Kittitas County Planning Commission
Special Meeting – Minutes
August 24, 2004

Planning Commission Present:
Mike Alberg, Chair, Scott Pernaa, James Landreth, Robert Sauerwein, David Black and
Doug Harris

Staff Present:
Jan Sharar, Staff Planner and Loma Kenny, Clerk

Public Present:
Approximately seven people were present representing public and applicant interest.

With a quorum present, the Chair called the special meeting of the Planning Commission to order at 6:35 PM with the introduction of the Commission, Staff and Clerk. The special meeting was called to consider the Comprehensive Plan Amendments including Open Space and the Continued hearing from August 23, 2004 of the Kittitas County Code, Chapter 16, Subdivision Code. The Subdivision Code will be continued as Planning Commission deliberation with no further public testimony to be taken.

The first item on the agenda is an application for Open Open Space Classification submitted by Agnes Bugni Ltd. Partnership. Jan Sharar introduced the classification as Open Space Land for Tax ID #19.16.03000.0012 and noted that the applicant is not present for testimony. Jan noted the exclusion of 3 acres of the Northern-most portion of the property from the open space, sub-section open space application request; with approximate two thirds or the remaining southern portion of the parcel of just over 6 acres being included in the request for re-classification to open space, sub-section open space.

David Black moved to recommend approval of the Open Open Space Classification for Agnes Bugni, complete with Findings of Fact to the Board of County Commissioner. The motion was seconded and opened to discussion. The motion was approved by a 6/0 poll of the Commission.

Findings of Fact – Agnes Bugni, Open Open Space:
A. The Planning Commission finds that Agnes Bugni Ltd. Submitted a request for open open space tax classification on September 26, 2003.
B. The Planning Commission finds that the KC Community Development Services Department issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 13, 2004, which was sent to all interested parties. Further, legal notices were published in the Daily Record on August 13, 2004 and August 20, 2004 and published in the NKCT on August 19, 2004.
C. Testimony was not given by the proponent.
D. Adverse testimony was not given on this proposal.
E. On August 24, 2004 the Planning Commission Recommended approval to the Board of County Commissioners based on the information submitted.

The hearing was opened to Molly Deter, Open Open Space Classification. Jan Sharar introduced the application for Molly Deter Tax Parcel #19.15.01000.0004. The hearing was opened to applicant testimony. Molly Deter, 470 Iron Mtn. Road, Cle Elum WA 98922 testified that
the previous use of the property was farm and agriculture land but due to a divorce she is applying for Open Space. She has no receipts showing boarding at this time and she would like to keep the land as pasture for her own private use.

The hearing was opened to public testimony. With no public testimony the meeting was opened to the Commission's deliberation. Robert Sauerwein moved to recommend approval for Molly Deter, Open Open Space application complete with Findings of Fact to the Board of County Commissioner. The motion was seconded and opened to discussion. The motion was approved by a 6/0 poll of the Commission.

Findings of Fact – Molly Deter:
A. The Planning Commission finds that Molly Deter submitted a request for open open space tax classification on February 23, 2004.
B. The Planning Commission finds that the KC Community Development Services Department issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 13, 2004, which was sent to all interested parties. Further, legal notices were published in the NKCT on August 19, 2004.
C. Testimony was given by the proponent.
D. Adverse testimony was not given on this proposal.
E. On August 24, 2004 the Planning Commission Recommended approval to the Board of County Commissioners based on the information submitted.

The Chair opened the Steven Wahl/Ellen Irwin, Open Open Space Classification. Jan Sharar introduced the application and the hearing was opened to applicant testimony. Phil Hess, PO Box 9, Cle Elum WA 98922 testified for the applicants. This application is being submitted by the owners for transfer from Designated Forest Land to Open Open Space Timber pursuant to KC Commissioners Resolution 2002-99. Land Management Plan documents have been submitted showing the applicable criteria being met.

The hearing was opened to public testimony. With no public testimony the meeting was opened to the Commission's deliberation. David Black moved to recommend approval for the Steven Wahl/Ellen Irwin Open Open Space complete with Findings of Fact to the Board of County Commissioner. The motion was seconded and opened to discussion. The motion was approved by a 6/0 poll of the Commission.

