

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

ORDINANCE

NO. 2018 - 021

**REVISIONS OF KITTITAS COUNTY CODE AND COMPREHENSIVE PLAN
AS PART OF THE 2018 ANNUAL COMPREHENSIVE PLAN AMENDMENT CYCLE.**

Whereas, this ordinance, revising Kittitas County Code and 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
Exhibits A-J	Changes to Kittitas County Code and Comprehensive Plan

**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 or development regulations that are docketed by June 30th must be approved or denied by the Board of County Commissioners on or before December 31st of that same calendar year; and
- Whereas,** Kittitas County Community Development Services docketed a list of suggested changes to the Kittitas County Code and Comprehensive Plan and made these proposals readily available for review by the public in Community Development Services and within the County's official website; and
- Whereas,** Kittitas County submitted its proposed docketed items on September 10, 2018 to the Department of Commerce as required by statute and received letter of receipt on September 11, 2018 that the docket proposal had been received and was sent to other agencies for comment; and
- Whereas,** Comments were received from local and state agencies, the Yakama Nation, and members of the public; and
- Whereas,** Kittitas County filed its SEPA checklist on September 27, 2018 and issued a Revised/ Modified Determination of Non-significance (DNS) for the annual docket on October 18, 2018 through authority of WAC 197-11-340; and
- Whereas,** There were no agency or public appeals or reviews filed on the Determination of Non-significance; and
- Whereas,** Due public notice was placed upon the County official website and in the Daily Record on October 9 and October 16, 2018; and
- Whereas,** The Planning Commission conducted a public hearing on October 23, 2018 to hear testimony and take public comment on the items considered for amendment, and after deliberation made recommendations to the Board of County Commissioners, taking due consideration of the public benefit involved in the proposals; and
- Whereas,** After due notice and publication on official website and Daily Record on November 20 and November 27, 2018, the Kittitas County Board of County Commissioners held an open public hearing on December 4, 2018, during which public testimony was

taken from those persons wishing to be heard regarding the docket items being considered; and

Whereas, After deliberation, the Board of County Commissioners made decision on each docket item presented; and

Whereas, Following the decisions on the docket items the Kittitas County Board of Commissioners instructed County staff to prepare an ordinance for their signature to adopt changes to the Kittitas County Code and Comprehensive Plan; and

Whereas, The Kittitas County Board of County Commissioners considered enabling documents before the public on December 18, 2018.

SECTION II – BOARD OF COUNTY COMMISSIONERS FINDINGS

General Findings:

The Kittitas County Board of County Commissioners held a public hearing on December 4, 2018 to hear testimony and accept written comments regarding proposed amendments to the Kittitas County Code and Comprehensive Plan. All members of the public who wanted to testify were allowed to speak or submit written correspondence into the record.

The docketed items discussed during the Board of County Commissioners public hearings included:

2018 Proposed AMENDMENTS to Kittitas County Code and Comprehensive Plan				
<i>Number</i>	<i>Applicant Name</i>	<i>Project Description</i>	<i>Planning Commission Recommendation</i>	<i>Staff Recommendation to BOCC</i>
18-01 KCC Title 14	Kittitas County Public Works Staff	KCC 14.05.060 – Amend to allow for driveway construction by licensed excavation companies in lands not identified as being geologically unstable.	Accept Staff Recommendation 4-0 Approve	Amend as recommended by Staff and PC
18-02 KCC Title 15A	Kittitas County CDS Planning Division	Housekeeping Amendments: 15A.03.045(1) – add an expiration time limit for inactivity by the applicant when requesting additional information, consider a tiered approach: 1 st request 90 days, 2 nd request 60 days, and third + 30 days.	Accept Staff Recommendation 4-0 Approve	Amend as recommended by Staff and PC
18-03 KCC Title 15A	Kittitas County CDS Planning Division	Amend review and decision procedures to authorize Hearing Examiner to make final land use decisions.	Amend staff proposal so that. Conditional Use Permits and Preliminary Plats	Amend the code as proposed by Staff to PC

			are a recommendation from Hearing Examiner to BOCC with BOCC final decision maker. 3-1 Approve as amended	
18-04 KCC Title 16	Kittitas County CDS Planning Division	Housekeeping Amendments: <ul style="list-style-type: none"> • 16.12.010 – change number of paper copies from “eight (8)” to “two (2)” • 16.12.250 – Typo to correct long plat expiration language to state “...request with the administrator at least 30 days prior to expiration date...” 16.20.030(1) – add a time period on certificate of title. Require it to be “no older than 90 days at time of submittal”	Accept Staff Recommendation 4-0 Approve	Amend as recommended by Staff and PC
18-05 KCC Title 17	Kittitas County CDS Planning Division	Housekeeping Amendments: <ul style="list-style-type: none"> • 17.08.xxx – add a definition for nurseries • 17.08.155A Campground, Primitive – update definition to allow for DNR type campgrounds as primitive, ie: allow sanican/vault toilets, campfire rings, picnic tables, graveled/natural identified campsites. No power/water/septic/pavement (except for road aprons or similar allowed • 17.15 (campgrounds) – update footnotes for primitive campground/campsites make consistent with updated definition 	Amend staff proposal so that Nurseries are a permitted use in commercial areas. 4-0 Approve as amended	Amend as recommended by PC

		<p>above</p> <ul style="list-style-type: none"> • 17.15.060 and .080 – consider nurseries as a Permitted use or CUP in certain zones • 17.15.060 refuse and recycle (Forest and Range category) – Allow for existing county owned and operated facilities to be expanded with a CUP. New sites will not be allowed ie: creation of new county owned facilities in this zone if not already in operation. • 17.57.050 – scrivener error referencing permitted uses that no longer are written in this section, they were moved to the Use Table during Comp Plan Compliance Efforts. 		
18-06 KCC Title 17	Kittitas County Board of Commissioners – Commissioner O'Brien	KCC 17.15.080 Provide exception to allow 4-H pigs in urban growth area. Consider certain number of pigs per child.	Amend staff proposal to only all 2 pigs per household on a lot size of 1 acre or more. 4-0 Approve as amended	Amend as recommended by PC
18-07 KCC Title 17A	Kittitas County CDS Planning Division	THIS DOCKET ITEM HAS BEEN REMOVED FROM THE ANNUAL DOCKET AMENDMENT PROCESS AND IS BEING PROCESSED AS ITS OWN AMENDMENT OUTSIDE OF THE ANNUAL DOCKET. CAO UPDATE, work group work complete, conduct public process (planning commission and BOCC)		
18-08 KCC Title 18	Kittitas County Board of	KCC 18.02.010 Amend to allow county to record notices	Accept Staff Recommendation	Amend as recommended by

	Commissioners – Commissioner O’Brien	to title for code violations.	4-0 Approve	Staff and PC
18-09 KCC Title 12	Comprehensive Plan and Zoning Maps	Amend Comprehensive Plan Chapter 2 Table 2-1 and zoning map to reflect City of Cle Elum [numerous parcels, see list in file]. City of Ellensburg [parcel #786133], and City of Kittitas [see ordinance in file] annexations. Correct zoning in Roslyn Ridge PUD to underlying zoning. Address expiration of PUDs with sunset clause of December 31, 2017 and PUD overlay designations. Update all approved rezones.	Accept Staff Recommendation 4-0 Approve	Amend as recommended by Staff and PC
18-10 CP-18-00001 and RZ-18- 00001	Citizen Request – Hutchinson Properties LLC	Non-project rezone request of parcel 261033 in Ellensburg Urban Growth Area from Urban Residential to Forest and Range.	Accept Staff Recommendation 4-0 Approve	Amend as recommended by Staff and PC
18-11 CP-18-00002	Citizen Request – Alpha Pyrotechnics Inc.	Citizen requested text amendment to add definitions for “explosives”, “explosives magazine”, and “explosives, storage and manufacture” in KCC 17.08. Also to amend the use tables in KCC 17.15 to allow “Explosives, storage and manufacture” use as a CUP in various zones and to remove the footnote regarding explosives from the “manufacturing” use in the use tables.	Accept Staff Recommendation 4-0 Approve	Amend as recommendation by Staff and PC

18-01 Kittitas County Proposal:

Amend KCC 14.05.060 related to driveway construction exemption from grading permit, Exhibit A.

The amendment would amend an existing exemption from a grading permit to allow driveway construction to be built by a licensed grading contractor with Kittitas County Public Works oversight. This does not allow an exception for work in geologically unstable areas.

The Board of County Commissioners held a public hearing on December 4, 2018 and, by a 3-0 vote, **approved the proposal as proposed** finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0.
- II. Public testimony in favor of this proposal was received.

- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

18-02 Kittitas County Proposal:

Amend KCC 15A.03.045 to establish an expiration time limit on land use applications for inactivity by applicant to respond to requested additional information by the County, Exhibit B.

This amendment to KCC 15A.03.045 would provide time limits on land use applications for inactivity by an applicant to respond to requested additional information by the County that would lead to expiration of the applicant's application.

The Board of County Commissioners held a public hearing on December 4, 2018 and **approved the request with amendment** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0.
- II. Public testimony against this proposal as presented by staff was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

18-03 Kittitas County Proposal:

Amend KCC 15A.01.040 and KCC 15A Table A to authorize the Hearing Examiner to make final land use decisions, Exhibit C.

This amendment to Title 15A would amend the review and decision procedures to authorize the Hearing Examiner to make final land use decisions. This amendment is consistent with RCW 36.70.970, 58.17.330 and 43.21C.075.

The Board of County Commissioners held a public hearing on December 4, 2018 and **approved the request as presented by staff** by a 2-1 vote, Commissioner Osiadacz against, finding that:

- I. The Planning Commission recommended approval with amendments to the Board of County Commissioners with a vote of 3-1, I. Elliot against.
- II. Public testimony in favor of this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the County's Comprehensive Plan.

18-04 Kittitas County Proposal:

Housekeeping amendments to KCC Title 16 to reduce the number of required paper copies for preliminary plats, clarify preliminary plat expiration language, and clarify time period for certificate of title, Exhibit D.

This amendment includes housekeeping amendments to KCC Title 16. It includes amendments to: KCC 16.12.010 that would reduce the number of paper copies of preliminary plat documents that must be provided by the applicant from eight (8) to two (2), KCC 16.12.250 would correct a scrivener error to clarify when a preliminary plat will expire (last year this was corrected for short plats), and KCC 16.20.030(1) that would clarify the time period on certificate of title not be older than 90 days at the time it is submitted to the County.

The Board of County Commissioners held a public hearing on December 4, 2018 and **approved the request as presented** by a 3-0, vote finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

18-05 Kittitas County Proposal:

Housekeeping amendments to KCC Title 17 to address definitions and/or uses for nurseries, primitive campgrounds and refuse and recycle along with correcting a scrivener error within the forest and range zone, Exhibit E.

