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): Patrick Leigh Phone No: 360 557-7242
Email Address: leigh.pat@gmail.com
Address: 1610 North Fork Rd
Chehalis WA 98532

Parcel Number(s): 020725001001

Legal Description: Parcel A of LC. LBA No. 08-0024
14.03

Total Acres in Application: ~~13.91~~ acres

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

- [x] Conserve or enhance natural, cultural, or scenic resources
- [x] Protect streams, stream corridors, wetlands, natural shorelines, or aquifers
- [x] 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
- [x] 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
- [x] 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. growing hay, homesite, small orchard

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.
   One single fam residence
   Two shop buildings
   One barn

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.
   Previous and current use is growing hay. The intended future use is to continue to grow hay, to slightly increase the size of the orchard, to encourage the growth of desirable plants and to allow a few small areas of cattails for the redwing blackbirds.

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:**
Patrick Leigh	Pleigh 05 Dec 2014

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

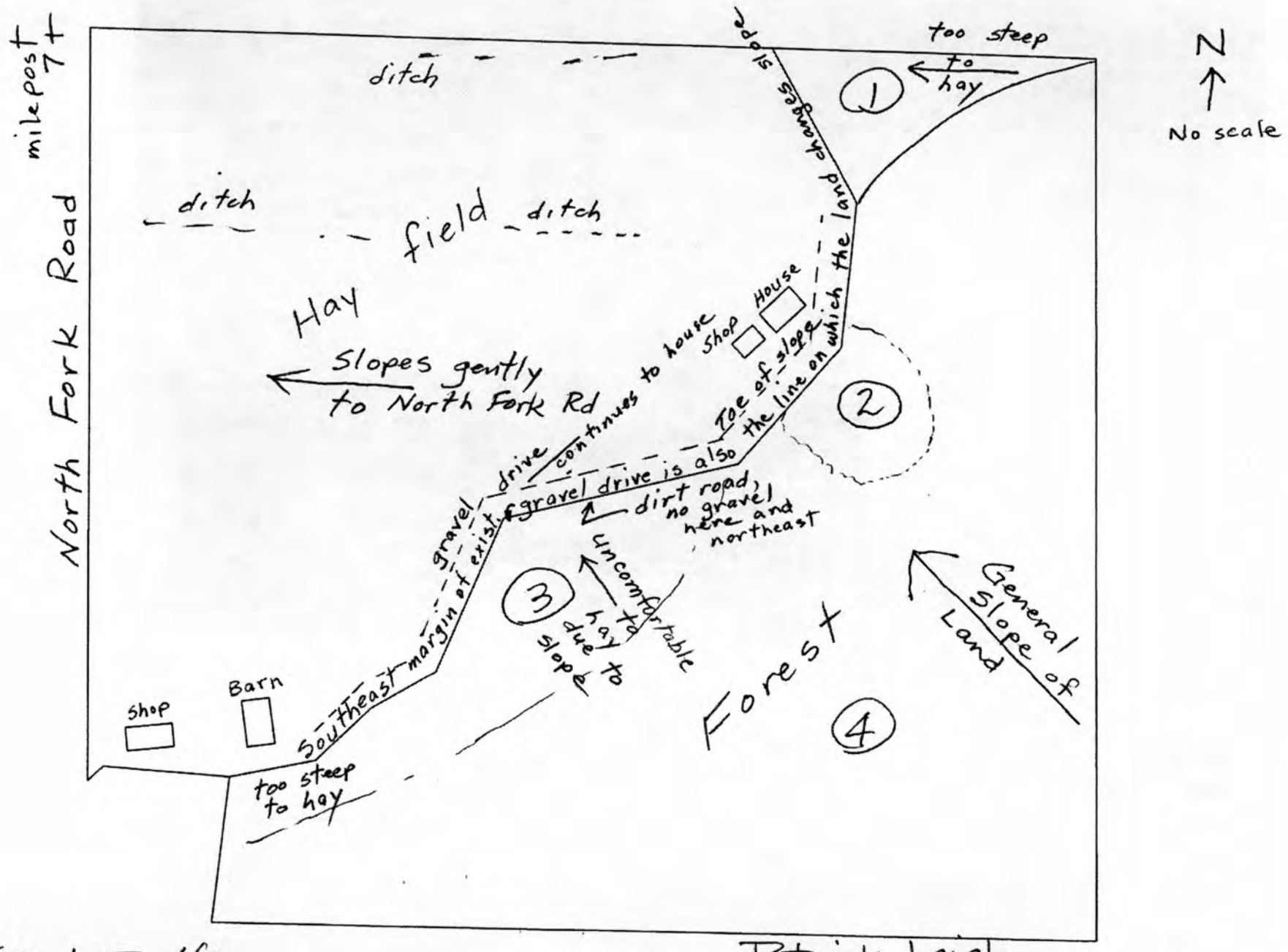
☐ Application denied ☐ Date owner notified of denial (Form 64 0103):

