

June 16, 2026

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

Telephone (206) 477-0860

hearingexaminer@kingcounty.gov

www.kingcounty.gov/independent/hearing-examiner

**REPORT AND RECOMMENDATION TO THE KING
COUNTY COUNCIL FOR CURRENT USE
ASSESSMENT APPLICATION**

SUBJECT: Department of Natural Resources and Parks file no. **E25CT005**
Proposed ordinance no. **2026-0091**
Parcel no. **252006-9129**

DEBORAH MALLERY AND JOHN VAN WIERINGEN

Open Space Taxation Application (Public Benefit Rating System)

Location: 26218 SE 464th St, Enumclaw

Applicants: **Deborah Mallery and John Van Wieringen**

26218 SE 464th St

Enumclaw, WA 98022

Telephone: (253) 350-1488

Email: damallery@yahoo.com

King County: Department of Natural Resources and Parks

represented by **Megan Kim**

201 S. Jackson Street Suite 5601

Seattle, WA 98104

Telephone: (206) 477-4788

Email: megan.kim@kingcounty.gov

SUMMARY OF RECOMMENDATIONS:

Department's Recommendation: Approve 10.43 acres for 80% reduction in appraised value and contingent approval of another 10 points for a 90% reduction on a total of 19.59 acres.

Examiner's Recommendation: Approve 10.43 acres for 80% reduction in appraised value and contingent approval of another 10 points for a 90% reduction on a total of 19.59 acres.

PROCEDURAL BACKGROUND:

Per Ch. 20.36 KCC, the Department of Natural Resources and Parks (DNRP) transmitted the subject application along with its Report for Property Enrollment in the Public Benefit Rating System (PBRs) File No. E25CT005, to the Examiner.

The Examiner conducted a remote public hearing on the application on May 28, 2026. Megan Kim, representing DNRP, presented the application and DNRP's recommendation. Applicants Deborah Mallery and John Van Wieringen also participated. The Examiner left the record open for the Applicants to submit an approved farm management plan that would qualify them for one of the "contingent" categories discussed below. We did not receive anything from either party by the June 5 deadline and closed the hearing record on June 9.

The Staff Report referenced King County Conservation Easement "recording #20170117001782," as Exhibit 6 in the record. Upon review of the record, the Exhibit was inadvertently omitted. To facilitate a complete record, the Examiner allowed submission of the recorded easement on June 9.

FINDINGS AND CONCLUSIONS:

1. Except as modified herein, the facts set forth in DNRP's staff report and testimony at the May 28, 2026, public hearing are correct and incorporated here by reference. We will provide copies of this report and DNRP's staff report to the King County Council for final action.
2. The property at issue is at 26218 SE 464th St, Enumclaw, Parcel No. 252006-9129, owned by the Applicants Deborah Mallery and John Van Wieringen.
3. The Applicants timely filed an application with King County for current use assessment of the above identified property under the PBRs to begin in 2026.
4. Timely and proper legal notice of the public hearing on the application was provided.
5. The property is currently participating in the farm and agricultural land program (RCW 84.34.020(2)). The purpose of this application is to reclassify the property and enroll it in PBRs.
6. A list of the PBRs Open Space Resource categories identified by DNRP as relevant to the property are provided below. Categories that DNRP determined were eligible (or eligible with contingencies*) for credit are assigned the applicable number of points. In this case DNRP also recommended credit for "bonus" categories as indicated below.

PBRs categories:	Farm and agricultural conservation land	0*
	Rural open space	5
	Significant wildlife or fish habitat	5

<u>Bonus: x</u>	
Conservation easement or historic easement	18
Resource restoration	0*
Total points awarded	28

The DNRP-recommended score of 28 points results in an 80% reduction in the appraised value of the enrolled portion of the property. Each category where points are recommended is discussed below.

7. **Rural open space – 5 points.** To be eligible for this category, a property must be located in the rural area and enroll at least five acres of native vegetation. This property is in the rural area and would enroll over 10 acres of natively vegetated open space.
8. **Significant wildlife or salmonid habitat – 5 points.** A staff site visit established that the property contains foraging and nesting habitat for the pileated woodpecker, which is identified in King County’s Comprehensive Plan as a Species of Local Importance (E-328(e)). Award of this category is consistent with habitat as defined by KCC 20.36.100.B.15.a(1).
9. **Bonus: Conservation easement or historic preservation easement – 18 points.** A King County Conservation Easement (recording # 20170117001782) was established on the property in 2017, which protects valuable natural resources and restricts further development of the property in perpetuity.
10. **Contingencies, Conditions, and Requirements.**
 - A. Farm and agricultural conservation land - 5 points. The property contains more than five acres of traditional farmland. Award of points for this category requires an approved King Conservation District farm management plan which could apply to the entire property, totaling 19.59 acres. If a farm management plan is provided on or before December 31, 2026, then 5 points should be administratively awarded for this category to be applied to the full acreage covered by the approved plan.
 - B. Bonus: Resource restoration – 5 points. There are areas on the property that could be restored to increase species diversity and improve forest health. If a resource restoration plan is provided by November 1, 2026, and DNRP approves that plan by December 31, 2026, an additional five points may be awarded administratively under this category.
 - C. If both contingent categories are awarded, the reduction in assessed value for the enrolled portion of the property will increase to 90%.
 - D. The Examiner incorporates all conditions and requirements identified in the PBRS Staff Report. Ex. 1.

11. **Enrollment Acreage.** DNRP recommends 10.43 acres of the subject property be enrolled in the PBRs program. (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.)
12. Approval of 28 points and an 80% reduction in the appraised value on 10.43 acres, with conditional approval of up to 9.16 additional acres, and up to 10 additional points, is consistent with Ch. 20.36 KCC 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:

1. APPROVE credit for the "rural open space," "significant wildlife," and "conservation easement" categories on 10.43 acres on parcel 252006-9129, for an 80% reduction in the appraised value of the enrolled portion of the property. Approval should be subject to any conditions and requirements listed herein or incorporated from the DNRP staff report.
2. CONDITIONALLY APPROVE additional credit for the "farm and agricultural conservation land" and/or "resource restoration" categories, subject to timely submittal and approval of a King County Conservation District approved farm management plan and resource restoration plan. If credit is administratively awarded under both of these categories, the reduction in appraised value will be 90%, and would apply to the acreage included in the approved farm management plan, up to 19.59 acres.

DATED June 16, 2026.

A handwritten signature in black ink, appearing to read 'Devon Shannon', written over a horizontal line.

Devon Shannon
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 *July 10, 2026*, 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 MAY 28, 2026, HEARING ON THE APPLICATION OF DEBORAH MALLERY AND JOHN VAN WIERINGEN, FILE NO. E25CT005

Devon Shannon was the Hearing Examiner in this matter. A verbatim recording of the hearing is available in the Hearing Examiner's Office.

The following exhibits were offered by DNRP and entered into the record:

Exhibit no. 1	DNRP staff report
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
Exhibit no. 6	Deed of Conservation Easement