



CURRENT USE (TIMBERLAND, OPEN SPACE) PROGRAM

2019-2020

Presentation to Clark County Planning Commission • August 20TH, 2020



What is Open Space?

- The Washington State Legislature recognizes that it is in the best interest of the state and its citizens to maintain, preserve and conserve adequate open space lands for the enjoyment of natural resources and scenic beauty for the economic and social well-being of the state and its citizens.
- Open Space Taxation Act is governed by both the state statutes (RCW 84.34 and WAC 458-30) and Clark County Code 3.08 the Open Space Taxation chapter.
- The law provides three classifications:
 - Open Space land
 - Farm & Agricultural land (not part of this review)
 - Timber land



Background / Process



Application for Classification or Reclassification Open Space Land Chapter 84.34 RCW

File With The County Legislative Authority

Name of Owner(s): _____ Phone No: _____
Address: _____

Parcel Number(s): _____
Legal description: _____

Total acres in application: _____

Indicate what category of open space this land will qualify for:

- Conserve or enhance natural, cultural, or scenic resources
- Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- Protect soil resources, unique or critical wildlife, or native plant habitat
- Promote conservation principles by example or by offering educational opportunities
- Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces
- Enhance recreation opportunities
- Preserve historic or archaeological sites
- Preserve visual quality along highway, road, street corridors, or scenic vistas
- Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority
- Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria
- Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture

- Administration of the Current Use program for Timberland and Open Space requires coordination between the Assessor's Department and the Public Works Department.
- Applications received throughout the year are reviewed near the end of the calendar year preceding the year of tax assessment for current use status.
- As required by Revised Code of Washington (RCW) 84.34.037, Current Use Assessment requests are processed in the same manner as a Comprehensive Plan Amendment.
- All requests for Current Use classification require Planning Commission review, and are approved by the Clark County Council.
- This is the 33RD year the county has reviewed Current Use Assessment applications.



Background / Process Cont.

- Enacted in 1970, it allows property owners to have their open space, farm and agricultural, and timber lands valued at their current use rather than at their highest and best use.
- Current Use Valuation:
 - Curtailment or elimination of current use valuation would result in a reduced tax rate for all affected local jurisdiction taxpayers than would otherwise be the case (but not in net increased tax revenue).
 - Conversely, if more land were assessed at reduced values under the current use program, the tax rate could increase for other taxpayers in the district.
- Public Benefit Rating System (PBRs):
 - Clark County's legislative authority has the ability to establish a PBRs for the open space classification, the criteria contained within the rating system governs the eligibility and valuation of the land subject to the applications.
 - Clark County does not have a PBRs, but the Assessor's Department has developed a task force to evaluate this option.

Open Space Taxation Act



Cedar Creek – Clark County, WA



Enrollment

As of 2019, we have enrolled in the Current Use program:

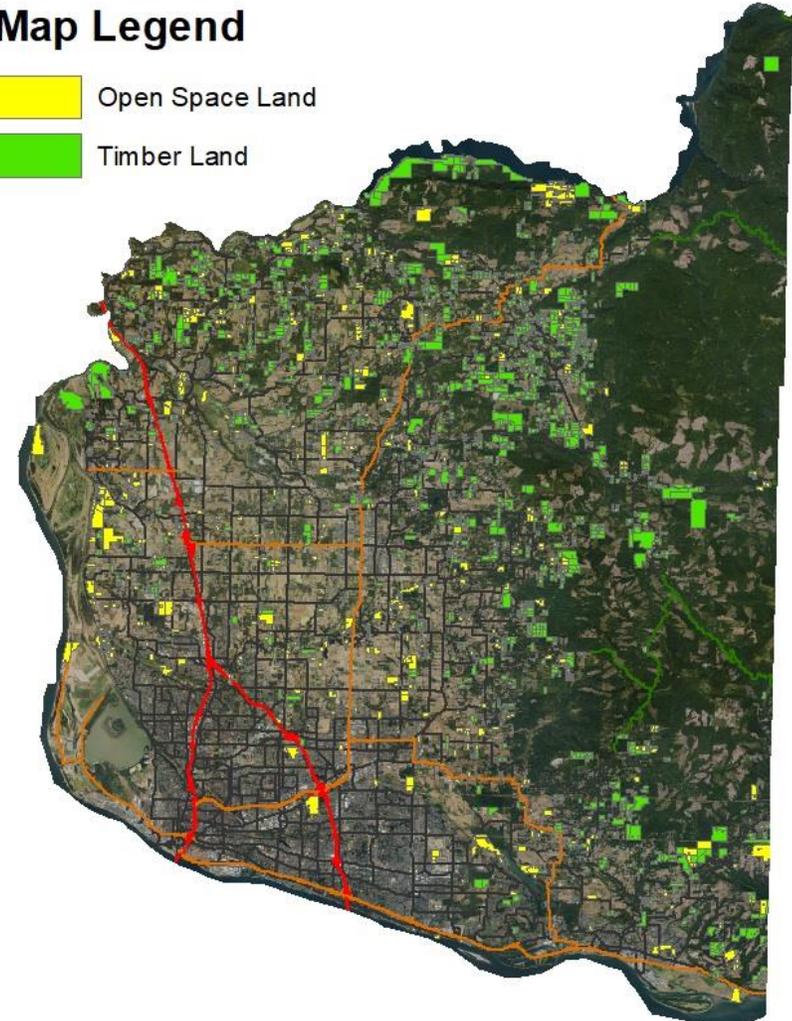
- Open Space land
 - 8,796 acres and 582 owners.
- Timber land
 - 17,282 acres and 1,599 owners.

