

**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF KITTITAS  
STATE OF WASHINGTON**

**ORDINANCE**

NO. 2010- 014

**REVISIONS OF TITLE 20  
KITTITAS COUNTY COMPREHENSIVE PLAN  
AS PART OF THE 2010 ANNUAL COMPREHENSIVE PLAN AMENDMENT CYCLE.**

**Whereas,** this ordinance, revising the Kittitas County Comprehensive Plan, contains four sections of findings, as follows:

- Section I - Procedural Findings
- Section II - Board of County Commissioners Findings
- Section III - Final Decision and Signatures
- Attachments

**SECTION I  
PROCEDURAL FINDINGS**

- Whereas,** Kittitas County opted into the Growth Management Act, RCW 36.70A, voluntarily on December 27, 1990, through Resolution 90-138; and
- Whereas,** The Kittitas County GMA Comprehensive Plan was originally adopted on July 26, 1996 by the Kittitas County Board of County Commissioners; and
- Whereas,** Kittitas County Code 15B.03.030 indicates that any interested person, including applicants, citizens, county commission and board members, and staff of other agencies may suggest plan or development regulation amendments for annual consideration by the Kittitas County Planning Commission and Board of County Commissioners; and
- Whereas,** Kittitas County Code 15B.03.030 requires amendments to the comprehensive plan that are docketed by June 30<sup>th</sup> must be approved or denied by the Board of County Commissioners on or before December 31<sup>st</sup> of that same calendar year; and
- Whereas,** Kittitas County Community Development Services docketed a list of suggested changes to the Comprehensive Plan and development regulation amendments and made that readily available for review by the public in the Planning Department, publishing the docket in a newsletter in July 2010, and holding public open houses on the docket on August 17, 2010 in Cle Elum and on August 19, 2010 in Ellensburg; and
- Whereas,** Kittitas County submitted its proposed docketed items to the Department of Commerce (formerly named the Department of Community Trade and Economic Development) as required by statute on August 19, 2010; and
- Whereas,** After due notice, the Planning Commission met on August 24, 2010 to hear testimony and take public comment on the annual docketing process; and
- Whereas,** The Planning Commission deliberated on the docketed items and made recommendations to the Board of County Commissioners regarding the docketed items on September 28, 2010, taking due consideration of the public benefit involved in the proposals; and
- Whereas,** Kittitas County filed its SEPA checklist on October 15, 2010, and issued a determination of Nonsignificance on November 2, 2010; and
- Whereas,** The appeal period for the SEPA review ended on November 1, 2010; and
- Whereas,** No appeals were filed on the Determination of Non-significance (DNS); and
- Whereas,** Kittitas County published a notice of a public hearing to consider the annual docket as required by law; and
- Whereas,** Kittitas County Board of County Commissioners held a public hearing on November 2, 2010 during which testimony was taken and documentary evidence received by the Board of County Commissioners from those persons wishing to be heard; and
- Whereas,** Due notice of the hearings has been given as required by law; and

**Whereas,** That hearing was continued to December 7, 2010 for deliberation; and

**Whereas,** The Kittitas County Board of County Commissioners held a continued public hearing to consider enabling documents on December 21, 2010; and

**Whereas,** On December 21, 2010 the Kittitas County Board of Commissioners reviewed and signed the prepared ordinance.

**SECTION II – BOARD OF COUNTY COMMISSIONERS FINDINGS**

**General Findings:**

The Kittitas County Board of County Commissioners held a public hearing on November 2, 2010. All members of the public who wanted to were allowed to speak or submit written correspondence into the record, which was closed for public comment at 7:10 p.m., on November 2, 2010. Due notice of the hearings was given as required by law.

The docketed items that were withdrawn by the project applicant prior to the Board of Commissioners public hearing were:

**WITHDRAWN PRIOR TO BOCC PUBLIC HEARING**

<b>Number</b>	<b>Applicants Name</b>	<b>Project Description</b>
10-05	Keechelus Ridge HOA	Keechelus Ridge HOA

**WITHDRAWN PRIOR TO PLANNING COMMISSION DELIBERATIONS**

<b>Number</b>	<b>Applicants Name</b>	<b>Project Description</b>
10-01	County staff	Ellensburg UGA Commercial AG
10-02	County staff	Evaluation of former Thorp UGN lands designated rural (AG 20) for Commercial Agricultural potential
10-06	Traci Shallbetter, Esq. (agent)	Hirsch Forest Land De-designation
10-07	County staff	Change from Rural Residential to Forest and Range (20-13-03010-0001)
10-15	Van de Graaf Ranches, Inc.	Midvale Rezone RZ-07-00004

The docketed items discussed during the Board of Commissioners public hearing were:

**2010 COMPREHENSIVE PLAN AMENDMENTS**

<b>Number</b>	<b>Applicants Name</b>	<b>Project Description</b>	<b>Planning Commission Recommendation</b>
10-03	BDG Partnership	BDG Forest Land De-designation	Denial

**2010 COMPREHENSIVE PLAN AMENDMENTS - CONTINUED**

<i>Number</i>	<i>Applicants Name</i>	<i>Project Description</i>	<i>Planning Commission Recommendation</i>
10-04	Brian E. Murphy	Murphy Forest Land De-designation	Denial
10-08	County staff	Mapping Correction in Southwest Ellensburg Vicinity	Approval
10-09	County staff	Adoption by Reference of the EDG of Kittitas County's Economic Development Strategic Plan	Approval
10-10	County staff	Development Regulation Amendments for Consistency and Clarity	Approval with the revision recommended by the Department of Public Works to strikeout the proposed KCC 16.12.080
10-11	BOCC and County staff	KCC 16.09 – Performance Based Cluster Plat	Forwarded without recommendation
10-12	Ellison Thorp Estate	Thorp LAMIRD III Expansion CP-10-00001	Approval
10-13	Ellison Thorp Estate	Thorp Travel Center Rezone RZ-10-00001	Approval
10-14	Ellensburg Cement Products	Concrete Batch Plants CUP Clarification CP-10-00002	Approval

**Whereas,** Kittitas County conducted an update to the Comprehensive Plan in a manner consistent with the requirements found in Chapter 36.70A RCW, allowing for early and continuous public participation; and

**Whereas,** The Kittitas County Board of County Commissioners held a public hearing on November 2, 2010 to consider the 2010 Annual Amendment to the Kittitas County Comprehensive Plan. The Kittitas County Board of County Commissioners held a continued public hearing to consider enabling documents for the 2010 Annual Amendment to the Kittitas County Comprehensive Plan on December 21, 2010; and

**Whereas,** The Board of County Commissioners entered the following findings of fact for the items docketed for the 2010 Annual Amendment to the Kittitas County Comprehensive Plan. The specific requests and findings are as follows:

**10-03  
BDG Partnership  
Map Amendment  
Project Description: BDG Forest Land De-designation**

On June 29, 2010, Kittitas County Community Development Services received an application from BDG Partnership, for a proposed land use and zoning map amendment to de-designate parcels 951718 and Ordinance 2010-\_\_\_\_\_

951719 totaling 86 acres from Commercial Forest to Rural and the rezone from Commercial Forest to Forest & Range. The location of this proposal is shown in Exhibit A.

This application was originally received in June of 2008 but processing was delayed pending the outcome of the de-designation language amendments during the 2009 Comprehensive Plan process and its subsequent acceptance by the Eastern Washington Growth Management Hearings Board.

The Board of County Commissioners held a public hearing on November 2, 2010 and **denied the request as presented** during the continued public hearing on December 7, 2010, with a 3-0 vote finding that:

- I. Testimony for and against this proposal was received.
- II. The Planning Commission recommended denial to the Board of County Commissioners.
- III. The application lacked a specific project proposal and was for a rezone only.
- IV. The applicant stated that they desired to preserve open space with this proposal but the applicant did not have a project application that would require it.
- V. The applicant provided no showing of the needs of the industry as required by the County Comprehensive Plan.
- VI. The Commissioners were not persuaded that there has been a change in use from commercial forest to rural and forest & range.

#### **10-04**

**Brian E. Murphy**

**Map amendment**

**Project Description: Murphy Forest Land De-designation**

On June 28, 2010, Kittitas County Community Development Services received an application from Brian Murphy, for proposed amendments to the land use and zoning maps to de-designate parcels 306835, 146835 & 951720 totaling 176.57 acres from Commercial Forest to Rural and the rezone from Commercial Forest to Forest & Range. The location of this proposal is shown in Exhibit B.

This application was originally received in June of 2008 but processing was delayed pending the outcome of the de-designation language amendments during the 2009 Comprehensive Plan process and its subsequent acceptance by the Eastern Washington Growth Management Hearings Board.

The Board of County Commissioners held a public hearing on November 2, 2010 and **denied the request as presented** during the continued public hearing on December 7, 2010, with a 3-0 vote finding that:

- I. Testimony for and against this proposal was received.
- II. The Planning Commission recommended denial to the Board of County Commissioners.
- III. The application was for a rezone only, lacking a specific project proposal. There was draft project proposal but no application to enforce the project proposal.
- IV. The applicant stated that they desired to preserve open space with this proposal but the applicant did not have a project application that would require it.
- V. The applicant provided no showing of the needs of the industry as required by the County Comprehensive Plan.
- VI. The Commissioners were not persuaded that there has been a change in use from commercial forest to rural and forest & range.

10-08

County Staff

Map Amendment

**Project Description: Mapping Correction in Southwest Ellensburg Vicinity**

Kittitas County Community Development Services proposed a zoning map amendment to Assessor's map numbers 18-18-33030-0042 (039333) and 18-18-33040-0008 (299333), changing the zoning from Urban Residential to General Commercial. These amendments were docketed by CDS prior to the June 30th docketing deadline. The map amendment is shown in Exhibit C.

The Board of County Commissioners held a public hearing on November 2, 2010 and **approved the request as presented** during the continued public hearing on December 7, 2010, with a 3-0 vote finding that:

- I. Testimony for this proposal was received.
- II. The subject property is south of the I-90 and US 97 interchange.
- III. The proposal allows for general commercial on the subject property, compatible with the campground use that was established prior to 1968.
- IV. The proposal seeks a zoning designation consistent with the City of Ellensburg's zoning designations within the Urban Growth Area.
- V. The subject property meets the requirements of KCC 17.98.020(7) for a rezone.
- VI. The Planning Commission recommended approval to the Board of County Commissioners.

10-09

County Staff

Text Amendment

**Project Description: Adoption by Reference of the EDG of Kittitas County's Economic Development Strategic Plan**

Kittitas County Community Development Services has prepared proposed text amendments to the Comprehensive Plan, adopting by reference the EDG of Kittitas County's Economic Development Strategic Plan. These amendments were docketed by CDS prior to the June 30th docketing deadline. The text amendments are shown in Exhibit D.

The Board of County Commissioners held a public hearing on November 2, 2010 and **approved the request as presented** during the continued public hearing on December 7, 2010, with a 3-0 vote finding that:

- I. Testimony for this proposal was received.
- II. The proposed text amendment will provide guidance for land use, capital facilities, and economic development.
- III. The proposed text amendment supports the Comprehensive Plan's policies to encourage economic vitality and job development in accordance with the Growth Management Act.
- IV. The Planning Commission recommended approval to the Board of County Commissioners.

10-10

County Staff

Development Regulation Amendment

**Project Description: Development Regulation Amendments for Consistency and Clarity**

Kittitas County Community Development Services prepared proposed development regulations amendments for consistency and clarity. The development regulations amend KCC 15A Project Permit Application Process; KCC 15B Amendments to County Plans, Codes, and Standards; KCC 16 Subdivision; and KCC 17 Zoning and are shown in Exhibit E. These amendments were docketed with CDS prior to June 30, 2010 docketing deadline.

The Board of County Commissioners held a public hearing on November 2, 2010 and **approved the request with the corrections suggested by staff during deliberations, with the strikeout of “for a period of five years” in KCC 16.08.015, and take no action on revising KCC 17.08.475** during the continued public hearing on December 7, 2010, with a 3-0 vote finding that:

- I. Testimony for and against this proposal was received.
- II. The proposed amendments to the development regulations will provide clarity and consistency to processing development applications in Kittitas County.
- III. The impacts of subdividing land after it has been divided through the administrative segregation process are more appropriately assessed under the provisions for short plats, large lot subdivisions, or plats.
- IV. The impacts of KCC 17.08.475 require further analysis and review by staff and stakeholders before this language can be revised.
- V. The Planning Commission recommended approval to the Board of County Commissioners.

10-11

County Staff

Development Regulation Amendment

**Project Description: KCC 16.09 – Performance Based Cluster Plat**

Kittitas County Community Development Services prepared proposed amendments to KCC Chapter 16.09 Performance Based Cluster Platting. These amendments were docketed with CDS prior to the June 30th docketing deadline. The development regulation amends KCC 16.09 Performance Based Cluster Platting and is shown in Exhibit F.

The Board of County Commissioners held a public hearing on November 2, 2010 and **approved the request with the corrections suggested by staff during deliberations, with the correction to the scrivener's error referencing Section 16.09.025, and allowing for a minimum open space acreage of 30 acres in Agriculture 20 and Forest and Range 20** during the continued public hearing on December 7, 2010, with a 3-0 vote finding that:

- I. Testimony for and against this proposal was received.
- II. The proposed amendments to KCC 16.09 will provide clarity regarding the processing of Performance Based Cluster Plat applications in Kittitas County.
- III. The Planning Commission forwarded this docket item without recommendation to the Board of County Commissioners.

10-12

**Ellison Thorp Estate**

**Map Amendment**

**Project Description: Thorp LAMIRD III Expansion (CP-10-00001)**

On June 29, 2010, Kittitas County Community Development Services received an application from Roger Weaver, agent for Ellison Thorp Estates, property owner, for a proposed map amendment to expand the Type 3 LAMIRD from 12 acres to 30.5 acres for the purpose of developing the Thorp Travel Center consisting of a truck stop, restaurant and hotel and RV park. The map amendments are shown in Exhibit G.

The Board of County Commissioners held a public hearing on November 2, 2010 and **approved the request as presented** during the continued public hearing on December 7, 2010, with a 3-0 vote finding that:

- I. Testimony for and against this proposal was received.
- II. The subject property is south of the I-90 and Thorp Highway Interchange.
- III. The proposal provides a higher and better use than the resource value of land use rural.
- IV. The proposal increases the public benefit for travelers on I-90, the Thorp community, and Kittitas County.
- V. The proposal supports the Comprehensive Plan's Goals, Policies, and Objectives (GPO) including:
  - a. GPO 2.7 the County will cooperate with the private sector and local communities in actively improving conditions for economic growth and development.
  - b. GPO 2.104 to encourage the expansion and full development of existing business districts.
  - c. GPO 2.102 to encourage neighborhood "convenience" businesses outside urban areas serving rural districts or demonstrated motorist needs in appropriate areas.
  - d. GPO 2.107C to promote small-scale commercial development outside of UGAs when compatible with adjacent land uses.
  - e. GPO 8.43 to consider the establishment of areas of more intensive rural development according to RCW 36.70A.070 (5) (d) that increase commercial, industrial, recreational, and tourist opportunities.
  - f. GPO 8.44 to provide for neighborhood convenience businesses and motorist services.
  - g. GPO 8.69 allows for geographic expansion of boundaries if they are otherwise consistent with the requirements of GMA.
  - h. GPO 8.70 allows inclusion of undeveloped land in LAMIRDs for limited infill, development or redevelopment when consistent with rural provisions of the GMA.
  - i. GPO 8.71 requires that development or redevelopment harmonize with the rural character of the surrounding areas.
  - j. GPO 8.78 permits Rural Employment Centers to intensify development on lots containing isolated nonresidential uses or new development of isolated small scale businesses, to locate businesses that provide job opportunities for rural residents, but do not need to be principally designed to serve local residents, to provide appropriately sized small scale employment uses for a rural community, and conform to the rural character of the surrounding area.
- VI. The County may consider local circumstances in establishing patterns of rural densities and uses when a written record explaining how the rural element harmonizes the planning goals in RCW 36.70A.020 is provided and meets the requirements of RCW 36.70A.070.
- VII. This development meets RCW 36.70A.020 (3) Transportation, by encouraging efficient multimodal transportation systems that are based on regional priorities with the provision of a



truck stop for freight and goods trucks and passenger vehicles just east of the I-90 Snoqualmie Pass.

- VIII. The historical use of the proposal site was as a gas station/truck stop in the mid-1900s. Re-establishing a larger truck stop is an appropriate use and compatible with the surrounding uses, and does not contribute to a pattern of low density sprawl.
- IX. The proposal is for one development on three parcels: 010-0008, 010-0011, and 010-0013. All of parcel 010-0008 and part of parcel 010-0013 are located in the existing LAMIRD III site. The proposed enlargement of the LAMIRD III will include the remaining 28 acres of parcel 010-0013 and the whole 9 acre parcel 010-0011. This additional acreage is requested in order for this single development proposal to be operationally successful on the existing LAMIRD III site.
- X. The proposal provides job opportunities for rural residents, is principally designed to serve the Interstate 90 traveling public, and provides economic growth in Kittitas County.
- XI. The County has the authority, under RCW 36.70A.060 (5) (iii), to allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the local government according to RCW 36.70A.030 (15).
- XII. The Planning Commission recommended approval to the Board of County Commissioners.

#### 10-13

##### **Ellison Thorp Estate**

##### **Map Amendment**

##### **Project Description: Thorp Travel Center Rezone (RZ-10-00001)**

On June 29, 2010, Kittitas County Community Development Services received an application from Roger Weaver, agent for Ellison Thorp Estates, property owner, for a proposed map amendment to change the land use map from Rural to Commercial and a rezone from Agriculture 20 to Commercial Highway for the purpose of developing the Thorp Travel Center consisting of a truck stop, restaurant and hotel and RV park. The map amendments are shown in Exhibit H.

The Board of County Commissioners held a public hearing on November 2, 2010 and **approved the request as presented** during the continued public hearing on December 7, 2010, with a 3-0 vote finding that:

- I. Testimony for and against this proposal was received.
- II. The subject property is south of the I-90 and Thorp Highway Interchange.
- III. The proposal allows for highway commercial on the subject property, compatible with the historical use as a gas station/truck stop at this location.
- IV. The proposal seeks a zoning designation consistent with the historical use at the proposal's location.
- V. The proposal provides a higher and better use than the resource value of zoning AG-20 and Limited Commercial.
- VI. The proposal increases the public benefit for travelers on I-90, the Thorp community, and Kittitas County.
- VII. The subject property meets the requirements of KCC 17.98.020(7) for a rezone.
- VIII. The Planning Commission recommended approval to the Board of County Commissioners.

#### 10-14

##### **Ellensburg Cement Products**

Ordinance 2010-\_\_\_\_\_

**Text Amendment**

**Project Description: Concrete Batch Plants CUP Clarification (CP-10-00002)**

On June 30, 2010, Kittitas County Community Development Services received an application from Ellensburg Cement Products, for a proposed text amendment to add concrete batch plants as a Conditional Use in the same areas where temporary asphalt batch plants are located. The text amendments are shown in Exhibit I.

The Board of County Commissioners held a public hearing on November 2, 2010 and **approved the request as presented** during the continued public hearing on December 7, 2010, with a 3-0 vote finding that:

- I. Testimony for and against this proposal was received.
- II. The proposed amendments to the development regulations will provide clarity and consistency to processing development applications in Kittitas County.
- III. The Planning Commission recommended approval to the Board of County Commissioners.

### SECTION III - FINAL DECISION AND SIGNATURES

**BE IT FURTHER ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby denies the application from BDG Partnership for a proposed land use and zoning map amendment to de-designate parcels 951718 and 951719 totaling 86 acres from Commercial Forest to Rural and rezone from Commercial Forest to Forest & Range (Docket 10-03).

**BE IT FURTHER ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby denies the application Brian Murphy, for proposed amendments to the land use and zoning maps to de-designate parcels 306835, 146835 & 951720 totaling 176.57 acres from Commercial Forest to Rural and the rezone from Commercial Forest to Forest & Range. (Docket 10-03).

**BE IT FURTHER ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby approves the application from Community Development Services to re-designate Assessor's map numbers 18-18-33030-0042 (039333) and 18-18-33040-0008 (299333) from Urban Residential to General Commercial (Docket 10-08). The map amendment is shown in Exhibit C.

**BE IT FURTHER ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby approves the application from Community Development Services for a proposed text amendment to adopt by reference the EDG of Kittitas County's Economic Development Strategic Plan (Docket 10-09). The text amendment is shown in Exhibit D.

**BE IT FURTHER ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby approves the application from Community Development Services for proposed development regulations amendments for consistency and clarity, with the corrections suggested by staff during deliberations, with the strikeout of "for a period of five years" in KCC 16.08.015, and taking no action on revising KCC 17.08.475. The development regulations amend KCC 15A Project Permit Application Process; KCC 16 Subdivision; and KCC 17 Zoning (Docket 10-10). The development regulations are shown in Exhibit E.

**BE IT FURTHER ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby approves the application from Community Development Services, for proposed development regulations amendments to KCC Chapter 16.09 Performance Based Cluster Platting and KCC 17.14 (Docket 10-11) with the corrections suggested by staff during deliberations, with the correction to the scrivener's error referencing Section 16.09.025, and allowing for a minimum open space acreage of 30 acres in Agriculture 20 and Forest and Range 20. The development regulations are shown in Exhibit F.

**BE IT FURTHER ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby approves the application from the Ellison Thorp Estate to expand the Type 3 Limited Area of More Intensive Rural Development from 12 acres to 30.5 acres for the purpose of developing the Thorp Travel Center consisting of a truck stop, restaurant and hotel and RV park (Docket 10-12, CP-10-00001). The map amendment is shown in Exhibit G.

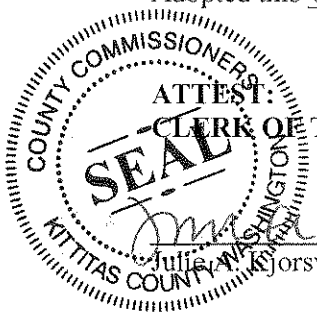
**BE IT FURTHER ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby approves the application from Roger Weaver, agent for Ellison Thorp Estates, property owner, for a proposed map amendment to change the land use map from Rural to Commercial and a rezone from Agriculture 20 to Commercial Highway for the purpose of developing the Thorp Travel Center consisting of a truck stop, restaurant and hotel and RV park (Docket 10-13, RZ-10-00001). The map amendment is shown in Exhibit H.

**BE IT FURTHER ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby approves the application from Ellensburg Cement Products, for proposed development regulations amendments to add concrete batch plants as a Conditional Use in the same areas where temporary asphalt batch plants are located. (Docket 10-14, CP-10-00002). The development regulations are shown in Exhibit I.

**BE IT FURTHER ORDAINED** the Prosecutor's Office is charged with preparing and submitting the necessary clean updated versions of the comprehensive plan and development code to Information Services, incorporating all the amendments authorized herein, so that they can be placed on the County web page.

**NOW, BE IT FURTHER ORDAINED** that the Board of County Commissioners, after due deliberation, hereby approves the adoption of the 2010 Amendments to the Kittitas County Comprehensive Plan and Kittitas County Code and related maps as attached hereto and incorporated by reference.

Adopted this 21<sup>st</sup> day of December, 2010, at Ellensburg, Washington.



Julie A. Kjorsvik  
Julie A. Kjorsvik

**BOARD OF COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON**

77a  
Chairman

[Signature]  
Vice-Chairman

**APPROVED AS TO FORM:**

Neil Caulkins,  
Civil Deputy signing for  
Gregory L. Zempel  
Prosecuting Attorney

[Signature]  
Commissioner, Chairman



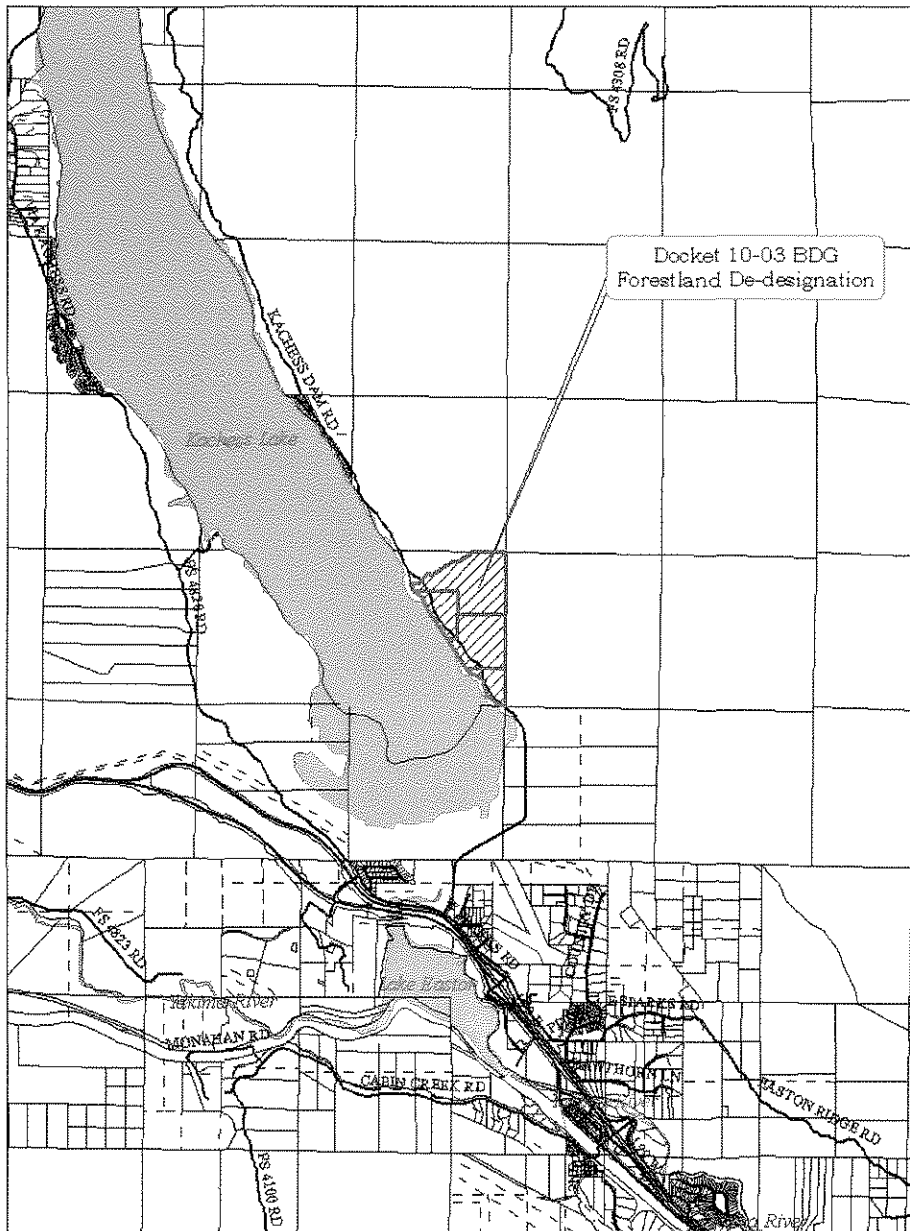
# EXHIBIT A

10-03

BDG Partnership

Proposed Map Amendment

Project Description: BDG Forest Land De-designation of Parcels 951718 and 951719, Totaling 86 Acres from Commercial Forest to Rural and Rezoning from Commercial Forest to Forest & Range.



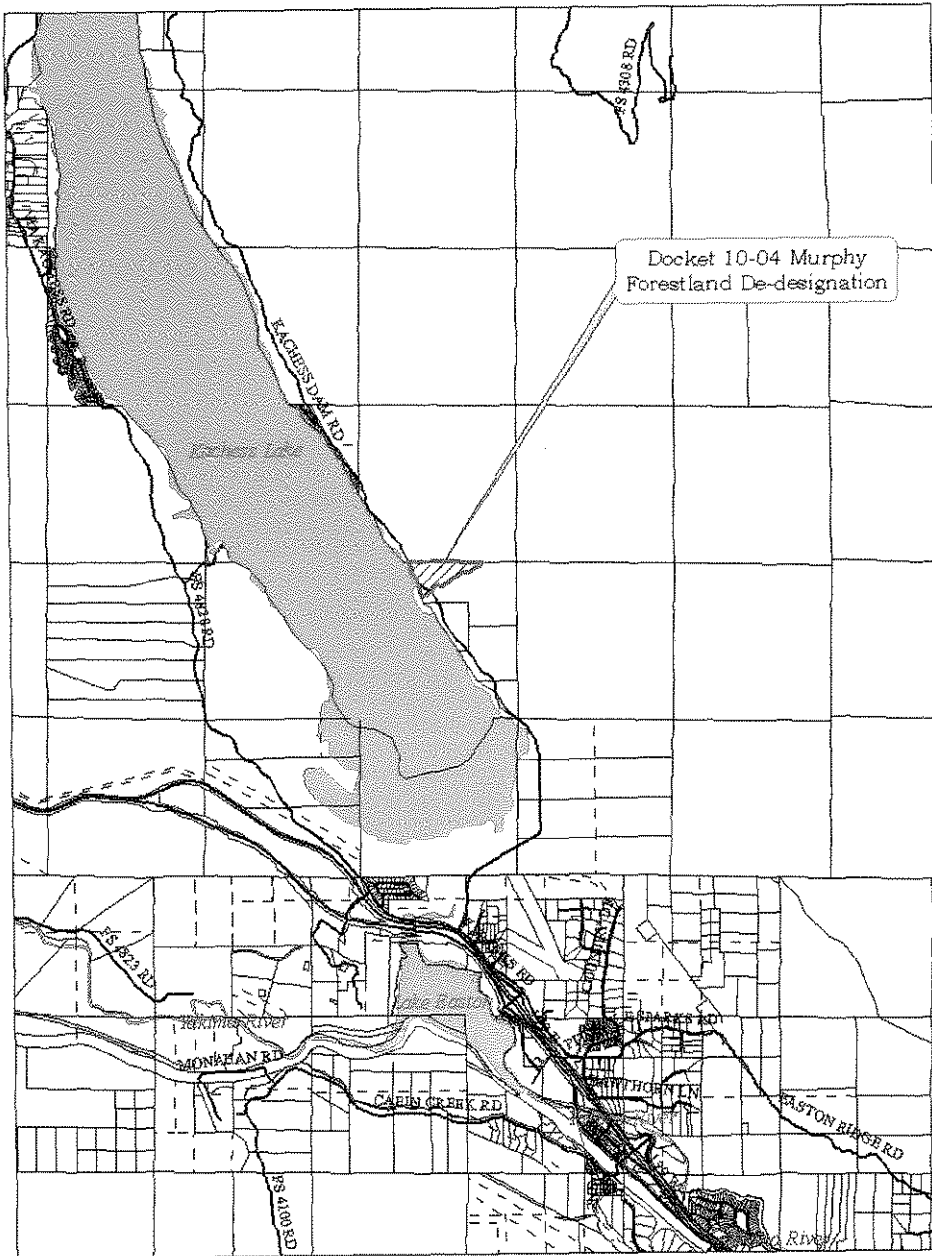
# EXHIBIT B

10-04

Brian E. Murphy

Proposed Map Amendment

Project Description: Murphy Forest Land De-designation of parcels 306835, 146835 & 951720  
Totaling 176.57 Acres from Commercial Forest to Rural and Rezoning from  
Commercial Forest to Forest & Range.



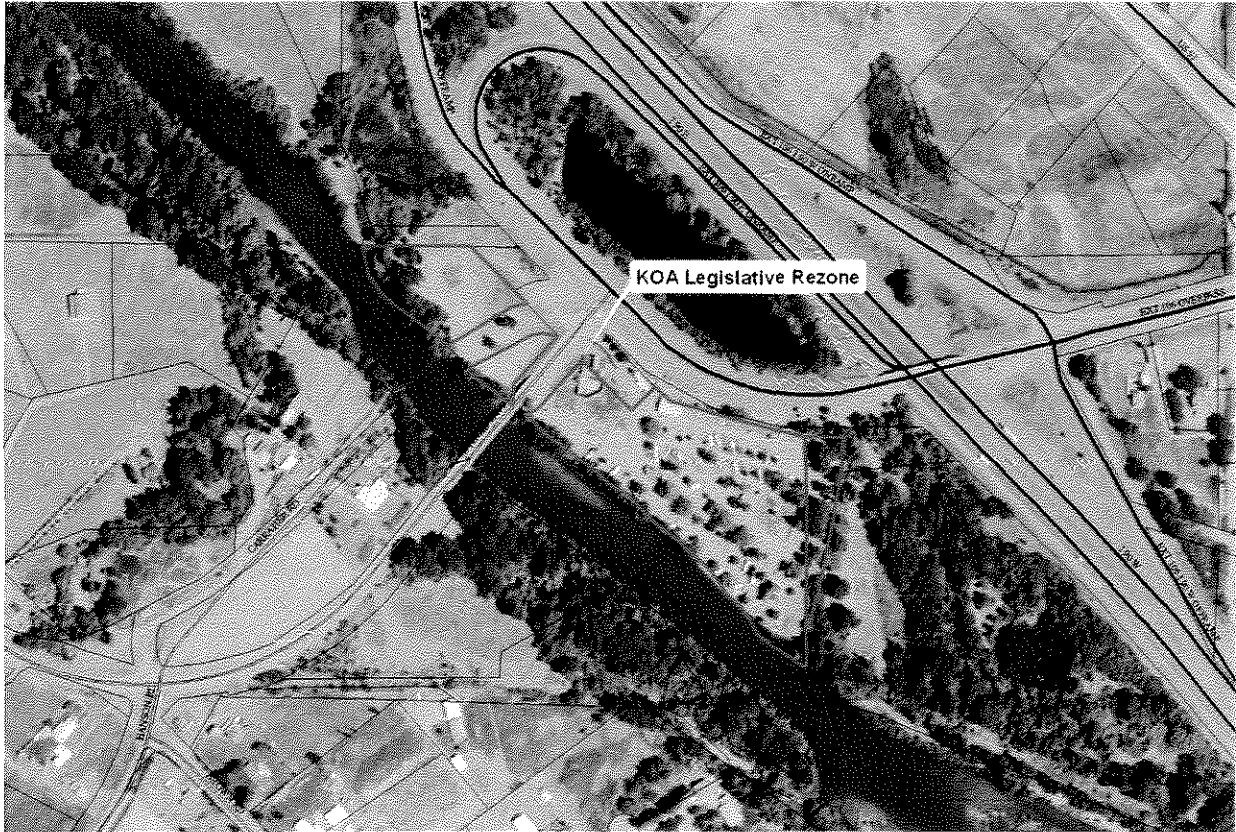
# EXHIBIT C

10-08

County Staff

Map Amendment

**Project Description: Mapping Correction in Southwest Ellensburg Vicinity, Changing Zoning from Urban Residential to General Commercial.**





## EXHIBIT D

10-09

County Staff

Text Amendment

Project Description: Adoption by Reference of the EDG of Kittitas County's Economic Development Strategic Plan

### Text amendments - showing changes from 2009 Comprehensive Plan to 2010 Comprehensive Plan:

#### 10.5 Economic Development Strategic Plan

The Economic Development Strategic Plan was prepared by TIP Strategies and the Economic Development Group of Kittitas County in 2009. Under the guiding principle of "the use of public resources to stimulate private investment," the purpose of the plan is to help the Economic Development Group of Kittitas County and policy makers at all levels of government understand their competitive position and to coalesce around a vision for promoting the region. By utilizing a strengths, weaknesses, opportunities, and threats (SWOT) analysis approach, the plan identified and addressed strategic goals, policies and objectives for policy makers and administrative personnel to apply in decision making processes to advance and enhance the economic vitality of Kittitas County. The EDSP drew input from a broad cross section of citizens and interest groups, and has been formally endorsed by Kittitas County, the City of Ellensburg, the City of Cle Elum, the City of Roslyn, the City of Kittitas, the Ellensburg Chamber of Commerce, and the Cle Elum Chamber of Commerce. The findings and recommendations outlined in the plan are designed to serve as a framework for making investment decisions, and for providing guidance in growth that is both realistic and sustainable. In addition the plan also provides a comprehensive depiction of the socio-economic and demographic status of the county and its relationship to other counties, both regionally and nationally.

