

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926 CDS@CO.KITTITAS.WA.US Office (509) 962-7506 Fax (509) 962-7682

"Building Partnerships - Building Communities"

OC-16-00007 Bradley OPEN SPACE CURRENT USE APPLICATION STAFF REPORT

TO: Kittitas County Planning Commission

FROM: Dusty Pilkington, Staff Planner

DATE: June 28th, 2016

SUBJECT: Bradley Open Space Current Use Application (OC-16-00007)

I. GENERAL INFORMATION

Proposal: On June 20th, 2016, Carin and Thomas Bradley submitted an application to rescind their request for removal from the Current Use Open Space Rating program. The request 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 approximately 5.25 miles west of Ellensburg on Marion County Road in the NE Quarter of Section 03, Township 17 N, Range 17 E. Access to the property is achieved from Marion Canyon Road. The parcel number is 14103, and the Map number is 17-17-03000-0005.

II. SITE INFORMATION

Site Characteristics: Utilizing Aerial Photography, analysis indicates that the site is predominately sagebrush steppe. According to GIS layers compiled by the Washington Department of Natural Resources (DNR), a stream classified as a Type 2 Fish stream runs through the north of the property. The parcel is zoned Forest and Range, and currently conforms to all zoning regulations. An aerial photo of the property is shown in Figure 1. The stream in DNR layers is shown in Figure 2.

III. CRITERIA ANALYSIS

Kittitas County Code (KCC) 3.46.080 outlines the process for open space benefit consideration. Section 5 reads:

"In determining whether an application for open space land classification or reclassification should be approved all or in part as stipulated in <u>RCW 84.34.037</u>, the Board of Commissioners will take cognizance of the benefits to the general welfare of preserving the current use of the property which is the subject of application, and shall consider at a minimum the following:

- a. The resulting revenue loss or tax shift;
- b. Whether granting the application will:
 - i. Conserve or enhance natural, cultural, or scenic resources;
 - ii. Protect streams, stream corridors, wetlands, natural shorelines, floodways and aquifers;
 - iii. Protect geologically hazardous, landslide, or seismic areas;
 - iv. Protect soil resources and unique or critical wildlife and native plant habitat;
 - v. Promote conservation principles by example or by offering educational opportunities;
 - vi. Enhance the value of abutting or neighboring parks, forest, wildlife preserves, nature reservations, sanctuaries, or other open space;
 - vii. Preserve historic and archaeological sites;
 - viii. Preserve visual quality along highway, road, and street corridors or scenic vistas; and
 - ix. Affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of the property".

In order to protect the values outlined in KCC 3.46.080., and to apply RCW 84.34.037, Kittias County Code 3.46.46.090 stipulates that "Each environmental characteristic related to 'open space' will be rated". Each item in 3.46.080 Section 5 subsection is assessed below, with reference to relevant passages in KCC 3.46.090.

KCC 3.46.080 Section 5(1) includes:

"i. Conserve or enhance natural, cultural, or scenic resources"

Subsections of KCC 3.46.090 relevant to this value include:

"1d. Special Animal Sites. (Up to 3 points)

- i. Definition. Habitat for those animal species defined by Washington State Department of Fish and Wildlife (WDFW) as being either an endangered, threatened or sensitive species or those animal species identified as Level I Habitat on the Washington State Department of Fish and Wildlife Priority Habitat Species (PHS) maps.
- ii. Source. Washington State Department of Fish and Wildlife (WDFW), Kittitas County Planning and Building Department's Critical Area maps.
- iii. Eligibility. Eligible sites are those with a documented occurrence of an endangered, threatened or sensitive species, or those animal species identified as Level I Habitat on the Washington State Department of Fish and Wildlife Priority Habitat Species (PHS) Maps. Those properties with less than fifty percent (50%) of the property within identified special animal sites will receive two (2) points and those with fifty percent (50%) or more will receive (3) points."

Staff Analysis

Geographic Information Systems analysis shows that the entire parcel falls within Priority Habitat Species Classification according to Critical Area Maps. The parcels all lie within the LT Murray Historic Elk Winter Range. 3 points can be awarded for Special Habitat Sites. Refer to Figure 3.