This amendment would make the following changes:

- KCC 17.08.xxx & 17.15 – Add a definition for nurseries. Nurseries already exist as use in the zoning use tables, however this proposal would allow for nurseries (permitted or conditional use permit) in additional zoning designations as well.
- KCC 17.08.155A & 17.15 – Expand the definition of primitive campground to allow for sanicans/vault toilets, campfire rings, picnic tables, graveled/natural identified campsites. Power, water, septic and pavement (except for road aprons or similar) would not be allowed. Additionally update the footnotes in the use tables for consistency with the definition.
- KCC 17.15.060 Refuse and Recycle (Forest and Range Category only) – Would only allow for existing county-owned and operated facilities to be expanded with a CUP. New sites will not be allowed to be created by the County or any member of the public in this zone.
- 17.57.050 – correct a scrivener error that references permitted uses that no longer exist in this portion of code because they were moved to the land use tables during the County’s Comprehensive Plan Compliance Efforts in 2013.

The Board of County Commissioners held a public hearing on December 4, 2018 and **approved the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0.
- II. Public testimony in favor of this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

18-06 Kittitas County:

Proposed Amendment to KCC 17.15.080 regarding swine.

This amendment to KCC 17.15.080 footnotes associated with the Urban Use Table would allow an exception for the sole purpose of 4-H and/or FFA (Future Farmers of America) participation as a permitted use regardless of lot size within urban growth areas and limited to raising a maximum of two (2) swine per participant.

The Board of County Commissioners held a public hearing on December 4, 2018 and **denied the request** by a 2-1 vote, Commissioner O’Brien against, finding that:

- I. The Planning Commission recommended approval of the proposal to the Board of County Commissioners with a vote of 4-0.
- II. No public testimony for this proposal was received.
- III. More thought and review is necessary to understand the impacts to the Urban Growth Areas before an exception is allowed.

18-07 Kittitas County Proposal

Critical Areas Ordinance Update was removed from the 2018 Annual Comprehensive Plan Docket Process in October 2018 and is being processed as its own amendment outside of the Annual Docket.

18-08 Kittitas County Proposal:

Amendment to Title 18 Notice to Title for Code Violations, Exhibit F.

This amendment to KCC 18.02.010(2)(d) would allow Kittitas County to record a notice to title against properties that have code violation where progress has not been made toward compliance and abatement. The notice to title would alert potential purchasers of property that a violation exists through a real estate title search.

The Board of County Commissioners held a public hearing on December 4, 2018 and **approved the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0.
- II. Public testimony in favor of this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

18-09 Kittitas County Proposal:

Amendment to Comprehensive Plan and Zoning Map, Exhibit G.

This amendment includes the following:

- Update Table 2-1 of the Comprehensive Plan to reflect the current land use designations and corresponding zoning classifications with their associated acreages.
- Update Table 8.2.4-1 of the Comprehensive Plan to reflect the current rural land use designations and corresponding zoning classifications with their associated acreages.
- Update PUD zoning designation on zoning map to reflect the approved rezoning ordinances and remove the PUDs from the zoning map that expired at the end of 2017 pursuant to KCC 17.36.090 Extensions and expirations.
 - Big Creek Trails: This PUD was approved under Ordinance 2016-24 on December 6th, 2016 and a Final Development Plan was submitted on January 25th, 2017, and amended Final Development Plan was submitted on April 27th, 2017 and approved on June 20th, 2017 under Resolution 2017-105. The zoning map has been updated to reflect the PUD zoning.
 - Black Horse: This PUD was approved under Ordinance 2007-6 on February 6th, 2007, and the Final Development Plan was submitted on December 12th,

- 2013 and approved on March 3rd, 2015 under Resolution 2015-043. The zoning map has been updated to reflect the PUD zoning.
- Dunford: This PUD was approved under Ordinance 2010-13 on November 16th, 2010 and the Final Development Plan was submitted on March 16th, 2018. The site will remain in the PUD Overlay pending approval of the Final Development Plan.
 - Evergreen Ridge Amendment: This Amended PUD was granted preliminary approval by on May 16th, 2006 by Ordinance 2006-26, and the Final Development Plan was submitted on May 20th, 2013, and approved on June 7th, 2016 under Resolution 2016-072. The zoning map has been updated to reflect the PUD zoning.
 - Inn at Hyak: This PUD was approved under Ordinance 95-66 on May 30th, 1995, and was later amended under Resolution 98-47 on April 21st, 1998 and by Ordinance 2006-48 on October 17th, 2006. On October 7th, 2008, the Final Development Plan was approved under Ordinance 2008-143. No subdivisions or implementing permits were submitted within two years of approval. The site will revert to the underlying zoning.
 - Marian Meadows: The Marian Meadows PUD was approved on May 1st, 2018 under Ordinance 2018-006. The site will be updated to PUD Overlay pending approval of a Final Development Plan.
 - Mount Grandeur I and II: This PUD was approved under Ordinance 80-Z-1 on June 9th, 1980, and was later modified by Ordinance 89-Z-1 on August 28th, 1989. No Final Development Plan has been submitted. The site will revert to the underlying zoning.
 - Ranch on Swauk Creek: This PUD was approved under Ordinance 2006-59 on December 5th, 2006 and the Final Development Plan was submitted on May 9th, 2013 and approved on April 18th, 2017 under Resolution 2017-073. The zoning map has been updated to reflect the PUD zoning.
 - Ronald Mill Site: This PUD was approved under Ordinance 2011-0009 on September 7th, 2011. No Final Development Plan has been submitted, and the site will revert to the underlying zoning if no Final Development Plan is submitted by September 7th, 2019. The site will remain in the PUD Overlay pending the approval of the Final Development Plan.
 - Roslyn Ridge: This PUD expired on February 2nd, 2009. The site will revert to the underlying zoning.
 - Summit Park: This PUD was approved under Resolution 94-34 on March 22nd, 1994. On May 17th, 2005, an associated plat was approved. The map is updated to reflect the new zoning.
 - Vantage Bay: This PUD was approved under Ordinance 2006-60 on December 12th, 2006, and the Final Development Plan was submitted on

September 22nd, 2017. The site will remain in the PUD Overlay District pending approval of the Final Development Plan.

- Village at Ski Acres: This original PUD was approved under Ordinance 90-20 on October 23rd, 1990, and was later amended under Ordinance 2002-16 on November 5th, 2002. No Final Development Plat has been submitted. The site will revert to the underlying zoning.
- Pacific West Mountain Resort & Hyak Skiing Corporation Amended: This original PUD was approved under Ordinance 77-62 on May 31st, 1977, was modified by Ordinance 87-4 on July 7th, 1987, and was further amended under Ordinance 94-12 on January 13th, 1994. A Final Development Plan was submitted on November 29th, 2017 and approved under Resolution 2018-70. The map is updated to reflect the new zoning.
- Zoning map scrivener's error correction – On May 15th, 2014 the zoning map was updated by Ordinance 2014-005. Due to a scrivener's error in the GIS maps, the changes from Ordinance 2014-005 were never reflected in the GIS maps. The map is corrected to reflect the appropriate zoning. Other overlaps, slivers, and gaps have been corrected in the zoning GIS layer.
- City of Cle Elum zoning map changes – The County zoning map depicts zoning for the Incorporated City of Cle Elum. The City notified Kittitas County that they had numerous zone changes within their incorporated area that needed to be updated. The County recognized that this is not within County jurisdiction although it does provide a public benefit therefore it is depicted on our map. The official zoning map is updated to reflect the City of Cle Elum changes in zoning. Additionally, there is one parcel within the urban growth area for Cle Elum that has been rezoned 124735.
- City of Kittitas zoning map changes - The official zoning map is updated to reflect the recent annexation of parcel # 592533 depicted in the City of Kittitas Annexation Ordinance No. 14-005.

Upon final determination by the BOCC with regard to all edits described above, an official paper zoning map will be produced for approval and signature which will include corrections that have already been approved by ordinance.

The Board of County Commissioners held a public hearing on December 4, 2018 and **approved the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0.
- II. Public testimony in favor of this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

**18-10 Citizen-Initiated Proposal:
Map amendment for a Non-Project Rezone within the City of Ellensburg Urban Growth Area,
Exhibit H.**

This amendment was proposed by a private citizen and has been assigned file numbers CP-18-00001 and RZ-18-00001. Hutchinson Properties LLC is proposing to rezone their 58 acre subject property from Urban Residential to Forest and Range. Surrounding properties to the north, south, and west are zoned Forest and Range, while properties located to the east are zoned Industrial Light. The land use designation of the subject property is Urban and is not proposed to change. The rezone will allow the current use of the property to be consistent and compatible with the zoning code, as well as allow future expansion of existing uses. Currently the subject parcel is being used to store hay. However the property owner would like the option to expand the mining operation located on the property south of the subject parcel. A comprehensive plan amendment (CP-18-00001), rezone application (RZ-18-00001), and SEPA checklist were submitted as part of the application packet. Notice of Application was published in the local paper of record and sent to neighboring property owners on August 23, 2018. The processing of this non-project specific rezone is consistent with Kittitas County Code 15B.03 Amendments to Comprehensive Plan.

The Board of County Commissioners held a public hearing on December 4, 2018 and **approved the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0.
- II. No public testimony for this proposal was received.
- III. The zone change and associated uses is more consistent with the surrounding property and the future land use/zoning designation of the City of Ellensburg if the property were to be annexed in the future.
- IV. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

**18-11 Citizen-Initiated Proposal:
Amendment to Title 17 regarding “explosives”, Exhibit I.**

This amendment was proposed by a private citizen and has been assigned file number CP-18-00002. This amendment would provide four (4) new definitions to KCC 17.08 regarding “explosives” and also proposes to clarify footnotes in KCC 17.15 and provide for these uses within the use tables in certain zones. The definitions proposed are consistent with federal definitions.

The Board of County Commissioners held a public hearing on December 4, 2018 and **approved the request as presented by staff** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 4-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

SECTION III - FINAL DECISION AND SIGNATURES

BE IT ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves changes to the grading permit exemption requirements, as shown in **Exhibit A**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendment to KCC 15A.03.045, removing the requirement for an extension fee, as shown in **Exhibit B**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 15A.01.040 and KCC 15A Table A authorizing the Hearing Examiner to make final land use decisions, as shown in **Exhibit C**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC Title 16 reducing the number of required paper copies for preliminary plats, clarify preliminary plat expiration language, and clarify time period for certificate of title, as shown in **Exhibit D**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to definitions, land use tables and standards in KCC Title 17, as shown in **Exhibit E**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby denies amendment to KCC 17.15.080 regarding exception for raising of swine in Urban Growth Areas.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendment to KCC 18.02.010(2)(d) allowing Kittitas County to record a notice to title against properties that have code violation where progress has not been made toward compliance and abatement, as shown in **Exhibit F**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to the Comprehensive Plan and Zoning Map, as shown in **Exhibit G**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves map amendment for a non-project rezone within the City of Ellensburg Urban Growth Area from urban residential to forest and range, as shown in **Exhibit H**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to definitions and land use tables in KCC Title 17 regarding “explosives”, as shown in **Exhibit I**.