The 2009 version of the Economic Development Strategic Plan is adopted by reference into this comprehensive plan subject to the following limitations.

- The Economic Development Strategic Plan is adopted as a reference document to be used by Kittitas County as an aid in land use, capital facilities, and public policy discussions, and by members of the public wishing to propose projects, pursue grants for projects, or propose agreements with landholders.
- The Economic Development Strategic Plan may be used as a part of the Kittitas County Capital Facilities plan for purposes of utilizing real estate excise tax (REET) proceeds for acquisition or expansion of recreational infrastructure.
- Non-compliance or inconsistency with the Economic Development Strategic Plan shall not be considered noncompliance or an inconsistency with the comprehensive plan or the GMA; nor may

any noncompliance or inconsistency with the Economic Development Strategic Plan be a basis for appeal of any land use or public policy decision made by Kittitas County.

- The Economic Development Strategic Plan shall not be used as evidence of use of property in an action for prescriptive easement or adverse possession.
- 

## **Clean version of approved text amendments:**

### **10.5 Economic Development Strategic Plan**

The Economic Development Strategic Plan was prepared by TIP Strategies and the Economic Development Group of Kittitas County in 2009. Under the guiding principle of “the use of public resources to stimulate private investment,” the purpose of the plan is to help the Economic Development Group of Kittitas County and policy makers at all levels of government understand their competitive position and to coalesce around a vision for promoting the region. By utilizing a strengths, weaknesses, opportunities, and threats (SWOT) analysis approach, the plan identified and addressed strategic goals, policies and objectives for policy makers and administrative personnel to apply in decision making processes to advance and enhance the economic vitality of Kittitas County. The EDSP drew input from a broad cross section of citizens and interest groups, and has been formally endorsed by Kittitas County, the City of Ellensburg, the City of Cle Elum, the City of Roslyn, the City of Kittitas, the Ellensburg Chamber of Commerce, and the Cle Elum Chamber of Commerce. The findings and recommendations outlined in the plan are designed to serve as a framework for making investment decisions, and for providing guidance in growth that is both realistic and sustainable. In addition the plan also provides a comprehensive depiction of the socio-economic and demographic status of the county and its relationship to other counties, both regionally and nationally.

The 2009 version of the Economic Development Strategic Plan is adopted by reference into this comprehensive plan subject to the following limitations.

- The Economic Development Strategic Plan is adopted as a reference document to be used by Kittitas County as an aid in land use, capital facilities, and public policy discussions, and by members of the public wishing to propose projects, pursue grants for projects, or propose agreements with landholders.
- The Economic Development Strategic Plan may be used as a part of the Kittitas County Capital Facilities plan for purposes of utilizing real estate excise tax (REET) proceeds for acquisition or expansion of recreational infrastructure.
- Non-compliance or inconsistency with the Economic Development Strategic Plan shall not be considered noncompliance or an inconsistency with the comprehensive plan or the GMA; nor may any noncompliance or inconsistency with the Economic Development Strategic Plan be a basis for appeal of any land use or public policy decision made by Kittitas County.
- The Economic Development Strategic Plan shall not be used as evidence of use of property in an action for prescriptive easement or adverse possession.

## EXHIBIT E

10-10

County Staff

Development Regulation Amendment

Project Description: Development Regulation Amendments for Consistency and Clarity

### Development regulation amendments - showing changes from 2009 to 2010 to KCC 15A.03:

Chapter 15A.03

PROJECT PERMIT APPLICATION REVIEW

#### Sections

15A.03.010 Complete application defined.

15A.03.020 Preapplication conference.

15A.03.030 Application and accompanying data.

15A.03.040 Determination of complete application.

15A.03.045 Permit processing time.

15A.03.050 Fee schedule.

15A.03.060 Notice of application.

15A.03.070 Specific procedures for permit review.

15A.03.080 Projects exempt from the provisions of notice of application.

15A.03.090 Review actions on project permit applications.

15A.03.100 Criteria for review of all project actions.

15A.03.110 Posting sites.

#### **15A.03.010 Complete application defined.**

The definition of a complete project permit application is defined in the relevant section of the zoning code, subdivision code, or, if applicable, development agreement adopted pursuant to this title. (Ord. 2000-07; Ord. 98-10, 1998)

#### **15A.03.020 Preapplication conference.**

A preapplication conference is offered to all interested potential applicants. Applicants are encouraged but not required to request this conference except in the case of a Performance Based Cluster Development, Planned Unit Development, rezone and any preliminary plat over nine (9) lots where a preapplication conference is required.

1. Prior to formal submittal of a project permit application, one or more optional conferences with appropriate county department representatives and other public agency representatives may be requested by the applicant. The date, time and place of such conferences shall be at the mutual agreement of the participants.

~~1-2.~~ Such conferences are intended as informal discussion and review of possible applications to assist the possible applicant in discovery of appropriate county regulations, standards, application formats and review processes that would be required of a project.

~~2-3.~~ Such conferences are not publicized and the public is not permitted to attend in order that a potential applicant's interests be protected. (Ord. 2007-22, 2007; Ord. 2007-22, 2007; Ord. 2000-07; Ord. 98-10, 1998)

#### **15A.03.030 Application and accompanying data.**

1. Written application for the approval of the following project activities: zoning variance; zoning conditional use; short plat, long plat or subdivision; shorelines substantial development/conditional use, master planned resort; and site-specific rezone shall be filed in complete form in the Community Development Services office upon forms prescribed for that purpose by the administrator.
2. The written application shall be accompanied by a site plan showing the dimensions and arrangement of the proposed development or changes including all proposed land uses and structures; points of access, roads and parking areas; septic tank and drainfield and replacement areas; areas to be cut or filled; and natural features such as contours, streams, gullies, cliffs, etc. The administrator may require other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed use and its relationship to the surrounding properties.
3. Applications for project permits shall be signed by the owner(s) of the property.
- ~~4. The applicant shall furnish a list of the names and addresses of all persons owning real property located within 500 feet from and parallel to the boundaries of the proposed activities and such contiguous area under the legal control of the applicant.~~
- ~~5.4. Appropriate fee(s) paid in full. (Ord. 2007-22, 2007; Ord. 2000-07; Ord. 98-10, 1998)~~

**15A.03.040 Determination of complete application.**

1. Within 28 days after receiving a project permit application, the local permitting agency shall mail or provide in person a written determination to the applicant, stating either:
  - a. That the application is complete; or
  - b. That the application is incomplete and what is necessary to make the application complete. An incomplete application shall expire after 180 calendar days unless the requested supplemental information is submitted in complete form.
2. To the extent known by the permitting agency, the permitting agency shall identify other agencies of local, state or federal governments that may have jurisdiction over some aspect of the application.
3. A project permit application is complete for the purposes of this title when it meets the procedural submission requirements of Kittitas County and is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude Kittitas County from requesting additional information or studies either at the time of the notice of completeness or subsequently if new information is required or substantial changes in the proposed action occur.
4. Within 14 days after an applicant has submitted to the permitting agency additional information identified by the permitting agency as being necessary for a complete application, the permitting agency shall notify the applicant whether the application is complete or what additional information is necessary. In determining the number of days that have elapsed after Kittitas County has notified the applicant that the application is complete, the following periods shall be excluded:
  - a.
    - i. Any period during which the applicant has been requested by Kittitas County to correct plans, perform required studies, or provide additional required information. The period shall be calculated from the date Kittitas County notifies the applicant of the need for the additional information until the earlier of the date Kittitas County determined whether the additional information satisfies the request for information or 14 days after the date the information has been provided to Kittitas County.
    - ii. If Kittitas County determines that the additional information submitted by the applicant is insufficient, it shall notify the applicant of the continued deficiencies and the procedures under subsection (D)(1)(a) of this section shall apply as if a new request for studies has been made.
  - b. Any period during which an environmental impact statement is being prepared following a determination of significance pursuant to Chapter 43.21C RCW, if Kittitas

- County and the applicant in writing agree to a time period for completion of an environmental impact statement.
- c. Any period of administrative appeals of project permits, if an open record hearing or a closed record appeal, or both, are allowed. The time period to consider and decide such appeals shall not exceed:
    - i. Ninety days for an open record appeal hearing;
    - ii. Sixty days for a closed record appeal; and
    - iii. The parties to an appeal may agree to extend these time periods.
  - d. Any extension of time mutually agreed upon by the applicant and Kittitas County.
  - e. These time limits do not apply to a project permit application, if the project:
    - i. Requires an amendment to the comprehensive plan or a development regulation;
    - ii. Requires approval of a new fully contained community as provided in RCW 36.70A.350, a master planned resort as provided in RCW 36.70A.360, or the siting of an essential public facility as provided in RCW 36.70A.200;
    - iii. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.
  - f. If Kittitas County is unable to issue its final decision within the time limits provided, it shall provide written notice of this fact to the applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date of issuance of the notice of final decision.
  - g. Applications shall be void if they remain incomplete for more than 180 days.
  - h. This section shall apply to project permit applications filed on or after the date of adoption of this title. (Ord. 2000-07; Ord. 9810, 1998)

**15A.03.045 Permit processing time.**

1. Once an application has been deemed complete, Community Development Services may request the applicant to submit additional corrections, studies or other information on the proposed project. Community Development Services shall set a reasonable deadline for the submittal of corrections, studies or other information when requested, and shall provide written notification of such requests to the applicant.
2. Failure by the applicant to meet such deadline shall be cause for the application to be void. However, an extension of such deadline may be requested by an applicant if the request is made prior to the expiration of the deadline. Extension requests shall be submitted in writing, include a justification of why an extension is warranted, and include an extension fee, to be determined through resolution.
3. When considering a request for a deadline extension, Community Development Services shall give consideration to the code provisions to which the project is vested, if any. In order to assure equity in permit processing between past, current, and future applicants, deadline extensions shall be limited to one extension after code provisions affecting the project have changed. Once code provisions have changed as to make the vested code substantially different than current code, a requested deadline extension may be granted, but it shall be the final extension granted. Community Development Services shall determine whether code changes have created substantially different regulations.
4. Community Development Services shall provide a written, mailed response to the applicant with its decision on each extension request.

**Clean version of approved text amendments:**

**Chapter 15A.03  
PROJECT PERMIT APPLICATION REVIEW**

**Sections**

- 15A.03.010 Complete application defined.
- 15A.03.020 Preapplication conference.
- 15A.03.030 Application and accompanying data.
- 15A.03.040 Determination of complete application.
- 15A.03.045 Permit processing time.
- 15A.03.050 Fee schedule.
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2. The written application shall be accompanied by a site plan showing the dimensions and arrangement of the proposed development or changes including all proposed land uses and structures; points of access, roads and parking areas; septic tank and drainfield and replacement areas; areas to be cut or filled; and natural features such as contours, streams, gullies, cliffs, etc. The administrator may require other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed use and its relationship to the surrounding properties.
3. Applications for project permits shall be signed by the owner(s) of the property.
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  - b. Any period during which an environmental impact statement is being prepared following a determination of significance pursuant to Chapter 43.21C RCW, if Kittitas County and the applicant in writing agree to a time period for completion of an environmental impact statement.
  - c. Any period of administrative appeals of project permits, if an open record hearing or a closed record appeal, or both, are allowed. The time period to consider and decide such appeals shall not exceed:
    - i. Ninety days for an open record appeal hearing;
    - ii. Sixty days for a closed record appeal; and
    - iii. The parties to an appeal may agree to extend these time periods.
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    - i. Requires an amendment to the comprehensive plan or a development regulation;
    - ii. Requires approval of a new fully contained community as provided in RCW 36.70A.350, a master planned resort as provided in RCW 36.70A.360, or the siting of an essential public facility as provided in RCW 36.70A.200;
    - iii. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.
  - f. If Kittitas County is unable to issue its final decision within the time limits provided, it

shall provide written notice of this fact to the applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date of issuance of the notice of final decision.

- g. Applications shall be void if they remain incomplete for more than 180 days.
- h. This section shall apply to project permit applications filed on or after the date of adoption of this title. (Ord. 2000-07; Ord. 9810, 1998)

**15A.03.045 Permit processing time.**

1. Once an application has been deemed complete, Community Development Services may request the applicant to submit additional corrections, studies or other information on the proposed project. Community Development Services shall set a reasonable deadline for the submittal of corrections, studies or other information when requested, and shall provide written notification of such requests to the applicant.
2. Failure by the applicant to meet such deadline shall be cause for the application to be void. However, an extension of such deadline may be requested by an applicant if the request is made prior to the expiration of the deadline. Extension requests shall be submitted in writing, include a justification of why an extension is warranted, and include an extension fee, to be determined through resolution.
3. When considering a request for a deadline extension, Community Development Services shall give consideration to the code provisions to which the project is vested, if any. In order to assure equity in permit processing between past, current, and future applicants, deadline extensions shall be limited to one extension after code provisions affecting the project have changed. Once code provisions have changed as to make the vested code substantially different than current code, a requested deadline extension may be granted, but it shall be the final extension granted. Community Development Services shall determine whether code changes have created substantially different regulations.
4. Community Development Services shall provide a written, mailed response to the applicant with its decision on each extension request.



## **Development regulation amendments - showing changes from 2009 to 2010 to KCC 16.08.015:**

### **16.08.015 Administrative segregation.**

"Administrative segregation" means the division of land within the boundaries of a legal description into fewer than ten lots or tracts where no lot or tract is less than twenty (20) acres, ~~provided that the parent parcel was not created by a division within a five-year period. Land divided by administrative segregation shall not be reduced in size below 20 acres.~~ Land reconfigured within, and parcels created by an administrative segregation shall not be or further subdivided without review under the provisions for short plat, large lot subdivision, or plat as appropriate. The appropriate method of division will be determined based on the size and number of lots being proposed. ~~Land reconfigured within, and parcels created by an administrative segregation shall not be reduced in size below 20 acres through a boundary line adjustment.~~ Land reconfigured within, and parcels created by an administrative segregation ~~Administrative segregations must comply with KCC 16.18.030 Parcel creation - Irrigation water delivery system requirements, KCC 13.04.080 OSDS Location, KCC 17A.08.025 Wellhead protection areas, and KCC Title 12 Road Standards. (Ord. 2005-31, 2005)~~

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## **Clean version of approved text amendments:**

### **16.08.015 Administrative segregation.**

"Administrative segregation" means the division of land within the boundaries of a legal description into fewer than ten lots or tracts where no lot or tract is less than twenty (20) acres. Land reconfigured within, and parcels created by an administrative segregation shall not be further subdivided without review under the provisions for short plat, large lot subdivision, or plat as appropriate. Land reconfigured within, and parcels created by an administrative segregation shall not be reduced in size below 20 acres through a boundary line adjustment. Land reconfigured within, and parcels created by an administrative segregation must comply with KCC 16.18.030 Parcel creation - Irrigation water delivery system requirements, KCC 13.04.080 OSDS Location, KCC 17A.08.025 Wellhead protection areas, and KCC Title 12 Road Standards. (Ord. 2005-31, 2005)

# Development regulation amendments - showing changes from 2009 to 2010 to KCC 16.12:

## Chapter 16.12

### PRELIMINARY PLATS

#### Sections

#### I DRAWING REQUIREMENTS

16.12.010 Generally.

16.12.020 Preliminary plat general information.

16.12.030 Existing conditions.

#### II DESIGN STANDARDS

16.12.040 Comprehensive plan and zoning regulation conformance.

16.12.090 Lot size.

16.12.110 Required easements.

#### III FILING

16.12.120 Receiving - Filing procedure.

#### IV HEARING

16.12.130 Date, notice - Procedure.

16.12.140 Scope.

16.12.150 Road, sewer, water and fire system recommendations.

16.12.160 Facilities - Improvements.

16.12.170 Comprehensive plan conformance.

#### V PLANNING COMMISSION ACTION

16.12.180 Findings and report.

16.12.190 Records.

#### VI BOARD ACTION

16.12.200 Date and records.

16.12.210 Acceptance or rejection.

16.12.230 Records.

#### VII PRELIMINARY APPROVAL

16.12.240 Development authorization.

16.12.250 Expiration.

#### I DRAWING REQUIREMENTS

##### 16.12.010 Generally.

Any person desiring to subdivide land shall prepare and submit to the county community development services department at least eight (8) copies of a preliminary plat of the proposed land subdivision which shall meet the requirements in Sections 16.12.020 through 16.12.030. (Ord. 2005-31, 2005)

##### 16.12.020 Preliminary plat general information.

Unless otherwise specified, information required below may be placed on either sheet one or subsequent sheets or on all sheets as necessary.

- A. All preliminary plat drawings shall be submitted on eighteen by twenty-four inch sheets. When required by the county public works director, proposed road plans and profiles prepared by a licensed civil engineer shall be submitted on standard 22" x 36" sheets for review. The scale shall be 1" = 100' horizontal and 1" = 10' vertical, sheet one.

- B. Names of proposed subdivision, all sheets.
- C. Location of subdivision by section, township, range, county and state, all sheets.
- D. Legal description of land contained within the subdivision.
- E. Name(s) and address of the owner(s), subdivider(s), surveyor, engineer and date of survey.
- F. Scale (1" = 200', or greater) north arrow and date, sheet one.
- G. Vicinity map showing the boundary lines of all adjacent subdivisions, roads, streets, rivers, streams, canals, or any other information that will assist the planning commission in considering the plat, sheet one.
- H. Proposed platted boundary lines, lot and road dimensions, and gross acreage, sheet one.
- I. A statement regarding the contemplated sewage disposal, potable water supply, and drainage improvements for the proposed subdivision.
- ~~J. Names and addresses of all abutting property owners.~~
- ~~K. All access easements.~~
- ~~L. All irrigation ditch easements or historical ditch locations. (Ord. 2005-31, 2005)~~

**16.12.030 Existing conditions.**

Unless otherwise indicated, the following shall be shown on the preliminary and final drawings.

- A. Contour lines at intervals of five feet for slopes less than thirty percent, and ten feet for slopes over thirty percent at preliminary review only , or the use of USGS maps to represent elevations and slopes at preliminary review may be used and where such maps are utilized at preliminary review they must be verified by Contour lines of five feet for slopes less than thirty percent and ten feet for slopes over thirty percent at final review.
- B. Location, width and type of all roads, streets, alleys, easements, and rights-of-way on and adjacent to the proposed subdivision.
- C. Location of all existing ditches apparent or of record, marshes, areas subject to flooding, and the direction of flow of all water courses, as required by KCC 17A.05.015.
- D. Existing uses of the property, including the location and nature of all acreage, fences and/or other structures.
- E. Any additional information deemed necessary by Kittitas County.
- F. The total acreage and number of lots included within the subdivision shall be indicated on sheet one of the plat.
- G. Except for administrative segregations, one soil log shall be performed and information recorded for each lot within the proposed subdivision. Soil logs shall be in accordance with chapter 246-272A WAC. (Ord. 2005-31, 2005)

**II DESIGN STANDARDS**

**16.12.040 Comprehensive plan and zoning regulation conformance.**

All proposed subdivisions and administrative segregations shall conform to the county comprehensive plan and all applicable zoning regulations in effect at the time they are submitted for approval. Lots shall be of sufficient area, width and length to satisfy zoning requirements, or, where zoning controls do not apply, to satisfy the minimum health and sanitation requirements of the county health department. (Ord. 2005-31, 2005)

**16.12.090 Lot size.**

Lot sizes shall comply with minimum zoning, health, and sanitation codes where applicable. (Ord. 2005-31, 2005)

**16.12.110 Required easements.**

All lots will have utility easements shown on the face of the plat or in the plat restrictions. Said easements shall be of a width adequate to allow for future utility installations.

- 1. Drainage and Storm Water Easements. Easement for drainage channels and ways shall be of sufficient width to assure that the same may be maintained and improved. Easements for storm water shall be provided and shall be 10 feet in width and properly located to permit future installations. No storm water discharge to irrigation entity facilities shall be authorized without

- a permit from the irrigation entity or ditch owner.
2. Utility Installations. Utility lines, including, but not limited to electricity, water, natural gas, sewer, telephone and television cable, serving and located within the subdivision, shall be placed underground. Where topography, soil, or other conditions make underground installations impracticable, and the board, upon recommendation from the county engineer, so finds upon written evidence presented by the supplier of such utilities, may waive this requirement for underground utilities. Utility installations shall be in conformance with requirements of KCC Title 12 (Utilities within the right of way).
  3. Public Utilities. Where alleys are not provided, easements for public utilities shall be provided along lot lines where necessary, including any necessary access easements. There shall be a minimum of ten (10) feet in width. Where possible, the width of rear and side lot line easements shall be equally shared by abutting lots and easements shall be continuous and aligned from block to block within the subdivision and with adjoining subdivisions.
  4. Irrigation Easements. Any plat which includes a lot or lots consisting, in whole or in part, of irrigated land, or un-irrigated land classified by an irrigation district as irrigable to which there is a water right, shall provide adequate irrigation easements to each such lot. Any plat proposed for land through which irrigation water flows to downstream users shall provide easements for existing ditches, channels, conveyances and structures through which such water flows and such shall be shown on the plats, maps and polyester originals.

All easements and rights of way required pursuant to this subsection shall be of sufficient width for maintenance, and the plat shall contain on its face a note of access to downstream water users for the purpose of maintenance. Preliminary applications for the division of land shall conform to KCC Title 12 stormwater regulations and stormwater easements shall be shown prior to final approval of the document.

Any new easement necessary for irrigation and delivery of water shall be reviewed by the Irrigation district or entity serving the site to make recommendations as to the final location and placement of new easements. It is recognized that the preference is to place new easements outside any existing right of way and the County road. Additional easement width may be required to accommodate the delivery or tail water. Existing irrigation conveyances within the County road right of way shall continue to exist under the Right to Farm Ordinance within this code. (Ord. 2005-31, 2005)

### III FILING

#### **16.12.120 Receiving - Filing procedure.**

If the director determines that the preliminary plat contains sufficient elements and data to furnish a basis for its approval or disapproval, and the plans are adequate to allow the public works director to approve or disapprove the construction of future improvements, the director shall affix a file number and date of receipt to the application and promptly forward all copies of the plans of roads, utilities, and other proposed improvements to the county engineer.

The director shall forward copies of the preliminary plat to other departments, municipalities, utility companies or public agencies determined to have an interest in the subdivision. All reviewing agencies and/or entities shall forward their comments to the director pursuant to Title 15A of this code, Project permit application process. Failure to report within appropriate comment time shall be interpreted to indicate that the proposed subdivision will not adversely affect the agency or utility involved. (Ord. 2005-31, 2005)

### IV HEARING

#### **16.12.130 Date, notice - Procedure.**

Upon receipt of a preliminary plat, the director shall set a date for open record predecision public hearing before the planning commission. The director shall give notice of the public hearing pursuant to Title 15A of this code, Project permit application process. (Ord. 2005-31, 2005)

**16.12.140 Scope.**

At the open record predecision public hearing the planning commission shall consider all relevant evidence to determine whether to recommend that the preliminary plat be approved or disapproved by the board. Any hearing may be continued at the discretion of the commission. (Ord. 2005-31, 2005)

**16.12.150 Road, sewer, water and fire system recommendations.**

The director, county public works director, and the county health officer, shall certify to the planning commission, prior to the hearing, their respective recommendations as to the adequacy of the proposed road system, the proposed sewage disposal and potable water supply systems and fire protection facilities within the subdivision. The recommendations of the director, county public works director, and the county health officer, shall be attached to the commission's report for transmittal to the board. (Ord. 2005-31, 2005)

**16.12.160 Facilities - Improvements.**

The commission shall determine whether the proposal includes appropriate provisions for drainage, roads, alleys, and other public ways, water supplies, sanitary wastes, parks, playgrounds, fire protection facilities, school sites and grounds and other public and private facilities and improvements. (Ord. 2005-31, 2005)

**16.12.170 Comprehensive plan conformance.**

The commission shall determine if the proposed subdivision conforms to the general purposes of the comprehensive plan; and if the public use and interest will apparently be served by the proposal. (Ord. 2005-31, 2005)

**V ~~PLANNING COMMISSION HEARING EXAMINER'S ACTION~~**

**16.12.180 Findings and report.**

Not later than ~~fourteen~~ ~~ten~~ days following conclusion of the open record predecision hearing, the ~~commission~~ Hearing Examiner shall submit its written report and recommendations to the legislative body. The ~~commission~~ Hearing Examiner may recommend that the proposed plat be approved, conditionally approved or disapproved. Conditions of approval shall be precisely recited in the ~~commission's~~ Hearing Examiner's report and shall include recommended protective improvements, if any. (Ord. 2005-31, 2005)

**16.12.190 Records.**

Records of the planning commission hearings on preliminary plats shall be kept by the clerk of the board and shall be open to public inspection. (Ord. 2005-31, 2005)

**VI BOARD ACTION**

**16.12.200 Date and records.**

Upon receipt of the planning commission's recommendation, the board shall, at its next regularly scheduled public meeting, set the date for the public closed record hearing at which the board shall consider the recommendation. (Ord. 2005-31, 2005)

**16.12.210 Acceptance or rejection.**

At the closed record hearing scheduled for considering the preliminary plat, the board shall, after reviewing the recommendations of the planning commission, the director, the county engineer, the health officer, including any other relevant evidence presented to it, either concur in or reject the planning commission's recommendations. (Ord. 2005-31, 2005)

**16.12.230 Records.**

Records of the board's proceedings concerning a preliminary plat shall be kept by the clerk of the board and shall be open to public inspection. (Ord. 2005-31, 2005)

**VII PRELIMINARY APPROVAL**

**16.12.240 Development authorization.**

Approval of the preliminary plat shall constitute authorization for the subdivider to develop the subdivision's facilities and proceed with design of improvements in strict accordance with standards established by this title and any conditions imposed by the board. Design approval by the county public works director shall be obtained prior to commencement of construction of subdivision improvements. (Ord. 2005-31, 2005)

**16.12.250 Expiration.**

A final plat meeting all requirements of this chapter shall be submitted to the board for approval within the timeframe specified by RCW 58.17.140 ~~five years of the date of preliminary plat approval.~~ Failure to do so will result in the preliminary plat being expired and no longer valid. No further action is necessary regarding an application once the preliminary plat has expired pursuant to this chapter. Any applicant who files a written request with the administrator within 30 days before the expiration date, showing that the applicant has attempted in good faith to submit the final plat within the time period and that the associated fees are paid, shall be granted a one-year extension. Such an extension can be requested and granted five times. (Ord. 2010-02, 2010; Ord. 2005-31, 2005)

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**Clean version of approved text amendments:**

**Chapter 16.12**

**PRELIMINARY PLATS**

**Sections**

**I DRAWING REQUIREMENTS**

16.12.010 Generally.

16.12.020 Preliminary plat general information.

16.12.030 Existing conditions.

**II DESIGN STANDARDS**

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16.12.120 Receiving - Filing procedure.

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- C. Location of subdivision by section, township, range, county and state, all sheets.
- D. Legal description of land contained within the subdivision.
- E. Name(s) and address of the owner(s), subdivider(s), surveyor, engineer and date of survey.
- F. Scale (1" = 200', or greater) north arrow and date, sheet one.
- G. Vicinity map showing the boundary lines of all adjacent subdivisions, roads, streets, rivers, streams, canals, or any other information that will assist the planning commission in considering the plat, sheet one.
- H. Proposed platted boundary lines, lot and road dimensions, and gross acreage, sheet one.
- I. A statement regarding the contemplated sewage disposal, potable water supply, and drainage improvements for the proposed subdivision.
- J. All access easements.
- K. All irrigation ditch easements or historical ditch locations. (Ord. 2005-31, 2005)

### 16.12.030 Existing conditions.

Unless otherwise indicated, the following shall be shown on the preliminary and final drawings.

- A. Contour lines at intervals of five feet for slopes less than thirty percent, and ten feet for slopes over thirty percent at preliminary review only , or the use of USGS maps to represent elevations and slopes at preliminary review may be used and where such maps are utilized at preliminary review they must be verified by Contour lines of five feet for slopes less than thirty percent and ten feet for slopes over thirty percent at final review.
- B. Location, width and type of all roads, streets, alleys, easements, and rights-of-way on and adjacent to the proposed subdivision.
- C. Location of all existing ditches apparent or of record, marshes, areas subject to flooding, and the direction of flow of all water courses, as required by KCC 17A.05.015.
- D. Existing uses of the property, including the location and nature of all acreage, fences and/or other structures.
- E. Any additional information deemed necessary by Kittitas County.
- F. The total acreage and number of lots included within the subdivision shall be indicated on sheet one of the plat.
- G. Except for administrative segregations, one soil log shall be performed and information recorded for each lot within the proposed subdivision. Soil logs shall be in accordance with chapter 246-272A WAC. (Ord. 2005-31, 2005)

## II DESIGN STANDARDS

**16.12.040 Comprehensive plan and zoning regulation conformance.**

All proposed subdivisions and administrative segregations shall conform to the county comprehensive plan and all applicable zoning regulations in effect at the time they are submitted for approval. Lots shall be of sufficient area, width and length to satisfy zoning requirements, or, where zoning controls do not apply, to satisfy the minimum health and sanitation requirements of the county health department. (Ord. 2005-31, 2005)

**16.12.090 Lot size.**

Lot sizes shall comply with minimum zoning, health, and sanitation codes where applicable. (Ord. 2005-31, 2005)

**16.12.110 Required easements.**

All lots will have utility easements shown on the face of the plat or in the plat restrictions. Said easements shall be of a width adequate to allow for future utility installations.

1. Drainage and Storm Water Easements. Easement for drainage channels and ways shall be of sufficient width to assure that the same may be maintained and improved. Easements for storm water shall be provided and shall be 10 feet in width and properly located to permit future installations. No storm water discharge to irrigation entity facilities shall be authorized without a permit from the irrigation entity or ditch owner.
2. Utility Installations. Utility lines, including, but not limited to electricity, water, natural gas, sewer, telephone and television cable, serving and located within the subdivision, shall be placed underground. Where topography, soil, or other conditions make underground installations impracticable, and the board, upon recommendation from the county engineer, so finds upon written evidence presented by the supplier of such utilities, may waive this requirement for underground utilities. Utility installations shall be in conformance with requirements of KCC Title 12 (Utilities within the right of way).
3. Public Utilities. Where alleys are not provided, easements for public utilities shall be provided along lot lines where necessary, including any necessary access easements. There shall be a minimum of ten (10) feet in width. Where possible, the width of rear and side lot line easements shall be equally shared by abutting lots and easements shall be continuous and aligned from block to block within the subdivision and with adjoining subdivisions.
4. Irrigation Easements. Any plat which includes a lot or lots consisting, in whole or in part, of irrigated land, or un-irrigated land classified by an irrigation district as irrigable to which there is a water right, shall provide adequate irrigation easements to each such lot. Any plat proposed for land through which irrigation water flows to downstream users shall provide easements for existing ditches, channels, conveyances and structures through which such water flows and such shall be shown on the plats, maps and polyester originals.

All easements and rights of way required pursuant to this subsection shall be of sufficient width for maintenance, and the plat shall contain on its face a note of access to downstream water users for the purpose of maintenance. Preliminary applications for the division of land shall conform to KCC Title 12 stormwater regulations and stormwater easements shall be shown prior to final approval of the document.

Any new easement necessary for Irrigation and delivery of water shall be reviewed by the Irrigation district or entity serving the site to make recommendations as to the final location and placement of new easements. It is recognized that the preference is to place new easements outside any existing right of way and the County road. Additional easement width may be required to accommodate the delivery or tail water. Existing irrigation conveyances within the County road right of way shall continue to exist under the Right to Farm Ordinance within this code. (Ord. 2005-31, 2005)

**III FILING**

**16.12.120 Receiving - Filing procedure.**

If the director determines that the preliminary plat contains sufficient elements and data to furnish a



basis for its approval or disapproval, and the plans are adequate to allow the public works director to approve or disapprove the construction of future improvements, the director shall affix a file number and date of receipt to the application and promptly forward all copies of the plans of roads, utilities, and other proposed improvements to the county engineer.