The next conservation value is listed as:

ii. Protect streams, stream corridors, wetlands, natural shorelines, floodways and aquifers;

Passages in KCC 3.46.090 relevant to this value include 1c: Shoreline Environments, 1f: Category I and II wetlands, 1g,: Major Lakes, Ponds, and Streams and 1h:, Floodplains and Floodways.

- c. Shoreline Environment. (Up to 3 points)
 - i. Definition. A lake or stream shoreline and its "associated wetlands" designated by the Kittitas County Shorelines Master Program.
 - ii. Source. Official shoreline master program map or associated documents.
 - iii. Eligibility. Eligible lands are those identified either partially or wholly as shoreline environment and their associated wetlands in the Kittitas County shorelines master program and will be granted a proportion of total points based upon the amount of circumference of property boundary adjacent to an Ordinary High Water Mark (OHWM). Those properties with less than fifteen percent (15%) of the property boundary circumference subject to Shoreline regulations will receive one (1) point. Those properties having up to twenty-five percent (25%) of the property boundary circumference subject to Shoreline regulations will receive two (2) points. Those properties with over twenty-five percent (25%) of the property boundary circumference subject to Shorelines regulations will receive three (3) points.

Staff Analysis

GIS analysis shows no areas on either parcel subject to Shoreline regulation.

- f. Category I and II Wetlands. (Up to 3 points)
 - i. Definition. All Category I wetlands and Category II wetlands over 2,500 square feet.
 - ii. Source. National Wetlands Inventory maps, Critical Area Maps, certified wetland biologist.
 - iii. Eligibility. Eligible lands are those meeting the above definition. Not eligible for other points

relating to the wetland are waters designated within the Shorelines Management Program (SMP). Those properties with less than fifty percent (50%) of its area in identified Category I and II wetlands, and the required buffers and setbacks not regulated by SMP, will receive two (2) points, and those properties with fifty percent (50%) or more of the area in identified Category I and II wetlands will receive three (3) points. These points can be added to any points for other category wetlands upon the site".

Staff Analysis

GIS analysis shows no known wetlands upon the parcel.

- g. Major Lakes, Ponds and Streams.
 - i. Definition. Lakes and ponds, over one acre in size, and creeks and streams classified as Type 2 (or other state equivalent) as defined by WAC 222-16-030, located within a well-defined channel, that carry a perennial flow throughout the year and are used in the life cycles of andromonous fish, based on data compiled by the Washington State Department of Fish and Wildlife or other agency with expertise, and are not in a previously described "shoreline environment."
 - ii. Source. Washington State of Department of Fish and Wildlife (WDFW), and Washington State Department of Natural Resources (DNR).
 - iii. Eligibility. Eligible lands are those meeting the definition above and are not waters designated within the Shorelines Management Program (SMP). Those properties with less than fifty percent (50%) of its area ponds and streams not regulated by SMP will receive two (2) points, and those properties with fifty percent (50%) or more of the area with identified ponds and will receive three (3) points. Properties with a stream transmitting to two (2) property boundaries will receive two (2) points.

Staff Analysis

A stream runs through the property as shown in DNR GIS map (Figure 2). However, as the photo in Figures 4 shows, the stream was dry as of June 27th, 2016 when the photograph was taken. As per KCC 3.46.090(1)6i. (above) streams must "carry a perennial flow throughout the year". No points can be awarded under this provision.

- h. "Floodplains or Floodways
 - i. Definition. Properties which contain floodways or 100-year floodplains as designated by the Kittitas County critical areas maps or by the Federal Emergency Management Agency flood maps.
 - ii. Source. Federal Emergency Management Agency flood maps or the Kittitas County critical area maps.
 - iii. Eligibility. Eligible lands are those that meet the definition above. Not eligible under this are waters and lands designated within the Shorelines Management Program (SMP). Those properties with less than fifty percent (50%) of its area in identified Floodways and Floodplains will receive two (2) points and those properties with fifty percent (50%) or more of the area in identified special plant sites will receive three (3) points. Those parcels on buildable lands entirely located within 100-year floodplains may be eligible for bonus points".

Staff Analysis

GIS analysis shows no floodplains upon the parcel.

