

Public Benefit Rating System (PBRs) Application

City Council Public Hearing and Action

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Community Development

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City Attorney's Office

October 14, 2025



Recommended Action

Consider adoption of Resolution denying the Timiri application for Public Benefit Rating System (PBRs) Open Space Classification



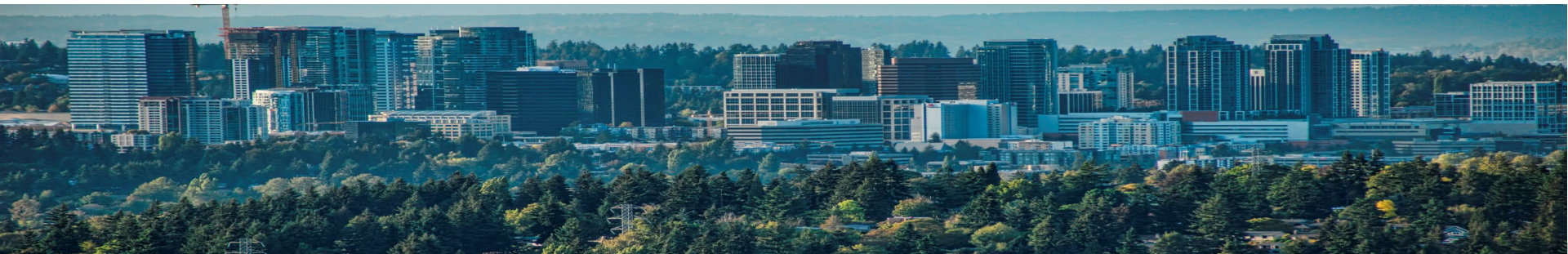
Agenda

1. PBRs Background
2. Timiri Application
3. King County and City Review
4. King County Hearing Examiner
5. City Staff Recommendation
6. Action

