

Attachment B: Analysis and Evaluation of Request under PBRs program

Staff has reviewed each of the criteria that the applicant has applied for under the PBRs program.

Criteria	Points	Requirements to meet criteria	Staff Analysis
Active Trail Linkage	25	KCC 20.36.100(C)(1) "Active trail linkage" means land in private ownership through which the owner agrees to allow nonmotorized public passage, for the purpose of providing a connection between trails within the county's regional trails system and local or regional attractions or points of interest, for trail users including equestrians, pedestrians, bicyclists and other users. "Local or regional attractions or points of interest" include other trails, parks, waterways or other recreational and open space attractions, retail centers, arts and cultural facilities, transportation facilities, residential concentrations or similar destinations. To be eligible as an active trail linkage, the linkage must be open to passage by the general public and the property owner must enter into an agreement with the county consistent with applicable parks and recreation division policies to grant public access. To receive twenty-five points, the property owner must enter into an agreement with the county regarding improvement of the trail, including trail pavement and maintenance. The parks and recreation division is authorized to develop criteria for determining the highest priority linkages	The applicant has not demonstrated that the property meets this criteria. The 1961 plat map for "Trails End" where the subject property is located in Bridle Trails, includes a "bridle trails easement" which continues to exist on the western edge of his property. The plat map dedication appears to indicate the easement is open to the public¹, and the public can access those trails from surrounding city streets. The trail is not accessible from the front or sides of Mr. Timiri's property and is solely located on the western edge, running parallel to his property line. The trail does not connect to local or regional trail systems. Mr. Timiri has not "agreed" to make the trail available for public passage as he has no right to restrict movement on the trail per the easement.

¹ The dedication language states the public purposes of all streets, avenues, and easements "shown thereon" must be "not inconsistent with the use thereof for public highway purposes." Arguably, this would exclude the trail easement as it is not used for vehicular travel. RCW 46.04.197.

		for which it will enter into agreements with property owners.	The Trails End easement is also not listed as a public nature trail with the City of Bellevue Parks Department. In King County's staff report to the hearing examiner for the September 24, 2025 King County public hearing, KC does not recommend approval of this category because there is no agreement between owner and King County to maintain the trail, nor does it provide a linkage between trails within the county's regional trail system, which are required for award of this category.
Aquifer protection area	5	KCC 20.36.100(C)(2) Aquifer protection area means property that has a plant community in which native plants are dominant and that includes an area designated as a critical aquifer recharge area under K.C.C. chapter 21A.24 or applicable city critical aquifer recharge area regulations. To be eligible as an aquifer protection area, at least fifty percent of the enrolling open space area or a minimum of one acre of open space shall be designated as a critical aquifer recharge area. If the enrolling open space area does not have a plant community in which native plants are dominant, a plan for revegetation must be submitted and approved by the department, and be implemented according to the plan's proposed schedule of activities.	The applicant has not submitted a critical areas report to assess whether the property meets the criteria as an aquifer protection area. Additionally, at least 50% of the open space has to be designated as a critical aquifer recharge area and where native plants are dominant. The site is not dominated by native vegetation currently and the applicant has submitted a restoration plan to replant. Therefore, it does not meet this criteria. In King County's staff report to the hearing examiner for the

			September 24, 2025 King County public hearing, KC does not recommend approval of this category.
Ecological enhancement land	18	KCC 20.36.100(C)(4) "Ecological enhancement land" means open space lands undergoing recovery of significantly degraded or lost ecological function or processes. The following requirements shall be met: a. A jurisdiction, natural resource agency or appropriate organization has committed to sponsoring the ecological enhancement project, with secured funding in place before the application's public hearing; b. The ecological enhancement project must include removing significant human-made structures, alterations or impediments such as shoreline armoring, roads, culverts and wetland fill that are detrimental to significant wildlife or salmonid habitat. The intent of the removal must be to reestablish natural function or processes to the project area; c. The owner is responsible for providing and implementing an ecological enhancement plan for the proposed project. The approved enhancement plan must include at least a statement of purpose, detailed description of work to be done, site map of the project area and specific timeline for the enhancement activities to be completed and must be approved by the department; and d. The owner shall annually provide to the department a monitoring report detailing the enhancement efforts' success for five years following enrollment. The monitoring report must	The applicant has not met this criteria as an ecological enhancement project has not been submitted, and there are no associated structures or impediments as described in the criteria. In King County's staff report to the hearing examiner for the September 24, 2025 King County public hearing, KC does not recommend approval of this category.

