



Staff Report and Recommendation

Report Date: 7/30/2025

Hearing Date: 08/19/25

Application Submittal Date: 04/16/25

Application Complete Date: 05/08/25

Project Name: Roper – Open Space – Protect Stream Corridors and Wetlands

Type of Application: Current Use Open Space, Type IV

Permit Number: 25-01464

Project Location

NO SITUS ADDRESS

Port Orchard, WA 98367

Commissioner District # 2

Assessor's Account

4859-002-004-0303, 4859-002-009-0001,

4859-003-002-0006

Applicant/Owner of Record

Owners of Record:

Alicia A. Roper, Cara D. Roper, & Roper James D
Life Estate

43 Evergreen LN

Haddonfield, NJ 08033-1201

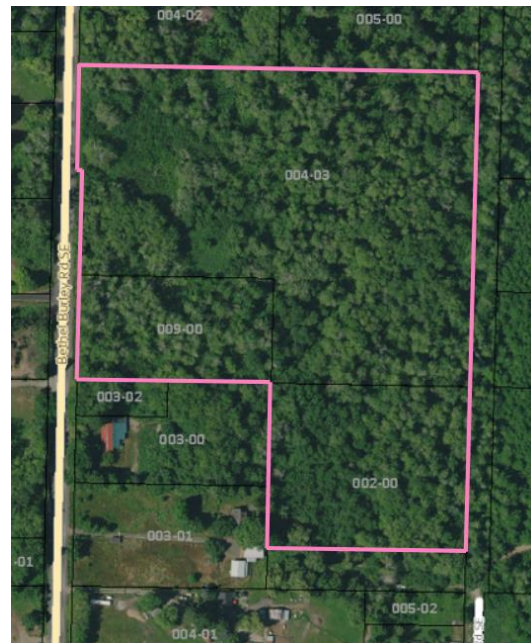
Applicant:

James D Roper Life Estate

43 Evergreen LN

Haddonfield, NJ 08033-1201

Vicinity Map



Recommendation Summary

Approved subject to conditions

listed under section 11 of this report.

1. Background

The purpose of the Kitsap County open space program is to maintain, preserve, conserve and otherwise continue in existence adequate open space lands and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the state and its citizens. Parcels with qualifying environmental characteristics can apply for the open space program and receive a reduction in taxes.

2. Project Request

The applicant proposes to reclassify 15.9514 acres from “Undeveloped Land” and “Cabins” by the Kitsap County Assessor per RCW 84.34.020 , to “Current Use Open Space”. The reclassification is for tax purposes only and does not change the zoning of the property. Two of sensitive resources listed in Kitsap County Code 18.12 must exist on the property to qualify for the Current Use Open Space land use designation.

3. SEPA (State Environmental Policy Act)

This project is SEPA exempt under Kitsap County Code 18.04 State Environmental Policy Act.

4. Physical Characteristics

The subject properties are mostly rectangular, with parcel 4859-002-004-0303 being a hexagonal irregular polygon, forested. A fish bearing (Type F) stream meanders through the center of parcels 4859-002-004-0303 and 4859-003-002-0006, flowing from north to south..

A Freshwater Forested/Shrub Wetland habitat, classified as a PFO1C wetland, encompasses all three parcels. Additionally, all three parcels exist within the FEMA 100-year floodplain. A cabin exists on the southerly most .7686 acres of parcel 4859-003-002-0006 . Holes in the roof and a dirt floor render the cabin uninhabitable. The owners cannot afford to remove the cabin at this time; thus, the proposal removed this portion of the parcel from the application during the permit review process (see the attached site plan and acreage calculations).

Table 1 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	MH - Real Property & Undeveloped Land	Rural Protection
South	Undeveloped Land, MH - Real Property, & Single-family residence	Rural Protection
East	MH - Real Property & Undeveloped land	Rural Protection
West	MH - Real Property & Single-family residence	Rural Protection & Rural Residential

5. Access

Bethel Burley Rd SE and Maple Rd SE, both county maintained rights of way, provide direct access to the parcels.

6. Policies and Regulations Applicable to the Subject Proposal

The Growth Management Act of the State of Washington, RCW 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an

opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

Kitsap County Comprehensive Plan adopted June 30, 2016.