Findings of Fact – Wahl/Irwin Open Open Space:
B. The Planning Commission finds that the KC Community Development Services Department issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 13, 2004, which was sent to all interested parties. Further, legal notices were published in the Daily Record on August 13 and August 20, 2004 and published in the NKCT on August 19, 2004.
C. Testimony was given by the proponent.
D. Adverse testimony was not given on this proposal.
E. On August 24, 2004 the Planning Commission **Recommended approval** to the Board of County Commissioners based on the information submitted.

F. The Planning Commission finds that Steven Wahl & Ellen Irwin submitted a Land Management Plan for Transfer from Designated Forest Land to Open Open Space Tax Classification.

The Chair opened the hearing for **James and Catherine Hooper, Open Open Space Classification**. Jan Sharar introduced the application and the chair opened the hearing to applicant testimony. Phil Hess, PO Box 9, Cle Elum WA testified for the applicants, James & Catherine Hooper. The applicants have submitted a Land Management Plan for transfer from Designated Forest Land and Open Space Agriculture to Open Open Space Tax Classification.

The hearing was opened to public testimony. With no public testimony the meeting was opened to the Commission’s deliberation. David Black moved to **recommend approval** of the James & Catherine Hooper, Open Open Space Classification complete with Findings of Fact to the Board of County Commissioner. The motion was seconded and opened to discussion. Discussion included the application consists of four parcels not adjacent to one another but in the same general vicinity. The motion was approved by a 6/0 poll of the Commission.

**Findings of Fact – James & Catherine Hooper:**

A. The Planning Commission finds that James and Catherine Hooper submitted a request for open open space tax classification on June 30, 2004.

B. The Planning Commission finds that the KC Community Development Services Department issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 13, 2004, which was sent to all interested parties. Further, legal notices were published in the Daily Record on August 13 and August 20, 2004 and published in the NKCT on August 19, 2004.

C. Testimony was given by the proponent.

D. Adverse testimony was not given on this proposal.

E. On August 24, 2004 the Planning Commission **Recommended approval** to the Board of County Commissioners based on the information submitted.

F. The Planning Commission finds that James & Catherine Hooper submitted a Land Management Plan for Transfer from Designated Forest Land to Open Open Space Tax Classification.

The Chair opened the **Loren Rankin Family Open Open Space Classification**. Jan Sharar introduced the application and the chair opened the hearing to applicant testimony. Phil Hess, PO Box 9, Cle Elum WA testified for the applicants. The applicants presented a Land Management Plan for transfer from Designated Forest Land to Open Open Space Tax Classification consisting of two parcels.

The chair opened the meeting for public testimony. With no public testimony the meeting was opened to the Commission’s deliberation. Scott Pernaa moved to **recommend approval** for the Loren Rankin Family Open Open Space Classification complete with Findings of Fact to the Board of County Commissioner. The motion was seconded and opened to discussion. The motion was approved by a 6/0 poll of the Commission.
Findings of Fact, Loren Rankin Family:

A. The Planning Commission finds that the Loren Rankin Family submitted a request for open space tax classification on June 30, 2004.

B. The Planning Commission finds that the KC Community Development Services Department issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 13, 2004, which was sent to all interested parties. Further, legal notices were published in the Daily Record on August 13th and August 20, 2004 and published in the NKCT on August 19, 2004.

C. Testimony was given by the proponent.

D. Adverse testimony was not given on this proposal.

E. On August 24, 2004 the Planning Commission Recommended approval to the Board of County Commissioners based on the information submitted.

F. The Planning Commission finds that the Loren Rankin Family LLC submitted a Land Management Plan for Transfer from Designated Forest Land to Open Space Tax Classification.

The Chair opened the application for Matthew Coe, Open Open Space Classification. Jan Sharar introduced the application and the hearing was opened to applicant testimony. Matt Coe, 2582 Hidden Valley Road, Cle Elum WA testified his intent on conserving scenic resources, drainage water supply, wetlands and the visual quality along Hidden Valley Road.

