



## Chelan County Planning Commission

Chair: Doug England Vice Chair: Vicki Malloy

Commissioners District 1: Vicki Malloy, Ryan Kelso, James Wiggs

Commissioners District 2: Cherié Warren, Mike Sines, Joel Walinski

Commissioners District 3: David Donovanick, Jesse Redell, Doug England

## Meeting Agenda

Wednesday, March 22, 2023 at 6:00 PM  
Chelan County Community Development  
**400 Douglas Street, Wenatchee, WA**  
**Or via Zoom- details listed below:**

Join Zoom Meeting

<https://us02web.zoom.us/j/81396620965?pwd=RWwyWVFDdmlSMXkzWmNRa2Q1K2RHZz09>

**Meeting ID: 813 9662 0965**

**Passcode: 639418**

One tap mobile

+12532158782,,81396620965#,,,,\*639418# US (Tacoma)

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### Meeting to Order

#### I. Administrative

A. Review/Approval of Minutes from February 22, 2023

#### II. Public Comment Period

Comment for any matters not identified on the agenda (limit 2 minutes per person)

#### III. Old Business

A. NONE

#### IV. New Business

A. Hearing for PBRs 22-359 An application requesting approval of an 'open space' classification for 7.0 acres of the 15.07-acre parcel of land to the Public Benefit Rating System

B. Hearing for PBRs 22-356 An application requesting approval of an 'open space' classification for 8.4 acres of the 16.07-acre parcel of land to the Public Benefit Rating System.

- C. Hearing for PBRs 22-328 An application requesting approval of an 'open space' classification for 221.6 acres of land to the Public Benefit Rating System.

**V. Discussion, at the Chair's discretion**

**VI. Adjournment \*Meeting will go no longer than 8:00 PM.\***

Materials available on the Community Development website

Any person may join this meeting via Zoom Video conference, of which the link is provided on the Chelan County Website. A Copy of the Agenda may be reviewed online <https://www.co.chelan.wa.us/community-development/pages/planning-commission>

Chelan County has been recording Planning Commission meetings which will continue to be accessible on the Community Development Planning Commission web page shortly after the meeting takes place.

**Next Regular Meeting  
April, 26 2023 at 7:00 PM**

*\* All Planning Commission meetings and hearings are open to the public.*



# CHELAN COUNTY PLANNING COMMISSION MINUTES

Chelan County Planning Commission  
Chelan County Community Development

Date: February 22, 2023

Called to Order: 6:03 PM  
316 Washington St., Suite 301  
Wenatchee, WA 98801

## CALL TO ORDER

Meeting was called to order at 6:03 pm

## COMMISSIONER PRESENT/ABSENT

<b>Doug England</b>	Present		
<b>Vicki Malloy</b>	Present- zoom	<b>Jesse Redell</b>	Absent
<b>Ryan Kelso</b>	Present	<b>Cherié Warren</b>	Present- zoom
<b>James Wiggs</b>	Present- zoom	<b>David Donovanick</b>	Present
<b>Joel Walinski</b>	Present- zoom	<b>Mike Sines</b>	Absent

## STAFF PRESENT

Cindy Wright- Community Development  
Torrey Herrington- Community Development

## PUBLIC PRESENT

## MINUTES

Chairman Doug England asked the Planning Commission if they had read the minutes from the December 14, 2022 meeting.

## MOTION:

Motion made by Commissioner David Donovanick, seconded by Commissioner Ryan Kelso, to approve the December 14, 2022 minutes.

Vote – unanimous

Motion carries.

## PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA:

No Public Present

**OLD BUSINESS:**

None

**NEW BUISINESS:**

None

**DISCUSSION, at the CHAIR's DISCRETION:**

Vice Chair Vicki Malloy brought up sending an E-mail to Community Development with concerns about not having much on the Agenda for the past few months, indicated that Planning Commission isn't doing much and is concerned with the Planning Commission being bypassed. Vicki reviewed an E-mail back from Deanna explaining why there hasn't been much. Docket 2022 has been taken care of and there will be more items for the Planning Commission to review starting in March.

Chair Doug England states he had the same concerns, but legally things have to go in front of the planning commission so he feels that they are not being bypassed.

Commissioner David Donovan states he had these concerns in the fall. Asks Chair Doug England if they should just monitor the situation. Chair Doug England asks if there are no items next month if anyone was interested in an update on Short Term Rental Regulations.

Community Development Office Manager Cindy Wright interjects to shed light on items that will be coming up for the Planning Commission for the next month, and they will have agenda items.

Commissioner David Donovan states again an STR update would be nice as there are grumblings of the code being reopened. States it would be nice to get a staff report.

Office Manager Cindy Wright states our STR Manager Kirsten Ryles is inundated with short term rental appeals right now, out of respect for her time doing a staff report at this moment would bog her down with additional duties that she does not have time for. However, if there are specific questions that the Planning Commission has, Cindy would be happy to update them with answers to those. Cindy states that when it comes to re-opening the code, the commissioner's commitment to Community Development office is they would not touch the code for two years.

Commissioner David Donovan states that his understanding is two out of the three Commissioners don't want to wait two years to see it open, that would imply we could see it re-open sooner. David states he could be mistaken and maybe we could revisit the topic later.

Hearing no other discussion Chair Doug England Adjourns the meeting.

**ADJOURNMENT**

**Meeting Adjourned at 6:13 pm.**

Next Planning Commission Meeting to be held on March 22, 2023, at 6:00 pm,  
**All Planning Commission meetings and hearings are open to the public.**

DRAFT



# CHELAN COUNTY

## DEPARTMENT OF COMMUNITY DEVELOPMENT

### STAFF REPORT – MORSE PBRS

**TO:** Planning Commission

**FROM:** Chelan County Community Development

**HEARING DATE:** March 22, 2023 with the Planning Commission

**FILE NUMBER:** Public Benefit Rating System, PBRS 2022-359

**PROPOSAL:** An application requesting approval of an 'open space' classification for 7.0 acres of the 15.07-acre parcel of land to the Public Benefit Rating System. The application was submitted on September 8, 2022.

**GENERAL INFORMATION:**

<b>Property location:</b>	5499 Squilchuck Road, Wenatchee, WA
<b>Applicant:</b>	Edward Morse 5499 Squilchuck Road Wenatchee, WA 98801
<b>Assessor Parcel Number:</b>	21-20-08-240-350; The subject property is 15.07 acres in size.
<b>Total acreage involved:</b>	7.0 Acres
<b>Comprehensive Plan designation &amp; Zoning district:</b>	Rural Resource/Residential 5 (RR5)
<b>Existing land uses:</b>	Per Assessor's records, the structures existing on the subject property include a 972 sq.ft. residence built in 1947, a 580 sq.ft. residence built in 1967, and a 192 sq.ft. accessory structure built in 1967 as well.
<b>SEPA:</b>	Exempt pursuant to WAC 197-11-80014(k)

RCW 84.34 was enacted by the Washington State Legislature in 1970 for the purpose of maintaining, preserving, conserving, and otherwise continuing in existence open space lands for the production of food and fiber and to assure the use and enjoyment of natural resources and scenic beauty for the economic well-being of the state and its citizens. Chelan County Code (CCC) Chapter 14-22 provides a rating system for the evaluation of such open space lands.

The public benefit rating system is used to value property for tax assessment purposes. The amount of property tax reduction is based upon the number of eligibility points for which a property qualifies.

**Chelan County Code Chapter 14.22.060 Open Space Public Benefit:**

The applicant is seeking the following Open Space classifications:

**A. High Priority Resources: 5 Points Each**

**(ii) Farm and Agricultural Conservation Land:** *Defined as land that is traditional farmland, grazing land, or range land that may have been classified under agricultural open space and has not been irrevocably devoted to a use inconsistent with agricultural uses, or has a high potential for returning to commercial agriculture.*

*Eligible lands are commercial farm lands not presently classified under agricultural open space and meeting the definition of farm and agricultural land under RCW 84.34.020 and zoned for agricultural use.*

**Finding:** The subject property is currently zoned RR5 and its current land use classification by the Assessor's Office is "Agriculture classified under current use chapter 84.34 RCW". According to the Assessor's Office, 7.0 acres of the subject property was previously in commercial agricultural production; however, that use has ceased, and the owner has decided to apply to reclassify under the Public Benefit Rating System. Based on these findings, staff recommends points for farm and agricultural conservation land.

**(viii) Significant Wildlife Habitat Area:** *Defined as an area which is characterized by the presence of important habitats and species or other animals in such frequency and diversity for critical ecological processes occurring, such as breeding, nesting, nesting, nursery, feeding, migration and resting.*

*Eligible lands are:*

- *"Tier 1" wetlands identified by the Washington State Department of Natural Resources, Natural Heritage Program; or.*
- *Shoreline environments, where a minimum of three hundred feet of contiguous shoreline length is included, and the contiguous upland buffer area (any area beyond ordinary high-water mark, one-hundred-year floodplain, or associated wetland boundary) is no greater than one acre per one hundred feet of shoreline length; or*
- *Sites located within or adjacent to migration corridors identified by the Washington State Department of Fish and Wildlife, specifically the Squilchuck Creek Area, Navarre Coulee, Knapp Coulee, and future migration corridors; or*
- *Class I wetlands regulated under the Chelan County critical areas ordinance; or*
- *Important habitats and species regulated under the Chelan County critical areas ordinance; or*
- *Sites located adjacent to natural area preserves (NAP) as identified by the Washington State Department of Natural Resources, including Upper Dry Gulch NAP, Entiat Slopes NAP, Larkspur Meadows NAP, and future natural area preserves.*
- *Eligible lands include those that meet the definition above and the following conditions:*
  - *The resources are confirmed by the data sources indicated or identified by either the appropriate state agency or a competent professional whose findings are substantiated by the appropriate state agency.*

- *The resources are included within a habitat management plan developed by a qualified wildlife habitat biologist that includes the following conditions the owners agree to follow:*
  - *Land use limitations needed for the long-term viability of the important species or habitat;*
  - *Limitations for access by humans and domesticated animals, as needed;*
  - *Management measures that will enhance the species' viability, if needed; and*
  - *Recommended review intervals for at least the following twenty years.*

**Finding:** According to Chelan County GIS mapping, the subject parcel fronts along approximately 750 lineal feet of Squilchuck Creek. Per the Washington State Department of Fish and Wildlife Priority Habitats and Species mapping, the property contains remnants of shrub-steppe habitat and Northern Spotted Owl habitat. In addition, the subject property provides a migration corridor for Mule Deer and other species along Squilchuck Creek. However, eligibility in part requires a Habitat Management Plan and none was submitted; therefore, staff recommends that no points be awarded for significant wildlife habitat area.

**(xiii) Surface Water Quality Buffer Area:** *Defined as an undisturbed zone of native growth vegetation adjacent to a lake, pond, river, stream, or wetland that will benefit a surface water body by protecting water quality and reducing erosion. To be considered a surface water quality buffer area, the property owner must provide livestock restrictions (fencing), if necessary, or be subject to a conservation plan approved by the natural resources conservation district.*

*Eligible lands must meet the definition above. In addition, the area must be preserved from clearing or intrusion by domesticated animals or structures. All such lands in or adjacent to pasture land must be fenced to prevent intrusion by domesticated animals. The buffer width is measured upland from the ordinary high-water mark or the outer edge of a regulated wetland. The buffer does not include the body of water waterward of the ordinary high-water mark or the wetland itself. There are two ways for eligible lands to meet these requirements:*

- *Provide at least fifty percent additional buffer width beyond that required by regulation; or*
- *Fence existing livestock out of the buffer required by regulation.*

**Finding:** No livestock are currently living on the subject property nor are any of the adjacent properties being used for raising livestock either. However, fencing currently exists along the entire approximate 750 lineal feet that buffers the former orchard area from the riparian habitat along Squilchuck Creek. Based on this fact, staff recommends points to be awarded for surface water quality buffer area.

## **B. Medium Priority Resources: 3 Points Each**

**(i) Public Lands Buffer:** *Defined as lands lying adjacent to neighborhood parks, forests, wildlife preserves, natural area preserves, or sanctuaries. Eligible lands being buffered*

*shall be in public ownership*

**Finding:** The subject property is not adjacent to any lands in public ownership and therefore, staff recommends that no points be awarded for public lands buffer.

**C. Bonus Categories:**

The applicant is not proposing any Bonus Categories.

**D. Public Access**

*The following category contributes to or in some way enhances the public benefit of the priority resources. Where applicable, the priority resource qualifications specify if they can be combined with other similar priority resources.*

**(i)** *While public access is not required for most categories of open space, some degree of access is encouraged for all lands enrolled in the open space tax program unless access would be harmful to the resource, such as sensitive plants or animals. The kind of public access proposed shall be stated on the application request, e.g., a certain seasonal period, unlimited, signed nature trail, etc. When public access is proposed, it may be made a condition of approval by the board of Chelan County commissioners as provided in RCW [84.34.037](#). Types of Access:*

*(a) Unlimited public access: eight points. This provision provides for year-round access by any member of the public without specialized interest in the resource.*

*(b) Limited public access (due to resource sensitivity): six points. When access to a parcel is to be limited due to the sensitive nature of the resource, the access shall be provided only to appropriate user groups. The activities of those user groups shall generally be limited to scientific, educational, or research purposes. Those appropriate user groups may include but not be limited to university researchers, Audubon Society, Nature Conservancy, Native Plant Society, or other organizations with specialized interest in the resource.*

*(c) Limited public access (seasonal and/or upon special arrangements): four points. Access to the public is allowed, with or without special arrangements with the property, for any period of less than the full year (seasonal access).*

*(d) No public access: zero points. No public access is allowed or members only access which is restricted at all times to members of the organization utilizing the land.*

**(ii)** *Where public access is provided, access points shall be awarded according to physical accessibility as well as owner willingness for public access. No access points shall be awarded if the property is not reasonably accessible.*

*For properties where public access is provided, the county may furnish and maintain a standardized sign or require the applicant to furnish and maintain a standardized sign designating the property as part of the open space tax program.*

*(iii) Limitations of Public Access. As a condition of granting open space classification, the legislative body may not require public access on land classified under RCW [84.34.020\(1\)\(b\)\(iii\)](#) for the purpose of promoting conservation of wetlands. (Res. 2014-38 (Atts. A, B) (part), 4/15/14; Res. 2012-99 (Att. A (part)), 10/30/12).*

*The following category contributes to or in some way enhances the public benefit of the priority resources. Where applicable, the priority resource qualifications specify if they can be combined with other similar priority resources.*

**Finding:** The applicant is not proposing any Public Access

#### **E. Conclusion:**

Staff finds that the proposal is also consistent with the Chelan County Comprehensive Plan as stated in the RR5 purpose and uses:

***To allow for rural development, forestry and agricultural uses consistent with the rural character and rural development provisions outlined in the goals and policies of the comprehensive plan. These areas can function as areas of transition between resource lands and areas of more intense rural or urban development. These areas also provide opportunities for protecting sensitive environmental areas and creating open space typical of a rural setting.***

***Uses appropriate for these areas include: open space; residential; agriculture; and forestry. Additional uses may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan.***

Staff finds the following are consistent with Chelan County Code:

- Farm and Agricultural Conservation Lands = 5 points
- Significant Wildlife Habitat Area = 0 points
- Surface Water Quality Buffer Area = 5 points
- Public Lands Buffer = 0 points
- Public Access = 0 points

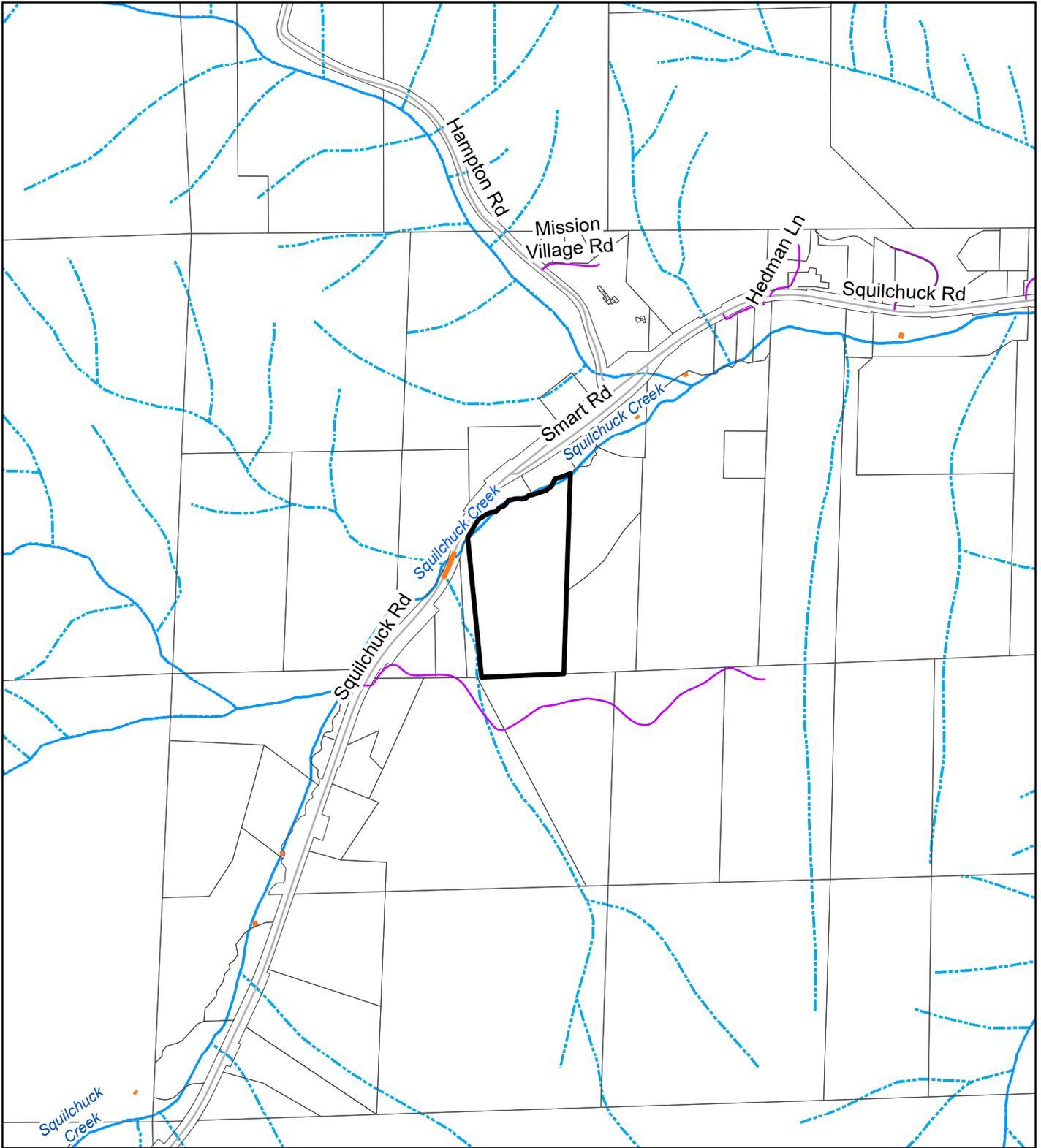
In total the applicant has requested 18 points; staff finds the application and properties are consistent with the criteria for 10 points for a reduction of 50% in the fair market value for 7.0 acres of parcel # 21-20-08-240-350 owned by Edward Morse.

#### **CONDITIONS OF APPROVAL:**

1. Pursuant to RCW 84.34, the applicant shall sign the “Open Space Taxation Agreement” and return to the Chelan County Assessor’s office.

#### **ATTACHMENT**

- A. File of Record

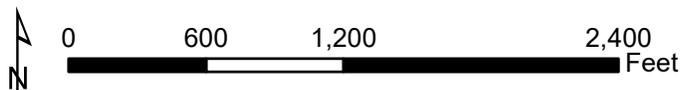


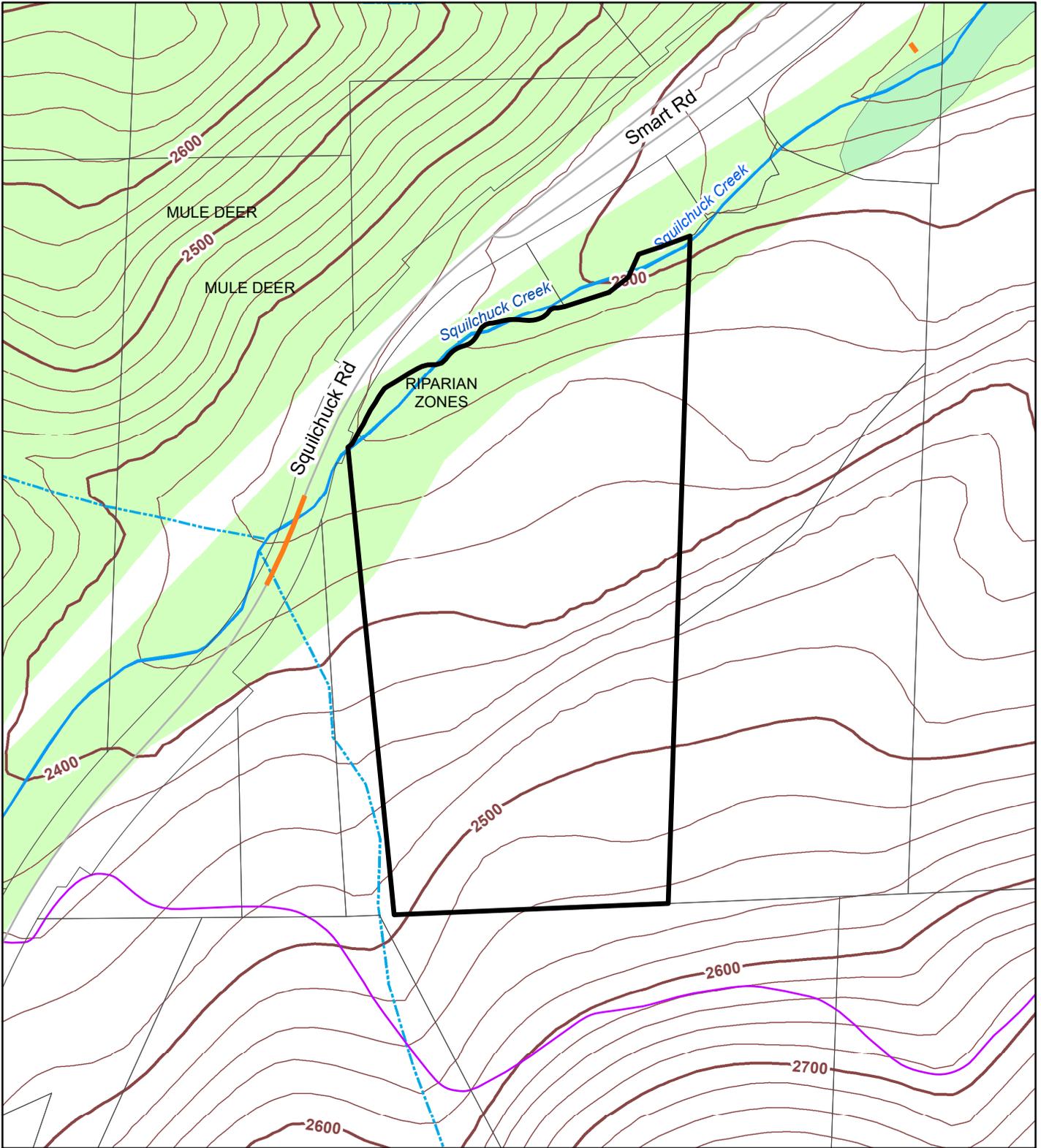
Vicinity Map

9/8/2022

PBRS 22-359

The County makes no warranty, expressed or implied, concerning the data's content, accuracy, currency or completeness, or concerning the results to be obtained from queries or use of the data. All data is expressly provided "AS IS" and "WITH ALL FAULTS". The County makes no warranty of fitness for a particular purpose, and no representation as to the quality of any data. The Requester shall have no remedy at law or equity against the county in case the data provided is inaccurate, incomplete or otherwise defective in any way.





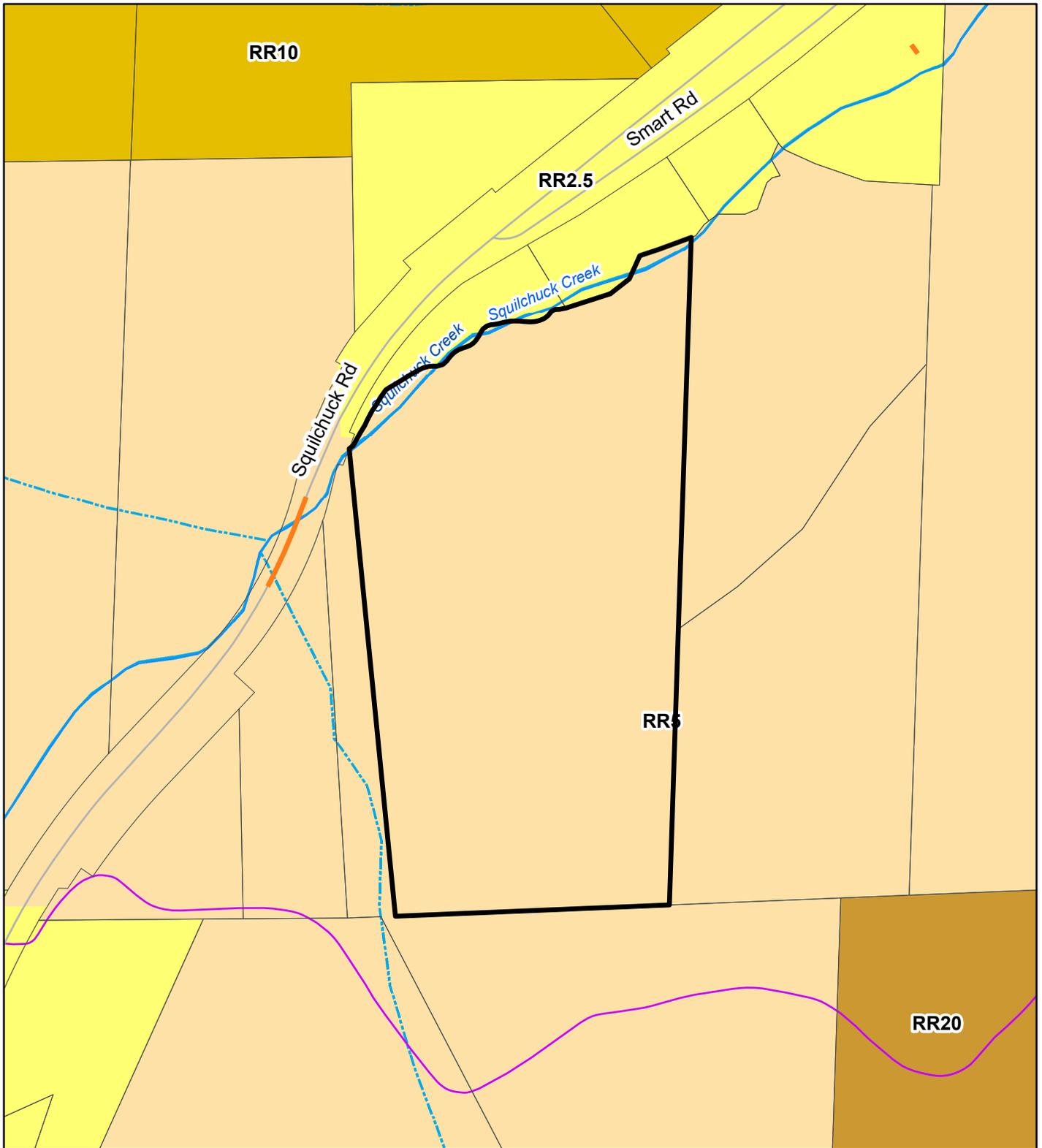
**WDFW Habitats  
& Wetlands**

9/8/2022

PBRS 22-359

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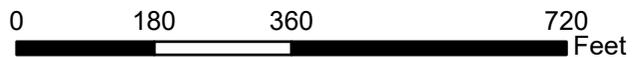


### Zoning

9/8/2022

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**CHELAN COUNTY**  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
316 WASHINGTON STREET, SUITE 301, WENATCHEE, WA 98801  
TELEPHONE: (509) 667-6225 FAX: (509) 667-6475

**PUBLIC BENEFIT RATING SYSTEM**

This packet is designed to assist you in preparing your application for a Public Benefit Rating (Open Space). The following information is required at the time of submittal. The applicant is required to review and submit documentation showing compliance with all Chelan County Code, including but not limited to Title 4, Title 11, Title 12, Title 14, and Title 15. Additional information may be required. **An incomplete application will not be processed.**

The following information is required at the time of submittal:

- Department of Revenue Application
- Complete the following Cannabis Disclosure Section, Site Plan Checklist Section and Acknowledgement Section

Parcel Number (APN): 21-20-08-240-350 Lot Size: 15.07 (Acres)  
 Parcel Address: 5499 Squilchuck Rd. City/Zip Code: 98801  
 Property Owner(s): John Morse Zoning: \_\_\_\_\_

**CHAPTER 14.22 OPEN SPACE PUBLIC BENEFIT**

Indicate, using the following chart, each type of "open space benefit" you are requesting. NOTE: For each type of "open space benefit" the applicant is required to provide support documentation, pursuant to CCC14.22.060.

