



Spokane County Building and Planning

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**PUBLIC BENEFIT RATING FORM
FOR GENERAL OPEN SPACE CLASSIFICATION**

IMPORTANT: Please read all brochures described in the Public Benefit Rating Form Checklist for Open Space Classification prior to completing this form.

Name(s) of Applicant(s) _____ Date Submitted _____

Mailing Address _____ Day Phone Number(s) _____

Tax Parcel Number(s) _____

General Location of Property _____

PART I - Property Overview

1. Legal Interest in Property:
 Owner Contract Purchaser Other (Describe) _____
2. Total Acreage of Property _____
3. Acreage to be enrolled in the Open Space Program _____
4. What is the Property Currently Used for? _____
5. Is the land subject to a lease or agreement which permits any other use than its present use?
Yes No (Note: If yes, please attached a copy of the lease agreement.)
6. Are you proposing to apply a conservation easement or historic easement to your property?
 Yes (type: _____) Does one exist now? Yes (type: _____)
 No No
Who will hold (or does hold) the easement? _____
7. Is there currently any mining claim or mining lease on the land? Yes No
8. Will you be profiting through an activity upon the land through the collection of fees, the sale of merchandise or raw materials, etc.? Yes No
9. Is the open space area dedicated under zoning or subdivision ordinance requirements or used to achieve the maximum development potential under zoning? Yes No

PART II – Priority Consideration

Provide expanded responses and additional documentation where appropriate that shows how the priority resources below will preserve the current use of the land for the benefit of the public. A minimum of two (2) “Priority Considerations” and 60 points are required for program eligibility.

Will converting your land to open space:

A. Conserve/enhance natural, cultural, or scenic resources? (15 pts)

Yes. No. Comments: _____

B. Protect streams or stream corridors? (15 pts)

Yes. No. Comments: _____

C. Protect wetlands? (15 pts)

Yes. No. Comments: _____

D. Protect natural shorelines? (15 pts)

Yes. No. Comments: _____

E. Protect the aquifer? (15 pts)

Yes. No. Comments: _____

F. Protect soil resources and unique or critical wildlife and native plant habitat? (15 pts)

Yes. No. Comments: _____

G. Promote conservation principles by example and/or educational opportunities? (15 pts)

Yes. No. Comments: _____

H. Enhance the value of abutting or neighboring parks, forests, wildlife preserves, nature reservations, sanctuaries, or other open spaces? (15 pts)

Yes. No. Comments: _____

I. Enhance recreation opportunities? (15 pts)
 Yes. No. Comments: _____

J. Preserve historic and archeological sites? (15 pts)
 Yes. No. Comments: _____

K. Preserve visual quality along highway, road, and street corridors or scenic vistas? (15 pts)
 Yes. No. Comments: _____

L. 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? (15 pts)
 Yes. No. Comments: _____

M. Does this land contain buffers that are planted with or primarily contain native vegetation? (15 pts)
 Yes. No. Comments: _____

N. Does the land support known rare or endangered flora and/or fauna? (15 pts)
 Yes. No. Comments: _____

PART III – Additional Considerations

O. The owner will provide: (***select one of the following***)

- | | | |
|------|--|----------------|
| i. | Unlimited recreational public access – non-motorized
(Example: pedestrians, bicycles, horses, kayaks) | (80 pts) _____ |
| ii. | Unlimited pedestrian-only access | (50 pts) _____ |
| iii. | Limited public access due to resource sensitivity | (20 pts) _____ |
| iv. | Seasonal public access: seasonal or special arrangements | (10 pts) _____ |
| v. | Restricted public access (fees, membership) | (5 pts) _____ |
| vi. | No public access | (0 pts) _____ |

Comments: _____

P. Is the land designated a geo-hazard area according to the Spokane County Critical Areas Ordinance? (5 pts)
 Yes. No. Comments: _____

Q. Is the property on the Spokane Register of Historic Places? (5 pts)
 Yes. No. Comments: _____

R. Please provide any other comments you think would aid the board when considering classification. (up to 20 pts)
Comments: _____

PART IV – Tax Liability Statement and Signature

IMPORTANT! Read all of the following information regarding tax liabilities before signing this application form.
You will owe to the County the following additional taxes, interest and penalties when your property is removed or withdrawn from current use classification. The following is a summary of state law. Consult RCW Chapter 84.34 for details.

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.
 - c. A penalty of 20% shall be applied to the additional tax if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal process, or except as a result of those conditions listed in (B) below.
2. The additional tax, interest, and penalty specified in (1A) above 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. Reclassification from: i) farm & agricultural to open space classification; ii) timber land to open

space classification; and, iii) from farm and agriculture conservation land to farm and agriculture.

- 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 fee interest or a conservation easement for the riparian open space program 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.

Removals and withdrawals from the program are processed by the Spokane County Assessor.

I (We) the undersigned, swear under the penalty of perjury, that I (We) am (are) the owner(s) or contract purchaser(s), of the land described above and that the above responses are made truthfully and to the best of my (our) knowledge. I (We) also understand that, should there be willful misrepresentation or willful lack of full disclosure on my (our) part, the granting authority, which may hereafter classify said land under the provisions of Chapter 84.34 RCW, may subsequently remove the classification. In addition, I (we) am (are) aware of the potential tax liability described above.

DATE: _____ OWNERS: _____

SUBSCRIBED and SWORN to before me this _____ day of _____, 20_____.

Notary Public in and for the State of Washington, residing in Spokane County

PUBLIC BENEFIT RATING FORM
General Open Space
Staff Use Only

File Number: _____ Zoning Designation: _____

Applicant Name: _____ Planner: _____

Date application complete & fee paid: _____

#	PTS	PRIORITY RESOURCE	COMMENTS	PTS POSSIBLE
A.		Conservation or enhancement of natural, cultural, or scenic resources.		15
B.		Protection of streams or stream corridors.		15
C.		Protect wetlands.		15
D.		Protects natural shorelines		15
E.		Protects the aquifer		15
F.		Protects soil resources and unique or critical wildlife and native plant habitat.		15
G.		Promotes conservation principles by example and/or educational opportunities.		15
H.		Enhances the value of abutting or neighboring parks, forests, wildlife preserves, nature reservations, sanctuaries, or other open spaces.		15
I.		Enhances recreation opportunities.		15
J.		Preserves historic and archeological site.		15
K.		Preserves visual quality along highway, road, and street corridors or scenic vistas.		15
L.		Retains 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.		15

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M.		Contains buffers that are planted with or primarily contain native vegetation.		15
N.		Supports known rare or endangered flora and/or fauna.		15
#	PTS	ADDITIONAL CONSIDERATIONS	COMMENTS	PTS POSSIBLE
O.		Public Access		i-80 ii-50 iii-20 iv-10 v-5 vi-0
P.		Geo-Hazard Area per County Critical Areas Ordinance.		5
Q.		Spokane Register of Historic Places		5
#	PTS	APPLICANT COMMENTS	COMMENTS	PTS POSSIBLE
R.		Other comments that that would aid the Board.		Up to 20

_____ TOTAL POINTS ACCUMULATED

NOTES:

Planning Commission Hearing: _____ BoCC Consideration: _____

Agreement Signed: _____ Forwarded to Assessor: _____