
HOUSE BILL 2816

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Rasmussen, Belcher, Chandler and Fraser

Read first time 01/28/92. Referred to Committee on Revenue.

1 AN ACT Relating to open space property taxation; and amending RCW
2 84.34.020.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 84.34.020 and 1988 c 253 s 3 are each amended to read
5 as follows:

6 As used in this chapter, unless a different meaning is required by
7 the context:

8 (1) "Open space land" means (a) any land area so designated by an
9 official comprehensive land use plan adopted by any city or county and
10 zoned accordingly or (b) any land area, the preservation of which in
11 its present use would (i) conserve and enhance natural or scenic
12 resources, or (ii) protect streams or water supply, (iii) promote
13 conservation of soils, wetlands, beaches or tidal marshes, or (iv)
14 enhance the value to the public of abutting or neighboring parks,

1 forests, wildlife preserves, nature reservations or sanctuaries or
2 other open space, or (v) enhance recreation opportunities, or (vi)
3 preserve historic sites, or (vii) retain in its natural state tracts of
4 land not less than five acres situated in an urban area and open to
5 public use on such conditions as may be reasonably required by the
6 legislative body granting the open space classification.

7 (2) "Farm and agricultural land" means either (a) land in any
8 contiguous ownership of twenty or more acres (i) devoted primarily to
9 the production of livestock or agricultural commodities for commercial
10 purposes, or (ii) enrolled in the federal conservation reserve program
11 or its successor administered by the United States department of
12 agriculture; (b) any parcel of land five acres or more but less than
13 twenty acres devoted primarily to agricultural uses, which has produced
14 a gross income from agricultural uses equivalent to one hundred dollars
15 or more per acre per year for three of the five calendar years
16 preceding the date of application for classification under this
17 chapter; or (c) any parcel of land of less than five acres devoted
18 primarily to agricultural uses which has produced a gross income of one
19 thousand dollars or more per year for three of the five calendar years
20 preceding the date of application for classification under this
21 chapter. Agricultural lands shall also include (~~farm woodlots of less~~
22 ~~than twenty and more than five acres~~) such incidental uses as are
23 compatible with agricultural purposes, including wetlands preservation,
24 provided such incidental use does not exceed twenty percent of the
25 classified land and the land on which appurtenances necessary to the
26 production, preparation or sale of the agricultural products exist in
27 conjunction with the lands producing such products. Agricultural lands
28 shall also include any parcel of land of one to five acres, which is
29 not contiguous, but which otherwise constitutes an integral part of

1 farming operations being conducted on land qualifying under this
2 section as "farm and agricultural lands".

3 (3) "Timber land" means land in any contiguous ownership of five or
4 more acres which is devoted primarily to the growth and harvest of
5 forest crops and which is not classified as reforestation land pursuant
6 to chapter 84.28 RCW. Timber land means the land only.

7 (4) "Current" or "currently" means as of the date on which property
8 is to be listed and valued by the county assessor.

9 (5) "Owner" means the party or parties having the fee interest in
10 land, except that where land is subject to real estate contract "owner"
11 shall mean the contract vendee.

12 (6) "Contiguous" means land adjoining and touching other property
13 held by the same ownership. Land divided by a public road, but
14 otherwise an integral part of a farming operation, shall be considered
15 contiguous.