The relevant passage of 3.46.090:

- i. Geologically Hazardous Areas.
 - i. Definition. Properties which contain areas that poses potential threats to life or property because of unstable soil, geologic or hydrologic conditions or steep slopes. This includes all landslide and seismic hazard areas.
 - ii. Source: Federal Emergency Management Agency, Washington State Department of Ecology, Washington State Department of Natural Resources (Division of Geology and Earth Resources), and/or geologic or geo-technical experts.
 - iii. Eligibility. Eligible lands are those that meet the definition above. Those properties with less than fifty percent (50%) of its area in this category will receive two (2) points and those properties with fifty percent (50%) or more of the area in identified as geologically hazardous will receive three (3) points.

Staff Analysis

Hazardous slopes exist on the north end of the property, and cover an overall 12% of the property. 2 points can be awarded under this provision. Figure 5 shows hazardous slopes upon the property.

- "iv. Protect soil resources and unique or critical wildlife and native plant habitat;
- e. Special Plant Sites
 - i. Definition. Those areas where plant species listed by the Washington State Department of Natural Resources (WSDNR) Natural Heritage Program as being either an endangered, threatened or sensitive plant species are located in areas greater than ten (10) acres in size.
 - ii. Source. Location and details of known sites are on file in the WSDNR Natural Heritage Database.
 - iii. Eligibility. Eligible sites are those in the WSDNR Natural Heritage Database. Individual sites must be verified. Those properties with less than fifty percent (50%) of its area in identified special plant sites will receive one (1) point and those properties with fifty percent (50%) or more of the area in identified special plant sites will receive three (3) points."

Staff Analysis

Expert analysis of the abutting Bradley parcel # 14103 shows sagebrush steppe plant associations. A letter from botanist Diane Horton is shown in Figure 5, establishing that *Artemisia tripartita* and *Festuca dahoensis* populate the site. Figures 6 and 7 show a list of species on the Bradley parcel. Figure 8 shows a page from the Washington Natural Heritage Information System showing that the agency lists the species. 3 points are awarded under this section. Figure 9 shows sagebrush community cover on the property digitized from aerial photos.

v. Promote conservation principles by example or by offering educational opportunities

Staff Analysis

The applicant provides mention of educational opportunities. However, KCC code does not contain provision to award points for this value.

- vi. Enhance the value of abutting or neighboring parks, forest, wildlife preserves, nature reservations, sanctuaries, or other open space.
 - a. Public Lands Buffer. (KCC 3.46.090(2))
 - i. Definition. Lands lying adjacent to public-owned parks, forests, wildlife preserve, natural reservations or sanctuaries.
 - ii. Source. Any city or county comprehensive plan, parks and recreation plan, or map showing

ownership.

iii. Eligibility. Lands being buffered shall be in public ownership as shown on the Kittitas County Assessor's tax records. Two (2) points will be awarded lands with fifty percent (50%) or more of any one property line must border the public lands. This does not include airports, well sites, or other infrastructure sites for cities, towns, and county, nor does this include lands under KCC 3.46.060(2).

Staff Analysis

The entire northern property boundary abuts DNR owned land. 2 points are awarded under this provision.

vii. Preserve historic and archaeological sites

"a. Archeological Sites

- i. Definition. All known sites and locations of pre-historical or archaeological interest, including but not limited to burial sites, camp sites, rock shelters, caves and the artifacts and implements of the culture
- ii. Source. Location and details of known sites are on file at Washington State Office of Archaeology and Historic Preservation.
- iii. Eligibility. Eligible sites are those which are on file at the Washington State Office of Archaeology and Historic Preservation, or verified by an expert in the field as containing the same features and acceptable by the Office of Archaeology and Historic Preservation for addition to their inventory. If a site is considered as an archaeological site, it will not receive points as a historic site."

Staff Analysis

A search in the Washington Information System for Architectural and Archeological Records Data (WISAARD) run by the Washington State Department of Archaeology and Historic Sites showed no archeological sites on the property. No points can be awarded under this provision. However, many archeological site locations are not made public. If the applicant can show that sites do exist through analysis by a qualified archeological professional, this criterion can be reconsidered.