NOW, BE IT FURTHER ORDAINED that the Board of County Commissioners, after due deliberation, hereby approves the adoption of the 2018 Amendments to the Kittitas County Code as shown in Exhibits A through I attached hereto and incorporated by reference. Information Services is hereby directed to make these changes to the regulations on the County website. The Community Development Services Director and Prosecuting Attorney are authorized to correct any scrivener’s errors without Board approval.

Adopted this 18th day of December, 2018, at Ellensburg, Washington.


**BOARD OF COUNTY COMMISSIONERS
KITITAS COUNTY, WASHINGTON**



Laura Osladacz, Chairman

ABSENT

Obie O'Brien, Vice-Chairman



Cory Wright, Commissioner

APPROVED AS TO FORM:

- Clerk of the Board- Julie Kjorsvik
- Deputy Clerk of the Board- Mandy Buchholz



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



MEMO



Exhibit A: Amendment 18-01

Amendment to Grading Permit Exemptions

14.05.060 Exemptions.

A grading permit shall not be required for the following:

1. Excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation or exempt any excavation resulting in soil or rock having an exposed, unsupported height greater than five feet after the completion of such structure;
2. Cemetery graves;
3. Refuse disposal sites controlled by other regulations;
4. Excavations for wells, or trenches of utilities;
5. Mining, quarrying, excavating, processing or stockpiling rock, sand, gravel, aggregate or clay controlled by state regulations that address grading and excavating through geotechnical surveys, inspections, and restoration plans, provided such operations do not affect the lateral support of, or significantly increase stresses in soil on adjoining or contiguous properties;
6. Exploratory excavations performed under the direction of a registered design professional, County Engineer or Public Works designee.
7. An excavation that (a) is less than two (2) feet in depth, or (b) does not create a cut slope greater than 5 feet in height and steeper than one (1) unit vertical in two (2) units horizontal;
8. A fill less than one foot in depth and placed on natural terrain with a slope flatter than one (1) unit vertical in five (5) units horizontal;
9. Soil test holes and on-site sewage system installation done under the provisions of an on-site sewage disposal permit application;
10. Grading of County roads with Kittitas County Public Works oversight, including roads, bridges and municipal construction, which is designed to County, WSDOT, APWA or FHWA standards and specification where such grading is subject to review and approval of a local government agency or a State or Federal agency;
11. Public facility, ~~and~~ road construction, and driveway construction built by a licensed grading contractor activities with Kittitas County Public Works oversight. There is no exception for work in geologically unstable areas.

12. Construction activities performed by a state or federal agency with oversight of a licensed civil or geotechnical engineer.
13. Highway construction and maintenance administered by the Washington State Department of Transportation;
14. Routine road maintenance within the established footprint of an existing road;
15. Agricultural or horticultural activities as defined in KCC 14.05.040 (1). An activity ceases to be agricultural or horticultural when the area on which it was conducted has been converted to a nonagricultural use. Farm access roads will be required to upgrade to private or public road standards prior to utilization within a land development. At that time, review under the conformance with this Chapter will be required;
16. Non-conversion Forest Practice Permits administered by the Washington State Department of Natural Resources.

Exception from the permit requirements of this Chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. (Ord. 2015-010, 2015; Ord. 2014-015, 2014)

Exhibit B: Amendment 18-02

Amendments to KCC Title 15A regarding permit expiration time limit

15A.03.045 Permit processing time.

1. Once an application has been deemed complete, the Director may request the applicant to submit additional corrections, studies or other information on the proposed project. The Director 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, the Director 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 of up to six months may be granted, but it shall be the final extension granted. The Director shall determine whether code changes have created substantially different regulations.
4. The Director shall provide a written, mailed response to the applicant with its decision on each extension request.

Exhibit C: Amendment 18-03

Amendment to Hearing Examiner Authority

15A.01.040 Roles and responsibilities.

The regulation of land development is a cooperative activity including many different elected and appointed bodies and county staff. The specific responsibilities of these bodies is set forth below and outlined in [Table A](#) at the end of this title.

1. **Applicant.** An applicant is expected to read and understand the county comprehensive plan and code and be prepared to fulfill the obligations placed on the applicant. Pre-application conferences are available to anyone who wishes to discuss such obligations prior to submittal.
2. **Community Development Services Director.**
 - a. The Community Development Services Director (CDS Director) is responsible for the administration of portions of [KCC Title 15](#), Environmental Policy, [Title 15A](#), Project Permit Application Process, [Title 16](#), Subdivisions, [Title 17](#), Zoning, [Title 17A](#), Critical Areas, and the shoreline master program.
 - b. Upon request or as determined necessary, the CDS Director shall interpret the meaning or application of the provisions of said titles and issue a written administrative interpretation. Requests for interpretation shall be written and shall concisely identify the issue and desired interpretation.
 - c. Administrative land use decisions on certain zoning conditional uses, and variances from the standards and dimensional regulations of the zoning code, [KCC Title 17](#), such as setback and yard restrictions.
 - d. The CDS Director or his/her designee shall have the authority to review and approve, deny, or approve with conditions, applications for the following:
 - i. Letters of exemption from a shoreline substantial development permit;
 - ii. Shoreline substantial development permits;
 - iii. Revisions to shoreline substantial development permits; and
 - iv. Requests for timing extensions for i through iii above.
3. **Board of County Commissioners.** In addition to its legislative responsibilities under [KCC Title 15B](#), the board shall review and act on the following subjects pursuant to this title:
 - a. Recommendations of the ~~Hearing Examiner or~~ Planning Commission. Decision-making process by the board shall consist of a public meeting or meetings wherein the board reviews the written record transmitted from the ~~Hearing Examiner for Quasi-judicial matters and the~~ Planning Commission for Legislative matters and issues a written decision in resolution or ordinance form. During such meeting(s), appropriate county staff will present the record to the board, providing information as necessary to ensure county code compliance. No new comment or information will be allowed by the board during the decision-making process.
 - b. Appeals of site-specific rezones.
 - c. Development Agreements.
 - ~~b. Appeals of administrative SEPA actions regarding an action without an underlying permit.~~
 - ~~c. Open record appeal of administrative SEPA actions when the board of county commissioners~~

- d. ~~Appeal of administrative determinations such as short plats, variances, and code interpretations.~~
- e. ~~Shoreline substantial development permits that are included in consolidated permit applications that are subject to Board review and action.~~
- f. ~~Review and provide initial local County approval, denial, or approval with conditions for shoreline conditional use permits and shoreline variances that are in consolidated permits applications that are subject to Board review and action.~~

4. Hearing Examiner - Recommendation Decision.

- b. The Hearing Examiner shall review and make a final decision for the purposes of appeal under KCC section 15A.07 on the following applications and subjects pursuant to this title: recommendations to the board of county commissioners on the following application and subjects:
 - i. Initial local County decision on Shoreline Conditional Use Permits subject to the Shoreline Master Program;
 - ii. Initial local County decision on Shoreline Variances pursuant to the Shoreline Master Program;
 - iii. Shoreline substantial development permits that are included in consolidated permit applications that are subject to Hearing Examiner review and action;
 - iv. Conditional use permits pursuant to the zoning code, KCC Title 17;
 - v. Application for preliminary plats;
 - vi. Site-Specific Rezone applications;
 - vii. Appeals of administrative SEPA actions regarding an action without an underlying permit;
 - viii. Open record appeal of administrative SEPA actions;
 - ix. Appeal of administrative determinations such as short plats, variances, and code interpretations; and
 - x. Other actions requested or remanded by the Board of County Commissioners.

~~g.~~

- b. The Hearing Examiner shall review and make recommendations to the Board of County Commissioners on actions requested or remanded by the Board of County Commissioners.
 - i. ~~All Quasi-judicial review processes including:~~
 - 1. ~~applications for preliminary plats~~
 - 2. ~~Rezone applications.~~
 - ii. ~~Other actions requested or remanded by the board of county commissioners.~~
 - iii. ~~Development agreements.~~
 - iv. ~~Conditional use permits pursuant to the zoning code, KCC Title 17~~
 - v. ~~In the case of an open record appeal of administrative SEPA actions when the Hearing Examiner makes a recommendation to the board of county commissioners on the underlying permit, the Hearing Examiner shall decide the SEPA appeal.~~

4. ~~Hearing Examiner— Decision.~~ ~~The Hearing Examiner or his/her designee shall have the authority to review and make initial local County approval, denial, or approval with conditions for the following:~~

- a. ~~Shoreline conditional use permits; and~~
- b. ~~Shoreline variances.~~

5. Washington State Department of Ecology. The Washington State Department of Ecology shall be responsible for the final approval, denial, or approval with conditions for the following:

- a. Shoreline conditional use permits and revisions to same; and
- b. Shoreline variances and revisions to same.

(Ord. 2016-006, 2016; Ord. 2014-008, 2014;)

15A.01.050 Severability.

If any chapter, section, subsection, sentence, clause, phrase, part or portion of this title is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this title or the application of the provisions to other persons or circumstances. (Ord. 2000-07; Ord. 98-10, 1998)

Table A

	Step 1 Public Comment Period	Step 2 Open Record Hearing	Step 3 Decision	Step 4 Administrative Appeal	Step 5 Judicial Appeal*
Binding Site Plan:	15 days	None	Staff	BCC HE	Sup. Court
Zoning Variance:	15 days	None	Staff	BCC HE	Sup. Court
Permitted Administrative Uses ⁵ :	15 days	None	Staff	BCC HE	Sup. Court
Short Plats:	15 days	None	Staff	BCC HE	Sup. Court
Boundary Line Adjustments:	None	None	Staff	BCC HE	Sup. Court
Grade and Fill Permit:	None	None	Staff	BCC HE	Sup. Court
SEPA Actions: Appeals of threshold determinations:	15 days	None	Staff	HE	Sup. Court
SEPA Actions: The exercise of substantive SEPA authority and adequacy of an EIS ¹ :	15 days	None	Staff	HE/ BCC ²	Sup. Court
Independent administrative rulings:	None	None	Staff	BCC ³ HE	Sup. Court
Zoning Conditional Uses (Administrative):	15 days	None	Staff	BCC HE	Sup. Court
Zoning Conditional Uses (Hearing):	15 days	HE	BCC HE	None	Sup. Court
Long Plats:	15 days	HE	BCC HE	None	Sup. Court
Shoreline Exemptions	None	None	Staff	None	Shorelines Board
Shoreline Substantial	30 days	None	Staff/ BCC ⁴ HE ⁵	None	Shorelines

Development					Board
Shorelines Conditional Use:	30 days	HE/ BCC ²	Department of Ecology	None	Shorelines Board
Shorelines Variance:	30 days	HE/ BCC ²	Department of Ecology	None	Shorelines Board
Site-Specific Rezone to Zoning Map (Including PUD) ⁴ :	30 days	HE	BCC HE	None BCC	Sup. Court
Development Agreement:	30 days	BCC	BCC	None	Sup. Court

¹ See [KCC 15A.01.040](#) for clarification of roles and responsibilities.