The following Comprehensive Plan goals and policies are most relevant to this application:

Environment

Environmental Goal 3

Reduce the risk of damage to life, property and the natural environment through appropriate regulatory and incentive-based approaches in land use, transportation and development engineering programs.

Environment Policy 19

Explore the possible use of tax incentives to protect beneficial open space, forestry, and agriculture areas through agreed commitments with willing landowners.

Parks, Recreation and Open Space Parks Policy 9

Identify new and preserve existing open space in rural areas.

The County's development regulations are contained within the Kitsap County Code.

The following development regulations are most relevant to this application:

Code Reference	Subject
Title 18	Environmental
Chapter 18.04	State Environmental Policy Act (SEPA)
Chapter 18.12	Open Space Plan
Chapter 21.04	Project Permit Application Procedures

7. Public Outreach and Comments

The Department mailed a Notice of Application to properties within 800' on May 30, 2025. No public comments were received.

The Department mailed a Notice of Public Hearing to properties within 800' and placed a sign at the property. Both notices informed neighbors of the upcoming hearing.

8. Analysis

This land is eligible for Open Space classification under the following qualification criteria set forth by the State of Washington Open Space Act, Ch. 84.34 RCW and the Kitsap County Open Space Plan, h. 18.12 Kitsap County Code (KCC):

a. High-Priority Resources

Wetlands, Ponds and Streams
Watershed/Aquifer

b. Medium-Priority Resources

Secondary Stream Buffer

c. Low-Priority Resources

Preservation of visual quality

The application is eligible for a 50 percent reduction to the land value. Property qualifying for Current Use Open Space must have at least two sensitive characteristics/resources. Two (2) high-priority resources, one (1) medium-priority resource, and one (1) low-priority resource exist on the parcels. Furthermore, the property owner chooses to not allow public access in exchange for the additional 10% tax reduction.

9. Additional Tax

Additional tax may be due when either a portion or all of the property is removed from the Current Use Open Space classification. Additional tax equals the difference between the tax paid under the classification and the tax at true and fair market value for the current year and the last seven years plus interest at 1 percent per month. An additional 20 percent penalty is also imposed if the property is classified less than ten years and two years notice of withdrawal is not supplied or if there is a change in use.

10. Review Authority

The Board of County Commissioners has review authority for this Current Use Open Space application under KCC, Section 21.04.100. In considering applications for Current Use Open Space, the Board shall find that the subject property meets the requirements for eligible lands as defined in KCC, Section 18.12.020.


11. Recommendation

Based upon the analysis above, the Department of Community Development recommends that the Roper Open Space Application request be approved, subject to the following conditions:

1. Land Use Agreement shall be established between the owner and the Granting Authority specifying the conditions. Should the owner sign the agreement, it shall be understood that the owner will comply with the conditions. Failure to comply with said conditions shall be basis for withdrawal of the current use designation, in which case the land shall be subject to the penalty tax referred to in RCW 84.34 and assessed at true market value.
2. This Agreement and any additional agreement(s) may be modified for the purpose of improving the original intent of the agreement(s). Any new agreement must have the consent of the owner and Granting Authority. If a new agreement is not made, the original and additional agreement(s) shall remain in force. This statement does not release the owner of responsibility to comply with the conditions contained within this report.

3. Upon approval, current use taxation would commence in compliance with WAC 458-30-120.
4. There shall be no motorized vehicles, such as dirt bikes, allowed on the site.
5. There shall be no clearing of vegetation on the site. Trail maintenance, noxious weed and hazard tree removal, however, shall be allowed.
6. There shall be no hunting, fishing or trapping.
7. Camping shall not be allowed.
8. There shall be no smoking, campfires or firearms on the site.
9. There shall be no mining, storage or excavation of materials.
10. There shall be no dumping of chemicals, liquids, wastes, trash or junk that might deteriorate the natural character of the land or pollute the water supply.
11. The open space classification for this land will continue if it is primarily devoted to and used as habitat and shoreline protection. The Granting Authority will remove classification if dedication to this purpose ceases to exist.