- b. Historical Site (3 points).
 - i. Definition. A building, structure or site which is of significance to the county's cultural heritage including, but not limited to, Native American and pioneer settlements, old buildings, forts, trails, landings, bridges or the sites thereof together with interpretive facilities, and which are identified in the Washington Heritage Register or the National Heritage Register.
 - ii. Source. No comprehensive inventory has been done by the County to date. Refer to state or national registers and inventories at the State Office of Archaeology and Historic Preservation and/or the Kittitas County Historical Society.
 - iii. Eligibility. Eligible sites must be listed in the Washington Heritage Register or the National Heritage Register. If a site is considered as a historic site, it will not receive points as an archaeological site.

Staff Analysis

A search in the Washington Information System for Architectural and Archeological Records Data (WISAARD) run by the Washington State Department of Archaeology and Historic Sites showed no historic sites on the property.

- vii. Preserve visual quality along highway, road, and street corridors or scenic vistas;
 - c. Scenic Vistas.
 - i. Definition. An area of natural features which is visually significant to the aesthetic character of the county and is visible from a historically significant or scenic public right-of-way.
 - ii. Source. No inventory available.

iii. Eligibility. Lands under this resource category must be visible from historically significant or designated scenic highways and recognized by a public agency or non-profit scenic preservation organization. Such lands with more than 40 acres devoted to preserving such views will receive two(2) points.

Staff Analysis

The parcel is not visible from any designated significant or scenic highways.

i. Affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of the property".

Staff Analysis

As submitted, the request provides no insufficient information to evaluate this criterion.

IV. APPLICABLE CODE REDUCTION

KCC 3.46.110 provides allows land assessment value reduction based upon the number of points awarded to an applicant. The percent reduction in the assessed market value is awarded according to the table below.

Total Eligibility Points	Percent Reduction in Assessed Market	Value

0 to 3 points
0% reduction in value
4 to 6 points
10% reduction in value
7 to 10 points
30% reduction in value
11 to 13 points
50% reduction in value
14 to 15 points
55% reduction in value

With One Bonus 10% additional reduction in value With Two Bonuses 20% additional reduction in value

Conservation in Perpetuity 85% reduction in value

From the staff analysis, we have determined that the applicant's parcel would qualify for 10 points under KCC 3.46.100. 3 points are awarded for Special Habitat Sites, 2 points are awarded for geological hazards, 3 points awarded for Natural Heritage plant sites, and 2 points for abutting public land maintained by DNR.

KCC 3.46.100(3)(b) reads:

"A bonus will be provided for restored and/or enhanced resources including, but not limited to, Native American lands restoration, wildlife habitat preservation, and/or endangered species protection. At least one (l) resource must be present in order to qualify for the bonus. Restoration and enhancement plans are required and must be completed and inspected by a qualified professional. If a bonus is awarded for a restoration/enhancement, a bonus shall not be rewarded for a conservation easement."

In the narrative statement, the applicant provides a conservation plan, outlining restoration work to be undertaken. The plan is certified in the letter from Denise Horton shown in Figure 5. An additional 10% reduction is therefore awarded.

KCC 3.46.100 states "<u>Any</u> entity, organization, or person placing whole parcels of land in conservation in perpetuity shall receive an eighty-five percent (85%) reduction in assessed market value."

V. RECOMMENDATION

Considering all awarded points and bonuses, a 40% reduction in assessed value is recommended provided that all current taxes are paid pursuant to KCC 3.46.060.

An 85% reduction in assessed value could be provided if the applicant made separate application for conservation in perpetuity, and encumbered the deed as such, provided that all current taxes are paid pursuant to KCC 3.46.060.



Figure 1: Aerial photo of the property.

