



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

OC-10-00006 HENDERSON OPEN SPACE CURRENT USE APPLICATION STAFF REPORT

TO: Kittitas County Planning Commission
FROM: Jeff Watson, GIS Technician\Planner II
DATE: July 28, 2010
SUBJECT: Henderson Open Space Current Use Application (OC-10-00006)

I. GENERAL INFORMATION

Proposal: On December 20, 2010 James Henderson submitted an application for classification or reclassification as open space land or timber land for current use assessment under Chapter 84.34 RCW the designation one tax parcel totaling 153 acres. 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 east of Naneum Road approximately 8.5 miles northeast of the City of Ellensburg near the base of the foothills and the mouth of Naneum Canyon in a portion of section 20, township 19, range 19, WM, in Kittitas County; Assessor's map number 19-19-28000-0001, parcel identification number 348434.

II. SITE INFORMATION

Site Characteristics: Utilizing Aerial Photography and a site visit, analysis indicates the site is sparsely scattered with shrub steppe foliage and undergrowth. Assessor's records indicate that no improvements have been made on the property. The topography is gently sloped from northeast to southwest approximately 234 feet vertically over the roughly 3500 foot diagonal of the parcel. Critical areas review indicates that the parcel is completely within the Ellensburg mule deer winter range according to the priority habitat species data set. Approximately 24 acres of the parcel are encumbered by Bonneville Power Administration restrictions from purchased right of way; the assessment of the property value duly reflects the physical and legal restrictions on development.

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. Washington State DAHP shows no cultural or archaeological sites in their data base for the parcel. The site is identified in the Priority Habitat Species data set as "Ellensburg Mule Deer Winter Range", no indication has been given that WDFW has designated the site as a game

preserve or nesting ground.

(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."*

No named streams or floodplain were detected on the site. USGS GIS data sets indicate un-named drainage on the site, one listed as both an unclassified (possibly ephemeral) and perennial non fish habitat stream. An irrigation canal crosses the south west corner of the property. Kittitas County Code title 17A.08.010 *Designation of aquifer recharge areas* states that **"No critical aquifer recharge locations have been identified in Kittitas County."**

(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 average slope of the parcel is 6.6%. The parcel indicated in this application contains no Flood Insurance Rate Map designation. Zoning is Forest and Range and Agriculture 20; commercial activities permitted are extremely limited. Some potential for damage may exist.

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

Kittitas County ordinance 1994-025 does not specifically address this criterion. The property is in near proximity to several state and local properties but does not abut any. The applicant's narrative does not address specific or general enhancements to public lands.

In the light of the guidance given by Resolution 94-25,

"Lands not expressly eligible or ineligible for Open Space or Timberland Classification under the guidelines established by this Resolution will be evaluated carefully and not allowed eligibility unless the applicant clearly demonstrates a significant public benefit from the granting of Open space or Timberland Classification."

Staff recommends denial of this application. Staff feels that granting the proposed tax shift would yield limited or no public benefit. The applicant has been informed of this staff assessment and may wish to present additional information during the hearing.