**High Priority Resources: 5 Points Each**  
(7 categories maximum from High and Medium Priority Resource)

<input checked="" type="checkbox"/>	Archaeological Sites
<input checked="" type="checkbox"/>	Farm and Agricultural Conservation Land
<input type="checkbox"/>	Fish-Rearing Habitat: Ponds and Streams I
<input type="checkbox"/>	Shoreline Environments
<input type="checkbox"/>	Historical Sites
<input type="checkbox"/>	Private Recreation Areas
<input checked="" type="checkbox"/>	Rural Open Space Close to Urban Growth Area
<input type="checkbox"/>	Significant Wildlife Habitat Area
<input type="checkbox"/>	Special Plants Sites
<input type="checkbox"/>	Urban Growth Area Open Space
<input type="checkbox"/>	Trail Linkage
<input type="checkbox"/>	Aquifer Protection Area
<input checked="" type="checkbox"/>	Surface Water Quality Buffer Area I

**Bonus Categories**

<input type="checkbox"/>	Resource Enhancement/Restoration: <b>5 Points</b>
<input type="checkbox"/>	Surface Water Quality Buffer Area II: <b>3 or 5 Points</b>
<input type="checkbox"/>	Contiguous Parcels Under Separate Ownership: <b>2 points</b>
<input type="checkbox"/>	Conservation/Historic Easement: <b>8 Points</b>

**Public Access**

<input type="checkbox"/>	Unlimited Access: <b>8 Points</b>
<input type="checkbox"/>	Limited Access (due to resource sensitivity): <b>6 Points</b>
<input type="checkbox"/>	Limited Access (seasonal and/or special arrangements): <b>4 Points</b>
<input checked="" type="checkbox"/>	No Public Access: <b>0 Points</b>

**Subtotal points from Bonus and Public Access**

**Medium Priority Resources: 3 Points Each**

<input checked="" type="checkbox"/>	Public Lands Buffer
<input type="checkbox"/>	Fish-Rearing Habitat: Ponds and Streams II
<input type="checkbox"/>	Scenic Vista or Resources
<input type="checkbox"/>	Geological Features
<input type="checkbox"/>	Fee Recreation and Public Access Parking

**Subtotal points from High and Medium Priority Resources**

**Super Bonus Category**

Does the site meet the three criteria?  
Check box if "Yes" to all (100% Reduction)

<input checked="" type="radio"/> Yes/No	One high priority resource
<input checked="" type="radio"/> Yes/No	Public access
<input checked="" type="radio"/> Yes/No	Conservation easement

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<u>18</u>	<b>Grand Total (Add subtotals)</b>
<u>70%</u>	<b>Reduction from Valuation Schedule</b>

**CANNABIS DISCLOSURE SECTION****SUB-SECTION I: Circle**

I AFFIRM there **IS NOT** or **IS** (circle one) an existing or pending Liquor and Cannabis Board (LCB) license or approval for cannabis production, processing, or retail located on the property that is the subject of the requested development permit or approval.

If you circled "**IS NOT**" above, proceed to Sub-Section III of this form.

If you circled "**IS**" above, proceed to Sub-Section II of this form.

**SUB-SECTION II: You must read the below statements, initial on the space provided, and then proceed to Sub-Section III.**

\_\_\_\_\_ I ACKNOWLEDGE AND UNDERSTAND that all cannabis-related activities, development, uses and construction must comply with Chelan County regulations, including but not limited to Chelan County Code Section 11.100.

\_\_\_\_\_ I ACKNOWLEDGE AND UNDERSTAND that only those cannabis-related uses authorized pursuant to Chelan County Code Section 11.100 are permitted within Chelan County. All other commercial and noncommercial licensed or registered cannabis uses, including but not limited to cannabis research facilities and medical cannabis cooperatives, are prohibited within all zones of Chelan County.

\_\_\_\_\_ I ACKNOWLEDGE AND UNDERSTAND that pursuant to Chelan County Code Section 11.100 a conditional use permit is required to engage in the production or processing of cannabis within Chelan County, and that all cannabis producers and processors must register annually with Chelan County and pay the appropriate registration fee.

\_\_\_\_\_ I ACKNOWLEDGE AND UNDERSTAND that it is the responsibility of the property owner to submit for and obtain all necessary development permits and approvals prior to engaging in cannabis-related activities, development, uses or construction, including but not limited to conditional use permits for the production or processing of cannabis, building permits, change of use/occupancy permits, shoreline permits, variances, and mechanical permits.

**SUB-SECTION III: Please select one of the following:**

I certify with the signature below that the building or land use permit requested **IS NOT** related to or in any way supportive of existing or planned cannabis-related activities, development, uses or construction on the property. I further certify that any authorized activities, development, uses or construction **WILL NOT** be utilized to support or expand cannabis-related activities, development, uses or construction.

I certify with the signature below that the building or land use permit requested **IS** related to or in support of existing or planned cannabis-related activities, development, uses or construction on the property. I certify that any authorized activities, development, uses or construction will be in strict compliance with LCB licensure requirements and all applicable laws and regulations including but not limited to Chelan County Code, Chapter 69.50 RCW (Uniform Controlled Substances Act), Chapter 69.51A (Medical Cannabis), Chapter 19.27 RCW and WAC Title 51 (State Building Code), Chapter 58.17 RCW (Plats-Subdivisions-Dedications), Chapter 90.58 RCW (Shoreline Management Act), Chapter 314.55 WAC, and the Chelan County Shoreline Master Program.

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**SITE PLAN CHECKLIST SECTION**

- Two copies of site plan are required. Must be drawn to standard engineering/architect's scale, such as 1"=100'. Indicate the scale used. Must include North arrow, and be drawn on grid paper or engineering plan format. For large parcels, applicant may submit a two-page site plan, the first page depicting the entire lot at a convenient scale and the second page depicting an enlargement of the developed area at a larger scale.
- Label all property lines/boundaries, dimensions, and area of lot/parcel (square feet or acreage).
- Label the location, size, and use of all existing building(s). Identify the distance between property lines and buildings. Label structures with previous building permit number(s) issued if applicable.
- Label the location, size, and use of all proposed structure(s) (temporary or permanent) to include dimensions of all decks, porches, cantilevers, bay windows, roof overhangs, retaining walls, patios, chimneys, landings and stairs.
- Identify the location, dimensions and volume of all existing and proposed propane tanks, fuel tanks, etc., both above ground and underground, as well as setback from property lines.
- Identify land features such as top and bottom of slopes, direction of slope and any areas of erosion.
- Identify and label all water features to include, ponds, springs, ravines, streams, creeks, lakes, rivers, irrigation laterals, canals, ditches, wetlands, bogs, areas of saturated ground, flood plain, floodway. Identify the closest distance between the ordinary high water mark and proposed/existing structures.
- Label the name and width of roads bordering the property and indicate whether they are public or private.
- Locate the width of existing and proposed driveways/accesses serving each structure. Include stormwater control facilities such as drains, detention ponds, connection lines, catch basins, etc.
- Label all existing and proposed parking spaces/areas. Parking in residential districts is typically not allowed in the front yard setback area. All parking shall have durable and dustless surfaces suited to all weather use, unless required otherwise. If applicable, show handicapped parking and accessible routes to the structure and within the site to other structures and features.
- Identify and label all easements and widths, deed restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property, including but not limited to access, utilities, railroads, irrigation and overhead power. Include the Auditor's file number(s). *Before Any Development Occurs, Please Call 1-509-661-8400 To Locate Any PUD Easements!*
- Show the location of all existing and proposed overhead and underground utilities including, but not limited to water, sewer, gas, and electrical.
- Identify location of water lines, well and sanitary control radius. Note: A sanitary control radius around an off-site well may impact your project if it overlaps onto your parcel.
- Identify location of all well(s), septic/pump tank, drain field, reserve area and tight line involving the proposed structure(s). Show the distance from proposed structure(s) to septic tank, drain field, drinking water well source(s), and any water body, wetland area and/or flood plain to ensure they meet the required horizontal setbacks from each other and property lines. See Chelan Douglas Health District Horizontal Setback Table for details. If applicable, the approved Health District and County site plan must be identical.
- If drinking water wells, septic tank/drain field is off site, show the location of these systems on the adjacent property or properties and provide a copy of the easement agreement(s).
- If applicable, identify existing and proposed landscaping, screening and/or fencing. (Show type of landscaping, size, spacing, and provisions for irrigation).
- If applicable, include outdoor lighting and signage. Label each as existing or proposed.

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**ACKNOWLEDGEMENT SECTION**

If the Applicant is not the owner of the property, this application and acknowledgment shall also be executed (signed) by each property owner.

**By submitting this application, I acknowledge and certify the following:**

Initials

(Owner and, if applicable, Applicant)

- \_\_\_\_\_ EM 1. All applications will be reviewed for completeness and processed according to Chelan County Code Title 14. Each application may be denied if not consistent with all Chelan County Codes, adopted regulations, Comprehensive Plan and related plans or studies.
- \_\_\_\_\_ EM 2. This application does not constitute approval of the proposed development and Chelan County does not make any guarantee, either express or implied, that this application will be approved.
- \_\_\_\_\_ EM 3. False statements, errors and/or omissions in this application or information provided with or in regard to this application may be sufficient cause for denial of the request.
- \_\_\_\_\_ EM 4. Additional permit applications and approvals may be necessary to conduct specific activities.
- \_\_\_\_\_ EM 5. Application fees are non-refundable, except when approved by the Board.
- \_\_\_\_\_ EM 6. In the event of any legal proceeding to challenge this application, any environmental determination or any other aspect of the proposed development, the applicant/owner(s) shall be solely responsible to defend such challenge and pay all court costs and attorney's fees necessary for such defense.
- \_\_\_\_\_ EM 7. Chelan County is hereby given consent to enter the property(ies) listed above.
- \_\_\_\_\_ EM 8. I certify that I am the property owner, or authorized agent of the property owner, and I have familiarized myself with the rules and regulations of Chelan County with respect to making this application.
- \_\_\_\_\_ EM 9. I certify that I possess full legal authority and rights necessary to exercise control over the subject property.
- \_\_\_\_\_ EM 10. I certify that this application has been made with the consent of the lawful property owner(s).
- \_\_\_\_\_ EM 11. I certify that all Easements, Deed Restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property have been accurately disclosed and are shown on the site plan submitted with this application.
- \_\_\_\_\_ EM 12. This application shall be subject to all additions to and changes in the laws, regulations and ordinances applicable to the proposed development until a determination of completeness has been made pursuant to Section 14.08.030.

I certify (or declare) under penalty of perjury and under the laws of the State of Washington that the foregoing and all information submitted with this application is true, correct and complete to the best of my knowledge.

Owner Signature: Edward M Morse Place: \_\_\_\_\_ Date: 9-8-22

Print Name: Edward M Morse

Owner/Applicant/Agent Signature: \_\_\_\_\_ Place: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

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CHELAN COUNTY  
COMMUNITY DEVELOPEME

19177-212008310100  
KNM DESIGN LLC

13855-212008310050  
GRABEEL KEITH E & CYNTHIA A

13853-212008240320  
MC INNIS TYSON A & JENNY S

13847-212008240060  
WALTER RONALD B & DEBORAH A

13854-212008240350  
MORSE JOHN E

13851-212008240300  
DYKKESTEN MARY ANN ETAL

13848-212008240075  
WALTER RONALD B & DEBORAH A

13850-212008240200  
NUINN GARY L

13849-212008240150  
WALTER RONALD B & DEBORAH A

Squidchuck Rd  
Smart Rd





19177-21200831000  
KNM DESIGN LLC

13855-212008310050  
GRABEEL KEITH E & CYNTHIA A

13853-212008240320  
MC INNIS TYSON A & JENNY S

13847-212008240060  
WALTER RONALD B & DEBORAH A

13854-212008240350  
MORSE JOHN E

13851-212008240300  
DYKKESTEN MARY ANN ETAL

13848-212008240075  
WALTER RONALD B & DEBORAH A

13850-212008240200  
NUNN GARY L

13849-212008240150  
WALTER RONALD B & DEBORAH A

Squillchuck Rd  
Smart Rd

3050



**Deanna Walter**  
**CHELAN COUNTY ASSESSOR**

350 Orondo Ave, Suite 6  
 Wenatchee, WA 98801-2885  
 PHONE: 509-667-6365 FAX: 509-667-6664  
 WEBSITE: <http://www.co.chelan.wa.us/assessor>

July 21, 2022

MORSE JOHN E  
 C/O MORSE EDWARD M  
 5499 SQUILCHUCK RD  
 WENATCHEE, WA 98801

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CHELAN COUNTY  
 COMMUNITY DEVELOPMENT

Dear MORSE JOHN E,

Our office has recently received notification that Parcel No. 212008240350 (PID: 13854) is no longer being used for commercial agricultural purposes. The property is currently enrolled in the Open Space Farm & Ag program which requires the property to be farmed for commercial agricultural purposes and for the owner to be able to show a gross income for at least 3 out of the past 5 years.

Whenever property that is enrolled in the program is no longer being farmed the owner has three options:

- 1) Replant or change use to comply with program
- 2) Remove and pay the compensating taxes owed for the removal
- 3) Reclassify to the Open Space Public Benefit Rating System (PBRS) program.

Enclosed you'll find more detailed information regarding all three options along with forms and a self-addressed envelope. If you decide to replant or change the use of the property to comply, please submit the requested information described in the enclosed 5 Year Farm Plan (Option 1) and return to our office in the enclosed envelope.

The estimated amount of compensating taxes owed for the removal of the property is \$ 4,758.77 which includes the recording fee for the Notice of Removal. Please keep in mind that depending on the actual date of the removal this amount may change. I've enclosed a copy of the Open Space Loss Worksheet that shows the calculation which per RCW 84.34.108(4) is based off the difference between the market value and the current use value of the land for the past 7 years plus the current. Since the property is currently not in compliance you are not eligible to withdraw and the 20% penalty is still applied. If you are deciding to start the removal process please sign the enclosed Notice of Request to Remove (Option 2) and return to our office in the enclosed envelope.

If you decide to reclassify the property into the Open Space Public Benefit Rating System (PBRS) our office will keep the property in the farm & ag program until the reclassification is approved by the County Commissioners

and will not bill you for compensating taxes. Please sign the enclosed Change of Classification (Option 3) and return to our office in the enclosed envelope. You will need to complete and submit the application along with applicable application fees to Community Development to be considered for this option within 30 days of submitting the Change of Classification request. Failure to apply for PBRs within 30 days of the date of the change request will result in removal with compensating taxes owed.

You have 30 days from the date of this letter to notify of us of your decision. If we do not hear from you by Monday, August 22, 2022 we will remove the property and bill you for the compensating taxes owed. This letter serves as your notification of intent to remove the property from the Open Space Farm & Ag program.

I am more than happy to answer any questions you may have to assist you in making your decision. You can reach me at (509) 667-6375 or by email at [erin.fonville@co.chelan.wa.us](mailto:erin.fonville@co.chelan.wa.us).

Sincerely,

A handwritten signature in black ink, appearing to read "Erin Fonville", written over a horizontal line.

Erin Fonville  
Administrative Assessment Manager

Enclosures

CHELAN

Open Space Loss Worksheet  
for Property 13854

*MORSE*

Change In Use Date: August 22, 2022

-212008240350

Acres Removed: 7.0000

Non-Senior

Current Tax Year

Year	Market Value	Current Use Value	Levy Rate	Proration Factor	Market Taxes Due	Current Use Taxes Due	Additional Taxes Due	Interest Due	Tax & Interest Override
Current Tax Year	\$56,000.00	\$30,709.00	10.178	0.641096	\$385.39	\$200.37	\$165.02	\$46.21	\$211.23
Remainder of Year	\$56,000.00	\$30,709.00	10.178	0.358904	\$204.56	\$112.17	\$92.38	\$0.00	\$92.38
<b>Total</b>									<b>\$303.61</b>

Prior Tax Years

Year	Tax Year	Market Value	Current Use Value	Value Difference	Tax Area ID	Levy Rate	Additional Taxes Due from 4/30	Int 1%/Mo from 4/30	Interest Due	Tax & Interest
1	2018 - 2019	\$56,000.00	\$30,709.00	\$25,291.00	1.046	9.786	\$247.49	40	\$99.00	\$346.49
2	2017 - 2018	\$56,000.00	\$30,709.00	\$25,291.00	1.046	11.900	\$300.97	52	\$158.50	\$457.47
3	2016 - 2017	\$56,000.00	\$30,709.00	\$25,291.00	1.046	11.044	\$279.31	64	\$178.76	\$458.07
4	2015 - 2016	\$56,000.00	\$30,709.00	\$25,291.00	1.046	11.476	\$290.23	76	\$220.57	\$510.80
5	2014 - 2015	\$56,000.00	\$30,709.00	\$25,291.00	1.046	12.052	\$304.81	88	\$268.23	\$573.04
6	2013 - 2014	\$56,000.00	\$30,709.00	\$25,291.00	1.046	11.730	\$296.66	100	\$296.66	\$593.32
7	2012 - 2013	\$56,000.00	\$30,709.00	\$25,291.00	1.046	11.247	\$284.45	112	\$318.58	\$603.03
<b>Total</b>										<b>\$3,542.22</b>

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COMMUNITY DEVELOPMENT

Current Year Taxes Due: 303.61  
Prior Year Taxes Due: 3,542.22

Penalty: 708.44  
Penalty Percent: 20.00%  
Total Prior Year Taxes Due: 4,250.66  
Total Additional Taxes & Interest: 4,554.27  
RECORDING FEE: \$204.50  
Total Due: 4,758.77

4,758.77





**Deanna Walter**  
**CHELAN COUNTY ASSESSOR**

350 Orondo Ave, Suite 6  
 Wenatchee, WA 98801-2885  
 PHONE: 509-667-6365 FAX: 509-667-6664  
 WEBSITE: <http://www.co.chelan.wa.us/assessor>

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COMMUNITY DEVELOPMENT

## Open Space Farm & Ag Change in Use Options

The intent of the Open Space Farm & Ag classification is to preserve lands used for commercial agricultural purposes. Lands that are classified as Farm & Ag land are assessed for property values based on their current use instead of best or highest use. The current use assessed values are generally significantly lower than those lands not classified which is reflected in the property tax payments.

The owner has several options available when either the land is no longer being used for the purpose of which classification was granted or the owner decides to change the use of the land. The owner can choose to replant or change use to comply (Option 1), request removal or withdrawal (Option 2) or reclassify the land into the Open Space Public Benefit Rating System (PBRS) program (Option 3).

However, if the Assessor determines that the land is no longer being used for commercial agricultural production as required under RCW 34.34, the land will be removed from the program and compensating taxes will be billed to the owner. The compensating taxes are calculated in compliance with RCW 84.34.108(4), which is provided at the end of this document as well as all other referenced RCW's & WAC's (in the order that they are referenced). The compensating taxes are due within 30 days of the Treasurer's Office Revised Tax Statement mailing date and become a lien on the property, incurring further interest and penalties until paid in full. The owner does have to right to appeal the Assessor's determination within 30 days of receiving the notification of removal to the Chelan County Board of Equalization.

### Option 1: Replant or change use of land to comply

Replant the land with a qualifying agriculture product in compliance with RCW 84.34.020(2) and WAC 458-30-200(2)(d). Replanting needs to occur within 1 year from the change in use event (e.g. removal of orchard) and the owner must supply our office with verification from the nursery that an order has been placed for root stock or other acceptable expense information depending on the agriculture product being produced. The information should demonstrate that an investment in the production of the standing crops equivalent to one hundred dollars or more per acre in the current or previous calendar year was made. We will also need a detailed 5 year farm plan to approve this option.

### Option 2 : Request by Owner to Remove or Withdraw

The land owner can request to withdraw the classification if the land has been classified for at least 10 years and meets the criteria set forth in RCW 84.34.070. If the land is withdrawn the 20% penalty is not applied to the compensating taxes. The withdrawal is still subject to the additional tax (aka compensating tax) and applicable interest due under RCW 84.34.108 plus the recording fee for the Notice.

However, if the land is found to be in non-compliance by the Assessor, the 20% penalty still applies regardless of the time in the program. Once the removal is processed the Treasurer's Office will mail you a revised tax statement that is payable within 30 days.

### **Option 3: Request to reclassify the land**

The owner has the option to apply through the Chelan County Community Development Department to reclassify the property into the Open Space Public Benefit Rating System (PBRS) program. You can get an application and further information on the program from their office located on the 3rd floor at 316 Washington St. in Wenatchee or by calling them at (509) 667-6225. Our office requires the owner to fill out a Change of Classification form and return it along with a copy of the submitted application.

If the owners choose this option then they will not owe the compensating taxes and the property will remain in the farm & ag program until the application is processed and approved. If the application is approved the current use values will change in the assessment year following the application year to the PBRS Rating System % of fair market reduction in compliance with Chelan County Code Chapter 14.22, which you can get from Community Development.

***Note: If the Assessor has begun the removal process the owner must file an application for reclassification within 30 days of the Notice of Removal mailing date. If the application is submitted within 30 days to Community Development along with the appropriate application fees, the land is not considered removed until the application is approved or denied.***

## **Applicable RCW's & WAC's**

### **RCW 84.34.108(4)**

(4) Unless the removal is reversed on appeal, the assessor must revalue the affected land with reference to its true and fair value on January 1st of the year of removal from classification. Both the assessed valuation before and after the removal of classification must be listed and taxes must be allocated according to that part of the year to which each assessed valuation applies. Except as provided in subsection (6) of this section, an additional tax, applicable interest, and penalty must be imposed, which are due and payable to the treasurer thirty days after the owner is notified of the amount of the additional tax, applicable interest, and penalty. As soon as possible, the assessor must compute the amount of additional tax, applicable interest, and penalty and the treasurer must mail notice to the owner of the amount thereof and the date on which payment is due. The amount of the additional tax, applicable interest, and penalty must be determined as follows:

(a) The amount of additional tax is equal to the difference between the property tax paid as "open space land," "farm and agricultural land," or "timberland" and the amount of property tax otherwise due and payable for the seven years last past had the land not been so classified;

(b) The amount of applicable interest is equal to the interest upon the amounts of the additional tax paid at the same statutory rate charged on delinquent property taxes from the dates on which the additional tax could have been paid without penalty if the land had been assessed at a value without regard to this chapter;

(c) The amount of the penalty is as provided in RCW **84.34.080**. The penalty may not be imposed if the removal satisfies the conditions of RCW **84.34.070**.

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CHELAN COUNTY  
COMMUNITY DEVELOPMENT**RCW 84.34.020(2) Definitions**

(2) "Farm and agricultural land" means:

(a) Any parcel of land that is twenty or more acres or multiple parcels of land that are contiguous and total twenty or more acres:

(i) Devoted primarily to the production of livestock or agricultural commodities for commercial purposes;

(ii) Enrolled in the federal conservation reserve program or its successor administered by the United States department of agriculture; or

(iii) Other similar commercial activities as may be established by rule;

(b)(i) Any parcel of land that is five acres or more but less than twenty acres devoted primarily to agricultural uses, which has produced a gross income from agricultural uses equivalent to, as of January 1, 1993:

(A) One hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter for all parcels of land that are classified under this subsection or all parcels of land for which an application for classification under this subsection is made with the granting authority prior to January 1, 1993; and

(B) On or after January 1, 1993, two hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter;

(ii) For the purposes of (b)(i) of this subsection, "gross income from agricultural uses" includes, but is not limited to, the wholesale value of agricultural products donated to nonprofit food banks or feeding programs;

(c) Any parcel of land of less than five acres devoted primarily to agricultural uses which has produced a gross income as of January 1, 1993, of:

(i) One thousand dollars or more per year for three of the five calendar years preceding the date of application for classification under this chapter for all parcels of land that are classified under this subsection or all parcels of land for which an application for classification under this subsection is made with the granting authority prior to January 1, 1993; and

(ii) On or after January 1, 1993, fifteen hundred dollars or more per year for three of the five calendar years preceding the date of application for classification under this chapter. Parcels of land described in (b)(i)(A) and (c)(i) of this subsection will, upon any transfer of the property excluding a transfer to a surviving spouse or surviving state registered domestic partner, be subject to the limits of (b)(i)(B) and (c)(ii) of this subsection;

(d) Any parcel of land that is five acres or more but less than twenty acres devoted primarily to agricultural uses, which meet one of the following criteria:

(i) Has produced a gross income from agricultural uses equivalent to two hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter;

(ii) Has standing crops with an expectation of harvest within seven years, except as provided in (d)(iii) of this subsection, and a demonstrable investment in the production of those crops equivalent to one hundred dollars or more per acre in the current or previous calendar year. For the purposes of this subsection (2)(d)(ii), "standing crop" means Christmas trees, vineyards, fruit trees, or other perennial crops that: (A) Are planted using agricultural methods normally used in the commercial production of that particular crop; and (B) typically do not produce harvestable quantities in the initial years after planting; or

(iii) Has a standing crop of short rotation hardwoods with an expectation of harvest within fifteen years and a demonstrable investment in the production of those crops equivalent to one hundred dollars or more per acre in the current or previous calendar year;

(e) Any lands including incidental uses as are compatible with agricultural purposes, including wetlands preservation, provided such incidental use does not exceed twenty percent of the classified land and the land on which appurtenances necessary to the production, preparation, or sale of the agricultural products exist in conjunction with the lands producing such products. Agricultural lands also include any parcel of land of one to five acres, which is not contiguous, but which otherwise constitutes an integral part of farming operations being conducted on land qualifying under this section as "farm and agricultural lands";

(f) The land on which housing for employees and the principal place of residence of the farm operator or owner of land classified pursuant to (a) of this subsection is sited if: The housing or residence is on or contiguous to the classified parcel; and the use of the housing or the residence is integral to the use of the classified land for agricultural purposes;

(g) Any land that is used primarily for equestrian related activities for which a charge is made, including, but not limited to, stabling, training, riding, clinics, schooling, shows, or grazing for feed and that otherwise meet the requirements of (a), (b), or (c) of this subsection; or

(h) Any land primarily used for commercial horticultural purposes, including growing seedlings, trees, shrubs, vines, fruits, vegetables, flowers, herbs, and other plants in containers, whether under a structure or not, subject to the following:

(i) The land is not primarily used for the storage, care, or selling of plants purchased from other growers for retail sale;

(ii) If the land is less than five acres and used primarily to grow plants in containers, such land does not qualify as "farm and agricultural land" if more than twenty-five percent of the land used primarily to grow plants in containers is open to the general public for on-site retail sales;

(iii) If more than twenty percent of the land used for growing plants in containers qualifying under this subsection (2)(h) is covered by pavement, none of the paved area is eligible for classification as "farm and agricultural land" under this subsection (2)(h). The eligibility limitations described in this subsection (2)(h)(iii) do not affect the land's eligibility to qualify under (e) of this subsection; and

(iv) If the land classified under this subsection (2)(h), in addition to any contiguous land classified under this subsection, is less than twenty acres, it must meet the applicable income or investment requirements in (b), (c), or (d) of this subsection.

#### **WAC 458-30-200(d) Definitions**

(d) "Agricultural product" means livestock and plants that are produced for commercial purposes and includes any agricultural, horticultural, or aquacultural produce or crop; the raising of livestock, poultry, bees, or fur-bearing animals; or the production of milk, eggs, wool, fur, meat, honey, or other substances obtained therefrom. When used in relation to livestock or fur-bearing animals used for food or fiber, "raising" means breeding or increasing the value, size, or weight of the animal. Agricultural product does not include marijuana, useable marijuana, or marijuana-infused products as those terms are defined in RCW [69.50.101](#).

#### **RCW 84.34.070 Withdrawal from classification**

(1)(a) When land has once been classified under this chapter, it must remain under such classification and must not be applied to other use except as provided by subsection (2) of this section for at least ten years from the date of classification. It must continue under such classification until and unless withdrawn from classification after notice of request for withdrawal is made by the owner. After the initial ten-year classification period has elapsed, notice of request for withdrawal of all or a portion of the land may be given by the owner to the assessor or assessors of the county or counties in which the land is situated. If a portion of a parcel is removed from classification, the remaining portion must meet the same requirements as did the entire parcel when the land was originally granted classification under this chapter unless the remaining parcel has different income criteria. Within seven days the assessor must transmit one copy of the notice to the legislative body that originally approved the application. The assessor or assessors, as the case may be, must withdraw the land from the classification and the land is subject to the additional tax and applicable interest due under RCW [84.34.108](#). Agreement to tax according to use is not considered to be a contract and can be abrogated at any time by the legislature in which event no additional tax or penalty may be imposed.