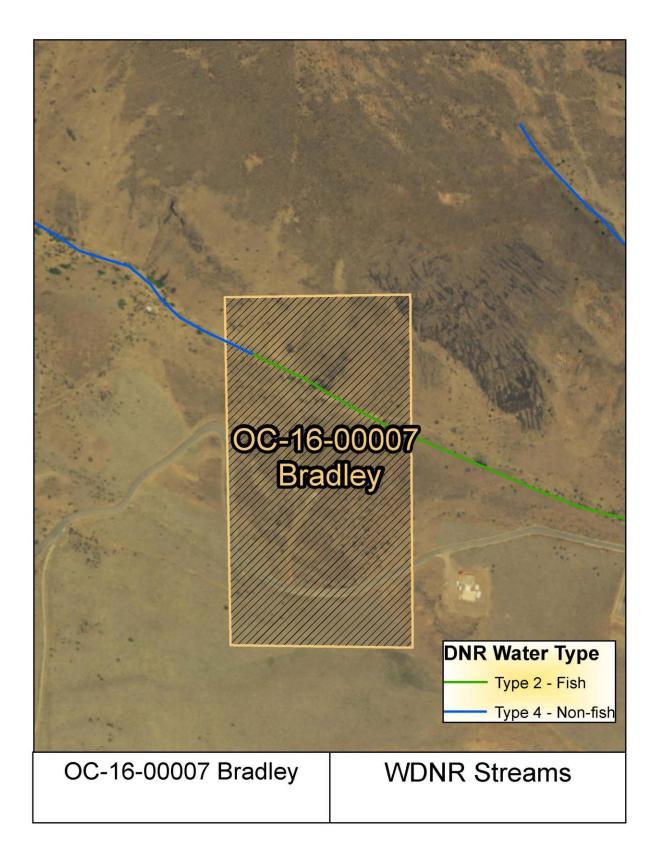


Figure 2: Stream running through the property according to DNR GIS files.