		describe the progress and success of the enhancement project and must include photographs to document the success. Land receiving credit for this category may not receive credit for the rural stewardship land or resource restoration categories;	
Equestrian-pedestrian-bicycle trail-linkage	35	KCC 20.36.100(C)(5) Land in private ownership that the property owner allows the public to use as an off-road trail linkage for equestrian, pedestrian or other nonmotorized uses or that provides a trail link from a public right-of-way to a trail system. Use of motorized vehicles is prohibited on trails receiving a tax reduction for this category, except for maintenance or for medical, public safety or police emergencies. Public access is required only on that portion of the property containing the trail. The landowner may impose reasonable restrictions on access that are mutually agreed to by the landowner and the department, such as limiting use to daylight hours. To be eligible as an equestrian pedestrian-bicycle trail linkage, the owner shall provide a trail easement to an appropriate public or private entity acceptable to the department. The easement shall be recorded with the King County recorder's office or its successor. In addition to the area covered by the trail easement, adjacent land used as pasture, barn or stable area and any corral or paddock may be included, if an approved and implemented farm management plan is provided. Land necessary to provide a buffer from the trail to other non-equestrian uses, land that contributes to the aesthetics of the trail, such as a forest, and land set aside and marked for off road parking for trail users may also be included as land eligible for current use taxation.	The applicant has not provided any documentation that he intends to record an easement on his property which would connect the Trails End easement to the public right of way (137th Ave NE). Further, the existing Trails End easement would not qualify since it is a preexisting easement and the owner would not be setting aside any additional property as open space conservation. In King County's staff report to the hearing examiner for the September 24, 2025 King County public hearing, KC does not recommend approval of this category.

		Those portions of private roads, driveways or sidewalks open to the public for this purpose may also qualify. Fencing and gates are not allowed in the trail easement area, except those that are parallel to the trail or linkage;	
Public recreation area	5	KCC 20.36.100(C)(11) Land devoted to providing active or passive recreation use or that complements or substitutes for recreation facilities characteristically provided by public agencies. Use of motorized vehicles is prohibited, except for golf carts on golf courses, for maintenance or for medical, public safety or police emergencies. The facilities must be open to the general public or to specific public user groups, such as youth, senior citizens or people with disabilities. A property must be identified by the responsible agency within whose jurisdiction the property is located as meeting the definition of public recreation area. The property owner must use any best practices defined in K.C.C. chapter 21A.06. If a fee is charged for use, it must be comparable to the fee charged by a similar public facility;	This property would not constitute a public recreation area, as a significant area is encumbered with the pipeline easement and PSE transmission line corridor. Further, the trail easement section of his property is not a designated “public recreation area” and there is no evidence suggesting a notable public use of the Trails End bridge trail easement. Trails End is not listed as a public nature trail with the City of Bellevue’s Parks Department. Finally, the Trails End trail which exists on his property is just one section of a relatively small HOA trail system – it does not “complement or substitute for recreation facilities characteristically provided by public agencies.” The KC staff report submitted to the hearing examiner in preparation of KC’s September 24 public hearing recommend approval of

			this category citing that the trail outlets at 132nd Ave NE where users of the trail can then access Bride Trails. The City disagrees with KC's analysis.
Scenic resource, viewpoint or view corridor	5	KCC 20.36.100(C)(14) a. "Scenic resource" means an area of natural or recognized cultural features visually significant to the aesthetic character of the county. The site must be significant to the identity of the local area, must be visible to a significant number of the general public from public rights-of-way, must be of sufficient size to substantially preserve the scenic resource value and must enroll at least ten acres of open space. b. "Viewpoint" means a property that provides a view of an area visually significant to the aesthetic character of the county. A site must provide a view of a scenic natural or recognized cultural resource in King County or other visually significant area, must allow unlimited public access and must be identified by a permanent sign readily visible from a road or other public right-of-way . c. "View corridor" means a property that contributes to the aesthetics of a recognized view corridor critical to maintaining a public view of a visually significant scenic natural or recognized cultural resource. The site must contain at least one acre of open space that contributes to a view corridor visible to the public and that provides views of a scenic natural resource area or recognized cultural resource	The proposal does not meet this criteria, as there is no information to point to this site being a scenic view corridor, and there are specific size requirements (one acre of open space) that the property does not meet. In King County's staff report to the hearing examiner for the September 24, 2025 King County public hearing, KC does not recommend approval of this category.