(b) If the assessor gives written notice of removal as provided in RCW [84.34.108\(1\)\(d\)\(i\)](#) of all or a portion of land classified under this chapter before the owner gives a notice of request for withdrawal in (a) of this subsection, the provisions of RCW [84.34.108](#) apply.

(2)(a) The following reclassifications are not considered withdrawals or removals and are not subject to additional tax under RCW 84.34.108:

- (i) Reclassification between lands under RCW 84.34.020 (2) and (3);
- (ii) Reclassification of land classified under RCW 84.34.020 (2) or (3) or designated under chapter 84.33 RCW to open space land under RCW 84.34.020(1);
- (iii) Reclassification of land classified under RCW 84.34.020 (2) or (3) to forestland designated under chapter 84.33 RCW; and
- (iv) Reclassification of land classified as open space land under RCW 84.34.020(1)(c) and reclassified to farm and agricultural land under RCW 84.34.020(2) if the land had been previously classified as farm and agricultural land under RCW 84.34.020(2).

(b) Designation as forestland under RCW 84.33.130(1) as a result of a merger adopted under RCW 84.34.400 is not considered a withdrawal or removal and is not subject to additional tax under RCW 84.34.108.

(3) Applications for reclassification are subject to applicable provisions of RCW 84.34.037, 84.34.035, 84.34.041, and chapter 84.33 RCW.

(4) The income criteria for land classified under RCW 84.34.020(2) (b) and (c) may be deferred for land being reclassified from land classified under RCW 84.34.020 (1)(c) or (3), or chapter 84.33 RCW into RCW 84.34.020(2) (b) or (c) for a period of up to five years from the date of reclassification.

#### **RCW 84.34.080 Change in use**

When land which has been classified under this chapter as open space land, farm and agricultural land, or timberland is applied to some other use, except through compliance with RCW **84.34.070**, or except as a result solely from any one of the conditions listed in RCW **84.34.108**(6), the owner shall within sixty days notify the county assessor of such change in use and additional real property tax shall be imposed upon such land in an amount equal to the sum of the following:

- (1) The total amount of the additional tax and applicable interest due under RCW **84.34.108**; plus
- (2) A penalty amounting to twenty percent of the amount determined in subsection (1) of this section.

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AUG 03 2022

CHELAN COUNTY ASSESSOR

OPTION 3: CHANGE OF CLASSIFICATION

Change of Classification
(Chapters 84.33 and 84.34 RCW)

Tax Code:

County: CHELAN

File With County Assessor

Applicant(s) name and address:
MORSE JOHN E
C/O MORSE EDWARD M
5499 SQUILCHUCK RD
WENATCHEE, WA 98801

Assessor's Parcel or Account No: 212008240350

Auditor's File No. on original application:

Phone No:

Land subject to this application (legal description):
T 21N R 20EWM S 08 SENW 15.0700 ACRES

Change of Classification
(Check appropriate box)

The land is currently classified as Farm and Agricultural land under RCW 84.34.020(2) and I hereby request reclassification as:

- Timber land as provided under RCW 84.34.020(3), unless county has merged their timber land classification into their designated forest land program.
Open Space land as provided under RCW 84.34.020(1).
Forest Land classification under Chapter 84.33 RCW.
Farm and Agricultural Conservation land as defined in RCW 84.34.020(8)(a).

The land is currently classified as Farm and Agricultural Conservation land under RCW 84.34.020(8)(a) and I hereby request reclassification to:

- Farm and Agricultural land under RCW 84.34.020(2).

The land is currently classified as Timber land under RCW 84.34.020(3) and I hereby request reclassification as:

- Forest land classification under Chapter 84.33 RCW.
Open Space land as provided under RCW 84.34.020(1).
Farm and Agricultural land as provided under RCW 84.34.020(2).

NOTE: If request to change classification is approved, no additional tax, interest, and penalty will be imposed.

Requests to transfer from Forest Land designation under provisions of Chapter 84.33 RCW to Current Use classification under Chapter 84.34 RCW should be made on REV 64 0038.

Attachment:

REV 62 0021 REV 64 0021 REV 64 0108 REV 64 0111

REV 62 0110 REV 64 0024 REV 64 0109

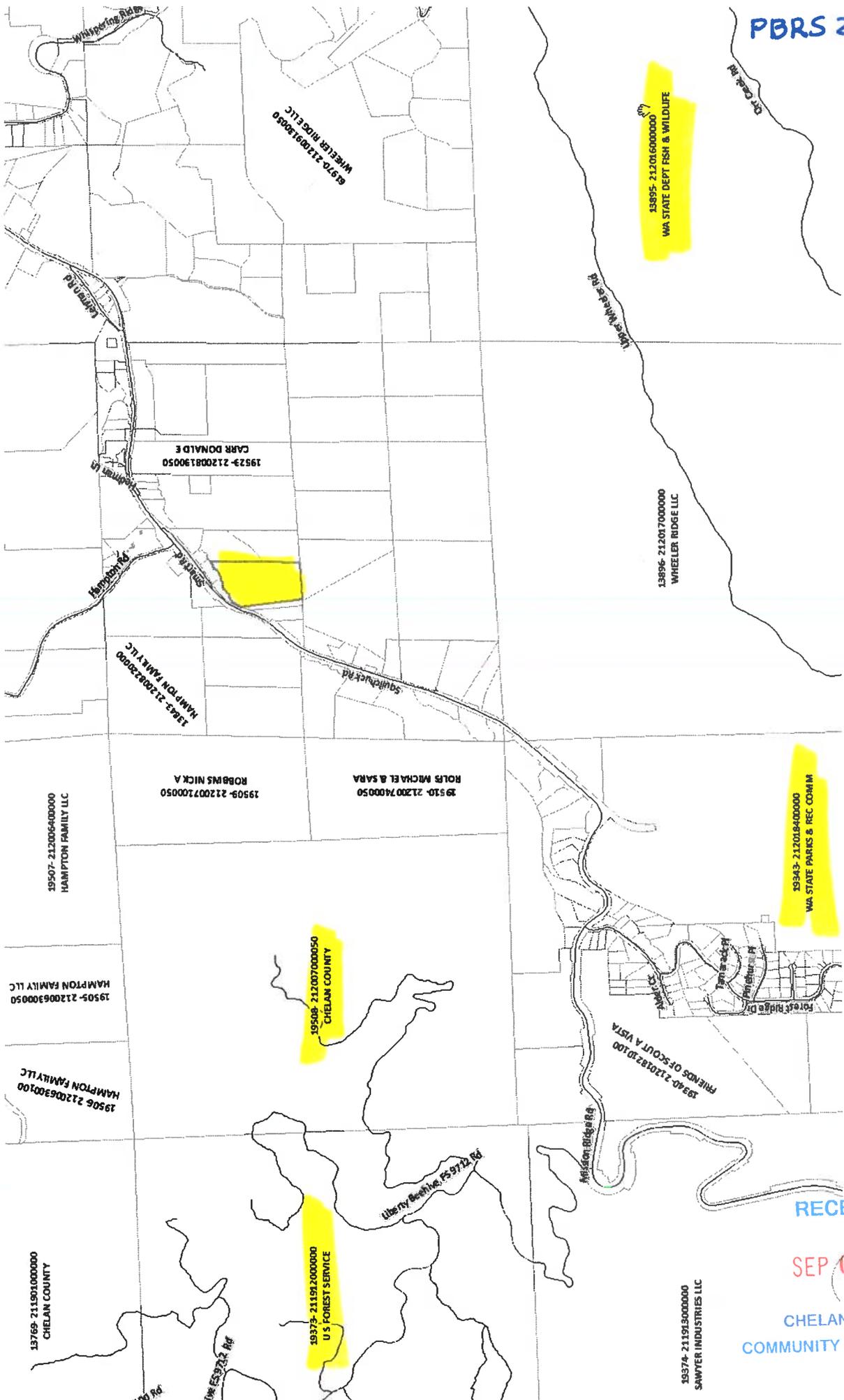
Timber Management Plan

REV 64 0060e (w) (6/5/14)

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2) "Farm and agricultural land" means:

(a) Any parcel of land that is twenty or more acres or multiple parcels of land that are contiguous and total twenty or more acres:

*Not 20 acres*

(i) Devoted primarily to the production of livestock or agricultural commodities for commercial purposes;  
(ii) Enrolled in the federal conservation reserve program or its successor administered by the United States department of agriculture; or

(iii) Other similar commercial activities as may be established by rule;

(b)(i) Any parcel of land that is five acres or more but less than twenty acres devoted primarily to agricultural uses, which has produced a gross income from agricultural uses equivalent to, as of January 1, 1993:

*meets this one*

(A) One hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter for all parcels of land that are classified under this subsection or all parcels of land for which an application for classification under this subsection is made with the granting authority prior to January 1, 1993; and

(B) On or after January 1, 1993, two hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter;

(ii) For the purposes of (b)(i) of this subsection, "gross income from agricultural uses" includes, but is not limited to, the wholesale value of agricultural products donated to nonprofit food banks or feeding programs;

(c) Any parcel of land of less than five acres devoted primarily to agricultural uses which has produced a gross income as of January 1, 1993, of:

(i) One thousand dollars or more per year for three of the five calendar years preceding the date of application for classification under this chapter for all parcels of land that are classified under this subsection or all parcels of land for which an application for classification under this subsection is made with the granting authority prior to January 1, 1993; and

(ii) On or after January 1, 1993, fifteen hundred dollars or more per year for three of the five calendar years preceding the date of application for classification under this chapter. Parcels of land described in (b)(i)(A) and (c)(i) of this subsection will, upon any transfer of the property excluding a transfer to a surviving spouse or surviving state registered domestic partner, be subject to the limits of (b)(i)(B) and (c)(ii) of this subsection;

(d) Any parcel of land that is five acres or more but less than twenty acres devoted primarily to agricultural uses, which meet one of the following criteria:

(i) Has produced a gross income from agricultural uses equivalent to two hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter;

(ii) Has standing crops with an expectation of harvest within seven years, except as provided in (d)(iii) of this subsection, and a demonstrable investment in the production of those crops equivalent to one hundred dollars or more per acre in the current or previous calendar year. For the purposes of this subsection (2)(d)(ii), "standing crop" means Christmas trees, vineyards, fruit trees, or other perennial crops that: (A) Are planted using agricultural methods normally used in the commercial production of that particular crop; and (B) typically do not produce harvestable quantities in the initial years after planting; or

(iii) Has a standing crop of short rotation hardwoods with an expectation of harvest within fifteen years and a demonstrable investment in the production of those crops equivalent to one hundred dollars or more per acre in the current or previous calendar year;

(e) Any lands including incidental uses as are compatible with agricultural purposes, including wetlands preservation, provided such incidental use does not exceed twenty percent of the classified land and the land on which appurtenances necessary to the production, preparation, or sale of the agricultural products exist in conjunction with the lands producing such products. Agricultural lands also include any parcel of land of one to five acres, which is not contiguous, but which otherwise constitutes an integral part of farming operations being conducted on land qualifying under this section as "farm and agricultural lands";

(f) The land on which housing for employees and the principal place of residence of the farm operator or owner of land classified pursuant to (a) of this subsection is sited if: The housing or residence is on or contiguous to the classified parcel; and the use of the housing or the residence is integral to the use of the classified land for agricultural purposes;

(g) Any land that is used primarily for equestrian related activities for which a charge is made, including, but not limited to, stabling, training, riding, clinics, schooling, shows, or grazing for feed and that otherwise meet the requirements of (a), (b), or (c) of this subsection; or

(h) Any land primarily used for commercial horticultural purposes, including growing seedlings, trees, shrubs, vines, fruits, vegetables, flowers, herbs, and other plants in containers, whether under a structure or not, subject to the following:

(i) The land is not primarily used for the storage, care, or selling of plants purchased from other growers for retail sale;

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CHELAN COUNTY  
COMMUNITY DEVELOPMENT

(ii) If the land is less than five acres and used primarily to grow plants in containers, such land does not qualify as "farm and agricultural land" if more than twenty-five percent of the land used primarily to grow plants in containers is open to the general public for on-site retail sales;

(iii) If more than twenty percent of the land used for growing plants in containers qualifying under this subsection (2)(h) is covered by pavement, none of the paved area is eligible for classification as "farm and agricultural land" under this subsection (2)(h). The eligibility limitations described in this subsection (2)(h)(iii) do not affect the land's eligibility to qualify under (e) of this subsection; and

(iv) If the land classified under this subsection (2)(h), in addition to any contiguous land classified under this subsection, is less than twenty acres, it must meet the applicable income or investment requirements in (b), (c), or (d) of this subsection.

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COMMUNITY DEVELOPMENT

WENATCHEE WORLD  
PO BOX 1511  
WENATCHEE WA 98807-1511  
(509)663-5161

ORDER CONFIRMATION

Salesperson: LEGAL

Printed at 03/07/23 10:12 by slaff-wc

Acct #: 545939

Ad #: 612822

Status: New

CHELAN CO DEPT OF COMMUNITY DEVELOPMEN  
316 WASHINGTON ST. #301  
WENATCHEE WA 98801

Start: 03/09/2023 Stop: 03/09/2023  
Times Ord: 1 Times Run: \*\*\*  
WSTD 2.00 X 1.80 Words: 149  
Total WSTD 3.60  
Class: W8500 LEGAL ADVERTISING  
Rate: LEGAL Cost: 57.46  
# Affidavits: 1

Contact:

Phone: (509)667-6225  
Fax#: (509)667-6475  
Email: lisa.ogle@co.chelan.wa.us  
Agency:

Ad Descrpt: NOTICE OF PUBLIC HEARING  
Given by: \*  
P.O. #:  
Created: slaff 03/07/23 10:05  
Last Changed: slaff 03/07/23 10:11

PUB ZONE EDT TP RUN DATES  
WW A 3 S 03/09  
WVO A 3 S 03/09

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

Name (signature)

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Chelan County Planning Commission will conduct a regular hearing on March 22, 2023 at the Board of County Commissioners Conference Room No. 1, at 400 Douglas Street, Wenatchee, WA 98801, to consider and make decision on the following request(s):

**PBRs 22-539** An application requesting approval of an 'open space' classification for 7.0 acres of the 15.07-acre parcel of land to the Public Benefit Rating System. The application was submitted on September 8, 2022.

File materials may be viewed at the address listed below. Pertinent testimony, written comments and/or exhibits may be presented to the Hearings Examiner at the public hearing or may be submitted in writing no later than 5:00 PM on [the day before], 2022, in care of the Chelan County Community Development, 316 Washington Street, Suite# 301, Wenatchee, WA 98801, Phone (509) 667-6225 or Fax (509) 667-6475.

**WENATCHEE WORLD**  
 PO BOX 1511  
 WENATCHEE WA 98807-1511  
 (509) 663-5161

1] Memo Bill Period 03/2023		2] Advertiser/Client Name CHELAN CO DEPT OF COMMUNITY DE	
23] Total Amount Due 57.46		*Unapplied Amount	3] Terms of Payment
21] Current Net Amount Due .00	22] 30 Days .00	60 Days .00	Over 90 Days .00
4] Page Number 1	5] Memo Bill Date 03/07/23	6] Billed Account Number 545939	7] Advertiser/Client Number LEGAL. 545939

Advertising Memo Bill

8] Billed Account Name and Address CHELAN CO DEPT OF COMMUNITY DEVELOPMENT (C 316 WASHINGTON ST. #301 WENATCHEE WA 98801		Amount Paid: <hr/> Comments:  Ad #: 612822
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Please Return Upper Portion With Payment

10] Date	11] Newspaper Reference	12]13]14] Description-Other Comments/Charges	15] SAU Size	17] Times Run	19] Gross Amount	20] Net Amount
			16] Billed Units	18] Rate		
03/09/23	612822 LEGAL	NOTICE OF PUBLIC HEARI 03/09 WW WWO	2X 1.80 3.60	1 15.96	57.46	57.46

**Statement of Account - Aging of Past Due Amounts**

21] Current Net Amount Due 0.00	22] 30 Days 0.00	60 Days 0.00	Over 90 Days 0.00	*Unapplied Amount	23] Total Amount Due 57.46
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**WENATCHEE WORLD**  
 (509) 663-5161

\* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

24] Invoice 612822	25] Billing Period 03/2023	Advertiser Information			
	6] Billed Account Number 545939	7] Advertiser/Client Number 545939	2] Advertiser/Client Name CHELAN CO DEPT OF COMMU		

# ATTENTION: LEGAL ADS

## NOTICE OF PUBLIC HEARING

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**(Please publish once on March 09, 2023. Send bill and affidavit of publication to Chelan County Department of Community Development., 316 Washington St., Suite 301, Wenatchee, WA 98801).**



**CHELAN COUNTY**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**

**STAFF REPORT**

**JOSEPH AND TERRY SCHODER**

**TO:** Planning Commission  
**FROM:** Chelan County Community Development  
**HEARING DATE:** March 22, 2023 with the Planning Commission  
**FILE NUMBER:** Public Benefit Rating System, PBRS 2022-356  
**PROPOSAL:** An application requesting approval of an ‘open space’ classification for 8.4 acres of the 16.07-acre parcel of land to the Public Benefit Rating System. The application was submitted on September 2, 2022.

**GENERAL INFORMATION:**

<b>Property location:</b>	2980 Conarty Rd, Malaga, WA
<b>Applicant:</b>	Joseph and Terry Schoder 2980 Conarty Rd Malaga, WA 98828
<b>Assessor Parcel Number:</b>	22-21-29-130-160 <b>16.07 acres</b>
<b>Total acreage involved:</b>	8.4 Acres
<b>Comprehensive Plan designation &amp; Zoning district:</b>	Rural Resource/Residential 20 (RR-20)
<b>Existing land uses:</b>	All the subject properties are currently vacant.
<b>SEPA:</b>	Exempt pursuant to WAC 197-11-80014(k)

**Chelan County Code Chapter 14.22.060 Open Space Timber and Open Space Public Benefit:**

The applicant is seeking the following Open Space classifications:

**High Priority Resources: 5 Points Each**

**Significant Wildlife Habitat Area:** *pursuant to CCC 14.22.060(3)(A)(viii), an area which is characterized by the presence of important habitats and species or other animals in such frequency and diversity for critical ecological processes occurring, such as breeding, nesting, nesting, nursery, feeding, migration and resting....sites located adjacent to natural area preserves (NAP) as identified by the Washington State Department of Natural Resources, including Upper Dry Gulch NAP, Entiat Slopes NAP, Larkspur Meadows NAP, and future natural area preserves.*

**Finding:** The subject properties contain Mule Deer winter range, identified within the report performed by Grette Associated LLC. Based on the Washington State Department of Fish and Wildlife Priority Habitats and Species list the properties contain Shrub-steppe, Wolverine and Northern Spotted Owl; therefore, this classification does apply.

**Bonus Categories:**

**Contiguous parcels under separate ownership: 2 points** *pursuant to CCC 14.22.060(4)(C)(iii), contiguous parcels of land with the same open space resources, regardless of whether under the same ownership or not, are eligible for treatment as a single parcel if open space classification is sought under the same application.*

**Finding:** The subject properties are under the same ownership and application; therefore, this classification does apply.

**Conclusion:** Staff finds the following are consistent with Chelan County Code:

- Significant Wildlife Habitat Area=5 points
- Contiguous Parcels Under Separate Ownership= 2 points

In total the applicant has requested 7 points; staff finds the application and properties are consistent with the criteria for 7 points for a reduction of 50% in the fair market value for 181.61 acres.

**CONDITIONS OF APPROVAL:**

1. Pursuant to RCW 84.34, the applicant shall sign the “Open Space Taxation Agreement” and return to the Chelan County Assessor’s office.

**ATTACHMENT**

- A. File of Record



**CHELAN COUNTY**  
 DEPARTMENT OF COMMUNITY DEVELOPMENT  
 316 WASHINGTON STREET, SUITE 301, WENATCHEE, WA 98801  
 TELEPHONE: (509) 667-6225 FAX: (509) 667-6475

**PUBLIC BENEFIT RATING SYSTEM**

This packet is designed to assist you in preparing your application for a Public Benefit Rating (Open Space). The following information is required at the time of submittal. The applicant is required to review and submit documentation showing compliance with all Chelan County Code, including but not limited to Title 4, Title 11, Title 12, Title 14, and Title 15. Additional information may be required. **An incomplete application will not be processed.**

The following information is required at the time of submittal:

- Department of Revenue Application
- Complete the following Cannabis Disclosure Section, Site Plan Checklist Section and Acknowledgement Section

Parcel Number (APN): 222129130160 Lot Size: 16.0700 (Acres)  
 Parcel Address: 2980 Conarty Rd City/Zip Code: Malaga 98828  
 Property Owner(s): Joseph & Terry J Schoder Zoning: AO/RV

**CHAPTER 14.22 OPEN SPACE PUBLIC BENEFIT**

Indicate, using the following chart, each type of "open space benefit" you are requesting. NOTE: For each type of "open space benefit" the applicant is required to provide support documentation, pursuant to CCC14.22.060.

**High Priority Resources: 5 Points Each**  
 (7 categories maximum from High and Medium Priority Resource)

- Archaeological Sites
- Farm and Agricultural Conservation Land
- Fish-Rearing Habitat: Ponds and Streams I
- Shoreline Environments
- Historical Sites
- Private Recreation Areas
- Rural Open Space Close to Urban Growth Area
- Significant Wildlife Habitat Area
- Special Plants Sites
- Urban Growth Area Open Space
- Trail Linkage
- Aquifer Protection Area
- Surface Water Quality Buffer Area I

**Bonus Categories**

- Resource Enhancement/Restoration: **5 Points**
- Surface Water Quality Buffer Area II: **3 or 5 Points**
- Contiguous Parcels Under Separate Ownership: **2 points**
- Conservation/Historic Easement: **8 Points**

**Public Access**

- Unlimited Access: **8 Points**
- Limited Access (due to resource sensitivity): **6 Points**
- Limited Access (seasonal and/or special arrangements): **4 Points**
- No Public Access: **0 Points**

**Subtotal points from Bonus and Public Access**

**Medium Priority Resources: 3 Points Each**

- Public Lands Buffer
- Fish-Rearing Habitat: Ponds and Streams II
- Scenic Vista or Resources
- Geological Features
- Fee Recreation and Public Access Parking

**Subtotal points from High and Medium Priority Resources**

**Super Bonus Category**

Does the site meet the three criteria?  
 Check box if "Yes" to all (100% Reduction)

- Yes/No** One high priority resource
- Yes/No** Public access
- Yes/No** Conservation easement

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CHELAN COUNTY  
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5	<b>Grand Total (Add subtotals)</b>
50%	<b>Reduction from Valuation Schedule</b>

**CANNABIS DISCLOSURE SECTION**

**SUB-SECTION I: Circle**

I AFFIRM there **IS NOT** or **IS** (circle one) an existing or pending Liquor and Cannabis Board (LCB) license or approval for cannabis production, processing, or retail located on the property that is the subject of the requested development permit or approval.

If you circled "IS NOT" above, proceed to Sub-Section III of this form.

If you circled "IS" above, proceed to Sub-Section II of this form.

**SUB-SECTION II: You must read the below statements, initial on the space provided, and then proceed to Sub-Section III.**

\_\_\_\_\_ I ACKNOWLEDGE AND UNDERSTAND that all cannabis-related activities, development, uses and construction must comply with Chelan County regulations, including but not limited to Chelan County Code Section 11.100.

\_\_\_\_\_ I ACKNOWLEDGE AND UNDERSTAND that only those cannabis-related uses authorized pursuant to Chelan County Code Section 11.100 are permitted within Chelan County. All other commercial and noncommercial licensed or registered cannabis uses, including but not limited to cannabis research facilities and medical cannabis cooperatives, are prohibited within all zones of Chelan County.

\_\_\_\_\_ I ACKNOWLEDGE AND UNDERSTAND that pursuant to Chelan County Code Section 11.100 a conditional use permit is required to engage in the production or processing of cannabis within Chelan County, and that all cannabis producers and processors must register annually with Chelan County and pay the appropriate registration fee.

\_\_\_\_\_ I ACKNOWLEDGE AND UNDERSTAND that it is the responsibility of the property owner to submit for and obtain all necessary development permits and approvals prior to engaging in cannabis-related activities, development, uses or construction, including but not limited to conditional use permits for the production or processing of cannabis, building permits, change of use/occupancy permits, shoreline permits, variances, and mechanical permits.

**SUB-SECTION III: Please select one of the following:**

I certify with the signature below that the building or land use permit requested **IS NOT** related to or in any way supportive of existing or planned cannabis-related activities, development, uses or construction on the property. I further certify that any authorized activities, development, uses or construction **WILL NOT** be utilized to support or expand cannabis-related activities, development, uses or construction.

I certify with the signature below that the building or land use permit requested **IS** related to or in support of existing or planned cannabis-related activities, development, uses or construction on the property. I certify that any authorized activities, development, uses or construction will be in strict compliance with LCB licensure requirements and all applicable laws and regulations including but not limited to Chelan County Code, Chapter 69.50 RCW (Uniform Controlled Substances Act), Chapter 69.51A (Medical Cannabis), Chapter 19.27 RCW and WAC Title 51 (State Building Code), Chapter 58.17 RCW (Plats-Subdivisions-Dedications), Chapter 90.58 RCW (Shoreline Management Act), Chapter 314.55 WAC, and the Chelan County Shoreline Master Program.

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COMMUNITY DEVELOPMENT

**SITE PLAN CHECKLIST SECTION**

- Two copies of site plan are required. Must be drawn to standard engineering/architect's scale, such as 1"=100'. Indicate the scale used. Must include North arrow, and be drawn on grid paper or engineering plan format. For large parcels, applicant may submit a two-page site plan, the first page depicting the entire lot at a convenient scale and the second page depicting an enlargement of the developed area at a larger scale.
- Label all property lines/boundaries, dimensions, and area of lot/parcel (square feet or acreage).
- Label the location, size, and use of all existing building(s). Identify the distance between property lines and buildings. Label structures with previous building permit number(s) issued if applicable.
- Label the location, size, and use of all proposed structure(s) (temporary or permanent) to include dimensions of all decks, porches, cantilevers, bay windows, roof overhangs, retaining walls, patios, chimneys, landings and stairs.
- Identify the location, dimensions and volume of all existing and proposed propane tanks, fuel tanks, etc., both above ground and underground, as well as setback from property lines.
- Identify land features such as top and bottom of slopes, direction of slope and any areas of erosion.
- Identify and label all water features to include, ponds, springs, ravines, streams, creeks, lakes, rivers, irrigation laterals, canals, ditches, wetlands, bogs, areas of saturated ground, flood plain, floodway. Identify the closest distance between the ordinary high water mark and proposed/existing structures.
- Label the name and width of roads bordering the property and indicate whether they are public or private.
- Locate the width of existing and proposed driveways/accesses serving each structure. Include stormwater control facilities such as drains, detention ponds, connection lines, catch basins, etc.
- Label all existing and proposed parking spaces/areas. Parking in residential districts is typically not allowed in the front yard setback area. All parking shall have durable and dustless surfaces suited to all weather use, unless required otherwise. If applicable, show handicapped parking and accessible routes to the structure and within the site to other structures and features.
- Identify and label all easements and widths, deed restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property, including but not limited to access, utilities, railroads, irrigation and overhead power. Include the Auditor's file number(s). *Before Any Development Occurs, Please Call 1-509-661-8400 To Locate Any PUD Easements!*
- Show the location of all existing and proposed overhead and underground utilities including, but not limited to water, sewer, gas, and electrical.
- Identify location of water lines, well and sanitary control radius. Note: A sanitary control radius around an off-site well may impact your project if it overlaps onto your parcel.
- Identify location of all well(s), septic/pump tank, drain field, reserve area and tight line involving the proposed structure(s). Show the distance from proposed structure(s) to septic tank, drain field, drinking water well source(s), and any water body, wetland area and/or flood plain to ensure they meet the required horizontal setbacks from each other and property lines. See Chelan Douglas Health District Horizontal Setback Table for details. If applicable, the approved Health District and County site plan must be identical.
- If drinking water wells, septic tank/drain field is off site, show the location of these systems on the adjacent property or properties and provide a copy of the easement agreement(s).
- If applicable, identify existing and proposed landscaping, screening and/or fencing. (Show type of landscaping, size, spacing, and provisions for irrigation).
- If applicable, include outdoor lighting and signage. Label each as existing or proposed.

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**ACKNOWLEDGEMENT SECTION**

If the Applicant is not the owner of the property, this application and acknowledgment shall also be executed (signed) by each property owner.

**By submitting this application, I acknowledge and certify the following:**

Initials

(Owner and, if applicable, Applicant)

JLS TJS

1. All applications will be reviewed for completeness and processed according to Chelan County Code Title 14. Each application may be denied if not consistent with all Chelan County Codes, adopted regulations, Comprehensive Plan and related plans or studies.

JLS TJS

2. This application does not constitute approval of the proposed development and Chelan County does not make any guarantee, either express or implied, that this application will be approved.

JLS TJS

3. False statements, errors and/or omissions in this application or information provided with or in regard to this application may be sufficient cause for denial of the request.