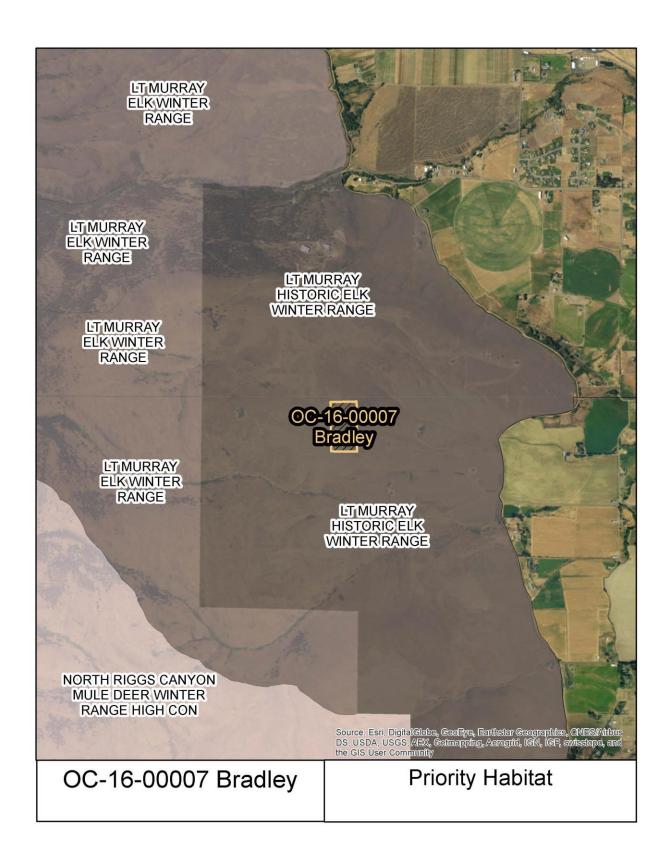


Figure 3: Special Habitat Sites

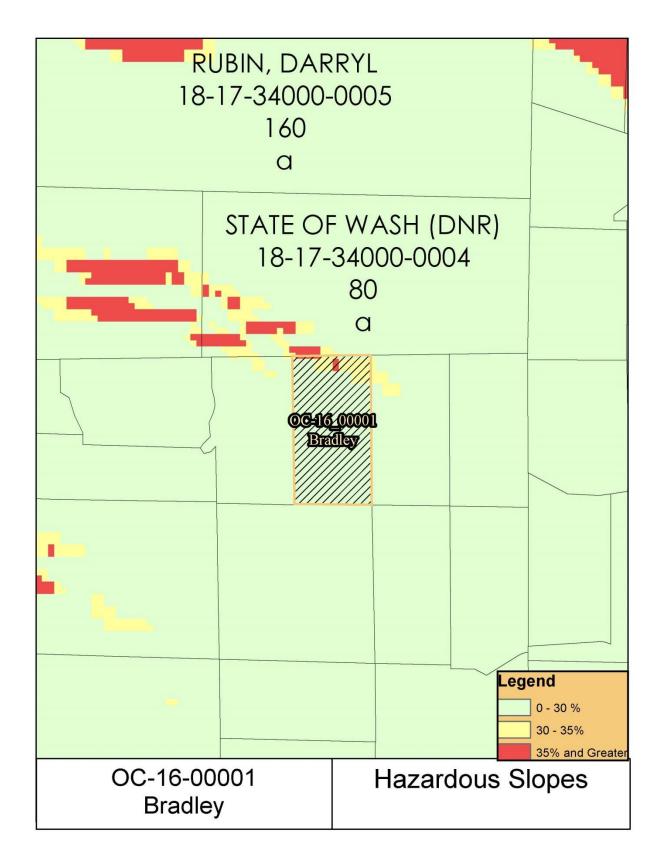


Figure 4: Bradley site hazardous slopes.

Prepared for Carin Thomas and Steffen Bradley 809 East Tacoma Ave Ellensburg, WA 98926

Prepared by Viridia NorthWest 1801 N B St. Ellensburg, WA 98926 Denise Horton, Botanist

Dear Carin and Steffen,

Attached you will find a list of vascular plant species observed during the plant survey you requested for the Thomas-Bradley residence site. The area surveyed is described by the Kittitas County Assessors office as Map # 17-17-03000-0005, Parcel # 14103, also known as 881 Marion Canyon Road, Ellensburg. The plant survey occurred during the spring and early summer of 2016. A total of 20 acres was surveyed for this report.

The residence site lies within the Columbia Basin physiographic Province of Washington state. The vegetation type of the survey site is defined as shrub-steppe habitat. The Washington Department of Fish and Wildlife (WDFW) recognizes shrub-steppe as a Priority Habitat for conservation. Priority Habitats are defined as "habitat types or elements with unique or significant value to a diverse assemblage of species."

The survey site consists of three dominant shrub-steppe plant community types. The moderately steep south-facing slope at the north end of the site is a *Purshia tridentata/ Festuca idahoensis* plant association with abundant native forbs and grasses. The generally flat area at the center of the site consists of a mosaic of *Artemesia tripartita/Festuca idahoensis* interspersed with an *Erioganum thymoides/Poa secunda* plant association. These three shrub-steppe community types are in good condition with just an occasional patch of introduced plant species. No rare plants were found during the survey.

The area south of Marion Canyon Road has had past disturbance but appears to be recovering with an abundance of native species re-establishing among the restoration grasses planted by the WDFW. Your continued work with the Kittitas County Weed Board to eradicate invasive weeds and the release of bio-control agents along with your reseeding native plants from seeds and propagules collected on site will help with a rapid recovery of the disturbed areas. This botanist appreciates your choice to not plant a lawn and to retain and maintain the native plant habitats.

The Thomas-Bradley residence site is adjacent to other similar properties with good quality native shrub-steppe habitat and Open Space designation. With the addition of the close proximity to the L.T. Murray Wildlife Area I highly recommend you reclassify this parcel to Open Space.

Sincerely, Demise Horton Denise Horton

Figure 5: Letter from plant expert Denise Horton.

Vascular Plant List 881 Marion Canyon Road

This list represents vascular plant species observed at 881 Marion Canyon Road, Kittitas County, Washington. This is not a complete list of species on the property but of plants observed during the 2016 spring and early summer survey dates.