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:

To ask about the availability of this publication in an alternate format for the visually impaired, please call (360) 705-6715. Teletype (TTY) users, please call (360) 705-6718. For tax assistance, call (360) 534-1400.



Tax Lot No.
02072500100 1

Patrick Leigh
1610 North Fork Rd
Chehalis 98532

Print Date: 12/18/2014
Image Date:03/31/2013
Level: Community

1610 North Fork Rd

SCALE : 1 in = 400 ft

LEWIS COUNTY ASSESSOR'S MAPPING

0 200 400 600 800 feet

Date: AUG-10-2012

LEWIS COUNTY G.I.S.

Section 26

Township 14 N Range 01 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.

Lewis County, WA
Since 1845

Lewis County Assessor

360 NW North Street
MS:ASR01
Chehalis, WA 98532

Phone: 360-740-1392
Fax: 360-740-1262

Receipt No. 2014

Date: **12/5/2014**

Applicant:

Patrick Leigh
1610 N. Fork Rd
Chehalis, WA 98532

Parcel No.
20725-1-1

Date	Type	Check #	Description	Amount	Payment
12/5/2014	DFL	1054	Classification Application	$150.00	$150.00
	OSFA Cons		Classification Application	$200.00	$200.00
				Total	$350.00

LEWIS COUNTY

Lewis County • Since 1845

Property Account Summary

As Of 12/8/2014 Status: Active

Account No.: 020725001001 **Alternate Property Number:**

Account Type: Real Property

TCA: 720

Situs Address: 1610 NORTH FORK RD
CHEHALIS WA

Legal: Section 26 Township 14N Range 01W PT SE4 NE4 PRCL A BLA08-0024 3312322 ROS 3381997

Parties:

Role	Name & Address
Owner	LEIGH, PATRICK 1610 NORTH FORK RD CHEHALIS WA 98532
Taxpayer	LEIGH, PATRICK 1610 NORTH FORK RD CHEHALIS WA 98532

Property Values:

Value Name	2014	2013	2012
Taxable Value Regular	$200,700	$195,200	$162,210
Market Total	$305,650	$310,300	$277,600
Assessed Value	$200,700	$195,200	$162,210
Market Land	$121,750	$130,900	$130,400
Market Improvement	$183,900	$140,600	$147,200
Current Use Land	$16,800	$15,800	$15,010
Current Use Improvement	$183,900	$140,600	$147,200
New Construction		$38,800	
Added Improvement	$0		$0

Property Characteristics:

Tax Year	Characteristic	Value
2014	Use Code	83 Cur - Use - Ag
	Size	33.55
	Appraiser ID	LCA
	FP Acres	15.13

Exemptions:

(End of Report)

Inspector's Notes

Parcel No. 20725-1-1 Date: 1/27/15

Type: DFL OST OSFA OSFA CONS OSOS

Area of Application is natural grass land that ~~owner~~ has some hay.