² Open record appeals of SEPA actions are heard by the hearing body making the decision on, or hearing the appeal of, the underlying application.

³ Hearing Examiner for all actions associated with a project before him/her, all independent actions regarding [KCC Title 17, Zoning](#); BCC for all actions associated with a project before them, and for independent actions regarding all county policies, codes, and standards not associated with [KCC Title 17, Zoning](#).

⁴ Unless the rezone requires a comprehensive plan amendment which would then follow the comprehensive plan amendment process as outlined in [KCC Title 15B](#).

⁵ In the event that a procedural appeal is filed pursuant to Chapter [15A.04 KCC](#), the HE shall consider and issue a final decision on both the administrative appeal and the underlying project permit application under a single consolidated open record hearing. In such an event, the HE's decision on the underlying application shall be quasi-judicial.

⁶ The ~~Board of County Commissioners~~Hearing Examiner has the authority to review, approve, deny, or approve with conditions, applications for shoreline substantial development permits that are included in consolidated permit applications that are subject to ~~Board~~Hearing Examiner review and action.

~~⁷ The Board of County Commissioners has the authority to make initial local County approval, denial, approval with conditions.~~

Legend:

- BCC - Board of County Commissioners
- HE - Hearing Examiner
- Staff - County administration

NOTE: In the case of application requiring combined legislative and quasi-judicial actions, a development agreement may provide for appropriate review and hearing body.

* Please review state revised and administrative code for appropriate judicial reviewing bodies.

(Ord. 2016-006, 2016; Ord. 2014-015, 2014; Ord. 2014-008, 2014; Ord. 2013-001, 2013; Ord. 2012-009, 2012; Ord. 2010-011, 2010; Ord. 2009-25, 2009; Ord. 2000-07; Ord. 98-10, 1998)

Exhibit D: Amendment 18-04

Amendments to Title 16

16.12.010 Generally.

Any person desiring to subdivide land shall prepare and submit to the county community development services department at least ~~two (2)-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)

16.12.250 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 ~~at least within~~ 30 days ~~prior to 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. 2010-014 , 2010; Ord. 2010-02, 2010; Ord. 2005-31, 2005)

16.20.030 Certificate of Title – Computer Sheets.

The following items are to be submitted together with the final plat sheets:

1. Certificate of Title. A certificate of title, ~~no older than 90 days at time of submittal~~, of the property proposed to be platted shall be submitted with the plat for examination by the county engineer, said abstract to show fee simple title in the proponents of the plat unencumbered.
2. Computer Sheets. Computer sheets shall be submitted with the final plat showing the closure of plat boundaries, blocks, lots or any other area with no more error than one foot in five thousand feet, together with the acreage of each lot. (Ord. 2005-31, 2005)

Exhibit E: Amendment 18-05

Amendments to Title 17

Chapter 17.08 DEFINITIONS* Sections

17.08.412 Non-electric vehicle.

17.08.415 Nurseries

17.08.420 Nursing home.

17.08.155A Campground, primitive.

"Campground, primitive" means dispersed camping outside of a designated campground or a campground without full amenities. Dispersed camping means there are no designated campsites, no toilets, no picnic tables, no trash cans, no treated water, and no fire grates. Dispersed camping is not allowed in the vicinity of developed recreation sites such as campgrounds, boat ramps, picnic areas, or trailheads. A campground without full amenities means that sanican/vault toilets, campfire rings, picnic tables, and graveled/identified campsites are allowed; however no utilities such as water, septic, and power, or pavement are allowed except for paved road aprons or similar. (Ord. 2015-010, 2015)

17.08.415 Nurseries.

An establishment for the growth, display, and/or sale of plants, shrubs, trees, and materials used in indoor or outdoor planting such as but not limited to beauty bark, round landscape rock, topsoil, and mulch, conducted within or without an enclosed building.

Chapter 17.15 ALLOWED USES

17.15.050 Allowed Uses in Resource Lands.

17.15.050.2 Footnotes Associated with Resource Use Table.

18. Limited to dispersed recreation and recreational facilities such as primitive campsites primitive campground as defined by KCC 17.08.155A.

17.15.060

17.15.060.1 Allowed Uses in Rural Non-LAMIRD Lands

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin.	Rural Non-LAMIRD			
	Rural Residential	Rural Working	Rural Recreation	Rural Residential & Rural Recreation

Conditional Use * See KCC Chapter 17.08 Definitions	Ag 5 ⁴⁹	Rural 5 ⁴⁹	Ag 20 ⁴⁹	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
A. Agriculture								
Agricultural Enhanced Uses*			P ⁵⁵	P ⁵⁵		P ⁵⁵		
Animal boarding*	P	P	P	P		CU	CU	
Agriculture processing*	CU ²³		CU ²³	CU**		P		
Agriculture production*	P ²⁴	P	P	P ²⁴	P ²⁴	P ²⁴	P ²⁴	P ²⁴
Farm Stand,*	P ²² / AC ⁵¹	P ²² / AC ⁵¹	P ²² / AC ⁵¹	P ²² / AC ⁵¹	P ²² / AC ⁵¹	P	P ²² / AC ⁵¹	P ²² / AC ⁵¹
Agriculture Sales,*	CU		CU			P		
Dairy	CU	CU	CU	CU	CU	CU	CU	
Feedlot*			CU	CU**				
Grazing*	P	P	P	P	P	P	P	P
Marijuana processing*								
Marijuana production*								
Marijuana, retail sales*								
Nurseries	P	P	P	CU**		P		
Riding academies	CU		CU	CU	CU		CU	
Small-scale event facility*	AC ⁴⁵ /CU	AC ⁴⁵ /CU	AC ⁴⁵ /CU	AC ⁴⁵ /CU				
U-Pick/U-Cut Operations*	P / AC ⁵¹	CU	P / AC ⁵¹	P / AC ⁵¹			CU	
Farm Visit	CU	CU	AC ⁵¹	AC ⁵¹	CU	Cu	CU	P ⁵²
Commercial Activities associated with agriculture*	AC		AC					
	Ag 5 ⁵¹	Rural 5 ⁵¹	Ag 20 ⁵¹	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
B. Civic Uses/Community Services								
Cemetery	P ²¹	P ²¹	P ²¹	CU**				

Clubhouses, fraternities and lodges*	AC ⁴⁴	AC ⁴⁴	AC ³	AC ³⁵	AC		AC	
Cultural and education facilities					P		P	
Libraries			CU ³			CU		
Meeting facilities					P			
Museums and galleries						CU		
Religious institutions	CU		CU	CU	CU	CU	CU	
Schools, public or private*	P ²⁵		P ²⁵	CU			CU	
Interpretive Center*			AC	AC			AC	
	Ag ⁵¹	Rural ⁵¹	Ag ²⁰⁵¹	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
C. Commercial								
Auction sales of non-agriculture products						CU		
Bank						CU		
Bed and breakfast*	AC	AC	AC	AC**			AC	
Clinic*								
Day care facilities*								
Funeral home/mortuary								
Hospital*								
Hospital, animal or veterinary*			CU			CU		
Hotel/motel					CU ⁶			
Office*						P ¹⁷		
Restaurant				CU ³⁶	P	CU	CU	
Retail sales,* general				CU ³⁶	P	CU ¹⁸	CU ¹⁸	
Retail sales,* lumber and building materials								
Retail sales,* vehicles								
Services					P ²⁰	CU ⁵⁰		
Shooting range*			CU ³¹	CU** ³¹			CU ³¹	

Tavern				CU ³⁶	P	CU		
Temporary sales office					P			
Vehicle/equipment service and repair*	P ¹⁶		P ¹⁶	CU ³⁶	P ⁴²	P ⁴²		
	Ag 5 ⁵¹	Rural 5 ⁵¹	Ag 20 ⁵¹	Forest & Range ⁵¹	Master Planned	General Commercial	Rural Recreation	PUD
D. Industrial								
Airport*	CU		CU	CU	CU	CU	CU	
Asphalt/Concrete plants				CU ³⁷				
Forest product processing* (portable)	P	P	CU	CU ³⁵				
Forest product processing* (permanent)			CU	CU**				
Freighting and trucking yard or terminal*								
Hazardous waste storage*								
Hazardous waste treatment*								
Impound/towing yard*								
Junkyard*								
Manufacturing*								
Mini-Warehouse						CU ¹⁴		
Refuse disposal/recycle*			CU ¹⁹	<u>CU⁵⁷</u>				
Research laboratories								
Wastewater treatment								
Warehousing and distribution	PA ⁴⁷	PA ⁴⁷	PA ⁴⁷ / CU ⁴⁶	PA ⁴⁷				
Wholesale business								
	Ag 5 ⁵¹	Rural 5 ⁵¹	Ag 20 ⁵¹	Forest & Range ⁵¹	Master Planned	General Commercial	Rural Recreation	PUD
E. Recreation								

Campground*	CU ¹²	CU ¹²	CU ¹²	CU ¹² P ⁵⁴ **	CU ¹³	CU ¹²	CU ¹²	CU
Golf course*	CU	CU	CU	CU**	CU		CU	
Guest ranch or guest farm*	CU	CU	CU	CU**			CU	
Parks and playgrounds*	P	P	P ³	P	P	P	P	P
Recreation, indoor*					P	CU	CU	P ²⁶
Recreation, outdoor*	AC	AC	CU	CU	AC	AC	AC	P ²⁶
Recreational vehicle park*	CU	CU			CU		CU	CU
Recreational vehicle storage							CU	P ²⁶
Stadiums								
Trails	PA	PA	PA	PA	PA	PA	PA	PA
	Ag ⁵¹	Rural ⁵¹	Ag ²⁰ ⁵¹	Forest & Range ⁵¹	Master Planned	General Commercial	Rural Recreation	PUD
F. Residential								
Accessory dwelling unit*	PA ²⁷	PA ²⁷	PA ²⁷	PA ²⁷ **			PA ²⁷	PA ²⁷
Accessory living quarters*	P ²⁸	P ²⁸	P ²⁸	P ²⁸ **	P ²⁸		P ²⁸	P ²⁸
Adult family home*	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹	P ⁴¹
Boarding house			CU ²⁹	CU ²⁹ **				
Convalescent home			CU	CU**				
Dwelling, single-family*	P ³³	P ⁴⁰	P	P ³⁴	P ¹	PA ²	P	P
Dwelling, two-family*	P		P ³	P ³⁴	P ¹		CU	P
Dwelling, multiple-family*					P ¹			P
Farm labor shelter*	CU ⁴		CU ⁴	CU ⁴ **				
Group home*	CU	CU					CU	
Group Care Facility*	CU ⁵⁶	CU	CU ⁵⁶	CU			CU	
Home occupation*	P/CU ⁵	P/CU ⁵	P/CU ⁵	P/CU ⁵ **	P/CU ⁵		P/CU ⁵	P/CU ⁵
Manufactured home*	P	P	P	P**	P	PA ²	P	P