Report prepared by:



Jason Robert Walsh, Planner

Date

Report approved by:



Darren Gurnee, Planning Supervisor

7/30/2025

Date

Attachments:

Attachment A Site Plan

Attachment B Tax Shift

Attachment C Critical Areas Map

Attachment D Zoning Map

Attachment E Aerial Map

Cc

Applicant/Owner: Cara Roper, cararoper@hotmail.com

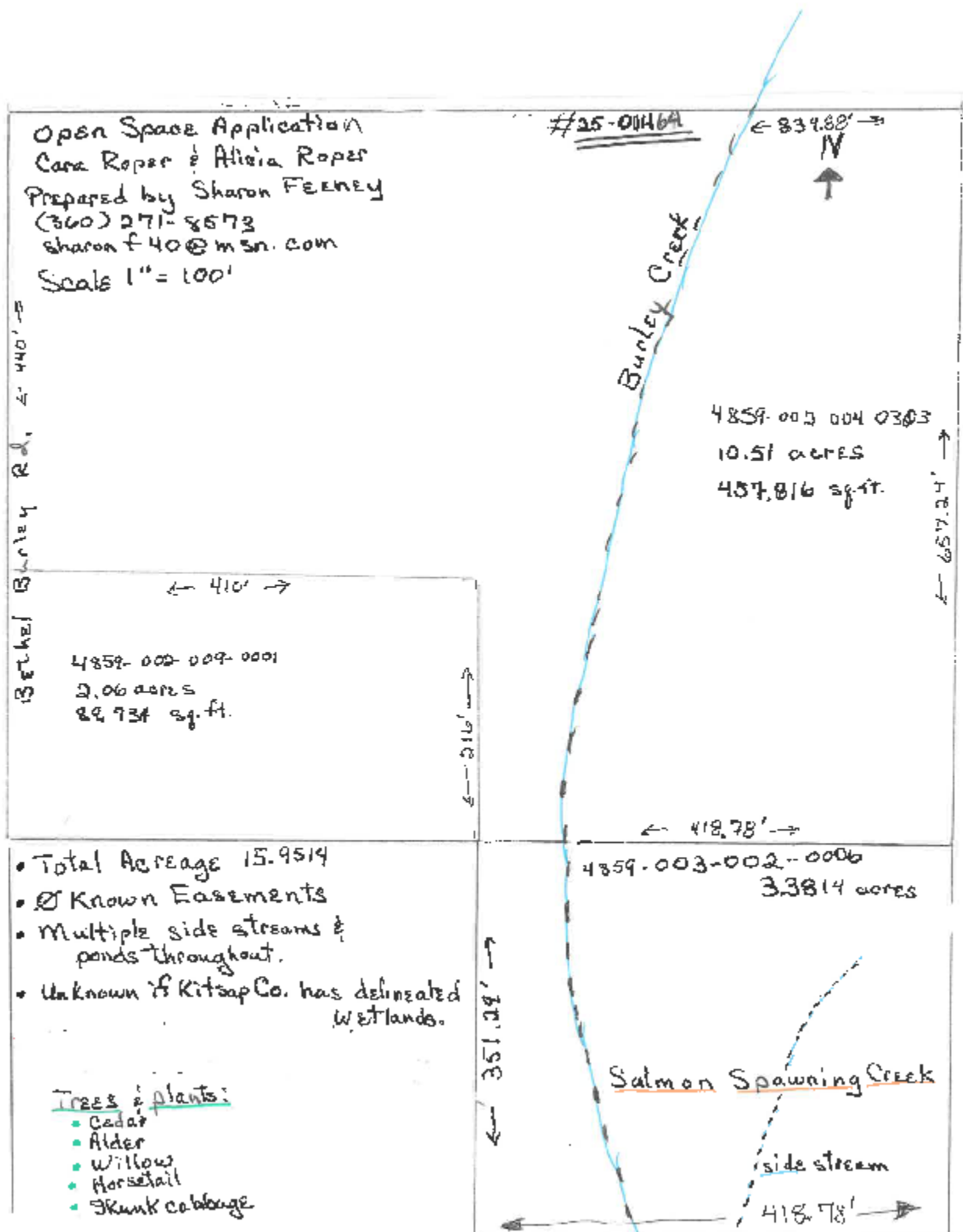
Representative: Sharon Feeney, sharonf40@msn.com

Interested Parties:

gb@wavecable.com

david@ddavidbrown.com

Site Plan



Attachment B: Tax Shift for Parcel 4859-002-004-0303

TAX SHIFT ESTIMATE

Owner
Tax Account

Current Use Acres
Total Acreage
Land Market Value
Homesite (or fully taxable acreage) Acreage
Homesite (or fully taxable acreage) Market Value
Open Space Land Reduction Factor
Farm Land Value
Design Forest Land AV
Improvement Value
Taxes based a on levy rate of
Tax Year

