COMMISSIONERS' MINUTES
KITTITAS COUNTY, WASHINGTON
COMMISSIONERS AUDITORIUM
SPECIAL MEETING

TUESDAY **2:00 P.M.** **MARCH 15, 2011**

Board members present: Chairman Paul Jewell, Vice-Chairman Alan Crankovich and Commissioner O'Brien.

Others: Mandy Robinson, Deputy Clerk of the Board; Jeff Watson, Staff Planner II; Dan Valoff, Staff Planner II and three members of the public.

PUBLIC HEARING (5)CURRENT USE OPEN SPACE APPLICATIONS COMMISSIONERS

At 2:00 p.m. **Chairman Jewell** opened a public hearing to consider five Current Use Open Space Applications, two from 2009 and 3 from 2010.

Jeff Watson, Staff Planner reviewed a staff report and the Findings of Fact from the Planning Commission's Hearing held on October 26, 2010. He clarified some points on the Mirly and Mirly Investments applications that he felt the Board would benefit from hearing. He indicated that the application OC-09-00001 Mirly and application OC-09-00002 Mirly Investments are both the final applications from 2009, and that applications OC-10-00002 Cascade Land Conservancy, OC-10-00003 Kronberger and OC-10-00004 Anglemeyer are from 2010. He reviewed the county staff and Planning Commission recommendations for all the applications.

Commissioner O'Brien expressed his confusion regarding Open Space and Open Timber applications. He indicated that he is working on getting all the details down but doesn't feel that the process is clear for him just yet. He explained that he had reviewed the materials for the Hearing but that he may seek guidance from his seatmates. **Mr. Watson** gave a brief explanation on what applying for the different classifications offers an applicant. Essentially it's a tax shift (break) for the applicant but this creates additional tax burdens on adjacent landowners and referred to Resolution 1994-025. **Commissioner O'Brien** questioned the difference between the staff and Planning Commission differences of approvals. **Mr. Watson** indicated that the Taxation Act is referred to and acts as a guide for staff decisions, but it's very vague.

Commissioner Crankovich expressed concerns about comments made in the applications for both Anglemeyer & Kronberger. **Commissioner Jewell** felt that Commissioner Crankovich was implying that the RCW is

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subjective as **Mr. Watson e**xplained earlier. He expressed his understanding of why County staff has taken the position they have on the applications that are before the Board today. **Commissioner Crankovich** indicated that if County staff see's a deficiency, then they need to bring it forward to their Supervisor/Director to look at ways to address those concerns.

PUBLIC TESTIMONY WAS OPENED- LIMITED TO 3 MINUTES

Ken Mirly, 2420 Squak Mtn Loop, Issaquah, WA 98027 gave the history of his properties and explained why he was requesting the reclassification. He expressed his frustration and confusion with the lack of clarity in the RCW.

Commissioner Jewell questioned the applicant about a name that was used throughout the application that he was unfamiliar with (Dry Fly Meadows). He expressed his concern regarding the previous designation and how it conflicts with the current pending reclassification. He referenced Resolution 2002-99 (subdivisions). He explained that the Resolution prohibits the change in designation for something that is listed as a subdivision. **Mr. Mirly** clarified that Cruse & Associates had options of how to have the property listed and didn't end up going that route with the application, being in a flood plain wouldn't appeal for a subdivision.

Cascade Land Conservancy- The applicant was not in attendance.

Ryan Kronberger, 1833 Yew Way, Snohomish, WA 98296 submitted pictures into the record for his application. He explained that he felt that the pictures would help more than the description in the application. Mr. Kronberger gave the Board a brief history on his 50 acres.

Commissioner Crankovich questioned Mr. Kronberger on how the location of his property is in relation to the Taneum Elk Feeding area. He asked if it is designated or is that just historically what it has been listed as. **Jeff Watson**, clarified that there is approximately 30 of the 50 acres with BPA Power lines which also borders up against LT. Murray. **Commissioner Jewell** questioned the Planning Commission overturning County staff's recommendation on the application. **Jeff Watson** indicated that during the testimony at the Planning Commissions hearing there was a great deal of testimony reflecting the scenic benefit.

Devin Anglemyer, PO Box 73038, Puyallup WA 98373 submitted a poster board with pictures to show his 30 acres. He gave the history of his purchase of the property. He explained that it was previously classified as Current Use Open Timber Land but it no longer qualifies. He feels after reviewing the criteria for Current Use Open

Space his property fits the description. He explained how his property fell out of classification for Current Use Open Timber. **Commissioner Jewell** questioned if the application should be qualified for either classification (Open Space & Open Space Timber).

THERE BEING NO ADDITIONAL REQUESTS TO TESTIFY, THE PUBLIC PORTION OF THE HEARING WAS CLOSED.

Commissioner Jewell asked technical questions of Staff Planner Dan Valoff regarding the Mirly application. He questioned if there were types of subdivisions that are exempt from RCW 58.17. He indicated that he was in support of the County Staff recommendations for the applications.

Commissioner Crankovich explained that he disagreed with Commissioner Jewell and referenced the RCW that lists out the criteria for Current Use Open Space, noting that the RCW is vague, but because of that he was in support of approving all the applications.

Commissioner O'Brien indicated that he felt comfortable supporting approval of all the applications with the exception of the Anglemyer application.

Commissioner Jewell addressed some of the concerns he felt Commissioner Crankovich had. He felt from his prospective and his interpretation of Commissioners Crankovich's comments, that he felt the thresholds needed to be tightened to make things clear especially for applications like Kronberger and Anglemyer. **Commissioner Jewell** indicated that once we can get a public benefit rating system in effect, this process along with others will be much smoother.

Commissioner Crankovich moved to approve Mirly OC-09-00001, Mirly Investments OC-09-00002 & Cascade Land Conservancy OC-10-00002 applications for Current Use Open Space. **Commissioner O'Brien** seconded. Motion carried 3-0.

Commissioner O'Brien moved to approve Kronberger OC-10-00003 application for Current Use Open Space. **Commissioner Crankovich** seconded. Motion carried 2-1 (Jewell opposed).

Commissioner O'Brien moved to deny the Anglemyer OC-10-00004 request for reclassification to Current Use Open Space. **Commissioner Jewell** seconded. Motion carried 2-1 (Crankovich opposed).

The meeting was adjourned at 3:03 p.m.

KITTITAS COUNTY COMMISSIONERS

DEPUTY CLERK OF THE BOARD

Mandy Robinson

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KITTITAS COUNTY, WASHINGTON

Paul Jewell, Chairman