Manufactured home park								
Mobile home	P 38	P 38		P 34				
Special care dwelling*	P30	P30	P30	P30			CU30	P30
Temporary trailer	P 7	P 7	P 7	P 7**	P 7	P 7	P 7	P 7
	Ag 5 ⁵¹	Rural 5 ⁵¹	Ag 20 ⁵¹	Forest & Range ⁵¹	Master Planned	General Commercial	Rural Recreation	PUD
G. Resource								
Forestry*	P	P	P	P 34				
Forest product sales*				P				
Mining and excavation*	CU	CU 39	CU	P 34				
Rock crushing*		CU 39		P 34				
	Ag 5 ⁵¹	Rural 5 ⁵¹	Ag 20 ⁵¹	Forest & Range ⁵¹	Master Planned	General Commercial	Rural Recreation	PUD
H. Utilities and Public Facilities								
Electric vehicle infrastructure*	P 32	P 32	P 32	P 32	P 32	P 32	P 32	P 26
Public facilities*	PA ⁵³	PA ⁵³	PA ⁵³	PA ⁵³	PA ⁵³	PA ⁵³	PA ⁵³	PA ⁵³
Utilities	P 9 /ACU 9 /CU 9	P 9 /ACU 9 /CU 9	P 10 /ACU 10 /CU 10	P 9 /ACU 9 /CU 9	P 11 /ACU 11 /CU 11	P 9 /ACU 9 /CU 9	P 9 /ACU 9 /CU 9	P 9 /ACU 9 /CU 9
Watershed management activities*	PA	PA	PA	PA	PA	PA	PA	

** Publisher's Note: Footnote 37 was erroneously referenced in this section by Ordinance 2013-001

17.15.060.2 Footnotes Associated with Rural Non-LAMIRD Use Table.

54. Limited to primitive campgrounds as defined by KCC 17.08.155A.

57. Limited to expansion of existing county owned and/or operated facilities. New facilities are prohibited.

17.15.070 Allowed Uses in Rural LAMIRD Lands

Note to Reader: All allowed uses within Type 3 LAMIRDs, other than manufacturing, outdoor recreation, and natural resource processing will be limited to 30,000 square feet in area, and that impervious surfaces on lots greater than one acre in size are limited to one third (1/3) of the lot.

17.15.070.1 Rural LAMIRD Use Table

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use *See KCC Chapter 17.08 Definitions	Rural LAMIRD ⁴⁹ (Type 1 LAMIRDs)								Rural Employment Centers ^{50, 52} (Type 3 LAMIRDs)				
	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial
A. Agriculture													
Nurseries	CU	<u>CU</u>	<u>CU</u>	P	PG †	PG †		CU		PG †	PG †	PG †	CU

17.15.070.2 Footnotes Associated with Rural LAMIRD Use Table.

57. Limited to primitive campgrounds as defined by KCC 17.08.155A.

17.15.080 Allowed Uses in Urban Lands

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use *See KCC Chapter 17.08 Definitions	Urban												
	Residential	Urban Residential	Historic Trailer Court	Agriculture 3	Rural 3	Rural 5	Limited Commercial	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD
A. Agriculture													
Nurseries	CU	CU		P	P	P	PGU	PGU	PGU			CU	

17.15.080.2 Footnotes Associated with Urban Use Table.

48. Limited to primitive campgrounds as defined by KCC 17.08.155A.

Chapter 17.57

COMMERCIAL FOREST ZONE

17.57.050 Yard requirements.

1. All structures shall maintain a minimum of two hundred (200) feet setback from all front, rear and side yard lines, ~~except for structures, uses and activities provided under Permitted Uses 5, 7 and 9, Conditional Use 6.~~ In the event this requirement reduces the buildable area of a parcel to a dimension that is less than one hundred (100) feet in width and/or in depth, the setback requirement from all yard lines shall be reduced to a point that allows for a maximum building area of one hundred (100) feet in width and/or one hundred (100) feet in depth. For instances where the subject property is bordered by zones other than Commercial Forest, the two hundred (200) foot setback shall be maintained at the property lines located bordering the Commercial Forest Zone.
2. No dwelling units or accessory structures shall be placed within two hundred (200) feet of the Commercial Forest Zone boundary delineation unless this requirement together with standard front, rear, and side yard setbacks as identified in the underlying zoning district reduces the buildable area of the parcel to a dimension that is less than one hundred (100) (100) feet in width and/or in depth. In this instance, the setback requirement from the Commercial Forest Zone boundary shall be reduced to a point that allows for a maximum building area of one hundred (100) feet in width and/or one hundred (100) feet in depth. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 94-1 (part), 1994)

Exhibit F: Amendment 18-08

Amendment to allow notice to title for code violations

18.02.010 Violations - Enforcement.

1. Except as provided in this Title, any authorized official under 18.01.020 KCC may investigate alleged or apparent violations of this Title.
2. If an authorized official makes a determination that a violation has occurred or is occurring, that official may:
 - a. Pursue reasonable attempts to secure voluntary correction by issuing an order to correct violation;
 - b. Issue a Notice of Violation and Abatement to the landowner(s); or
 - c. Issue a notice of infraction if that official reasonably believes a violation has occurred.
 - d. File a Notice of Title with the Auditor's Office for any code violation that has remained unresolved for forty five (45) days or more after Kittitas County issued an Order to Correct Violation. After the violation has been resolved, the landowner shall pay a fee as set forth in the Community Development Services Fee Schedule to process and record a lifting of the Notice to Title.
3. Nothing in this Chapter shall limit the ability of the authorized official to pursue other corrective actions as allowed by law. (Ord. 2013-012, 2013; Ord. 2009-19, 2009; Ord. 2006-37, 2006; Ord. 2005-29, 2005; Ord. 94-25 (part), 1994)

Exhibit G: Amendment 18-09

Amendments to Comprehensive Plan and Zoning Map

Kittitas County December 2016
Comprehensive Plan 2-3

Table 2-1 Land Use Designations and Corresponding Zoning Classifications with Acreage

Type of Land Use	Land Use Designations	Acres ¹	Zoning Classification	Acres ¹
Resource	Commercial Agriculture	289,542.34291 614.3	Commercial Agriculture	289,542.3429 1,614.3
	Commercial Forest	800,360.79251 1.3	Commercial Forest	800,379.7951 1.3
	Mineral	5,699.2.945	Zoning Classification Varies ²	5,699.2.9750 97
Rural	Rural Residential	29,973.18300 13-	Agriculture 5	11,919.34.53 2
			Rural 5	17,946.6318 228.2
			General Commercial	4.50.64
			Planned Unit Development	42.060
	Rural Working	329,337.13982	Agriculture 20	11,129.3493 251.6
			Forest and Range	217,556220,2 36.6
	Rural Recreation	10,565.94535	Master Planned Resort	6,444.65.5.
			General Commercial	2217.4
			Highway Commercial	0
			Rural Recreation	3,681.716938 .8
			Planned Unit Development	363.8107.1
	LAMIRDS	1,136.8568	Residential	411.94384.1
			Residential 2	41.859
			Agriculture 3	42.3934.7
			Agriculture 20	28.32.8
			Rural 3	018.6
			Rural 5	54.58141.3
			Limited Commercial	13.6412.9
General Commercial			193.295	
Highway Commercial			45.218.8	
Light Industrial			36.3	
General Industrial			4.677	
Forest and Range			77.615	
Rural Recreation			012.9	
Planned Unit Development			218.26139.6	
Urban	Urban	6172.07,000	Residential	139.75140.3

Rural Residential	0
Urban Residential	2370.14 72.5 22.9
Historic Trailer Court	24.182
Agriculture 3	80.142 13.8
Rural 3	423.55 08
Rural 5	10.08 41
Limited Commercial	3.78
General Commercial	119.08 03.6
Highway Commercial	83.65 0.6
Light Industrial	1,647.185.9
General Industrial	592.131 607.9
Forest and Range	542.59
Planned Unit Development	88.68 13.5

¹Acreages are approximate.

²Mineral lands include lands zoned Commercial Agriculture, Commercial Forest, Agriculture 20, or Forest & Range.

Table 8.2.4-1 Rural Land Use Designations, Corresponding Zoning Classifications and Acreages

Type of Land Use	Rural Land Use Designation	Acres ¹	Rural Zoning Classification	Acres ¹
Rural	Rural Residential	29,973.18 30.0 13	Agriculture 5	11,919.34 11,933
			Rural 5	17,946.63 18,228
			Planned Unit Development	42.060
	Rural Working	329,337.13 329,982	Agriculture 20	111,229.34 11,252
			Forest and Range	217,556.22 0.2 37
			Master Planned Resort	6,444.6
	Rural Recreation	10,565.94 535	General Commercial	2217
			Rural Recreation	3,681.71 3,939
			Planned Unit Development	363.8107
	LAMIRDS	1,136.85 1,168	Residential	411.94 384
Residential 2			41.8542	
Agriculture 3			42.39 35	
Agriculture 20			28.32 3	
Rural 3			019	
Rural 5			54.58 41	
Limited Commercial			13.64	
General Commercial			193.29 194	
Highway Commercial			45.21 19	
Light Industrial			36.3	
General Industrial			4.67 194	
Forest and Range			77.61 78	
Planned Unit Development	218.26 140			

The above table reflects the following changes:

PUD Update (Individual Maps are included with PDF version of Ordinance)

Big Creek Trails

This PUD was approved under Ordinance 2016-24 on December 6th, 2016 and a Final Development Plan was submitted on January 25th, 2017, and amended Final Development Plan was submitted on April 27th, 2017 and approved on June 20th, 2017 under Resolution 2017-105. The zoning map has been updated to reflect the PUD zoning.

Black Horse

This PUD was approved under Ordinance 2007-6 on February 6th, 2007, and the Final Development Plan was submitted on December 12th, 2013 and approved on March 3rd, 2015 under Resolution 2015-043. The zoning map has been updated to reflect the PUD zoning.

Dunford

This PUD was approved under Ordinance 2010-13 on November 16th, 2010 and the Final Development Plan was submitted on March 16th, 2018. The site will remain in the PUD Overlay pending approval of the Final Development Plan.