ROPER		
4859-002-004-0303		
DFL	Farm	OpenSpace
0.00	0.00	10.51
10.51		
\$116,470		
10.51	acre(s)	
\$0		
50%		
\$0		
\$0		
\$0		
8.486800		
2026		

				Tax Year 2026	
Taxable Value				Value	Tax
CURRENT	Land			116,470	
	Improvements			0	
	Total			116,470	
	Taxes				988.46
PROPOSED	Homesite (or fully taxable portion)	Ac	Value	0	
		10.51	\$0		
	Designated Forest Land	Ac	Approx Rate	0	
		0.00	\$125		
	CU Farm & Agricultural	Ac	Value	0	
		0.00	\$864		
	CU Open Space	Ac	Value	58,235	
		10.51	\$116,470		
	Improvements			0	
	Total			58,235	
Taxes					494.23
Difference				58,235	494.23
Owner's Taxes DECREASE By					494.23

	Acreage	Total Land AV
Total Land:	10.51	= \$116,470
Homesite (taxable land):	10.51	= \$0

Land Value less the homesite (taxable land):	\$116,470
Reduced value with exemption:	\$58,235

Adjusted Land Value:	\$58,235
At the 2023 Tax Rate of :	8.486800
The Estimated Tax Shift (tax reduced by) =	\$494

Tax Shift for Parcel 4859-002-009-0001

TAX SHIFT ESTIMATE

Owner
Tax Account

Current Use Acres
Total Acreage
Land Market Value
Homesite (or fully taxable acreage) Acreage
Homesite (or fully taxable acreage) Market Value
Open Space Land Reduction Factor
Farm Land Value
Design Forest Land AV
Improvement Value
Taxes based a on levy rate of
Tax Year

ROPER		
4859-002-009-0001		
DFL	Farm	OpenSpace
0.00	0.00	2.06
2.06		
\$61,480		
0.00	acre(s)	
\$0		
50%		
\$0		
\$0		
\$0		
8.486800		
2026		

				Tax Year 2026	
Taxable Value				Value	Tax
CURRENT	Land			61,480	
	Improvements			0	
	Total			61,480	
	Taxes				521.77
PROPOSED	Homesite (or fully taxable portion)	Ac	Value	0	
		0.00	\$0		
	Designated Forest Land	Ac	Approx Rate	0	
		0.00	\$125		
	CU Farm & Agricultural	Ac	Value	0	
		0.00	\$864		
	CU Open Space	Ac	Value	30,740	
		2.06	\$61,480		
	Improvements			0	
	Total			30,740	
	Taxes				260.88
Difference				30,740	260.88
Owner's Taxes DECREASE By					260.88

	Acreage	Total Land AV
Total Land:	2.06	= \$61,480
Homesite (taxable land):	0.00	= \$0

Land Value less the homesite (taxable land):	\$61,480
Reduced value with exemption:	\$30,740

Adjusted Land Value:	\$30,740
At the 2023 Tax Rate of :	8.486800
The Estimated Tax Shift (tax reduced by) =	\$261

Tax Shift for Parcel 4859-003-002-0006

TAX SHIFT ESTIMATE

Owner
Tax Account

Current Use Acres
Total Acreage
Land Market Value
Homesite (or fully taxable acreage) Acreage
Homesite (or fully taxable acreage) Market Value
Open Space Land Reduction Factor
Farm Land Value
Design Forest Land AV
Improvement Value
Taxes based a on levy rate of
Tax Year

ROPER		
4859-003-002-0006		
DFL	Farm	OpenSpace
0.00	0.00	3.39
4.15		
\$66,520		
0.76		acre(s)
\$34,660		
50%		
\$0		
\$0		
\$0		
8.486800		
2026		

