



# 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-10-00003 KRONBERGER OPEN SPACE CURRENT USE APPLICATION STAFF REPORT

**TO:** Kittitas County Planning Commission  
**FROM:** Jeff Watson, Staff Planner  
**DATE:** October 21, 2010  
**SUBJECT:** Kronberger Open Space Current Use Application (OC-10-00003)

### I. GENERAL INFORMATION

**Proposal:** On August 13, 2010 Ryan and Jennifer Kronberger submitted an application for classification or reclassification as open space land or timber land for current use assessment under Chapter 84.34 RCW for one tax parcel totaling 50.2 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 approximately 4.5 miles southeast of the City of Cle Elum off of Black Hawk Drive just south of the Indian John Hill rest stop, in a portion of section 9, township 19, range 15, WM, in Kittitas County; Assessor's map number 19-16-09010-0003, parcel identification number 496734.

### II. SITE INFORMATION

**Site Characteristics:** Utilizing Aerial Photography, analysis indicates the site is sparsely wooded with coniferous trees and undergrowth. One or two structures are visible, perhaps accessory structures; the Assessor's records show no improvements to the property; the application indicates the existence of a domestic well. The topography is slightly sloped from north to south with an elevation gain of approximately 200 feet. The general area (most of the south half of section 9) appears to have been logged quite heavily; two forest practices applications are indicated one expired in 2003, the other in 2004. Critical areas review indicates that the southern 2/3 of the property is Taneum Winter Elk Range, with the northern 1/3 being in the BPA transmission line easement. The aerial photo indicates a myriad of trails or tracks in the central portion of the property, perhaps ORV trails. No floodplain, shorelines of the state, or wetlands were identified.

### 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 84.34.041.

*(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.)*

The application as submitted, gives no indication that any of the above criteria have been met.

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

Kittitas County ordinance 1994-025 stipulates that applications “...for open space classification based on promotion of the conservation of soil, control or erosion; wet lands or marshes 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 application as submitted, gives no indication that any of the above criteria have been met.

***(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 located one property to the north of (approximately 2000 feet), and one property to the west of (approximately 1300 feet) the L.T. Murray State Wildlife Recreation Area.

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

Kittitas County ordinance 1994-025 does not specifically address this criterion. The property is located approximately 1300 feet south of Interstate 90 near the Indian John Hill Rest Stop.

**In the absence of detailed thresholds for qualification as Open Space staff recommends denial of this application. While the parameters within the RCWs have been met within the broadest of terms, staff feels the true “Public Benefit” gained in granting the proposed tax shift is not sufficient enough to approve the application. The applicant has been informed of this staff assessment and may wish to present additional information during the hearing.**