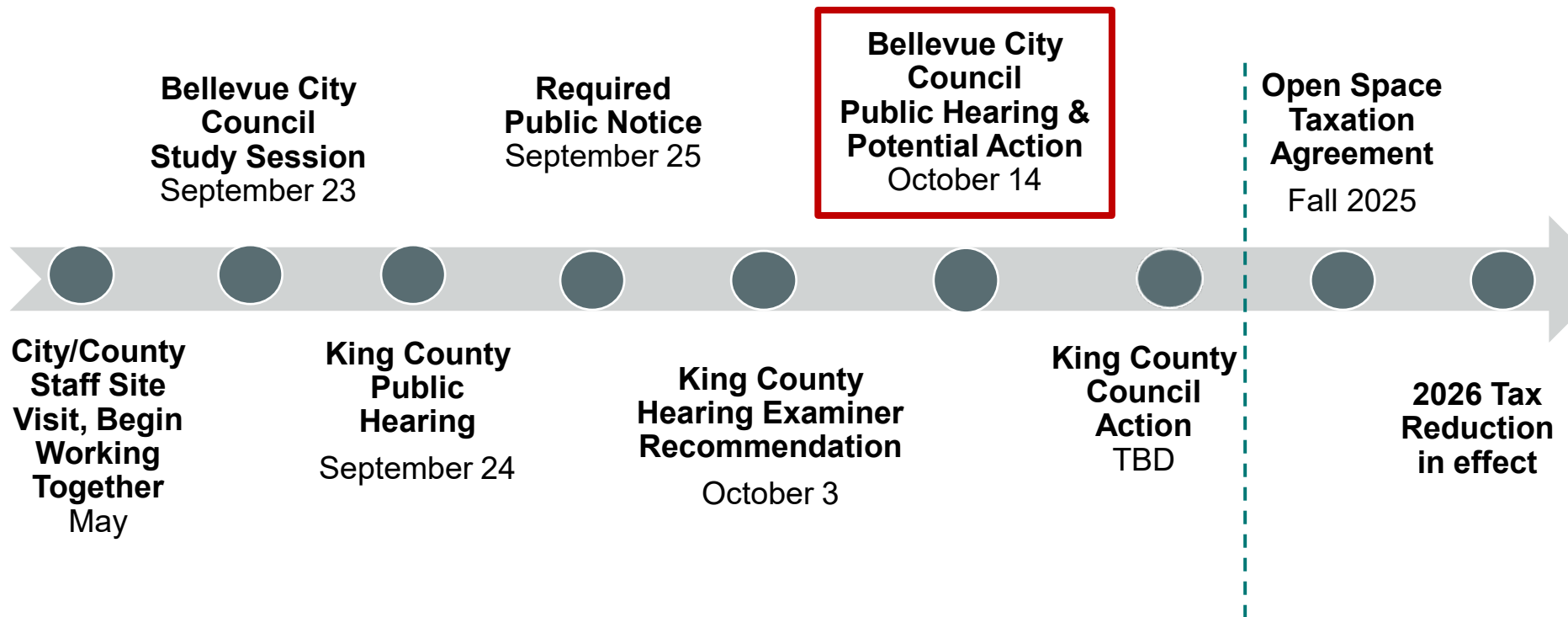


Public Benefit Rating System (PBRs) Program

- Open Space Taxation Act (the “Act”) enacted in 1970
- Voluntary resource conservation on private property
- Preserve, protect or restore open space resources, such as buffers to streams and wetlands, ground water, wildlife habitat, etc.
- In exchange for tax incentive
- Administered by King County – King County Code KCC 20.36