Evergreen Ridge Amendment-

This Amended PUD was granted preliminary approval by on May 16th, 2006 by Ordinance 2006-26, and the Final Development Plan was submitted on May 20th, 2013, and approved on June 7th, 2016 under Resolution 2016-072. The zoning map has been updated to reflect the PUD zoning.

Inn at Hyak

This PUD was approved under Ordinance 95-66 on May 30th, 1995, and was later amended under Resolution 98-47 on April 21st, 1998 and by Ordinance 2006-48 on October 17th, 2006. On October 7th, 2008, the Final Development Plan was approved under Ordinance 2008-143. No subdivisions or implementing permits were submitted within two years of approval. The site will revert to the underlying zoning.

Marian Meadows

The Marian Meadows PUD was approved on May 1st, 2018 under Ordinance 2018-006. The site will be updated to PUD Overlay pending approval of a Final Development Plan.

Mount Grandeur I and II

This PUD was approved under Ordinance 80-Z-1 on June 9th, 1980, and was later modified by Ordinance 89-Z-1 on August 28th, 1989. No Final Development Plan has been submitted. The site will revert to the underlying zoning.

Ranch on Swauk Creek

This PUD was approved under Ordinance 2006-59 on December 5th, 2006 and the Final Development Plan was submitted on May 9th, 2013 and approved on April 18th, 2017 under Resolution 2017-073. The zoning map has been updated to reflect the PUD zoning.

Ronald Mill Site

This PUD was approved under Ordinance 2011-0009 on September 7th, 2011. No Final Development Plan has been submitted, and the site will revert to the underlying zoning if no Final Development Plan is submitted by September 7th, 2019. The site will remain in the PUD Overlay pending the approval of the Final Development Plan.

Roslyn Ridge

This PUD expired on February 2nd, 2009. The site will revert to the underlying zoning.

Summit Park

This PUD was approved under Resolution 94-34 on March 22nd, 1994. On May 17th, 2005, an associated plat was approved. The map is updated to reflect the new zoning.

Vantage Bay

This PUD was approved under Ordinance 2006-60 on December 12th, 2006, and the Final Development Plan was submitted on September 22nd, 2017. The site will remain in the PUD Overlay District pending approval of the Final Development Plan.

Village at Ski Acres

This original PUD was approved under Ordinance 90-20 on October 23rd, 1990, and was later amended under Ordinance 2002-16 on November 5th, 2002. No Final Development Plat has been submitted. The site will revert to the underlying zoning.

Pacific West Mountain Resort & Hyak Skiing Corporation Amended

This original PUD was approved under Ordinance 77-62 on May 31st, 1977, was modified by Ordinance 87-4 on July 7th, 1987, and was further amended under Ordinance 94-12 on January 13th, 1994. A Final Development Plan was submitted on November 29th, 2017 and approved under Resolution 2018-70. The map is updated to reflect the new zoning.

Scrivener's Error Correction (Individual Maps are included with PDF version of Ordinance)

On May 15th, 2014 the zoning map was updated by Ordinance 2014-005. Due to a scrivener's error in the GIS maps, the changes from Ordinance 2014-005 were never reflected in the GIS maps. The map is corrected to reflect the appropriate zoning. Other overlaps, slivers, and gaps have been corrected in the zoning GIS layer.

City of Cle Elum Zoning changes. (Individual Maps are included with PDF version of Ordinance)

The County zoning map also depicts zoning for the Incorporated City of Cle Elum. The City notified Kittitas County that they had numerous zone changes within their incorporated area that needed to be updated. The County recognized that this is not within County jurisdiction although it does provide a public benefit therefore it is depicted on our map. The official zoning map is updated to reflect the City of Cle Elum changes in zoning. Additionally, there is one parcel within the urban growth area for Cle Elum that has been rezoned 124735.

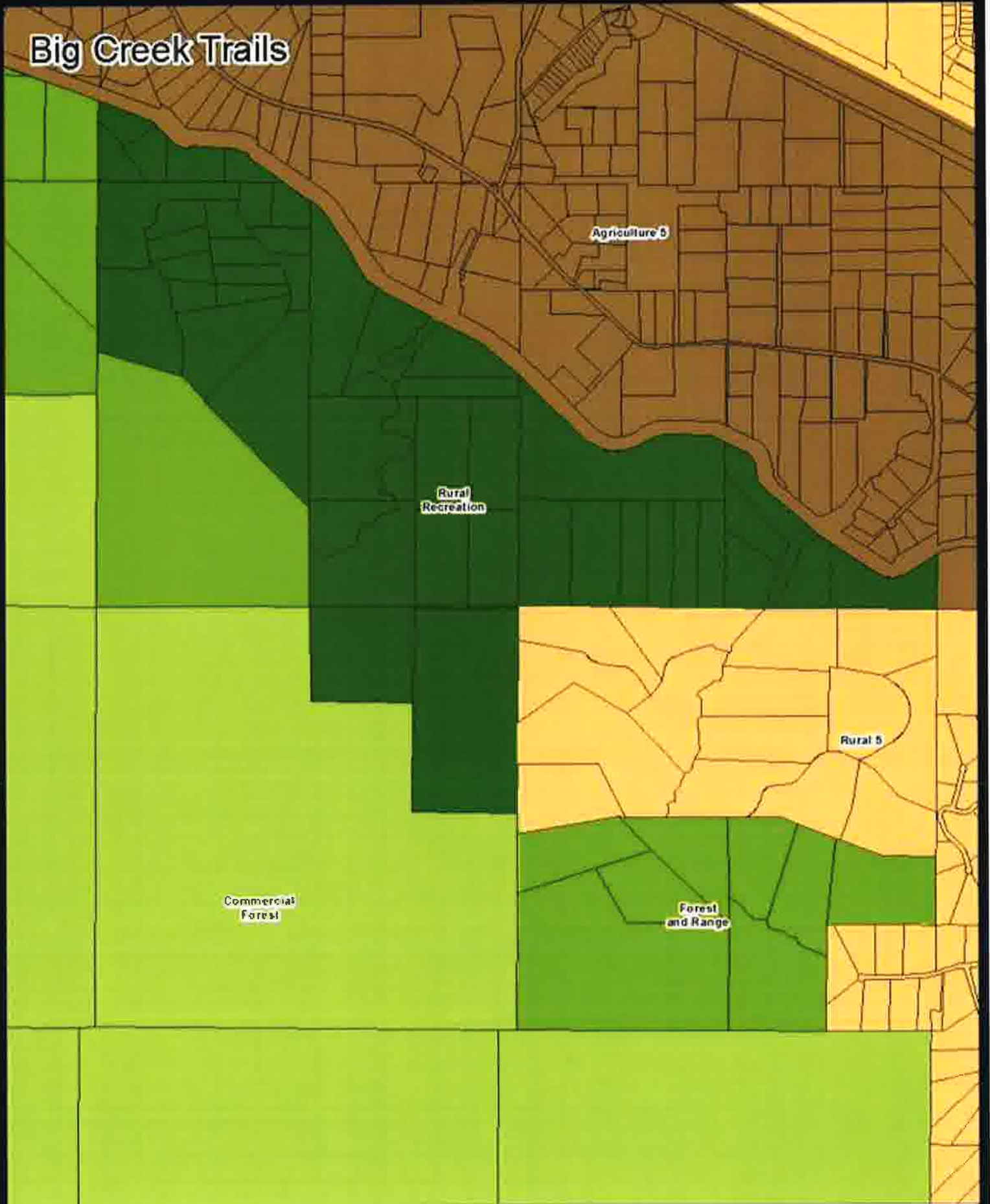
City of Kittitas Zoning Changes (Individual Maps are included with PDF version of Ordinance)

The official zoning map is updated to reflect the recent annexation of parcel # 592533 depicted in the City of Kittitas Annexation Ordinance No. 14-005.

Amended Maps

Upon final determination by the Board of County Commissioners with regard to all edits described above, an official paper zoning map will be produced for approval and signature which will include corrections that have already been approved by ordinance. The corresponding changes in acreages will be amended into Tables 2-1 and 8.2.4-1 of the Comprehensive Plan.