The director shall forward copies of the preliminary plat to other departments, municipalities, utility companies or public agencies determined to have an interest in the subdivision. All reviewing agencies and/or entities shall forward their comments to the director pursuant to Title 15A of this code, Project permit application process. Failure to report within appropriate comment time shall be interpreted to indicate that the proposed subdivision will not adversely affect the agency or utility involved. (Ord. 2005-31, 2005)

#### **IV HEARING**

##### **16.12.130 Date, notice - Procedure.**

Upon receipt of a preliminary plat, the director shall set a date for open record predecision public hearing before the planning commission. The director shall give notice of the public hearing pursuant to Title 15A of this code, Project permit application process. (Ord. 2005-31, 2005)

##### **16.12.140 Scope.**

At the open record predecision public hearing the planning commission shall consider all relevant evidence to determine whether to recommend that the preliminary plat be approved or disapproved by the board. Any hearing may be continued at the discretion of the commission. (Ord. 2005-31, 2005)

##### **16.12.150 Road, sewer, water and fire system recommendations.**

The director, county public works director, and the county health officer, shall certify to the planning commission, prior to the hearing, their respective recommendations as to the adequacy of the proposed road system, the proposed sewage disposal and potable water supply systems and fire protection facilities within the subdivision. The recommendations of the director, county public works director, and the county health officer, shall be attached to the commission's report for transmittal to the board. (Ord. 2005-31, 2005)

##### **16.12.160 Facilities - Improvements.**

The commission shall determine whether the proposal includes appropriate provisions for drainage, roads, alleys, and other public ways, water supplies, sanitary wastes, parks, playgrounds, fire protection facilities, school sites and grounds and other public and private facilities and improvements. (Ord. 2005-31, 2005)

##### **16.12.170 Comprehensive plan conformance.**

The commission shall determine if the proposed subdivision conforms to the general purposes of the comprehensive plan; and if the public use and interest will apparently be served by the proposal. (Ord. 2005-31, 2005)

#### **V HEARING EXAMINER'S ACTION**

##### **16.12.180 Findings and report.**

Not later than ten days following conclusion of the open record predecision hearing, the Hearing Examiner shall submit its written report and recommendations to the legislative body. The Hearing Examiner may recommend that the proposed plat be approved, conditionally approved or disapproved. Conditions of approval shall be precisely recited in the Hearing Examiner's report and shall include recommended protective improvements, if any. (Ord. 2005-31, 2005)

##### **16.12.190 Records.**

Records of the planning commission hearings on preliminary plats shall be kept by the clerk of the board and shall be open to public inspection. (Ord. 2005-31, 2005)

## **VI BOARD ACTION**

### **16.12.200 Date and records.**

Upon receipt of the planning commission's recommendation, the board shall, at its next regularly scheduled public meeting, set the date for the public closed record hearing at which the board shall consider the recommendation. (Ord. 2005-31, 2005)

### **16.12.210 Acceptance or rejection.**

At the closed record hearing scheduled for considering the preliminary plat, the board shall, after reviewing the recommendations of the planning commission, the director, the county engineer, the health officer, including any other relevant evidence presented to it, either concur in or reject the planning commission's recommendations. (Ord. 2005-31, 2005)

### **16.12.230 Records.**

Records of the board's proceedings concerning a preliminary plat shall be kept by the clerk of the board and shall be open to public inspection. (Ord. 2005-31, 2005)

## **VII PRELIMINARY APPROVAL**

### **16.12.240 Development authorization.**

Approval of the preliminary plat shall constitute authorization for the subdivider to develop the subdivision's facilities and proceed with design of improvements in strict accordance with standards established by this title and any conditions imposed by the board. Design approval by the county public works director shall be obtained prior to commencement of construction of subdivision improvements. (Ord. 2005-31, 2005)

### **16.12.250 Expiration.**

A final plat meeting all requirements of this chapter shall be submitted to the board for approval within the timeframe specified by RCW 58.17.140. Failure to do so will result in the preliminary plat being expired and no longer valid. No further action is necessary regarding an application once the preliminary plat has expired pursuant to this chapter. Any applicant who files a written request with the administrator within 30 days before the expiration date, showing that the applicant has attempted in good faith to submit the final plat within the time period and that the associated fees are paid, shall be granted a one-year extension. Such an extension can be requested and granted five times. (Ord. 2010-02, 2010; Ord. 2005-31, 2005)

# Development regulation amendments - showing changes from 2009 to 2010 to KCC 16.32:

## Chapter 16.32

### SHORT PLAT REQUIREMENTS

#### Sections

16.32.010 Drawings - General information requirements.

16.32.020 Short plat design standards.

16.32.030 Required improvements, road standards and irrigation easements.

16.32.050 Short plat review.

16.32.070 Board review - Appeals.

16.32.080 Final approval - Filing.

16.32.090 Expiration

#### **16.32.010 Drawings - General information requirements.**

- A. All short plats shall contain information set forth in Sections 16.20.010 through 16.20.050.
- B. Short plats shall be prepared according to standard formats which are to be available in the Kittitas County community development services department. (Ord. 2005-31, 2005)

#### **16.32.020 Short plat design standards.**

Design standards for short plats are the same as those provided for in Chapter 16.12. (Ord. 2005-31, 2005)

#### **16.32.030 Required improvements, road standards and irrigation easements.**

Road standards and irrigation easement standards for short plats shall be the same as those outlined in Chapter 16.18 and Title 12 of this code. Exceptions to minimum road standards shall be made only by the board of county commissioners. Other improvements (drainage, etc.) may be established during short plat review by the director who shall base such determination on the written recommendation of those officials responsible for such matters. (Ord. 2005-31, 2005)

#### **16.32.050 Short plat review.**

The director shall be vested with the responsibility of processing short plat applications. The county shall review and consider the proposed short subdivision with regard to:

- A. Its conformance with all county subdivision, zoning, health and sanitation regulations and with laws adopted by the state of Washington.
- B. Its conformance to all standards and improvements required under this title.
- C. Potential hazards created by flood potential, landslides, etc.
- D. Provisions for all improvements and easements (roads, ditches, etc.) required by this title.
- E. Access for all proposed lots or parcels by way of a dedicated road right-of-way or easement.
- F. All other relevant facts which may determine whether the public interest will be served by approval of the proposed subdivision.
- G. Lots or parcels created by the final platting of a subdivision or short subdivision may not be further divided within a five-year period without filing of a final plat; except as provided for in RCW 58.17.060 (Ord. 2005-31, 2005)

#### **16.32.070 Board review - Appeals.**

Any person(s) aggrieved by any decision of the director may request a review of that decision by the board of county commissioners. Such request must be made pursuant to Title 15A of this code, Project permit application process. (Ord. 2005-31, 2005)

#### **16.32.080 Final approval - Filing.**

- A. If improvements are required, final approval and filing may be withheld until:

1. Roads within the subdivision are constructed to meet minimum platting requirements.
  2. All required irrigation delivery systems are completed.
  3. There is compliance with the recommendations of the Kittitas County health department regarding improvements or additional information.
  4. It has been determined as evidenced by letters from affected agency and department heads that satisfactory conditions exist for the subdivision of the subject property. Where any department or agency has failed to respond to a proposed short plat within two (2) weeks, it shall be assumed no recommendation is intended.
  5. A certificate signed by all persons having any interest in the property is filed with the short plat indicating the subdivision is their free act and deed.
- B. If all improvements and plat requirements are fulfilled, the director shall affix his (her) name to the face of the original plat document and present it to the county auditor for official filing. (Ord. 2005-31, 2005)

#### 16.32.090 Expiration

A final short plat meeting all requirements of this chapter shall be submitted and approved within the timeframe specified by RCW 58.17.140. Failure to do so will result in the short plat being expired and no longer valid. No further action is necessary regarding an application once the short plat has expired pursuant to this chapter. Any applicant who files a written request with the administrator within 30 days before the expiration date, showing that the applicant has attempted in good faith to submit the final short plat within the time period and that the associated fees are paid, shall be granted a one-year extension. Such an extension can be requested and granted five times.

## **Clean version of approved text amendments:**

### **Chapter 16.32**

#### **SHORT PLAT REQUIREMENTS**

##### **Sections**

16.32.010 Drawings - General information requirements.

16.32.020 Short plat design standards.

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## Development regulation amendments - showing changes from 2009 to 2010 to KCC 17.08:

### Chapter 17.08

#### DEFINITIONS\*

##### Sections

- 17.08.010 Generally.
- 17.08.020 Accessory or accessory building.
- 17.08.022 Accessory dwelling unit.
- 17.08.023 Accessory living quarters.
- 17.08.030 Access road.
- 17.08.031 Adult Family Home.
- 17.08.035 Agriculture Study Overlay Zone.
- 17.08.040 Airport.
- 17.08.050 Alteration.
- 17.08.060 Amendment.
- 17.08.063 Amenity funds.
- 17.08.067 Animal Boarding Facility.
- 17.08.070 Apartment house.
- 17.08.100 Auto wrecking yard.
- 17.08.105 Bed and breakfast business.
- 17.08.110 Board.
- 17.08.120 Board of adjustment.
- 17.08.130 Building.
- 17.08.140 Building line.
- 17.08.145 Building height
- 17.08.150 Business or commercial.
- 17.08.155 Campground.
- 17.08.156 Campsite.
- 17.08.157 Camping Unit.
- 17.08.160 Clinic.
- 17.08.165 Commercial activities associated with agriculture.
- 17.08.170 Commission.
- 17.08.180 Conditional uses.
- 17.08.183 Conservation easement.
- 17.08.187 Conservation or resource values.
- 17.08.190 County arterial road.
- 17.08.191 Critter Pad.
- 17.08.195 Day care facilities.
- 17.08.197 Density.
- 17.08.198 Designated manufactured home.
- 17.08.199 Development right.
- 17.08.200 Dwelling.
- 17.08.210 Dwelling, multiple-family.
- 17.08.220 Dwelling, two-family.
- 17.08.225 Extremely hazardous waste.
- 17.08.230 Family.
- 17.08.240 Family dwelling.
- 17.08.250 Farm.
- 17.08.255 Farm labor shelter.
- 17.08.260 Feedlot.
- 17.08.261 (Repealed by Ord. 2009-25.)
- 17.08.262 Golf Course.

17.08.263 Group Care Facility.  
17.08.265 Group home.  
17.08.266 Guest Houses.  
17.08.270 Guest ranch.  
17.08.280 Hazardous waste.  
17.08.281 Hazardous waste facility.  
17.08.282 Hazardous waste storage.  
17.08.283 Hazardous waste treatment.  
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17.08.300 Hospital.  
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17.08.320 Hotel.  
17.08.321 Infill.  
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17.08.329 Junk.  
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17.08.370 Lot line, front.  
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17.08.395 Mineral exploration.  
17.08.396 Mini Storage Facility.  
17.08.397 Mini warehouse.  
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17.08.430 Outdoor advertising signs and billboards.  
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17.08.445 Performance based cluster plat.  
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17.08.455 Planning commission or commission.  
17.08.456 Produce Stands.  
17.08.460 Public office building.  
17.08.462 Receiving site.  
17.08.465 Recreational vehicle.  
17.08.470 Rezone.  
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17.08.485 Shooting range.  
17.08.487 Sending site.  
17.08.490 Single-family residence.  
17.08.500 Special care dwelling.  
17.08.510 Structural alteration.  
17.08.520 Structure.  
17.08.530 Trailer.  
17.08.535 Trailer home.  
17.08.540 Trailer park, trailer camp, trailer court and mobile home park.  
17.08.542 Transfer of development rights (TDR).

- 17.08.543 TDR certificate.
- 17.08.544 TDR certificate letter of intent.
- 17.08.545 TDR credit.
- 17.08.546 TDR program.
- 17.08.547 TDR sending site application.
- 17.08.550 Use.
- 17.08.560 Variance.
- 17.08.561 Winery.
- 17.08.570 Yard.
- 17.08.580 Yard depth.
- 17.08.590 Yard, front.
- 17.08.600 Yard, rear.
- 17.08.610 Yard, side.
- 17.08.620 Yurt.

\* Prior history: Ords. 82-Z-2, 79-Z-3, 77-12, 77-1Z, 76-3, 75-9, 73-3, 68-17, 2.

**17.08.010 Generally.**

Certain terms and words used in this title are defined in the following sections. Words used in the present tense include the future; words in the singular number include the plural number; and words in the plural number include the singular number; the word "building" includes the word "structure," and the word "shall" is mandatory and not directory. (Res. 83-10, 1983)

**17.08.020 Accessory or accessory building.**

"Accessory" or "accessory building" means a subordinate building or use, the use of which is incidental to that of the main building and located on the same tract or lot as the main building. (Res. 83-10, 1983)

**17.08.022 Accessory dwelling unit.**

"Accessory Dwelling Unit" shall mean separate living quarters detached from the primary residence. No mobile home or recreational vehicle shall be an accessory dwelling unit. Accessory Dwelling units shall be subject to the requirements and conditions as set forth below:

Accessory Dwelling Unit (ADU) subject to the following requirements:

- A. ADUs shall be allowed as a permitted use within designated UGAs ~~and UGNs~~
- B. ADUs shall be subject to obtaining an ~~conditional use~~ Administrative Use permit in areas outside of UGAs ~~and UGNs~~.
- C. Only one ADU shall be allowed per lot.
- D. Owner of the property must reside in either the primary residence or the ADU.
- E. The ADU shall not exceed the square footage of the habitable area of primary residence.
- F. The ADU shall be designed to maintain the appearance of the primary residence.
- G. All setback requirements for the zone in which the ADU is located shall apply.
- H. The ADU shall meet the applicable health department standards for potable water and sewage disposal.
- I. No mobile homes or recreational vehicles shall be allowed as an ADU.
- J. The ADU shall provide additional off-street parking.
- K. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists. (Ord. O-2006-01, 2006)

**17.08.023 Accessory living quarters.**

"Accessory Living Quarters" shall mean separate living quarters fully contained within a single structure that contains the primary dwelling. Accessory Living Quarters shall be subject to the requirements and conditions as set forth below:



Accessory Living Quarter subject to the following requirements:

- A. Accessory Living Quarters shall be located within an owner occupied primary residence
- B. Accessory Living Quarters are limited in size to no greater than fifty percent of the habitable area of the primary residence
- C. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal
- D. Only one Accessory Living Quarters shall be allowed per lot
- E. Accessory Living Quarters are to provide additional off-street parking.
- F. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists. (Ord. O-2006-01, 2006)

**17.08.030 Access road.**

"Access road" means any road, public or private, except a county arterial road. (Res. 83-10, 1983)

**17.08.031 Adult family home.**

A residential home in which a person or persons provide personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services. (Ord. 2007-22, 2007)

**17.08.035 Agriculture Study Overlay Zone.**

Properties containing prime farmland soils, as defined by United States Department of Agriculture Soil Conservation Service in Agriculture Handbook No. 210, and located in the former Thorp Urban Growth Node Boundaries and outside of LAMIRD boundaries. (Ord. 2009-25, 2009)

**17.08.040 Airport.**

"Airport" means any area of land or water designed and set aside for landing and taking off of aircraft. (Res. 83-10, 1983)

**17.08.050 Alteration.**

"Alteration" may be a change in construction or a change of occupancy. Where the term alteration is applied to a change in construction, it is intended to apply to any change, addition or modification in construction. Where the term is used in connection with a change of occupancy, it is intended to apply to changes of occupancy from one trade or use to another or from one division of a trade or use to another. (Res. 83-10, 1983)

**17.08.060 Amendment.**

"Amendment" means a change in the wording, context, boundaries or maps which are a part of this title by the county commissioners in the manner prescribed by law. (Res. 83-10, 1983)

**17.08.063 Amenity funds.**

"Amenity funds" means cash payments to cities to help offset the costs of taking additional density. (Ord. 2009-25, 2009)

**17.08.067 Animal Boarding Facility.**

A facility where animals are housed, fed, and cared for, excluding a veterinary clinic, for a period greater than twenty-four hours for commercial purposes. Such uses shall include, but are not limited to, kennels, boarding stables and riding academies. (Ord. 2009-25, 2009; Ord. 2007-22, 2007)

**17.08.070 Apartment house.**

"Apartment house" means any building or portion thereof which is designed, built, rented, leased, let or hired out, to be occupied, or which is occupied as a residence of three or more families living independently of each other, suitable to be occupied on a permanent basis as distinguished from a transient occupancy basis. (Res. 83-10, 1983)

**17.08.100 Auto wrecking yard.**

"Auto wrecking yard" means any place in the business of buying, selling or dealing in vehicles of a type required to be licensed under the laws of this state, for the purpose of wrecking, dismantling, disassembling or substantially changing the form of any motor vehicle, or which buys or sells integral secondhand parts of component material thereof. (Res. 83-10, 1983)

**17.08.105 Bed and breakfast business.**

"Bed and breakfast business" means a use allowing lodging for let contained within an established single-family dwelling's existing bedrooms, where lodgers typically stay for one to fourteen days. The purpose of bed and breakfast use shall relate primarily to vacation, recreation and similar pursuits, and does not include rehabilitation centers, group homes, clinics, nursing homes, church camps, and other similar uses. (Ord. 93-21 (part), 1993)

**17.08.110 Board.**

"Board" means board of county commissioners of Kittitas County. (Res. 83-10, 1983)

**17.08.120 Board of adjustment.**

"Board of adjustment" means a group of people similar to the planning commission who act as a separate group charged with the responsibility of interpreting and making certain decisions as specified in this title. (Res. 83-10, 1983)

**17.08.130 Building.**

"Building" means a structure having roof supported by columns or walls for the shelter, support or enclosure of persons, animals or chattels. (Res. 83-10, 1983)

**17.08.135 Building height**

"Building height" means the vertical distance from grade plane to the average height of the highest roof surface. Grade plain is the reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.

**17.08.140 Building line.**

"Building line" means a line established at a minimum distance a building may be located from any property line as determined by the standards of this title. (Res. 83-10, 1983)

**17.08.150 Business or commercial.**

"Business" or "commercial" means the occupation or employment of buying, selling, bartering and exchange of goods, wares and merchandise or other personal property or real property or any interests therein for profit or livelihood and also ownership or management of office buildings, offices and recreational or amusement enterprises. (Res. 83-10, 1983)

**17.08.155 Campground.**

"Campgrounds" means any parcel or tract of land under the control of any person, organization, or governmental entity wherein two or more recreational vehicle, recreational park trailer or other camping unit sites are offered for the use of the public or members of an organization. Typically the length of stay for a majority of the guests will range from one to fourteen days. The purpose of a campground use shall relate primarily to vacation, recreation and similar pursuits, and is not a place of permanent residence for the campers. A single-family residence may be allowed for the owner or caretaker. Very limited service commercial activities may be allowed which are intended for campers of the campground and must be approved as part of a conditional use permit. Campgrounds may or may not necessarily be designed to accommodate recreational vehicles. (Ord. 2007-22, 2007)

**17.08.156 Camp Site.**

A specific area within an RV park or campground that is set aside for use by a camping unit. (Ord. 2007-22, 2007)

**17.08.157 Camping Unit.**

Camping Unit means any portable structure, shelter or vehicle designed and intended for occupancy by persons engaged in RV activities or camping. The basic units are: recreational vehicle, tent, portable camping cabin, teepee, yurt or other portable shelter. (Ord. 2007-22, 2007)

**17.08.160 Clinic.**

"Clinic" means any building or portion of any building containing offices for providing medical, dental or psychiatric services for outpatients only. (Res. 83-10, 1983)

**17.08.165 Commercial Activities Associated with Agriculture.**

"Commercial Activities Associated with Agriculture" means any commercial endeavor as defined in KCC 17.08.150, and including the custom fabrication and construction of products or materials, as well as services which are in support of, or supplemental to agricultural activities. Such use in areas designated as agricultural land of long term commercial significance shall comply with RCW 36.70A.177(3) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture. (Ord. 2009-25, 2009)

**17.08.170 Commission.**

"Commission" means the planning commission of Kittitas County. (Res. 83-10, 1983)

**17.08.180 Conditional uses.**

For the definition of "conditional uses" see "uses, conditional." (Res. 83-10, 1983)

**17.08.183 Conservation easement.**

"Conservation easement" means a legal agreement between a landlord and a land trust or government agency that permanently limits uses of the land in order to protect its nondevelopment values. It allows the landowner to continue to own and use the land, to sell it, or to pass it on to heirs. A conservation easement is placed on a sending site at the time development rights are sold from the property. The conservation easement typically prohibits any further development of the property but allows resource uses, such as farming and forestry, to continue. (Ord. 2009-25, 2009)

**17.08.187 Conservation or resource values.**

Conservation or Resource Values means the use and suitability of the land for farm, agricultural, or forest production and the perpetual retention of the land for such purpose. (Ord. 2009-25, 2009)

**17.08.190 County arterial road.**

"County arterial road" means any county road designated by resolution at any time as a county arterial road by the board of county commissioners. (Res. 83-10, 1983)

**17.08.191 Critter Pad.**

Critter pad means livestock flood sanctuary areas. (Ord. 2007-22, 2007)

**17.08.195 Day care facilities.**

"Day care facilities" means any home or building used for the daily care and supervision of children under age 10 in a residential setting. Such facilities shall not include or be interpreted to include regular overnight lodging or centers for the care or treatment of patients, those in rehabilitation or court assigned delinquents, criminals, or other sentencing categories. (Ord. 90-15 § 1, 1990)

**17.08.197 Density.**

Expressed in dwelling units per acre. (Ord. 2007-22, 2007)

**17.08.198 Designated manufactured home.**

"Designated manufactured home" is a manufactured home which is comprised of at least two fully enclosed parallel sections; each section being a minimum of twelve feet wide and thirty-six feet long; and which was originally constructed with and currently has a composition, coated metal, or similar roof of not less than a 3:12 pitch. (Class A roofs coverings are required in many areas of Kittitas County). The unit must have siding similar in appearance to siding materials commonly utilized on conventional site-built International Building Code single family residences and placed on a permanent perimeter foundation comprised of poured concrete or masonry which shall be twenty-four inches below finished grade when backfilled. A designated manufactured home shall have been constructed after January 1996 and to appropriate snow load requirements as determined by the Kittitas County building and fire safety department. Units shall be placed in accordance with Section 14.04.040(B) of this code. Designated manufactured homes shall be considered to be single-family residences. (Ord. 2007-22, 2007; Ord. 98-22 (part), 1998)

**17.08.199 Development right.**

"Development right" means an interest in and the right under current law to use and subdivide a lot for any and all residential, commercial, and industrial purposes. (Ord. 2009-25, 2009)

**17.08.200 Dwelling.**

"Dwelling" means a building or portion thereof designed exclusively for residential occupancy. (Res. 83-10, 1983)

**17.08.210 Dwelling, multiple-family.**

"Multiple family dwelling" means a dwelling designed or used for occupancy by more than two families. (Res. 83-10, 1983)

**17.08.220 Dwelling, two-family.**

"Two family dwelling" means a building designed exclusively for occupancy by two families living independently of each other. (Res. 83-10, 1983)

**17.08.225 Extremely hazardous waste.**

"Extremely hazardous waste" means those dangerous wastes designated in WAC 173-303-070 through 173-303-103 as extremely hazardous. The abbreviation "EHW" may be used in this title to refer to those dangerous wastes which are extremely hazardous. (Ord. 93-1 (part), 1993)

**17.08.230 Family.**

"Family" means a number of related individuals or not more than five unrelated individuals living together as a single housekeeping unit, and doing their cooking on the premises exclusively as one household. (Res. 83-10, 1983)

**17.08.240 Family dwelling.**

"Family dwelling" means any building designed for and occupied by any person or a family establishing or tending to establish a legal residence or acquiring a legal settlement for any purpose upon the premises so occupied. (Res. 83-10, 1983)

**17.08.250 Farm.**

"Farm" means an area of land devoted to the production of field or truck crops, livestock or livestock products, which constitute the major use of such property. (Res. 83-10, 1983)

**17.08.255 Farm labor shelter.**

"Farm labor shelter" means an accessory dwelling unit used exclusively as temporary or seasonal housing of farm laborers who are doing farm labor on the farm on which the shelters are located. This definition shall include all manufactured housing and travel trailers provided all trailers are served by the full range of utilities including water, sewerage and power. (Ord. 2007-22, 2007; Ord. 93-6 (part), 1993)

**17.08.260 Feedlot.**

"Feedlot" means any area used for the continuous feeding of 500 or more head of cattle destined for slaughter, confined at a density of less than 500 square feet per head on a year round basis. This shall not be interpreted to include dairy operations with a Washington State Grade A license. (Ord. 91-4, 1991; Res. 83-10, 1983)

**17.08.261 Firing range.**

Repealed by Ord. 2009-25. (Ord. 2009-25, 2009; Ord. 200-113 (part), 2001)

**17.08.262 Golf Course.**

A recreational facility designed and developed for golf activities. May include as accessory uses a pro shop, snack bar (not including restaurants), and caddy shack/maintenance buildings. (Ord. 2007-22, 2007)

**17.08.263 Group Care Facility.**

Living quarters for children or adults meeting applicable Federal and State standards that function as a single housekeeping unit and provide supporting services, including but not limited to counseling, rehabilitation, and medical supervision, not exceeding more than 20 residents and staff. If staffed by nonresident staff, each 24 staff hours per day equals 1 full-time residing staff member for purposes of determining number of staff. (Ord. 2007-22, 2007)

**17.08.265 Group home.**

"Group home" means a home for at least seven and not more than 15 persons, plus house parents, providing residential facilities in a homelike environment directed to allow a degree of community participation and human dignity not provided in an institutional atmosphere. (Ord. 87-9 § 1, 1987)

**17.08.266 Guest House.**

Guest House means an accessory building designed, constructed, and used for the purpose of providing temporary sleeping accommodations for guests, or for members of the same family as that occupying the main structure, and containing no kitchen facilities. (Ord. 2007-22, 2007)

**17.08.270 Guest ranch.**

"Guest ranch" means a business or an organization providing overnight lodging, dining and recreational facilities in a rural setting. The purpose of a guest ranch use shall relate primarily to vacation, recreation and similar pursuits, and does not include rehabilitation centers, group homes, clinics, nursing homes, churches and church camps, and other similar uses. Events such as auctions, barbecues and similar gatherings which do not provide overnight lodging or which are not conducted on a continuous basis shall not be considered as guest ranches. (Ord. 93-21 (part), 1993; Ord. 83-Z-5, 1983)

**17.08.280 Hazardous waste.**

"Hazardous waste" means those solid wastes designated by 40 CFR Part 261 and regulated as hazardous waste by the United States EPA. (Ord. 93-1 (part), 1993)

**17.08.281 Hazardous waste facility.**

"Hazardous waste facility" means all contiguous land, and structures, other appurtenances, and improvements on the land used for recycling, reusing, reclaiming, transferring, storing, treating, or disposing of dangerous waste. Unless otherwise specific in this chapter, the terms "facility," "treatment," "storage," "disposal facility" or "waste management facility" shall be used interchangeably. (Ord. 93-1 (part), 1993)

**17.08.282 Hazardous waste storage.**

"Hazardous waste storage" means the holding of dangerous waste for a temporary period. Accumulation of dangerous waste by the generator on the site of generation is not storage as long as the generator

complies with the applicable requirements of WAC 173-303-200 and 173-303-201. (Ord. 93-1 (part), 1993)

**17.08.283 Hazardous waste treatment.**

"Hazardous waste treatment" means the physical, chemical, or biological processing of dangerous waste to make such wastes non-dangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume. (Ord. 93-1 (part), 1993)

**17.08.290 Home occupation.**

"Home occupation" means any lawful profession, craft or service commonly carried on within a dwelling or accessory building provided such activity is secondary to the use of said dwelling for residential purposes, and provided that there is no outdoor display of merchandise. This definition shall not be interpreted to include the sale of firewood, farm produce, or similar activities which are not regulated by this title. No sign advertising a home occupation shall exceed sixteen square feet in size. (Res. 83-10, 1983)

**17.08.300 Hospital.**

"Hospital" means an institution specializing in and providing facilities and services in surgery, obstetrics, and general medical practice for human beings and licensed by state law for that purpose. (Res. 8310, 1983)

**17.08.310 Hospital, animal or veterinary.**

"Animal or veterinary hospital" means an establishment in which veterinary services, clipping, bathing, boarding and other services are rendered to animals and domestic pets. (Ord. 2007-22, 2007)

**17.08.320 Hotel.**

"Hotel" means a building or portion thereof designed or used for occupancy of individuals who are lodged with or without meals, and in which no provision is made for cooking in any individual room or suite. (Res. 83-10, 1983)

**17.08.321 Infill.**

Infill means the development of new housing or other buildings on scattered vacant sites in a built-up area. (Ord. 2007-22, 2007)

**17.08.324 Interlocal agreement.**

"Interlocal agreement" means a legal contract between two or more local jurisdictions (cities and counties) that specifies the condition under which TDR credits may be transferred (typically from an unincorporated county into an incorporated city). Interlocal agreements must be endorsed by the legislative bodies of both jurisdictions. (Ord. 2009-25, 2009)

**17.08.327 Intervening Ownership.**

A parcel of land which is physically separated from a main tract by a public road or ownership by utility, including irrigation entities. Identification of intervening ownership shall be processed consistent with Kittitas County Code 17.60B Administrative Uses. (Ord. 2009-25, 2009; Ord. 2007-22, 2007)

**17.08.329 Junk.**

Junk means storage or accumulation of inoperable motor vehicles or equipment, vehicle or equipment parts, used lumber and building materials, pipe, appliances, demolition waste, or any used material. This shall not be interpreted to include the normal storage or accumulation of viable and/or operable agricultural equipment. (Ord. 2007-22, 2007)

**17.08.330 Junkyard.**

"Junkyard" means any lot, parcel, building, structure or portion thereof, used for the storage, collection, processing, purchase, sale, exchange, salvage or disposal of scrap materials, unlicensed or

inoperable vehicles, vehicle parts, used appliances, machinery or parts thereof. This shall not be interpreted to include the normal storage or accumulation of viable and/or operable agricultural equipment. (Ord. 2007-22, 2007; Res. 83-10, 1983)

**17.08.340 Kennel.**

Kennel means a lot or building which four or more dogs or cats at least four months of age are kept commercially for board, propagation, training or sale. (Ord. 2007-22, 2007; Res. 83-10, 1983)

**17.08.360 Lot.**

"Lot" means any area, tract or parcel of land owned by or under the control and in the lawful possession of one distinct ownership. The term means any type of land holding and includes, but is not limited to, lots platted in subdivisions. (Res. 83-10, 1983)

**17.08.370 Lot line, front.**

"Front lot line" means any boundary line separating the lot from a street. (Res. 83-10, 1983)

**17.08.380 Lot line, rear.**

"Rear lot line" means any boundary opposite and most distant from front lot line and not intersecting a front lot line. (Res. 83-10, 1983)

**17.08.390 Lot line, side.**

"Side lot line" means any boundary line not a front or rear lot line. (Res. 83-10, 1983)

**17.08.391 Manufactured home.**

"Manufactured home" is a single-family residence constructed after June 15, 1976, and in accordance with the U.S. Department of Housing and Urban Development (HUD) requirements for manufactured housing and bearing the appropriate insignia indication for such compliance. The unit must be transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or forty body width in length, or when erected on site exceeds four hundred square feet and which is built on a permanent chassis. A manufactured home shall be affixed to a foundation system in accordance with Chapter 296-150M WAC as administered by the Washington State Department of Labor and Industries. The manufacturer's requirements shall be followed for placement and if there are no manufacturer instructions, the Kittitas County department of building and fire safety requirements shall be imposed. A manufactured home has a red insignia from the Department of Labor and Industries. (Ord. 9822 (part), 1998)

**17.08.395 Mineral exploration.**

"Mineral exploration" means the process of exploring, by various means, for mineral deposits (including geothermal sources). Such activities, not involving the extraction of minerals, shall not be considered or regulated as a land use by this title. (Res. 83-10, 1983)

**17.08.396 Mini Storage Facility.**

A facility including buildings segregated into storage cubicles used exclusively for the storage of excess property and outdoor storage of vehicles and boats. (Ord. 2007-22, 2007)

**17.08.397 Mini warehouse.**

"Mini warehouse" means a single story building or group of single story buildings containing individual compartmentalized access stalls or lockers for the dead storage of customers' goods or wares. (Ord. 83-Z-2 (part), 1983)

**17.08.398 Mobile home.**

"Mobile home" is a structure transportable in one or more sections that are eight feet or more in width and thirty-two feet or more in length, built on a permanent chassis, designed to be used as a permanent dwelling and constructed before June 15, 1976. Beginning September 1, 1998, mobile homes will no longer be allowed to be transported and placed within Kittitas County. Those units

presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries. (Ord. 98-22 (part), 1998; Res. 83-10, 1983)

**17.08.399 Modular home.**

"Modular home" is a manufactured structure originally designed for initial movement without benefit of an undercarriage frame or its own wheels to a site of permanent placement on a full perimeter foundation, used for residential purposes, and exceeds eight hundred sixty-four square feet of enclosed living area. A modular home shall be considered a "dwelling" or "single-family residence". A "modular home" constructed to International Building Code standards and bearing the gold insignia from the Washington State Department of Labor and Industries shall be considered to be a single-family residence. (Ord. 2007-22, 2007; Ord. 98-22 (part), 1998; Ord. 93-21 (part), 1993)

**17.08.400 Motel.**

"Motel" means an individual building or group of attached or detached buildings containing guest rooms, together with conveniently located parking space on the same lot, which are designed, used or intended to be used for the accommodation of automobile transients. The term includes auto courts, motor lodges and tourist courts. (Res. 83-10, 1983)

**17.08.410 Nonconforming use.**

For more information on "nonconforming use" see Section 17.08.550. (Ord. 2007-22, 2007; Res. 83-10, 1983)

**17.08.420 Nursing home.**

"Nursing home" means a home, place or institution which operates or maintains facilities providing convalescence or chronic care or both for a period in excess of twenty-four consecutive hours for three or more patients not related by blood or marriage to the operator, who by reason of illness or infirmity are unable properly to care for themselves, and is licensed by the State Department of Health as a nursing home. (Res. 83-10, 1983)

**17.08.424 Off-site hazardous waste facilities.**

"Off-site hazardous waste facilities" means hazardous waste treatment and storage facilities that treat and store waste from generators on properties other than those on which the off-site facilities are located. (Ord. 93-1 (part), 1993)

**17.08.427 On-site hazardous waste facilities.**

"On-site hazardous waste facilities" means hazardous waste treatment and storage facilities that treat and store waste from generators located on the same property or from contiguous property within Kittitas County. (Ord. 93-1 (part), 1993)

**17.08.430 Outdoor advertising signs and billboards.**

1. "Outdoor advertising signs and billboards" means any card, paper, cloth, metal, wooden or other display or device of any kind or character, including but not limiting the same to any poster, bill, printing, painting or other advertisement of any kind whatsoever, including statuary, placed for outdoor advertising purposes on or to the ground or any tree, wall, rack, fence, building, structure or thing.
2. "Outdoor advertising signs and billboards" does not include:
  - a. Official notices issued by any court or public body or officer;
  - b. Notices posted by any public officer in performance of a public duty or by any person in giving legal notice;
  - c. Directional, warning or information structures required by or authorized by law or by federal, state, county or city authority. (Res. 83-10, 1983)

**17.08.431 Park model trailer.**

A trailer designed to provide seasonal or temporary living quarters which may be used with temporary



connections to utilities necessary for operation of installed fixtures and appliances. It has a gross trailer area not exceeding 400 square feet. (Ord. 2007-22, 2007)

**17.08.440 Parking space.**

"Parking space" means a minimum gross area available for the parking of a standard American automobile. (Res. 83-10, 1983)

**17.08.445 Performance based cluster plat uses.**

Performance based cluster plat uses means those uses identified for use in calculation of points for recreation and open space as provided in Title 16.09.090 of the Kittitas County Subdivision Code, Public Benefit Rating System. These are applied to calculation of density bonus for a qualifying Performance Based Cluster Plat application. (Ord. 2005-35, 2005)

**17.08.450 Planned unit development.**

"Planned unit development" means a development of planned community by a landowner to be developed as a single entity in which a mixture of land uses are permitted including residential, commercial, and open space, the plan for which may not correspond in lot size, density, or type of dwellings to other zoning districts. (Ord. 2005-35, 2005, Ord. 90-6 (part), 1990: Ord. 83-Z-2 (part), 1983)

**17.08.455 Planning commission or commission.**

"Planning commission" or "commission" means the Kittitas County planning commission. (Ord. 2005-35, 2005, Res. 83-10, 1983)

**17.08.456 Produce Stands.**

A temporary use which is primarily engaged in the sale of fresh agricultural products, locally grown on- or off-site, but may include incidental to fresh produce sale, the sale of limited prepackaged food products and nonfood items. This use is to be seasonal in duration, open for the duration of the local harvest season. (Ord. 2007-22, 2007)

**17.08.460 Public office building.**

"Public office building" means a structure used as the office or for the purpose of conducting official business by an agency of the federal government, state government or a political sub-division of the state of Washington. (Res. 83-10, 1983)

**17.08.462 Receiving site.**

"Receiving site" means those lots where the procurement of TDR credits facilitate a permissible change in the allowed intensity on the property pursuant to the TDR chapter and all other controlling policies and law. (Ord. 2009-25, 2009)

**17.08.465 Recreational vehicle.**

"Recreational vehicle" is a vehicular type unit designated as temporary living quarters for recreation camping, travel or seasonal use which has its own power or is mounted on or towed by another vehicle. The vehicle has a gross floor area of not more than three hundred twenty square feet. This definition includes vehicles such as travel trailers, camping trailers, truck campers and motor homes. A recreational vehicle is not considered a mobile or manufactured home and is not constructed to the International Building Code standards. A recreational vehicle has a green and silver insignia from the Department of Labor and Industries. (Ord. 2007-22, 2007; Ord. 98-22 (part), 1998)

**17.08.470 Rezone.**

"Rezone" means an amendment to the zoning ordinance, requiring the same enactment as an original zoning. (Res. 83-10, 1983)

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## Clean version of approved text amendments:

### Chapter 17.08

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\* Prior history: Ords. 82-Z-2, 79-Z-3, 77-12, 77-1Z, 76-3, 75-9, 73-3, 68-17, 2.