As of 8/13/2020, the Market Value vs. Current Use values:

Classification	Market Value	Current Use Value
Open Space land	\$201,579,793	\$3,276,859
Timber land	\$290,627,060	\$2,726,058
TOTALS	\$492,260,853	\$6,002,917

Map Legend

-  Open Space Land
-  Timber Land



Open Space Categories

Clark County

- Open Space land -
 - Conservation and enhancement of natural resources – CCC 3.08.031
 - Stream protection – CCC 3.08.040
 - Soil conservation – CCC 3.08.050
 - Enhancement of recreational opportunities – CCC 3.08.055
 - Historic sites – CCC 3.08.060

Washington State

- Conserve or enhance natural, cultural, or scenic resources.
- Protect streams, stream corridors, wetlands, natural shorelines, or aquifers.
- Protect soil resources, unique or critical wildlife, or native plant habitat.
- Promote conservation principles by example or by offering educational opportunities.
- Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces.
- Enhance recreation opportunities.
- Preserve historic or archaeological sites.
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- Farm and agricultural conservation land that is “traditional farmland” not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture.



Timber land Category

Timber land – CCC 3.08.070 -

- Applications for “timberland” classification will be limited to tracts containing at least five (5) acres and exclusive of a home site of one (1) acre, and/or other nonforest use, and meeting the county's code criteria.

This is not an Open Space category, it stands on its own.



General Approval Criteria

- **3.08.021 – Parcel size** – Parcels must be at least ten (10) contiguous acres in size exclusive of a home site of one (1) acre, to be eligible for “open space” classification, except Historic & Archaeological Sites as those tracts could be less than five (5) acres.
- **3.08.080 – Weed Control** – An effective noxious weed control program must be implemented on all “open space” and “timber land” tracts.
 - Clark County Vegetation Management is responsible, by state law, for controlling noxious weeds in Clark County. It is made up of five members of the Clark County Weed Board, appointed by the Board of County Councilors, and 11 county employees.
 - Applicants are to abide by Clark County’s noxious weed control program.
 - For Further Information see <https://www.clark.wa.gov/public-works/vegetation-management>.



Requests

- Staff received 1 request for the Open Space Assessment.
- Staff received 0 requests for the Timber land classification.
- Staff concluded that the 1 request for Open Space classification meets the applicable criteria of the category chosen under Chapter 3.08 (.031), (.040), (.050), (.055), (.060), or (.070) of the Clark County Code.

