$200

Change of Classification

(Chapters 84.33 and 84.34 RCW)

Tax Code: _____

File With County Assessor

County: Lewis

Applicant(s) name and address:
Jefferson C. Sparks
660 Antrim Rd.
Winlock, WA 98596

Phone No: (360) 785-3070

Land subject to this application (legal description):
Section 13 Township 12N Range 02W N2 NW4 NW4 LOT 1
ROS 3344689

Assessor's Parcel or Account No:
15113-2-1

Auditor's File No. on original application:
_____

Change of Classification

(Check appropriate box)

The land is currently classified as Farm and Agricultural land under RCW 84.34.020(2) and I hereby request reclassification as:

- ☐ Timber land as provided under RCW 84.34.020(3). (Attach completed form REV 64 0109 or 64 0111 and a timber-management plan)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Forest Land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☒ Farm and Agricultural Conservation land as defined in RCW 84.34.020(8)(a).(Attach completed form REV 64 0021)

The land is currently classified as Farm and Agricultural Conservation land under RCW 84.34.020(8)(a) and I hereby request reclassification to:

- ☐ Farm and Agricultural land under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

The land is currently classified as Timber land under RCW 84.34.020(3) and I hereby request reclassification as:

- ☐ Forest land classification under Chapter 84.33 RCW. (Attach completed form REV 62 0021 or 62 0110)
- ☐ Open Space land as provided under RCW 84.34.020(1). (Attach completed form REV 64 0021)
- ☐ Farm and Agricultural land as provided under RCW 84.34.020(2).(Attach completed form REV 64 0024 or 64 0108)

NOTE: If request to change classification is approved, no additional tax, interest, and penalty will be imposed.

Requests to transfer from Forest Land designation under provisions of Chapter 84.33 RCW to Current Use classification under Chapter 84.34 RCW should be made on REV 64 0038.

Attachment:

☐ REV 62 0021	☐ REV 64 0021	☐ REV 64 0108	☐ REV 64 0111
☐ REV 62 0110	☐ REV 64 0024	☐ REV 64 0109	

General Information

RECLASSIFICATIONS are defined in RCW 84.34.070(2) as follows:

(2) The following reclassifications are not considered withdrawals or removals and are not subject to additional tax under RCW 84.34.108:

(a) Reclassification between lands under RCW 84.34.020(2) and (3);

(b) Reclassification of land classified under RCW 84.34.020(2) or (3) or Chapter 84.33 RCW to open space land under RCW 84.34.020(1);

(c) Reclassification of land classified under RCW 84.34.020(2) or (3) to forest land classified under Chapter 84.33 RCW; and

(d) Reclassification of land classified as open space land under RCW 84.34.020(1)(c) and reclassified to farm and agricultural land under RCW 84.34.020(2) if the land had been previously classified as farm and agricultural land under RCW 84.34.020(2).

(3) Applications for reclassification shall be subject to applicable provisions of RCW 84.34.035, 84.34.037, 84.34.041, and Chapter 84.33 RCW.

(4) The income criteria for land classified under RCW 84.34.020(2)(b) and (c) may be deferred for land being reclassified from land classified under RCW 84.34.020(1)(c) or (3), or Chapter 84.33 RCW into RCW 84.34.020(2)(b) or (c) for a period of up to five years from the date of reclassification.

FARM AND AGRICULTURAL CONSERVATION LAND is defined in RCW 84.34.020(8)(a & b) as follows:

(8) "Farm and agricultural conservation land" means either:

(a) Land that was previously classified under RCW 84.34.020(2), that no longer meets the criteria and is reclassified under RCW 84.34.020(1)(c); or

(b) Land that is traditional farmland that is not classified under Chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture.

And also defined in RCW 84.34.037(2)(c) as follows:

(c) Whether granting the application for land applying under RCW 84.34.020(1)(c) will; (i) preserve land previously classified under RCW 84.34.020(2) or preserve land that is traditional farmland and not classified under Chapter 84.33 or 84.34 RCW; (ii) preserve land with a potential for returning to commercial agriculture; and (iii) affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of property.