David Black questioned the location of the property? The applicant responded that the location of the property is one and one-half mile on Hwy 970 parallel to Hidden Valley Road. Jan Sharar noted the total number of parcels from 4/18/04 and the elimination of two parcels, 41.98 acres as accurate. Twelve lots originally 110.59 acres additional documentation needed to complete the application. The applicant was directed to the Assessor's Office to clarify the actual number of parcels to be included with the application. The Chair moved to continue the application to the next meeting scheduled for August 30, 2004 and to be placed as the first item on the agenda.

The Chair opened the application for Roth Company/Henley Group, Open Open Space Classification. Jan Sharar presented the application and the hearing was opened to applicant testimony. With no applicant present, the chair opened the meeting to public testimony. With no public testimony, the Chair opened the meeting to the Commission deliberation.

Doug Harris moved to recommend approval for the Roth Company/Henley Group, Open Open Space Classification to the Board of County Commissioners complete with Findings of Fact. The motion was seconded and opened to discussion. The motion was approved by a 6/0 poll of the Commission.

Findings of Fact, Roth Company/Henley Group:

A. The Planning Commission finds that the Roth Company/Henley Group submitted a request for open space tax classification on June 30, 2004.

B. The Planning Commission finds that the KC Community Development Services Department issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 13, 2004, which was sent to all interested parties. Further, legal notices were
C. Testimony was not given by the proponent.
D. Adverse testimony was not given on this proposal.
E. On August 24, 2004 the Planning Commission Recommended approval to the Board of County Commissioners based on the information submitted.

The Chair opened the application of Henley Group/Jeremy and Kelly Hink, Open Open Space Classification. Jan Sharar presented the application and the chair opened the meeting to applicant testimony. With no applicant testimony, the Chair opened the application to public testimony. With no public testimony the Chair opened the meeting to the Commission deliberation.

David Black moved to recommend approval for the Henley Group/Jeremy and Kelly Hink, Open Open Space Classification complete with Findings of Fact to the Board of County Commissioner. The motion was seconded and opened to discussion. The motion was approved by a 6/0 poll of the Commission.

Findings of Fact Henley Group/Jeremy and Kelly Hink:
A. The Planning Commission finds that the Henley Group and Jeremy & Kelly Hink submitted a request for open open space tax classification on June 30, 2004.
B. The Planning Commission finds that the KC Community Development Services Department issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 13, 2004, which was sent to all interested parties. Further, legal notices were published in the Daily Record on August 13th and August 20, 2004 and published in the NKCT on August 19, 2004.
C. Testimony was not given by the proponent.
D. Adverse testimony was not given on this proposal
E. On August 24, 2004 the Planning Commission Recommended approval to the Board of County Commissioners based on the information submitted.

The Chair opened the application for Henley Group/Roth Company, Open Open Space Classification. Jan Sharar introduced the application and the hearing was opened to the applicant testimony. With no applicant testimony, the hearing was opened to public testimony. With no public testimony the hearing was opened to Commission deliberation.

David Black referenced the correspondence dated May 17, 2004 from Marsha Weyand regarding the sale of the property and questioning the effect of the sale upon the application? Jan Sharar noted the written statement present from the Gordons to continue on with the process for the transfer from designated forest to open space. Doug Harris questioned the application, which identifies 9.08 acres to be considered for open space vs. the tax parcel #19.17.04000.0017 at 49.48 acres? Jan Sharar will clarify and include the correct acreage and corresponding map with the ownership. The proper map to accompany the application to the Board of County Commissioner.

Doug Harris moved to recommend approval for Henley Group/Roth Company, Open Open Space Classification complete with Findings of Fact to the Board of County Commissioner. The motion
Finding of Fact, Henley Group/Roth Company:
A. The Planning Commission finds that the Henley Group & Roth Company submitted a request for open open space tax classification on June 30, 2004.
B. The Planning Commission finds that the KC Community Development Services Department issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 13, 2004, which was sent to all interested parties. Further, legal notices were published in the Daily Record on August 13th and August 20, 2004 and published in the NKCT on August 19, 2004.
C. Testimony was not given by the proponent.
D. Adverse testimony was not given on this proposal.
E. On August 24, 2004 the Planning Commission Recommended approval to the Board of County Commissioners based on the information submitted.
F. The Planning Commission directs staff to include the correct acreage and corresponding map with ownership to the Board of County Commissioner for consideration.