2019 Fees = \$2,032

(processing fee \$150 + review fee \$1,882)

3.08 Open Space Taxation

3.08.011 - Current use assessment application - processing fee = \$150

6.110A.045 Forestry Review Fees

Section 2 – Open space/current use taxation = \$1,882



2019-00001 • Erkenbeck Project

Map Legend

-  Applicant Ownership
-  80% Food or Fiber
-  Class II Soil Tract



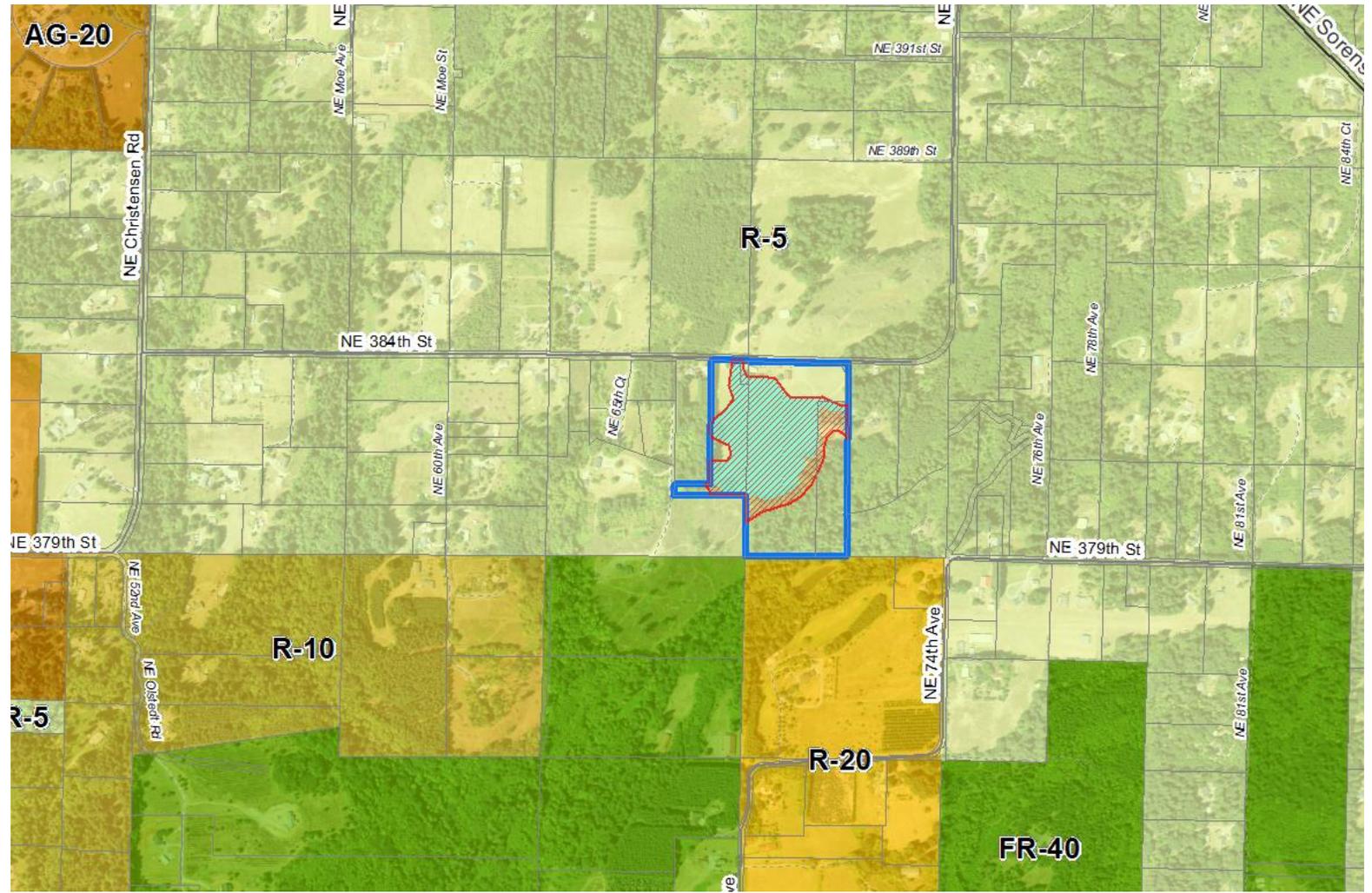
2019 Aerial Imagery



2019-00001 • Erkenbeck Project cont.