**17.08.010 Generally.**

Certain terms and words used in this title are defined in the following sections. Words used in the present tense include the future; words in the singular number include the plural number; and words in the plural number include the singular number; the word "building" includes the word "structure," and the word "shall" is mandatory and not directory. (Res. 83-10, 1983)

**17.08.020 Accessory or accessory building.**

"Accessory" or "accessory building" means a subordinate building or use, the use of which is incidental to that of the main building and located on the same tract or lot as the main building. (Res. 83-10, 1983)

**17.08.022 Accessory dwelling unit.**

"Accessory Dwelling Unit" shall mean separate living quarters detached from the primary residence. No mobile home or recreational vehicle shall be an accessory dwelling unit. Accessory Dwelling units shall be subject to the requirements and conditions as set forth below:

Accessory Dwelling Unit (ADU) subject to the following requirements:

- A. ADUs shall be allowed as a permitted use within designated UGAs.
- B. ADUs shall be subject to obtaining an Administrative Use permit in areas outside of UGAs.
- C. Only one ADU shall be allowed per lot.
- D. Owner of the property must reside in either the primary residence or the ADU.
- E. The ADU shall not exceed the square footage of the habitable area of primary residence.
- F. The ADU shall be designed to maintain the appearance of the primary residence.
- G. All setback requirements for the zone in which the ADU is located shall apply.
- H. The ADU shall meet the applicable health department standards for potable water and sewage disposal.
- I. No mobile homes or recreational vehicles shall be allowed as an ADU.
- J. The ADU shall provide additional off-street parking.
- K. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists. (Ord. O-2006-01, 2006)

**17.08.023 Accessory living quarters.**

"Accessory Living Quarters" shall mean separate living quarters fully contained within a single structure that contains the primary dwelling. Accessory Living Quarters shall be subject to the requirements and conditions as set forth below:

Accessory Living Quarter subject to the following requirements:

- A. Accessory Living Quarters shall be located within an owner occupied primary residence
- B. Accessory Living Quarters are limited in size to no greater than fifty percent of the habitable area of the primary residence
- C. The Accessory Living Quarters are subject to applicable health district standards for water and sewage disposal
- D. Only one Accessory Living Quarters shall be allowed per lot
- E. Accessory Living Quarters are to provide additional off-street parking.
- F. Accessory Living Quarters are not allowed where an Accessory Dwelling Unit or Special Care Dwelling exists. (Ord. O-2006-01, 2006)

**17.08.030 Access road.**

"Access road" means any road, public or private, except a county arterial road. (Res. 83-10, 1983)

**17.08.031 Adult family home.**

A residential home in which a person or persons provide personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services. (Ord. 2007-22, 2007)

**17.08.035 Agriculture Study Overlay Zone.**

Properties containing prime farmland soils, as defined by United States Department of Agriculture Soil Conservation Service in Agriculture Handbook No. 210, and located in the former Thorp Urban Growth Node Boundaries and outside of LAMIRD boundaries. (Ord. 2009-25, 2009)

**17.08.040 Airport.**

"Airport" means any area of land or water designed and set aside for landing and taking off of aircraft. (Res. 83-10, 1983)

**17.08.050 Alteration.**

"Alteration" may be a change in construction or a change of occupancy. Where the term alteration is applied to a change in construction, it is intended to apply to any change, addition or modification in construction. Where the term is used in connection with a change of occupancy, it is intended to apply to changes of occupancy from one trade or use to another or from one division of a trade or use to another. (Res. 83-10, 1983)

**17.08.060 Amendment.**

"Amendment" means a change in the wording, context, boundaries or maps which are a part of this title by the county commissioners in the manner prescribed by law. (Res. 83-10, 1983)

**17.08.063 Amenity funds.**

"Amenity funds" means cash payments to cities to help offset the costs of taking additional density. (Ord. 2009-25, 2009)

**17.08.067 Animal Boarding Facility.**

A facility where animals are housed, fed, and cared for, excluding a veterinary clinic, for a period greater than twenty-four hours for commercial purposes. Such uses shall include, but are not limited to, kennels, boarding stables and riding academies. (Ord. 2009-25, 2009; Ord. 2007-22, 2007)

**17.08.070 Apartment house.**

"Apartment house" means any building or portion thereof which is designed, built, rented, leased, let or hired out, to be occupied, or which is occupied as a residence of three or more families living independently of each other, suitable to be occupied on a permanent basis as distinguished from a transient occupancy basis. (Res. 83-10, 1983)

**17.08.100 Auto wrecking yard.**

"Auto wrecking yard" means any place in the business of buying, selling or dealing in vehicles of a type

required to be licensed under the laws of this state, for the purpose of wrecking, dismantling, disassembling or substantially changing the form of any motor vehicle, or which buys or sells integral secondhand parts of component material thereof. (Res. 83-10, 1983)

**17.08.105 Bed and breakfast business.**

"Bed and breakfast business" means a use allowing lodging for let contained within an established single-family dwelling's existing bedrooms, where lodgers typically stay for one to fourteen days. The purpose of bed and breakfast use shall relate primarily to vacation, recreation and similar pursuits, and does not include rehabilitation centers, group homes, clinics, nursing homes, church camps, and other similar uses. (Ord. 93-21 (part), 1993)

**17.08.110 Board.**

"Board" means board of county commissioners of Kittitas County. (Res. 83-10, 1983)

**17.08.120 Board of adjustment.**

"Board of adjustment" means a group of people similar to the planning commission who act as a separate group charged with the responsibility of interpreting and making certain decisions as specified in this title. (Res. 83-10, 1983)

**17.08.130 Building.**

"Building" means a structure having roof supported by columns or walls for the shelter, support or enclosure of persons, animals or chattels. (Res. 83-10, 1983)

**17.08.135 Building height**

"Building height" means the vertical distance from grade plane to the average height of the highest roof surface. Grade plain is the reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.

**17.08.140 Building line.**

"Building line" means a line established at a minimum distance a building may be located from any property line as determined by the standards of this title. (Res. 83-10, 1983)

**17.08.150 Business or commercial.**

"Business" or "commercial" means the occupation or employment of buying, selling, bartering and exchange of goods, wares and merchandise or other personal property or real property or any interests therein for profit or livelihood and also ownership or management of office buildings, offices and recreational or amusement enterprises. (Res. 83-10, 1983)

**17.08.155 Campground.**

"Campgrounds" means any parcel or tract of land under the control of any person, organization, or governmental entity wherein two or more recreational vehicle, recreational park trailer or other camping unit sites are offered for the use of the public or members of an organization. Typically the length of stay for a majority of the guests will range from one to fourteen days. The purpose of a campground use shall relate primarily to vacation, recreation and similar pursuits, and is not a place of permanent residence for the campers. A single-family residence may be allowed for the owner or caretaker. Very limited service commercial activities may be allowed which are intended for campers of the campground and must be approved as part of a conditional use permit. Campgrounds may or may not necessarily be designed to accommodate recreational vehicles. (Ord. 2007-22, 2007)

**17.08.156 Camp Site.**

A specific area within an RV park or campground that is set aside for use by a camping unit. (Ord. 2007-22, 2007)

**17.08.157 Camping Unit.**

Camping Unit means any portable structure, shelter or vehicle designed and intended for occupancy by persons engaged in RV activities or camping. The basic units are: recreational vehicle, tent, portable camping cabin, teepee, yurt or other portable shelter. (Ord. 2007-22, 2007)

**17.08.160 Clinic.**

"Clinic" means any building or portion of any building containing offices for providing medical, dental or psychiatric services for outpatients only. (Res. 83-10, 1983)

**17.08.165 Commercial Activities Associated with Agriculture.**

"Commercial Activities Associated with Agriculture" means any commercial endeavor as defined in KCC 17.08.150, and including the custom fabrication and construction of products or materials, as well as services which are in support of, or supplemental to agricultural activities. Such use in areas designated as agricultural land of long term commercial significance shall comply with RCW 36.70A.177(3) as currently existing or hereafter amended, and shall be limited to lands with poor soils or those unsuitable for agriculture. (Ord. 2009-25, 2009)

**17.08.170 Commission.**

"Commission" means the planning commission of Kittitas County. (Res. 83-10, 1983)

**17.08.180 Conditional uses.**

For the definition of "conditional uses" see "uses, conditional." (Res. 83-10, 1983)

**17.08.183 Conservation easement.**

"Conservation easement" means a legal agreement between a landlord and a land trust or government agency that permanently limits uses of the land in order to protect its nondevelopment values. It allows the landowner to continue to own and use the land, to sell it, or to pass it on to heirs. A conservation easement is placed on a sending site at the time development rights are sold from the property. The conservation easement typically prohibits any further development of the property but allows resource uses, such as farming and forestry, to continue. (Ord. 2009-25, 2009)

**17.08.187 Conservation or resource values.**

Conservation or Resource Values means the use and suitability of the land for farm, agricultural, or forest production and the perpetual retention of the land for such purpose. (Ord. 2009-25, 2009)

**17.08.190 County arterial road.**

"County arterial road" means any county road designated by resolution at any time as a county arterial road by the board of county commissioners. (Res. 83-10, 1983)

**17.08.191 Critter Pad.**

Critter pad means livestock flood sanctuary areas. (Ord. 2007-22, 2007)

**17.08.195 Day care facilities.**

"Day care facilities" means any home or building used for the daily care and supervision of children under age 10 in a residential setting. Such facilities shall not include or be interpreted to include regular overnight lodging or centers for the care or treatment of patients, those in rehabilitation or court assigned delinquents, criminals, or other sentencing categories. (Ord. 90-15 § 1, 1990)

**17.08.197 Density.**

Expressed in dwelling units per acre. (Ord. 2007-22, 2007)

**17.08.198 Designated manufactured home.**

"Designated manufactured home" is a manufactured home which is comprised of at least two fully enclosed parallel sections; each section being a minimum of twelve feet wide and thirty-six feet long;

and which was originally constructed with and currently has a composition, coated metal, or similar roof of not less than a 3:12 pitch. (Class A roofs coverings are required in many areas of Kittitas County). The unit must have siding similar in appearance to siding materials commonly utilized on conventional site-built International Building Code single family residences and placed on a permanent perimeter foundation comprised of poured concrete or masonry which shall be twenty-four inches below finished grade when backfilled. A designated manufactured home shall have been constructed after January 1996 and to appropriate snow load requirements as determined by the Kittitas County building and fire safety department. Units shall be placed in accordance with Section 14.04.040(B) of this code. Designated manufactured homes shall be considered to be single-family residences. (Ord. 2007-22, 2007; Ord. 98-22 (part), 1998)

**17.08.199 Development right.**

"Development right" means an interest in and the right under current law to use and subdivide a lot for any and all residential, commercial, and industrial purposes. (Ord. 2009-25, 2009)

**17.08.200 Dwelling.**

"Dwelling" means a building or portion thereof designed exclusively for residential occupancy. (Res. 83-10, 1983)

**17.08.210 Dwelling, multiple-family.**

"Multiple family dwelling" means a dwelling designed or used for occupancy by more than two families. (Res. 83-10, 1983)

**17.08.220 Dwelling, two-family.**

"Two family dwelling" means a building designed exclusively for occupancy by two families living independently of each other. (Res. 83-10, 1983)

**17.08.225 Extremely hazardous waste.**

"Extremely hazardous waste" means those dangerous wastes designated in WAC 173-303-070 through 173-303-103 as extremely hazardous. The abbreviation "EHW" may be used in this title to refer to those dangerous wastes which are extremely hazardous. (Ord. 93-1 (part), 1993)

**17.08.230 Family.**

"Family" means a number of related individuals or not more than five unrelated individuals living together as a single housekeeping unit, and doing their cooking on the premises exclusively as one household. (Res. 83-10, 1983)

**17.08.240 Family dwelling.**

"Family dwelling" means any building designed for and occupied by any person or a family establishing or tending to establish a legal residence or acquiring a legal settlement for any purpose upon the premises so occupied. (Res. 83-10, 1983)

**17.08.250 Farm.**

"Farm" means an area of land devoted to the production of field or truck crops, livestock or livestock products, which constitute the major use of such property. (Res. 83-10, 1983)

**17.08.255 Farm labor shelter.**

"Farm labor shelter" means an accessory dwelling unit used exclusively as temporary or seasonal housing of farm laborers who are doing farm labor on the farm on which the shelters are located. This definition shall include all manufactured housing and travel trailers provided all trailers are served by the full range of utilities including water, sewerage and power. (Ord. 2007-22, 2007; Ord. 93-6 (part), 1993)

**17.08.260 Feedlot.**

"Feedlot" means any area used for the continuous feeding of 500 or more head of cattle destined for



slaughter, confined at a density of less than 500 square feet per head on a year round basis. This shall not be interpreted to include dairy operations with a Washington State Grade A license. (Ord. 91-4, 1991; Res. 83-10, 1983)

**17.08.261 Firing range.**

Repealed by Ord. 2009-25. (Ord. 2009-25, 2009; Ord. 200-113 (part), 2001)

**17.08.262 Golf Course.**

A recreational facility designed and developed for golf activities. May include as accessory uses a pro shop, snack bar (not including restaurants), and caddy shack/maintenance buildings. (Ord. 2007-22, 2007)

**17.08.263 Group Care Facility.**

Living quarters for children or adults meeting applicable Federal and State standards that function as a single housekeeping unit and provide supporting services, including but not limited to counseling, rehabilitation, and medical supervision, not exceeding more than 20 residents and staff. If staffed by nonresident staff, each 24 staff hours per day equals 1 full-time residing staff member for purposes of determining number of staff. (Ord. 2007-22, 2007)

**17.08.265 Group home.**

"Group home" means a home for at least seven and not more than 15 persons, plus house parents, providing residential facilities in a homelike environment directed to allow a degree of community participation and human dignity not provided in an institutional atmosphere. (Ord. 87-9 § 1, 1987)

**17.08.266 Guest House.**

Guest House means an accessory building designed, constructed, and used for the purpose of providing temporary sleeping accommodations for guests, or for members of the same family as that occupying the main structure, and containing no kitchen facilities. (Ord. 2007-22, 2007)

**17.08.270 Guest ranch.**

"Guest ranch" means a business or an organization providing overnight lodging, dining and recreational facilities in a rural setting. The purpose of a guest ranch use shall relate primarily to vacation, recreation and similar pursuits, and does not include rehabilitation centers, group homes, clinics, nursing homes, churches and church camps, and other similar uses. Events such as auctions, barbecues and similar gatherings which do not provide overnight lodging or which are not conducted on a continuous basis shall not be considered as guest ranches. (Ord. 93-21 (part), 1993; Ord. 83-Z-5, 1983)

**17.08.280 Hazardous waste.**

"Hazardous waste" means those solid wastes designated by 40 CFR Part 261 and regulated as hazardous waste by the United States EPA. (Ord. 93-1 (part), 1993)

**17.08.281 Hazardous waste facility.**

"Hazardous waste facility" means all contiguous land, and structures, other appurtenances, and improvements on the land used for recycling, reusing, reclaiming, transferring, storing, treating, or disposing of dangerous waste. Unless otherwise specific in this chapter, the terms "facility," "treatment," "storage," "disposal facility" or "waste management facility" shall be used interchangeably. (Ord. 93-1 (part), 1993)

**17.08.282 Hazardous waste storage.**

"Hazardous waste storage" means the holding of dangerous waste for a temporary period. Accumulation of dangerous waste by the generator on the site of generation is not storage as long as the generator complies with the applicable requirements of WAC 173-303-200 and 173-303-201. (Ord. 93-1 (part), 1993)

**17.08.283 Hazardous waste treatment.**

"Hazardous waste treatment" means the physical, chemical, or biological processing of dangerous waste to make such wastes non-dangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume. (Ord. 93-1 (part), 1993)

**17.08.290 Home occupation.**

"Home occupation" means any lawful profession, craft or service commonly carried on within a dwelling or accessory building provided such activity is secondary to the use of said dwelling for residential purposes, and provided that there is no outdoor display of merchandise. This definition shall not be interpreted to include the sale of firewood, farm produce, or similar activities which are not regulated by this title. No sign advertising a home occupation shall exceed sixteen square feet in size. (Res. 83-10, 1983)

**17.08.300 Hospital.**

"Hospital" means an institution specializing in and providing facilities and services in surgery, obstetrics, and general medical practice for human beings and licensed by state law for that purpose. (Res. 8310, 1983)

**17.08.310 Hospital, animal or veterinary.**

"Animal or veterinary hospital" means an establishment in which veterinary services, clipping, bathing, boarding and other services are rendered to animals and domestic pets. (Ord. 2007-22, 2007)

**17.08.320 Hotel.**

"Hotel" means a building or portion thereof designed or used for occupancy of individuals who are lodged with or without meals, and in which no provision is made for cooking in any individual room or suite. (Res. 83-10, 1983)

**17.08.321 Infill.**

Infill means the development of new housing or other buildings on scattered vacant sites in a built-up area. (Ord. 2007-22, 2007)

**17.08.324 Interlocal agreement.**

"Interlocal agreement" means a legal contract between two or more local jurisdictions (cities and counties) that specifies the condition under which TDR credits may be transferred (typically from an unincorporated county into an incorporated city). Interlocal agreements must be endorsed by the legislative bodies of both jurisdictions. (Ord. 2009-25, 2009)

**17.08.327 Intervening Ownership.**

A parcel of land which is physically separated from a main tract by a public road or ownership by utility, including irrigation entities. Identification of intervening ownership shall be processed consistent with Kittitas County Code 17.60B Administrative Uses. (Ord. 2009-25, 2009; Ord. 2007-22, 2007)

**17.08.329 Junk.**

Junk means storage or accumulation of inoperable motor vehicles or equipment, vehicle or equipment parts, used lumber and building materials, pipe, appliances, demolition waste, or any used material. This shall not be interpreted to include the normal storage or accumulation of viable and/or operable agricultural equipment. (Ord. 2007-22, 2007)

**17.08.330 Junkyard.**

"Junkyard" means any lot, parcel, building, structure or portion thereof, used for the storage, collection, processing, purchase, sale, exchange, salvage or disposal of scrap materials, unlicensed or inoperable vehicles, vehicle parts, used appliances, machinery or parts thereof. This shall not be interpreted to include the normal storage or accumulation of viable and/or operable agricultural equipment. (Ord. 2007-22, 2007; Res. 83-10, 1983)

**17.08.340 Kennel.**

Kennel means a lot or building which four or more dogs or cats at least four months of age are kept commercially for board, propagation, training or sale. (Ord. 2007-22, 2007; Res. 83-10, 1983)

**17.08.360 Lot.**

"Lot" means any area, tract or parcel of land owned by or under the control and in the lawful possession of one distinct ownership. The term means any type of land holding and includes, but is not limited to, lots platted in subdivisions. (Res. 83-10, 1983)

**17.08.370 Lot line, front.**

"Front lot line" means any boundary line separating the lot from a street. (Res. 83-10, 1983)

**17.08.380 Lot line, rear.**

"Rear lot line" means any boundary opposite and most distant from front lot line and not intersecting a front lot line. (Res. 83-10, 1983)

**17.08.390 Lot line, side.**

"Side lot line" means any boundary line not a front or rear lot line. (Res. 83-10, 1983)

**17.08.391 Manufactured home.**

"Manufactured home" is a single-family residence constructed after June 15, 1976, and in accordance with the U.S. Department of Housing and Urban Development (HUD) requirements for manufactured housing and bearing the appropriate insignia indication for such compliance. The unit must be transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or forty body width in length, or when erected on site exceeds four hundred square feet and which is built on a permanent chassis. A manufactured home shall be affixed to a foundation system in accordance with Chapter 296-150M WAC as administered by the Washington State Department of Labor and Industries. The manufacturer's requirements shall be followed for placement and if there are no manufacturer instructions, the Kittitas County department of building and fire safety requirements shall be imposed. A manufactured home has a red insignia from the Department of Labor and Industries. (Ord. 9822 (part), 1998)

**17.08.395 Mineral exploration.**

"Mineral exploration" means the process of exploring, by various means, for mineral deposits (including geothermal sources). Such activities, not involving the extraction of minerals, shall not be considered or regulated as a land use by this title. (Res. 83-10, 1983)

**17.08.396 Mini Storage Facility.**

A facility including buildings segregated into storage cubicles used exclusively for the storage of excess property and outdoor storage of vehicles and boats. (Ord. 2007-22, 2007)

**17.08.397 Mini warehouse.**

"Mini warehouse" means a single story building or group of single story buildings containing individual compartmentalized access stalls or lockers for the dead storage of customers' goods or wares. (Ord. 83-Z-2 (part), 1983)

**17.08.398 Mobile home.**

"Mobile home" is a structure transportable in one or more sections that are eight feet or more in width and thirty-two feet or more in length, built on a permanent chassis, designed to be used as a permanent dwelling and constructed before June 15, 1976. Beginning September 1, 1998, mobile homes will no longer be allowed to be transported and placed within Kittitas County. Those units presently located in Kittitas County that are to be relocated within Kittitas County must have a fire/life inspection approved by the Washington State Department of Labor and Industries. (Ord. 98-22 (part), 1998; Res. 83-10, 1983)

**17.08.399 Modular home.**

"Modular home" is a manufactured structure originally designed for initial movement without benefit of an undercarriage frame or its own wheels to a site of permanent placement on a full perimeter foundation, used for residential purposes, and exceeds eight hundred sixty-four square feet of enclosed living area. A modular home shall be considered a "dwelling" or "single-family residence". A "modular home" constructed to International Building Code standards and bearing the gold insignia from the Washington State Department of Labor and Industries shall be considered to be a single-family residence. (Ord. 2007-22, 2007; Ord. 98-22 (part), 1998; Ord. 93-21 (part), 1993)

**17.08.400 Motel.**

"Motel" means an individual building or group of attached or detached buildings containing guest rooms, together with conveniently located parking space on the same lot, which are designed, used or intended to be used for the accommodation of automobile transients. The term includes auto courts, motor lodges and tourist courts. (Res. 83-10, 1983)

**17.08.410 Nonconforming use.**

For more information on "nonconforming use" see Section 17.08.550. (Ord. 2007-22, 2007; Res. 83-10, 1983)

**17.08.420 Nursing home.**

"Nursing home" means a home, place or institution which operates or maintains facilities providing convalescence or chronic care or both for a period in excess of twenty-four consecutive hours for three or more patients not related by blood or marriage to the operator, who by reason of illness or infirmity are unable properly to care for themselves, and is licensed by the State Department of Health as a nursing home. (Res. 83-10, 1983)

**17.08.424 Off-site hazardous waste facilities.**

"Off-site hazardous waste facilities" means hazardous waste treatment and storage facilities that treat and store waste from generators on properties other than those on which the off-site facilities are located. (Ord. 93-1 (part), 1993)

**17.08.427 On-site hazardous waste facilities.**

"On-site hazardous waste facilities" means hazardous waste treatment and storage facilities that treat and store waste from generators located on the same property or from contiguous property within Kittitas County. (Ord. 93-1 (part), 1993)

**17.08.430 Outdoor advertising signs and billboards.**

1. "Outdoor advertising signs and billboards" means any card, paper, cloth, metal, wooden or other display or device of any kind or character, including but not limiting the same to any poster, bill, printing, painting or other advertisement of any kind whatsoever, including statuary, placed for outdoor advertising purposes on or to the ground or any tree, wall, rack, fence, building, structure or thing.
2. "Outdoor advertising signs and billboards" does not include:
  - a. Official notices issued by any court or public body or officer;
  - b. Notices posted by any public officer in performance of a public duty or by any person in giving legal notice;
  - c. Directional, warning or information structures required by or authorized by law or by federal, state, county or city authority. (Res. 83-10, 1983)

**17.08.431 Park model trailer.**

A trailer designed to provide seasonal or temporary living quarters which may be used with temporary connections to utilities necessary for operation of installed fixtures and appliances. It has a gross trailer area not exceeding 400 square feet. (Ord. 2007-22, 2007)

**17.08.440 Parking space.**

"Parking space" means a minimum gross area available for the parking of a standard American automobile. (Res. 83-10, 1983)

**17.08.445 Performance based cluster plat uses.**

Performance based cluster plat uses means those uses identified for use in calculation of points for recreation and open space as provided in Title 16.09.090 of the Kittitas County Subdivision Code, Public Benefit Rating System. These are applied to calculation of density bonus for a qualifying Performance Based Cluster Plat application. (Ord. 2005-35, 2005)

**17.08.450 Planned unit development.**

"Planned unit development" means a development of planned community by a landowner to be developed as a single entity in which a mixture of land uses are permitted including residential, commercial, and open space, the plan for which may not correspond in lot size, density, or type of dwellings to other zoning districts. (Ord. 2005-35, 2005, Ord. 90-6 (part), 1990; Ord. 83-Z-2 (part), 1983)

**17.08.455 Planning commission or commission.**

"Planning commission" or "commission" means the Kittitas County planning commission. (Ord. 2005-35, 2005, Res. 83-10, 1983)

**17.08.456 Produce Stands.**

A temporary use which is primarily engaged in the sale of fresh agricultural products, locally grown on- or off-site, but may include incidental to fresh produce sale, the sale of limited prepackaged food products and nonfood items. This use is to be seasonal in duration, open for the duration of the local harvest season. (Ord. 2007-22, 2007)

**17.08.460 Public office building.**

"Public office building" means a structure used as the office or for the purpose of conducting official business by an agency of the federal government, state government or a political sub-division of the state of Washington. (Res. 83-10, 1983)

**17.08.462 Receiving site.**

"Receiving site" means those lots where the procurement of TDR credits facilitate a permissible change in the allowed intensity on the property pursuant to the TDR chapter and all other controlling policies and law. (Ord. 2009-25, 2009)

**17.08.465 Recreational vehicle.**

"Recreational vehicle" is a vehicular type unit designated as temporary living quarters for recreation camping, travel or seasonal use which has its own power or is mounted on or towed by another vehicle. The vehicle has a gross floor area of not more than three hundred twenty square feet. This definition includes vehicles such as travel trailers, camping trailers, truck campers and motor homes. A recreational vehicle is not considered a mobile or manufactured home and is not constructed to the International Building Code standards. A recreational vehicle has a green and silver insignia from the Department of Labor and Industries. (Ord. 2007-22, 2007; Ord. 98-22 (part), 1998)

**17.08.470 Rezone.**

"Rezone" means an amendment to the zoning ordinance, requiring the same enactment as an original zoning. (Res. 83-10, 1983)

## Development regulation amendments - showing changes from 2009 to 2010 to KCC 17.12.020:

### 17.12.020 Official County Map.

~~The above zones or area classifications and the boundaries of such are established as shown on a series of quarter section maps, and other county maps marked "Official Zoning Map" and all of which constitute the Official Zoning Map of Kittitas County, and which official map is by this reference made a part of this title. on the Kittitas County Geographic Information System (GIS) Spatial Data Base Engine (SDE) as a dataset designated as "Zoning". The GIS zoning dataset shall be the County's "Official Zoning Map;" it shall be maintained and edited under the conditions set forth in KCC 17.98 as necessary by qualified personnel within the Community Development Services Department. Delineations and alterations shall be recorded in a manner as to preserve the details of their size, configuration, adoption ordinance, adoption date, and any other information deemed necessary by the Planning Director or their designee within the dataset's attribute data for the purpose of maintaining the public record. Standard operating procedures shall be developed and monitored to assure that delineations and alterations are recorded properly, and that all appropriate county agencies and departments are notified, and given appropriate supplemental details and information. The zoning dataset shall be integrated into Kittitas County's web based mapping system for viewing by the general public and be made available either digitally or physically by staff at the Community Development Services Department for those without computer/internet access. As part of the annual Comprehensive Plan Amendment process, or at any time deemed desirable or beneficial by the Board of County Commissioners, a physical map or set of maps, shall be produced by Community Development Services reflecting the information contained within the zoning dataset, as well as notations, references, and detailed information regarding changes since the previous map(s); a signature block shall be provided for verification and approval by the Board of County Commissioners. The zones or areas hereby established and shown on said dataset and maps, and boundaries thereof, are hereby defined. Said dataset and maps and all notations, references and other information shown thereon shall be as much a part of this title as if the matters and information set forth by said maps were all fully described herein. The same shall be available for inspection by the public, and as changes of zones and areas are made to any other use, the same shall immediately be shown on such maps. (Ord. 2007-22, 2007; Res. 83-10, 1983)~~

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## Clean version of approved text amendments:

### 17.12.020 Official County Map.

The above zones or area classifications and the boundaries of such are established as shown on the Kittitas County Geographic Information System (GIS) Spatial Data Base Engine (SDE) as a dataset designated as "Zoning". The GIS zoning dataset shall be the County's "Official Zoning Map;" it shall be maintained and edited under the conditions set forth in KCC 17.98 as necessary by qualified personnel within the Community Development Services Department. Delineations and alterations shall be recorded in a manner as to preserve the details of their size, configuration, adoption ordinance, adoption date, and any other information deemed necessary by the Planning Director or their designee within the dataset's attribute data for the purpose of maintaining the public record. Standard operating procedures shall be developed and monitored to assure that delineations and alterations are recorded properly, and that all appropriate county agencies and departments are notified, and given appropriate supplemental details and information. The zoning dataset shall be integrated into Kittitas County's web based mapping system for viewing by the general public and be

made available either digitally or physically by staff at the Community Development Services Department for those without computer/internet access. As part of the annual Comprehensive Plan Amendment process, or at any time deemed desirable or beneficial by the Board of County Commissioners, a physical map or set of maps, shall be produced by Community Development Services reflecting the information contained within the zoning dataset, as well as notations, references, and detailed information regarding changes since the previous map(s); a signature block shall be provided for verification and approval by the Board of County Commissioners. The zones or areas hereby established and shown on said dataset and maps, and boundaries thereof, are hereby defined. Said dataset and maps and all notations, references and other information shown thereon shall be as much a part of this title as if the matters and information set forth by said maps were all fully described herein. (Ord. 2007-22, 2007; Res. 83-10, 1983)

# Development regulation amendments - showing changes from 2009 to 2010 to KCC 17.22:

## Chapter 17.22 UR-II URBAN RESIDENTIAL ZONE\*

### Sections

17.22.010 Purpose and intent.

17.22.020 Uses permitted.

17.22.030 Lot - Size required.

17.22.040 Maximum lot coverage.

17.22.050 Maximum height permitted.

17.22.060 Yard requirements.

17.22.065 Yard requirements- Zones Adjacent to Commercial Forest Zone.

17.22.090 Grazing.

17.22.100 Conditional uses.

17.22.110 Repealed

17.22.120 Administrative uses.

\* Prior history: Ord. Z77-2.

