



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

OC-10-00004 ANGLEMYER OPEN SPACE CURRENT USE APPLICATION STAFF REPORT

TO: Kittitas County Planning Commission
FROM: Jeff Watson, Staff Planner
DATE: October 21, 2010
SUBJECT: Anglemyer Open Space Current Use Application (OC-10-00004)

I. GENERAL INFORMATION

Proposal: On September 14, 2010 Devin and Christine Anglemyer submitted an application for classification or reclassification as open space land or timber land for current use assessment under Chapter 84.34 RCW for three tax parcel totaling 18.34 acres. Timberland applications, which can be submitted on the same form, are processed independently of the current use application and are not subject to the same process. The only element of this application before the Planning Commission is 3.01 acre parcel (21-14-09060-0004). 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 8 miles northwest of the City of Roslyn east of Salmon La Sac Road and west of Morgan Creek Road in a portion of section 9, township 21, range 14, WM, in Kittitas County; Assessor's map number 21-14-09060-0004, parcel identification number 27982.

II. SITE INFORMATION

Site Characteristics: Utilizing Aerial Photography, analysis indicates the site is sparsely wooded with coniferous trees and undergrowth. Two structures are visible on the aerial photo one approximately 2500 sq feet and the other approximately 1400 sq feet (as measured via the GIS), these are listed on the application as "Cabin and Garage"; the Assessor's records show no improvements to the property; the application indicates the existence of a domestic well and septic system. The topography is relatively flat with roughly 60 feet of elevation variation over the entire three acres most of which is in the northwestern corner. No floodplains, shorelines of the state, or wetlands were identified on the parcel.

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.

(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.”

This property lies approximately .85 miles from the confluence of Morgan Creek and Lake Cle Elum. Staff was unable to locate in stream flow data specific to Morgan Creek. Qualified personnel within the Public Works department speculate that Morgan Creek does exceed the 20 C.F.S. threshold. No aquifer recharge areas of significant springs were identified on the property. While the parcel is in relatively close proximity to Morgan Creek, it does not meet the verbatim criteria as outlined in 1994-025.

(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 located inside of the Wenatchee National Forest.

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.