Map Legend

-  Applicant Ownership
-  80% Food or Fiber
-  Class II Soil Tract
-  Rural-5 (R-5)
-  Rural-10 (R-10)
-  Rural-20 (R-20)
-  Agriculture-20 (AG-20)
-  Forest 40 (FR-40)

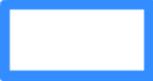


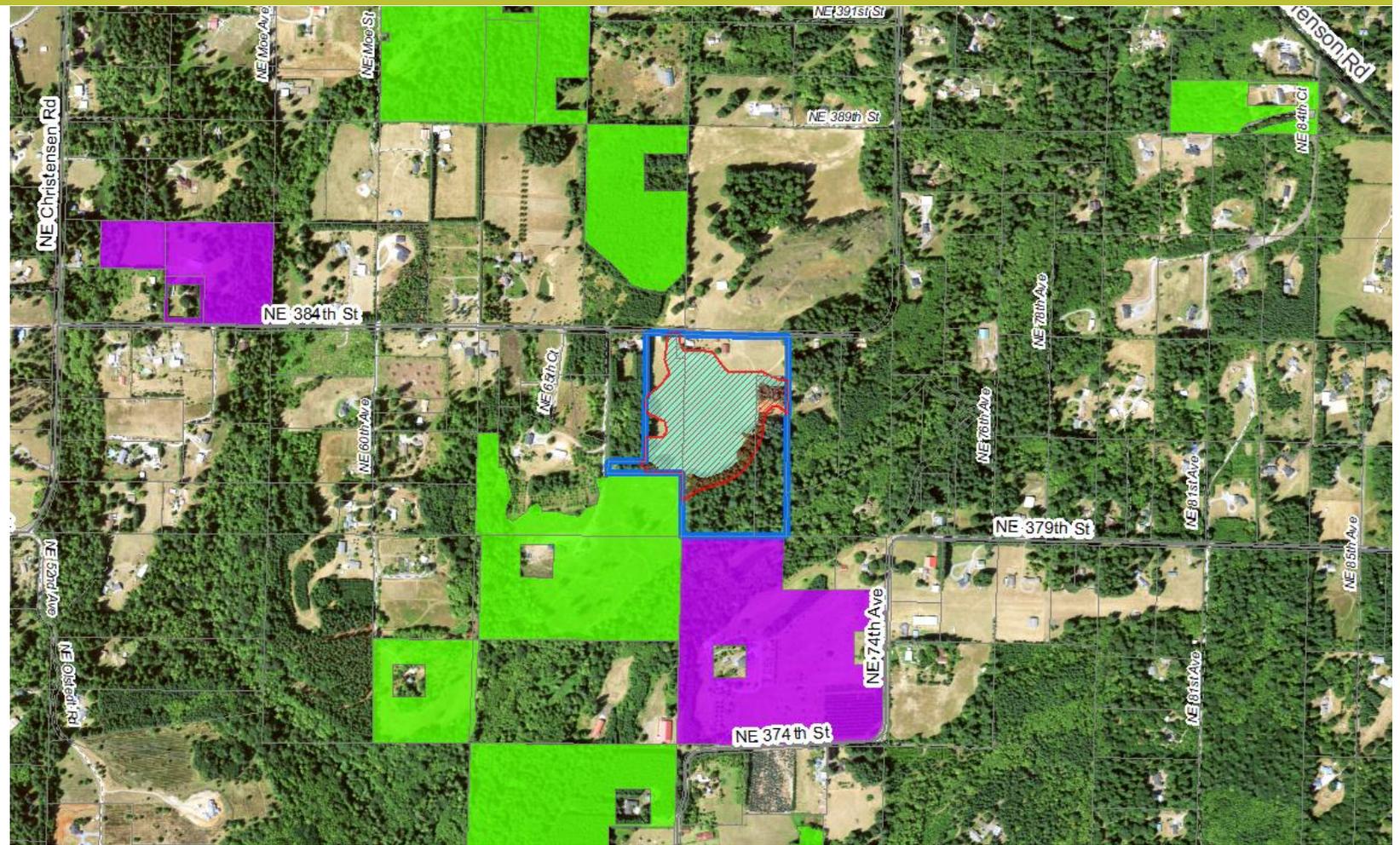
Zoning / Comprehensive Growth Management Plan



2019-00001 • Erkenbeck Project cont.

