

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5620

Chapter 310, Laws of 2005

59th Legislature
2005 Regular Session

OPEN SPACE PRIORITIES

EFFECTIVE DATE: 7/24/05

Passed by the Senate April 21, 2005
YEAS 45 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 13, 2005
YEAS 91 NAYS 5

FRANK CHOPP

Speaker of the House of Representatives

Approved May 6, 2005.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5620** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 6, 2005 - 3:34 p.m.

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5620

AS AMENDED BY THE HOUSE

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By Senate Committee on Government Operations & Elections (originally sponsored by Senators Kline, Mulliken, Pridemore, Kastama, Poulsen, Rockefeller, Fairley and Kohl-Welles)

READ FIRST TIME 03/01/05.

1 AN ACT Relating to priority consideration of buffers in open space
2 plans, public benefit rating systems, and assessed valuation schedules;
3 and amending RCW 84.34.055.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 84.34.055 and 1994 c 264 s 76 are each amended to read
6 as follows:

7 (1)(a) The county legislative authority may direct the county
8 planning commission to set open space priorities and adopt, after a
9 public hearing, an open space plan and public benefit rating system for
10 the county. The plan shall consist of criteria for determining
11 eligibility of lands, the process for establishing a public benefit
12 rating system, and an assessed valuation schedule. The assessed
13 valuation schedule shall be developed by the county assessor and shall
14 be a percentage of market value based upon the public benefit rating
15 system. The open space plan, the public benefit rating system, and the
16 assessed valuations schedule shall not be effective until approved by
17 the county legislative authority after at least one public hearing:
18 PROVIDED, That any county which has complied with the procedural

1 requisites of chapter 393, Laws of 1985, prior to July 28, 1985, need
2 not repeat those procedures in order to adopt an open space plan
3 pursuant to chapter 393, Laws of 1985.

4 (b) County legislative authorities, in open space plans, public
5 benefit rating systems, and assessed valuation schedules, shall give
6 priority consideration to lands used for buffers that are planted with
7 or primarily contain native vegetation.

8 (c) "Priority consideration" as used in this section may include,
9 but is not limited to, establishing classification eligibility and
10 maintenance criteria for buffers meeting the requirements of (b) of
11 this subsection.

12 (d) County legislative authorities shall meet the requirements of
13 (b) of this subsection no later than July 1, 2006, unless buffers
14 already receive priority consideration in the existing open space
15 plans, public benefit rating systems, and assessed valuation schedules.

16 (2) In adopting an open space plan, recognized sources shall be
17 used unless the county does its own survey of important open space
18 priorities or features, or both. Recognized sources include but are
19 not limited to the natural heritage data base; the state office of
20 historic preservation; the interagency committee for outdoor recreation
21 inventory of dry accretion beach and shoreline features; state,
22 national, county, or city registers of historic places; the shoreline
23 master program; or studies by the parks and recreation commission and
24 by the departments of fish and wildlife and natural resources.
25 Features and sites may be verified by an outside expert in the field
26 and approved by the appropriate state or local agency to be sent to the
27 county legislative authority for final approval as open space.

28 (3) When the county open space plan is adopted, owners of open
29 space lands then classified under this chapter shall be notified in the
30 same manner as is provided in RCW 84.40.045 of their new assessed
31 value. These lands may be removed from classification, upon request of
32 owner, without penalty within thirty days of notification of value.

33 (4) The open space plan and public benefit rating system under this
34 section may be adopted for taxes payable in 1986 and thereafter.

Passed by the Senate April 21, 2005.

Passed by the House April 13, 2005.

Approved by the Governor May 6, 2005.

Filed in Office of Secretary of State May 6, 2005.