JLS TJS

4. Additional permit applications and approvals may be necessary to conduct specific activities.

JLS TJS

5. Application fees are non-refundable, except when approved by the Board.

JLS TJS

6. In the event of any legal proceeding to challenge this application, any environmental determination or any other aspect of the proposed development, the applicant/owner(s) shall be solely responsible to defend such challenge and pay all court costs and attorney's fees necessary for such defense.

JLS TJS

7. Chelan County is hereby given consent to enter the property(ies) listed above.

JLS TJS

8. I certify that I am the property owner, or authorized agent of the property owner, and I have familiarized myself with the rules and regulations of Chelan County with respect to making this application.

JLS TJS

9. I certify that I possess full legal authority and rights necessary to exercise control over the subject property.

JLS TJS

10. I certify that this application has been made with the consent of the lawful property owner(s).

JLS TJS

11. I certify that all Easements, Deed Restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property have been accurately disclosed and are shown on the site plan submitted with this application.

JLS TJS

12. This application shall be subject to all additions to and changes in the laws, regulations and ordinances applicable to the proposed development until a determination of completeness has been made pursuant to Section 14.08.030.

I certify (or declare) under penalty of perjury and under the laws of the State of Washington that the foregoing and all information submitted with this application is true, correct and complete to the best of my knowledge.

Owner Signature: Joseph L Schooler Place: Wenatchee Date: 9.2.22

Print Name: Joseph L Schooler

Owner/Applicant/Agent Signature: Terry Schooler Place: Wenatchee Date: 9.2.22

Print Name: Terry Schooler

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AUG 08 2022

OPTION 3: CHANGE OF CLASSIFICATION

CHELAN COUNTY ASSESSOR

Change of Classification (Chapters 84.33 and 84.34 RCW)

Tax Code:

County: CHELAN

Assessor's Parcel or Account No: 222129130160

Auditor's File No. on original application:

Phone No:

File With County Assessor

Applicant(s) name and address: SCHOOLER JOSEPH L & TERRY J 2980 CONARTY RD MALAGA, WA 98828

Land subject to this application (legal description):

T 22N R 21EWM S 29 SWNE E 300' OF N 300' LOT A BLA 2020-097 L2 SS #3164 16.0700 ACRES

Change of Classification

(Check appropriate box)

The land is currently classified as Farm and Agricultural land under RCW 84.34.020(2) and I hereby request reclassification as:

- Timber land as provided under RCW 84.34.020(3)...
Open Space land as provided under RCW 84.34.020(1)...
Forest Land classification under Chapter 84.33 RCW...
Farm and Agricultural Conservation land as defined in RCW 84.34.020(8)(a)...

The land is currently classified as Farm and Agricultural Conservation land under RCW 84.34.020(8)(a) and I hereby request reclassification to:

- Farm and Agricultural land under RCW 84.34.020(2). (Attach completed form REV 64 0024 or 64 0108)

The land is currently classified as Timber land under RCW 84.34.020(3) and I hereby request reclassification as:

- Forest land classification under Chapter 84.33 RCW...
Open Space land as provided under RCW 84.34.020(1)...
Farm and Agricultural land as provided under RCW 84.34.020(2)...

NOTE: If request to change classification is approved, no additional tax, interest, and penalty will be imposed.

Requests to transfer from Forest Land designation under provisions of Chapter 84.33 RCW to Current Use classification under Chapter 84.34 RCW should be made on REV 64 0038.

Attachment:

REV 62 0021 REV 64 0021 REV 64 0108 REV 64 0111

REV 62 0110 REV 64 0024 REV 64 0109

Timber Management Plan

REV 64 0060e (w) (6/5/14)

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CHELAN COUNTY COMMUNITY DEVELOPMENT

58759-222129130030  
GONZALES BERNIE

58758-222129130020  
STORRS THOMAS/KATHERI

58757-222129130010  
RAGAN SONJA

58826-222129830165  
LENSEN CONSTRUCTION LLC

Top of slope ↑  
16.0700 acres  
2980 Conarty Rd  
Malaga

Eagle View Dr

58761-222129130150  
RUTH JACK D

58776-222129300000  
THREE LAKES PUBLIC GOLF CLUB

58762-222129130160  
SCHOOLER JOSEPH L & TERRY J

58777-222129310050  
BEDOLLA HUMBERTO ETAL

Conarty Rd

Vera Cruz

Riviera Blvd

Lake Cortez Ln

Kona St

Monterey Dr

SEP 11 2027



58759-222129130030  
GONZALES BERNIE

58758-222129130020  
STORRS THOMAS/KATHERI

58757-222129130010  
RAGAN SONJA

58826-222129830165  
LENSEN CONSTRUCTION LLC

Top of slope ↑  
16.0700 acres  
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BEDOLLA HUMBERTO ETAL

Conarty Rd

Vera Cruz

Riviera Blvd

Lake Cortez Ln

Kona St

Monterey Dr

SEP 02 2022



WENATCHEE WORLD
PO BOX 1511
WENATCHEE WA 98807-1511
(509)663-5161

ORDER CONFIRMATION

Salesperson: LEGAL

Printed at 03/01/23 08:57 by esmit-wc

Acct #: 545939

Ad #: 611231

Status: New WHOLD

CHELAN CO DEPT OF COMMUNITY DEVELOPMEN
316 WASHINGTON ST. #301
WENATCHEE WA 98801

Start: 03/04/2023 Stop: 03/04/2023

Times Ord: 1 Times Run: \*\*\*

WSTD 2.00 X 2.69 Words: 208

Total WSTD 5.38

Class: W8500 LEGAL ADVERTISING

Rate: LEGAL Cost: 87.59

# Affidavits: 1

Ad Descrpt: NOTICE OF PUBLIC HEARING

Descr Cont: PBRS 2022-328 -MARCH 22

Given by: \*

P.O. #:

Created: esmit 03/01/23 08:52

Last Changed: esmit 03/01/23 08:57

Contact:

Phone: (509)667-6225

Fax#: (509)667-6475

Email: lisa.ogle@co.chelan.wa.us

Agency:

Table with columns: PUB, ZONE, EDT, TP, START, INS, STOP, SMTWTFS. Rows include WW A 3 W Sat 03/04/23 1 Sat 03/04/23 TWT S and WWO A 3 W Sat 03/04/23 1 Sat 03/04/23 SMTWTFS.

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

Name (signature)

NOTICE OF PUBLIC HEARING

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PBRS 2022-328 Atam An application requesting approval of an 'open space' classification for 181.61 acres of land to the Public Benefit Rating System. The application was submitted on August 9, 2022.

PBRS 22-356 Schoder An application requesting approval of an 'open space' classification for 8.4 acres of the 16.07-acre parcel of land to the Public Benefit Rating System. The application was submitted on September 2, 2022.

File materials may be viewed at the address listed below. Pertinent testimony, written comments and/or exhibits may be presented to the Hearings Examiner at the public hearing or may be submitted in writing no later than 5:00 PM on March 21, 2023, in care of the Chelan County Community Development, 316 Washington Street, Suite# 301, Wenatchee, WA 98801, Phone (509) 667-6225 or Fax (509) 667-6475.

(Please publish once on March 04, 2023. Send bill and affidavit of publication to Chelan County Department of Community Development., 316 Washington St., Suite 301, Wenatchee, WA 98801).

**WENATCHEE WORLD**  
 PO BOX 1511  
 WENATCHEE WA 98807-1511  
 (509) 663-5161

1) Memo Bill Period 02/2023		2) Advertiser/Client Name CHELAN CO DEPT OF COMMUNITY DE	
23) Total Amount Due 87.59		*Unapplied Amount	3) Terms of Payment
21) Current Net Amount Due .00	22) 30 Days .00	60 Days .00	Over 90 Days .00
4) Page Number 1	5) Memo Bill Date 03/01/23	6) Billed Account Number 545939	7) Advertiser/Client Number LEGAL. 545939

Advertising Memo Bill

8) Billed Account Name and Address CHELAN CO DEPT OF COMMUNITY DEVELOPMENT (C 316 WASHINGTON ST. #301 WENATCHEE WA 98801		Amount Paid: <hr/> Comments:  Ad #: 611231
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Please Return Upper Portion With Payment

10) Date	11) Newspaper Reference	12)13)14) Description-Other Comments/Charges	15) SAU Size	16) Billed Units	17) Times Run	18) Rate	19) Gross Amount	20) Net Amount
03/04/23	611231 LEGAL	NOTICE OF PUBLIC HEARI PBRS 2022-328 -MARCH 2 03/04 WW WWO	2X 2.69	5.38	1	16.28	87.59	87.59

**Statement of Account - Aging of Past Due Amounts**

21) Current Net Amount Due 0.00	22) 30 Days 0.00	60 Days 0.00	Over 90 Days 0.00	*Unapplied Amount	23) Total Amount Due 87.59
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**WENATCHEE WORLD**  
 (509) 663-5161

\* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

24) Invoice 611231		25) Billing Period 02/2023		Advertiser Information	
6) Billed Account Number 545939	7) Advertiser/Client Number 545939	2) Advertiser/Client Name CHELAN CO DEPT OF COMMU			

# ATTENTION: LEGAL ADS

## NOTICE OF PUBLIC HEARING

Notice is hereby given that the Chelan County Planning Commission will conduct a regular hearing on March 22, 2023 at the Board of County Commissioners Conference Room No. 1, at 400 Douglas Street, Wenatchee, WA 98801, to consider and make decision on the following request(s):

PBRS 2022-328 Atam An application requesting approval of an 'open space' classification for 181.61 acres of land to the Public Benefit Rating System. The application was submitted on August 9, 2022.

PBRS 22-356 Schoder An application requesting approval of an 'open space' classification for 8.4 acres of the 16.07-acre parcel of land to the Public Benefit Rating System. The application was submitted on September 2, 2022.

File materials may be viewed at the address listed below. Pertinent testimony, written comments and/or exhibits may be presented to the Hearings Examiner at the public hearing or may be submitted in writing no later than 5:00 PM on March 21, 2023, in care of the Chelan County Community Development, 316 Washington Street, Suite# 301, Wenatchee, WA 98801, Phone (509) 667-6225 or Fax (509) 667-6475.

**(Please publish once on March 04, 2023. Send bill and affidavit of publication to Chelan County Department of Community Development., 316 Washington St., Suite 301, Wenatchee, WA 98801).**



**CHELAN COUNTY**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**

**STAFF REPORT**

**DENIS & IRMINGARD ATAM**

**TO:** Planning Commission  
**FROM:** Chelan County Community Development  
**HEARING DATE:** March 22, 2023 with the Planning Commission  
**FILE NUMBER:** Public Benefit Rating System, PBRS 2022-328  
**PROPOSAL:** An application requesting approval of an 'open space' classification for 181.61 acres of land to the Public Benefit Rating System. The application was submitted on August 9, 2022.

**GENERAL INFORMATION:**

<b>Property location:</b>	NNA, Manson, WA
<b>Applicant:</b>	Denis & Irmgard Atam 457 High Blossom Ln Manson, WA 98831
<b>Assessor Parcel Number:</b>	28-21-13-320-050 <b>20 acres</b> 28-21-13-300-050 <b>41.61 acres</b> 28-21-13-230-100 <b>20 acres</b> 28-21-13-240-100 <b>20 acres</b> 28-21-13-230-050 <b>20 acres</b> 28-21-13-240-050 <b>20 acres</b> 28-21-13-220-100 <b>20 acres</b> 28-21-13-210-050 <b>20 acres</b>
<b>Total acreage involved:</b>	181.61 Acres
<b>Comprehensive Plan designation &amp; Zoning district:</b>	Rural Resource/Residential 20 (RR-20)
<b>Existing land uses:</b>	All the subject properties are currently vacant.
<b>SEPA:</b>	Exempt pursuant to WAC 197-11-80014(k)

**Chelan County Code Chapter 14.22.060 Open Space Timber and Open Space Public Benefit:**

The applicant is seeking the following Open Space classifications:

**High Priority Resources: 5 Points Each**

**Significant Wildlife Habitat Area:** *pursuant to CCC 14.22.060(3)(A)(viii), an area which is characterized by the presence of important habitats and species or other animals in such frequency and diversity for critical ecological processes occurring, such as breeding, nesting, nesting, nursery, feeding, migration and resting....sites located adjacent to natural area preserves (NAP) as identified by the Washington State Department of Natural Resources, including Upper Dry Gulch NAP, Entiat Slopes NAP, Larkspur Meadows NAP, and future natural area preserves.*

**Finding:** The subject properties contain Mule Deer winter range, identified within the report performed by Grette Associated LLC. Based on the Washington State Department of Fish and Wildlife Priority Habitats and Species list the properties contain Shrub-steppe, Wolverine and Northern Spotted Owl; therefore, this classification does apply.

**Bonus Categories:**

**Contiguous parcels under separate ownership: 2 points** *pursuant to CCC 14.22.060(4)(C)(iii), contiguous parcels of land with the same open space resources, regardless of whether under the same ownership or not, are eligible for treatment as a single parcel if open space classification is sought under the same application.*

**Finding:** The subject properties are under the same ownership and application; therefore, this classification does apply.

**Conclusion:** Staff finds the following are consistent with Chelan County Code:

- Significant Wildlife Habitat Area=5 points
- Contiguous Parcels Under Separate Ownership= 2 points

In total the applicant has requested 7 points; staff finds the application and properties are consistent with the criteria for 7 points for a reduction of 50% in the fair market value for 181.61 acres.

**CONDITIONS OF APPROVAL:**

1. Pursuant to RCW 84.34, the applicant shall sign the "Open Space Taxation Agreement" and return to the Chelan County Assessor's office.

**ATTACHMENT**

- A. File of Record



**CHELAN COUNTY**  
 DEPARTMENT OF COMMUNITY DEVELOPMENT  
 316 WASHINGTON STREET, SUITE 301, WENATCHEE, WA 98801  
 TELEPHONE: (509) 667-6225 FAX: (509) 667-6475

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**PUBLIC BENEFIT RATING SYSTEM**

This packet is designed to assist you in preparing your application for a Public Benefit Rating (Open Space). The following information is required at the time of submittal. The applicant is required to review and submit documentation showing compliance with all Chelan County Code, including but not limited to Title 4, Title 11, Title 12, Title 14, and Title 15. Additional information may be required. **An incomplete application will not be processed.**

The following information is required at the time of submittal:

- Department of Revenue Application
  - Complete the following Cannabis Disclosure Section, Site Plan Checklist Section and Acknowledgement Section
- Parcel Number (APN): see cover letter Lot Size: total 221.61 (Acres)  
 Parcel Address: see cover letter City/Zip Code: Manson, 98831  
 Property Owner(s): Denis & Irmingard Alam Zoning: RR 20

**CHAPTER 14.22-OPEN SPACE PUBLIC BENEFIT**

Indicate, using the following chart, each type of "open space benefit" you are requesting. NOTE: For each type of "open space benefit" the applicant is required to provide support documentation, pursuant to CCC14.22.060.

**High Priority Resources: 5 Points Each**  
 (7 categories maximum from High and Medium Priority Resource)

<input type="checkbox"/>	Archaeological Sites
<input type="checkbox"/>	Farm and Agricultural Conservation Land
<input type="checkbox"/>	Fish-Rearing Habitat: Ponds and Streams I
<input type="checkbox"/>	Shoreline Environments
<input type="checkbox"/>	Historical Sites
<input type="checkbox"/>	Private Recreation Areas
<input checked="" type="checkbox"/>	Rural Open Space Close to Urban Growth Area
<input checked="" type="checkbox"/>	Significant Wildlife Habitat Area
<input type="checkbox"/>	Special Plants Sites
<input type="checkbox"/>	Urban Growth Area Open Space
<input type="checkbox"/>	Trail Linkage
<input type="checkbox"/>	Aquifer Protection Area
<input type="checkbox"/>	Surface Water Quality Buffer Area I

**Medium Priority Resources: 3 Points Each**

<input type="checkbox"/>	Public Lands Buffer
<input type="checkbox"/>	Fish-Rearing Habitat: Ponds and Streams II
<input type="checkbox"/>	Scenic Vista or Resources
<input type="checkbox"/>	Geological Features
<input type="checkbox"/>	Fee Recreation and Public Access Parking

**Subtotal points from High and Medium Priority Resources**

**Bonus Categories**

<input type="checkbox"/>	Resource Enhancement/Restoration: 5 Points
<input type="checkbox"/>	Surface Water Quality Buffer Area II: 3 or 5 Points
<input checked="" type="checkbox"/>	Contiguous Parcels Under Separate Ownership: 2 points
<input type="checkbox"/>	Conservation/Historic Easement: 8 Points

**Public Access**

<input type="checkbox"/>	Unlimited Access: 8 Points
<input type="checkbox"/>	Limited Access (due to resource sensitivity): 6 Points
<input type="checkbox"/>	Limited Access (seasonal and/or special arrangements): 4 Points
<input type="checkbox"/>	No Public Access: 0 Points

**Subtotal points from Bonus and Public Access**

**Super Bonus Category**

Does the site meet the three criteria?  
 Check box if "Yes" to all (100% Reduction)

<input type="checkbox"/>	Yes/No	One high priority resource
<input type="checkbox"/>	Yes/No	Public access
<input type="checkbox"/>	Yes/No	Conservation easement

<input checked="" type="checkbox"/>	<b>Grand Total (Add subtotals)</b>
<input checked="" type="checkbox"/>	<b>Reduction from Valuation Schedule</b>

**CANNABIS DISCLOSURE SECTION****SUB-SECTION I: Circle**

I AFFIRM there IS NOT or **IS** (circle one) an existing or pending Liquor and Cannabis Board (LCB) license or approval for cannabis production, processing, or retail located on the property that is the subject of the requested development permit or approval.

If you circled "**IS NOT**" above, proceed to Sub-Section III of this form.

If you circled "**IS**" above, proceed to Sub-Section II of this form.

**SUB-SECTION II:** You must read the below statements, initial on the space provided, and then proceed to Sub-Section III.

\_\_\_\_\_ I ACKNOWLEDGE AND UNDERSTAND that all cannabis-related activities, development, uses and construction must comply with Chelan County regulations, including but not limited to Chelan County Code Section 11.100.

\_\_\_\_\_ I ACKNOWLEDGE AND UNDERSTAND that only those cannabis-related uses authorized pursuant to Chelan County Code Section 11.100 are permitted within Chelan County. All other commercial and noncommercial licensed or registered cannabis uses, including but not limited to cannabis research facilities and medical cannabis cooperatives, are prohibited within all zones of Chelan County.

\_\_\_\_\_ I ACKNOWLEDGE AND UNDERSTAND that pursuant to Chelan County Code Section 11.100 a conditional use permit is required to engage in the production or processing of cannabis within Chelan County, and that all cannabis producers and processors must register annually with Chelan County and pay the appropriate registration fee.

\_\_\_\_\_ I ACKNOWLEDGE AND UNDERSTAND that it is the responsibility of the property owner to submit for and obtain all necessary development permits and approvals prior to engaging in cannabis-related activities, development, uses or construction, including but not limited to conditional use permits for the production or processing of cannabis, building permits, change of use/occupancy permits, shoreline permits, variances, and mechanical permits.

**SUB-SECTION III:** Please select one of the following:

I certify with the signature below that the building or land use permit requested **IS NOT** related to or in any way supportive of existing or planned cannabis-related activities, development, uses or construction on the property. I further certify that any authorized activities, development, uses or construction **WILL NOT** be utilized to support or expand cannabis-related activities, development, uses or construction.

I certify with the signature below that the building or land use permit requested **IS** related to or in support of existing or planned cannabis-related activities, development, uses or construction on the property. I certify that any authorized activities, development, uses or construction will be in strict compliance with LCB licensure requirements and all applicable laws and regulations including but not limited to Chelan County Code, Chapter 69.50 RCW (Uniform Controlled Substances Act), Chapter 69.51A (Medical Cannabis), Chapter 19.27 RCW and WAC Title 51 (State Building Code), Chapter 58.17 RCW (Plats-Subdivisions-Dedications), Chapter 90.58 RCW (Shoreline Management Act), Chapter 314.55 WAC, and the Chelan County Shoreline Master Program.

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**SITE PLAN CHECKLIST SECTION**

- ✓ Two copies of site plan are required. Must be drawn to standard engineering/architect's scale, such as 1"=100'. Indicate the scale used. Must include North arrow, and be drawn on grid paper or engineering plan format. For large parcels, applicant may submit a two-page site plan, the first page depicting the entire lot at a convenient scale and the second page depicting an enlargement of the developed area at a larger scale.
- ✓ Label all property lines/boundaries, dimensions, and area of lot/parcel (square feet or acreage).
- ✓ Label the location, size, and use of all existing building(s). Identify the distance between property lines and buildings. Label structures with previous building permit number(s) issued if applicable.
- ✓ Label the location, size, and use of all proposed structure(s) (temporary or permanent) to include dimensions of all decks, porches, cantilevers, bay windows, roof overhangs, retaining walls, patios, chimneys, landings and stairs.
- ✓ Identify the location, dimensions and volume of all existing and proposed propane tanks, fuel tanks, etc., both above ground and underground, as well as setback from property lines.
- ✓ Identify land features such as top and bottom of slopes, direction of slope and any areas of erosion.
- ✓ Identify and label all water features to include, ponds, springs, ravines, streams, creeks, lakes, rivers, irrigation laterals, canals, ditches, wetlands, bogs, areas of saturated ground, flood plain, floodway. Identify the closest distance between the ordinary high water mark and proposed/existing structures.
- ✓ Label the name and width of roads bordering the property and indicate whether they are public or private.
- ✓ Locate the width of existing and proposed driveways/accesses serving each structure. Include stormwater control facilities such as drains, detention ponds, connection lines, catch basins, etc.
- ✓ Label all existing and proposed parking spaces/areas. Parking in residential districts is typically not allowed in the front yard setback area. All parking shall have durable and dustless surfaces suited to all weather use, unless required otherwise. If applicable, show handicapped parking and accessible routes to the structure and within the site to other structures and features.
- ✓ Identify and label all easements and widths, deed restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property, including but not limited to access, utilities, railroads, irrigation and overhead power. Include the Auditor's file number(s). *Before Any Development Occurs, Please Call 1-509-661-8400 To Locate Any PUD Easements!*
- ✓ Show the location of all existing and proposed overhead and underground utilities including, but not limited to water, sewer, gas, and electrical.
- ✓ Identify location of water lines, well and sanitary control radius. Note: A sanitary control radius around an off-site well may impact your project if it overlaps onto your parcel.
- ✓ Identify location of all well(s), septic/pump tank, drain field, reserve area and tight line involving the proposed structure(s). Show the distance from proposed structure(s) to septic tank, drain field, drinking water well source(s), and any water body, wetland area and/or flood plain to ensure they meet the required horizontal setbacks from each other and property lines. See Chelan Douglas Health District Horizontal Setback Table for details. If applicable, the approved Health District and County site plan must be identical.
- ✓ If drinking water wells, septic tank/drain field is off site, show the location of these systems on the adjacent property or properties and provide a copy of the easement agreement(s).
- ✓ If applicable, identify existing and proposed landscaping, screening and/or fencing. (Show type of landscaping, size, spacing, and provisions for irrigation).
- ✓ If applicable, include outdoor lighting and signage. Label each as existing or proposed.

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**ACKNOWLEDGEMENT SECTION**

If the Applicant is not the owner of the property, this application and acknowledgment shall also be executed (signed) by each property owner.

**By submitting this application, I acknowledge and certify the following:**

Initials  
(Owner and, if applicable, Applicant)

- JA JA 1. All applications will be reviewed for completeness and processed according to Chelan County Code Title 14. Each application may be denied if not consistent with all Chelan County Codes, adopted regulations, Comprehensive Plan and related plans or studies.
- JA JA 2. This application does not constitute approval of the proposed development and Chelan County does not make any guarantee, either express or implied, that this application will be approved.
- JA JA 3. False statements, errors and/or omissions in this application or information provided with or in regard to this application may be sufficient cause for denial of the request.
- JA JA 4. Additional permit applications and approvals may be necessary to conduct specific activities.
- JA JA 5. Application fees are non-refundable, except when approve by the Board.
- JA JA 6. In the event of any legal proceeding to challenge this application, any environmental determination or any other aspect of the proposed development, the applicant/owner(s) shall be solely responsible to defend such challenge and pay all court costs and attorney's fees necessary for such defense.
- JA JA 7. Chelan County is hereby given consent to enter the property(ies) listed above.
- JA JA 8. I certify that I am the property owner, or authorized agent of the property owner, and I have familiarized myself with the rules and regulations of Chelan County with respect to making this application.
- JA JA 9. I certify that I possess full legal authority and rights necessary to exercise control over the subject property.
- JA JA 10. I certify that this application has been made with the consent of the lawful property owner(s).
- JA JA 11. I certify that all Easements, Deed Restrictions, other encumbrances, and/or issues restricting or affecting the use or condition of the property have been accurately disclosed and are shown on the site plan submitted with this application.
- JA JA 12. This application shall be subject to all additions to and changes in the laws, regulations and ordinances applicable to the proposed development until a determination of completeness has been made pursuant to Section 14.08.030.

I certify (or declare) under penalty of perjury and under the laws of the State of Washington that the foregoing and all information submitted with this application is true, correct and complete to the best of my knowledge.

Owner Signature: JA JA Place: Manson Date: 08/09/2022

Print Name: Denis Atam Irmi Atam

Owner/Applicant/Agent Signature: \_\_\_\_\_ Place: \_\_\_\_\_ Date: RECEIVED

Print Name: \_\_\_\_\_

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Denis & Irmi Atam  
 457 High Blossom Ln, Manson, WA 98831  
 (425) 373-6743 [denisat@hotmail.com](mailto:denisat@hotmail.com)

08/09/2022

**Open Space Application (PBR5) – Cover Letter & Supporting Information**

**1. Our intention:**

End of 2019 we acquired those properties with the intent to prevent any further residential or even commercial development and keep & preserve the natural resources & wildlife for generations to come. We have been in contact since 2019 with different agencies (CDLT = Chelan Douglas Land Trust, Chelan PUD, and others) to find out what the best way is to protect & preserve that area. We were told that the process to donate that area and/or obtain a conservation easement is lengthy (sometimes several years). We were advised to pursue the Open Space PBR5 application in the meantime, and when things are more formally finalized regarding a conservation easement hold by CDLT we can update the Open Space PBR5 application at a later stage. We have been in contact with Mickey Fleming regarding the conservation easement if you want to find out more about the current status.

**2. Parcel #, short legal description & acreage**

Parcel Number(s):	282113320050; 282113300050; 282113230100; 282113240100; 282113230050; 282113240050; 282113220100; 282113210100; 282113220050; 282113210050	
Legal Description:	All parcels are adjacent to each other. These parcels are located approximately 2 miles north of the City of Manson's urban growth area within Section 13, Township 28 N, Range 21 EWM of Chelan County, Washington	
	T 28N R 21EWM S 13 PT LOT 3 SS# 1080 S1/2 NWSW 20.0000 ACRES	
	T 28N R 21EWM S 13 PT LOT 3 SP 1080, N2N2SW, 41.6100 ACRES	
	T 28N R 21EWM S 13 S2 SWNW SURVEY 50/83 20.0000 ACRES	
	T 28N R 21EWM S 13 S2 SENW SURVEY 50/83 20.0000 ACRES	
	T 28N R 21EWM S 13 N2 SWNW SURVEY 50/83 20.0000 ACRES	
	T 28N R 21EWM S 13 N2 SENW SURVEY 50/83 20.0000 ACRES	
	T 28N R 21EWM S 13 S2 NWNW SURVEY 50/83 20.0000 ACRES	
	T 28N R 21EWM S 13 S2 NENW SURVEY 50/83 20.0000 ACRES	
	T 28N R 21EWM S 13 N2 NWNW SURVEY 50/83 20.0000 ACRES	
	T 28N R 21EWM S 13 N2 NENW SURVEY 50/83 20.0000 ACRES	
Total Acres in Application:	221.61	

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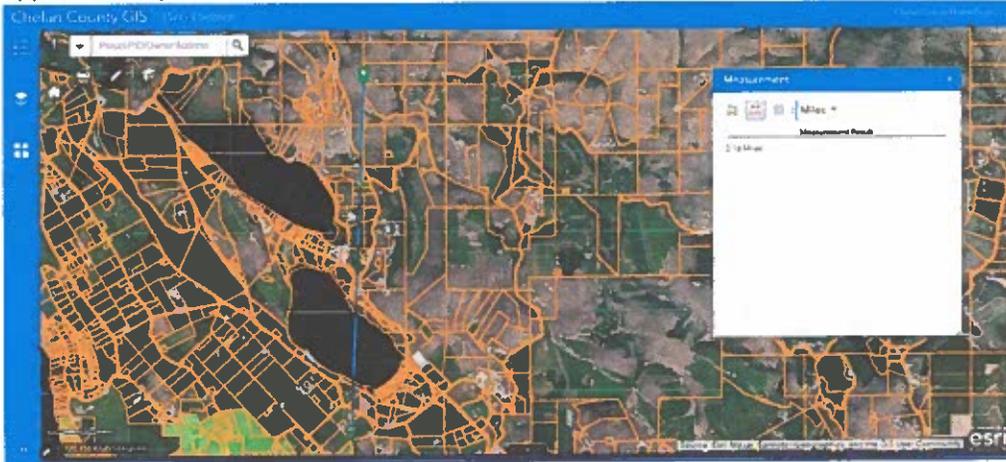
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**3. Comments regarding the applicable/qualifying PBRS categories:**

Relevant or qualifying High Priority Resources:

- Significant Wildlife Habitat Area → see "Fish & Wildlife Habitat Management Plan" created by Grette Associates
- Rural Open Space Close to Urban Growth Area & Urban Growth Area Open Space: We understand that the said properties are just short distance outside the current Manson Urban Growth area. According to the measurements taken from the GIS system the closest distance from the said property to the nearest Manson Growth area is approximately 2.15 miles (see screenshot below):



While we understand that we will not qualify for the full points in that category, we hope that this fact still can be considered and eventually a fraction of points can be granted.