Sketch (if needed)

Inspector's Signature

Qualifying Criteria and Scoring Sheet for Open Space Land Applicant _____

Applications must include a management plan identifying the measures that will be taken to ensure the land is preserved in its current use. Agricultural conservation plans must identify steps that will be taken to preserve the land for a return to commercial agriculture. Applicants must select the preservation category or categories for which they are applying and score a minimum of three points in one category to qualify. Qualifying criteria chosen under one category may not be duplicated under a second category. Each point represents a 10% reduction from market value of the land with a maximum award of 8 points, if the application is approved.

Application is made for Open Space Land because, preserved in its current use, the land would:
(THIS SECTION IS FOR OPEN SPACE LAND ONLY – NOT FOR OPEN SPACE FARM & AGRICULTURE CONSERVATION LAND)

Conserve and enhance natural or scenic resources.

- ☐ Land is zoned for open space or identified as a natural resource area by a comprehensive official land use plan adopted by the county or city.
- ☐ Land is adjacent to a scenic highway or scenic vista and preserves views visually significant to the aesthetic character of the county, such as commercial forest and agricultural land or seasonal farm activities.
- ☐ Land prevents encroachment of urban development into commercial forest and agricultural areas.
- ☐ Land provides an unrestricted view of a mountain, river, lake, dam reservoir, or designated wetland.
- ☐ Land provides habitat for unique or critical wildlife or native plants.
- ☐ Land is located in a big game animal migration corridor and provides essential wildlife habitat.
- ☐ Land preserved in its natural state provides an intervening space for a regulated wetland with an open water component, and provides plant and wildlife habitat.
- ☐ A wildlife habitat management plan has been prepared by a qualified critical area professional pursuant to Chapter 17.35 LCC.
- ☐ Limited public access is provided.

___ **Total Points**

Protect streams or water supply, including stream corridors, aquifers and aquifer recharge areas.

- ☐ Land is zoned for open space or identified as a natural resource area by a comprehensive official land use plan adopted by the county or city.
- ☐ All or a majority of the land provides an area of flood storage during a flood.
- ☐ Land preserved in its natural state provides a riparian buffer pursuant Chapter 17.35 LCC along a river or stream.
- ☐ Land abuts a stream or river where a change in land use could cause damage from run-off, siltation, infiltration, or other developments potentially jeapardizing surface or ground water quality.
- ☐ Land provides habitat for unique or critical wildlife or native plants.
- ☐ Land provides unique opportunities to study and conserve natural areas for floodplain management.
- ☐ Land preserved in its natural state provides an intervening space for a regulated wetland with an open water component, and provides plant and wildlife habitat.
- ☐ Limited public access is provided.

___ **Total Points**

Promote conservation of soils, wetlands, or beaches.

- ☐ Land is zoned for open space or identified as a natural resource area by a comprehensive official land use plan adopted by the county or city.
- ☐ Preservation of the natural area protects beaches and natural shoreline area.
- ☐ The site provides unique opportunities to observe study and preserve specific natural or manmade wetland management area.
- ☐ A college or public school has contracted to use the land for promotion of land conservation principles using curriculum approved by the school.
- ☐ Land provides habitat for unique or critical wildlife or native plants.
- ☐ Limited public access is provided.

___ **Total Points**

Total Points Awarded _____ PBRS Committee Member_____ Date_____

Enhance the value to the public of neighboring parks, forests, dedicated wildlife preserves, nature sanctuaries, or other designated open space, and enhance public recreational opportunities.