Big Creek Trails



Agriculture 5

Rural
Recreation

Rural 5

Commercial
Forest

Forest
and Range

2018 Comprehensive
Plan Update

Current
Zoning Classification

Big Creek Trails

Agriculture 5

Rural
Recreation

Planned Unit
Development

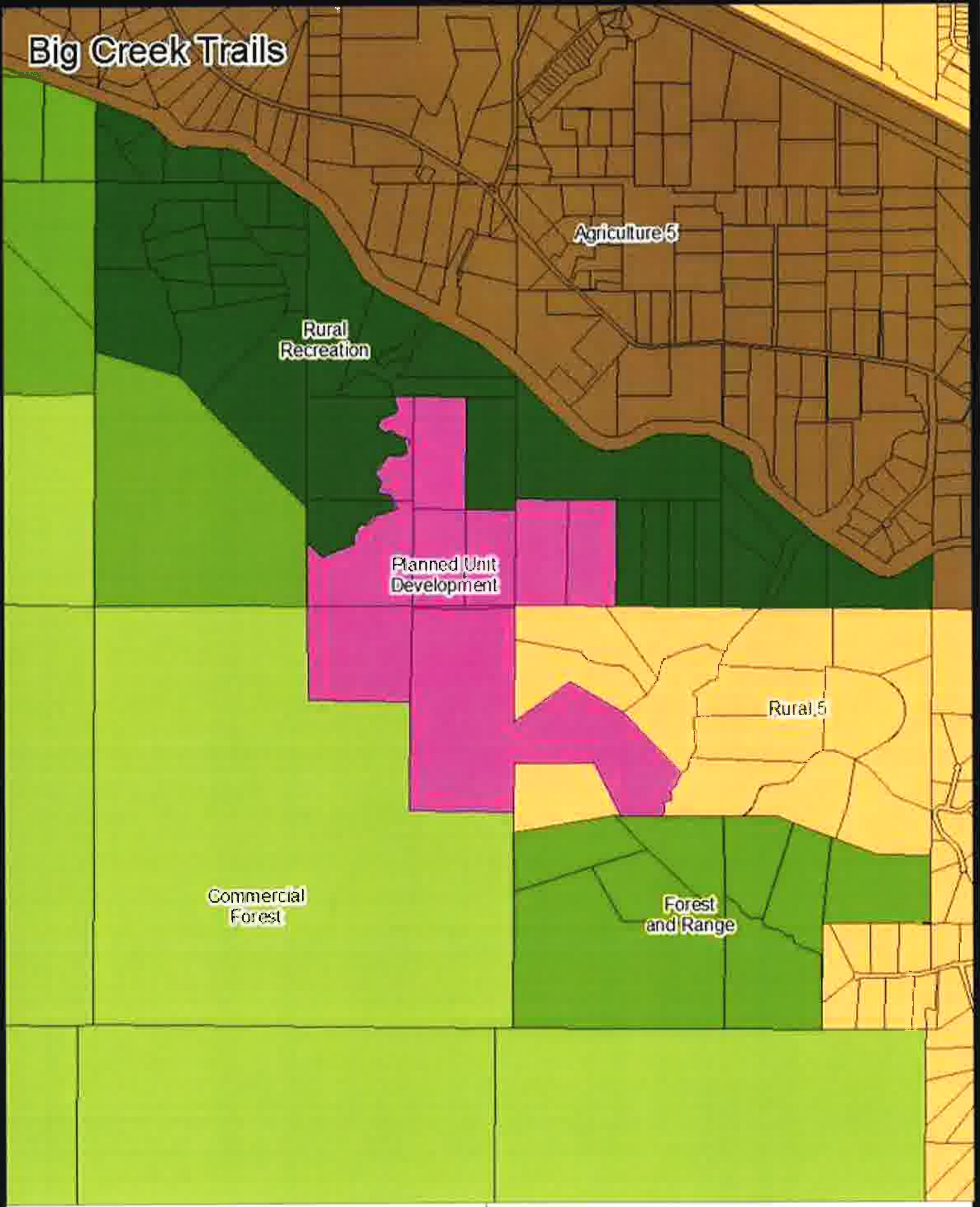
Rural 5

Commercial
Forest

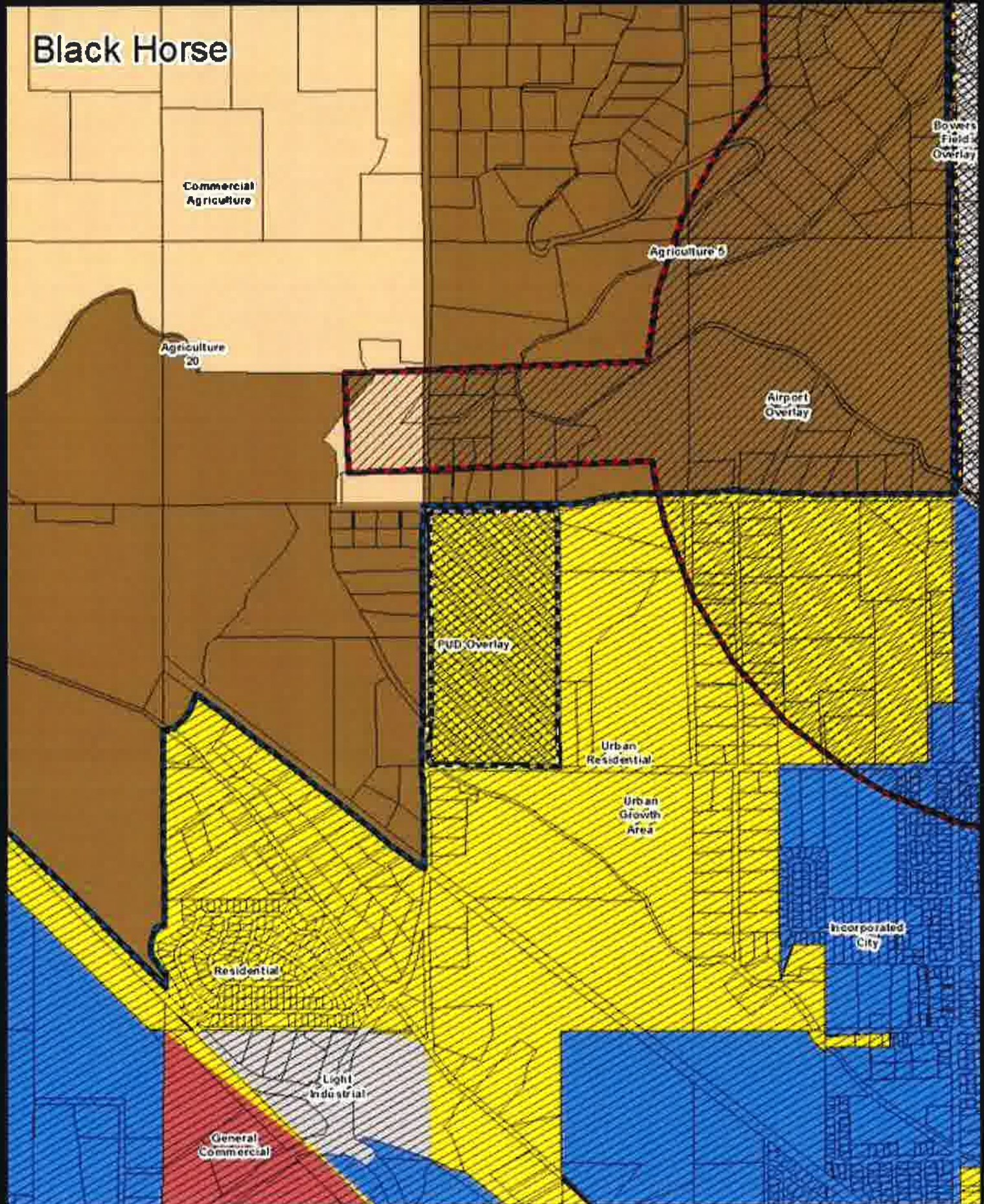
Forest
and Range

2018 Comprehensive
Plan Update

Proposed
Zoning Classification



Black Horse



2018 Comprehensive
Plan Update

Current
Zoning Classification

Black Horse

Commercial
Agriculture

Agriculture 20

Agriculture 5

Bowers
Field
Overlay

Airport
Overlay

Planned Unit
Development

Urban
Residential

Urban
Growth Area

Residential