Relevant or qualifying Bonus Categories:

- Contiguous Parcels → all 10 parcels are adjacent to each other (see picture below):



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- 4 parcels are adjacent to and border United States Department of Interior Land
- 3 parcels are adjacent to and border Lake Chelan Reclamation District Land

**4. Easements & Survey:**

- The easements pertaining to those property can be obtained from the survey **AFN 2267023**. This also provides the map for those properties.

**5. Existing structures:**

- There is a small warming hut (200 sqft.) on parcel #282113220100. The location of the hut is indicated with a red "x".



Denis & Irmi Atam

Manson, 08/09/2022

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Application for Classification or Reclassification  
Open Space Land  
Chapter 84.34 RCW

**File With The County Legislative Authority**

Name of Owner(s): Denis & Irmingard Atam Phone No: 425-373-6743  
Email Address: denisat@hotmail.com  
Address: 457 High Blossom Ln  
Manson, WA 98831

Parcel Number(s):	282113320050, 282113300050, 282113230100, 282113240100, 282113230050, 282113240050, 282113220100, 282113210100, 282113220050, 282113210050
Legal Description:	All parcels are adjacent to each other. These parcels are located approximately 2 miles north of the City of Manson's urban growth area within Section 13, Township 28 N, Range 21 EWM of Chelan County, Washington
	T 28N R 21EWM S 13 PT LOT 3 SS# 1080 S1/2 NWSW 20.0000 ACRES
	T 28N R 21EWM S 13 PT LOT 3 SP 1080, N2N2SW, 41.6100 ACRES
	T 28N R 21EWM S 13 S2 SWNW SURVEY 50/83 20.0000 ACRES
	T 28N R 21EWM S 13 S2 SENW SURVEY 50/83 20.0000 ACRES
	T 28N R 21EWM S 13 N2 SWNW SURVEY 50/83 20.0000 ACRES
	T 28N R 21EWM S 13 N2 SENW SURVEY 50/83 20.0000 ACRES
	T 28N R 21EWM S 13 S2 NWNW SURVEY 50/83 20.0000 ACRES
	T 28N R 21EWM S 13 S2 NENW SURVEY 50/83 20.0000 ACRES
	T 28N R 21EWM S 13 N2 NWNW SURVEY 50/83 20.0000 ACRES
	T 28N R 21EWM S 13 N2 NENW SURVEY 50/83 20.0000 ACRES
Total Acres in Application:	<u>221.61</u>

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Indicate what category of open space this land will qualify for:

- Conserve or enhance natural, cultural, or scenic resources

Note: Please refer to the Fish & Wildlife Habitat Management Plan created by Grette Associates

- Protect streams, stream corridors, wetlands, natural shorelines, or aquifers

- Protect soil resources, unique or critical wildlife, or native plant habitat

Note: Please refer to the Fish & Wildlife Habitat Management Plan created by Grette Associates

- Promote conservation principles by example or by offering educational opportunities

Note: All our friends & neighbors applaud us for what our plans are and what we are doing to protect & preserve this piece of land. In addition each time we hike the property we look out for obnoxious weeds (e.g. nap weed, mullins, etc.) and remove them so they cannot spread further. We also ask & encourage everyone accessing that land to assist us in such efforts and asking them to do the same. In addition we have been in contact with the Chelan Douglas Land Trust and they informed us about a program where we can request assistance to control/remove obnoxious weeds and restore & replant with natural plants. We are currently pursuing this opportunity to further help preserving this land.

- Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries, or other open spaces

Note: Please refer to the Fish & Wildlife Habitat Management Plan created by Grette Associates

- Enhance recreation opportunities

- Preserve historic or archaeological sites

Note: Please refer to the Fish & Wildlife Management plan from Grette Associates, which talks on page #10 about historic conditions ("... the site is considered a classic example of historic ecology for this region of Washington State.")

- Preserve visual quality along highway, road, street corridors, or scenic vistas

- Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority

- Farm and agricultural conservation land previously classified under RCW 84.34.020(2), that no longer meets the criteria

- Farm and agricultural conservation land that is "traditional farmland" not classified under Chapter 84.33 or Chapter 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and has a high potential for returning to commercial agriculture

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1. Describe the present use of the land.

We (Denis & Irmgard Atam) since we obtained ownership of those properties in 12/2019 have revoked any previously granted access for hunting or otherwise as we would like to preserve the land in its current state. Occasionally we hike ourselves across the properties to enjoy the wildlife, scenery & natural resources. A handful of selected neighbors have verbal permission to hike the property as long as they don't disturb the wildlife. The entire area is mainly left alone. Twice a year we maintain a small trail across a small portion across those properties.

2. Is the land subject to a lease or agreement which permits any other use than its present use?

Yes  No

If yes, attach a copy of the lease agreement.

3. Describe the present improvements (residence, buildings, etc.) located on the land.

A road system was put in by the previous owner approx. 8 years ago in order to develop those properties for residential buildings. At that time also power boxes and underground conduit was installed along those access roads. Three wells/well-heads have been installed, too, but none of the wells have been used. The roads are slowly growing over again – except for a small trail which we maintain twice a year. There is a small warming hut (less than 200 sqft.) on parcel # 282113220100.

4. Is the land subject to any easements?

Yes  No

If yes, describe the type of easement, the easement restrictions, and the length of the easement.

Note: We are in contact with the Chelan Douglas Land Trust (Mickey Fleming) and Chelan PUD to obtain a conservation easement for that said property. We were told it is a lengthy process, but both agencies have agreed to pursue. We are just waiting to hear from them again about the next steps.

5. If applying for the farm and agricultural conservation land category, provide a detailed description below about the previous use, the current use, and the intended future use of the land.

n/a

**NOTICE:**

**The county and/or city legislative authorities may require owners to submit additional information regarding the use of the land.**

As owner of the parcel(s) described in this application, I hereby indicate by my signature below that I am aware of the additional tax, interest, and penalties involved when the land ceases to be classified under the provisions of Chapter 84.34 RCW. I also certify that this application and any accompanying documents are accurate and complete.

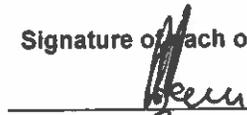
The agreement to tax according to use of the property is not a contract and can be annulled or canceled at any time by the Legislature (RCW 84.34.070)

Print the name of each owner:

Signature of each owner:

Date

Denis Atam



08/09/2022

Irmgard Atam



08/09/2022

The granting or denial of an application for classification or reclassification as open space land is a legislative determination and shall be reviewable only for arbitrary and capricious actions. Denials are only appealable to the superior court of the county in which the land is located and the application is made.

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**Statement of Additional Tax, Interest, and Penalty Due Upon Removal of Classification**

1. Upon removal of classification, an additional tax shall be imposed which shall be due and payable to the county treasurer 30 days after removal or upon sale or transfer, unless the new owner has signed the Notice of Continuance. The additional tax shall be the sum of the following:
  - (a) The difference between the property tax paid as "Open Space Land" and the amount of property tax otherwise due and payable for the last seven years had the land not been so classified; plus
  - (b) Interest upon the amounts of the difference in (a), paid at the same statutory rate charged on delinquent property taxes; plus
  - (c) A penalty of 20% will be applied to the additional tax and interest if the classified land is applied to some other use except through compliance with the property owner's request for withdrawal as described in RCW 84.34.070(1).
2. The additional tax, interest, and penalty specified in (1) shall not be imposed if removal resulted solely from:
  - (a) Transfer to a governmental entity in exchange for other land located within the State of Washington.
  - (b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power.
  - (c) A natural disaster such as a flood, windstorm, earthquake, wildfire, or other such calamity rather than by virtue of the act of the landowner changing the use of such property.
  - (d) Official action by an agency of the State of Washington or by the county or city where the land is located disallows the present use of such land.
  - (e) Transfer of land to a church when such land would qualify for property tax exemption pursuant to RCW 84.36.020.
  - (f) Acquisition of property interests by State agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 (See RCW 84.34.108(6)(f)).
  - (g) Removal of land classified as farm & agricultural land under RCW 84.34.020(2)(f) (farm home site).
  - (h) Removal of land from classification after enactment of a statutory exemption that qualifies the land for exemption and receipt of notice from the owner to remove the land from classification.
  - (i) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120.
  - (j) The creation, sale, or transfer of a conservation easement of private forest lands within unconfined channel migration zones or containing critical habitat for threatened or endangered species under RCW 76.09.040.
  - (k) The sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as designated forest land under chapter 84.33 RCW, or classified under this chapter 84.34 RCW continuously since 1993. The date of death shown on the death certificate is the date used.
  - (l) The discovery that the land was classified in error through no fault of the owner.

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FOR LEGISLATIVE AUTHORITY USE ONLY

Date application received: \_\_\_\_\_ By: \_\_\_\_\_

Amount of processing fee collected: \$ \_\_\_\_\_

- Is the land subject to a comprehensive land use plan adopted by a city or county?  Yes  No

If yes, application should be processed in the same manner in which an amendment to the comprehensive land use plan is processed.

If no, application must be acted upon after a public hearing and notice of the hearing shall have been given by one publication in a newspaper of general circulation in the area at least ten days before the hearing.

- If the land is not subject to a comprehensive land use plan, is the land located within an incorporated part of the county?  Yes  No

If yes, application must be acted upon by three members of the county legislative authority and three members of the city legislative authority. See RCW 84.34.037(1) for details.

If no, application must be acted upon by three members of the county legislative authority.

- Application approved  In whole  In part
- Application denied  Date owner notified of denial (Form 64 0103):

If approved, date Open Space Taxation Agreement (OSTA) was mailed to owner:

Signed OSTA received by Legislative Authority on:

Copy of signed OSTA forwarded to Assessor on:

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REV 64 0021e (6/26/19)

50/83

**LEGAL DESCRIPTION**

THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 27 NORTH, RANGE 21 EAST OF THE WILLAMETTE MERIDIAN, CHELAN COUNTY, WASHINGTON. THIS SURVEY WAS PERFORMED TO ESTABLISH MONUMENTATION AT THE CORNERS AND ALONG THE LINES OF THE APPROXIMATE 1/2 AC PART SUBDIVISION OF THIS QUARTER SECTION.

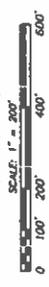
**EQUIPMENT & PROCEDURES**

CORNER, TOPCON HPER AND LEICA E OPS RECEIVERS WITH PACIFIC CREST RANGE MODERN AND A TDS RECORDING DATA COLLECTION SYSTEM. COORDINATES: REAL TIME KINEMATIC SURVEY WITH DOUBLE OBSERVATION OF NEW AND EXISTING MONUMENTATION WITH AN APPROXIMATE PRECISION OF 3.006 FEET OR BETTER. SURVEIL DATES: JULY 16-19, 2007

**BASIS OF BEARINGS:**

WASHINGTON STATE PLANE COORDINATE SYSTEM OF 1983 NORTH ZONE, AS DEFINED IN CHAPTER 66.20, NOW BASED ON STATIC DUAL FREQUENCY GPS FIX TO THE NORTH PACIFIC OCEAN. CONVERSION ANGLE = -0.070348"

ALL MEASURED DISTANCES WERE REDUCED TO GRID DISTANCES. MULTIPLY BY 1.000148 TO OBTAIN ACTUAL DISTANCES.



**RECORD OF SURVEY**

PREPARED FOR  
**MICHAEL FREER**

CHELAN COUNTY, WASHINGTON

AUDITOR'S INDEX SKETCH  
ASSESSOR'S PARCEL # 202713000050  
SECTION 13



TOWNSHIP 28N, RANGE 21E, W.M., CHELAN COUNTY, WA

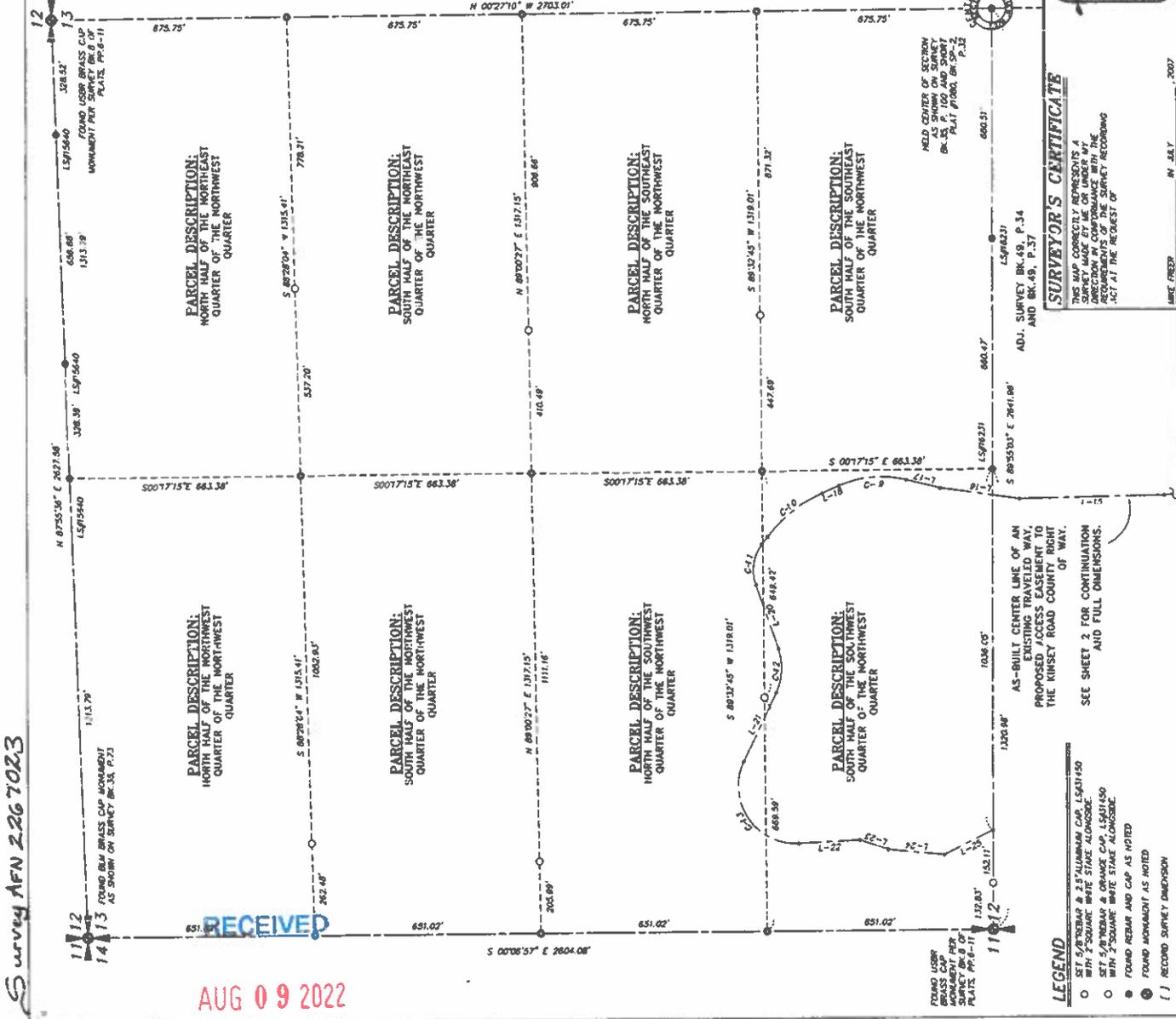
**AUDITOR'S CERTIFICATE** A.P. 2247023

FIELD RECORD THIS SURVEY WAS MADE BY MICHAEL FREER AT THE REQUEST OF THE SURVEYOR.

DEFUTY COUNTY AUDITOR

SHT 1 OF 2  
Pinnacle Surveying  
Tin Hollingsworth, PLS  
661 W Woodin Ave., P.O. Box 1107 Chelan, Washington, 98816  
509.662.2266 hollingsworthsurveying.com  
LAYOUT: PDS  
DATE: SEP. 26, 2007 FILE NO: 207012-405 JOB NO: 20701-2  
SCALE: 1"=200'

50/83



**SURVEYOR'S CERTIFICATE**

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY MICHAEL FREER IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF

ADJ. SURVEY BK. 49, P. 34 AND BK. 49, P. 37  
AS-BUILT CENTER LINE OF AN EXISTING TRAVELED WAY THE KINSEY ROAD COUNTY RIGHT OF WAY.  
SEE SHEET 2 FOR CONTINUATION AND FULL DIMENSIONS.

**LEGEND**

- SET 5" IRON BAR & 2.5" ALUMINUM CAP, L54H1450
- WITH 2" SQUARE WHITE STAKE ALONGSIDE
- SET 5" IRON BAR & ORANGE CAP, L54H1450
- WITH 2" SQUARE WHITE STAKE ALONGSIDE
- FOUND REBAR AND CAP AS NOTED
- FOUND MONUMENT AS NOTED
- [ ] RECORD SURVEY DIMENSION

Survey AFN 2267023

AUG 09 2022



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LEGAL DESCRIPTION

THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 27 NORTH, RANGE 21 EAST OF THE WILLAMETTE MERIDIAN, CHELAN COUNTY, WASHINGTON.

EQUIPMENT & PROCEDURES

EQUIPMENT: TOPCON WHER AND LEGACY E GPS RECEIVERS WITH PACIFIC CREST RADIO MODEN AND A TDS RECORD400 DATA COLLECTION SYSTEM.

BASIS OF BEARINGS:

WASHINGTON STATE PLANE COORDINATE SYSTEM OF 1983 NORTH ZONE, AS DEFINED IN CHAPTER 58.20, RCW BASED ON STATIC DUAL FREQUENCY GPS FIX TO THE NATIONAL TRIPLET STATION NETWORKS.

ALL MEASURED DISTANCES ARE ADJUSTED TO GROUND DISTANCES. MEASUREMENTS WERE MADE TO OBTAIN ACTUAL DISTANCES.



RECORD OF SURVEY

PREPARED FOR MICHAEL FREER

CHELAN COUNTY, WASHINGTON

AUDITOR'S INDEX SHEET

SECTION 13

Grid of 12 sections with shaded areas indicating the surveyed parcel.

TOWNSHIP 28N, RANGE 21E, W.M., CHELAN COUNTY, WA

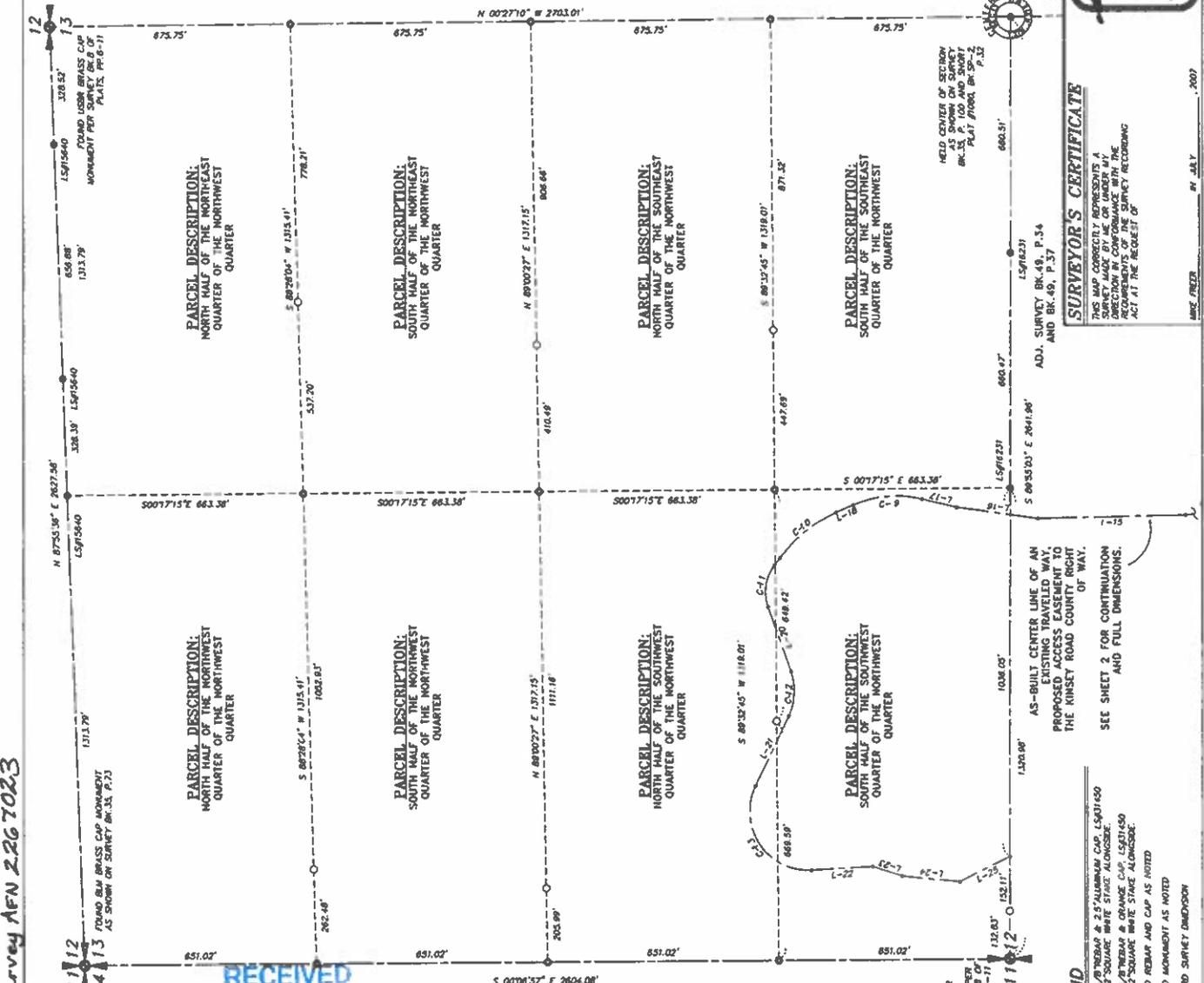
AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 15th DAY OF December, 2022 AT THE OFFICE OF THE COUNTY CLERK OF CHELAN COUNTY, WASHINGTON.

Signature of County Auditor

Administrative form with fields for Pinnacle Surveying, Tim Hollingsworth, FIS, and other contact information.

50/83



Survey AFN 2267023

FOUND USER BRASS CAP MONUMENT AS SHOWN ON SURVEY BR.33, P.73

FOUND USER BRASS CAP MONUMENT AS SHOWN ON SURVEY BR.33, P.73

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SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A RECORD OF SURVEY IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF

MICHAEL FREER BY JARY 2007



AS-BUILT CENTER LINE OF AN EXISTING TRAVELED WAY. PROPOSED ACCESS EASEMENT TO THE KINSEY ROAD COUNTY RIGHT OF WAY.

SEE SHEET 2 FOR CONTINUATION AND FULL DIMENSIONS.

LEGEND

- SET 5/8" REBAR & 2.5" ALUMINUM CAP, L5411450 WITH 3" SQUARE WHITE STRIKE ALONGSIDE.
SET 3/4" REBAR & ORANGE CAP, L5411450 WITH 2" SQUARE WHITE STRIKE ALONGSIDE.
FOUND REBAR AND CAP AS NOTED
FOUND MONUMENT AS NOTED
RECORD SURVEY DMEVD004



SURVEY of 2246218

T28R21S13

49/37

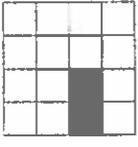
PDRS 22-328



118101

# RECORD OF SURVEY for DENNIS FREER

## A PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 28 NORTH, RANGE 21 EAST, W.M., CHELAN COUNTY, WASHINGTON



SECTION 13  
T 28 N R 21 E W.M.

### LEGAL DESCRIPTION:

THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 28 NORTH, RANGE 21 EAST W.M. CHELAN COUNTY WASHINGTON

### SURVEYOR'S CERTIFICATE:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF DENNIS FREER, IN DECEMBER, 2008.

### LEGEND:

- MONUMENT FOUND AS NOTED W/ DATE TIED
- SET 5" X 3" REBAR & CAP MARKED "WENBERT L.S. 1021"
- CALCULATED POINT NOT FOUND OR SET
- (118101) FROM LEGAL DESCRIPTION AUDITORS NO. 2018943

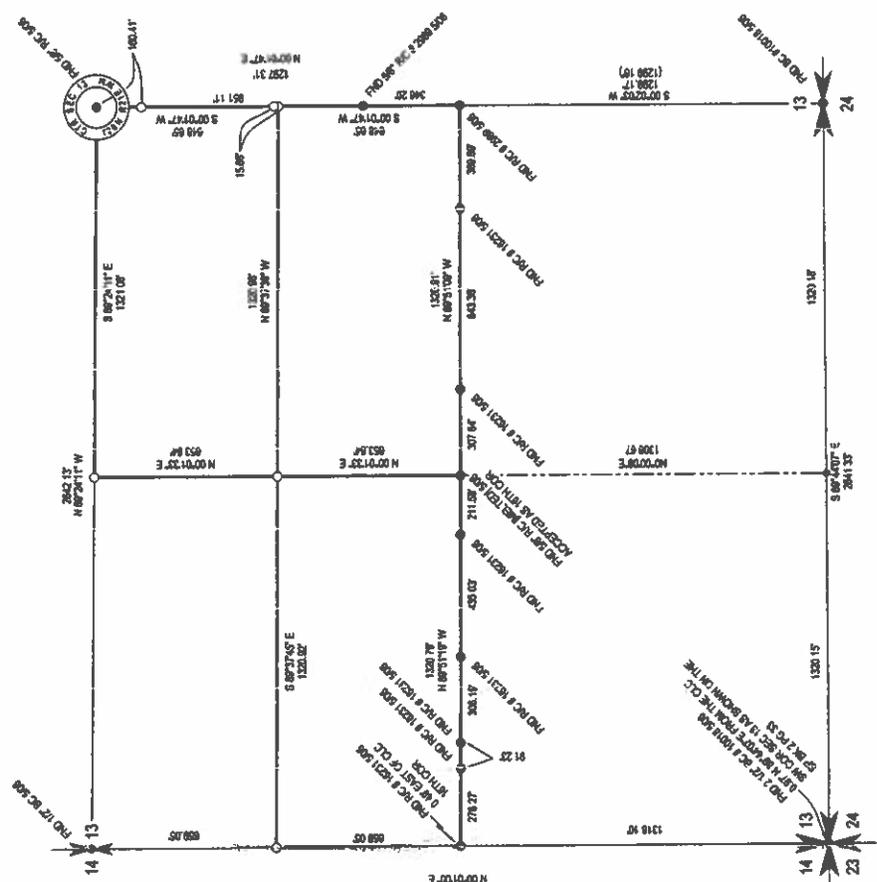
### AUDITORS CERTIFICATE:

FILED FOR RECORD AT THE REQUEST OF DENNIS FREER, ON THIS 20th DAY OF JANUARY, 2011, AT 1:38 P.M. IN BOOK 210 OF SURVEYS AT PAGE 37 UNDER AUDITORS FILE NUMBER 2246218 RECORDS OF CHELAN COUNTY, WASHINGTON.

*Dennis Freer*  
CHELAN COUNTY AUDITOR

### EQUIPMENT AND PROCEDURE:

LEICA TC1100 ELECTRONIC TOTAL STATION, LEITZ TRIPBRACKS AND PRISM FIELD INVERSE BALANCED BY METHOD OF LEAST SQUARES. TRVERSE CLOSURE IS GREATER THAN 1:2000. ALL MONUMENTS TIED DATE OF SURVEY, UNLESS NOTED.



49/37

T20 R21 S13

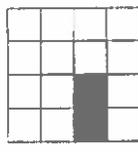
SURVEY ofn 2246218

# RECORD of SURVEY for DENNIS FREER

## A PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 28 NORTH, RANGE 21 EAST, W.M., CHELAN COUNTY, WASHINGTON



11/8/07



SECTION 13  
T 28 N R 21 E W.M.