- [ ] Land is zoned for open space or identified as a natural resource area by a comprehensive official land use plan adopted by the county or city.
- [ ] Land is within ¼ mile of land designated in an adopted park and recreation plan for additional recreational activities.
- [ ] Land is contiguous to an existing public park, forest, dedicated wildlife preserve, dedicated nature reservation or sanctuary, interpretive center, or visitor's center.
- [ ] Land provides intervening space between developed areas and adjacent highly used recreation areas, such as a municipal or county park or golf course.
- [ ] Land provides low intensity public recreational opportunities for non-motorized access, picnicking, and tent camping.
- [ ] Public access is provided.

__ **Total Points**

Preserve historic sites.

- [ ] Land is listed on the state and/or national historic registry.
- [ ] Land is part of an on-going archaeological research area.
- [ ] Limited public access is allowed.

__ **Total Points**

Retain in its natural state tracts of land not less than one acre situated in an urban area with limited or greater public access.

- [ ] Land is zoned for open space or identified as a natural resource area by a comprehensive official land use plan adopted by the county or city.
- [ ] Preservation of the current land use provides passive recreational uses such as bird watching, nature trails, and observation areas of other natural wildlife habitat in urban areas.
- [ ] Use of the land is open to the public with no exclusions on the basis of membership.
- [ ] Preservation of the land provides a unique opportunity for wetland management, floodplain management, and/or wildlife management in an urban setting.
- [ ] Land currently provides habitat for unique or critical wildlife or native plants.

__ **Total Points**

(THIS SECTION IS FOR OPEN SPACE FARM & AGRICULTURE CONSERVATION LAND ONLY.)

Protect traditional farm and agricultural land and soils from irrevocable conversion to non-open space program uses, and maintain the land in a condition that allows immediate resumption of commercial farm and agricultural uses. Category 1 - less than five acres in size.

- [ ] Farm and agricultural conservation land area is less than five acres, but more than two acres.
- [ ] Land is designated in the Lewis County comprehensive plan as agriculture, rural residential (RDD-1 or RDD-2), forestry open space, or is zoned AF, AG-38 or forestry recreational.
- [ ] Land and soils are mapped and defined by the USDA Natural Resources Conservation Services as Class 1, 2 or 3.
- [ ] The site has been classified as commercial farm and agriculture land as defined in RCW 84.34.020(2) for five or more years.

__ **Total Points**

Protect traditional farm and agricultural land and soils from irrevocable conversion to non-open space program uses, and maintain the land in a condition that allows immediate resumption of commercial farm and agricultural uses. Category 2 - five acres or larger tracts.

- [ ] The site contains more than five acres capable of being returned to commercial agricultural production.
- [ ] There are no sanitary sewer services adjacent to the land, and the property is not within an adopted sewer service area plan.
- [ ] Land and soils are mapped and defined by the USDA Natural Resources Conservation Service as Class 1,2,3,4 and/or 5; and the land is located outside the boundaries of any urban area identified in the Lewis County comprehensive plan, or outside any urban growth management area approved by the board and city.
- [ ] The land has a documented history of commercial agricultural production, and has potential for returning to commercial agricultural production at any time.
- [ ] A college or public school has contracted to use the land for promotion of land conservation principles, and the curriculum has been approved by the contracted school.

__ **Total Points**

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: Patrick Leigh

TAX PARCEL: 020725011001, 020725011002, 020725011003

Total Acres: 10.00 ac, 13.13 ac, and 10.42 ac

Current Land Use Zoning (LCC 17): RDD-10

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: 530103 0275B; Flood Zone C

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

3. Soil Type:

	SCS#:	SCS Name:	Hydric		Class:
			Yes	No	
a.	172	Reed silty clay loam	X		Moderate II
b.	90	Galvin silt loam		X	Moderate II
c.	27	Buckpeak silt loam		X	Slight III
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 _X__ No ___
   b. Mineral Resource Lands within 1320 feet? Yes ___ No _X_
   c. Agricultural Resource Lands within 1320 feet? Yes _X_ No ___

10. Would approval of this application further the objectives of LCC 17.30 Resource Lands? N/A

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:_____

None_____