### **17.22.010 Purpose and intent.**

The purpose and intent of the Urban Residential zone is to provide for and protect areas for home-site development and/or urban levels of development in where municipal services can be provided or is already available. (Ord. 2007-22, 2007; Ord. 83-Z-2 (part), 1983)

### **17.22.020 Uses permitted.**

Uses permitted in the Urban Residential zone shall be as follows:

1. Single-family homes;
2. Mobile homes;
3. Duplexes;
4. Accessory buildings;
5. All types of agriculture not otherwise restricted;
6. The grazing or raising of animals (excluding swine and mink), providing an area of not less than one acre is available;
7. Any use not listed which is nearly identical to a permitted use, as judged by the administrative official, may be permitted. In such cases, all adjacent property owners shall be given official notification for an opportunity to appeal such decisions with ten working days pursuant to Title 15A of this code, Project permit application process.
8. (Blank; Ord. O-2006-01)
9. Accessory Dwelling Unit (if in UGA or UGN)
10. Accessory Living Quarters
11. Special Care Dwelling (Ord. O-2006-01, 2006; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

### **17.22.030 Lot - Size required.**

1. Minimum lot sizes in the UR zone are as follows:
  - a. Single family dwelling, seven thousand two hundred square feet;
  - b. Two family dwelling, ten thousand square feet.
2. All lots of record at the time of passage of the ordinance codified in this chapter shall be considered as conforming to lot size requirements. (Ord. 2007-22, 2007; Res. 83-10, 1983)

### **17.22.040 Maximum lot coverage.**

The ground area covered by all buildings, including accessory buildings, shall not exceed thirty percent of the lot area. (Res. 83-10, 1983)



**17.22.050 Maximum height permitted.**

No structure shall exceed two and one-half stories or thirty-five feet, whichever is less in height. (Res. 83-10, 1983)

**17.22.060 Yard requirements.**

No structure shall be built or located closer than twenty-five feet to the front and rear property line or within fifteen feet of any side property line. (Res. 83-10, 1983)

**17.22.065 Yard requirements at Zones Adjacent to Commercial Forest Zone**

Properties bordering or adjacent to the Commercial Forest zone are subject to a 200' setback from the Commercial Forest Zone. (KCC 17.57.050(1)). For properties where such setback isn't feasible, development shall comply with Kittitas County Code 17.57.050(2). (Ord. 2007-22, 2007)

**17.22.090 Grazing.**

Grazing of cattle, sheep, goats or horses may include the supplementary feeding of such cattle or horses or both, provided that such grazing is not part of nor conducted in conjunction with any dairy, livestock feed yard, livestock sales yard or commercial riding academy located on the same premises; provided, further, that no buildings or structures designed or intended to be used for housing or concentrated feeding of such stock be located less than one hundred feet from any public street or highway or less than fifty feet from any property held under different ownership from that upon which such shed or barn is located. (Ord. 88-4 § 2 (part), 1988; Res. 83-10, 1983)

**17.22.100 Conditional uses.\***

The following uses may be permitted in any Urban Residential zone subject to the conditions set forth in Chapter 17.60, providing that they are not in conflict with existing or proposed development in a particular area; it is the intent of this code that such uses are subordinate to the primary residential and agricultural uses of this zone:

1. Commercial activities associated with agriculture;
2. Community clubs;
3. Convalescent homes;
4. Dairying and stock raising except the raising of swine commercially and the establishment of livestock feed lots, provided that no permit shall be issued for animal shed or barns to be located less than one hundred feet from any property held under different ownership from that upon which such shed or barn is located;
5. Governmental uses essential to residential neighborhoods;
6. Greenhouses, nurseries;
7. Home occupations;
8. Museums;
9. Public utility substations;
10. Riding academies;
11. School, public and private.
12. Churches.

(Ord. O-2009-25, 2009; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 90-10 (part), 1990; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

**17.22.110 Repealed.**

Repealed by Ord. 2007-22, 2007. (Ord. 88-4 § 2 (part), 1988)

**17.22.120 Administrative uses.**

The following uses may be permitted in any Urban Residential zone subject to the requirements set forth in Chapter 17.60B.

1. Accessory Dwelling Unit (if outside UGA or UGN) (Ord. 2007-22, 2007)

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## Clean version of approved text amendments:

### Chapter 17.22 UR-II URBAN RESIDENTIAL ZONE\*

#### Sections

17.22.010 Purpose and intent.

17.22.020 Uses permitted.

17.22.030 Lot - Size required.

17.22.040 Maximum lot coverage.

17.22.050 Maximum height permitted.

17.22.060 Yard requirements.

17.22.065 Yard requirements- Zones Adjacent to Commercial Forest Zone.

17.22.090 Grazing.

17.22.100 Conditional uses.

17.22.110 Repealed

17.22.120 Administrative uses.

\* Prior history: Ord. Z77-2.

#### **17.22.010 Purpose and intent.**

The purpose and intent of the Urban Residential zone is to provide for and protect areas for home-site development and/or urban levels of development in where municipal services can be provided or is already available. (Ord. 2007-22, 2007; Ord. 83-Z-2 (part), 1983)

#### **17.22.020 Uses permitted.**

Uses permitted in the Urban Residential zone shall be as follows:

12. Single-family homes;
13. Mobile homes;
14. Duplexes;
15. Accessory buildings;
16. All types of agriculture not otherwise restricted;
17. The grazing or raising of animals (excluding swine and mink), providing an area of not less than one acre is available;
18. Any use not listed which is nearly identical to a permitted use, as judged by the administrative official, may be permitted. In such cases, all adjacent property owners shall be given official notification for an opportunity to appeal such decisions with ten working days pursuant to Title 15A of this code, Project permit application process.
19. (Blank; Ord. O-2006-01)
20. Accessory Dwelling Unit (if in UGA or UGN)
21. Accessory Living Quarters
22. Special Care Dwelling (Ord. O-2006-01, 2006; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

#### **17.22.030 Lot - Size required.**

3. Minimum lot sizes in the UR zone are as follows:
  - a. Single family dwelling, seven thousand two hundred square feet;
  - b. Two family dwelling, ten thousand square feet.
4. All lots of record at the time of passage of the ordinance codified in this chapter shall be considered as conforming to lot size requirements. (Ord. 2007-22, 2007; Res. 83-10, 1983)

**17.22.040 Maximum lot coverage.**

The ground area covered by all buildings, including accessory buildings, shall not exceed thirty percent of the lot area. (Res. 83-10, 1983)

**17.22.050 Maximum height permitted.**

No structure shall exceed two and one-half stories or thirty-five feet, whichever is less in height. (Res. 83-10, 1983)

**17.22.060 Yard requirements.**

No structure shall be built or located closer than twenty-five feet to the front and rear property line or within fifteen feet of any side property line. (Res. 83-10, 1983)

**17.22.065 Yard requirements at Zones Adjacent to Commercial Forest Zone**

Properties bordering or adjacent to the Commercial Forest zone are subject to a 200' setback from the Commercial Forest Zone. (KCC 17.57.050(1)). For properties where such setback isn't feasible, development shall comply with Kittitas County Code 17.57.050(2). (Ord. 2007-22, 2007)

**17.22.090 Grazing.**

Grazing of cattle, sheep, goats or horses may include the supplementary feeding of such cattle or horses or both, provided that such grazing is not part of nor conducted in conjunction with any dairy, livestock feed yard, livestock sales yard or commercial riding academy located on the same premises; provided, further, that no buildings or structures designed or intended to be used for housing or concentrated feeding of such stock be located less than one hundred feet from any public street or highway or less than fifty feet from any property held under different ownership from that upon which such shed or barn is located. (Ord. 88-4 § 2 (part), 1988; Res. 83-10, 1983)

**17.22.100 Conditional uses.\***

The following uses may be permitted in any Urban Residential zone subject to the conditions set forth in Chapter 17.60, providing that they are not in conflict with existing or proposed development in a particular area; it is the intent of this code that such uses are subordinate to the primary residential and agricultural uses of this zone:

1. Commercial activities associated with agriculture;
2. Community clubs;
3. Convalescent homes;
4. Dairying and stock raising except the raising of swine commercially and the establishment of livestock feed lots, provided that no permit shall be issued for animal shed or barns to be located less than one hundred feet from any property held under different ownership from that upon which such shed or barn is located;
5. Governmental uses essential to residential neighborhoods;
6. Greenhouses, nurseries;
7. Home occupations;
8. Museums;
9. Public utility substations;
10. Riding academies;
11. School, public and private.
12. Churches.

(Ord. O-2009-25, 2009; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 90-10 (part), 1990; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

**17.22.110 Repealed.**

Repealed by Ord. 2007-22, 2007. (Ord. 88-4 § 2 (part), 1988)

**17.22.120 Administrative uses.**

The following uses may be permitted in any Urban Residential zone subject to the requirements set forth in Chapter 17.60B.

1. Accessory Dwelling Unit (if outside UGA or UGN) (Ord. 2007-22, 2007)

## **Development regulation amendments - showing changes from 2009 to 2010 to KCC 17.29.040:**

### **17.29.040 Lot size required.**

- A. Minimum lot (homesite) requirements in the agricultural (A-20) zone are:
    - 1. Twenty acres for any lot or parcel created after the adoption of the ordinance codified in this chapter, except that one smaller lot may be divided off any legal lot; provided such parent lot is at least eight acres in size; and provided, that such divisions are in compliance with all other county regulations (e.g., on-site septic system). Parcels must be located within the Agriculture-20 zone at the date of the adoption of this code. Once this provision has been applied to create a new parcel, it shall not be allowed for future parcel subdivision ~~while designated commercial agricultural zone~~. Onetime splits shall be completed via the short plat process. The onetime parcel split provision should be encouraged where it is adjacent to ongoing ~~commercial agricultural~~ practices, especially since the intent of this provision is to encourage the development of homesite acreage rather than removing ~~commercial agricultural~~ lands out of production.
    - 2. In no case shall there be more than two dwellings (residences) on any lot or tax parcel unless such parcel is twice the required minimum (twenty-acre) size.
  - B. Agriculture Study Overlay Zone: Properties containing prime farmland soils with capability grades between 1 and 4 shall be a minimum of 20 acres in size. (Ord. 2009-25; 2009; Ord. 2007-22, 2007; Ord. 96-15 (part), 1996; Ord. 95-13 (part), 1995; Ord. 83Z-2 (part), 1983; Res. 83-10, 1983)
- 

## **Clean version of approved text amendments:**

### **17.29.040 Lot size required.**

- A. Minimum lot (homesite) requirements in the agricultural (A-20) zone are:
  - 1. Twenty acres for any lot or parcel created after the adoption of the ordinance codified in this chapter, except that one smaller lot may be divided off any legal lot; provided such parent lot is at least eight acres in size; and provided, that such divisions are in compliance with all other county regulations (e.g., on-site septic system). Parcels must be located within the Agriculture-20 zone at the date of the adoption of this code. Once this provision has been applied to create a new parcel, it shall not be allowed for future parcel subdivision. Onetime splits shall be completed via the short plat process. The onetime parcel split provision should be encouraged where it is adjacent to ongoing agricultural practices, especially since the intent of this provision is to encourage the development of homesite acreage rather than removing agricultural lands out of production.
  - 2. In no case shall there be more than two dwellings (residences) on any lot or tax parcel unless such parcel is twice the required minimum (twenty-acre) size.
- B. Agriculture Study Overlay Zone: Properties containing prime farmland soils with capability grades between 1 and 4 shall be a minimum of 20 acres in size. (Ord. 2009-25; 2009; Ord. 2007-22, 2007; Ord. 96-15 (part), 1996; Ord. 95-13 (part), 1995; Ord. 83Z-2 (part), 1983; Res. 83-10, 1983)

# Development regulation amendments - showing changes from 2009 to 2010 to KCC 17.40:

## Chapter 17.40

### C-G - GENERAL COMMERCIAL ZONE\*

#### Sections

17.40.010 Purpose and intent.

17.40.020 Uses permitted.

17.40.030 Lot size required.

17.40.040 Maximum lot coverage.

17.40.050 Maximum floor area.

17.40.060 Yard requirements.

17.40.070 Height restriction.

17.40.080 Off-street parking and loading.

17.40.090 Access requirement.

17.40.100 Half streets.

17.40.110 New residences.

\* Prior history: Ords. 69-7, 2.

#### **17.40.010 Purpose and intent.**

The purpose and intent of the general commercial zone is to provide a classification consistent with existing business districts in unincorporated towns (i.e., Vantage, Easton) where a wide range of community retail shops and services are available. (Ord. 83-Z-2 (part), 1983)

#### **17.40.020 Uses permitted.**

Permitted uses are as follows:

1. One-family or two-family dwellings;
2. Parks and playgrounds;
3. Public and parochial schools, public libraries;
4. Any of the following uses to be conducted wholly within a completely enclosed building except off-street parking and loading areas:
  - a. Antique shop,
  - b. Art gallery or store,
  - c. Bakery goods, retail only,
  - d. Barbershops,
  - e. Beauty parlor,
  - f. Confectionery store,
  - g. Delicatessen store,
  - h. Drugstore,
  - i. Dry cleaning and laundry branch offices or pickup agency, but not including plant and main office,
  - j. Garden supplies shop,
  - k. Gift shop,
  - l. Grocery, fruit or vegetable store,
  - m. Mini warehouse;
  - n. Restaurants,
  - o. Self-service laundry and cleaning,
  - p. Service stations, provided there shall be no repairing, repainting, reconstruction, or sale of motor vehicles from the premises,
  - q. Shoe repair shop,

- r. Accessory buildings when located on the same lot;
- 5. Any of the following uses:
  - a. Amusement enterprises, including bowling alleys, dance halls, pool halls, and billiard halls and shooting galleries;
  - b. Auto and trailer sales;
  - c. Banks;
  - d. Cabinet shop;
  - e. Custom cannery;
  - f. Department store;
  - g. Frozen food lockers;
  - h. Garage or auto repair, when conducted wholly within a building;
  - i. Hospitals, general and accessory buildings;
  - j. Hotels;
  - k. Lumberyard and building materials, retail only. Any open storage shall be enclosed by a sight-obscuring fence not less than six feet nor more than seven feet high;
  - l. Office, governmental;
  - m. Physical culture and health services including reducing salons, masseurs and public baths;
  - n. Radio or television studio;
  - o. Retail stores of all descriptions where merchandise is displayed and sold within the building;
  - p. School, private or parochial;
  - q. Sign shop;
  - r. Tavern;
  - s. Theater, auditorium or drive-in theater;
  - t. Tire shop;
  - u. Wholesale office and showrooms, merchandise on the premises limited to samples only;
  - v. Auction sales of personal property, other than livestock;
- 6. The following uses may be permitted if their location is first approved by the board of adjustment:
  - a. Mortuary or funeral home;
  - b. ~~Public camp~~ Private Campgrounds. In considering proposals for location of such campgrounds, the Board of Adjustment shall consider at a minimum the following criteria:
    - 1. Campgrounds should be located at sufficient distance from existing or projected rural residential/residential development so as to avoid possible conflicts and disturbances;
    - 2. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow;
    - 3. Landscaping or appropriate screening should be required and maintained where necessary for buffering;
    - 4. Adequate and convenient vehicular access, circulation and parking should be provided;
    - 5. Economic and environmental feasibility;
    - 6. Public health and safety of campers and those reasonably impacted by the campground (i.e. heath, water, sanitation)
  - c. Athletic stadium;
  - d. Animal hospital or boarding kennels;
  - e. Animal sales yard (livestock sales yard);
  - f. Hazardous waste on-site treatment or storage;
  - g. Junk yards;
- 7. Uses customarily incidental to any of the above uses when located on the same lot may be allowed provided that such uses, operations or products are not objectionable due to odor, dust, smoke, noise, vibration or other similar causes;

8. Any use not listed which is nearly identical to a permitted use, as judged by the administrative official, may be permitted. In such cases, all adjacent property owners shall be given official notification for an opportunity to appeal such decisions within 10 working days pursuant to KCC Title 15A, Project Permit Application Process.
9. Accessory Dwelling Unit (if in UGA or UGN)
10. Accessory Living Quarters
11. Special Care Dwelling (Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 93-1 (part), 1993; Res. 83-10, 1983)

**17.40.030 Lot size required.**

There shall be no limitation. (Res. 83-10, 1983)

**17.40.040 Maximum lot coverage.**

There shall be no limitation. (Res. 83-10, 1983)

**17.40.050 Maximum floor area.**

There shall be no limitation. (Res. 83-10, 1983)

**17.40.060 Yard requirements.**

1. Front Yard. No front yard is required.
2. Side Yard. No side yard is required.
3. Rear Yard. No rear yard is required; however, if a rear yard is provided, the minimum depth shall be twelve feet. (Res. 83-10, 1983)

**17.40.070 Height restriction.**

There shall be no limitation. (Res. 83-10, 1983)

**17.40.080 Off-street parking and loading.**

Off-street parking and loading shall be provided as required in Chapter 17.64.1 (Res. 83-10, 1983)

**17.40.090 Access requirement.**

All lots in this district shall abut a public street, or shall have such other access as deemed suitable by the commission and board. (Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

**17.40.100 Half streets.**

In an area adjacent to a half street and opposite or outside the plat including the dedication of said half street, structures shall be set back from said half street a distance sufficient to provide for an additional half street and the yard requirements. (Res. 8310, 1983)

**17.40.110 New residences.**

No new residence shall be permitted in this district except that related to the business or enterprises allowed in this district such as janitor or night watchman. Any such residence shall meet the requirements of the residential zone. (Res. 8310, 1983)

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## **Clean version of approved text amendments:**

### **Chapter 17.40**

#### **C-G - GENERAL COMMERCIAL ZONE\***



## Sections

- 17.40.010 Purpose and intent.
- 17.40.020 Uses permitted.
- 17.40.030 Lot size required.
- 17.40.040 Maximum lot coverage.
- 17.40.050 Maximum floor area.
- 17.40.060 Yard requirements.
- 17.40.070 Height restriction.
- 17.40.080 Off-street parking and loading.
- 17.40.090 Access requirement.
- 17.40.100 Half streets.
- 17.40.110 New residences.

\* Prior history: Ords. 69-7, 2.

### **17.40.010 Purpose and intent.**

The purpose and intent of the general commercial zone is to provide a classification consistent with existing business districts in unincorporated towns (i.e., Vantage, Easton) where a wide range of community retail shops and services are available. (Ord. 83-Z-2 (part), 1983)

### **17.40.020 Uses permitted.**

Permitted uses are as follows:

1. One-family or two-family dwellings;
2. Parks and playgrounds;
3. Public and parochial schools, public libraries;
4. Any of the following uses to be conducted wholly within a completely enclosed building except off-street parking and loading areas:
  - a. Antique shop,
  - b. Art gallery or store,
  - c. Bakery goods, retail only,
  - d. Barbershops,
  - e. Beauty parlor,
  - f. Confectionery store,
  - g. Delicatessen store,
  - h. Drugstore,
  - i. Dry cleaning and laundry branch offices or pickup agency, but not including plant and main office,
  - j. Garden supplies shop,
  - k. Gift shop,
  - l. Grocery, fruit or vegetable store,
  - m. Mini warehouse;
  - n. Restaurants,
  - o. Self-service laundry and cleaning,
  - p. Service stations, provided there shall be no repairing, repainting, reconstruction, or sale of motor vehicles from the premises,
  - q. Shoe repair shop,
  - r. Accessory buildings when located on the same lot;
5. Any of the following uses:
  - a. Amusement enterprises, including bowling alleys, dance halls, pool halls, and billiard halls and shooting galleries;
  - b. Auto and trailer sales;
  - c. Banks;
  - d. Cabinet shop;
  - e. Custom cannery;

- f. Department store;
  - g. Frozen food lockers;
  - h. Garage or auto repair, when conducted wholly within a building;
  - i. Hospitals, general and accessory buildings;
  - j. Hotels;
  - k. Lumberyard and building materials, retail only. Any open storage shall be enclosed by a sight-obscuring fence not less than six feet nor more than seven feet high;
  - l. Office, governmental;
  - m. Physical culture and health services including reducing salons, masseurs and public baths;
  - n. Radio or television studio;
  - o. Retail stores of all descriptions where merchandise is displayed and sold within the building;
  - p. School, private or parochial;
  - q. Sign shop;
  - r. Tavern;
  - s. Theater, auditorium or drive-in theater;
  - t. Tire shop;
  - u. Wholesale office and showrooms, merchandise on the premises limited to samples only;
  - v. Auction sales of personal property, other than livestock;
6. The following uses may be permitted if their location is first approved by the board of adjustment:
- a. Mortuary or funeral home;
  - b. Private Campgrounds. In considering proposals for location of such campgrounds, the Board of Adjustment shall consider at a minimum the following criteria:
    - 1. Campgrounds should be located at sufficient distance from existing or projected rural residential/residential development so as to avoid possible conflicts and disturbances;
    - 2. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow;
    - 3. Landscaping or appropriate screening should be required and maintained where necessary for buffering;
    - 4. Adequate and convenient vehicular access, circulation and parking should be provided;
    - 5. Economic and environmental feasibility;
    - 6. Public health and safety of campers and those reasonably impacted by the campground (i.e. heath, water, sanitation)
  - c. Athletic stadium;
  - d. Animal hospital or boarding kennels;
  - e. Animal sales yard (livestock sales yard);
  - f. Hazardous waste on-site treatment or storage;
  - g. Junk yards;
7. Uses customarily incidental to any of the above uses when located on the same lot may be allowed provided that such uses, operations or products are not objectionable due to odor, dust, smoke, noise, vibration or other similar causes;
8. Any use not listed which is nearly identical to a permitted use, as judged by the administrative official, may be permitted. In such cases, all adjacent property owners shall be given official notification for an opportunity to appeal such decisions within 10 working days pursuant to KCC Title 15A, Project Permit Application Process.
9. Accessory Dwelling Unit (if in UGA or UGN)
10. Accessory Living Quarters
11. Special Care Dwelling (Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 93-1 (part), 1993; Res. 83-10, 1983)

**17.40.030 Lot size required.**

There shall be no limitation. (Res. 83-10, 1983)

**17.40.040 Maximum lot coverage.**

There shall be no limitation. (Res. 83-10, 1983)

**17.40.050 Maximum floor area.**

There shall be no limitation. (Res. 83-10, 1983)

**17.40.060 Yard requirements.**

1. Front Yard. No front yard is required.
2. Side Yard. No side yard is required.
3. Rear Yard. No rear yard is required; however, if a rear yard is provided, the minimum depth shall be twelve feet. (Res. 83-10, 1983)

**17.40.070 Height restriction.**

There shall be no limitation. (Res. 83-10, 1983)

**17.40.080 Off-street parking and loading.**

Off-street parking and loading shall be provided as required in Chapter 17.64.1 (Res. 83-10, 1983)

**17.40.090 Access requirement.**

All lots in this district shall abut a public street, or shall have such other access as deemed suitable by the commission and board. (Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

**17.40.100 Half streets.**

In an area adjacent to a half street and opposite or outside the plat including the dedication of said half street, structures shall be set back from said half street a distance sufficient to provide for an additional half street and the yard requirements. (Res. 8310, 1983)

**17.40.110 New residences.**

No new residence shall be permitted in this district except that related to the business or enterprises allowed in this district such as janitor or night watchman. Any such residence shall meet the requirements of the residential zone. (Res. 8310, 1983)

## Development regulation amendments - showing changes from 2009 to 2010 to KCC 17.48:

### Chapter 17.48

#### I-L LIGHT INDUSTRIAL ZONE\*

##### Sections

17.48.010 Purpose and intent.

17.48.020 Permitted uses.

17.48.030 Conditional uses.

17.48.040 Front, side and rear yard requirements.

17.48.050 Setbacks.

17.48.060 Height restrictions.

17.48.070 Lot coverage.

\* Prior legislation: Ord. 2 §§ 13, 13.01, 13.02.01, 13.02.02, 13.02.03, 13.02.04, 13.02.05, Ord. 71-5 and Ord. 76-3.

##### **17.48.010 Purpose and intent.**

The light industrial district is established to preserve areas for industrial and related uses of such a nature that they do not create serious problems of compatibility with other kinds of land uses and to protect such districts from encroachment by conflicting land uses. The regulations set out in this chapter shall apply to the light industrial district. (Ord. 83-Z-2 (part), 1983)

##### **17.48.020 Permitted uses.**

No building, structure or land shall be used and no building or structure shall be hereafter erected in this district except for the following uses:

1. Wholesale business, storage buildings and warehouses;
2. Freighting and trucking yard or terminal;
3. Research, experimental or testing laboratories;
4. The manufacturing, processing, compounding, storage, packaging or treatment of such products as drugs, bakery goods, candy, food and beverage products, dairy products, agricultural products, cosmetics and toiletries;
5. The manufacture, assembly, compounding or treatment of articles or merchandise from the following materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fibre, fur, glass, hair, horn, leather, metal, paper, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, wood, yarns and paint;
6. Any use not listed which is nearly identical to a permitted use, as judged by the administrative official, may be permitted. In such cases all adjacent property owners shall be given official notification for an opportunity to appeal such decisions within ten working days of notification to the county board of adjustment pursuant to Title 15A of this code, Project permit application process;
7. Farming, gardening, but not to include livestock feed yards, sales yards or slaughterhouses;
8. Uses customarily incidental to any of the above listed, including dwellings or shelters for the occupancy of the operators and employees necessary to the operation of a business or agricultural use. (Ord. 96-19 (part), 1996; Ord. 83Z-2 (part), 1983)
9. Airports.

##### **17.48.030 Conditional uses.**

Conditional uses are as follows:

1. Off-site hazardous waste storage and/or treatment. (Ord. 93-1 (part), 1993)

##### **17.48.040 Front, side and rear yard requirements.**

There are no yard requirements, unless the property abuts a parcel of land of more restricted nature

such as a commercial zone, in which case the requirements on the abutting side shall be those of the abutting property. (Ord. 83-Z-2 (part), 1983)

**17.48.050 Setbacks.**

No building or permanent structure may be constructed closer than fifty-five feet from the centerline of any public right-of-way. If any use in this district abuts or faces any residential district, a setback of fifty feet on the side abutting or facing the residential district shall be provided, with tree planting or other conditions necessary to preserve the character of the residential district. The board of adjustment shall determine what these conditions shall be. (Ord. 83-Z-2 (part), 1983)

**17.48.060 Height restrictions.**

There shall be no limitations. (Ord. 83-Z-2 (part), 1983)

**17.48.070 Lot coverage.**

No structure or combination of structures, including buildings, shall occupy or cover more than fifty percent of the total lot area. (Ord. 93-1 (part), 1993)

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## Clean version of approved text amendments:

### Chapter 17.48

#### I-L LIGHT INDUSTRIAL ZONE\*

##### Sections

17.48.010 Purpose and intent.

17.48.020 Permitted uses.

17.48.030 Conditional uses.

17.48.040 Front, side and rear yard requirements.

17.48.050 Setbacks.

17.48.060 Height restrictions.

17.48.070 Lot coverage.

\* Prior legislation: Ord. 2 §§ 13, 13.01, 13.02.01, 13.02.02, 13.02.03, 13.02.04, 13.02.05, Ord. 71-5 and Ord. 76-3.

**17.48.010 Purpose and intent.**

The light industrial district is established to preserve areas for industrial and related uses of such a nature that they do not create serious problems of compatibility with other kinds of land uses and to protect such districts from encroachment by conflicting land uses. The regulations set out in this chapter shall apply to the light industrial district. (Ord. 83-Z-2 (part), 1983)

**17.48.020 Permitted uses.**

No building, structure or land shall be used and no building or structure shall be hereafter erected in this district except for the following uses:

1. Wholesale business, storage buildings and warehouses;
2. Freight and trucking yard or terminal;
3. Research, experimental or testing laboratories;
4. The manufacturing, processing, compounding, storage, packaging or treatment of such products as drugs, bakery goods, candy, food and beverage products, dairy products, agricultural products, cosmetics and toiletries;
5. The manufacture, assembly, compounding or treatment of articles or merchandise from the following materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fibre, fur, glass,

hair, horn, leather, metal, paper, plastics, precious or semi-precious metals or stones, shell, textiles, tobacco, wood, yarns and paint;

6. Any use not listed which is nearly identical to a permitted use, as judged by the administrative official, may be permitted. In such cases all adjacent property owners shall be given official notification for an opportunity to appeal such decisions within ten working days of notification to the county board of adjustment pursuant to Title 15A of this code, Project permit application process;
7. Farming, gardening, but not to include livestock feed yards, sales yards or slaughterhouses;
8. Uses customarily incidental to any of the above listed, including dwellings or shelters for the occupancy of the operators and employees necessary to the operation of a business or agricultural use. (Ord. 96-19 (part), 1996; Ord. 83Z-2 (part), 1983)
9. Airports.

**17.48.030 Conditional uses.**

Conditional uses are as follows:

1. Off-site hazardous waste storage and/or treatment. (Ord. 93-1 (part), 1993)

**17.48.040 Front, side and rear yard requirements.**

There are no yard requirements, unless the property abuts a parcel of land of more restricted nature such as a commercial zone, in which case the requirements on the abutting side shall be those of the abutting property. (Ord. 83-Z-2 (part), 1983)

**17.48.050 Setbacks.**

No building or permanent structure may be constructed closer than fifty-five feet from the centerline of any public right-of-way. If any use in this district abuts or faces any residential district, a setback of fifty feet on the side abutting or facing the residential district shall be provided, with tree planting or other conditions necessary to preserve the character of the residential district. The board of adjustment shall determine what these conditions shall be. (Ord. 83-Z-2 (part), 1983)

**17.48.060 Height restrictions.**

There shall be no limitations. (Ord. 83-Z-2 (part), 1983)

**17.48.070 Lot coverage.**

No structure or combination of structures, including buildings, shall occupy or cover more than fifty percent of the total lot area. (Ord. 93-1 (part), 1993)

## Development regulation amendments - showing changes from 2009 to 2010 to KCC 17.56:

### Chapter 17.56 FOREST AND RANGE ZONE\*

#### Sections

17.56.010 Purpose and intent.

17.56.020 Uses permitted.

17.56.030 Conditional uses.

17.56.040 Lot - Minimum size.

17.56.050 Lot - Width.

17.56.060 Yard requirements.

17.56.065 Yard requirements- Zones Adjacent to Commercial Forest Zone.

17.56.070 Structure height.

17.56.080 Setbacks.

17.56.090 Nonconforming uses.

17.56.100 Administrative uses.

#### **17.56.010 Purpose and intent.**

The purpose and intent of this zone is to provide for areas of Kittitas County wherein natural resource management is the highest priority and where the subdivision and development of lands for uses and activities incompatible with resource management are discouraged. (Ord. 92-6 (part), 1992)

#### **17.56.020 Uses permitted.**

The following uses are permitted:

1. Single-family homes, mobile homes, cabins, duplexes;
2. Lodges and community clubhouses;
3. Agriculture, livestock, poultry or hog raising, and other customary agricultural uses traditionally found in Kittitas County, provided that such operations shall comply with all state and/or county health regulations and with regulations contained in this title related to feedlots;
4. Forestry, including the management, growing and harvesting of forest products, and including the processing of locally harvested forest crops using portable equipment;
5. (Deleted by Ord. 92-6);
6. All buildings and structures not listed above which existed prior to the adoption of the ordinance codified in this chapter;
7. Mining and associated activities;
8. Quarry mining, sand and gravel excavation, and rock crushing operations;
9. (Deleted by Ord. 92-6);
10. Uses customarily incidental to any of the uses set forth in this section;
11. Home occupations which do not produce noise;
12. Any use not listed which is nearly identical to a permitted use, as judged by the administrative official, may be permitted. In such cases, all adjacent property owners will be given official notification for an opportunity to appeal such decisions to the county board of adjustment within 10 working days of notification pursuant to KCC Title 15A, Project Permit Application Process;
13. Cluster subdivisions, when approved as a platted subdivision. (Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 92-6 (part), 1992; Ord. 88-4 § 5, 1988; Ord. 87-9 § 4, 1987; Ord. 85-Z-2 (part), 1985; Res. 83-10, 1983)

### 17.56.030 Conditional uses.

The following uses are conditional:

1. Campgrounds;
2. Private trail clubs (snowmobiles, motorbikes);
3. Airports;
4. Log sorting yards;
5. Sawmills;
6. Firing ranges;
7. Golf courses;
8. Cemeteries;
9. Asphalt plants (temporary only);
10. Feedlots;
11. Public sanitary landfill;
12. Trailers, for an extended period not to exceed one year, when used for temporary occupancy related to permanent home construction or to seasonal or temporary employment;
13. Dairying and stock raising except the raising of swine and mink commercially and the establishment of livestock feed lots; provided that no permit shall be issued for dairying or stock raising on any tract of land having an area of less than nine acres or for animal sheds or barns to be located less than one hundred feet from any property held under different ownership from that upon which such shed or barn is located;
14. Greenhouses, nurseries;
15. Home occupations;
16. Hospitals;
17. Museums;
18. Public Utility substations and transmission towers;
19. Riding academies;
20. Schools, public and private;
21. Governmental uses essential to residential neighborhoods;
22. Churches;
23. (Deleted by Ord. 83-Z-2)
24. Community clubs;
25. Convalescent homes;
26. Day care facilities;
27. Bed and breakfast business.
28. Room and board lodging involving no more than four boarders or two bedrooms;
29. Feed mills, canneries and processing plants for agricultural products;
30. Kennels;
31. Livestock sales yard;
32. Temporary offices and warehouses of a contractor engaged in construction (not to exceed two years);
33. Golf courses;
34. Auction sales of personal property, other than livestock;
35. Private Campgrounds. In considering proposals for location of such campgrounds, the board of adjustment shall consider the following criteria:
  - a. Campgrounds should be located at sufficient distance from existing or projected rural residential/residential development so as to avoid possible conflicts and disturbances.
  - b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow.
  - c. Landscaping or appropriate screening should be required and maintained where necessary for buffering.
  - d. Adequate and convenient vehicular access, circulation and parking should be provided.
  - e. Economic and environmental feasibility;
  - f. Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation);



36. Log sorting yard;
37. Feedlot. Feedlots existing at the time of adoption of the ordinance codified herein may expand or be enlarged only in compliance with standards and regulations contained herein, and such operations shall comply with all state and/or county health regulations;
38. Mini-warehouses; provided, that the following standards shall apply to the approval and construction of mini-warehouses:
  - a. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
  - b. All buildings with storage units facing property boundaries shall have a minimum setback of 35 feet;
  - c. No commercial or manufacturing activities will be permitted within any building or storage unit;
  - d. Lease documents shall spell out all conditions and restrictions of the use;
  - e. Signs, other than on-site direction aids, shall number not more than two and shall not exceed 40 square feet each in area;
39. Guest ranches, group homes, retreat centers;
40. Home occupations which involve outdoor work or activities, or which produce noise, such as engine repair, etc. This shall not include the cutting and sale of firewood which is not regulated by this code;
41. Day care facilities;
42. Bed and breakfast business;
43. Gas and oil exploration and production;
44. Farm labor shelters, provided that:
  - a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
  - b. The shelters must conform with all applicable building and health regulations;
  - c. The number of shelters shall not exceed four per twenty acre parcel;
  - d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
  - e. Should the parent agriculture operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable building, zoning, and platting requirements or be removed;
45. Shooting ranges. (Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 2001-13 (part), 2001; Ord. 93-6 (part), 1993; Ord. 92-6 (part), 1992; Ord. 90-15 §§ 2 (part), 3 (part), 1990; Ord. 90-10 (part), 1990; Ord. 90-6 (part), 1990; Ord. 88-4 § 6, 1988; Ord. 87-9 § 5, 1987; Ord. 85-Z-2 (part), 1985; Ord. 83-Z-2 (part), 1983; Res. 8310, 1983)

**17.56.040 Lot - Minimum size.**

The minimum lot size in the Forest and Range zone shall be:

1. Twenty acres;
2. One-half acre minimum for any lot within an approved platted cluster subdivision, served by public water and sewer;
3. Six thousand square feet for lots on existing municipal sewer and water systems. (Ord. 2007-22, 2007; Ord. 92-6 (part), 1992; Res. 83-10, 1983)

**17.56.050 Lot - Width.**

1. No parcel created after the adoption of the ordinance codified in this chapter shall have a length-width dimension less than five hundred feet unless the parcel is approved under provisions established in Section 17.56.040 2 and 3.
2. No platted parcel shall have dimensions in excess of a 4:1 length by width ratio. (Ord. 2007-22, 2007; Ord. 92-6 (part), 1992; Res. 83-10, 1983)

#### **17.56.060 Yard requirements.**

1. Front Yard. There shall be a minimum front yard of twenty-five feet.
2. Side Yard. Side yard shall be ten feet, except on corner lots which shall have a fifteen-foot side yard.
3. Rear Yard. There shall be a rear yard with a minimum depth of ten feet to the main building. (Ord. 96-19 (part), 1996; Ord. 92-6 (part), 1992: Res. 83-10, 1983)

#### **17.56.065 Yard requirements ~~â€”~~ in Zones Adjacent to Commercial Forest Zone.**

Properties bordering or adjacent to the Commercial Forest zone are subject to a 200' setback from the Commercial Forest Zone. (KCC 17. 57.050(1)). For properties where such setback isn't feasible, development shall comply with Kittitas County Code 17.57.050(2). (Ord. 2007-22, 2007)

#### **17.56.070 Structure height.**

No structure shall exceed two and one-half stories or thirty-five feet in height, whichever is greater. This limit does not apply to agricultural buildings. (Ord. 92-6 (part), 1992: Res. 83-10, 1983)

#### **17.56.080 Setbacks.**

The following setbacks shall be enforced for residential and accessory buildings constructed or placed on shorelines or floodplains under the jurisdiction of the Washington State Shoreline Management Act:

1. One hundred feet (measured horizontally) from the ordinary high water mark or line of vegetation for lots abutting such waterways;
2. One hundred feet (measured horizontally) from the ordinary high water mark or line of vegetation for lots fronting on reservoirs including Keechelus, Cle Elum, Kachess, and Easton Lakes and Wanapum reservoir. (Ord. 92-6 (part), 1992: Res. 83-10, 1983)

#### **17.56.090 Nonconforming uses.**

No structure or uses existing legally at the time of adoption of the ordinance codified in this chapter shall be considered a nonconforming use or subject to restrictions applied to nonconforming uses. (Ord. 92-6 (part), 1992: Res. 83-10, 1983)

#### **17.56.100 Administrative uses.**

The following uses may be permitted subject to the requirements set forth in Chapter 17.60B.