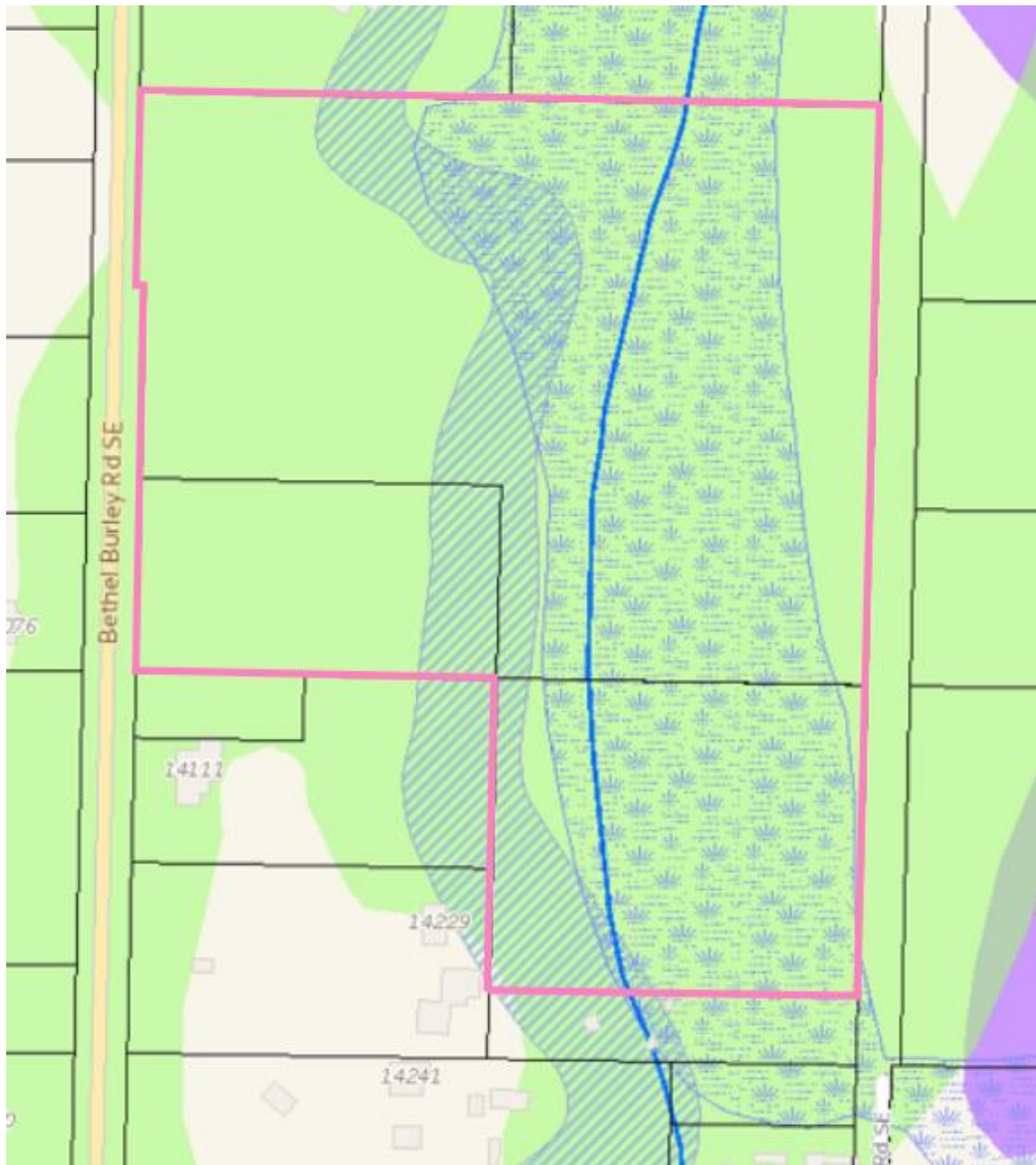
				Tax Year 2026	
Taxable Value				Value	Tax
CURRENT	Land			66,520	
	Improvements			0	
	Total			66,520	
	Taxes				564.54
PROPOSED	Homesite (or fully taxable portion)	Ac	Value	34,660	
		0.76	\$34,660		
	Designated Forest Land	Ac	Approx Rate	0	
		0.00	\$125		
	CU Farm & Agricultural	Ac	Value	0	
		0.00	\$664		
	CU Open Space	Ac	Value	15,930	
		3.39	\$31,860		
	Improvements			0	
	Total			50,590	
Taxes					429.35
Difference				15,930	135.19
Owner's Taxes DECREASE By					135.19

	Acreage	Total Land AV
Total Land:	4.15	= \$66,520
Homesite (taxable land):	0.76	= \$34,660

