STAFF REPORT

REPORT DATE: May 1, 2014
HEARING DATE: May 16, 2014
TO: Planning Commission
FROM: Julie Thompson, Planner III
RE: POPNSP-12-0008(D), Warren Road Associates Open Space application
APPLICANT: Warren Road Associates LP
William H. Neukom
99 Union St. #1703
Seattle, WA 98101
AGENT: Jim Nowadnick
PO Box 4609
Rolling Bay, WA 98061
SUBMITTED: December 18, 2012
COMP PLAN DESIGNATION: Agricultural Resource
SHORELINE DESIGNATION: Rural Farm Forest
SEPA: This proposal is exempt from SEPA.
LOCATION: Tax parcel number 340331002, 1105 False Bay Drive, San Juan Island
PROPOSAL: To place 40.83 acres of a 41.83 acre property into Current Use Open Space
RECOMMENDATION: Approval

FINDINGS AND CONCLUSIONS:
1. Warren Road Associates LP proposes to place their 41.83 acre parcel into the current use open space program. This property is in the Agricultural Resource land use designation, with a density of 10, which means it could potentially be divided into four parcels.

2. This parcel is classified as current use farm and agriculture land.

3. The applicants are working with the San Juan Preservation Trust on a conservation easement which will allow for one residence.

4. The property is located at 1105 False Bay Drive on San Juan Island. False Bay Drive runs along the north property line and Haro Strait lies along the southerly boundary. All the surrounding properties are in the Current Use Open Space program.
5. Current Use Open Space is a program which grants a reduction on the property tax to property with 1) a variety of resources visible to the public, 2) a certain degree of public access and 3) resource protection. The number of points awarded reduces the value of the property by that percentage, thereby reducing the property taxes on the land included in the program. The assessor automatically removes 1 acre of land for each home site or other developed areas, assessing it at fair market value.

6. The Open Space Advisory Team reviewed the application and conducted a site visit September 26, 2013. The team rated the open space resources on the property based on the criteria established by the Open Space Program, using the public benefit rating system. The team’s score sheet is attached, and is summarized below.

<table>
<thead>
<tr>
<th>Resource (40 is maximum allowed)</th>
<th>Public Access</th>
<th>Level of Protection</th>
</tr>
</thead>
<tbody>
<tr>
<td>40</td>
<td>10</td>
<td>2</td>
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</tbody>
</table>

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7. Public Benefit Rating Points
   a. Natural and scenic resources—The property is visible from the Strait of Juan de Fuca and has pastures, steep slopes, forests, shorelines, and compatible development, and there is significant wildlife habitat (11 points).
   b. Water resources—The False Bay watershed is a priority watershed; there are both fresh- and saltwater resources on the site (12 points).
   c. Fragile resources—None identified
   d. Lands abutting property of public value—Public access is good, the property is large, and there is variety and quality in the resources (5 points).
   e. Compatible Recreational Use Areas—Limited public access is available, there are several activities available, and there is variety and quality in the resources (5 points).
   f. Public access—Group access is proposed for five appropriate groups; the variety of groups is high; there are few restrictions for groups visiting the property and the variety of resources is high (10 points).
   g. Parcel size—Total parcel size is 41.83 acres (2 points).
   h. The total number of points awarded is 52.

APPLICABLE REGULATIONS:
SJCC 16.50 Open Space Program
RCW 84.34 Open Space Taxation Rules

OPEN SPACE RECOMMENDATION: Recommend to the County Council that this current use open space application be approved based on the above Findings and Conclusions and subject to the following conditions:

1. The weed abatement plan developed at the request of the Noxious Weed Control Program shall continue to be adhered to.
2. Any alteration or change of use of the open space resources in the area designated as open space is prohibited without prior approval from the Open Space Advisory Team. This includes, but shall not be limited to, construction of structures, pond construction, new landscaping and gardens, grading, tree removal, paving, and/or road construction. General maintenance of existing resources is allowed provided that it would not alter any of the open space resources or result in a change of use of said resources. The Team shall review proposed changes/alterations not consistent with the Open Space Agreement and Open Space Program. The Board of County Commissioners may approve a request for revised conditions if it determines that the proposed changes do not alter the purpose for which the classification was granted, pursuant to SJCC 16.50.620.
3. Open space land transferred to a new owner will be removed from open space classification if the County Assessor does not, prior to sale or transfer, receive from the new owner a notice of continuance with the Open Space Taxation Agreement.
4. Withdrawal of any portion of the land covered under the open space agreement shall trigger reevaluation of the remaining portion by the Open Space Advisory Team to determine if the public
benefit rating should be adjusted. A new application will be required if adjustment of the public benefit rating is recommended by the Open Space Advisory Team.

5. Points have been granted for “Group Access”. Public access shall be granted to San Juan County public and private schools, University of Washington Friday Harbor Labs, Audubon Society, Whale Museum, and the San Juan Preservation Trust. Group access is limited to appropriate use groups with permission from the landowner.

6. Groups requesting access should contact:
   Jim Skoog, Arrowhead Property Care LLC
   360 370 5822
   arrowheadpropertycare.com

ATTACHMENTS
Public Benefit Rating worksheet
Application materials
Memo from Noxious Weed Control Program
Noxious Weed Control Plan