

14.24.170 Incentives.

(1) The following incentives are intended to minimize the burden to individual property owners from application of the provisions of this Chapter and assist the County in achieving the goals of this Chapter:

(a) Open Space. Any property owner on whose property a critical area or its associated buffer is located and who proposes to put the critical area and buffer in a separate open space tract may apply for a current use property tax assessment on that separate tract pursuant to Chapter 84.34 RCW. The County shall develop current use tax assessment programs for agricultural and small forest lands less than 20 acres and other open spaces.

(b) Conservation Easement. Any person who owns an identified critical area or its associated buffer may place a conservation easement over that portion of the property by naming the County or its qualified designee under RCW 64.04.130 as beneficiary of the conservation easement. This conservation easement can be used in lieu of the creation of a separate critical areas tract to qualify for open space tax assessment described in Subsection (1)(a) of this Section. The purpose of the easement shall be to preserve, protect, maintain, restore and limit future use of the property affected. The terms of the conservation easement may include prohibitions or restrictions on access and shall be approved by the property owner and the County.

(c) Density Credit. On lands containing critical areas or their associated buffers, the County shall allow a transfer of density for residential uses from the portion of the property containing the critical areas or buffers to that portion of the property that does not contain critical areas or buffers; provided, that the resulting density on the portion of the property does not contain critical areas or their buffers; and

(i) Does not create any adverse impacts to the critical area that cannot be adequately mitigated; and

(ii) All other development regulations can be met on site.

(d) Conservation Futures Fund. The County has established a conservation futures property tax fund as authorized by RCW 84.34.230. Properties containing critical areas or their associated buffers may be considered for acquisition under a purchase of development rights with these funds. Acquisitions shall be done through the Farmland Legacy Program as recommended by the Conservation Futures Advisory Committee, under the provisions of Ordinance No. 16380 and Resolution No. 16766.

(2) For any tract placed into or encumbered with a PCA, the County shall use its best efforts to assist the property owner in obtaining open-space tax status on that portion of the property and/or in dedicating that property to a nonprofit land trust organization to eliminate or minimize property tax burdens.

(3) The County shall seek to educate the public regarding critical areas, the beneficial functions of critical areas and the requirements of this Chapter in an effort to encourage citizen understanding, compliance and stewardship.

(4) The County shall, where practical, provide incentives to landowners to restore critical areas or their buffers that have been adversely affected by previous land use activities. (Ord. O20080014 (part))