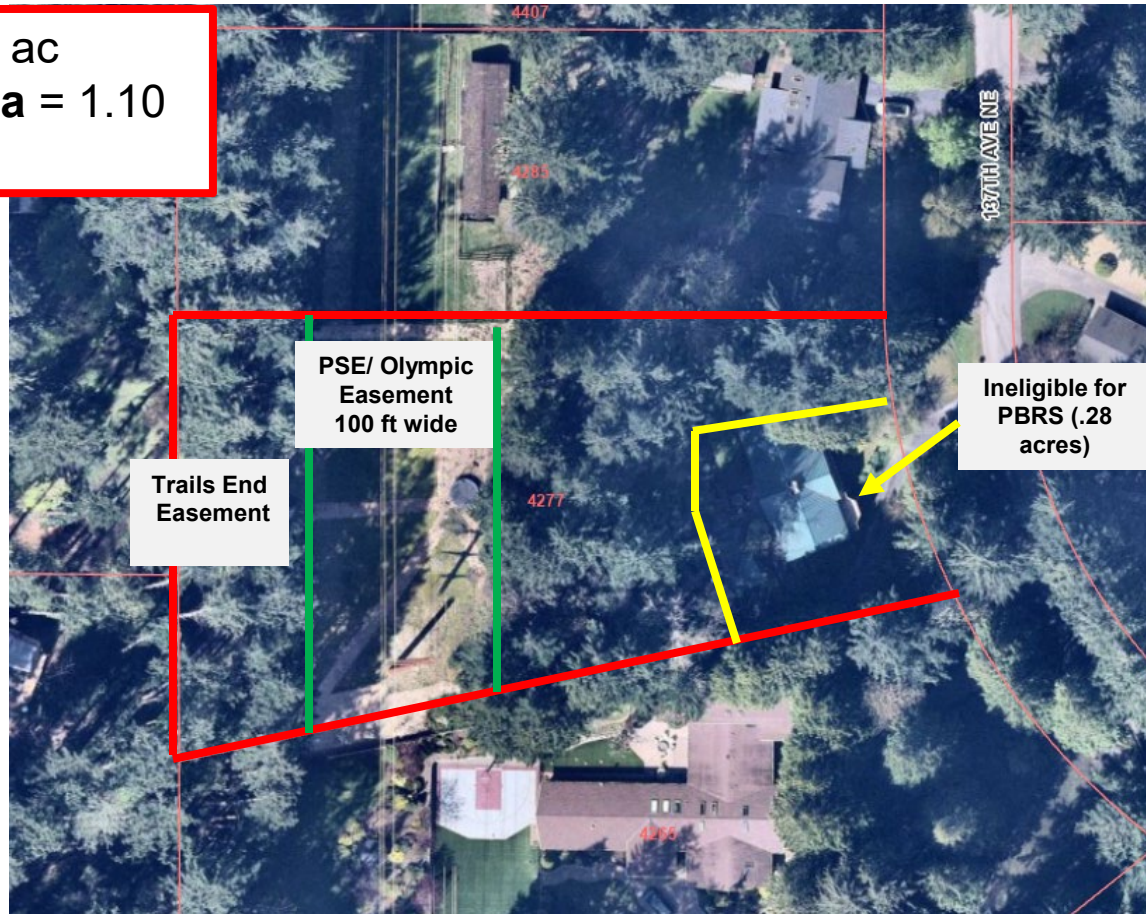
Timiri PBRS Application Process



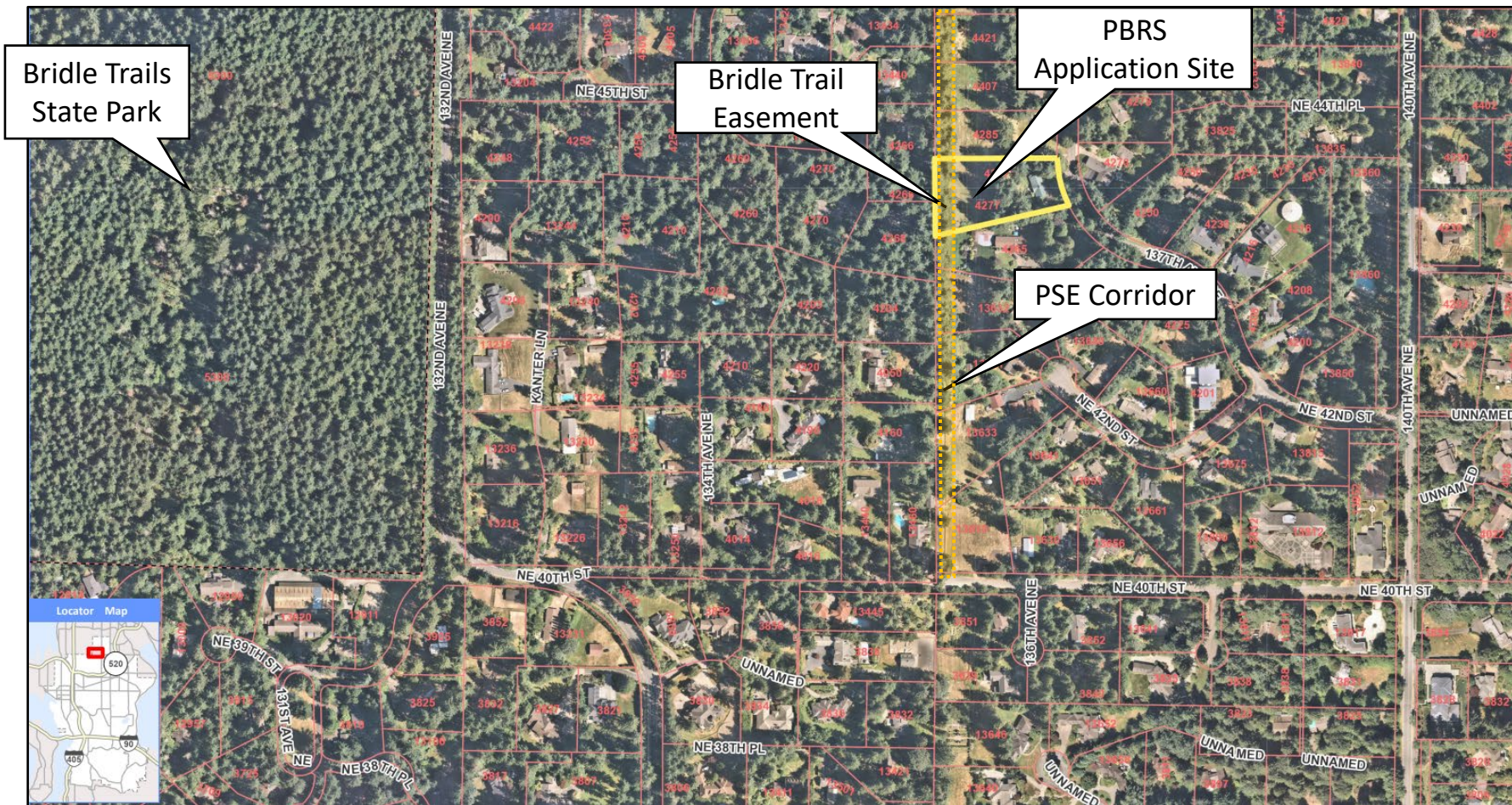
Timiri Property

Total Site = 1.38 ac
Max Eligible area = 1.10
ac approx.

Property
Address: 4277
137th Avenue NE



Vicinity Map



Timiri Application

- Active trail linkage (25 points)
- Aquifer protection area (5 points)
- Ecological enhancement land (18 points)
- Equestrian-pedestrian-bicycle trail-linkage (35 points)
- Scenic resource, viewpoint, or corridor (5 points)
- Significant plant or ecological site (5 points)
- Watershed protection area (5 points)
- Surface water quality buffer (5, 8, or 10 points)
- **Public recreation area (5 points)**
- **Significant wildlife or salmonid habitat (5 points)**
- **Urban Open Space (5 points)**



City's Review of Application

Evaluation Criteria:

1. Statutory factors at RCW 84.34.037(2)
2. King County Code KCC 20.36
 - Point system awarded on 20 open space resource categories
 - Specific criteria
3. Analysis of the categories King County recommends for approval (and others)



Public Recreation Area – KCC 20.36.100(C)(11)

- *Land devoted to provide active or passive recreation OR complements or substitutes for recreation facilities typically provided by public agencies*
- *A property **must** be identified by the jurisdiction as meeting the definition of a public recreation area AND*
- *The property owner must use "best practices" defined in KCC*

Staff analysis (Does not meet): The trail easement is pre-existing and not controlled by the applicant. The trail does not substitute for a public trail network or park.

Significant Wildlife Habitat

