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ENGROSSED SUBSTITUTE SENATE BILL 5620

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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) Classified open space land within the boundaries of airport  
13 property shall receive priority consideration under this section and  
14 shall not be removed or declassified without receipt of written notice  
15 from the owner to remove all or a portion of the classification  
16 pursuant to RCW 84.34.108.

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

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

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

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

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