Map Legend

-  Applicant Ownership
-  80% Food or Fiber
-  Class II Soil Tract
-  Timber Land
-  Open Space Land



Open Space & Timber Land Classifications



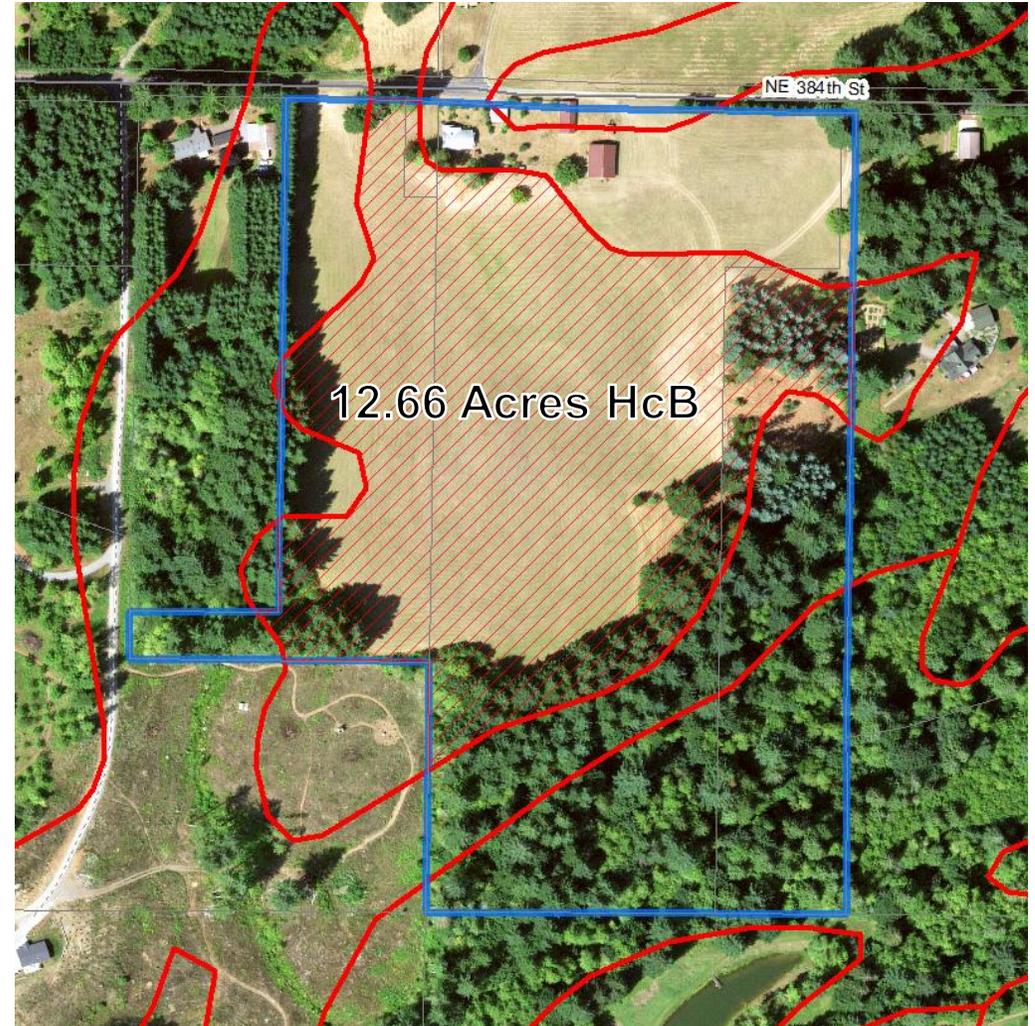
2019-00001 • Erkenbeck Project cont.

- Application for transfer from the Farm & Agriculture Classification to Soil Conservation.
- The applicant has requested 21.23 acres of the 25.56 acres but after staff's review, only 12.66 acres qualify.
- The 12.66 acre tract is a Class II soil and of that tract 80.09% is in food or fiber production.
- The site is located at 6813 NE 384TH Street, LaCenter, WA 98629 and lies within Clark County's jurisdiction.
- Current zoning and comprehensive plan designations of the area indicates Rural-5.
- The Soil Conservation category is based on the promotion of conservation of soils and was reviewed based on the following findings...