– KCC 20.36.100(C)(16)

- *Presence of a species of local significance as listed by the King County Comprehensive Plan*
- *Species must be found on the property with sufficient frequency for ecological processes like reproduction, nesting, rearing, wintering, feed or resting*

Staff analysis (Does not meet): Mr. Timiri identified the existence of pileated woodpeckers on his property but no documentation provided.



Urban Open Space – KCC

20.36.100(C)(19)

- *Native plants are dominant on the property AND*
- *Property can be redeveloped to greater intensity under existing zoning AND*
- *The enrolling area must be at least 1 acre OR 1/2 acres IF certain criteria are met (conservation, etc.)*

Staff analysis (Does not meet): Property does not have one acre or 1/2 acre that has a plant community in which native plants are dominant and could otherwise be developed.



King County Staff Recommendation



King County

- **Recommended Land Area for PBRs:**
 - 0.67 acres qualifies
 - 1.10 acres qualifies, conditional upon resource restoration plan
- **Recommended Categories**
 - Public Recreation Area
 - Significant Wildlife or Salmonid Habitat
 - Urban Open Space
 - Bonus: Unlimited Public Access and *Resource Restoration
- **Possible Award:**
 - 20 points = 70% tax reduction for .67 acres
 - 25 points with resource restoration = 80% tax reduction for 1.10 acres
 - Annual tax reduction of \$8,367 for this property



Recommends Denial

- Trail easement is not a "public recreation area"
- Insufficient evidence of a pileated woodpecker habitat
- Noncontiguous portions of property cannot be combined to meet acreage criteria