### LEGAL DESCRIPTION:

THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 28 NORTH, RANGE 21 EAST W.M. CHELAN COUNTY WASHINGTON

### SURVEYOR'S CERTIFICATE:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF DENNIS FREER, IN DECEMBER, 2008.

### LEGEND:

- MONUMENT FOUND AND NOTED W/ DATE TIED
- SET 5/8" X 3/8" REBAR & CAP MARKED "WENBERT LS 16231"
- CALCULATED POINT NOT FOUND OR SET
- (12-47) FROM LEGAL DESCRIPTION AUDITORS NO 201943

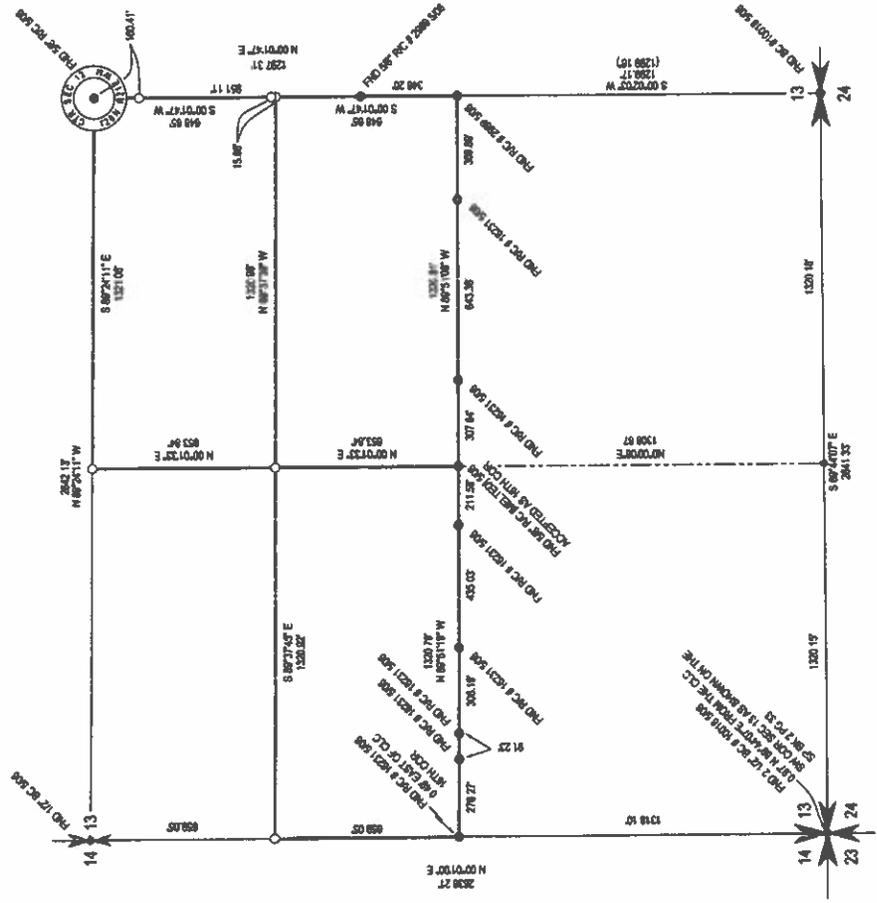
### AUDITORS CERTIFICATE:

FILED FOR RECORD AT THE REQUEST OF DENNIS FREER, ON THIS 8TH DAY OF MARCH, 2011, AT 1:11 P.M. IN BOOK 143 OF SURVEY MAPS, PAGE 37 UNDER AUDITORS FILE NUMBER 22-46218 RECORDS OF CHELAN COUNTY, WASHINGTON

*Evelyn S. Amabile*  
CHELAN COUNTY AUDITOR

### EQUIPMENT AND PROCEDURE:

LEICA TC-100 ELECTRONIC TOTAL STATION, LEITZ TRIPRODS AND PRISMS FIELD TRAVERSE BALANCED BY METHOD OF LEAST SQUARES TRAVERSE CLOSURE IS GREATER THAN 1:2000. ALL MONUMENTS TIED DATE OF SURVEY, UNLESS NOTED



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MUNSON ENGINEERS, INC.  
ACLS: WFO, DECHLAN001.PRT 06368 SHEET: 1 OF 1

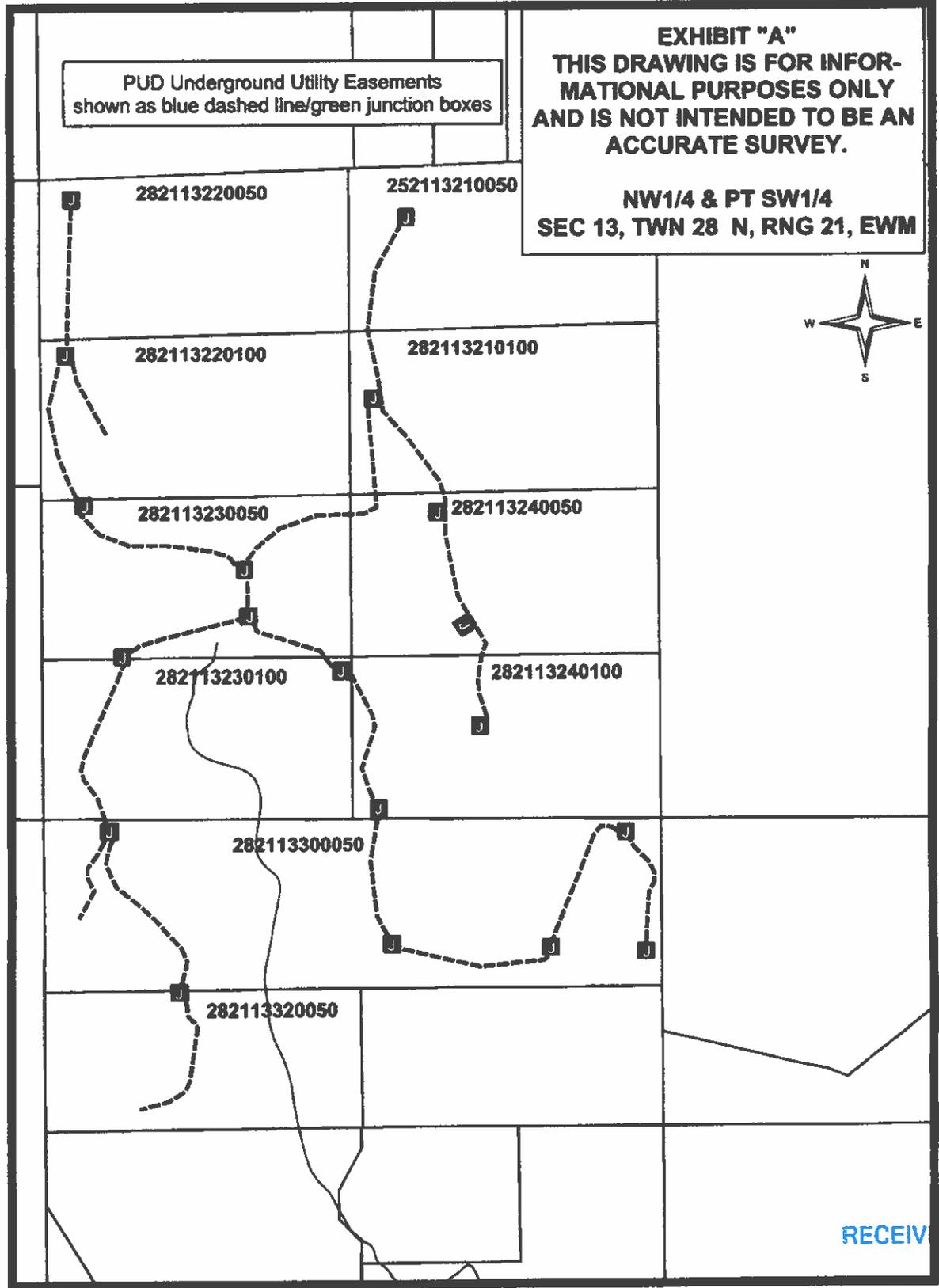
49/37



PUD Underground Utility Easements  
shown as blue dashed line/green junction boxes

**EXHIBIT "A"**  
**THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY**  
**AND IS NOT INTENDED TO BE AN ACCURATE SURVEY.**

**NW1/4 & PT SW1/4**  
**SEC 13, TWN 28 N, RNG 21, EWM**



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# ATAM OPEN SPACE PUBLIC BENEFIT APPLICATION

## FISH & WILDLIFE HABITAT MANAGEMENT PLAN

PREPARED FOR:

**DENIS AND IRMINGARD ATAM**  
457 HIGH BLOSSOM LANE  
MANSON, WA 98831

PREPARED BY:

**GRETT ASSOCIATES LLC**  
151 SOUTH WORTHEN, SUITE 101  
WENATCHEE, WASHINGTON 98801  
(509) 663-6300

JULY 2022



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CHELAN COUNTY  
COMMUNITY DEVELOPMENT

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# 1. INTRODUCTION

This Fish and Wildlife Habitat Management Plan (Plan) has been prepared by Grette Associates, LLC on behalf of Denis and Irmgard Atam to assess and describe the presence and quality of Priority Resources on the subject parcels as part of the applicant's application for enrollment in Chelan County's Open Space Public Benefit Program. In order to be considered for eligibility, important habitats and species regulated under the Chelan County Critical Areas Ordinance must be confirmed to be present on the parcels as determined by a competent professional pursuant to Chelan County Code (CCC) Chapter 14.22.060(3)(A)(viii)(e) and 14.22.060(3)(A)(viii)(g)(I). If present, these resources are to be included in a habitat management plan prepared by a qualified wildlife biologist pursuant to CCC Chapter 14.22.060(3)(A)(viii)(g)(II). This document serves as that Plan. The Plan includes a detailed description of the existing conditions, an evaluation of onsite priority habitats and species and proposed protection and management measures which meet the conditions outlined in CCC Chapter 14.22.060(3)(A)(viii)(g)(II)(1-3). Washington Department of Fish and Wildlife (WDFW) publications have been utilized as guidance for the site assessment and in the design of the proposed recommended management measures, as discussed below.

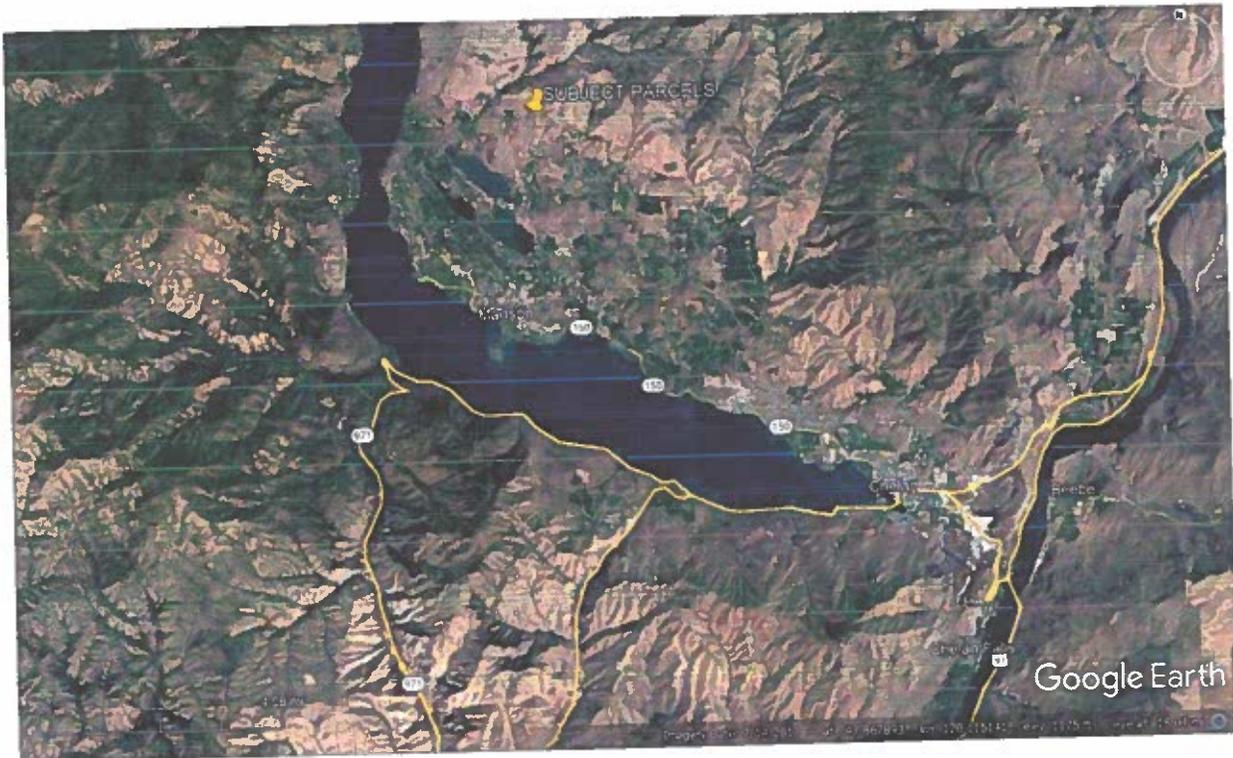


Figure 1. Vicinity map of subject parcels.

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## 2. PROJECT INFORMATION

### SITE DESCRIPTION

The applicant is applying for the inclusion of parcels #282113320050, #282113300050, #282113230100, #282113240100, #282113230050, #282113240050, #282113220100, #282113210100, #282113220050 and #282113210050 in Chelan County's Open Space Public Benefit Program. These parcels are located approximately 2 miles north of the City of Manson's urban growth area within Section 13, Township 28 N, Range 21 EWM of Chelan County, Washington (Figure 1). The parcels are accessed off of Liberty Lane, a small graveled private residential road that connects to Kinsey Road. Kinsey Road connects to Upper Joe Creek Road; a main residential arterial located north of Manson. The parcels are all owned by the applicant and were originally subdivided as part of a proposed residential development planned under a previous owner. As part of the proposed residential development, electrical conduit and domestic wells were installed on each of the parcels (Photograph 1). Unimproved dirt access roads were installed and building sites were excavated on each of the parcels. However, construction of the residential development was never completed and utilities were never installed to each of the building sites. The applicant purchased the properties from the former owner in 2019 and continues to maintain ownership over the site.

Combined, the subject parcels encompass approximately 221.61 acres of mixed bitterbrush (*Purshia tridentata*) and bunchgrass-dominated shrub-steppe, riparian vegetation-dominated drainages, rock outcrops, talus, and mature stands of Ponderosa pine (*Pinus ponderosa*). The site ranges in elevation from 2,000 ft to 2,600 ft. above sea level. The remnants of the former irrigation canal from Antilon Lake run from east to west through parcel #282113230050. Approximately 3,800 linear ft of deer abatement fencing constructed by Washington Department of Fish and Wildlife (WDFW) in 2008 crosses parcels #282113230050, #282113240100 and #282113300050 along the north side of Liberty Lane. This fencing is beginning to fail and the applicant has begun to remove sections after consulting with and receiving permission from WDFW. Aside from the remnants of the former irrigation canal, the partial abatement fencing and the presence of the electrical conduit junction boxes and the domestic well casings, the combined parcels are undeveloped. Many of the unimproved dirt access roads and excavated building sites from the formerly proposed residential development have been unmaintained since purchase of the properties by the applicant in 2019. Since that time, native vegetation has begun to retake the roads and building sites (Photograph 2). The applicant currently mows a small number of internal walking trails and has kept Liberty Lane passable to vehicles up to parcel #282113230050. The remainder of the site is allowed to function in its natural state.

The subject parcels are neighbored to the east by United States Department of Interior Bureau of Land Management (BLM) property. BLM lands adjacent to the site comprise approximately 392.97 contiguous acres spread over two parcels. No fencing is present between BLM land and the subject parcels. The neighboring BLM land is further connected to large parcels owned by the United States Department of Agriculture Forest Service (USFS) as part of the Wenatchee National Forest. Both the BLM and USFS properties are mapped as containing mule deer winter range habitat per the WDFW Priority Habitats and Species (PHS) online mapping tool (Figure 6).

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As part of the enrollment into the Open Space Public Benefit Program, the applicant proposes placing the subject parcels into a conservation easement to be held by the Chelan-Douglas Land Trust in order to limit the ability for the site to be developed in the future. By placing the site into a conservation easement, the availability of undeveloped open space on the landscape is increased in an area of rural Chelan County that is experiencing tremendous growth and development pressure. The site is located approximately two miles from the city of Manson's Urban Growth Area. Manson has become a destination for recreation, and the development of formerly undeveloped land with residential and recreational uses or agricultural tourism activities has increased significantly in the last few years. The subject parcels are mapped by WDFW as containing shrub-steppe habitat and mule deer winter range and are located directly adjacent to large tracts of publicly owned land that are also identified as shrub-steppe and critical mule deer winter range. These qualifications make the site an ideal candidate for the Open Space Public Benefit Program per CCC Chapter 14.22.060(3)(A)(vii) and 14.22.060(3)(A)(viii)(e). Additional unique habitat features found on the subject properties are further discussed below.

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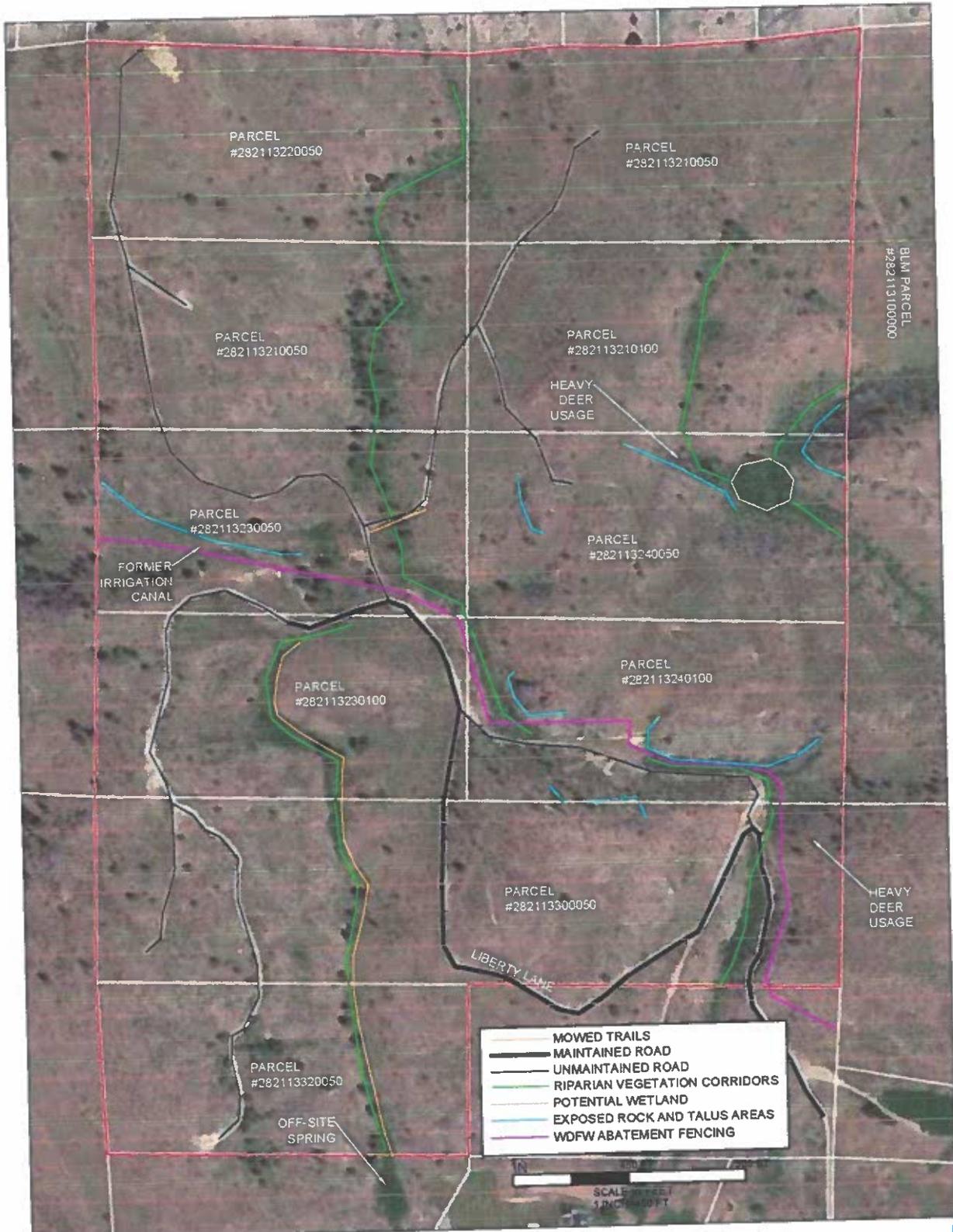


Figure 2. Site map.

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## VEGETATION

Vegetation at the site is a complex assemblage of shrub-steppe species, riparian species and stands of mature Ponderosa pine. The Washington Department of Natural Resources (WDNR) 2015 publication *Ecological Systems of Washington State: A Guide to Identification* was utilized as a tool for classifying the observed species assemblages.

### INTER-MOUNTAIN BASINS BIG SAGEBRUSH STEPPE (IMBBSS)

Based on the 2015 WDNR publication, it is likely that shrub-steppe habitat at the site is comprised of Inter-Mountain Basins Big Sagebrush Steppe (IMBBSS) with a U.S. National Vegetation Classification Group of Associates comprised of *Purshia tridentata*/*Festuca idahoensis* shrub herbaceous vegetation. This is consistent with the species observed during the site visit. Shrub-steppe species at the site include: bitterbrush (*Purshia tridentata*), bluebunch wheatgrass (*Pseudoroegneria spicata*), serviceberry (*Amalanchier alnifolia*), Idaho fescue (*Festuca idahoensis*), Sandberg bluegrass (*Poa sandbergii*), bulbous bluegrass (*Poa bulbosa*), snow buckwheat (*Eriogonum niveum*), yarrow (*Achillea millefolium*), Geyer's biscuitroot (*Lomatium geyeri*), showy daisy (*Erigeron speciosus*), phlox (*Phlox spp.*), arrowleaf balsamroot (*Balsamorhiza sagittata*), silky lupine (*Lupinus sericeus*), Douglas' brodiaea (*Triteleia grandiflora*), parsnip flower buckwheat (*Eriogonum heracleoides*), tall buckwheat (*Eriogonum elatum*), Columbian puccoon (*Lithospermum ruderales*), sagebrush mariposa lily (*Calochortus macrocarpus*), horseweed (*Conyza canadensis*), wholly plantain (*Plantago patagonica*), Japanese brome (*Bromus japonicus*), filaree (*Erodium cicutarium*), prickly lettuce (*Lactuca serriola*), sulfur cinquefoil (*Potentilla recta*), dalmatian toadflax (*Linaria dalmatica*), and diffuse knapweed (*Centaurea diffusa*). Although not exhaustive, this plant list gives a reasonable representation of shrub-steppe habitat at the site. This vegetation assemblage has a global rank of G3G5 (Vulnerable to Secure) and a State Rank of S3 (Vulnerable). The WDNR Natural Heritage Methodology definition of a Vulnerable conservation status states: *At moderate risk of extirpation Globally (G) or in Washington (S) due to a fairly restricted range, relatively few occurrences, recent and widespread declines, threats or other factors.*

Although present, cheatgrass, tumble mustard, knapweed, toadflax, cinquefoil and salsify are not dominant at the site. Native bunchgrass and mature shrubs dominate the landscape across the parcels, with most non-native and noxious species being concentrated on the former building sites and unmaintained roadways. No significant patches of knapweed were observed at the site. Cheatgrass patches are small and diffuse.

### COLUMBIA BASIN FOOTHILL RIPARIAN WOODLAND AND SHRUBLAND (CBFRWS)

Based on the 2015 WDNR publication, the riparian areas at the site are likely comprised of Columbia Basin Foothill Riparian Woodland and Shrubland (CBFRWS) with a U.S. National Vegetation Classification Group of Associates comprised of *Populus tremuloides*/*Crataegus douglasii*/*Symphoricarpos albus* shrubland. This is consistent with species observed at the site. Riparian species at the site include: quaking aspen (*Populus tremuloides*), snowberry (*Symphoricarpos albus*), serviceberry (*Amalanchier alnifolia*), blue elderberry (*Sambucus*

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*glauca*), choke cherry (*Prunus virginiana*), Ponderosa pine (*Pinus ponderosa*), wax currant (*Ribes cereum*), greasewood (*Ceanothus velutinus*), dogbane (*Apocynum spp.*), bracken fern (*Pteridium aquilinum*), rose (*Rosa spp.*), and false Solomon's seal (*Smilacina racemosa*). Although not exhaustive, this plant list gives a reasonable representation of riparian habitat at the site. This vegetation assemblage has a global rank of G3 (Vulnerable) and a State Rank of S2 (Imperiled). The WDNR Natural Heritage Methodology definition of an Imperiled conservation status states: *At high risk of extirpation Globally (G) or in Washington (S) due to restricted range, few occurrences, steep declines, severe threats, or other factors.* As with most habitat types which are Imperiled, development is the greatest risk to survivorship.

## OTHER VEGETATION

Although the two main vegetation assemblages on the property are described above, it should be mentioned that pockets of mature Ponderosa pine are also present throughout the property. A quick assessment indicates that pine with a DBH of 30" + are not uncommon on this site. Evidence of previous fire is visible on the bark of multiple mature pines. Anecdotal evidence suggests that the most recent fire occurred in 2002. Few snags are present on the site but those which are present contain cavities consistent with flicker or woodpecker use. Based on previous professional experience, the habitat on the property is similar to that which supports Lewis's Woodpecker (*Melanerpes lewis*) in other parts of Chelan County; although none were observed during the site visit. A nesting pair of Western kingbirds (*Tyrannus verticalis*) were observed utilizing a mature pine near the aspen-dominated riparian thicket.

Wax currant and greasewood are relatively abundant and healthy within the ravine bottoms and adjacent to the existing roadways. Wax currant extends up from the valley bottom to intermingle with bitterbrush, but the greasewood essentially stays contained to the ravine bottoms. Fruit set on the wax currant was heavy and consistent across the parcels. Also of note was the identification of a singular lodgepole pine (*Pinus contorta*) seedling on one of the northwestern-most building sites. No other lodgepole were identified at the site.

## TOPOGRAPHY AND OUTCROPS

Topography across the site is diverse and varied. The site is comprised of a series of tiered benches, rocky outcrops and riparian valleys. Terrain is undulating in nature, with slopes ranging in steepness and aspect across the entire site. Hanging valleys are present in the center and along the northeast portion of the site. These hanging valleys appear to hold moisture longer than the surrounding slopes and contain pockets of aspen groves which offer shade and cover for wildlife. The varied nature of the topography also provides wildlife with natural wind breaks and opportunities for both sun exposure or shade, depending on the season. During the site visit, recent mule deer beds were observed in several of these hanging valleys and on northwest-facing slopes.

Exposed rock outcrops exceeding 25 ft in height and talus are also present at the site. Although Chelan County does not explicitly list rock outcrops or talus as Fish and Wildlife Habitat Conservation areas, both are considered priority habitats in neighboring counties. Outcrops exceeding 25 ft in height have the potential to support golden eagle nesting, although nests were not observed during the site visit. Talus is frequently utilized by small mammals and reptiles.

