

March 29, 2024

**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. **E23CT007**  
Proposed ordinance no. **2024-0063**  
Parcel no. **2623089028**

**DEVLIN CAREY AND ALIXANDRA LAMSA**

Open Space Taxation Application (Public Benefit Rating System)

Location: east and abutting 44665 SE Edgewick Road,  
North Bend

Applicants: **Devlin Carey and Alixandra Lamsa**  
2511 SW Cloverdale Street  
Seattle, WA 98106  
Telephone: (206) 755-3100  
Email: devlinacarey@gmail.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

SUMMARY OF RECOMMENDATIONS:

Department's Recommendation: Approve 5.87 acres for 20% of assessed value  
Conditionally approve 5.87 acres for 10% of assessed value

Examiner's Recommendation: Approve 5.87 acres for 20% of assessed value  
Conditionally approve 5.87 acres for 10% of assessed value

## PRELIMINARY REPORT:

On March 11, 2024, the Department of Natural Resources and Parks (DNRP) submitted its report on file no. E23CT007 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 March 20, 2024.

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 Hearing Examiner's Office.

## FINDINGS AND CONCLUSIONS:

### 1. General Information:

|                |  |
|----------------|--|
| Owners:        | Devlin Carey and Alixandra Lamsa<br>2511 SW Cloverdale Street<br>Seattle, WA 98106 |
| Location:      | east and abutting 44665 SE Edgewick Road,<br>North Bend                            |
| STR:           | SE-26-23-06  |
| Zoning:        | RA10   |
| Parcel no:     | 2623089028   |
| Total acreage: | 6.87 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 2024. As required by law, notification of the application occurred.

3. The property is currently enrolled in the Designated Forestland program. The purpose of this application is to reclassify the property and enroll it in PBRS. Any new open space taxation agreement must supersede that agreement.

4. 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 ~~strickethrough~~ represents a category an applicant requested an award for but that DNRP disagrees is warranted. Any *italics* represents a category an applicant did not request an award for, but that DNRP nonetheless concludes 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        |
|                  | Forest stewardship land                         | 5        |
|                  | Significant wildlife and salmonid habitat       | 5        |
|                  | Watershed protection area                       | 5        |
|                  | <u>Bonus Categories</u>                         |          |
|                  | Conservation easement or historic easement      | *        |
|                  | <hr/> Total                                     | <hr/> 23 |

The DNRP-recommended score of 23 points results in a current use valuation of 20% of assessed value for the enrolled portion of the property.

5. Additional credit may be awarded administratively under the conservation easement or historic easement category, subject to recording, by **December 31, 2024**, a conservation easement permanently protecting valuable open space resources and public education opportunities. Those additional 18 points would result in a current use valuation of 10% of assessed value for the enrolled portion of the property.
6. As to the land area recommended for PBRS enrollment, the Applicants requested 6.00 acres and DNRP recommends 5.87 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.)
7. Except as modified herein, we find the facts set forth in DNRP’s preliminary report and testimony at the March 20, 2024, 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.
8. Approval of 23 points and a current use valuation of 20% of assessed value for 5.87 acres, and conditional approval of 18 additional points and 10% of assessed value for those 5.87 acres, are 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:

1. APPROVE a current use valuation of 20% of assessed value for the 5.87-acre enrolled portion of the property.
2. CONDITIONALLY APPROVE additional credit for the conservation easement or historic easement category, subject to recording, by **December 31, 2024**, a conservation easement permanently protecting valuable open space resources and public education opportunities, resulting in a current use valuation of 10% of assessed value for the enrolled portion of the property.

DATED March 29, 2024.



David Spohr  
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 22, 2024**, an electronic appeal statement must be sent to [Clerk.Council@kingcounty.gov](mailto:Clerk.Council@kingcounty.gov), to [hearingexaminer@kingcounty.gov](mailto: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 MARCH 20, 2024, HEARING ON THE APPLICATION OF DEVLIN CAREY AND ALIXANDRA LAMSA, FILE NO. E23CT007

David Spohr was the Hearing Examiner in this matter. Megan Kim 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  |
| Exhibit no. 6 | Forest stewardship plan   |
| Exhibit no. 7 | Wetland delineation report  |