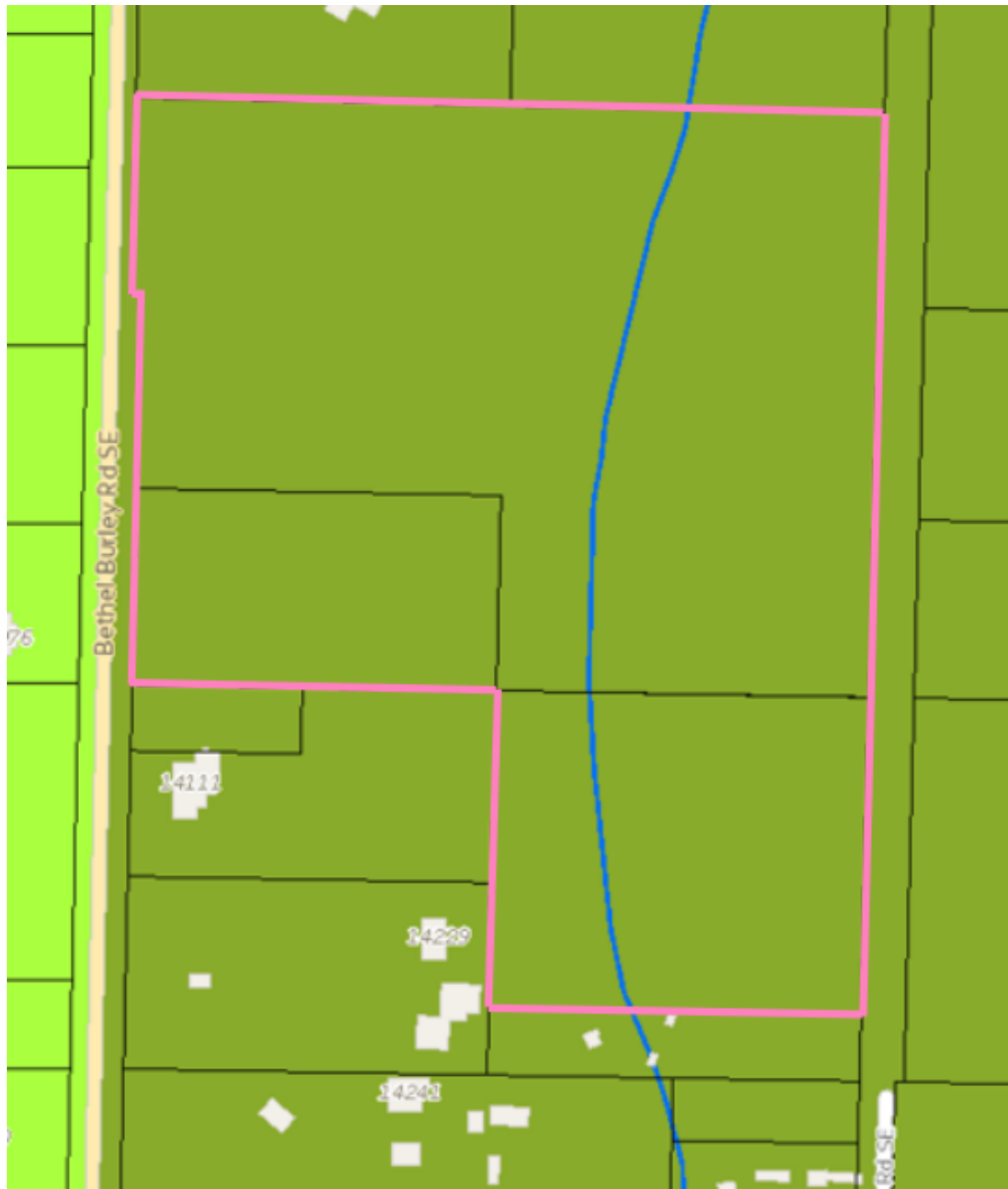
Land Value less the homesite (taxable land):	\$31,860
Reduced value with exemption:	\$15,930

Adjusted Land Value:	\$15,930
At the 2023 Tax Rate of :	8.486800
The Estimated Tax Shift (tax reduced by) =	\$135

Attachment C: Critical Areas Map



Attachment D: Zoning Map



Attachment E: County Aerial 2021