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## SOILS

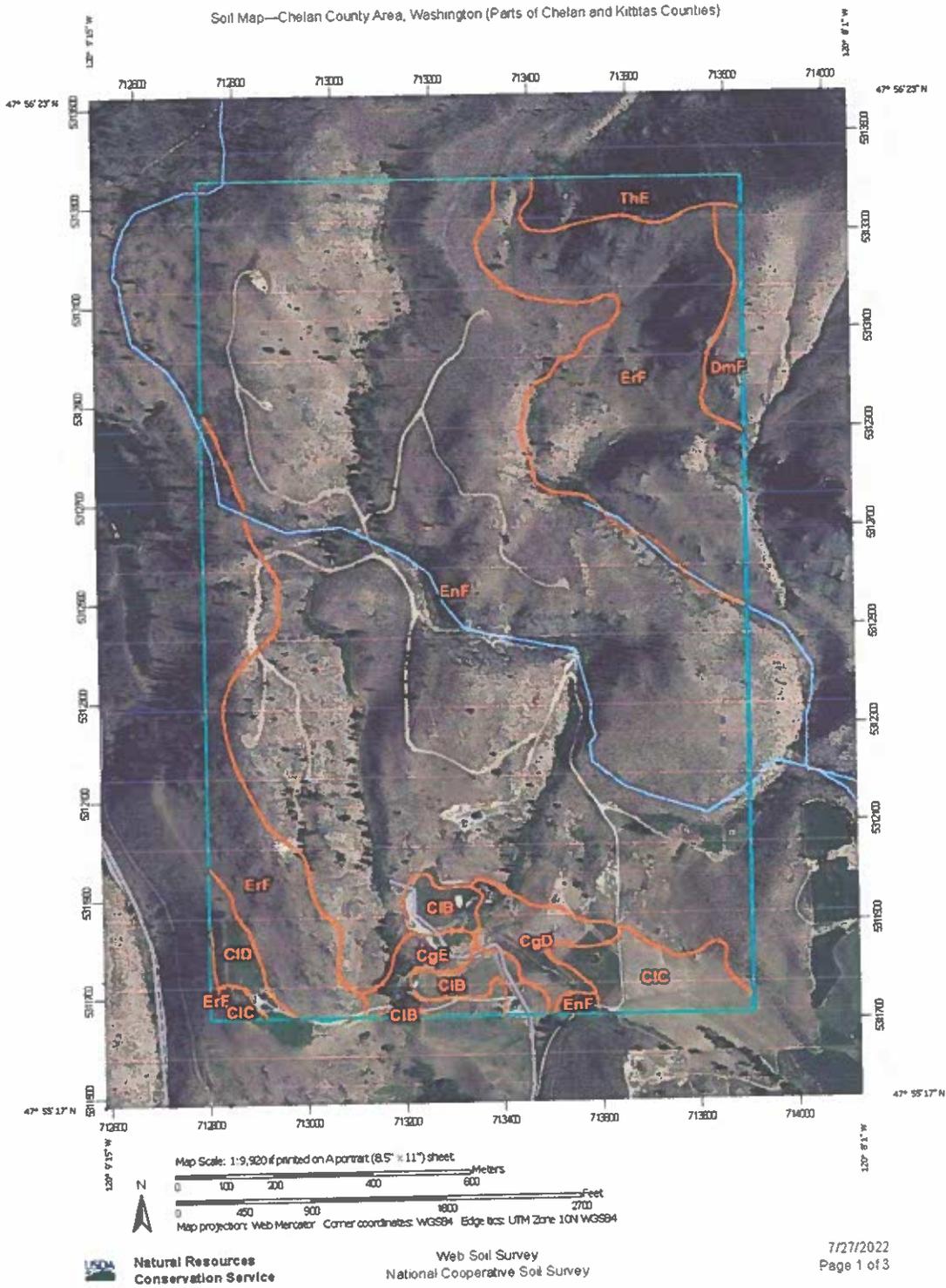
Information on soils was queried from the USDA NRCS Soils web mapper tool. Soils at the site are comprised of Entiat sandy loam, 25 to 65 percent slopes (EnF) with a lesser component of Entiat Rock outcrop complex, 25 to 65 percent slopes. Neither are classified as prime farmland. A typical Entiat sandy loam profile contains sandy loam from 0-3 inches, very gravelly sandy loam from 3-18 inches and weathered bedrock from 18-28 inches. The lack of deep silty soils favors a bitterbrush-dominant community versus the establishment of sagebrush (*Artemisia spp.*) which requires loose deep soils to become established. Well-developed cryptobiotic soils (a crust of algae, lichen and mosses) were not observed at the site. Cryptobiota are common within soils of high-quality shrub-steppe environments.

According to the Chelan County GIS online mapping tool, soils within the subject parcels are mapped as containing erosive soils. Per Chelan County Code Section 11.86.020, erosive soils are considered critical areas in Chelan County.

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Figure 3. NRCS soils map of the site.

## SITE ECOLOGY

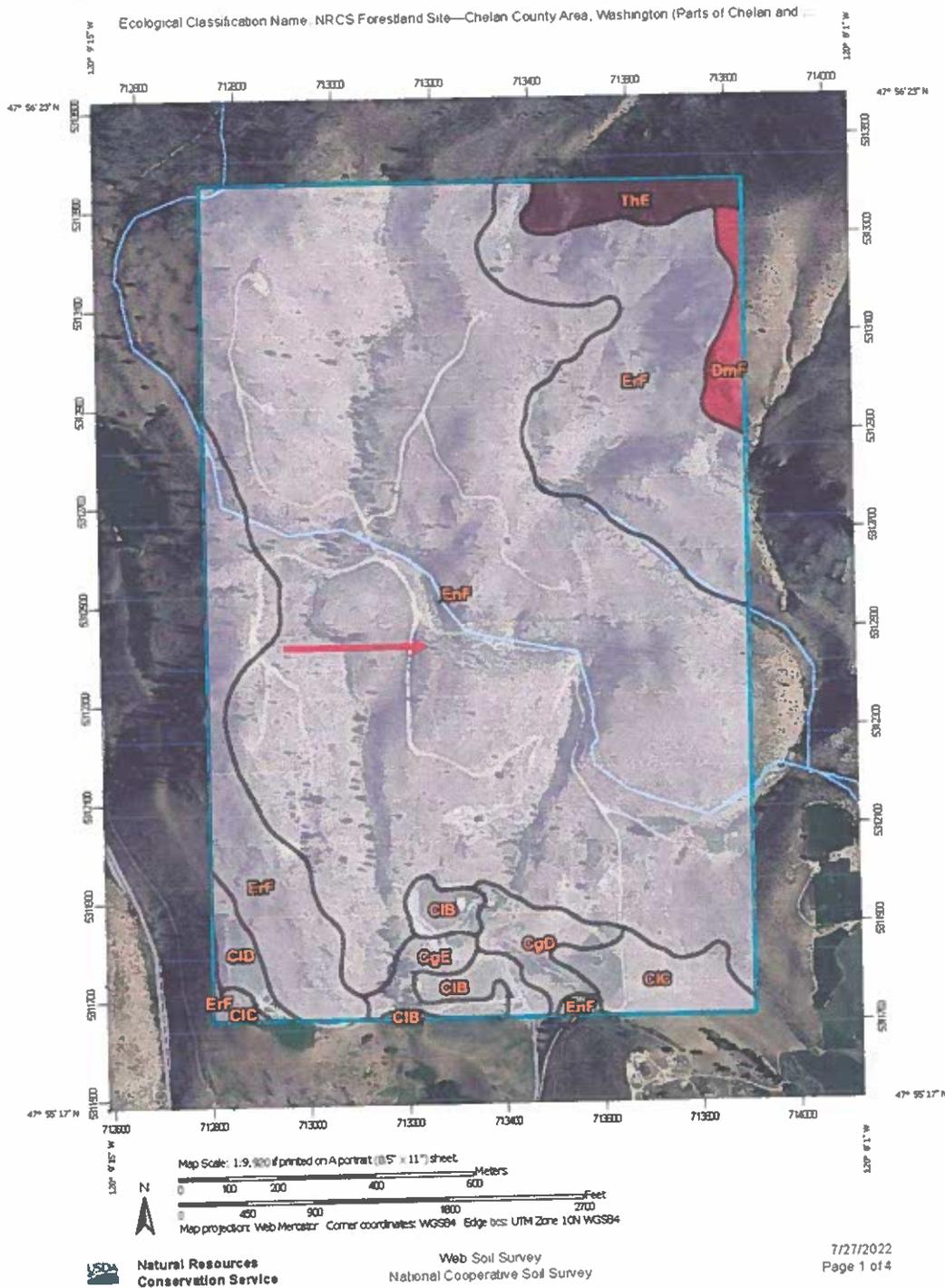
The NRCS Ecological Site Map of the subject parcel was queried in order to determine the potential historic ecology of the site. According to the USDA NRCS mapping, the site is composed of Mesic Xeric Hill Slopes and Terraces (Ponderosa Pine Hot Dry Grass). This NRCS ecological site description is still in its draft stages. However, a similar ecological site description (Warm Mesic Xeric Loamy Slopes and Terraces (Ponderosa Pine/Shrub) *Pinus Ponderosa/Symphoricarpos albus*, *Pinus ponderosa/Physocarpus malvaceus*) was consulted in order to compare the existing vegetation regime with historic conditions. The Ponderosa Pine/Shrub ecological site description indicates that a typical historical vegetation assemblage contains mature pine stands over serviceberry, spirea, chokecherry, woods rose, Nootka rose, cascara and ninebark. Redstem ceanothus may be present as evidence of past fires. Although not identical to the subject properties, this example of a historic vegetation assemblage indicates that the subject properties likely still exhibit historic ecological characteristics and have not transitioned to an alternate state of introduced grasses due to overgrazing or destructive fire and have not undergone a land conversion due to development.

Based on this information, the site is considered a classic example of historic ecology for this region of Washington State.

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Figure 4. NRCS Ecological Site Map for the site (red arrow). Gray indicates Mesic Xeric Hill Slopes and Terraces (Ponderosa Pine Hot Dry Grass).

**WATER SOURCES**

The Washington State Department of Natural Resources (WDNR) Forest Practices Application (FPA) Mapping Tool was queried in order to determine if any surface waters are present within the boundaries of the project area (Figure 5). According to the FPA mapping tool, several drainages with a stream type of Unknown (U) are located at the site. During the site visit, these areas were investigated for indications of surface hydrology. No surface hydrology was visible, nor were unvegetated channels present. However, subsurface drainage is present as evidenced by the dominant riparian vegetation. The applicant also indicated that a spring is present just to the south of the site and on a neighboring property (blue arrow). This spring is the likely daylight location for the subsurface flow on the subject parcels.

The National Wetlands Inventory (NWI) online mapper was also consulted to determine if any potential jurisdictional wetlands are located on the subject parcels. No jurisdictional wetlands are mapped within the vicinity of the project area. However, an aspen stand present in a hanging valley near the eastern site boundary has the potential for wetland conditions (Photo 10). Although a wetland determination was not part of the site visit, visible vegetation and the location within the landscape indicate that enough water may be present to form hydric soil conditions during the growing season. WDNR mapping indicates a non-fish bearing stream originating from this location.

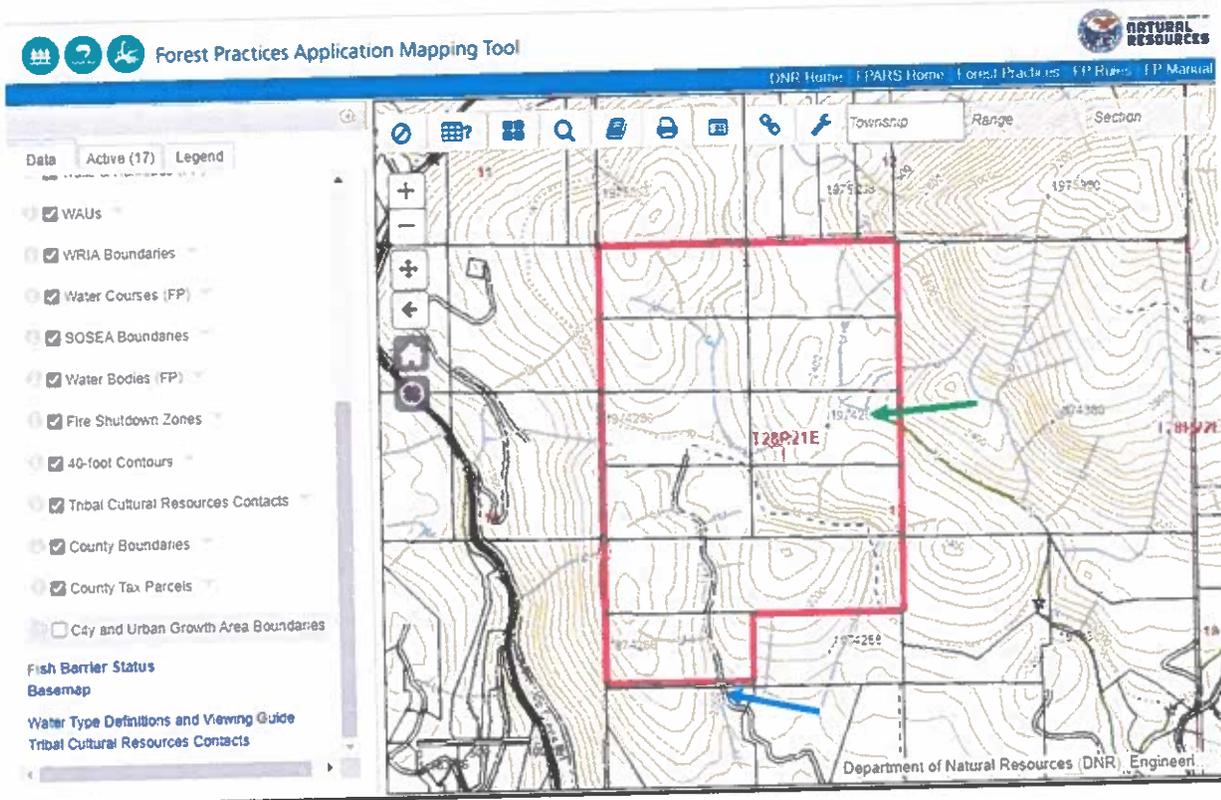


Figure 5. WADNR stream typing map of the project site. No surface water was observed during the site visit. **RECEIVED**

## WDFW LISTED PRIORITY HABITATS AND SPECIES

Based on WDFW's priority habitats and species (PHS) online mapping tool, it was determined that the subject parcels potentially contain Mule Deer (*Odocoileus hemionus hemionus*) winter range regular concentrations, Northern Spotted Owl (*Strix occidentalis*) occurrence mapped to Township and Wolverine (*Gulo gulo*) occurrence mapped to Township (Figure 6 6). During the site visit conducted by Grette Associates in July of 2022, it was determined that mule deer usage is present within the subject parcels. Mule deer were observed utilizing the site and signs of recent deer beds, scat, and game trails were relatively abundant on the eastern half of the parcel. Mule deer are discussed in detail below. Spotted owl and wolverine preferred habitat is not present at the site.

WDFW PHS mapping also includes areas of potential shrub-steppe habitat. The site visit confirmed that areas of bitterbrush-dominated shrub-steppe are present across the site. Shrub-steppe habitat is discussed below in relation to its role in supporting mule deer.

No other PHS shrub-steppe obligate species as defined in Table 1. of WDFW the publication *Management Recommendations for Washington's Priority Habitats: Shrubsteppe* (Publication Date September 2011; Updated Sept. 2020) are listed for the subject property. Use of the property by other PHS shrub-steppe obligate species was not observed during the site visit.

## USFWS ENDANGERED SPECIES

The United States Fish and Wildlife Service (USFWS) IPaC endangered species online mapping tool was also consulted as part of this evaluation. Based on the USFWS tool, the site is mapped as potentially containing Canada Lynx (*Lynx canadensis*)-Threatened, Gray Wolf (*Canis lupus*)-Endangered, North American Wolverine (*Gulo gulo luscus*)-Proposed Threatened, Yellow-billed Cuckoo (*Coccyzus americanus*)-Threatened, Bull Trout (*Salvelinus confluentus*)-Threatened and Monarch Butterfly (*Danaus plexippus*)-Candidate. Based on the available habitat, gray wolf is the most likely of these listed species to be located at the site.

The nearest known wolf population to the site is the Navarre pack. The Navarre pack is concentrated in the North Cascades approximately 25 miles to the north of the subject parcels. Per the WDFW *Washington Gray Wolf Conservation and Management 2021 Annual Report*, this pack is small and only consists of 5 individuals. Due to the topography that separates the known pack distribution from the subject parcels it is unlikely that wolves utilize the site.

## OTHER WILDLIFE

In addition to mule deer, the site supports a host of species which are not on the WDFW PHS list. Additional mammals that are known to regularly use the site include American black bear (*Ursus americanus*), cougar (*Puma concolor*), moose (*Alces alces*), elk (*Alce gigantea*), coyote (*Canis latrans*), bobcat (*Lynx rufus*), yellow-bellied marmot (*Marmota flaviventris*), skunk (*Mephitis mephitis*), and Douglas squirrels (*Tamiasciurus douglasii*). Game camera footage provided by the applicant indicates that the riparian vegetated drainages serve as high traffic corridors for the movement of wildlife across the parcels.

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During the site visit it was noted that the properties host a significant number of birds. Bird activity remained high for mid-summer; particularly in the riparian vegetated drainages. A complete species list was not compiled during the visit but a partial list includes California quail (*Callipepla californica*), Western kingbird (*Tyrannus verticalis*), merlin (*Falco columbarius*), and rock wren (*Salpinctes obsoletus*). The applicant has also observed golden eagle (*Aquila chrysaetos*) and unidentified owls utilizing the site. Golden eagles in particular are a federal species of concern and are a candidate for endangered species listing in Washington State.

The applicant has also identified gopher snakes (*Pituophis catenifer*), green racers (*Coluber constrictor*) and western rattlesnakes (*Crotalus oreganus*) utilizing the site.

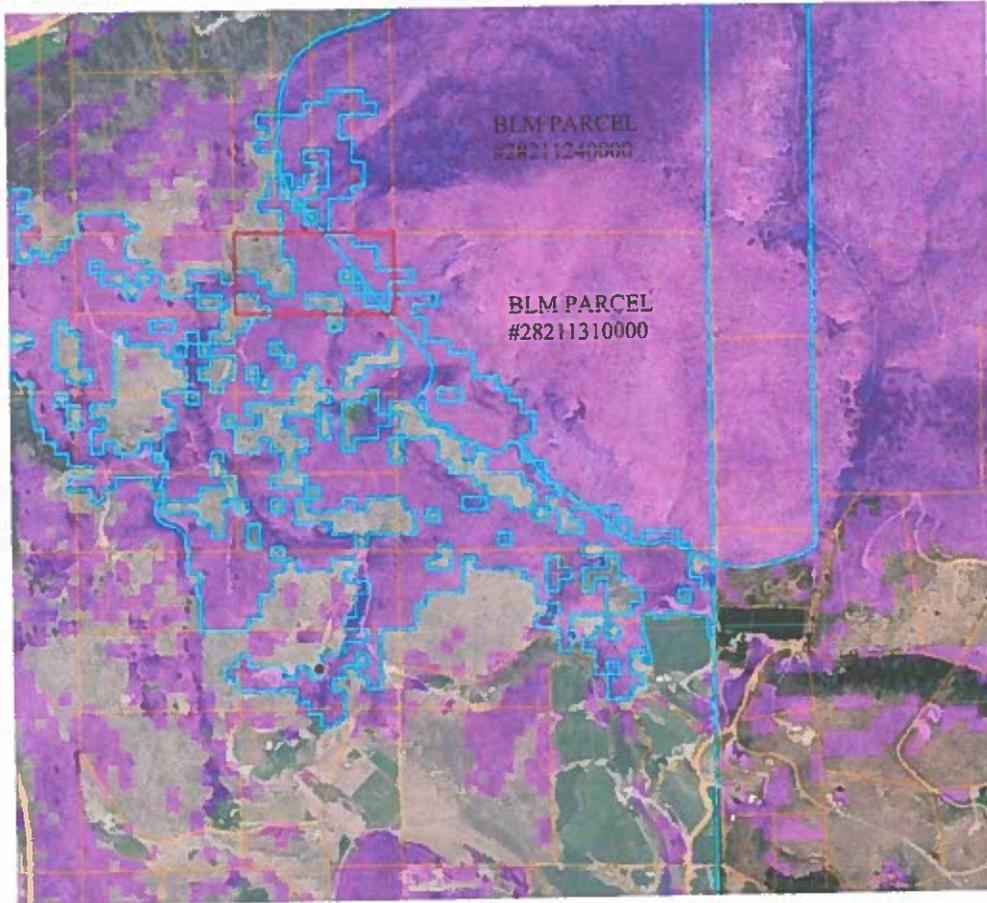
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Priority Habitats and Species on the Web



Report Date: 07/18/2022, Parcel ID: [282113210050](#)

PHS Species/Habitats Overview:

Occurrence Name	Federal Status	State Status	Sensitive Location
Mule deer	N/A	N/A	No
Shrubsteppe	N/A	N/A	No
Northern Spotted Owl	Threatened	Endangered	Yes
Wolverine	Candidate	Candidate	Yes

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Figure 6. WDFW PHS mapping of the subject parcel and surrounding area. The site is mapped as potentially containing regular concentrations of mule deer and shrub-steppe habitat.

### 3. PRIORITY HABITATS AND SPECIES

Based on WDFW's priority habitats and species maps, the proposed site is located within potential wintering range of mule deer (*Odocoileus hemionus hemionus*). Life history information, mapped habitat, and WDFW management recommendations are discussed below. Shrub-steppe habitat supports mule deer populations in Central Washington and is thus considered in conjunction with the mule deer management recommendations.

#### ROCKY MOUNTAIN MULE DEER

##### Life History

The Rocky Mountain Mule Deer represents one subspecies of the mule deer/black-tailed deer group. In Washington, mule deer occur in many varied habitats east of the Cascades, preferring open forests and sagebrush meadows (WDFW, 2016). Mule deer prefer areas within 1 mile of available water and with vegetation that can provide cover for both hiding and thermal regulation. The primary vegetation utilized by mule deer is browse; however, during the spring herbaceous materials are preferred. Forage plants include sagebrush (*Artemisia tridentata*), rabbitbrush (*Ericameria* spp.), bitterbrush (*Purshia tridentata*), balsamroot (*Balsamorhiza* spp.), and cheat grass (*Bromus tectorum*). Fawning occurs in habitats within approximately 600 ft of water with slopes less than 15 percent. Vegetation consists of low shrubs and small trees. Extensive road densities (exceeding ½ mile of road per square mile) reduce habitat effectiveness (WDFW, 2016).

Summer and winter ranges for mule deer are typically geographically separate areas. Summer range is larger than winter range and is primarily in areas with deciduous trees and shrubs, dense shrubs, or timbered stands. The east slopes of the Cascade Mountains provide the most productive mule deer landscape, supporting the highest seasonal densities of mule deer in Eastern Washington (WDFW, 2016). This population is supported by high quality forage in higher elevation meadows during the summer growing season, as well as available winter forage in lower elevation shrub-steppe areas.

Winter range may be half of the area of summer range. Eastern slope Cascade mule deer often migrate up to 90 km (~50 mi) between summer and winter ranges. Winter range habitat needs include solar radiation and wind protection, as well as security cover of dense patches of trees or shrubs, or even geologic features (WDFW, 2016). Winter range typically consists of patches of timber/shrubs and openings of ground covered with vegetation. A ratio of cover to forage of approximately 1:1 is considered optimal.

Mule deer forage on a wide range of plant species (Kufeld et al. in WDFW 2016), though foraging preferences vary with respect to seasonal availability, palatability, and nutritional content. Drought conditions later in the year can lead to nutritional deficits, which can be more severe in lactating does. Lack of adequate winter forage can prolong this nutritional deficit.

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## Mapped Habitat

The project is within the North Shore Lake Chelan Mule Deer Wintering Range. This mapped area encompasses around 9,000 acres along the north Lake Chelan shoreline, extending north and west from the subject parcels. Adjacent mapped winter range to the east includes the Union Valley Deer Winter Range and the Antoine Creek Deer Winter Range. Winter range in this geographic area occurs as a checkerboard of public and private lands. Per WDFW PHS mapping, the North Shore Lake Chelan Mule Deer Wintering Range is estimated to support 2000 deer; most of the mule deer for the Manson unit. The wintering range provides important low-elevation, generally snow-free foraging areas for mule deer. This type of habitat is extremely valuable in the winter as animals are typically stressed and experience a loss of weight during the winter months. Disturbance during this time can heighten animal stress.

The subject properties are in the southeast corner of the mapped wintering range, at its transition to suburban and urban residential areas associated with the Lake Chelan shoreline and lower foothills. The site is located just to the north of the city of Manson urban growth area and northeast of Wapato Lake. Surrounding parcels to the east are BLM-owned public lands as described above. Parcels to the north, west and south are all privately owned and are developed with low density residential and recreational uses or are utilized for commercial agriculture.

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#### 4. SITE EVALUATION

The site is comprised of a complex mixture of vegetation types and topography that support a diverse number of species including mule deer, which are a WDFW PHS species. The site also contains shrub-steppe habitat, consistent with WDFW PHS mapping. PHS species are considered high priority resources by Chelan County. Because of this, the site qualifies for the Open Space Public Benefit program per CCC Section 14.22.060(3)(A)(viii).

Because of its proximity to the city of Manson Urban Growth Area (the site is approximately 2 miles north of the current boundary), the site may also qualify for the Open Space Public Benefit program per CCC Section 14.22.060(3)(A)(vii).

##### SUMMARY OF UNIQUE SITE FEATURES

- The site is mapped as containing mule deer winter range. Mule deer usage was confirmed at the site.
- The site is mapped as containing shrub-steppe habitat. Inter-Mountain Basins Big Sagebrush Steppe (IMBBSS) was confirmed at the site. IMBBSS dominated by bitterbrush is considered an S3-Vulnerable habitat type based on the WDNR rating system.
- The site is located approximately 2 miles north of the city of Manson Urban Growth Area.
- The site is adjacent to large tracts of unfenced publicly owned lands.
- The site contains Columbia Basin Foothill Riparian Woodland and Shrubland (CBFRWS) habitat. CBFRWS is considered an S2-Imperiled habitat type based on the WDNR rating system.
- The site contains talus slopes and rock outcrops greater than 25 ft in height. Although not specifically listed as high priority resources in Chelan County, they are considered critical areas in neighboring counties and support PHS species including golden eagles.
- The site contains dominant vegetation that is consistent with the historical ecology of this region. The site is not degraded due to over-grazing or conversion from development.
- The site may contain an aspen-dominated wetland along its eastern border. The presence of wetland conditions was not field verified.
- The site supports a high diversity of plants and wildlife and contains complex topography on multiple aspects.
- The site supports several riparian-vegetated drainages that function as wildlife corridors, as demonstrated in game camera footage supplied by the applicant.

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## 5. MANAGEMENT MEASURES

### BEST AVAILABLE SCIENCE

Although other documents are cited in this Plan, the proposed management recommendations are based on the requirements and recommendations of the following documents as recommended by WDFW and are otherwise determined appropriate to ensure the protection of shrub-steppe and mule deer habitat.

- Washington Department of Natural Resources Washington Natural Heritage Program Ecological Systems of Washington State. A Guide to Identification.
- WDFW Management Recommendations for Washington's Priority Habitats: Shrubsteppe
- WDFW Living with Deer webpage
- WDFW 2016 Washington State Mule Deer Management Plan
- Natural Resources Conservation Service (NRCS) Wildlife Habitat Management Institute Mule Deer (*Odocoileus hemionus*) May 2005 Fish and Wildlife Habitat Management Leaflet Number 28.

### OPEN SPACE PUBLIC BENEFIT PROGRAM CONDITIONS

In order to qualify for the Open Space Public Benefit program through CCC Section 14.22.060(3)(A)(viii)(g), several conditions must be met:

*(g) Eligible lands include those that meet the definition above and the following conditions:*

*(I) The resources are confirmed by the data sources indicated or identified by either the appropriate state agency or a competent professional whose findings are substantiated by the appropriate state agency*

A site visit along with best available science have been utilized to evaluate the subject parcels. WDFW PHS mapping confirms the presence of mule deer winter range and shrub-steppe habitat. The presence of these high priority resources was corroborated during the site visit by a qualified professional.

*(II) The resources area included within a habitat management plan developed by a qualified wildlife habitat biologist that includes the following conditions the owners agree to follow:*

*(1) Land use limitations needed for the long-term viability of the important species or habitat;*

The applicant proposes to enter into a conservation easement with the Chelan-Douglas Land Trust (CDLT) in order to protect the high priority resources located at the site; primarily shrub-steppe habitat and mule deer winter range. The applicant will work with the CDLT to tailor a stewardship plan that is appropriate for the property and the applicant's desires for long-term conservation.

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*(2) Limitations for access by humans and domesticated animals, as needed;*

Because the site supports mule deer winter range, it is recommended that winter access is limited at the site, consistent with other properties that contain conservation easements for mule deer winter range in Chelan County. In particular, seasonal closures should take effect from December 1 to April 1 on parcels #282113240050, #282113210100 and #282113210050. These parcels are located directly adjacent to the BLM-managed lands and are the parcels most likely to be used by mule deer based off of WDFW mapping and observations during the site visit.

The applicant also proposes to restrict hunting on the subject parcels.

*(3) Management measures that will enhance the species' viability, if needed; and*

Aside from development, the greatest threat to the viability of shrub-steppe habitat and mule deer usage at the site is the unchecked increase in noxious and invasive species. Populations of noxious or invasive weeds should be monitored across the site, with either chemical or mechanical controls implemented to contain outbreaks. The Chelan County Noxious Weed Control Board should be consulted for recommendations on designing an inspection schedule and suggesting preferred management techniques for this location.

The applicant also proposes to continue the removal of the WDFW-installed abatement fencing at the site. The fencing is deteriorating and should be removed in order to provide unrestricted access to the wildlife that utilize the parcels as a movement corridor.

*(4) Recommended review intervals for at least the following twenty years.*

The site should be re-visited by the holder of the conservation easement no less than every three years to assess conditions on the parcels. In particular, the easement holder should inspect the parcels for noxious or invasive weeds and initiate the implementation of a control program if necessary. Recommendations from the Chelan-Douglas Noxious Weed Control Board should be utilized for the control of noxious or invasive species.