1. Accessory Dwelling Unit (if outside UGA or UGN)

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## **Clean version of approved text amendments:**

### **Chapter 17.56 FOREST AND RANGE ZONE\***

#### **Sections**

17.56.010 Purpose and intent.

17.56.020 Uses permitted.

17.56.030 Conditional uses.

17.56.040 Lot - Minimum size.

17.56.050 Lot - Width.

17.56.060 Yard requirements.

17.56.065 Yard requirements- Zones Adjacent to Commercial Forest Zone.

17.56.070 Structure height.

17.56.080 Setbacks.

17.56.090 Nonconforming uses.

17.56.100 Administrative uses.

Ordinance 2010-\_\_\_\_\_

**17.56.010 Purpose and intent.**

The purpose and intent of this zone is to provide for areas of Kittitas County wherein natural resource management is the highest priority and where the subdivision and development of lands for uses and activities incompatible with resource management are discouraged. (Ord. 92-6 (part), 1992)

**17.56.020 Uses permitted.**

The following uses are permitted:

1. Single-family homes, mobile homes, cabins, duplexes;
2. Lodges and community clubhouses;
3. Agriculture, livestock, poultry or hog raising, and other customary agricultural uses traditionally found in Kittitas County, provided that such operations shall comply with all state and/or county health regulations and with regulations contained in this title related to feedlots;
4. Forestry, including the management, growing and harvesting of forest products, and including the processing of locally harvested forest crops using portable equipment;
5. (Deleted by Ord. 92-6);
6. All buildings and structures not listed above which existed prior to the adoption of the ordinance codified in this chapter;
7. Mining and associated activities;
8. Quarry mining, sand and gravel excavation, and rock crushing operations;
9. (Deleted by Ord. 92-6);
10. Uses customarily incidental to any of the uses set forth in this section;
11. Home occupations which do not produce noise;
12. Any use not listed which is nearly identical to a permitted use, as judged by the administrative official, may be permitted. In such cases, all adjacent property owners will be given official notification for an opportunity to appeal such decisions to the county board of adjustment within 10 working days of notification pursuant to KCC Title 15A, Project Permit Application Process;
13. Cluster subdivisions, when approved as a platted subdivision. (Ord. 2007-22, 2007; Ord. 96-19 (part), 1996; Ord. 92-6 (part), 1992; Ord. 88-4 § 5, 1988; Ord. 87-9 § 4, 1987; Ord. 85-Z-2 (part), 1985; Res. 83-10, 1983)

**17.56.030 Conditional uses.**

The following uses are conditional:

1. Campgrounds;
2. Private trail clubs (snowmobiles, motorbikes);
3. Airports;
4. Log sorting yards;
5. Sawmills;
6. Firing ranges;
7. Golf courses;
8. Cemeteries;
9. Asphalt plants (temporary only);
10. Feedlots;
11. Public sanitary landfill;
12. Trailers, for an extended period not to exceed one year, when used for temporary occupancy related to permanent home construction or to seasonal or temporary employment;
13. Dairying and stock raising except the raising of swine and mink commercially and the establishment of livestock feed lots; provided that no permit shall be issued for dairying or stock raising on any tract of land having an area of less than nine acres or for animal sheds or barns to be located less than one hundred feet from any property held under different ownership from that upon which such shed or barn is located;

14. Greenhouses, nurseries;
15. Home occupations;
16. Hospitals;
17. Museums;
18. Public Utility substations and transmission towers;
19. Riding academies;
20. Schools, public and private;
21. Governmental uses essential to residential neighborhoods;
22. Churches;
23. (Deleted by Ord. 83-Z-2)
24. Community clubs;
25. Convalescent homes;
26. Day care facilities;
27. Bed and breakfast business.
28. Room and board lodging involving no more than four boarders or two bedrooms;
29. Feed mills, canneries and processing plants for agricultural products;
30. Kennels;
31. Livestock sales yard;
32. Temporary offices and warehouses of a contractor engaged in construction (not to exceed two years);
33. Golf courses;
34. Auction sales of personal property, other than livestock;
35. Private Campgrounds. In considering proposals for location of such campgrounds, the board of adjustment shall consider the following criteria:
  - a. Campgrounds should be located at sufficient distance from existing or projected rural residential/residential development so as to avoid possible conflicts and disturbances.
  - b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow.
  - c. Landscaping or appropriate screening should be required and maintained where necessary for buffering.
  - d. Adequate and convenient vehicular access, circulation and parking should be provided.
  - e. Economic and environmental feasibility;
  - f. Public health and safety of campers and those reasonably impacted by the campground (i.e. heath, water, sanitation);
36. Log sorting yard;
37. Feedlot. Feedlots existing at the time of adoption of the ordinance codified herein may expand or be enlarged only in compliance with standards and regulations contained herein, and such operations shall comply with all state and/or county health regulations;
38. Mini-warehouses; provided, that the following standards shall apply to the approval and construction of mini-warehouses:
  - a. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
  - b. All buildings with storage units facing property boundaries shall have a minimum setback of 35 feet;
  - c. No commercial or manufacturing activities will be permitted within any building or storage unit;
  - d. Lease documents shall spell out all conditions and restrictions of the use;
  - e. Signs, other than on-site direction aids, shall number not more than two and shall not exceed 40 square feet each in area;
39. Guest ranches, group homes, retreat centers;
40. Home occupations which involve outdoor work or activities, or which produce noise, such as engine repair, etc. This shall not include the cutting and sale of firewood which is not regulated by this code;
41. Day care facilities;
42. Bed and breakfast business;

43. Gas and oil exploration and production;
44. Farm labor shelters, provided that:
  - a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
  - b. The shelters must conform with all applicable building and health regulations;
  - c. The number of shelters shall not exceed four per twenty acre parcel;
  - d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
  - e. Should the parent agriculture operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable building, zoning, and platting requirements or be removed;
45. Shooting ranges. (Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 2001-13 (part), 2001; Ord. 93-6 (part), 1993; Ord. 92-6 (part), 1992; Ord. 90-15 §§ 2 (part), 3 (part), 1990; Ord. 90-10 (part), 1990; Ord. 90-6 (part), 1990; Ord. 88-4 § 6, 1988; Ord. 87-9 § 5, 1987; Ord. 85-Z-2 (part), 1985; Ord. 83-Z-2 (part), 1983; Res. 8310, 1983)

**17.56.040 Lot - Minimum size.**

The minimum lot size in the Forest and Range zone shall be:

1. Twenty acres;
2. One-half acre minimum for any lot within an approved platted cluster subdivision, served by public water and sewer;
3. Six thousand square feet for lots on existing municipal sewer and water systems. (Ord. 2007-22, 2007; Ord. 92-6 (part), 1992; Res. 83-10, 1983)

**17.56.050 Lot - Width.**

1. No parcel created after the adoption of the ordinance codified in this chapter shall have a length-width dimension less than five hundred feet unless the parcel is approved under provisions established in Section 17.56.040 2 and 3.
2. No platted parcel shall have dimensions in excess of a 4:1 length by width ratio. (Ord. 2007-22, 2007; Ord. 92-6 (part), 1992; Res. 83-10, 1983)

**17.56.060 Yard requirements.**

1. Front Yard. There shall be a minimum front yard of twenty-five feet.
2. Side Yard. Side yard shall be ten feet, except on corner lots which shall have a fifteen-foot side yard.
3. Rear Yard. There shall be a rear yard with a minimum depth of ten feet to the main building. (Ord. 96-19 (part), 1996; Ord. 92-6 (part), 1992; Res. 83-10, 1983)

**17.56.065 Yard requirements in Zones Adjacent to Commercial Forest Zone.**

Properties bordering or adjacent to the Commercial Forest zone are subject to a 200' setback from the Commercial Forest Zone. (KCC 17.57.050(1)). For properties where such setback isn't feasible, development shall comply with Kittitas County Code 17.57.050(2). (Ord. 2007-22, 2007)

**17.56.070 Structure height.**

No structure shall exceed two and one-half stories or thirty-five feet in height, whichever is greater. This limit does not apply to agricultural buildings. (Ord. 92-6 (part), 1992; Res. 83-10, 1983)

**17.56.080 Setbacks.**

The following setbacks shall be enforced for residential and accessory buildings constructed or placed on shorelines or floodplains under the jurisdiction of the Washington State Shoreline Management Act:

1. One hundred feet (measured horizontally) from the ordinary high water mark or line of

- vegetation for lots abutting such waterways;
2. One hundred feet (measured horizontally) from the ordinary high water mark or line of vegetation for lots fronting on reservoirs including Keechelus, Cle Elum, Kachess, and Easton Lakes and Wanapum reservoir. (Ord. 92-6 (part), 1992: Res. 83-10, 1983)

**17.56.090 Nonconforming uses.**

No structure or uses existing legally at the time of adoption of the ordinance codified in this chapter shall be considered a nonconforming use or subject to restrictions applied to nonconforming uses. (Ord. 92-6 (part), 1992: Res. 83-10, 1983)

**17.56.100 Administrative uses.**

The following uses may be permitted subject to the requirements set forth in Chapter 17.60B.

1. Accessory Dwelling Unit (if outside UGA or UGN)

# Development regulation amendments - showing changes from 2009 to 2010 to KCC 17.58:

## Chapter 17.58 AIRPORT ZONE\*

### Sections

17.58.010 Purpose and intent.

17.58.020 Statutory authority.

17.58.030 Definitions.

17.58.040A Airport overlay zoning district: Kittitas County Airport (Bowers Field).

17.58.040B Airport overlay zoning district: Easton State, Cle Elum Municipal, DeVere Field.

17.58.050 Uses, development requirements and restrictions.

17.58.060 Permits.

17.58.070 Nonconforming use - Regulations not retroactive.

17.58.080 Violations and enforcement.

17.58.090 Appeals.

17.58.100 Judicial review.

17.58.110 Conflicting regulations.

\*For airport use regulations, see KCC Title 19. Prior history: Ords. 88-4 and 83-Z-2; Res. 83-10; Vol. 5, p. 362, 1979.

### **17.58.010 Purpose and intent.**

The purpose and intent of this chapter is to establish an airport overlay zoning district on properties located on, adjacent to, and in the vicinity of public-use airports including Easton State, Cle Elum Municipal, DeVere Field and Kittitas County Airport (Bowers Field), in order to protect the health, welfare, safety, and quality of life of the general public, property owners, airport operators, and aviation community; and also to ensure compatible land uses in the vicinity of the affected environments of the airport overlay zoning district. With regulations set forth in the Adopted 14 CFR Federal Aviation Regulations Part 77. (Ord. 2007-22, 2007; Ord. 2001-10 (part), 2001)

### **17.58.020 Statutory authority.**

This chapter is adopted pursuant to RCW 36.70A.547 and 36.70A.200 which requires a county, city or town to enact development regulations, to discourage the siting of incompatible land uses adjacent to general aviation airports and public-use airports. (Ord. 2007-22, 2007; Ord. 2001-10 (part), 2001)

### **17.58.030 Definitions.**

As used in this chapter, unless the context otherwise requires:

1. "Airport" means public-use airports including Easton State, Cle Elum Municipal, DeVere Field and Kittitas County Airport (Bowers Field).
2. "Airport elevation" means 1,766 feet above mean sea level.
3. "Airport overlay zoning district" shall include the runway protection zone, inner safety zone, inner turning zone, outer safety zone, sideline zone, and the airport operation zone as depicted on Map "B" - "Airport Safety Zones"<sup>1</sup> and numbered zones 1 through 6, respectively, and shall also encompass the area identified within 14 CFR Federal Aviation Regulations (FAR) Part 77, as amended and depicted on Map "A" - "Part 77".<sup>2</sup>
  - <sup>1</sup> Map "B", referenced throughout this chapter, is on file with the Kittitas County public works department.
  - <sup>2</sup> Map "A", referenced throughout this chapter, is on file with the Kittitas County public works department.
4. "Airport surface" means a surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and along the same slope

as the approach zone height limitation slope set forth in KCC 17.58.050. The perimeter of the approach surface coincides with the perimeter of the approach zone.

5. Approach, Transitional, Horizontal, and Conical Zones. These zones are set forth and defined in KCC 17.58.040.
6. "Conical surface" means a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 feet upward to one foot outward for a horizontal distance of 4,000 feet.
7. "Flammable and combustible liquids" shall be defined as the type and design of underground and aboveground liquid storage tanks; the location and design of the fuel dispensers and dispenser nozzles; the design and specifications for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specifications for fuel storage and pressure-relief components, and shall be in accordance with Article 52 (5201.3.2(#1) Motor Vehicle Fuel - Dispensing Stations), Article 79 (Flammable and Combustible Liquids, specifically Special Options 7904), Standard of the International Fire Code and all applicable codes.
8. "Hazard to air navigation" means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.
9. "Height" for the purpose of determining the height limits in all zones set forth in this chapter and shown on the airport overlay zoning district map "A", the datum shall be mean sea level elevation unless otherwise specified.
10. "Horizontal surface" means a horizontal plane 150 feet above the established airport elevation.
11. "Larger than utility runway" means a runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet-powered aircraft.
12. "Nonconforming use" means any preexisting structure, object of natural growth, or use of land, which is inconsistent with the provisions of this chapter.
13. "Nonprecision instrument runway" means a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight in nonprecision instrument approach procedure has been approved or planned.
14. "Obstruction" means any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in KCC 17.58.050.
15. "Person" means an individual, firm, partnership, corporation, company, association, joint stock association or government entity. "Person" includes a trustee, a receiver, an assignee, or a similar representative.
16. Precision Instrument Approach. The precision instrument approach is designed to provide an approach path for exact alignment and descent of an aircraft on final approach to a runway.
17. Precision Instrument Runway 29. The precision approach is a 50,000-foot-long trapezoid that is 1,000 feet wide at the point where it meets the primary surface. It has a 50:1 slope for the first 10,000 feet and a slope of 40:1 for the remaining 40,000 feet. The approach surface is 16,000 feet wide at the outermost point.
18. "Primary surface" means a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. For military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in KCC 17.58.040. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
19. "Runway" means a defined area on an airport prepared for landing and takeoff of aircraft along its length.
20. "Structure" means an object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.
21. Transitional Surfaces. These surfaces extend outward at 90-degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each one foot vertically from the sides of the conical surfaces. Transitional surfaces for those



portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90-degree angles to the extended runway centerline.

22. "Tree" means any object of natural growth.
23. "Utility runway" means a runway that is constructed for and intended to be used by propeller-driven aircraft of 12,500 pounds maximum gross weight or less.
24. "Visual runway" means a runway intended solely for the operation of aircraft using visual approach procedures. (Ord. 2007-22, 2007; Ord. 200110 (part), 2001)

**17.58.040A Airport overlay zoning district: Kittitas County Airport (Bowers Field).**

In order to carry out the provisions of this chapter, there is hereby created an airport overlay zoning district that is composed of the following surface and safety zones for Kittitas County Airport (Bowers Field). The zones cover a geographic area that is affected by airport activities and are defined on the basis of factors including, but not limited to, aircraft noise, aircraft flight patterns, airport safety zones, local circulation patterns and area development patterns. The boundaries of the airport surface and safety zones are shown on airport overlay zoning district Map "A" - "Part 77" and Map "B" - "Airport Safety Zones", which are attached hereto and incorporated by reference, and which shall also be on file and open for inspection in the Kittitas County Community Development Services, Kittitas County Public Works department, and the city of Ellensburg community development department. The surface and safety zones are overlaid on top of the existing underlying zoning, which remains in full force and effect. Where the requirements imposed by the surface and safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced.

1. Surface Zones. In order to carry out the provisions of this chapter, there are created and established certain surface zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Kittitas County Airport (Bowers Field). Such zones are shown on Kittitas County Airport (Bowers Field) overlay zoning map "A", as amended. Within each of the surface zones there are hereby established certain height restrictions for structures and trees. The surface zones are established and defined as follow:

- a. Runways 07, 25, and 11, Larger than Utility with a Visibility Minimum Greater than Three-Fourth Mile Nonprecision Instrument Approach Zone. The 500-foot inner edge coincides with the width of the primary surface and slopes 34 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and expands to a horizontal distance of 3,500 feet at a horizontal distance of 10,000 feet along the extended runway centerline. Its centerline is the continuation of the runway centerline as depicted on map "A".

Height Restrictions: No object shall penetrate the imaginary line created by a slope 34 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

- b. Runway 29, Larger than Utility with a Visibility Minimum Lower than Three-Fourth Mile Precision Instrument Approach Zone. The 1,000-foot inner edge of this approach zone coincides with the width of the primary surface. The approach zone expands uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway as depicted on map "A".

Height Restrictions: No object shall penetrate the imaginary line created by a slope 50 feet outward for each one foot upward for the first 10,000 feet of this zone and 40 feet outward for each one foot upward for the remaining 40,000 feet of this zone.

- c. Transitional Zones. This zone is defined by a slope seven feet outward for each one foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 139 feet above mean sea level.

Height Restrictions: No object shall penetrate the imaginary line created by a slope seven feet outward for each one foot upward beginning at the sides of and the same

elevation as the approach surface, and extending to where they intersect the conical surface. Further, where the precision instrument runway approach zone projects beyond the conical zone, no object shall penetrate the imaginary line created by a slope seven feet outward for each one foot upward beginning at the sides of and the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90-degree angles to the extended runway centerline.

- d. Horizontal Zone. The zone is established at 150 feet above the airport elevation or at a height of 1,916 feet above mean sea level by swinging arcs of 5,000 feet radial for all runways designated utility or visual and 10,000 feet for all other runways from the centers of the primary surface of each runway and connecting adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

Height Restrictions: No object shall penetrate the imaginary horizontal line created at 150 feet above the airport elevation or at a height above the airport of 1,916 feet above mean sea level.

- e. Conical Zone. The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward there from for a horizontal distance of 4,000 feet as depicted in map "A".

Height Restrictions: No objects shall penetrate the imaginary line created by a slope 20 feet outward for each one foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height up to 3,500 feet above the surface of the land.

2. Safety Zones. In order to carry out the provisions of this chapter and to promote land use compatibility on lands within and adjacent to and in the vicinity of the Kittitas County Airport (Bowers Field), there are created and established certain safety zones. Such safety zones are shown on Kittitas County Airport (Bowers Field) overlay zoning district map "B", as amended. Within each of the safety zones, certain land use limitations are established and certain development standards are imposed in addition to the land uses and development standards of the underlying zoning. Where the requirements imposed by these safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced. The safety zones are established and defined as follows:

- a. Runway Protection Zone 1. An area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #1). This zone begins from the outer boundaries of the primary surface, 200 feet from the ends of the runways and extends out 1,700 feet to its widest point, which measures 1,010 feet across, 505 feet on either side of the runway centerline.
- b. Inner Safety Zone 2. An area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted in map "B" (shaded area #2). This zone begins at the end of the runway protection zone 1 and extends out 2,800 feet, The zone measures 1,010 feet across, 505 feet on either side of the runway centerline.
- c. Inner Turning Zone 3. A fan shaped area extending beyond the center lines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #3). This zone begins at the primary surface, 200 feet from the end of the runway centerline and extends out with a 60-foot radius arc on either side of the runway centerline to 4,500 feet and connects to the centerline of the inner safety zone with sweeping arcs.
- d. Outer Safety Zone 4. Area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #4). This zone begins at the end of the inner safety zone and extends out 3,000 feet. The zone measures 1,000 feet across, 500 feet on either side of the runway centerline.
- e. Sideline Zone 5. An area adjacent to runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #5). This zone begins from the outer boundaries of the primary surface, and extends out 1,000 feet perpendicular to the primary surface and connects to the 60-degree sector of the inner turning zone.
- f. Airport Operations Zone 6. This zone is depicted on map "B" (shaded area #6) and begins from the outer boundaries of the sideline zone and extends out 5,000 feet

perpendicular to the primary surface and connects to the 60degree sector of the inner turning zone. (Ord. 2007-22, 2007; Ord. 2001-10 (part), 2001)

**17.58.040B Airport overlay zoning district: Easton State, Cle Elum Municipal, and DeVere Field.**

In order to carry out the provisions of this chapter, there is hereby created an airport overlay zoning district that is composed of the following surface and safety zones for the Easton State, Cle Elum Municipal and DeVere Field. The zones cover a geographic area that is affected by airport activities and are defined on the basis of factors including, but not limited to, aircraft noise, aircraft flight patterns, airport safety zones, local circulation patterns and area development patterns. The surface and safety zones are overlaid on top of the existing underlying zoning, which remains in full force and effect. Where the requirements imposed by the surface and safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced. With the exception of those necessary and incidental to airport operations, no uses shall be permitted that allow buildings, structures, vegetation or other development that penetrates the imaginary air surfaces described below. As part of this section, Kittitas County recognizes the current planning effort being undertaken by the City of Cle Elum for the Cle Elum Municipal Airport, and anticipates that at the time of completion of such efforts such plans shall be incorporated and identified in this code.

1. **Surface Zones.** In order to carry out the provisions of this chapter, there are created and established certain surface zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Kittitas County Airport (Bowers Field). Such zones are shown on Kittitas County Airport (Bowers Field) overlay zoning map "A", as amended. Within each of the surface zones there are hereby established certain height restrictions for structures and trees. The surface zones are established and defined as follow:

**Approach Zone.** A surface longitudinally centered on the extended runway centerline.

**Visual Runways.** The 500-foot inner edge coincides with the width of the primary surface and slopes 20 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and expands to a width of 1,250 feet at a horizontal distance of 5,000 feet along the extended runway centerline.

**Nonprecision Instrument Approach Zone.** The 500-foot inner edge coincides with the width of the primary surface and slopes 34 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and expands to a width of 3,500 feet at a horizontal distance of 10,000 feet along the extended runway centerline. Its centerline is the continuation of the runway centerline as depicted on map "A".

**Precision Instrument Approach Zone.** The 1,000-foot inner edge of this approach zone coincides with the width of the primary surface and slopes 50 feet outward for each one foot upward for the first 10,000 feet of this zone and 40 feet outward for each one foot upward for the remaining 40,000 feet of this zone. The zone begins at the end of and at the same elevation as the primary surface. The approach zone expands uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway as depicted on map "A".

**Transitional Zones.** This zone is defined by a slope seven feet outward for each one foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 139 feet above mean sea level. Where the precision instrument runway approach zone projects beyond the conical zone, no object shall penetrate the imaginary line created by a slope seven feet outward for each one foot upward beginning at the sides of and the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90degree angles to the extended runway centerline.

Horizontal Zone. The zone is established at 150 feet above the airport elevation by swinging arcs of 5,000 feet radial for all runways designated utility or visual and 10,000 feet for all other runways from the centers of the primary surface of each runway and connecting adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

The established airport elevations for airports in Kittitas County are as follows:

- Kittitas County Airport (Bowers Field) at 1,916 feet above mean sea level
- Easton State Airport at 2,221 feet above mean sea level
- DeVere Field at 1,838 feet above mean sea level
- Cle Elum Municipal at 1,945 feet above mean sea level

Conical Zone. The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward there from for a horizontal distance of 4,000 feet as depicted in map "A".

Height Restrictions: No objects shall penetrate the imaginary line created by a slope 20 feet outward for each one foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height up to 3,500 feet above the surface of the land.

2. Safety Zones. In order to carry out the provisions of this chapter and to promote land use compatibility on lands within and adjacent to and in the vicinity of the Kittitas County Airport (Bowers Field), there are created and established certain safety zones. Such safety zones are shown on Kittitas County Airport (Bowers Field) overlay zoning district map "B", as amended. Within each of the safety zones, certain land use limitations are established and certain development standards are imposed in addition to the land uses and development standards of the underlying zoning. Where the requirements imposed by these safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced. The safety zones are established and defined as follows:
  - a. Runway Protection Zone 1. An area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #1). This zone begins from the outer boundaries of the primary surface, 200 feet from the ends of the runways and extends out 1,700 feet to its widest point, which measures 1,010 feet across, 505 feet on either side of the runway centerline.
  - b. Inner Safety Zone 2. An area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted in map "B" (shaded area #2). This zone begins at the end of the runway protection zone 1 and extends out 2,800 feet. The zone measures 1,010 feet across, 505 feet on either side of the runway centerline.
  - c. Inner Turning Zone 3. A fan shaped area extending beyond the center lines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #3). This zone begins at the primary surface, 200 feet from the end of the runway centerline and extends out with a 60-foot radius arc on either side of the runway centerline to 4,500 feet and connects to the centerline of the inner safety zone with sweeping arcs.
  - d. Outer Safety Zone 4. Area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #4). This zone begins at the end of the inner safety zone and extends out 3,000 feet. The zone measures 1,000 feet across, 500 feet on either side of the runway centerline.
  - e. Sideline Zone 5. An area adjacent to runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #5). This zone begins from the outer boundaries of the primary surface, and extends out 1,000 feet perpendicular to the primary surface and connects to the 60-degree sector of the inner turning zone.
  - f. Airport Operations Zone 6. This zone is depicted on map "B" (shaded area #6) and begins from the outer boundaries of the sideline zone and extends out 5,000 feet perpendicular to the primary surface and connects to the 60degree sector of the inner

## Clean version of approved text amendments:

### Chapter 17.58 AIRPORT ZONE\*

#### Sections

17.58.010 Purpose and intent.

17.58.020 Statutory authority.

17.58.030 Definitions.

17.58.040A Airport overlay zoning district: Kittitas County Airport (Bowers Field).

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\*For airport use regulations, see KCC Title 19. Prior history: Ords. 88-4 and 83-Z-2; Res. 83-10; Vol. 5, p. 362, 1979.

#### **17.58.010 Purpose and intent.**

The purpose and intent of this chapter is to establish an airport overlay zoning district on properties located on, adjacent to, and in the vicinity of public-use airports including Easton State, Cle Elum Municipal, DeVere Field and Kittitas County Airport (Bowers Field), in order to protect the health, welfare, safety, and quality of life of the general public, property owners, airport operators, and aviation community; and also to ensure compatible land uses in the vicinity of the affected environments of the airport overlay zoning district. With regulations set forth in the Adopted 14 CFR Federal Aviation Regulations Part 77. (Ord. 2007-22, 2007; Ord. 2001-10 (part), 2001)

#### **17.58.020 Statutory authority.**

This chapter is adopted pursuant to RCW 36.70A.547 and 36.70A.200 which requires a county, city or town to enact development regulations, to discourage the siting of incompatible land uses adjacent to general aviation airports and public-use airports. (Ord. 2007-22, 2007; Ord. 2001-10 (part), 2001)

#### **17.58.030 Definitions.**

As used in this chapter, unless the context otherwise requires:

1. "Airport" means public-use airports including Easton State, Cle Elum Municipal, DeVere Field and Kittitas County Airport (Bowers Field).
2. "Airport elevation" means 1,766 feet above mean sea level.
3. "Airport overlay zoning district" shall include the runway protection zone, inner safety zone, inner turning zone, outer safety zone, sideline zone, and the airport operation zone as depicted on Map "B" - "Airport Safety Zones"<sup>1</sup> and numbered zones 1 through 6, respectively, and shall also encompass the area identified within 14 CFR Federal Aviation Regulations (FAR) Part 77, as amended and depicted on Map "A" - "Part 77".<sup>2</sup>

<sup>1</sup> Map "B", referenced throughout this chapter, is on file with the Kittitas County public works department.

<sup>2</sup> Map "A", referenced throughout this chapter, is on file with the Kittitas County public works

- department.
4. "Airport surface" means a surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and along the same slope as the approach zone height limitation slope set forth in KCC 17.58.050. The perimeter of the approach surface coincides with the perimeter of the approach zone.
  5. Approach, Transitional, Horizontal, and Conical Zones. These zones are set forth and defined in KCC 17.58.040.
  6. "Conical surface" means a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 feet upward to one foot outward for a horizontal distance of 4,000 feet.
  7. "Flammable and combustible liquids" shall be defined as the type and design of underground and aboveground liquid storage tanks; the location and design of the fuel dispensers and dispenser nozzles; the design and specifications for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specifications for fuel storage and pressure-relief components, and shall be in accordance with Article 52 (5201.3.2(#1) Motor Vehicle Fuel - Dispensing Stations), Article 79 (Flammable and Combustible Liquids, specifically Special Options 7904), Standard of the International Fire Code and all applicable codes.
  8. "Hazard to air navigation" means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.
  9. "Height" for the purpose of determining the height limits in all zones set forth in this chapter and shown on the airport overlay zoning district map "A", the datum shall be mean sea level elevation unless otherwise specified.
  10. "Horizontal surface" means a horizontal plane 150 feet above the established airport elevation.
  11. "Larger than utility runway" means a runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet-powered aircraft.
  12. "Nonconforming use" means any preexisting structure, object of natural growth, or use of land, which is inconsistent with the provisions of this chapter.
  13. "Nonprecision instrument runway" means a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight in nonprecision instrument approach procedure has been approved or planned.
  14. "Obstruction" means any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in KCC 17.58.050.
  15. "Person" means an individual, firm, partnership, corporation, company, association, joint stock association or government entity. "Person" includes a trustee, a receiver, an assignee, or a similar representative.
  16. Precision Instrument Approach. The precision instrument approach is designed to provide an approach path for exact alignment and descent of an aircraft on final approach to a runway.
  17. Precision Instrument Runway 29. The precision approach is a 50,000-foot-long trapezoid that is 1,000 feet wide at the point where it meets the primary surface. It has a 50:1 slope for the first 10,000 feet and a slope of 40:1 for the remaining 40,000 feet. The approach surface is 16,000 feet wide at the outermost point.
  18. "Primary surface" means a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. For military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in KCC 17.58.040. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
  19. "Runway" means a defined area on an airport prepared for landing and takeoff of aircraft along its length.
  20. "Structure" means an object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.

21. Transitional Surfaces. These surfaces extend outward at 90-degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each one foot vertically from the sides of the conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90-degree angles to the extended runway centerline.
22. "Tree" means any object of natural growth.
23. "Utility runway" means a runway that is constructed for and intended to be used by propeller-driven aircraft of 12,500 pounds maximum gross weight or less.
24. "Visual runway" means a runway intended solely for the operation of aircraft using visual approach procedures. (Ord. 2007-22, 2007; Ord. 200110 (part), 2001)

**17.58.040A Airport overlay zoning district: Kittitas County Airport (Bowers Field).**

In order to carry out the provisions of this chapter, there is hereby created an airport overlay zoning district that is composed of the following surface and safety zones for Kittitas County Airport (Bowers Field). The zones cover a geographic area that is affected by airport activities and are defined on the basis of factors including, but not limited to, aircraft noise, aircraft flight patterns, airport safety zones, local circulation patterns and area development patterns. The boundaries of the airport surface and safety zones are shown on airport overlay zoning district Map "A" - "Part 77" and Map "B" - "Airport Safety Zones", which are attached hereto and incorporated by reference, and which shall also be on file and open for inspection in the Kittitas County Community Development Services, Kittitas County Public Works department, and the city of Ellensburg community development department. The surface and safety zones are overlaid on top of the existing underlying zoning, which remains in full force and effect. Where the requirements imposed by the surface and safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced.

1. Surface Zones. In order to carry out the provisions of this chapter, there are created and established certain surface zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Kittitas County Airport (Bowers Field). Such zones are shown on Kittitas County Airport (Bowers Field) overlay zoning map "A", as amended. Within each of the surface zones there are hereby established certain height restrictions for structures and trees. The surface zones are established and defined as follow:
  - a. Runways 07, 25, and 11, Larger than Utility with a Visibility Minimum Greater than Three-Fourth Mile Nonprecision Instrument Approach Zone. The 500-foot inner edge coincides with the width of the primary surface and slopes 34 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and expands to a horizontal distance of 3,500 feet at a horizontal distance of 10,000 feet along the extended runway centerline. Its centerline is the continuation of the runway centerline as depicted on map "A".  
 Height Restrictions: No object shall penetrate the imaginary line created by a slope 34 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
  - b. Runway 29, Larger than Utility with a Visibility Minimum Lower than Three-Fourth Mile Precision Instrument Approach Zone. The 1,000-foot inner edge of this approach zone coincides with the width of the primary surface. The approach zone expands uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway as depicted on map "A".  
 Height Restrictions: No object shall penetrate the imaginary line created by a slope 50 feet outward for each one foot upward for the first 10,000 feet of this zone and 40 feet outward for each one foot upward for the remaining 40,000 feet of this zone.
  - c. Transitional Zones. This zone is defined by a slope seven feet outward for each one foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport

elevation which is 139 feet above mean sea level.