The Chair opened the application for Richard Seymour, Open Open Space Classification. Jan Sharar introduced the application and opened the hearing to applicant testimony. With no applicant testimony, the hearing was opened to public testimony. With no public testimony the hearing was opened to Commission deliberation.

Robert Sauerwein moved to recommend approval for Richard Seymour, Open Open Space Classification complete with Findings of Fact to the Board of County Commissioner. The motion was seconded and opened to discussion. The motion was approved by a 6/0 poll of the Commission.

Findings of Fact Richard Seymour:
B. The Planning Commission finds that the KC Community Development Services Department issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 13, 2004, which was sent to all interested parties. Further, legal notices were published in the Daily Record on August 13 and August 20, 2004 and published in the NKCT on August 19, 2004.
C. Testimony was not given by the proponent.
D. Adverse testimony was not given on this proposal.
E. On August 24, 2004 the Planning Commission Recommended approval to the Board of County Commissioners based on the information submitted.

The Chair opened the Tommy & Genine Pratt/James & Lisa Morin Open Open Space Classification. Jan Sharar introduced the application and the Chair opened the hearing to applicant testimony. Tom Pratt 3470 Hanson Road, Ellensburg WA testified representing the application and available for any questions the Commission might have. The property abuts the Manastash Creek on one side with an irrigation ditch on the other side. The land has never been
developed and the property was sold to James & Lisa Morin to proceed forward with the open open space application.

The hearing was closed to applicant testimony and opened to public testimony. With no public testimony the hearing was opened to Commission deliberation. David Black moved to **recommend approval** of the Tommy & Genine Pratt/James & Lisa Morin Open Open Space Classification complete with Findings of Fact to the Board of County Commissioner. The motion was seconded and opened to discussion. The motion was approved by a 6/0 poll of the Commission.

**Findings of Fact Tommy & Genine Pratt/James & Lisa Morin:**


B. The Planning Commission finds that the KC Community Development Services Department issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 13, 2004, which was sent to all interested parties. Further, legal notices were published in the Daily Record on August 13th and August 20, 2004 and published in the NKCT on August 19, 2004.

C. Testimony was given by the proponent.

D. Adverse testimony was not given on this proposal.

E. On August 24, 2004 the Planning Commission **Recommended approval** to the Board of County Commissioners based on the information submitted.

F. The Planning Commission finds that the applicants submitted an Open Space Conservation Plan and a Description Plan for the application.

The Chair opened the application for **Margaret Walsh, Open Open Space Classification**. Jan Sharar introduced the application and noted that due to unforeseen circumstances the applicant is unable to provide testimony at the meeting but did provide written correspondence to the Planning Commission supporting the application. The hearing was opened to public testimony. With no public testimony the hearing was opened to Commission deliberation. The Commission’s discussion included the presence of an incomplete legal description. The applicant owns a total of three contiguous parcels, including the parcel stated on the application. Without a proper legal description, it is not possible to clearly identify the parcel for which open space classification is sought.

David Black moved to **recommend approval** for Margaret Walsh, Open Open Space Classification, complete with Findings of Fact to the Board of County Commissioner. The motion was seconded and opened to discussion. The motion was approved by a 6/0 poll of the Commission.

**Findings of Fact Margaret Walsh, Open Open Space:**

A. The Planning Commission finds that Margaret Walsh submitted a request for open open space tax classification on June 30, 2004.

B. The Planning Commission finds that the KC Community Development Services Department issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 13, 2004, which was sent to all interested parties. Further, legal notices were
C. Testimony was not given by the proponent.
D. Adverse testimony was not given on this proposal.
E. On August 24, 2004 the Planning Commission Recommended approval to the Board of County Commissioners based on the information submitted.
F. The Planning Commission finds that proper legal description is necessary prior to final approval.

The Chair opened the application for Todd & Cecilia Mahre, Open Open Space Classification. Jan Sharar introduced the application and the hearing was opened to applicant testimony. With no applicant testimony the hearing was opened to public testimony. With no public testimony the hearing was opened to Commission deliberation. The Commission discussion included discrepancies noted in the application from the Assessor’s Office regarding the legal description.

Also available is an updated Application for Change of Classification dated August 23, 2004 from the applicant in response to the Assessor’s concerns.

