:

On February 13, 2025, the Department of Natural Resources and Parks (DNRP) submitted its report on file no. E24CT010 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 February 27, 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: Timothy and Teri Farno
 23538 NE 122nd Court
 Redmond, WA 98053

 Location: 28403 NE 112th Way, Duvall
 STR: NW-31-26-07
 Zoning: RA10
 Parcel nos: 312607-9003 and 312607-9009
 Total acreage: 20.69 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 ~~strike through~~ represents a category an applicant requested an award for, but DNRP disagrees 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	5
	Buffer to public or current use classified land	3
	Rural open space	5
	Scenic resource, viewpoint or view corridor	5
	Significant plant or ecological site	0
	Significant wildlife or salmonid habitat	0
	Special animal site	0
	Surface water quality buffer	10
	Watershed protection area	5

<u>Bonus Categories</u>	
Unlimited public access	0
Total	33

The DNRP-recommended score of 33 points results in a current use valuation of 20% of assessed value for the enrolled portion of the property.

4. As to the land area recommended for PBRS enrollment, the Applicants requested 18.39 acres and DNRP recommends 16.73 acres. (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.)
5. Except as modified herein, we find the facts set forth in DNRP's preliminary report and testimony at the February 27, 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.
6. Approval of 33 points and a current use valuation of 20% of assessed value for 16.73 acres is 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:

APPROVE a current use valuation of 20% of assessed value for the 16.73-acre enrolled portion of the property.

DATED March 13, 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 7, 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 FEBRUARY 27, 2025, HEARING ON THE APPLICATION OF TIMOTHY AND TERI FARNO, FILE NO. E24CT010

David Spohr was the Hearing Examiner in this matter. Bill Bernstein 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