Staff Recommendation

- Does not meet the criteria under KCC 20.36 for requested open space categories
- Does not meet the intent of the Act – RCW 84.34
 - PBRs areas are encumbered by easements and not developable
 - No conservation or enhancement of natural lands



Comparison of Recommendations

King County Staff	King County Hearing Examiner	Bellevue Staff
Qualifies under three categories	Does not qualify under any category	Does not qualify under any category
0.67 acres out of 1.38 acres would qualify	0 acres would qualify	0 acres would qualify
1.10 acres out of 1.38 acres would qualify with a resource restoration plan		



City's Decision

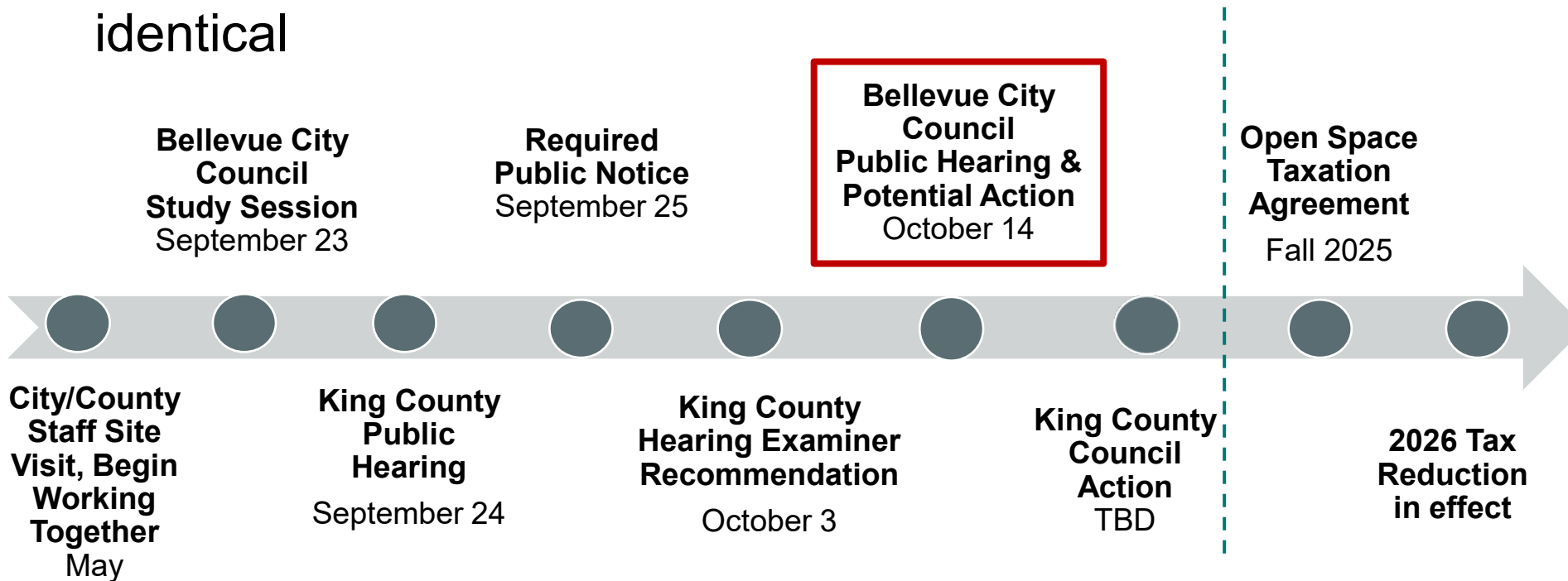
Council must take action on the application:

Option A (staff recommendation)	Deny
Option B	Approve with conditions or without conditions



Next Steps

- Action on the Application
- Tax exemption only granted if both approvals are identical



Recommended Action

Consider adoption of Resolution denying the Timiri application for Public Benefit Rating System (PBRs) Open Space Classification