David Black moved to recommend approval for the Todd & Cecilia Mahre, Open Open Space Classification complete with Findings of Fact to the Board of County Commissioner. The motion was seconded and opened to discussion. The motion was approved by a 6/0 poll of the Commission.

Findings of Fact Todd & Cecilia Mahre:
B. The Planning Commission finds that the KC Community Development Services Department issued a notice of public hearing pursuant to KCC 15A and KCC 15B on August 13, 2004, which was sent to all interested parties. Further, legal notices were published in the Daily Record on August 13th and August 20, 2004 and published in the NKCT on August 19, 2004.
C. Testimony was not given by the proponents.
D. Adverse testimony was not given on this proposal.
E. On August 24, 2004 the Planning Commission Recommended approval to the Board of County Commissioners based on the information submitted.
F. The Planning Commission finds that the concerns regarding the application from the Assessor’s Office have been fulfilled at this time.

The Chair opened the application for Scott Repp Open Open Space Classification. Jan Sharar introduced the application and the Chair opened the hearing to applicant testimony. With no applicant testimony, the Chair opened the hearing to public testimony. With no public testimony the Chair opened the hearing to Commission deliberation. Discussion included the Assessor’s report regarding the original parcel being a part of a new segregation. With the sale of the parcels a Taxation Agreement is necessary to be completed for each individual parcel that has changed ownership.
Robert Sauerwein moved to continue the application for Scott Repp, Open Open Space Classification to August 30, 2004 to allow for additional information needed to complete the application. It was moved, seconded and carried to approve the motion to continue the Scott Repp application to August 30, 2004.

The Chair opened the application for Los Abuelos, Inc., Open Open Space Classification. Jan Sharar introduced the application and the Chair opened the hearing to applicant testimony. With no applicant testimony the hearing was opened to public testimony. With no public testimony the hearing was opened to Commission deliberation. Discussion included correspondence from the Assessor's Office referencing the lack of written statements from the sale of parcels. There is a need for Open Space Taxation Agreements for each individual parcel that has changed ownership.

It was agreed that the application is unclear as to parcel and acreage designation. The application for Los Abuelos, Inc. is needed to be continued to the August 30, 2004 meeting to allow for additional clarification to the application.

The Chair opened the proposed amendment to the Kittitas County Code Chapter 16, Subdivision Code continued public hearing from August 23, 2004. The Subdivision Code will be continued as Planning Commission deliberation with no further public testimony to be taken.

The Chair opened the hearing to Commission deliberation. The Commission discussion included review to the Subdivision Code Rewrite, Rev. 8/23/04;

- Pg. 9, KCC 16.08.055 Boundary Line Adjustment, Second Paragraph - Proof that all lots or tracts modified by boundary line adjustment are approved for irrigation delivery by the appropriate irrigation entity or entities shall be provided; notified; and

- Pg. 20, KCC 16.12.110 Required easements. Second paragraph, omit - All easements and rights-of-way required pursuant to this subsection shall be of sufficient width for maintenance, and the plat shall contain on its face a note of access to downstream water users for the purpose of maintenance. Water removed from the irrigation ditches within the plat with irrigation rights shall be pumped. The capacity of the pump shall be approved by the governing body of the water source, and shall be limited so as to prevent the use of water above the amount legally allocated to the parcel.

Mike Alberg moved to omit requirement Pg. 16, KCC 16.12.050, Road circulation system. First sentence, The road circulation system within a proposed plat shall provide for access to adjacent properties unless it is impractical due to topographic or environmental limitations, and KCC 16.36.015(d) from the Subdivision Code requirements. It was moved, seconded and carried to approve the motion.

Discussion included a definition for public/community water and sewer systems. Propose a draft with cover letter to be signed by the Chair of the Planning Commission the Board of County Commissioner complete with added changes.
Robert Sauerwein moved to forward the proposed amendments to the Kittitas County Code Chapter 16, Subdivision Code to the Board of County Commissioner complete with the added revisions from August 24, 2004. The motion was seconded and opened for discussion. The motion was approved by a 6/0 poll of the Commission.

The meeting was adjourned at 9:05 PM. There being no further business, the meeting was adjourned at 9:05 PM.

Loma Kenny, Clerk