		significant to the local area. The King County historic preservation officer or officer of another certified local government program in the jurisdiction in which the property is located must find the recognized cultural areas to be significant and must find that the site contains significant inventoried or designated historic properties. Eligibility is subject to determination by the department or applicable jurisdiction;	
Significant plant or ecological site	5	KCC 20.36.100(C)(15) An area that meets the criteria for Element Occurrence established under the Washington Natural Heritage Program authorized by chapter 79.70 RCW. An Element Occurrence is a particular, on-the-ground observation of a rare species or ecosystem. An eligible site must be listed as an Element Occurrence by the Washington Natural Heritage Program or be identified as a property that meets the criteria for an Element Occurrence. The identification must be confirmed by a qualified expert acceptable to the department. The department shall notify the Washington Natural Heritage Program of any verified Element Occurrence on an enrolling property. Commercial nurseries, arboretums or other maintained garden sites with native or nonnative plantings are ineligible for this category;	This criteria has not been met; there is no information on record that there are rare ecosystems that have been observed on the property or a critical areas report prepared to substantiate the criteria. In King County's staff report to the hearing examiner for the September 24, 2025 King County public hearing, KC does not recommend approval of this category.
Significant wildlife or salmonid habitat	5	KCC 20.36.100(C)(16) a. "Significant wildlife or salmonid habitat" means: (1) an area used by animal species listed as endangered, threatened, sensitive or candidate by the Washington state Department of Fish and Wildlife or Department of Natural Resources or used by species of local significance that are listed by the King	This criteria has not been met since there is no evidence that there are significant wildlife or salmonid habitat. Although Mr. Timiri's application notes that he has viewed pileated woodpeckers on his property and the King County Comprehensive Plan identifies pileated

		County Comprehensive Plan or a local jurisdiction; (2) an area where the species listed in subsection C.16.a.(1) of this section are potentially found with sufficient frequency for critical ecological processes, such as reproduction, nesting, rearing, wintering, feeding or resting, to occur; (3) a site that meets the criteria for priority habitats as defined by the Washington state Department of Fish and Wildlife and that is so listed by the King County Comprehensive Plan or by the local jurisdiction in which the property is located; or (4) a site that meets criteria for a wildlife habitat conservation area as defined by the department or a local jurisdiction. b. To be eligible, the department, by its own determination or by expert determination acceptable to the department, must verify that qualified species are present on the property or that the land fulfills the functions described in subsection B.16.a. of this section. To receive credit for salmonid habitat, the owner shall provide a buffer at least fifteen percent greater in width than required by any applicable regulation. Property consisting mainly of disturbed or fragmented open space determined by the department as having minimal wildlife habitat significance is ineligible	woodpeckers as a "species of local importance," his 1.38 acre parcel is not identified as a "priority habitat" and there is no evidence that pileated woodpeckers on Mr. Timiri's property are "found with sufficient frequency for critical ecological processes, such as reproduction, nesting, rear, wintering, [etc.]." There are no adjacent streams and a critical areas assessment from a qualified biologist has not been submitted. The KC staff report submitted to the hearing examiner in preparation of KC's September 24 public hearing recommends approval of this category stating that "the property contains habitat for numerous wildlife species, including foraging and nesting habitat for the pileated woodpecker ..." The report notes that the property owner has made "visual observations of pileated woodpeckers actively utilizing the property." The City disagrees with KC's analysis of this category as a property owner's visual observation of a bird species on their property, without more, is insufficient under the
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			KCC and the intent of the Act.
Surface water quality buffer	5, 8, or 10	KCC 20.36.100(C)(18) An undisturbed area that has a plant community in which native plants are dominant abutting a lake, pond, stream, shoreline, wetland or marine waters on or abutting the property, that provides buffers beyond that required by any applicable regulation. To receive five points, the buffer must be at least fifty percent wider than the buffer required by any applicable regulation. To receive eight points, the buffer must be at least two times the required width. To receive ten points, the buffer must be at least three times the required width. The qualifying buffer must be longer than twenty-five feet and must be preserved from clearing or maintenance, unless this area is part of a department-approved ecological enhancement, farm management, forest stewardship, rural stewardship or resource restoration plan. Grazing or use by livestock on such land is prohibited;	This criteria has not been met as there are no abutting lakes, ponds, streams, shoreline areas, wetland or marine waters adjacent to the property. In King County's staff report to the hearing examiner for the September 24, 2025 King County public hearing, KC does not recommend approval of this category.
Urban Open Space	5	KCC 20.36.100(C)(19) a. "Urban open space" means land located within the boundaries of a city or within the urban growth area that has a plant community in which native plants are dominant and that under the applicable zoning is eligible for more intensive development or use. The enrolling area must be at least one acre, or be at least one-half acre if the land meets one of the following criteria: (1) the land	This criteria is not being met since the area proposed as open space is not heavily dominated by native vegetation, there is no presence of wetlands, or evidence of conservation of soils, wetlands, beaches or tidal marshes. There is also no presence of adjacent parks, forests, wildlife preserves and the enrolling area does