Signatures of Owner(s) or Contract Purchaser(s):

Jefferson C Sparks

Date 4 MAR 13

Assessor Use Only

If the parcel subject to this document is considered contiguous, as defined in RCW 84.34.020(6), with other parcels having different ownerships, verify all remaining classified parcels with different ownerships are still:

- ☐ Adjoining
- ☐ Being managed as part of a single operation
- ☐ Meeting the definition of "family" as defined in RCW 84.34.020(6)(b)(ii) with the owner of an adjoining parcel

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Department of Revenue
Washington State

Application for Classification or Reclassification Open Space Land

Chapter 84.34 RCW

File With The County Legislative Authority

Name of Owner(s): Jefferson C. Sparks Phone No: (360) 785-3070

Email Address:

Address: 660 Antrim Rd., Winlock, WA 98596

Parcel Number(s): 15133-2-1

Legal Description: **Section 13 Township 12N Range 02W N2 NW4 NW4 LOT 1 ROS 3344689**

Total Acres in Application: 17.98

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

1. Describe the present use of the land.
Hay

2. Is the land subject to a lease or agreement which permits any other use than its present use? ☐ Yes ☒ No

If yes, attach a copy of the lease agreement.

3. Describe the present improvements (residence, buildings, etc.) located on the land.
None

4. Is the land subject to any easements? ☐ Yes ☒ No

If yes, describe the type of easement, the easement restrictions, and the length of the easement.

5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land.
The land will continue to be mowed and brush hogged to keep out brush and any trees that might volunteer. The land will be kept in such condition that it could be immediately returned to commercial farming.

NOTICE:
The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.

As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070)

Print the name of each owner:	**Signature of each owner:**
Jefferson C. Sparks	Jefferson C Sparks

The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.

Statement of Additional Tax, Interest, and Penalty Due Upon Removal of Classification

1. Upon removal of classification, an additional tax shall be imposed which shall be due and payable to the county treasurer 30 days after removal or upon sale or transfer, unless the new owner has signed the Notice of Continuance. The additional tax shall be the sum of the following:

   (a) The difference between the property tax paid as "Open Space Land" and the amount of property tax otherwise due and payable for the last seven years had the land not been so classified; plus

   (b) Interest upon the amounts of the difference (a), paid at the same statutory rate charged on delinquent property taxes; plus

   (c) A penalty of 20% will be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal as described in RCW 84.34.070(1).

2. The additional tax, interest, and penalty specified in (1) shall not be imposed if removal resulted solely from:

   (a) Transfer to a governmental entity in exchange for other land located within the State of Washington.

   (b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power.

   (c) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property.

   (d) Official action by an agency of the State of Washington or by the county or city where the land is located disallows the present use of such land.

   (e) Transfer of land to a church when such land would qualify for property tax exemption pursuant to RCW 84.36.020.

   (f) Acquisition of property interests by State agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 (See RCW 84.34.108(6)(f)).

   (g) Removal of land classified as farm & agricultural land under RCW 84.34.020(2)(f) (farm home site).

   (h) Removal of land from classification after enactment of a statutory exemption that qualifies the land for exemption and receipt of notice from the owner to remove the land from classification.

   (i) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120.

   (j) The creation, sale, or transfer of a conservation easement of private forest lands within unconfined channel migration zones or containing critical habitat for threatened or endangered species under RCW 76.09.040.

   (k) The sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.

   (l) The discovery that the land was classified in error through no fault of the owner.

FOR LEGISLATIVE AUTHORITY USE ONLY

Date application received: _____ By: _____

Amount of processing fee collected: $

- Is the land subject to a comprehensive land use plan adopted by a city or county? ☐ Yes ☐ No

  If yes, application should be processed in the same manner in which an amendment to the comprehensive land use plan is processed.

  If no, application must be acted upon after a public hearing and notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing.

- If the land is not subject to a comprehensive land use plan, is the land located within an incorporated part of the county? ☐ Yes ☐ No

  If yes, application must be acted upon by three members of the county legislative authority and three members of the city legislative authority. See RCW 84.34.037(1) for details.

  If no, application must be acted upon by three members of the county legislative authority.

