

June 2, 2026

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

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

SUBJECT: Department of Natural Resources and Parks file no. **E25CT026T**
Proposed ordinance no. **2026-0095**
Parcel nos. **004200-0048 and 004200-0052**

PETER SCHILLING

Application for Current Use Assessment under the Public Benefit Rating System

Location: 4447 and 14823 S 148th Street, Tukwila

Applicant: **Peter Schilling**
4447 S 148th Street
Tukwila, WA 98168
Telephone: (253) 222-0149
Email: 1993pe@gmail.com

King County: Department of Natural Resources and Parks
represented by **Megan Kim**
201 S. Jackson Street Suite 5601
Seattle, WA 98104
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SUMMARY OF RECOMMENDATIONS:

Department's Recommendation: Approve 1.21 acres for 80% reduction in appraised value.

Examiner's Recommendation: Approve 1.21 acres for 80% reduction in appraised value.

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. E25CT026T, 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. The Applicant attended but did not participate.

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 4447 and 14823 S 148th Street, Tukwila, Parcel Nos. 004200-0048 and 004200-0052, owned by the Applicant Peter Schilling.
3. The Applicant timely filed an application with King County for current use assessment of the above identified property under the PBRs to begin in 2026.
4. For this application, the granting authorities are the King County Council and the City of Tukwila. On May 18, the City of Tukwila held a hearing on this application and subsequently approved the enrollment as proposed.
5. Timely and proper legal notice of King County's public hearing on the application was provided.
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 a "bonus" category as indicated below.

PBRs categories:	Buffer to public or current use classified land	5
	Significant wildlife or fish habitat	5
	Urban open space	5
	Watershed protection area	5
	<u>Bonus: Resource Restoration</u>	<u>5</u>
	Total points awarded	25

The DNRP-recommended score of 25 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. **Buffer to public or current use classified land – 5 points.** The subject property is adjacent to a short public trail (Exhibit 7) along the east property line of parcel -0052. The trail is used by the public and provides a portion of a pedestrian throughfare between Foster High School and Thorndyke Elementary School. The enrolling open space area is providing a buffer of native vegetation of more than 50 feet to this adjacent land, which exceeds the category's requirement.
8. **Significant wildlife or salmonid habitat – 5 points.** A staff site visit established that the property contains valuable foraging and nesting habitat for the pileated woodpecker, and staff observed woodpeckers actively utilizing the property (nesting cavities). Pileated woodpeckers are 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. **Urban open space – 5 points.** To qualify for this open space category, KCC 20.36.100.C.19.a requires the land to be within the boundaries of a city, have a plant community in which native plants are dominant, and be eligible for more-intensive development or use. The property is located within the urban growth boundary and the landowner is enrolling one or more acres of contiguous native forest.
10. **Watershed protection area – 5 points.** To be eligible for this category, the enrolling forested area must consist of additional forest cover beyond that required by county or applicable local government regulation and must be at least one acre or sixty-five percent of the property acreage, whichever is greater. The enrolling open space contains 1.21 acres of native forest cover which is more than 65% of the total property acreage and there are no additional forest retention regulations in place for this property.
11. **Bonus: Resource restoration:** The owners proposing to restore a portion of their property, including weed and invasive species removal. The owners have provided a resource restoration plan (Exhibit 6) that has been approved by PBRS staff. It is the landowner's responsibility to apply for and receive the necessary approvals from the applicable state and local governmental agencies for forestry/restoration activities that require a permit or approval, such as clearing and grading. Restoration activity must be completed within a three-year period. Award of this category requires an annual progress report from the landowner.
12. **Contingencies, Conditions, and Requirements.**
 - A. The Examiner incorporates all conditions and requirements identified in the PBRS Staff Report. Ex. 1.
13. **Enrollment Acreage.** The Applicant requested 1.18 acres and DNRP recommends 1.21 total acres of the subject properties 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.)

14. Approval of 25 points and an 80% reduction in the appraised value of 1.21 acres of the two parcels 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:

APPROVE credit for the above listed open space categories for 1.21 acres on parcels 004200-0048 and 004200-0052 for an 80% reduction of the assessed value for the enrolled portion of the property. Approval should be subject to any conditions and requirements listed herein or incorporated from the DNRP staff report.

DATED June 2, 2026.

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a series of loops and a long horizontal stroke.

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 ***June 26, 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 PETER
SCHILLING, FILE NO. E25CT026T**

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	Forest Stewardship Plan
Exhibit no. 7	Trail map