Height Restrictions: No object shall penetrate the imaginary line created by a slope seven feet outward for each one foot upward beginning at the sides of and the same elevation as the approach surface, and extending to where they intersect the conical surface. Further, where the precision instrument runway approach zone projects beyond the conical zone, no object shall penetrate the imaginary line created by a slope seven feet outward for each one foot upward beginning at the sides of and the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90degree angles to the extended runway centerline.

- d. Horizontal Zone. The zone is established at 150 feet above the airport elevation or at a height of 1,916 feet above mean sea level by swinging arcs of 5,000 feet radial for all runways designated utility or visual and 10,000 feet for all other runways from the centers of the primary surface of each runway and connecting adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

Height Restrictions: No object shall penetrate the imaginary horizontal line created at 150 feet above the airport elevation or at a height above the airport of 1,916 feet above mean sea level.

- e. Conical Zone. The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward there from for a horizontal distance of 4,000 feet as depicted in map "A".

Height Restrictions: No objects shall penetrate the imaginary line created by a slope 20 feet outward for each one foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height up to 3,500 feet above the surface of the land.

- 2. Safety Zones. In order to carry out the provisions of this chapter and to promote land use compatibility on lands within and adjacent to and in the vicinity of the Kittitas County Airport (Bowers Field), there are created and established certain safety zones. Such safety zones are shown on Kittitas County Airport (Bowers Field) overlay zoning district map "B", as amended. Within each of the safety zones, certain land use limitations are established and certain development standards are imposed in addition to the land uses and development standards of the underlying zoning. Where the requirements imposed by these safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced. The safety zones are established and defined as follows:
  - a. Runway Protection Zone 1. An area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #1). This zone begins from the outer boundaries of the primary surface, 200 feet from the ends of the runways and extends out 1,700 feet to its widest point, which measures 1,010 feet across, 505 feet on either side of the runway centerline.
  - b. Inner Safety Zone 2. An area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted in map "B" (shaded area #2). This zone begins at the end of the runway protection zone 1 and extends out 2,800 feet, The zone measures 1,010 feet across, 505 feet on either side of the runway centerline.
  - c. Inner Turning Zone 3. A fan shaped area extending beyond the center lines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #3). This zone begins at the primary surface, 200 feet from the end of the runway centerline and extends out with a 60-foot radius arc on either side of the runway centerline to 4,500 feet and connects to the centerline of the inner safety zone with sweeping arcs.
  - d. Outer Safety Zone 4. Area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #4). This zone begins at the end of the inner safety zone and extends out 3,000 feet. The zone measures 1,000 feet across, 500 feet on either side of the runway centerline.
  - e. Sideline Zone 5. An area adjacent to runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #5). This zone begins from the outer boundaries of the primary surface, and extends out 1,000 feet perpendicular to the primary surface and connects to the



60-degree sector of the inner turning zone.

- f. Airport Operations Zone 6. This zone is depicted on map "B" (shaded area #6) and begins from the outer boundaries of the sideline zone and extends out 5,000 feet perpendicular to the primary surface and connects to the 60degree sector of the inner turning zone. (Ord. 2007-22, 2007; Ord. 2001-10 (part), 2001)

**17.58.040B Airport overlay zoning district: Easton State, Cle Elum Municipal, and DeVere Field.**

In order to carry out the provisions of this chapter, there is hereby created an airport overlay zoning district that is composed of the following surface and safety zones for the Easton State, Cle Elum Municipal and DeVere Field. The zones cover a geographic area that is affected by airport activities and are defined on the basis of factors including, but not limited to, aircraft noise, aircraft flight patterns, airport safety zones, local circulation patterns and area development patterns. The surface and safety zones are overlaid on top of the existing underlying zoning, which remains in full force and effect. Where the requirements imposed by the surface and safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced. With the exception of those necessary and incidental to airport operations, no uses shall be permitted that allow buildings, structures, vegetation or other development that penetrates the imaginary air surfaces described below.

1. Surface Zones. In order to carry out the provisions of this chapter, there are created and established certain surface zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Kittitas County Airport (Bowers Field). Such zones are shown on Kittitas County Airport (Bowers Field) overlay zoning map "A", as amended. Within each of the surface zones there are hereby established certain height restrictions for structures and trees. The surface zones are established and defined as follow:

Approach Zone. A surface longitudinally centered on the extended runway centerline.

Visual Runways. The 500-foot inner edge coincides with the width of the primary surface and slopes 20 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and expands to a width of 1,250 feet at a horizontal distance of 5,000 feet along the extended runway centerline.

Nonprecision Instrument Approach Zone. The 500-foot inner edge coincides with the width of the primary surface and slopes 34 feet outward for each one foot upward beginning at the end of and at the same elevation as the primary surface and expands to a width of 3,500 feet at a horizontal distance of 10,000 feet along the extended runway centerline. Its centerline is the continuation of the runway centerline as depicted on map "A".

Precision Instrument Approach Zone. The 1,000-foot inner edge of this approach zone coincides with the width of the primary surface and slopes 50 feet outward for each one foot upward for the first 10,000 feet of this zone and 40 feet outward for each one foot upward for the remaining 40,000 feet of this zone. The zone begins at the end of and at the same elevation as the primary surface. The approach zone expands uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway as depicted on map "A".

Transitional Zones. This zone is defined by a slope seven feet outward for each one foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 139 feet above mean sea level. Where the precision instrument runway approach zone projects beyond the conical zone, no object shall penetrate the imaginary line created by a slope seven feet outward for each one foot upward beginning at the sides of and the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90degree angles to the extended runway centerline.

Horizontal Zone. The zone is established at 150 feet above the airport elevation by swinging arcs of 5,000 feet radial for all runways designated utility or visual and 10,000 feet for all other runways from the centers of the primary surface of each runway and connecting adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

The established airport elevations for airports in Kittitas County are as follows:

- Kittitas County Airport (Bowers Field) at 1,916 feet above mean sea level
- Easton State Airport at 2,221 feet above mean sea level
- DeVere Field at 1,838 feet above mean sea level
- Cle Elum Municipal at 1,945 feet above mean sea level

Conical Zone. The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward there from for a horizontal distance of 4,000 feet as depicted in map "A".

Height Restrictions: No objects shall penetrate the imaginary line created by a slope 20 feet outward for each one foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height up to 3,500 feet above the surface of the land.

2. Safety Zones. In order to carry out the provisions of this chapter and to promote land use compatibility on lands within and adjacent to and in the vicinity of the Kittitas County Airport (Bowers Field), there are created and established certain safety zones. Such safety zones are shown on Kittitas County Airport (Bowers Field) overlay zoning district map "B", as amended. Within each of the safety zones, certain land use limitations are established and certain development standards are imposed in addition to the land uses and development standards of the underlying zoning. Where the requirements imposed by these safety zones conflict with the requirements of the underlying zoning, the more restrictive requirement shall be enforced. The safety zones are established and defined as follows:
  - a. Runway Protection Zone 1. An area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #1). This zone begins from the outer boundaries of the primary surface, 200 feet from the ends of the runways and extends out 1,700 feet to its widest point, which measures 1,010 feet across, 505 feet on either side of the runway centerline.
  - b. Inner Safety Zone 2. An area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted in map "B" (shaded area #2). This zone begins at the end of the runway protection zone 1 and extends out 2,800 feet. The zone measures 1,010 feet across, 505 feet on either side of the runway centerline.
  - c. Inner Turning Zone 3. A fan shaped area extending beyond the center lines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #3). This zone begins at the primary surface, 200 feet from the end of the runway centerline and extends out with a 60-foot radius arc on either side of the runway centerline to 4,500 feet and connects to the centerline of the inner safety zone with sweeping arcs.
  - d. Outer Safety Zone 4. Area extending beyond the centerlines of runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #4). This zone begins at the end of the inner safety zone and extends out 3,000 feet. The zone measures 1,000 feet across, 500 feet on either side of the runway centerline.
  - e. Sideline Zone 5. An area adjacent to runways 11, 29, 07, and 25 as depicted on map "B" (shaded area #5). This zone begins from the outer boundaries of the primary surface, and extends out 1,000 feet perpendicular to the primary surface and connects to the 60-degree sector of the inner turning zone.
  - f. Airport Operations Zone 6. This zone is depicted on map "B" (shaded area #6) and begins from the outer boundaries of the sideline zone and extends out 5,000 feet

perpendicular to the primary surface and connects to the 60degree sector of the inner turning zone. (Ord. 2007-22, 2007)

# EXHIBIT F

10-11

County Staff

Development Regulation Amendment

Project Description: Project Description: KCC 16.09 – Performance Based Cluster Plat

## Development regulation amendments - showing changes from 2009 to 2010 to KCC 16.09:

Chapter 16.09

PERFORMANCE BASED CLUSTER PLATTING

### Sections

16.09.010 Purpose and Intent.

16.09.020 Uses Permitted.

16.09.025 Applicability.

16.09.030 Criteria.

16.09.040 Development Regulations.

16.09.060 Minimum Lot Size.

16.09.080 Process for Approval.

16.09.090 Public Benefit Rating System.

16.09.100 Definitions.

### 16.09.010 Purpose and Intent.

With the recognition of the value of retention of rural densities in rural lands, while protecting our critical areas, water resources and resource lands, and with recognition that urban densities belong in urban designated lands, Kittitas County also recognizes the need for innovative planning tools to achieve these goals. Encouraged by the Growth Management Act (GMA), Kittitas County may provide for clustering, planned unit developments, density transfer, design guidelines, conservation easements and other innovative techniques that will accommodate appropriate rural and urban densities and uses at levels that are consistent with the preservation of rural character and that provide a public benefit.

~~4-~~ To assist in the implementation of Kittitas County's policy to provide tools to foster appropriate densities, while making development economically feasible, to recognize benefits to the greater community through an effort to conserve natural resource lands, to conserve water resources by ~~minimizing the development of exempt wells by encouraging group water systems,~~ to promote the establishment of community gardens, to protect public health by reducing the number of septic drain fields, by concentrating urban densities in urban growth areas and by minimizing the impact of "Rural Sprawl" in rural lands, as designated in the Kittitas County Comprehensive Plan, Kittitas County finds that this "Performance Based Cluster Platting" technique would foster the development of urban and rural designated lands at appropriate densities, while protecting the environment and maintaining a high quality of life in Kittitas County.

~~Kittitas County shall conduct a yearly review of the Performance Based Cluster Platting chapter to review the effectiveness of the code in meeting the purpose and intent. (Ord. 2009-25, 2009; Ord. 2006-36, 2006; Ord. 2005-35, 2005)~~

**16.09.020 Uses Permitted.**

The permitted uses of the clustered area shall be those of the underlying zone. Those uses specifically identified for the recreation categories in KCC 16.09.090 can be found in KCC 17.14 performance based cluster plat uses. Other uses not specifically identified may apply if determined a similar use as provided in Title 15A.

**16.09.025 Applicability.**

Applicability. This chapter applies to all tax parcels or combination of tax parcels from the date of the ordinance codified in this chapter, located in the Residential, Residential-2, Suburban, Suburban-2, Agriculture-3, Agriculture-5, Agriculture-20, Rural-3, Rural-5, and Forest and Range-20 zoning districts.

**16.09.030 Criteria.**

Public Benefit Rating System (PBRs) points may be earned for including certain project elements are items that are or amenities not already otherwise required by code. No PBRs points shall be awarded for land which is already protected through the Critical Areas Ordinance, Shoreline Management Program or other regulatory requirement. The calculation of open space shall not include these areas already protected through regulation, including but not limited to wetland areas and shall not include their buffers, slopes over 33% ~~or %~~, frequently flooded areas as defined in KCC 17A.02.140, or areas used to accommodate plat infrastructure (e.g. roadway surfaces, stormwater drainage facilities, or community septic facilities). For purpose of calculating open space, eligible areas are defined in KCC 16.09.100.C.

~~When a public benefit is demonstrated then bonus density points will apply,~~ according to the Public Benefit Rating System in KCC 16.09.090. An element that may have a high value in an urban designation may have a very low value in a rural designation. It is necessary, therefore, to have a separate set of criteria and outcomes depending on the land use designation. The density bonus provided in KCC 16.09.090 is limited to use in the following rural designations with a 100% bonus: in the Rural -3, Agriculture -3, Rural -5 and Agriculture -5 zones and 200% in the Agriculture 20 and the Forest and Range 20 zones. There is no limit to density bonus or the use of PBRs within the Urban Growth Areas.

1. All public benefits that are proposed and accepted in exchange for density bonus points shall be identified on recorded plats as easements, covenants, plat notes, or other acceptable mechanism as determined by the Kittitas County.

~~4.2.~~ A minimum of forty percent (40%) of the area within the project boundary must be set aside in open space prior to application of the Public Benefit Rating System contained in KCC 16.09.090 of this chapter.

~~2.3.~~ The following minimums for open space allocation and minimum acreage for application for performance based cluster plat (PBCP) application by zone shall apply:

	Rural 3 and Ag 3 Zones.	Rural 5 and Ag 5 Zones.	Agriculture 20 and Forest and Range 20.
Minimum open space acreage.	9 acres	15 acres	30 acres

~~3.4.~~ A minimum percentage of the density bonus must be achieved with the transfer of developments rights. The following percentage minimums by zone shall apply:

	Rural 3 and Ag 3 Zones.	Rural 5 and Ag 5 Zones.	Agriculture 20 and Forest and Range 20.
Minimum % of density	50%	75%	100%

bonus with TDRs.

#### 16.09.040 Development Regulations.

- ~~A. Applicability. This chapter applies to all tax parcels or combination of tax parcels from the date of the ordinance codified in this chapter, located in the Residential, Residential 2, Suburban, Suburban 2, Agriculture-3, Agriculture 5, Agriculture-20, Rural-3, Rural 5 and Forest and Range 20 zoning districts. Roads, Title 12 Road Standards of this code shall apply to Performance Based Cluster Platting.~~
- ~~B.A. \_\_\_\_\_ Phasing. Phasing shall be permitted without bonding requirements for future phases. Extension to final plat approval may be requested by the applicant in no more than three, three-year increments, pursuant to RCW 58.17.140 KCC 16.12.250. Final plat approval must be given within five years of the date of preliminary plat approval.~~
- ~~C.B. \_\_\_\_\_ Notification Requirement. If appropriate, all Performance Based Cluster Platting conveyance instruments shall contain the following notice: The subject property is within or near existing agricultural or other natural resource areas on which a variety of activities may occur that are not compatible with residential development for certain periods of varying duration. Agricultural or other natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances. Kittitas County has adopted right to farm provisions contained in the Section 17.74 of the Kittitas County Zoning Code.~~
- ~~D.C. \_\_\_\_\_ Compliance with County Development Regulations. Unless otherwise specified by this chapter, all development activities authorized through this chapter shall comply with all existing, applicable county development regulations, including but not limited to: subdivision ordinance, zoning code, shoreline master program, road standards, critical areas, and floodplain development ordinance. In addition, Performance Based Cluster Platting shall not be used prospectively in conjunction with the Kittitas County planned unit development ordinance (Chapter 17.36 of this code).~~
- ~~E.D. \_\_\_\_\_ Applications. Applications for Performance Based Cluster Platting shall be evaluated for the possible impacts to adjacent agricultural uses. Residential parcel densities allowed in rural areas can have a significant impact on agricultural, forestry and mineral resource uses. Conditions may be placed on development proposals through the normal Kittitas County permitting authority, which protect agricultural lands from possible impacts related to incompatible land uses. All applications shall be referred to the planning commission for review.~~
- ~~F.E. Irrigation. If the land is served with irrigation water, a preliminary irrigation plan is required with application.~~
- ~~G.F. \_\_\_\_\_ Farmstead. The farmstead, including the pre-existing residential and associated out buildings within the project boundary, will not be required to become part of a cluster of residences.~~
- ~~H.G. \_\_\_\_\_ Location. Clustered lots shall be located within the project boundary in a manner that best recognizes the integrity of the public benefits identified in the cluster plat, including but not limited to, the location of the natural resource lands, critical areas as identified in K.C.C. KCC 17.A, purpose of open space, etc.~~
- ~~H. Agriculture-20. The ability to create one lot less than twenty acres in size in the Agriculture-20 zoning district, pursuant to KCC 17.29.040(A)(1), shall not be used in addition to or cumulatively with Performance Based Cluster Platting. (Ord. 2006-36, 2006; Ord. 96-6 (part), 1996)~~
- I. Access to Public Lands. Applications that included parcels which share property line boundaries with public lands which allow public use must maintain or enhance existing public access points as part of the application in order to be considered for density bonuses under the Public Benefit Rating System. Maintained or enhanced public access points to public lands shall

be in conformance with requirements as identified by federal, state, and local agencies having jurisdiction over said public lands. Documentation demonstrating such shall be submitted as part of the project application.

**16.09.060 Minimum Lot Size.**

The size of the lots to be developed shall meet the minimum WA ST Department of Health requirements.

**16.09.080 Process for Approval.**

1. Prior to submitting an application for a Performance Based Cluster Plat the applicant shall submit a request for a Pre-application Conference with the staff of Community Development Services. (CDS). CDS will schedule the pre-application conference and invite other county departments and outside agencies as appropriate to review and offer comments regarding the application and to assist the applicant in the appropriate process.
2. Submit preliminary Performance Based Cluster Plat map in conformance with requirements in KCC Title 16.12 Preliminary Plats and Title 12 Road Standards. Submit SEPA checklist in conformance with KCC 15.04 SEPA Regulations, as required for a plat application.
3. Submit critical areas application consistent with KCC Title 17A.C.
4. Performance Based Cluster Plats are to be processed as plats and are subject to a public hearing before the Hearing Examiner as provided for in KCC Title 15A. Project Permit Application Process.
5. Final Performance Based Cluster Plat approval must be in conformance with KCC Title 16.20 Final Plats.
6. Prior to final plat approval, any features of the project incurred as a result of bonus density shall be fully constructed or bonded for.
7. Documentation shall be submitted by the applicant stating how the proposed development meets the intent of Chapter 16.09, and shall also demonstrate consistency with the bonus density awarded for such development prior to final approval.
8. Final plats meeting all requirements of this chapter shall be submitted to the Board of County Commissioners for approval within the timeframe specified ~~five years of the date of preliminary approval as required by RCW 58.17.140~~. An applicant who files a written request with the County at least thirty days before the expiration of this ~~five year~~ period shall be granted an extension of ~~no more than four years for a total of nine years upon a showing that the applicant has attempted in good faith to submit the final plat within the initial five year period~~ pursuant to KCC 16.12.250.

**16.09.090 Public Benefit Rating System.**

Points accrued from each element will be calculated in a cumulative manner and applied as a total in accordance with the public benefit rating system chart below. This total shall be converted to a percentile on a one to one basis (ex. 80 points equals 80% bonus density) and multiplied against the underlying zone minimum lot size based density.

Where more than one zone exists within a cluster plat boundary, the overall percentile shall be applied against the number of whole lots calculated within the individual zone acreage and within the overall limit for the zone per 16.09.030 of this code.

Example:

- An application for an 80 acre cluster plat where 65 acres are zoned Forest and Range 20 and 15 acres are zoned Rural 3.
- Total cumulative points for entire plat earned = 150. Converted to 150%.
- Rural 3 zone density bonus limit = 100%

- Forest and Range 20 zone density bonus limit = 200%.

Calculations:

1. 15 acres divided by 3 acre min. lot size = 5 whole lots.\*
2. 5 lots times 100% max. (within the 150% earned) for Rural 3 = 5 bonus lots.
3. 6.5 acres divided by 20 acre min. lot size = 3 whole lots.
4. 3 lots times 150% earned (within the 200% max. allowed for Forest and Range) = 4 bonus whole lots.
5. Total lots allowed for cluster plat = 17. A potential of up to 5 clusters (minimum 3 lots or building envelopes each) may be located where most appropriate within the 80 acre project boundary regardless of the zone in which each cluster is placed.

\* Whole lots are based on the minimum lot size for the zone and fractions thereof will not be rounded up to constitute a whole lot.

Public Benefit Ratings System Chart

Element	Urban Points	Rural Points or Units	Comments and Requirements
<b>Transportation</b>			
Roadway Right of Way width exceeding County Road Standards by >20% to Accommodate Future Growth and Multi-Modal Transportation Needs.	25	0	Urban levels of activity will need to consider future needs as growth and population increase. There will be more opportunity for Multi-modal transportation options in the urban environment.
Incorporate appropriate easements and rights of way to allow for connectivity between developments for motorized, non-motorized and pedestrian travel. Facilitates grid system transportation network.	250	5	Establishment and facilitation of connectivity between developments for all modes of transportation will allow for efficient and orderly road development.
Provide for new multi-modal access to publicly owned recreational lands. <del>Preserve Historic Access to recreation areas.</del>	25	25	Access to public recreation lands has diminished as a result of increased development. Incentives to preserve provide this access are vital to the public interest. Proposed new access points to public lands shall be in conformance with requirements as identified by federal, state, and local agencies having jurisdiction over said public lands. Documentation demonstrating such shall be submitted as part of the project application.



Develop Design Standards for streetscape, i.e. separated sidewalks, street lighting, landscaping.	20	0	Urban streetscapes are an important element to the character of an urban community. As density in these urban areas increases, it is important to provide elements in street design that are effective in reducing the effects of hardscape and that are visually pleasing.
<b>Open Space</b>			
Place minimum of 50% of site in open space for 25 yrs.	20	0	25 year period is sufficient to justify the development of passive uses. Allows for redevelopment in urban areas after 25 years.
Place 40-41% to 80-75% of site in open space for perpetuity.	400	40 to 80 dependent on % set aside. Points directly related to set aside percentage ie: 20% = 40 points.* See habitat connectivity for additional points associated with this category. 41-50% = 10 51-55% = 11 56-60% = 12 61-65% = 13 66-70% = 14 71 - 75% = 15	Significant long term benefit in rural areas. Minimizes options for redevelopment in urban areas.
Create urban redevelopment areas using open space.	35	0	Allows for redevelopment in urban areas not currently served by urban services.
In rural areas provide for open space connectivity with existing public lands, resource lands, or adjacent open space protected in perpetuity.	0	25	Open space provides the greatest public benefit when combined with adjacent open space to create larger tracts of contiguous resource land.
<b>Wildlife Habitat</b>			
Connectivity of Wildlife Corridors	0	15 if done in conjunction with open space in perpetuity. 15	Development of open space is most effective if done with adjacent open space lands in mind. Development of wildlife corridors provides maximum benefit from open space creation. Proposed wildlife corridors shall be consistent with the requirements of the Washington State Department of Fish and Wildlife. Documentation demonstrating such shall be

			submitted as part of the project application. <u>New dedicated wildlife corridors shall be designated as open space for perpetuity in order to be awarded bonus density points.</u>
Wetland and riparian areas, setbacks, wetland, riparian areas and habitat enhancement and creation beyond requirements of CAO.	10	405	Provides for replacement of historic loss of wetlands, habitat, riparian and aquifer recharge areas.
<b>Health and Safety</b>			
<del>Connection to municipal water system.</del>	50	0	<del>Use of urban services.</del>
<del>Connection to Group A water system.</del>	50	0	<del>Minimize need for individual wells.</del>
<del>Connection to Group B water system.</del>	0	0	<del>Minimizes need for individual wells. Not consistent with urban levels of development.</del>
<del>Connection to Sewage Disposal System</del>	50	0	<del>Use of urban services.</del>
Community septic system.	0	10	Minimizes individual drain fields and ensures maintenance of system.
Reclaimed water system.	50	50	Reduces use of domestic water supplies for irrigation and stream flows.
<b>Recreation</b> – For specific uses see <u>KCC 17.14.</u>			
Development of passive recreational facilities: ie: bird watching, picnic areas.	<del>5/10* higher number if available for general public use.</del> 5.	<del>5/10* higher number if available for general public use.</del> 5	Provides limited recreational use. <u>Passive recreational facilities shall be available for public use (not limited to private landowners within the development) to be awarded points.</u>
Development of active recreational facilities ie: trails, ball fields, tennis courts, outdoor riding arenas.	<del>10/20* higher number if available for general public use.</del> 10 <u>An additional 10 points shall be awarded for active recreational facilities that connect with adjacent facilities.</u>	<del>10/15* higher number if available for general public use.</del> 10 <u>An additional 10 points shall be awarded for active recreational facilities that connect with adjacent facilities.</u>	Provides for increased opportunity for recreation. <u>Active recreational facilities shall be available for public use (not limited to private landowners within the development) to be eligible for points</u>

Development of formal recreation facilities- <u>available for general public use</u> , ie: pool, clubhouse, golf course, indoor riding arenas.	10/25* higher number if available for general public use. <u>15</u>	10/20* higher number if available for general public use. <u>15</u>	Provides for increased opportunity for recreation
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Development of community gardens for residents within the development.	-10	-10	-Provides for increased opportunity for recreation and a local food source. <u>The ground area, excluding any area used for community garden buildings or structures, shall be a minimum of .25 acre or 10,000 square feet. The community garden shall be served by a water supply sufficient to support the cultivation practices used on the site.</u>
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**Conservation of Farm and Forest Land**

Purchase of residential development rights pursuant to <u>KCC 17.13</u> .	0	Number of units is directly related to the number of residential development rights transferred pursuant to <u>KCC 17.13</u> .	Permanent conservation of rural farm and forest land through acquisition and extinguishment of the development rights on lands designated as "sending sites" pursuant to <u>KCC 17.13</u> .
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**16.09.100 Definitions.**

1. Cluster. A "cluster" consists of three or more buildable contiguous lots or building envelopes within the cluster boundary. Individual clusters need not be contiguous but must be within the project boundary.
2. "Density bonus" is that percentage of increase over the underlying zoning in the number of residential lots based on the total acres of the proposal.
3. Open space. For purposes of this chapter, "open space" shall mean land used for outdoor active, passive and formal recreational purposes, land used for resource protection (including related structures such as barns on agriculturally productive land), land which is a common area for use by the public and/or residents of a cluster development, which is reserved for parks, walking paths or other natural uses, but not to include critical areas where development would otherwise be restricted, or slopes over 33%, or frequently flooded areas, or dwellings or roadways surfaces, or building setbacks required by current codes, ~~or areas otherwise encumbered by other federal, state, or local jurisdictions.~~ BPA easements, conservation easements or areas otherwise encumbered by federal, state, or local jurisdictions. Open space that is utilized to accommodate plat infrastructure, such as roads, stormwater drainage, or community septic facilities cannot be counted for density bonus points or meeting the minimum 40% open space criteria as required in KCC 16.09.030(1). However, for the purpose of the calculation of open space to determine the minimum 40% open space criteria as required in KCC 16.09.030(1), areas encumbered by an easement may be included if the easement allows development consistent with active and passive recreation or resource land uses. In all cases, for purposes of this chapter, open space shall be of a functional nature and incorporate logical boundaries.
4. Public Water System. A DOH approved water system that meets the requirements of WAC 246-290 or 246-291, or any water system that meets the definition of "Municipal water supplier" under RCW 90.03.015.

5. Sewage Disposal System. A DOH or DOE approved sewage disposal system that meets the requirements of [RCW 36.94](#) or [RCW 90.46](#) or [RCW 90.48](#).
  6. Parent Parcel. That land made up of one or more contiguous tax parcels that are developed under this section.
  7. Recreational passive uses shall include, but not be limited to, picnic areas, bird and wildlife viewing areas, pedestrian trails, etc.
  8. Recreational active uses shall include, but not be limited to, ball fields, tennis courts, wheeled vehicle trails, outdoor riding arenas, etc.
  9. Recreational formal uses shall include, but not be limited to, swimming pools, clubhouses, golf courses, indoor riding arenas, etc.
  10. Reserve Development Area is all of the land within the project boundary that is within one mile of an Urban Growth Area and could reasonably be considered for inclusion within an Urban Growth Area during the 20 year planning period.
  11. The "residual parcel" (also called "the open area") is that land which is remaining after the cluster subdivision lots and internal roads are deducted.
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## Clean version of approved text amendments:

### Chapter 16.09

#### PERFORMANCE BASED CLUSTER PLATTING

##### Sections

[16.09.010](#) Purpose and Intent.

[16.09.020](#) Uses Permitted.

[16.09.025](#) Applicability.

[16.09.030](#) Criteria.

[16.09.040](#) Development Regulations.

[16.09.060](#) Minimum Lot Size.

[16.09.080](#) Process for Approval.

[16.09.090](#) Public Benefit Rating System.

[16.09.100](#) Definitions.

##### **16.09.010 Purpose and Intent.**

With the recognition of the value of retention of rural densities in rural lands, while protecting our critical areas, water resources and resource lands, and with recognition that urban densities belong in urban designated lands, Kittitas County also recognizes the need for innovative planning tools to achieve these goals. Encouraged by the Growth Management Act (GMA), Kittitas County may provide for clustering, planned unit developments, density transfer, design guidelines, conservation easements and other innovative techniques that will accommodate appropriate rural and urban densities and uses at levels that are consistent with the preservation of rural character and that provide a public benefit.

To assist in the implementation of Kittitas County's policy to provide tools to foster appropriate densities while making development economically feasible, to recognize benefits to the greater community through an effort to conserve natural resource lands, to conserve water resources, to promote the establishment of community gardens, to protect public health by reducing the number of septic drain fields, by concentrating urban densities in urban growth areas and by minimizing the impact of "Rural Sprawl" in rural lands as designated in the Kittitas County Comprehensive Plan, Kittitas County finds that this "Performance Based Cluster Platting" technique would foster the development of urban and rural designated lands at appropriate densities while protecting the environment and

maintaining a high quality of life in Kittitas County. (Ord. 2009-25, 2009; Ord. 2006-36, 2006; Ord. 2005-35, 2005)

**16.09.020 Uses Permitted.**

The permitted uses of the clustered area shall be those of the underlying zone. Those uses specifically identified for the recreation categories in KCC 16.09.090 can be found in KCC 17.14 performance based cluster plat uses. Other uses not specifically identified may apply if determined a similar use as provided in Title 15A.

**16.09.025 Applicability.**

Applicability. This chapter applies to all tax parcels or combination of tax parcels from the date of the ordinance codified in this chapter, located in the Residential, Residential-2, Suburban, Suburban-2, Agriculture-3, Agriculture-5, Agriculture-20, Rural-3, Rural-5, and Forest and Range-20 zoning districts.

**16.09.030 Criteria.**

Public Benefit Rating System (PBRs) points may be earned for including certain project elements or amenities not otherwise required by code. No PBRs points shall be awarded for land which is already protected through the Critical Areas Ordinance, Shoreline Management Program or other regulatory requirement. The calculation of open space shall not include areas already protected through regulation, including but not limited to wetland areas and their buffers, slopes over 33%, frequently flooded areas as defined in KCC 17A.02.140, or areas used to accommodate plat infrastructure (e.g. roadway surfaces, stormwater drainage facilities, or community septic facilities). For purpose of calculating open space, eligible areas are defined in KCC 16.09.100.C.

When a public benefit is demonstrated then bonus density points will apply, according to the Public Benefit Rating System in KCC 16.09.090. An element that may have a high value in an urban designation may have a low value in a rural designation. It is necessary, therefore, to have a separate set of criteria and outcomes depending on the land use designation. The density bonus provided in KCC 16.09.090 is limited to use in the following rural designations with a 100% bonus: in the Rural -3, Agriculture -3, Rural -5 and Agriculture -5 zones and 200% in the Agriculture 20 and the Forest and Range 20 zones. There is no limit to density bonus or the use of PBRs within the Urban Growth Areas.

1. All public benefits that are proposed and accepted in exchange for density bonus points shall be identified on recorded plats as easements, covenants, plat notes, or other acceptable mechanism as determined by the Kittitas County.
2. A minimum of forty percent (40%) of the area within the project boundary must be set aside in open space prior to application of the Public Benefit Rating System contained in KCC 16.09.090 of this chapter.
3. The following minimums for open space acreage by zone shall apply:

	Rural 3 and Ag 3 Zones.	Rural 5 and Ag 5 Zones.	Agriculture 20 and Forest and Range 20.
Minimum open space acreage.	9 acres	15 acres	30 acres

4. A minimum percentage of the density bonus must be achieved with a transfer of developments rights. The following percentage minimums by zone shall apply:

	Rural 3 and Ag 3 Zones.	Rural 5 and Ag 5 Zones.	Agriculture 20 and Forest and Range 20.
Minimum % of density bonus with TDRs.	50%	75%	100%

#### **16.09.040 Development Regulations.**

1. **Phasing.** Phasing shall be permitted without bonding requirements for future phases. Extension to final plat approval may be requested by the applicant pursuant to KCC 16.12.250.
2. **Notification Requirement.** If appropriate, all Performance Based Cluster Platting conveyance instruments shall contain the following notice: The subject property is within or near existing agricultural or other natural resource areas on which a variety of activities may occur that are not compatible with residential development for certain periods of varying duration. Agricultural or other natural resource activities performed in accordance with county, state and federal laws are not subject to legal action as public nuisances. Kittitas County has adopted right to farm provisions contained in the Section 17.74 of the Kittitas County Zoning Code.
3. **Compliance with County Development Regulations.** Unless otherwise specified by this chapter, all development activities authorized through this chapter shall comply with all existing, applicable county development regulations, including but not limited to: subdivision ordinance, zoning code, shoreline master program, road standards, critical areas, and floodplain development ordinance. In addition, Performance Based Cluster Platting shall not be used prospectively in conjunction with the Kittitas County planned unit development ordinance (Chapter 17.36 of this code).
4. **Applications.** Applications for Performance Based Cluster Platting shall be evaluated for the possible impacts to adjacent agricultural uses. Residential parcel densities allowed in rural areas can have a significant impact on agricultural, forestry and mineral resource uses. Conditions may be placed on development proposals through the normal Kittitas County permitting authority, which protect agricultural lands from possible impacts related to incompatible land uses.
5. **Irrigation.** If the land is served with irrigation water, a preliminary irrigation plan is required with application.
6. **Farmstead.** The farmstead, including the pre-existing residential and associated out buildings within the project boundary, will not be required to become part of a cluster of residences.
7. **Location.** Clustered lots shall be located within the project boundary in a manner that best recognizes the integrity of the public benefits identified in the cluster plat, including but not limited to, the location of the natural resource lands, critical areas as identified in KCC 17A, purpose of open space, etc.
8. **Agriculture-20.** The ability to create one lot less than twenty acres in size in the Agriculture-20 zoning district, pursuant to KCC 17.29.040(A)(1), shall not be used in addition to or cumulatively with Performance Based Cluster Platting.
9. **Access to Public Lands.** Applications that included parcels which share property line boundaries with public lands which allow public use must maintain or enhance existing public access points as part of the application in order to be considered for density bonuses under the Public Benefit Rating System. Maintained or enhanced public access points to public lands shall be in conformance with requirements as identified by federal, state, and local agencies having jurisdiction over said public lands. Documentation demonstrating such shall be submitted as part of the project application.