☐ Application approved ☐ In whole ☐ In part

☐ Application denied ☐ Date owner notified of denial (Form 64 0103):

If approved, date Open Space Taxation Agreement (OSTA) was mailed to owner:

Signed OSTA received by Legislative Authority on:

Copy of signed OSTA forwarded to Assessor on:

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Lewis County, Washington
DEPARTMENT OF COMMUNITY DEVELOPMENT

Critical Area and Natural Resource Review on Application for Open Space Reclassification Lewis County Code 3.50.090(4)(a)

Applicant Name: Sparks, Jefferson

TAX PARCEL: 015113002001

Total Acres: 17.98 ac

Current Land Use Zoning (LCC 17): ARL

Furtherance of the Objectives of Chapter 17.30 LCC Resource Lands:
"The purpose of this chapter is to identify and conserve long-term commercially significant forest, agricultural and mineral resource lands designated pursuant to this chapter as required by the Growth Management Act of 1990…to conserve resource lands and protect human health and safety."

1. FEMA Flood Zone: 5301020435C zone C

2. Population Zone: NW ___, SW _x__, Mid-County ___, Gateway ___

3. Soil Type:

	SCS#:	SCS Name:	Hydric		Class:
			Yes	No	
a.	187	Salkum		X	Slight I
b.	167	Prather		X	Moderate II
c.	118	Lacamas	X		Slight I
d.					

4. Mapped NWI wetlands: Yes ___ No_x__

5. Water Type: None S Fa Fb Np Ns or if zoned ARL, None 1 2 3 4 5

6. Shoreline Jurisdiction? No _x__ Yes ___ Environment_____

7. Sensitive Wildlife Habitat? No _x__ Yes ___ Type _____

8. Geological Hazards? Slopes> 30%: Yes ___ No _x__; Slide Area: Yes___ No__x_

9. Proximity of Resource Lands:

   a. Forestry Resource Lands within 500 feet? Yes ___ No _x__

b. Mineral Resource Lands within 1320 feet? Yes ___ No _x__
c. Agricultural Resource Lands within 1320 feet? Yes _x__ No _x__