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6. DISCUSSION

The applicant is applying for enrollment of the subject parcels in the Chelan County Open Space Public Benefit program. As part of the application process, the subject parcels must be evaluated to ensure they meet the enrollment criteria. Evaluation of the subject parcels by a qualified professional biologist occurred in July of 2022. It was determined that the site contains WDFW PHS listed shrub-steppe habitat and mule deer winter range habitat; high priority resources in Chelan County. Based on their presence, the site qualifies for enrollment in the Open Space Public Benefit program per Chelan County Code (CCC) Section 14.22.060(3)(A)(viii)(g). Because of the proximity of the site to the city of Manson Urban Growth Area, the site may also qualify for enrollment in the Program per CCC Section 14.22.060(3)(A)(vii).

In addition to the PHS-listed habitats and species the site contains a number of additional unique features that warrant long-term conservation. The applicant proposes to enter into a conservation easement with the Chelan-Douglas Land Trust in order to protect the site from future development. The applicant will work with the land trust to tailor an agreement that is appropriate for the property and takes into consideration the conservation goals of the applicant.

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## 7. QUALIFIED PROFESSIONAL

Eron Drew is a professional biologist who meets the qualifications for Wetlands, Habitat Conservation Areas and Vegetation Management qualified professional. Eron holds Bachelor of Science degrees in Geology, Conservation Biology, and Zoology from the University of Wisconsin, Madison with a focus on geomorphology, conservation ecology, and limnology. Professional experience includes over 11 years of natural resource management experience in limnology, fisheries, freshwater ecology, wetland ecology, ESA and PHS species protection, and wildlife habitat assessment, management, and mitigation. She is an Army Corps of Engineers certified wetland delineator and has completed the Department of Ecology training for Using the Revised Washington State Wetland Rating System (2014) in Eastern Washington. She has completed the Department of Ecology training for Determining the Ordinary High Water Mark and the WDNR Ecological Integrity Assessment training. She is also a Cornell Lab of Ornithology eBird data contributor and a member of the Washington Native Plant Society. Eron has over 13 years of professional experience in agriculture and landscape management within Central Washington, and 6 years of experience as a WSU Chelan-Douglas Master Gardener and Master Gardener instructor; with over 75 hours of continuing education through the WSU Research Extension in vegetation management including soils, tree and shrub identification, pruning, site and variety selection, trellising and support, fire-wise landscaping, forest health, xeric and native vegetation, plant health diagnosis, and disease and pest management. Eron can be reached at erond@gretteassociates.com or by phone at (509) 663-6300.

Ryan Walker is a Senior Biologist who meets the qualifications for Wetlands, Habitat Conservation Areas and Vegetation Management with experience in shoreline permitting, forestry, wetland biology, riparian restoration, fish and wildlife habitat and code administration. He is an Army Corps of Engineers certified wetland delineator and is on Ecology's qualified list for wetland ratings in eastern and western Washington and use of the credit/debit mitigation system. His background includes natural resource management, land-use planning, ESA compliance, storm water management planning and Shoreline Management Act permitting. Ryan manages a team of employees whose work includes designing projects to meet the requirements of the Clean Water Act (Section 404 and 401), Rivers and Harbors Act, construction stormwater regulations, Washington State Hydraulic Code Rules and local jurisdiction Shoreline Master Programs and critical area regulations. His work also includes bid administration, contracting and construction management of restoration and salmon recovery projects. He holds a B.S. degree in Natural Resource Management from Washington State University and has completed the Department of Ecology's course on determining the ordinary high water mark. He has worked with federal, state, and local agencies in north-central Washington on environmental permitting issues for over 21 years.

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CHELAN COUNTY  
COMMUNITY DEVELOPMENT

# ATAM OPEN SPACE PUBLIC BENEFIT APPLICATION

## PHOTOGRAPHS

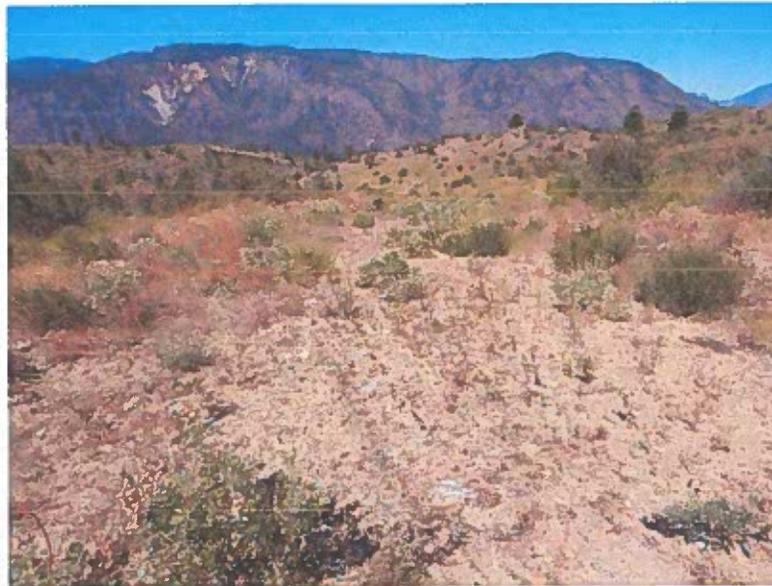
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CHELAN COUNTY  
COMMUNITY DEVELOPMENT



**Photograph 1. Electrical conduit was run to the building sites under the previous owner. However, electrical service was never installed.**



**Photograph 2. One of the former building sites; looking west. Native vegetation is recolonizing excavated areas.**

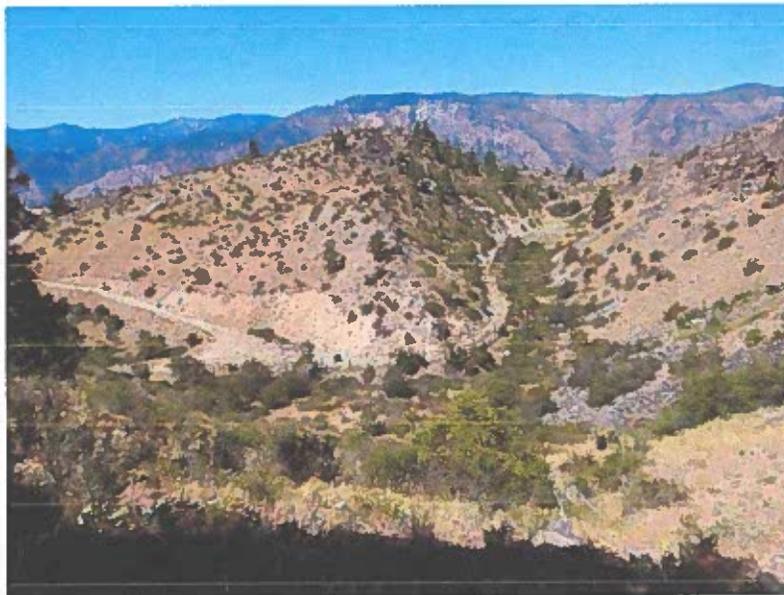
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COMMUNITY DEVELOPMENT



**Photograph 3. The site is located just to the north of the City of Manson. Wapato Lake, Roses Lake and Lake Chelan are all visible from the site.**



**Photograph 4. Liberty Lane (left side), WDFW deer abatement fencing (center) and one of the drainages dominated by riparian vegetation near the center of the site; looking west. The applicant has started to remove the failing fencing.**

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COMMUNITY DEVELOPMENT



**Photograph 5. Rock outcrops and talus at the site.**



**Photograph 6. Several mule deer were observed utilizing the site during the July visit.**

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COMMUNITY DEVELOPMENT



**Photograph 7. Well-developed game trails crisscross the eastern half of the site.**



**Photograph 8. The properties are vegetated with bitterbrush (*Purshia tridentata*)-dominated shrub-steppe. Terrain at the site is mixed and contains shrub-steppe, hanging valleys, open meadows, steep slopes, rocky outcrops and riparian vegetation-dominated drainages.**

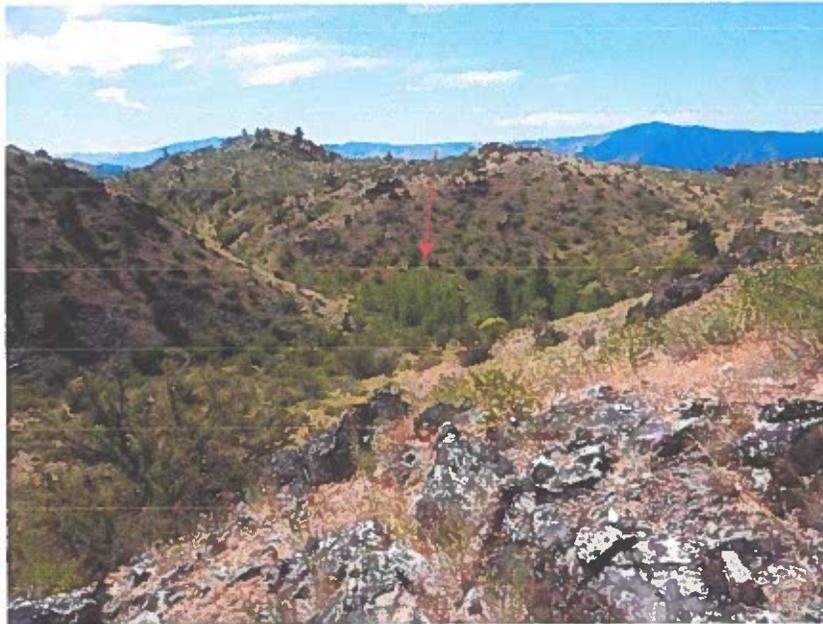
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COMMUNITY DEVELOPMENT



**Photograph 9. An open meadow adjacent to BLM land; looking southeast.**



**Photograph 10. The location of a potential wetland on the eastern edge of the site; looking east.**

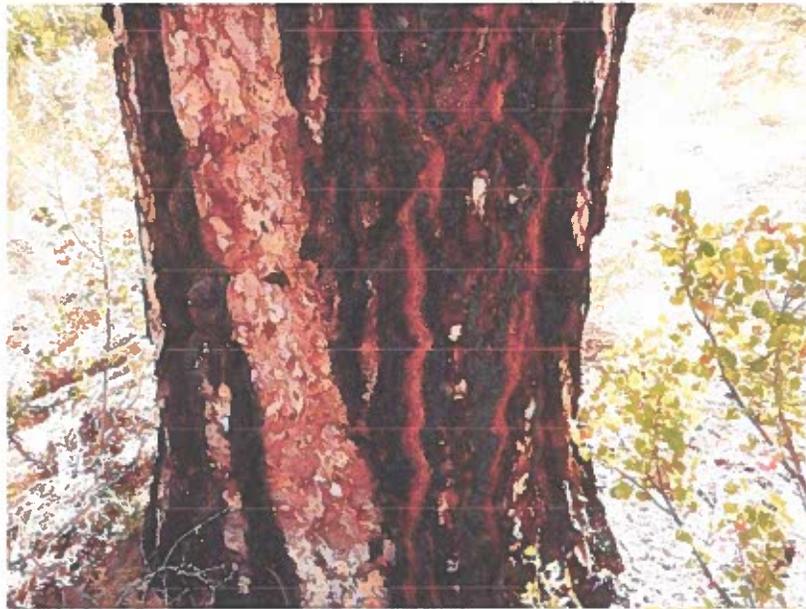
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**Photograph 11. Mature Ponderosa pine (*Pinus ponderosa*) is located throughout the site.**



**Photograph 12. Fire scarring on a mature Ponderosa pine (*Pinus ponderosa*).**

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**Photograph 13.** The applicant maintains several mowed walking trails on the site. Drainages are dominated by quaking aspen (*Populus tremuloides*).

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**Chelan County**  
**Department of Community Development**

**Receipt Number: 22-01590**

316 WASHINGTON ST. SUITE 301  
 Wenatchee, WA 98801  
 (509) 667-6225

**Payer/Payee:** ATAM DENIS B K & IRMINGARD  
 457 HIGH BLOSSOM LN  
 MANSON WA 98831

**Cashier:** JAMIE STROTHER

**Date:** 08/09/2022

**PL 22-328 PUBLIC BENEFIT RATING SYSTEM ADDRESS UNKNOWN UNKNOWN, WA 98831**

<u>Fee Description</u>	<u>BARS Number</u>	<u>Fee Amount</u>	<u>Amount Paid</u>	<u>Fee Balance</u>
Current Use Assessment - Open Space Determination (Timber or Public Benefit Rating System)	010.020.32210.05.000	\$920.00	\$920.00	\$0.00
		<b>\$920.00</b>	<b>\$920.00</b>	<b>\$0.00</b>
<b>TOTAL PAID:</b>			<b>\$920.00</b>	

<u>Payment Method</u>	<u>Reference Number</u>	<u>Payment Amount</u>
CHECK	3426	\$920.00
<b>Total:</b>		<b>\$920.00</b>

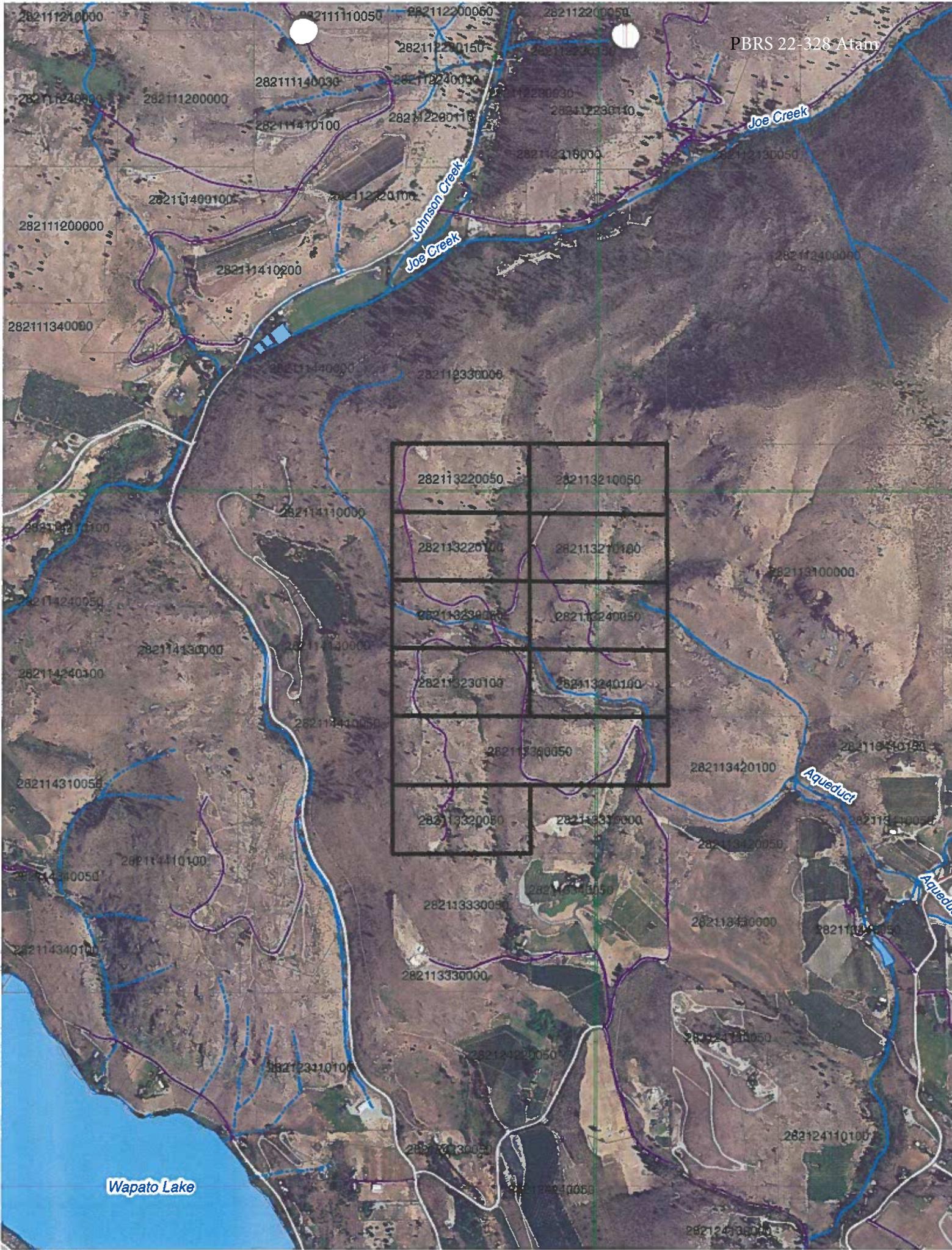
**Notes :**

**Project Information**

<u>Permit #</u>	<u>Permit Type</u>	<u>Project Description</u>	<u>Parcel #</u>
PL 22-328	PBRS	PBRS	282113320050

**Project Contacts**

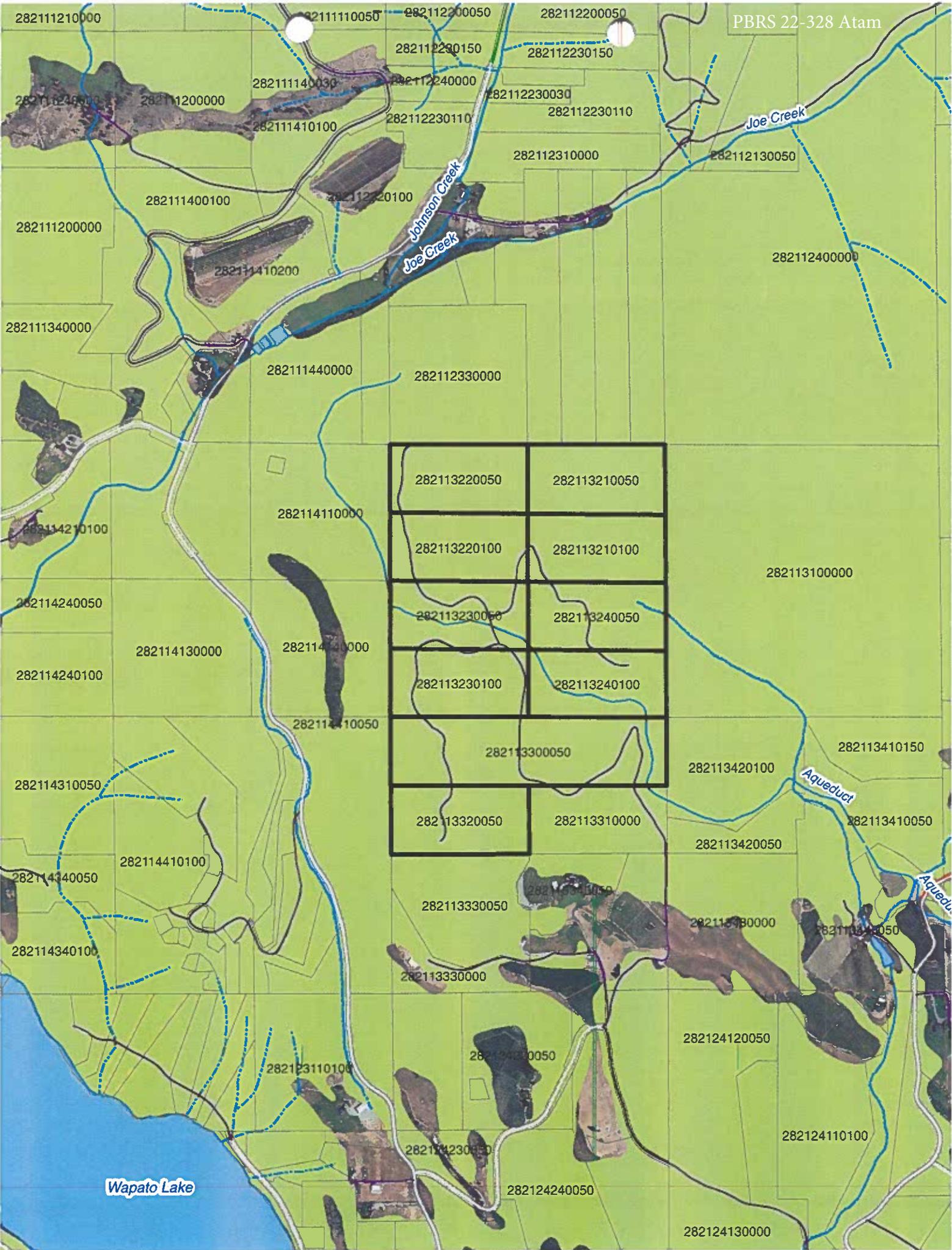
<u>Permit #</u>	<u>Name</u>	<u>Association</u>	<u>Address</u>
PL 22-328	ATAM DENIS B K & IRMINGARD	APPLICANT	457 HIGH BLOSSOM LN, MANSON, WA 98831
	ATAM DENIS B K & IRMINGARD	OWNER	457 HIGH BLOSSOM LN, MANSON, WA 98831



282113220050	282113210050
282113220100	282113210100
282113230050	282113240050
282113230100	282113240100
282113300050	
282113320050	282113310000

Wapato Lake





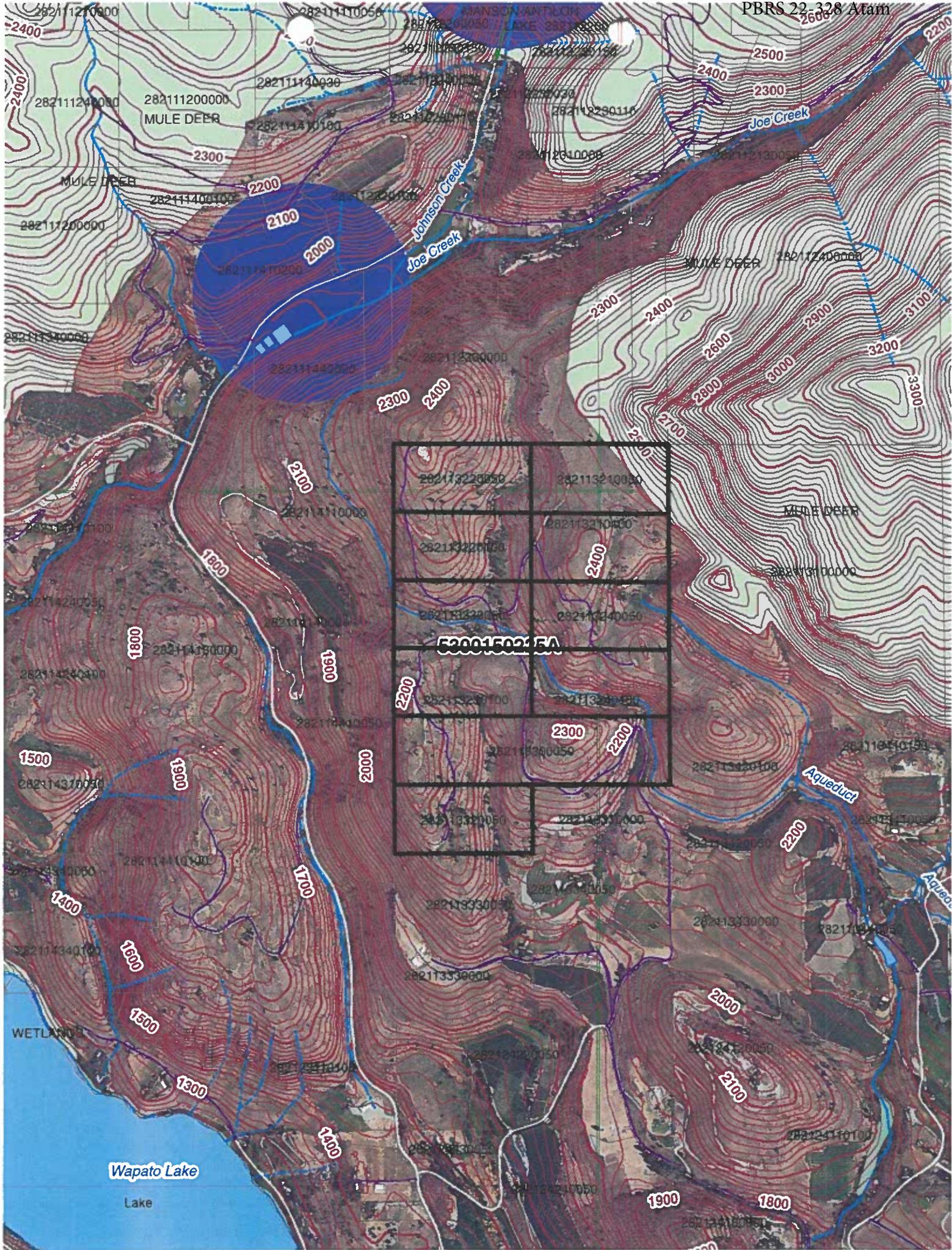
Wapato Lake

Joe Creek

Johnson Creek  
Joe Creek

Aqueduct

Aqueduct



WENATCHEE WORLD  
 PO BOX 1511  
 WENATCHEE WA 98807-1511  
 (509)663-5161

ORDER CONFIRMATION

Salesperson: LEGAL

Printed at 03/01/23 08:57 by esmit-wc

Acct #: 545939

Ad #: 611231

Status: New WHOLD

CHELAN CO DEPT OF COMMUNITY DEVELOPMEN  
 316 WASHINGTON ST. #301  
 WENATCHEE WA 98801

Start: 03/04/2023 Stop: 03/04/2023  
 Times Ord: 1 Times Run: \*\*\*  
 WSTD 2.00 X 2.69 Words: 208  
 Total WSTD 5.38

Class: W8500 LEGAL ADVERTISING  
 Rate: LEGAL Cost: 87.59

# Affidavits: 1  
 Ad Descrpt: NOTICE OF PUBLIC HEARING

Descr Cont: PBRS 2022-328 -MARCH 22

Given by: \*

P.O. #:

Created: esmit 03/01/23 08:52

Last Changed: esmit 03/01/23 08:57

Contact:

Phone: (509)667-6225

Fax#: (509)667-6475

Email: lisa.ogle@co.chelan.wa.us

Agency:

PUB	ZONE	EDT	TP	START	INS	STOP	SMTWTFSS
WW	A	3	W	Sat 03/04/23	1	Sat 03/04/23	TWT S
WVO	A	3	W	Sat 03/04/23	1	Sat 03/04/23	SMTWTFSS

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Name (print or type)

Name (signature)

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Chelan County Planning Commission will conduct a regular hearing on March 22, 2023 at the Board of County Commissioners Conference Room No. 1, at 400 Douglas Street, Wenatchee, WA 98801, to consider and make decision on the following request(s):

PBRS 2022-328 Atam An application requesting approval of an 'open space' classification for 181.61 acres of land to the Public Benefit Rating System. The application was submitted on August 9, 2022.

PBRS 22-356 Schoder An application requesting approval of an 'open space' classification for 8.4 acres of the 16.07-acre parcel of land to the Public Benefit Rating System. The application was submitted on September 2, 2022.

File materials may be viewed at the address listed below. Pertinent testimony, written comments and/or exhibits may be presented to the Hearings Examiner at the public hearing or may be submitted in writing no later than 5:00 PM on March 21, 2023, in care of the Chelan County Community Development, 316 Washington Street, Suite# 301, Wenatchee, WA 98801, Phone (509) 667-6225 or Fax (509) 667-6475.

(Please publish once on March 04, 2023. Send bill and affidavit of publication to Chelan County Department of Community Development., 316 Washington St., Suite 301, Wenatchee, WA 98801).

**WENATCHEE WORLD**  
 PO BOX 1511  
 WENATCHEE WA 98807-1511  
 (509) 663-5161

1  Memo Bill Period 02/2023		2  Advertiser/Client Name CHELAN CO DEPT OF COMMUNITY DE	
23  Total Amount Due 87.59		*Unapplied Amount	3  Terms of Payment
21  Current Net Amount Due .00	22  30 Days .00	60 Days .00	Over 90 Days .00
4  Page Number 1	5  Memo Bill Date 03/01/23	6  Billed Account Number 545939	7  Advertiser/Client Number LEGAL. 545939

Advertising Memo Bill

8  Billed Account Name and Address CHELAN CO DEPT OF COMMUNITY DEVELOPMENT (C 316 WASHINGTON ST. #301 WENATCHEE WA 98801		Amount Paid: <hr/>
		Comments:  Ad #: 611231

Please Return Upper Portion With Payment

10  Date	11  Newspaper Reference	12 13 14  Description-Other Comments/Charges	15  SAU Size 16  Billed Units	17  Times Run 18  Rate	19  Gross Amount	20  Net Amount
03/04/23	611231 LEGAL	NOTICE OF PUBLIC HEARI PBRS 2022-328 -MARCH 2 03/04 WW WWO	2X 2.69 5.38	1 16.28	87.59	87.59

**Statement of Account - Aging of Past Due Amounts**

21  Current Net Amount Due 0.00	22  30 Days 0.00	60 Days 0.00	Over 90 Days 0.00	*Unapplied Amount	23  Total Amount Due 87.59
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**WENATCHEE WORLD**

(509) 663-5161

\* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

24  Invoice 611231	25  Billing Period 02/2023	Advertiser Information			
		6  Billed Account Number 545939	7  Advertiser/Client Number 545939	2  Advertiser/Client Name CHELAN CO DEPT OF COMMU	