#### **16.09.060 Minimum Lot Size.**

The size of the lots to be developed shall meet the minimum WA ST Department of Health requirements.

#### **16.09.080 Process for Approval.**

1. Prior to submitting an application for a Performance Based Cluster Plat the applicant shall submit a request for a Pre-application Conference with the staff of Community Development Services. (CDS). CDS will schedule the pre-application conference and invite other county departments and outside agencies as appropriate to review and offer comments regarding the application and to assist the applicant in the appropriate process.

2. Submit preliminary Performance Based Cluster Plat map in conformance with requirements in KCC Title 16.12 Preliminary Plats and Title 12 Road Standards. Submit SEPA checklist in conformance with KCC 15.04 SEPA Regulations, as required for a plat application.
3. Submit critical areas application consistent with KCC Title 17A.C.
4. Performance Based Cluster Plats are to be processed as plats and are subject to a public hearing before the Hearing Examiner as provided for in KCC Title 15A. Project Permit Application Process.
5. Final Performance Based Cluster Plat approval must be in conformance with KCC Title 16.20 Final Plats.
6. Prior to final plat approval, any features of the project incurred as a result of bonus density shall be fully constructed or bonded for.
7. Documentation shall be submitted by the applicant stating how the proposed development meets the intent of Chapter 16.09, and shall also demonstrate consistency with the bonus density awarded for such development prior to final approval.
8. Final plats meeting all requirements of this chapter shall be submitted to the Board of County Commissioners for approval within the timeframe specified by RCW 58.17.140. An applicant who files a written request with the County at least thirty days before the expiration of this period shall be granted an extension pursuant to KCC 16.12.250.

**16.09.090 Public Benefit Rating System.**

Points accrued from each element will be calculated in a cumulative manner and applied as a total in accordance with the public benefit rating system chart below. This total shall be converted to a percentile on a one to one basis (ex. 80 points equals 80% bonus density) and multiplied against the underlying zone minimum lot size based density.

Where more than one zone exists within a cluster plat boundary, the overall percentile shall be applied against the number of whole lots calculated within the individual zone acreage and within the overall limit for the zone per 16.09.030 of this code.

Example:

- An application for an 80 acre cluster plat where 65 acres are zoned Forest and Range 20 and 15 acres are zoned Rural 3.
- Total cumulative points for entire plat earned = 150. Converted to 150%.
- Rural 3 zone density bonus limit = 100%
- Forest and Range 20 zone density bonus limit = 200%.

Calculations:

1. 15 acres divided by 3 acre min. lot size = 5 whole lots.\*
2. 5 lots times 100% max. (within the 150% earned) for Rural 3 = 5 bonus lots.
3. 65 acres divided by 20 acre min. lot size = 3 whole lots.
4. 3 lots times 150% earned (within the 200% max. allowed for Forest and Range) = 4 bonus lots.
5. Total lots allowed for cluster plat = 17. A potential of up to 5 clusters (minimum 3 lots or building envelopes each) may be located where most appropriate within the 80 acre project boundary regardless of the zone in which each cluster is placed.

\* Whole lots are based on the minimum lot size for the zone and fractions thereof will not be rounded up to constitute a whole lot.

**Public Benefit Ratings System Chart**

Element	Urban Points	Rural Points or Units	Comments and Requirements
<b>Transportation</b>			
Roadway Right of Way width exceeding County Road Standards by >20% to Accommodate Future Growth and Multi-Modal Transportation Needs.	25	0	Urban levels of activity will need to consider future needs as growth and population increase. There will be more opportunity for Multi-modal transportation options in the urban environment.
Incorporate appropriate easements and rights of way to allow for connectivity between developments for motorized, non-motorized and pedestrian travel. Facilitates grid system transportation network.	0	5	Establishment and facilitation of connectivity between developments for all modes of transportation will allow for efficient and orderly road development.
Provide for new multi-modal access to publicly owned recreational lands.	25	25	Access to public recreation lands has diminished as a result of increased development. Incentives to provide access are vital to the public interest. Proposed new access points to public lands shall be in conformance with requirements as identified by federal, state, and local agencies having jurisdiction over said public lands. Documentation demonstrating such shall be submitted as part of the project application.
<b>Open Space</b>			
Place 41% to 75% of site in open space for perpetuity.	0	41-50% = 10 51-55% = 11 56-60% = 12 61-65% = 13 66-70% = 14 71 - 75% = 15	Significant long term benefit in rural areas. Minimizes options for redevelopment in urban areas.
Create urban redevelopment areas using open space.	35	0	Allows for redevelopment in urban areas not currently served by urban services.
In rural areas provide for open space connectivity with existing public lands, resource lands, or adjacent open space protected in perpetuity.	0	25	Open space provides the greatest public benefit when combined with adjacent open space to create larger tracts of contiguous resource land.
<b>Wildlife Habitat</b>			
Connectivity of Wildlife	0	15	Development of open space is most



Corridors			effective if done with adjacent open space lands in mind. Development of wildlife corridors provides maximum benefit from open space creation. Proposed wildlife corridors shall be consistent with the requirements of the Washington State Department of Fish and Wildlife. Documentation demonstrating such shall be submitted as part of the project application. New dedicated wildlife corridors shall be designated as open space for perpetuity in order to be awarded bonus density points.
Wetland and riparian areas, setbacks, wetland, riparian areas and habitat enhancement and creation beyond requirements of CAO.	10	5	Provides for replacement of historic loss of wetlands, habitat, riparian and aquifer recharge areas.
<b>Health and Safety</b>			
Community septic system.	0	10	Minimizes individual drain fields and ensures maintenance of system.
Reclaimed water system.	50	50	Reduces use of domestic water supplies for irrigation and stream flows.
<b>Recreation: For specific uses see <a href="#">KCC 17.14</a>.</b>			
Development of passive recreational facilities: ie: bird watching, picnic areas.	5.	5	Provides limited recreational use. Passive recreational facilities shall be available for public use (not limited to private landowners within the development) to be awarded points.
Development of active recreational facilities ie: trails, ball fields, tennis courts, outdoor riding arenas.	10 An additional 10 points shall be awarded for active recreational facilities that connect with adjacent facilities.	10 An additional 10 points shall be awarded for active recreational facilities that connect with adjacent facilities.	Provides for increased opportunity for recreation. Active recreational facilities shall be available for public use (not limited to private landowners within the development) to be eligible for points
Development of formal recreation facilities available for general public use, ie: pool, clubhouse, golf course, indoor riding arenas.	15	15	Provides for increased opportunity for recreation
Development of	10	10	Provides for increased opportunity

community gardens for residents within the development.

for recreation and a local food source. The ground area, excluding any area used for community garden buildings or structures, shall be a minimum of .25 acre or 10,000 square feet. The community garden shall be served by a water supply sufficient to support the cultivation practices used on the site.

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### Conservation of Farm and Forest Land

Purchase of residential development rights pursuant to KCC 17.13. 0

Number of units is directly related to the number of residential development rights transferred pursuant to KCC 17.13.

Permanent conservation of rural farm and forest land through acquisition and extinguishment of the development rights on lands designated as "sending sites" pursuant to KCC 17.13.

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### 16.09.100 Definitions.

1. Cluster. A "cluster" consists of three or more buildable contiguous lots or building envelopes within the cluster boundary. Individual clusters need not be contiguous but must be within the project boundary.
2. "Density bonus" is that percentage of increase over the underlying zoning in the number of residential lots based on the total acres of the proposal.
3. Open space. For purposes of this chapter, "open space" shall mean land used for outdoor active, passive and formal recreational purposes, land used for resource protection (including related structures such as barns on agriculturally productive land), land which is a common area for use by the public and/or residents of a cluster development, which is reserved for parks, walking paths or other natural uses, but not to include critical areas where development would otherwise be restricted, or slopes over 33%, or frequently flooded areas, or dwellings or roadway surfaces, or building setbacks required by current codes, BPA easements, conservation easements or areas otherwise encumbered by federal, state, or local jurisdictions. Open space that is utilized to accommodate plat infrastructure, such as roads, stormwater drainage, or community septic facilities cannot be counted for density bonus points or meeting the minimum 40% open space criteria as required in KCC 16.09.030(1). However, for the purpose of the calculation of open space to determine the minimum 40% open space criteria as required in KCC 16.09.030(1), areas encumbered by an easement may be included if the easement allows development consistent with active and passive recreation or resource land uses. In all cases, for purposes of this chapter, open space shall be of a functional nature and incorporate logical boundaries.
4. Public Water System. A DOH approved water system that meets the requirements of WAC 246-290 or 246-291, or any water system that meets the definition of "Municipal water supplier" under RCW 90.03.015.
5. Sewage Disposal System. A DOH or DOE approved sewage disposal system that meets the requirements of RCW 36.94 or RCW 90.46 or RCW 90.48.
6. Parent Parcel. That land made up of one or more contiguous tax parcels that are developed under this section.
7. Recreational passive uses shall include, but not be limited to, picnic areas, bird and wildlife viewing areas, pedestrian trails, etc.
8. Recreational active uses shall include, but not be limited to, ball fields, tennis courts, wheeled vehicle trails, outdoor riding arenas, etc.

9. Recreational formal uses shall include, but not be limited to, swimming pools, clubhouses, golf courses, indoor riding arenas, etc.
10. Reserve Development Area is all of the land within the project boundary that is within one mile of an Urban Growth Area and could reasonably be considered for inclusion within an Urban Growth Area during the 20 year planning period.
11. The "residual parcel" (also called "the open area") is that land which is remaining after the cluster subdivision lots and internal roads are deducted.

# Development regulation amendments - showing changes from 2009 to 2010 to KCC 17.14:

## Chapter 17.14 PERFORMANCE BASED CLUSTER PLAT USES

### Sections

17.14.010 Purpose and intent.

17.14.020 Uses permitted - On-site.

17.14.030 Uses permitted - Off-site.

#### **17.14.010 Purpose and intent.**

The purpose and intent of this Chapter is to identify uses that qualify for calculation of points for density bonus under Title 16.09.090 Public Benefit Rating System. (Ord. 2009-25, 2009; Ord. 2005-35, 2005)

#### **17.14.020 Uses permitted - On-site.**

All uses identified in this section shall apply to the underlying zoning for use as qualifying points under Title 16.09.090 Public Benefit Rating System. For purposes of identification of uses related to passive, active and formal recreation, the following uses are permitted:

1. Passive Recreation
  - a. Conservation set-aside for bird watching and picnic areas;
  - b. Parks and playgrounds, non-motorized trails;
  - c. Uses customarily incidental to any of the uses set forth in this section; and
  - d. Any use not listed which is nearly identical to a permitted use, as judged by the administrative official, may be permitted. In such cases, all adjacent property owners shall be given official notification for an opportunity to appeal such decisions within ten working days of notification pursuant to Title 15A of this code, Project Permit Application Process.
2. Active Recreation
  - a. Ball fields;
  - b. Tennis courts;
  - c. Motorized and non-motorized trails;
  - d. Outdoor riding arenas;
  - e. Uses customarily incidental to any of the uses set forth in this section; and
  - f. Any use not listed which is nearly identical to a permitted use, as judged by the administrative official, may be permitted. In such cases, all adjacent property owners shall be given official notification for an opportunity to appeal such decisions within ten working days of notification pursuant to Title 15A of this code, Project Permit Application Process.
3. Formal Recreation
  - a. Swimming pools;
  - b. Club houses and golf courses (public and private);
  - c. Indoor riding arenas;
  - d. Uses customarily incidental to any of the uses set forth in this section; and
  - e. Any use not listed which is nearly identical to a permitted use, as judged by the administrative official, may be permitted. In such cases, all adjacent property owners shall be given official notification for an opportunity to appeal such decisions within ten working days of notification pursuant to Title 15A of this code, Project Permit Application Process. (Ord. 2009-25, 2009; Ord. 2005-35, 2005)

#### 4. Community Garden

##### **17.14.030 Uses permitted - Off-site.**

All uses identified in this section shall apply to the underlying zoning for use as qualifying points under Title 16.09.090 Public Benefit Rating System. For purposes of identification of uses related to transfer of development rights, the following uses are permitted:

1. Farm and Agricultural Land, pursuant to Section 17.13.020.1.
2. Forest Land, pursuant to Section 17.13.020.2. (Ord. 2009-25, 2009)

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## **Clean version of approved text amendments:**

### Chapter 17.14

#### PERFORMANCE BASED CLUSTER PLAT USES

##### **Sections**

17.14.010 Purpose and intent.

17.14.020 Uses permitted - On-site.

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  - c. Uses customarily incidental to any of the uses set forth in this section; and
  - d. Any use not listed which is nearly identical to a permitted use, as judged by the administrative official, may be permitted. In such cases, all adjacent property owners shall be given official notification for an opportunity to appeal such decisions within ten working days of notification pursuant to Title 15A of this code, Project Permit Application Process.
2. Active Recreation
  - a. Ball fields;
  - b. Tennis courts;
  - c. Motorized and non-motorized trails;
  - d. Outdoor riding arenas;
  - e. Uses customarily incidental to any of the uses set forth in this section; and
  - f. Any use not listed which is nearly identical to a permitted use, as judged by the administrative official, may be permitted. In such cases, all adjacent property owners

shall be given official notification for an opportunity to appeal such decisions within ten working days of notification pursuant to Title 15A of this code, Project Permit Application Process.

3. Formal Recreation

- a. Swimming pools;
- b. Club houses and golf courses (public and private);
- c. Indoor riding arenas;
- d. Uses customarily incidental to any of the uses set forth in this section; and
- e. Any use not listed which is nearly identical to a permitted use, as judged by the administrative official, may be permitted. In such cases, all adjacent property owners shall be given official notification for an opportunity to appeal such decisions within ten working days of notification pursuant to Title 15A of this code, Project Permit Application Process. (Ord. 2009-25, 2009; Ord. 2005-35, 2005)

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2. Forest Land, pursuant to Section 17.13.020.2. (Ord. 2009-25, 2009)

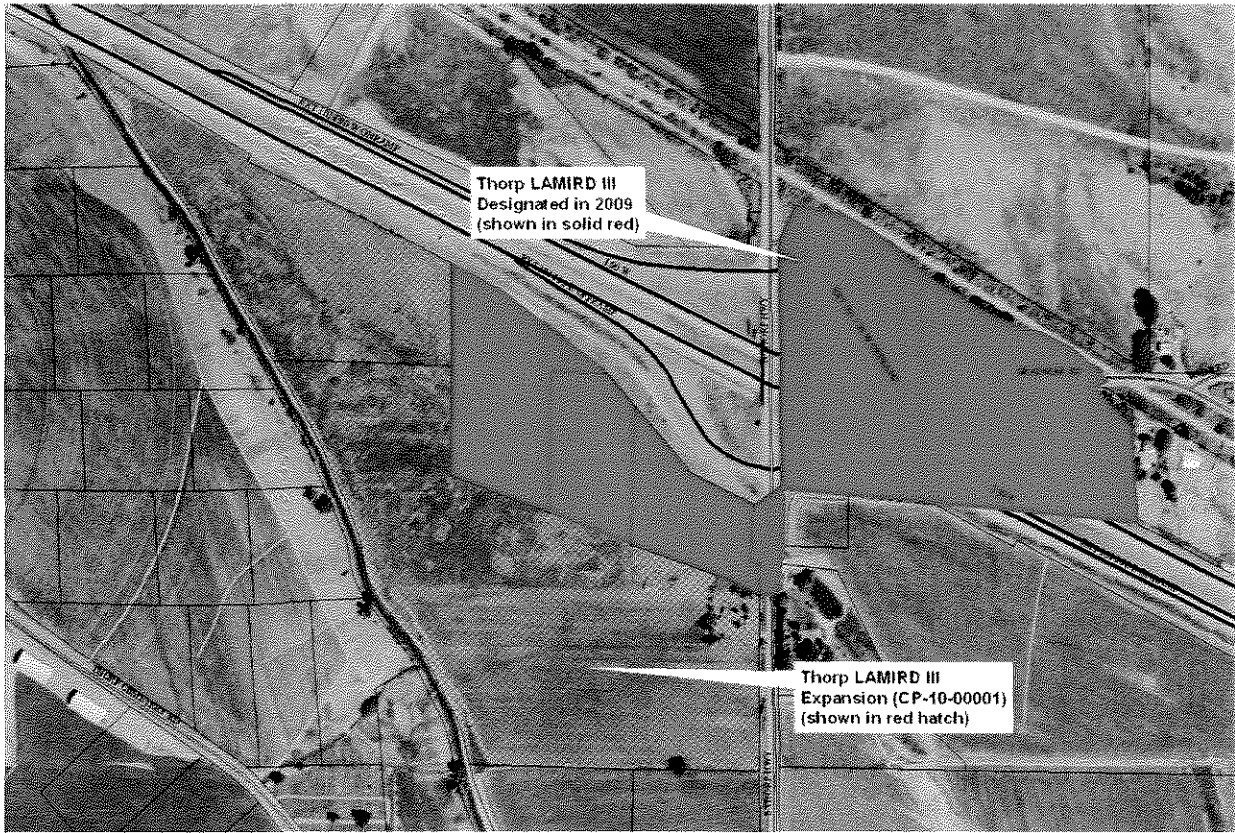
# EXHIBIT G

10-12

Ellison Thorp Estate

Map Amendment

Project Description: Thorp LAMIRD III Expansion (CP-10-00001)

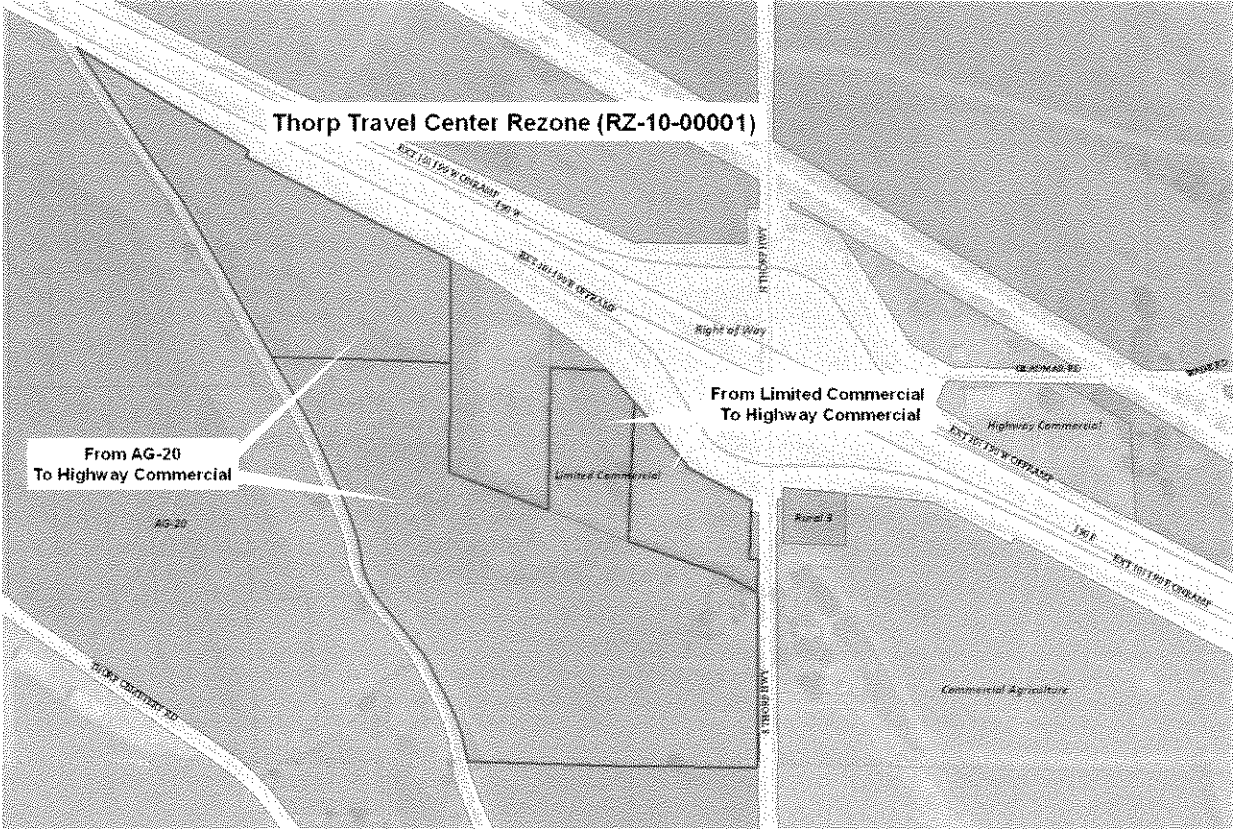


# EXHIBIT H

10-13

**Ellison Thorp Estate  
Map Amendment**

**Project Description: Thorp Travel Center Rezone (RZ-10-00001), Revise Land Use Map from Rural to Commercial and Rezone from Agriculture 20 and Limited Commercial to Highway Commercial**





# EXHIBIT I

10-14

Ellensburg Cement Products

Development Regulation Amendment

Project Description: Concrete Batch Plants CUP Clarification (CP-10-00002)

## Development regulation amendments - showing changes from 2009 to 2010 to KCC 17.56.030:

### 17.56.030 Conditional uses.

The following uses are conditional:

1. Campgrounds;
2. Private trail clubs (snowmobiles, motorbikes);
3. Airports;
4. Log sorting yards;
5. Sawmills;
6. Firing ranges;
7. Golf courses;
8. Cemeteries;
9. Asphalt plants (temporary only);
10. Concrete batch plants;
- ~~10-11.~~ 11-11. Feedlots;
- ~~11-12.~~ 12-12. Public sanitary landfill;
- ~~12-13.~~ 13-13. Trailers, for an extended period not to exceed one year, when used for temporary occupancy related to permanent home construction or to seasonal or temporary employment;
- ~~13-14.~~ 14-14. Dairying and stock raising except the raising of swine and mink commercially and the establishment of livestock feed lots; provided that no permit shall be issued for dairying or stock raising on any tract of land having an area of less than nine acres or for animal sheds or barns to be located less than one hundred feet from any property held under different ownership from that upon which such shed or barn is located;
- ~~14-15.~~ 15-15. Greenhouses, nurseries;
- ~~15-16.~~ 16-16. Home occupations;
- ~~16-17.~~ 17-17. Hospitals;
- ~~17-18.~~ 18-18. Museums;
- ~~18-19.~~ 19-19. Public Utility substations and transmission towers;
- ~~19-20.~~ 20-20. Riding academies;
- ~~20-21.~~ 21-21. Schools, public and private;
- ~~21-22.~~ 22-22. Governmental uses essential to residential neighborhoods;
- ~~22-23.~~ 23-23. Churches;
- ~~23-24.~~ 24-24. (Deleted by Ord. 83-Z-2)
- ~~24-25.~~ 25-25. Community clubs;
- ~~25-26.~~ 26-26. Convalescent homes;
- ~~26-27.~~ 27-27. Day care facilities;
- ~~27-28.~~ 28-28. Bed and breakfast business.
- ~~28-29.~~ 29-29. Room and board lodging involving no more than four boarders or two bedrooms;
- ~~29-30.~~ 30-30. Feed mills, canneries and processing plants for agricultural products;
- ~~30-31.~~ 31-31. Kennels;
- ~~31-32.~~ 32-32. Livestock sales yard;

- ~~32-33.~~ Temporary offices and warehouses of a contractor engaged in construction (not to exceed two years);
- ~~33-34.~~ Golf courses;
- ~~34-35.~~ Auction sales of personal property, other than livestock;
- ~~35-36.~~ Private Campgrounds. In considering proposals for location of such campgrounds, the board of adjustment shall consider the following criteria:
- a. Campgrounds should be located at sufficient distance from existing or projected rural residential/residential development so as to avoid possible conflicts and disturbances.
  - b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow.
  - c. Landscaping or appropriate screening should be required and maintained where necessary for buffering.
  - d. Adequate and convenient vehicular access, circulation and parking should be provided.
  - e. Economic and environmental feasibility;
  - f. Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation);
- ~~36-37.~~ Log sorting yard;
- ~~37-38.~~ Feedlot. Feedlots existing at the time of adoption of the ordinance codified herein may expand or be enlarged only in compliance with standards and regulations contained herein, and such operations shall comply with all state and/or county health regulations;
- ~~38-39.~~ Mini-warehouses; provided, that the following standards shall apply to the approval and construction of mini-warehouses:
- a. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
  - b. All buildings with storage units facing property boundaries shall have a minimum setback of 35 feet;
  - c. No commercial or manufacturing activities will be permitted within any building or storage unit;
  - d. Lease documents shall spell out all conditions and restrictions of the use;
  - e. Signs, other than on-site direction aids, shall number not more than two and shall not exceed 40 square feet each in area;
- ~~39-40.~~ Guest ranches, group homes, retreat centers;
- ~~40-41.~~ Home occupations which involve outdoor work or activities, or which produce noise, such as engine repair, etc. This shall not include the cutting and sale of firewood which is not regulated by this code;
- ~~41-42.~~ Day care facilities;
- ~~42-43.~~ Bed and breakfast business;
- ~~43-44.~~ Gas and oil exploration and production;
- ~~44-45.~~ Farm labor shelters, provided that:
- a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
  - b. The shelters must conform with all applicable building and health regulations;
  - c. The number of shelters shall not exceed four per twenty acre parcel;
  - d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
  - e. Should the parent agriculture operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable building, zoning, and platting requirements or be removed;
- ~~45-46.~~ Shooting ranges. (Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 2001-13 (part), 2001; Ord. 93-6 (part), 1993; Ord. 92-6 (part), 1992; Ord. 90-15 §§ 2 (part), 3 (part), 1990; Ord. 90-10 (part), 1990; Ord. 90-6 (part), 1990; Ord. 88-4 § 6, 1988; Ord. 87-9 § 5, 1987; Ord. 85-Z-2 (part), 1985; Ord. 83-Z-2 (part), 1983; Res. 8310, 1983)

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## Clean version of approved text amendments:

### 17.56.030 Conditional uses.

The following uses are conditional:

1. Campgrounds;
2. Private trail clubs (snowmobiles, motorbikes);
3. Airports;
4. Log sorting yards;
5. Sawmills;
6. Firing ranges;
7. Golf courses;
8. Cemeteries;
9. Asphalt plants (temporary only);
10. Concrete batch plants;
11. Feedlots;
12. Public sanitary landfill;
13. Trailers, for an extended period not to exceed one year, when used for temporary occupancy related to permanent home construction or to seasonal or temporary employment;
14. Dairying and stock raising except the raising of swine and mink commercially and the establishment of livestock feed lots; provided that no permit shall be issued for dairying or stock raising on any tract of land having an area of less than nine acres or for animal sheds or barns to be located less than one hundred feet from any property held under different ownership from that upon which such shed or barn is located;
15. Greenhouses, nurseries;
16. Home occupations;
17. Hospitals;
18. Museums;
19. Public Utility substations and transmission towers;
20. Riding academies;
21. Schools, public and private;
22. Governmental uses essential to residential neighborhoods;
23. Churches;
24. (Deleted by Ord. 83-Z-2)
25. Community clubs;
26. Convalescent homes;
27. Day care facilities;
28. Bed and breakfast business.
29. Room and board lodging involving no more than four boarders or two bedrooms;
30. Feed mills, canneries and processing plants for agricultural products;
31. Kennels;
32. Livestock sales yard;
33. Temporary offices and warehouses of a contractor engaged in construction (not to exceed two years);
34. Golf courses;
35. Auction sales of personal property, other than livestock;
36. Private Campgrounds. In considering proposals for location of such campgrounds, the board of adjustment shall consider the following criteria:
  - a. Campgrounds should be located at sufficient distance from existing or projected rural residential/residential development so as to avoid possible conflicts and disturbances.

- b. Traffic volumes generated by such a development should not create a nuisance or impose on the privacy of nearby residences or interfere with normal traffic flow.
  - c. Landscaping or appropriate screening should be required and maintained where necessary for buffering.
  - d. Adequate and convenient vehicular access, circulation and parking should be provided.
  - e. Economic and environmental feasibility;
  - f. Public health and safety of campers and those reasonably impacted by the campground (i.e. health, water, sanitation);
37. Log sorting yard;
38. Feedlot. Feedlots existing at the time of adoption of the ordinance codified herein may expand or be enlarged only in compliance with standards and regulations contained herein, and such operations shall comply with all state and/or county health regulations;
39. Mini-warehouses; provided, that the following standards shall apply to the approval and construction of mini-warehouses:
- a. A mini-warehouse proposal (application) must include plans for aesthetic improvements and/or sight screening;
  - b. All buildings with storage units facing property boundaries shall have a minimum setback of 35 feet;
  - c. No commercial or manufacturing activities will be permitted within any building or storage unit;
  - d. Lease documents shall spell out all conditions and restrictions of the use;
  - e. Signs, other than on-site direction aids, shall number not more than two and shall not exceed 40 square feet each in area;
40. Guest ranches, group homes, retreat centers;
41. Home occupations which involve outdoor work or activities, or which produce noise, such as engine repair, etc. This shall not include the cutting and sale of firewood which is not regulated by this code;
42. Day care facilities;
43. Bed and breakfast business;
44. Gas and oil exploration and production;
45. Farm labor shelters, provided that:
- a. The shelters are used to house farm laborers on a temporary or seasonal basis only, regardless of change of ownership, if it remains in farm labor-needed status;
  - b. The shelters must conform with all applicable building and health regulations;
  - c. The number of shelters shall not exceed four per twenty acre parcel;
  - d. The shelters are owned and maintained by the owner or operator of an agricultural operation which clearly demonstrates the need for farm laborers;
  - e. Should the parent agriculture operation cease or convert to non-agriculture use, then the farm labor shelters shall conform with all applicable building, zoning, and platting requirements or be removed;
46. Shooting ranges. (Ord. 2009-25, 2009; Ord. 2007-22, 2007; Ord. 2001-13 (part), 2001; Ord. 93-6 (part), 1993; Ord. 92-6 (part), 1992; Ord. 90-15 §§ 2 (part), 3 (part), 1990; Ord. 90-10 (part), 1990; Ord. 90-6 (part), 1990; Ord. 88-4 § 6, 1988; Ord. 87-9 § 5, 1987; Ord. 85-Z-2 (part), 1985; Ord. 83-Z-2 (part), 1983; Res. 8310, 1983)

## Development regulation amendments - showing changes from 2009 to 2010 to KCC 17.57.030:

### 17.57.030 Conditional uses.

The following uses are conditional:

1. Public and private developed recreational facilities limited to parks, playgrounds,
2. Permanent sawmills and chippers, shake and shingle mills, log sorting yards, plywood mills and the production of green veneer, particle board plants and other products from wood residues, pole yards, buildings for debarking, drying kilns and equipment, accessory uses including but not limited to temporary crew quarters, storage and maintenance facilities, residue storage and disposal areas and other uses involved in the harvesting and commercial production of forest products;
3. Agriculture, floriculture, horticulture, general farming, dairy, the raising, feeding and sale or production of poultry, livestock, and fur bearing animals, feed lots, feeding operations, nursery stock and other agricultural activities and structures accessory to farming and animal husbandry;
4. One accessory living unit in conjunction with a single family dwelling or mobile home, kitchen facilities may not be provided in accessory living units;
5. Trailers, for an extended period not to exceed one year, when used for temporary occupancy related to permanent home construction or to seasonal or temporary employment;
6. The erection, construction, or substantial alteration of private, public and semi-public gas, electric, water or telecommunication and utility facilities, including but not limited to fire stations, utility substations, pump stations, wells, hydroelectric generating facilities and transmission lines and facilities;
7. Treatment of waste water or application of sewage sludge where not a forest practice regulated by the state;
8. Asphalt plants (temporary only);
9. Concrete batch plants;
- ~~9.~~10. Temporary state correctional work camps to supply labor for forest management related work projects and for fire control;
- ~~10.~~11. Group homes, as defined by state law;
- ~~11.~~12. Home occupations which involve outdoor works or activities or which produce noise, such as engine repair, etc. This shall not include the cutting and sale of firewood which is not regulated by this code;
- ~~12.~~13. Shooting ranges. (Ord. 2009-25, 2009; Ord. 94-1 (part), 1994)

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## Clean version of approved text amendments:

### 17.57.030 Conditional uses.

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1. Public and private developed recreational facilities limited to parks, playgrounds,
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pole yards, buildings for debarking, drying kilns and equipment, accessory uses including but not limited to temporary crew quarters, storage and maintenance facilities, residue storage and disposal areas and other uses involved in the harvesting and commercial production of forest products;

3. Agriculture, floriculture, horticulture, general farming, dairy, the raising, feeding and sale or production of poultry, livestock, and fur bearing animals, feed lots, feeding operations, nursery stock and other agricultural activities and structures accessory to farming and animal husbandry;
4. One accessory living unit in conjunction with a single family dwelling or mobile home, kitchen facilities may not be provided in accessory living units;
5. Trailers, for an extended period not to exceed one year, when used for temporary occupancy related to permanent home construction or to seasonal or temporary employment;
6. The erection, construction, or substantial alteration of private, public and semi-public gas, electric, water or telecommunication and utility facilities, including but not limited to fire stations, utility substations, pump stations, wells, hydroelectric generating facilities and transmission lines and facilities;
7. Treatment of waste water or application of sewage sludge where not a forest practice regulated by the state;
8. Asphalt plants (temporary only);
9. Concrete batch plants;
10. Temporary state correctional work camps to supply labor for forest management related work projects and for fire control;
11. Group homes, as defined by state law;
12. Home occupations which involve outdoor works or activities or which produce noise, such as engine repair, etc. This shall not include the cutting and sale of firewood which is not regulated by this code;
13. Shooting ranges. (Ord. 2009-25, 2009; Ord. 94-1 (part), 1994)