10. Would approval of this application further the objectives of LCC 17.30 Resource Lands?__yes_____

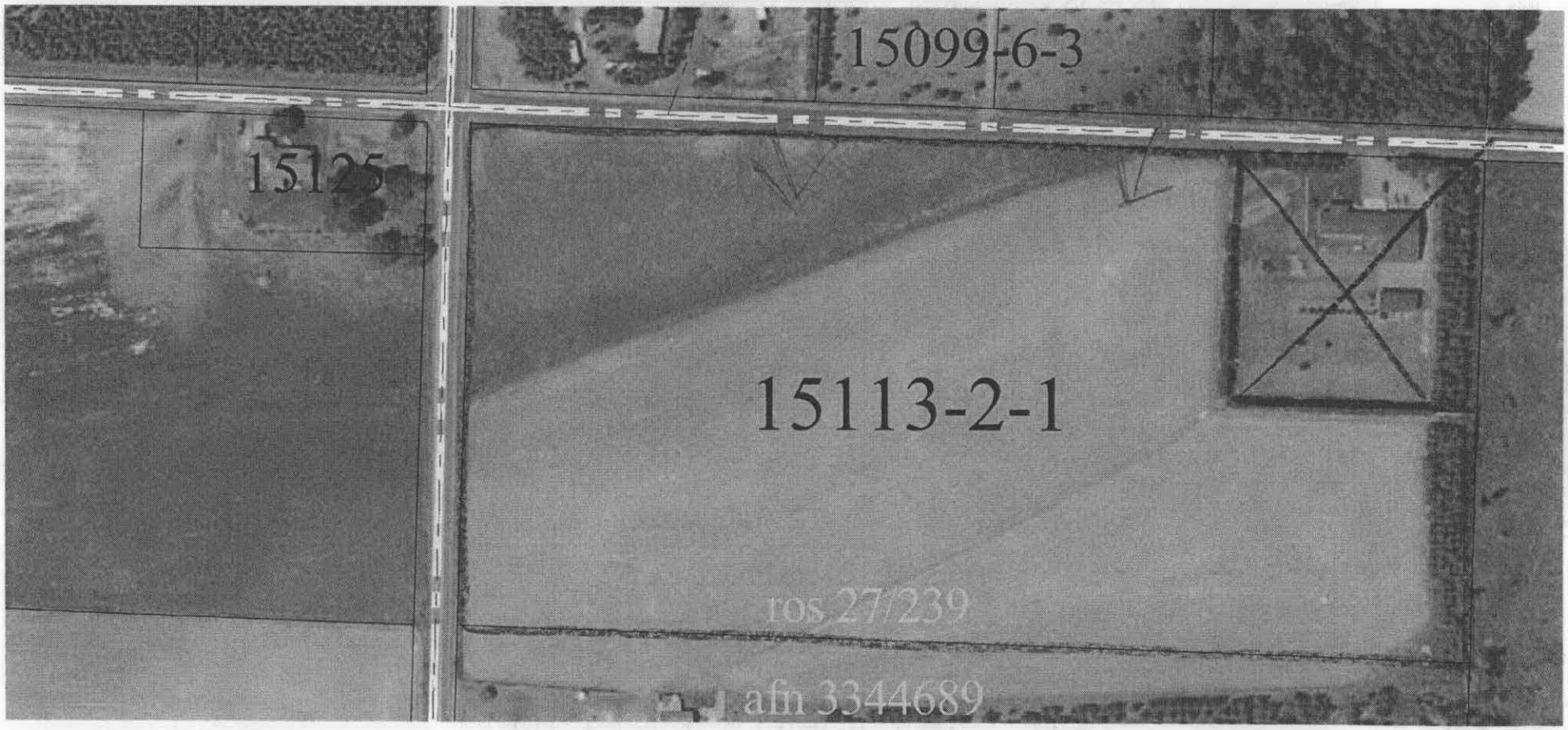
Consistency with the Lewis County Comprehensive Plan:
Natural Environment Sub Element, Page 4-61
GMA Requirements (9) *Open space and Recreation—Encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and discourage incompatible land uses.*

Open Space Goals: *The County recognizes the importance of open space corridors linking regions of the county and providing physical and visual relief to the built environment. In Lewis County the character of rural Lewis County is derived from its association with large acreage of lands in both the eastern and western portions of the county which are either park, wilderness or resource lands. Connecting these large blocks of land are corridors which flow to and through both the rural and urban areas, defining and separating the developed lands, defining the cities, and providing access and habitat for wildlife. The corridors follow the stream and river valleys and are comprised of steep slopes, agricultural resource land and flood hazard areas. Unlike park and recreation areas, open space lands may be either public or private ownership and are often to generally available to public access.*

Relevant Natural Environment Policies:
NE 4.2 Encourage the preservation of natural buffers along the County's rivers, lakes and streams.
NE 4.3 Encourage the preservation of wetlands, open lands, and habitat areas for the benefit of the county's indigenous fish and wildlife and quality of life of county residents.

Would approval of this application be consistent with the Lewis County Comprehensive Plan?
___yes_____

Recommended conditions to assure conformity with any applicable zoning, the comprehensive plan, the neighborhood, and other applicable regulations:_____


15099-6-3
15125
15113-2-1
ros 27/239
afn 3344689

Inspector's Notes

TP# 15113-2-1

& photos, Appear to be in compliance
This parcel is boundary Fenced that appears to
be being mowed. All cleared.
12/6/13 JMC
SEE Pics in File

Inspector's Signature

6/18/13
Date

06 17 2013 00:20

06 17 2013 00:21

660 Antrim Rd

SCALE : 1 in = 400 ft

LEWIS COUNTY ASSESSOR'S MAPPING

Date: NOV-30-2012

LEWIS COUNTY G.I.S.

Section 13

Township 12 N Range 02 W

Map for Locating Property Only
Measurements Not Guaranteed
Scale May Change When Printed

Road centerline from mobile GPS, Lewis Co.
PLSS lines modified from WA Dept. Nat. Res.
2008 digital orthophoto from WA Dept. Nat. Res.
Parcel lines digitized from LC Assessor Maps
& adjusted to the GPS roads & PLSS lines.