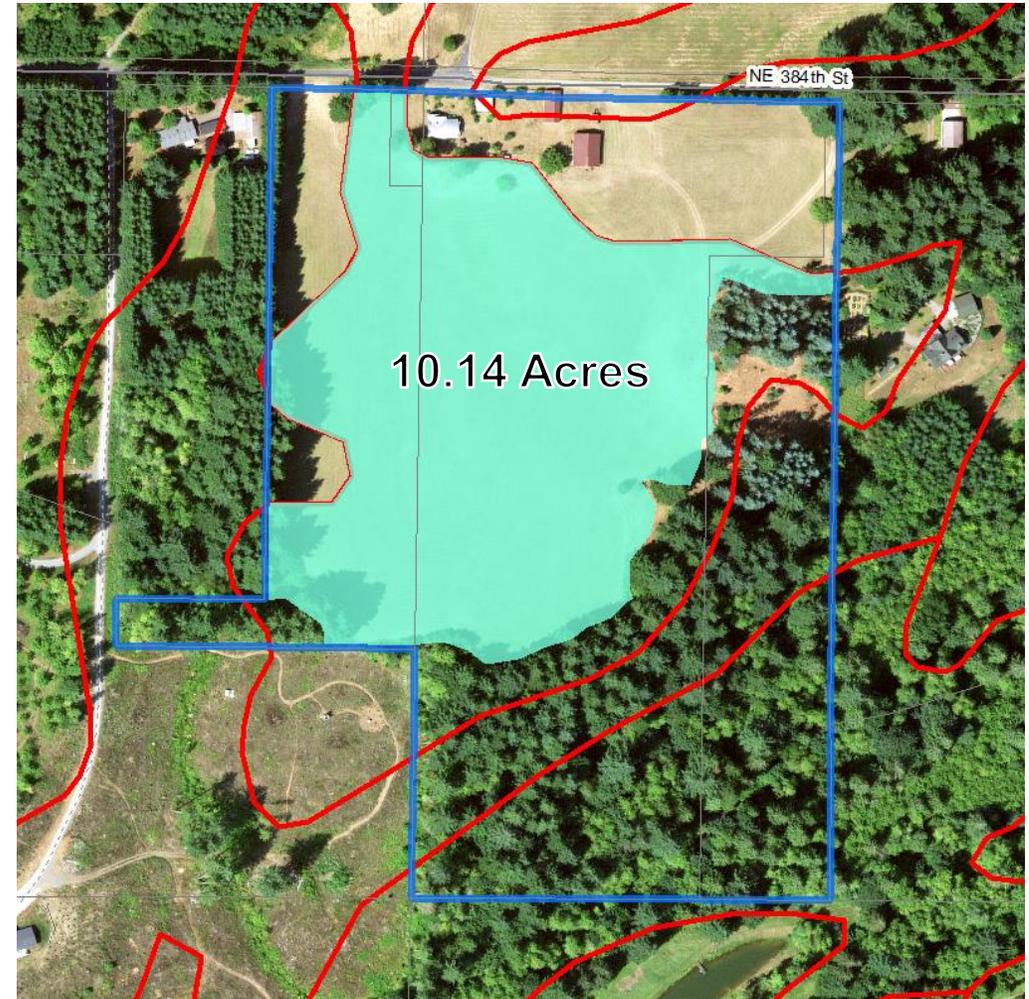
2019-00001 • Erkenbeck Project cont.

- **Finding 1** - Tracts which contain not less than ten (10) acres of Class I or Class II soil, as identified by the local Soil Conservation Service Office - CCC 3.08.050(1).
 - A Geographic Information System (GIS) review indicated that the area applied for contains a class II soil type of Hesson clay loam (HcB) greater than 10 acres in area.



2019-00001 • Erkenbeck Project cont.

- **Finding 2** - At least eighty percent (80%) of the tract must be in production of food or fiber - CCC 3.08.050(2) .
 - An on-site review indicated that at least 80% of the tract is in food or fiber production (10.14 acres = 80.09%).



2019-00001 • Erkenbeck Project cont.

Conclusion:

- Each parcel has a part of the tract that meets the criteria, parcel #s:
 - 263453-000 (3.33 acres out of 5.39 acres),
 - 263487-000 (1.18 acres out of 4.77 acres),
 - 263482-000 (8.03 acres out of 15.23 acres),
 - 263483-000 (0.12 acres out of 0.17 acres).
- The remaining acreage in each parcel does not meet any other Open Space category, therefore they do not qualify.
- Out of the 21.23 acres applied for, only 12.66 acres meet the criteria, therefore the difference of 8.57 acres will need to be removed from the program.

These findings imply that the application meets all criteria for Open Space Soil Conservation as specified in Chapter 3.08 (.050) of the Clark County Code. Therefore, staff recommends **APPROVAL** of the 12.66 acres.



THANK YOU!

Comments? Questions?

Clark County Public Service Center

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