Scientific Name	Common Name	Family Name
Achillea millifolium	Yarrow	Asteraceae
Agoseris heterophylla	Annual agoseris	Asteraceae
Agropyron cristatum*	Crested wheatgrass	Poaceae
Allium acuminatum	Taper-tip onion	Liliaceae
Allium scilloides	Scilla-like onion	Liliaceae
Amsinckia lycopsoides	Bugloss fiddleneck	Boraginaceae
Amsinckia retrorsa	Rigid fiddleneck	Boraginaceae
Artemisia rigida	Stiff sagebrush	Asteraceae
Artemisia tridentata	Big sagebrush	Asteraceae
Artemisia tripartita	Three-tip sagebrush	Asteraceae
Boechera cusickii	Cusick's rockcress	Brassicaceae
Bromus japonicus*	Japanese brome	Poaceae
Bromus tectorum*	Cheat grass	Poaceae
Calochortus macrocarpus	Sagebrush mariposa	Liliaceae
Castilleja thompsonii	Thompson's paintbrush	Scrophulariaceae
Centaurea diffusa*	Diffuse knapweed	Asteraceae
Chrysothamnus viscidiflorus	Green rabbit-brush	Asteraceae
Cirsium arvense*	Canada thistle	Asteraceae
Claytonia lanceolata	Western springbeauty	Portulacaceae
Claytonia rubra	Red miner's lettuce	Portulacaceae
Collinsia parviflora	Small-flowered blue-eyed Mary	Scrophulariaceae
Collomia grandiflora	Large-flowered collomia	Polemoniaceae
Crepis acuminata	Tapertip hawksbeard	Asteraceae
Crepis barbigera	Bearded hawksbeard	Asteraceae
Crocidium multicaule	Goldstar	Asteraceae
Cryptantha pterocarya	Wingnut cryptantha	Boraginaceae
Delphinium nuttallianum	Upland larkspur	Ranunculaceae
Descurainia sophia*	Flixweed	Brassicaceae
Dodecatheon conjugens	Desert shooting star	Primulaceae
Draba verna	Spring whitlow-grass	Brassicaceae
Erigeron corymbosus	Long-leaf fleabane	Asteraceae
Erigeron linearis	Desert yellow daisy	Asteraceae
Eriogonum douglasii	Douglas' buckwheat	Polygonaceae
Eriogonum elatum	Tall buckwheat	Polygonaceae
Eriogonum heracleoides	Parsnip-flowered buckwheat	Polygonaceae
Eriogonum strictum	Strict buckwheat	Polygonaceae
Eriogonum thymoides	Thyme-leaf buckwheat	Polygonaceae

Marion Canyon Road Plant List 2016 Page 1 of 2

Festuca idahoensis Blue bunchgrass Poaceae Fritillaria pudica Yellow bell Liliaceae Hieracium cynoglossoides Hounds-tongue hawkweed Asteraceae Hydrophyllum capitatum Woolly breeches Hydrophyllaceae Idahoa scapigera Scalepod Brassicaceae Lactuca serriola* Prickly lettuce Asteraceae Lathvrus lanszwertii Thick-leaved peavine Fabaceae Lathyrus pauciflorus Few-flowered peavine Fabaceae Lewisia rediviva Bitterroot Portulacaceae Leymus cinereus Basin wildrye Poaceae Lithophragma glabrum Bulbiferous prairie-star Saxifragaceae Linaria dalmatica* Dalmation toadflax Plantaginaceae Lomatium dissectum Fern-leaf biscuit-root Apiaceae Lomatium geyeri Geyer's desert-parsley Apiaceae Lomatium gormanii Gorman's desert-parsley Apiaceae Lomatium macrocarpum Large-fruited lomatium Apiaceae Lomatium triternatum Nine-leaf lomatium Apiaceae Lupinus lepidus Prairie lupine Fabaceae Madia gracilis Common tarweed Asteraceae Mertensia longiflora Small bluebells Boraginaceae Nestotus stenophyllus Narrow-leaved goldenweed Asteraceae Olsynium douglasii Douglas' grass-widow Iridaceae Orobanche uniflora Naked broom-rape Orobanchaceae Penstemon rydbergii Rydberg's penstemon Plantaginaceae Phacelia hastata White-leaf phacelia Hydrophyllaceae Phacelia linearis Thread-leaf phacelia Hydrophyllaceae Phlox hoodii Hood's phlox Polemoniaceae Phlox longifolia Long-leaf phlox Polemoniaceae Phoenicaulis cheiranthoides Daggerpod Brassicaceae Pinus ponderosa Ponderosa pine Pinaceae Poa bulbosa* Bulbous bluegrass Poaceae Poa secunda Sandberg's bluegrass Poaceae Polemonium micranthum Littlebells polemonium Polemoniaceae Pseudoroegneria spicata Bluebunch wheatgrass Poaceae Purshia tridentata Bitterbrush Rosaceae Sagebrush buttercup Ranunculus glaberrimus Ranunculaceae Ribes cereum Wax currant Grossulariaceae Rumex crispus* Sour dock Polygonaceae Sambucus nigra Blue elderberry Caprifoliaceae Saxifraga mertensiana Wood saxifrage Saxifragaceae Senecio integerrimus Western groundsel Asteraceae Sisymbrium altissimum* Jim Hill mustard Brassicaceae Thinopyrum intermedium Intermediate wheatgrass Poaceae Tragopogon dubius* Oysterplant Asteraceae Trifolium macrocephalum Big-headed clover Fabaceae