		conserves and enhances natural or scenic resources; (2) the land protects streams or water supply; (3) the land promotes conservation of soils, wetlands, beaches or tidal marshes; (4) the land enhances the value to the public of adjacent parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space; (5) the land enhances recreation opportunities for the general public; or (6) the land preserves visual quality along highways, roads, and streets or scenic vistas. b. Owners of noncontiguous properties that together meet the minimum acreage requirement may jointly apply under this category if each property is closer than seventy-five feet to one other property in the application and if each property contains an enrolling open space area at least as large as the minimum zoned lot size; and	not enhance general recreational opportunities for the public. The KC staff report submitted to the hearing examiner in preparation of KC's September 24 public hearing recommends approval of this category and does not describe why, other than to say there is .67 acres of open space and it meets the criteria.
Watershed protection area	5	KCC 20.36.100(C)(20) Property contributing to the forest cover that provides run-off reduction and groundwater protection. The property must consist of contiguous native forest or be in the process of reforestation. The enrolling forested area must consist of additional forest cover beyond that required by county or applicable local government regulation and must be at least one acre or sixty-five percent of the property acreage, whichever is greater. If reforestation or improvements to the forest health are necessary, the property owner shall provide and implement an ecological enhancement,	This criteria has not been met, as the property does not consist of contiguous native forest. This area has been redeveloped for many years and there is no designated forest or forest habitat. In King County's staff report to the hearing examiner for the September 24, 2025 King County public hearing, KC does not recommend

		forest stewardship, resource restoration or rural stewardship plan that addresses this need and is acceptable to the department.	approval of this category.
Bonus Categories (can only apply if one of the resource categories, above, is met. KCC 20.36.100(D))			
Easement and access	35	20.36.100(D)(3) Property has at least one qualifying open space resource, unlimited public access or limited public access due to resource sensitivity, and a conservation easement or historic preservation easement in perpetuity in a form and with conditions acceptable to the department. To be eligible, a property must receive credit for an open space category and for the conservation easement or historic easement in perpetuity category. The owner must agree to allow public access to the portion of the property designated for public access in the easement. An easement required by zoning, subdivision conditions or other land use regulation is not eligible, unless there is additional easement area beyond that required. Credit for this category may not overlap with the equestrian-pedestrian-bicycle trail linkage;	This criteria has not been met as the trail easement on the property was a result of the subdivision when it was created and was dedicated as a trail easement which this criteria specifically states as making a property ineligible. Further, this is a bonus point category that can only be applied if one of the 20 resource categories exist. As explained above, there are no resource categories which apply to the property.
Public access (unlimited public access)	5	20.36.100(D)(4) The general public is allowed access on an ongoing basis for uses such as recreation, education or training. Access must be allowed on the portion of the property that is designated for public access. The landowner may impose reasonable restrictions on access, such as limiting use to daylight hours, agreed to by the department. No physical barriers may limit reasonable public access or negatively affect an open space resource. A property owner shall demonstrate that the property is open to public access and is used by	This criteria is not being met as there is no clear designation of private property that is being set aside for recreation other than the pre-existing HOA trail easement. Further, this is a bonus point category that can only be applied if one of the 20 resource categories exist. As explained above, there are no resource

		the public. The historic preservation officer of King County or a certified officer of another local government jurisdiction in which the property is located must approve the award of public access points for historic properties. The property owner may be required to furnish and maintain signage according to county specifications. a. Unlimited public access - five points. Year-round access by the general public is allowed without special arrangements with the property owner.	categories which apply to the property. KC staff recommends in their report to the KC hearing examiner for approval of this category.
Resource Restoration	5	20.36.100(D)(5) Restoration of an enrolling area of property benefiting an area in an open space resource category. Emphasis is placed on the restoration of native vegetation associated with anadromous fish rearing habitat, riparian zones, migration corridors and wildlife, forest, stream and wetland habitats. The owner shall provide and implement a restoration plan approved by the department. The plan may be developed in cooperation with a natural resource expert or agency. The approved restoration plan must, at a minimum, include a purpose statement, a description of restoration work to be done, a detailed site map of the area to be restored, a specific timeline for the restoration activities to be completed and a monitoring schedule for the restoration project's first five years. Land receiving credit for this category may not receive credit for the ecological enhancement land, forest stewardship land or rural stewardship land categories.	This criteria is not being met since there is no evidence that the property has any associated anadromous fish rearing habitat, riparian zones, migration corridors and wildlife, forest, stream and wetland habitats. The applicant has submitted a restoration plan to revegetate the site with native vegetation, but there is no information pertaining to presence of the critical areas described in the criteria. Further, this is a bonus point category that can only be applied if one of the 20 resource categories exist. As explained above, there are no resource categories which apply to the property. KC staff recommends in their report to the hearing examiner for

			conditional approval of this category.
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