



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

OC-11-00001 PEARSON OPEN SPACE CURRENT USE APPLICATION STAFF REPORT

TO: Kittitas County Board of County Commissioners
FROM: Jeff Watson, GIS Technician/ Planner II
DATE: February 5, 2013
SUBJECT: Pearson Open Space Current Use Application (OC-11-00001)

I. GENERAL INFORMATION

Proposal: On October 26, 2011 Ross Pearson submitted an application for classification or reclassification as open space land or timber land for current use assessment under Chapter 84.34 RCW 3.37 acres of a 4.37 acre parcel. The application has been reviewed by Assessor staff for ownership, parcel numbers, and legal descriptions, and Community Development Services staff for land use and critical areas assessment.

Location: The subject property is located at the end of Yakima River Terrace Road, approximately 4.5 miles southwest of the City of Cle Elum on the shoreline of the Yakima River in a portion of section 36, township 20, range 14, WM, in Kittitas County; Assessor's map number 20-14-36051-0004, parcel identification number 10799.

Planning Commission Recommendation: The Planning Commission met on November 27, 2012 to review the application; they voted unanimously (4-0), to approve the application for open space current use.

II. SITE INFORMATION

Site Characteristics: Utilizing Aerial Photography, analysis indicates the site is heavily wooded with deciduous trees and undergrowth. Assessor's records indicate that there is a 3,332 square foot single family residence on the parcel. The topography is gently sloped from southwest to northeast approximately 16 feet vertically over the roughly 560 foot length of the parcel. Critical areas review indicates that the parcel contains 2 wetland designations, extensive 100 year floodplain, floodway, and that it is within the conservancy designation of the Yakima River, a shoreline of the state. The parcel also contains a Priority Habitat Species designation as Upper Yakima Riparian.

III. RECOMMENDATION

The application as submitted is requesting classification as open space for current use. Justification for this proposed designation by the applicant is based on the following criteria listed in RCW 84.34.020

- (b) any land area, the preservation of which in its present use would*
(i) conserve and enhance natural or scenic resources, or

Kittitas County ordinance 1994-025 stipulates that applications "... based on conservation or enhancement of natural resources must meet at least one of the following: .

- (1) Geologically significant rock formations that may be appropriate for educational study.*
- (2) Archeological sites that are registered with the state of Washington and protected.*
- (3) Game preserves and nesting grounds as agreed by the state of Washington Department of wildlife. (Public access may be controlled. Hunting and fishing may be denied.)*

This application's narrative does not indicate that any of these criteria have been met. The site is identified in the Priority

Habitat Species data set as “Upper Yakima Riparian”, but no indication was given that WDFW has any designation for game preserves or nesting grounds.

(ii) protect streams or water supply, or

Kittitas County ordinance 1994-025 stipulates that applications “... for open space on protection of streams and meet at least one of the following:

- (1) Preservation or protection of major drainage ways (major drainage ways being defined as the areas where feeder streams intersect with major streams) flowing directly into streams of 20 C.F.S. or more.*
- (2) Tracts continuous to or straddling major streams flowing at a rate of 20 C. F.S. or more.*
- (3) Significant aquifer recharge areas and areas of significant springs identified as water resources.”*

The parcel is contiguous to the Yakima River which is a shoreline of the state and by definition a “...major streams flowing at a rate of 20 C. F.S. or more”.

(iii) promote conservation of soils, wetlands, beaches or tidal marshes,

Kittitas County ordinance 1994-025 stipulates that applications “...will be restricted to at least one of the following:

- (1) Tracts with 25% or greater slope on at least 50% of the tracts or where there is physical evidence of erosion.
(a) Applications for this category shall be accompanied with a conservation plan prepared by the Soil Conservation Service including implementation program for the plan. (Failure to implement the plan in a timely manner will be cause for removal from the Open Space category and subject to penalties under RCW 84.34.)*
- (2) Tracts within the 100 year flood plain.*
- (3) Tracts where commercial development would destroy the natural cover and could result in erosion, loss of natural habitat and such action would result in damage to adjacent property.*

The parcel indicated in this application contains approximately 3.8 acres of property delineated as Zone A of the 100 year floodplain in FIRM panel 5300950241B.

(iv) enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space,

Parcels 300536 and 739234 successive immediately north of the subject parcel are owned by the State of Washington (Parks and Recreation and DFW).

(vii) preserve visual quality along highway, road, and street corridors or scenic vistas

The subject Parcel is 2000 feet from Interstate 90 near milepost 79, approximately 100 feet below the highway.

Based on the criteria qualifications (ii), (iii), (iv), and (vii), staff recommends approval of the application and designation as open space current use classification.