Douglas' brodiaea

Sagebrush violet

Liliaceae

Violaceae

Marion Canyon Road Plant List 2016 Page 2 of 2

Triteleia grandiflora

Viola trinervata

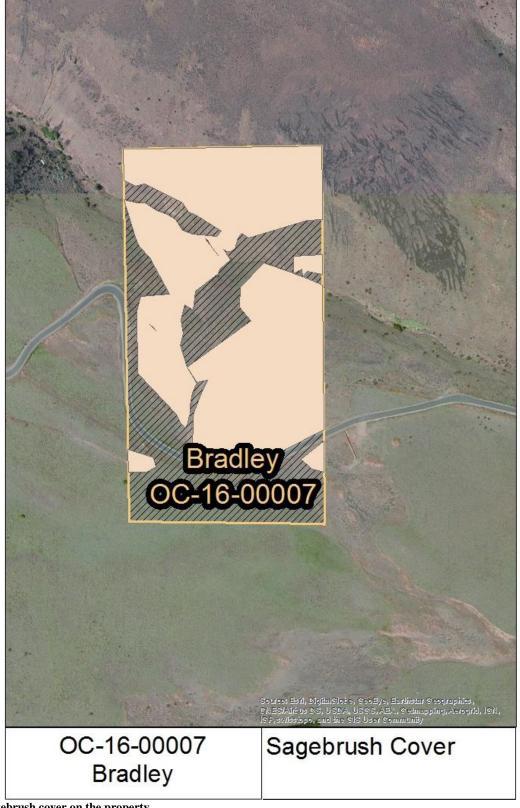


Figure 9: Sagebrush cover on the property.

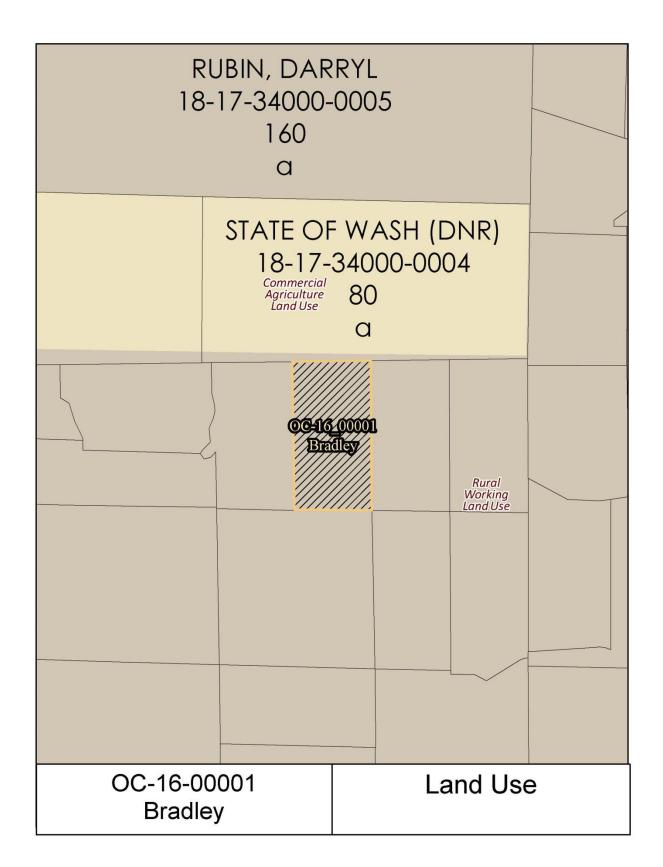


Figure 10: Adjacent publicly owned land.