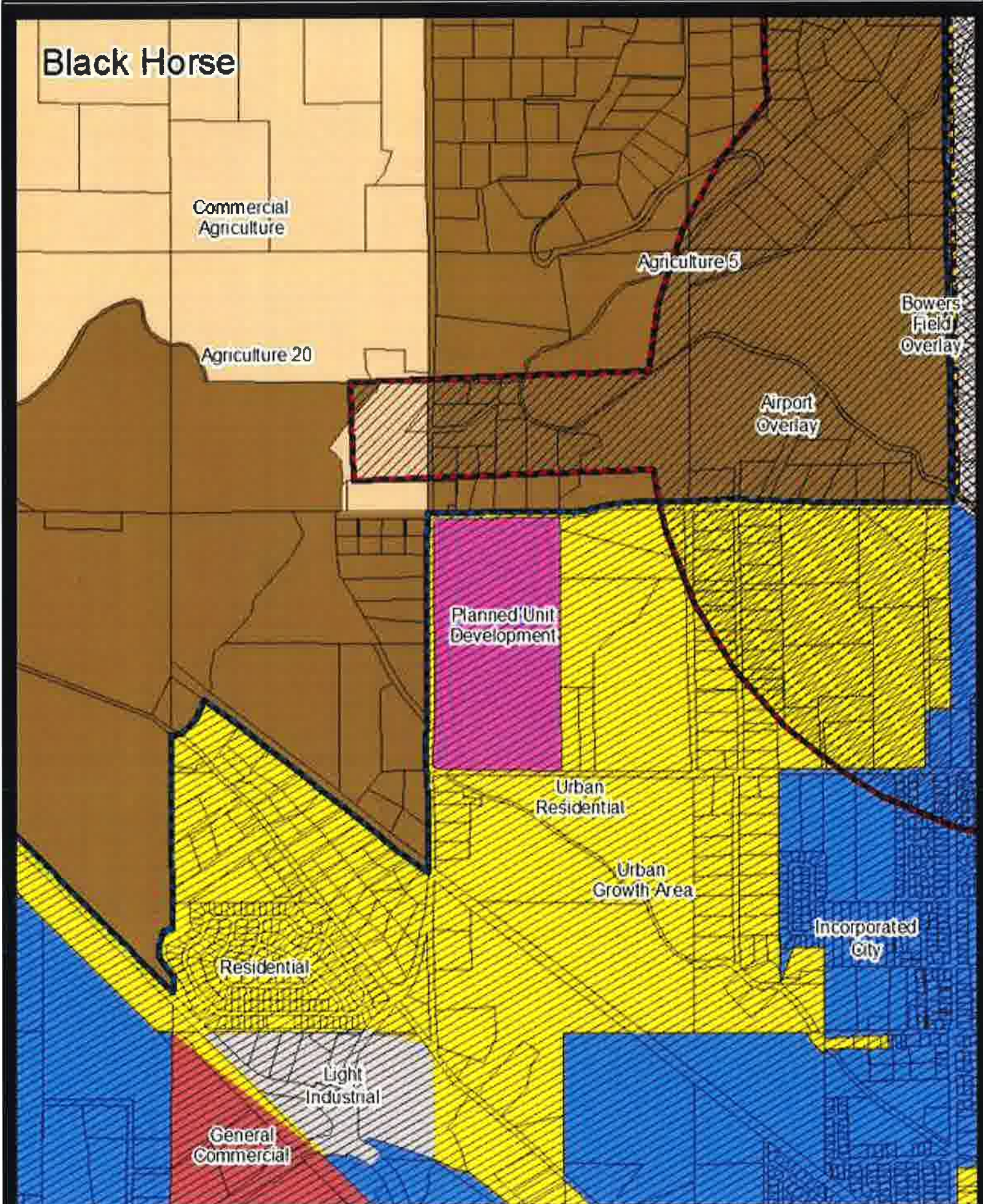
Light
Industrial

General
Commercial

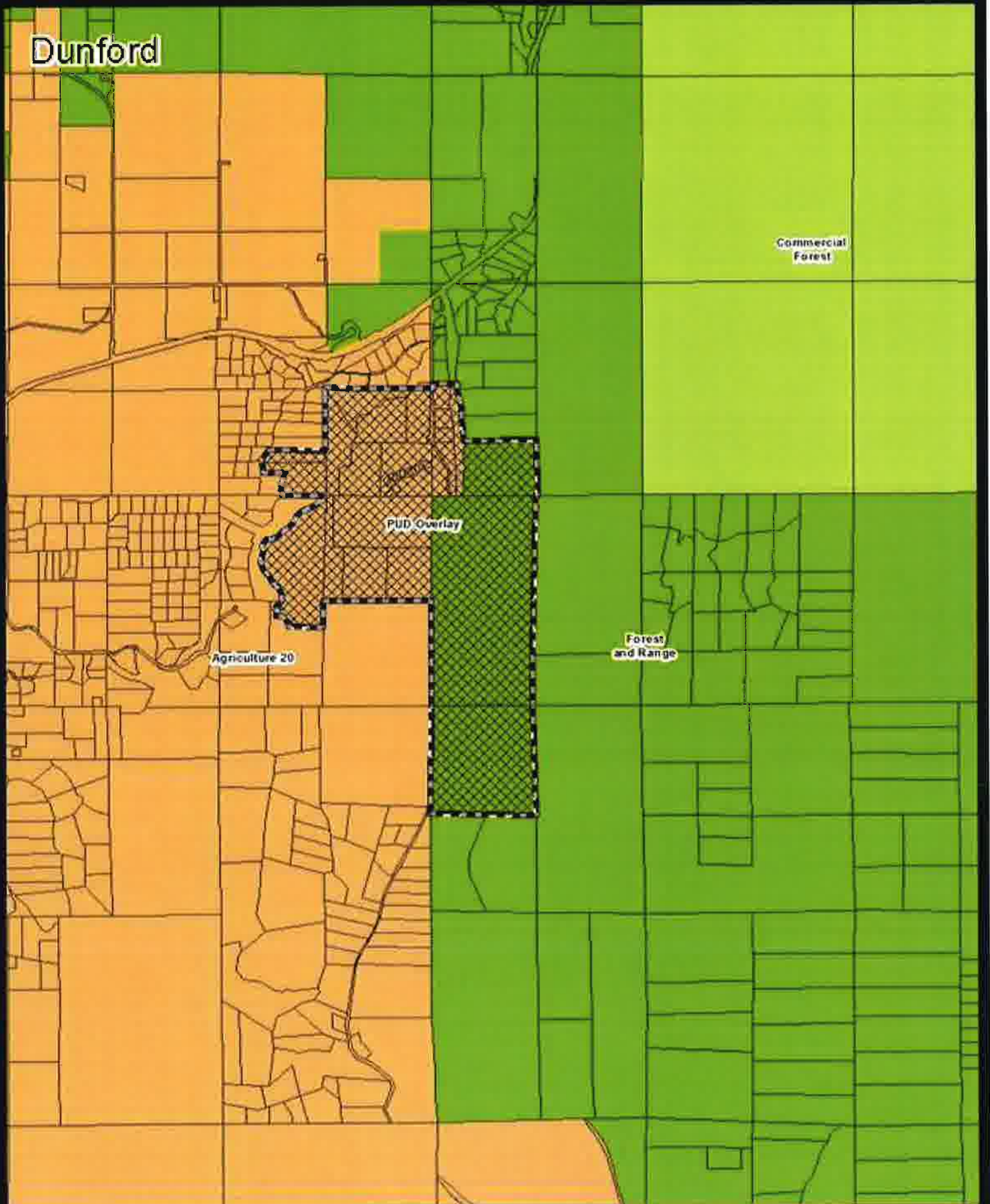
Incorporated
City

2018 Comprehensive
Plan Update

Proposed
Zoning Classification



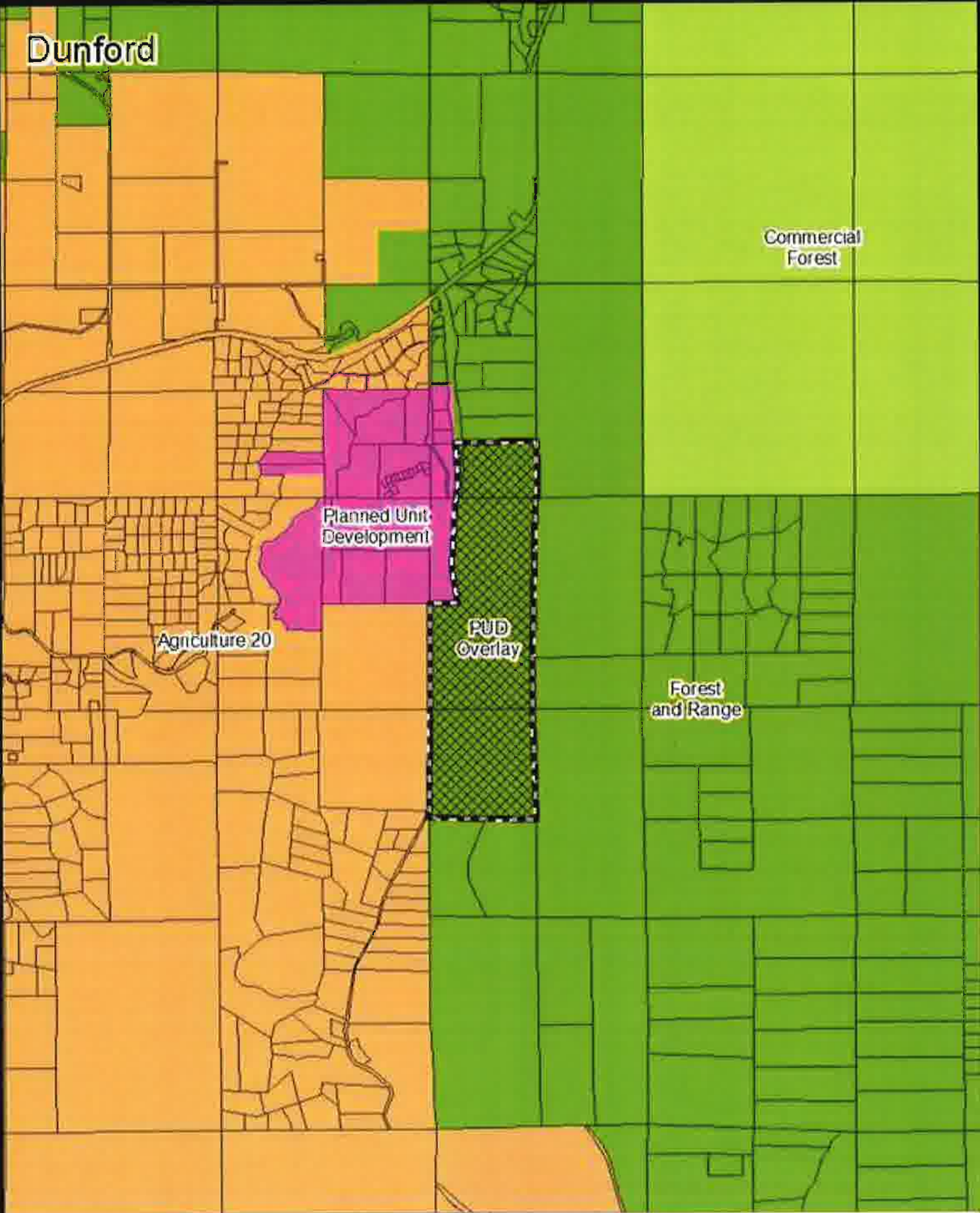
Dunford



2018 Comprehensive
Plan Update

Current
Zoning Classification

Dunford



Commercial Forest

Planned Unit Development

Agriculture 20

PUD Overlay

Forest and Range

2018 Comprehensive Plan Update

Proposed Zoning Classification

Evergreen Ridge

Commercial Forest

Rural Recreation

Planned Unit Development

PUD Overlay

Rural 3

Residential

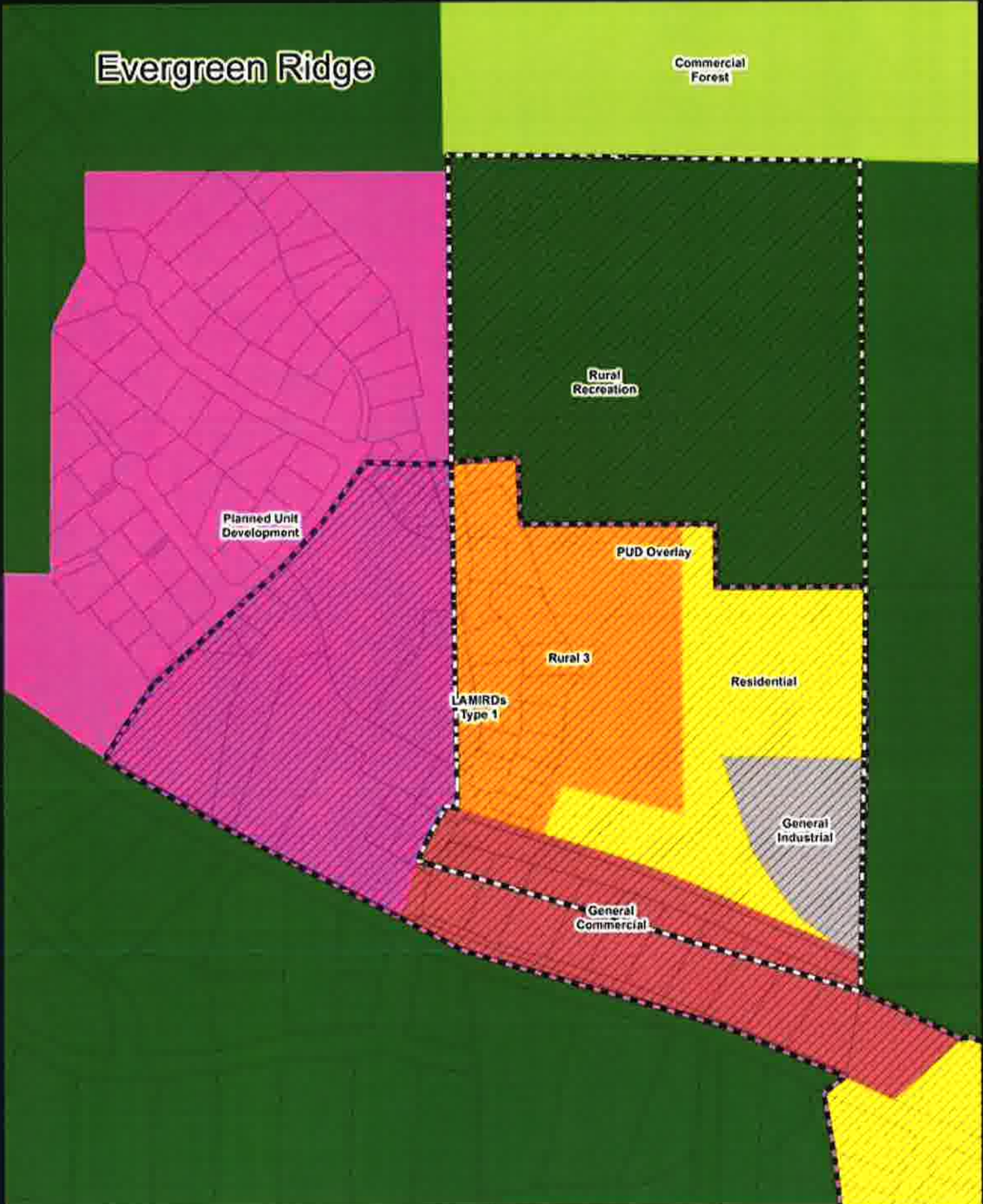
LAMIRDs Type 1

General Industrial

General Commercial

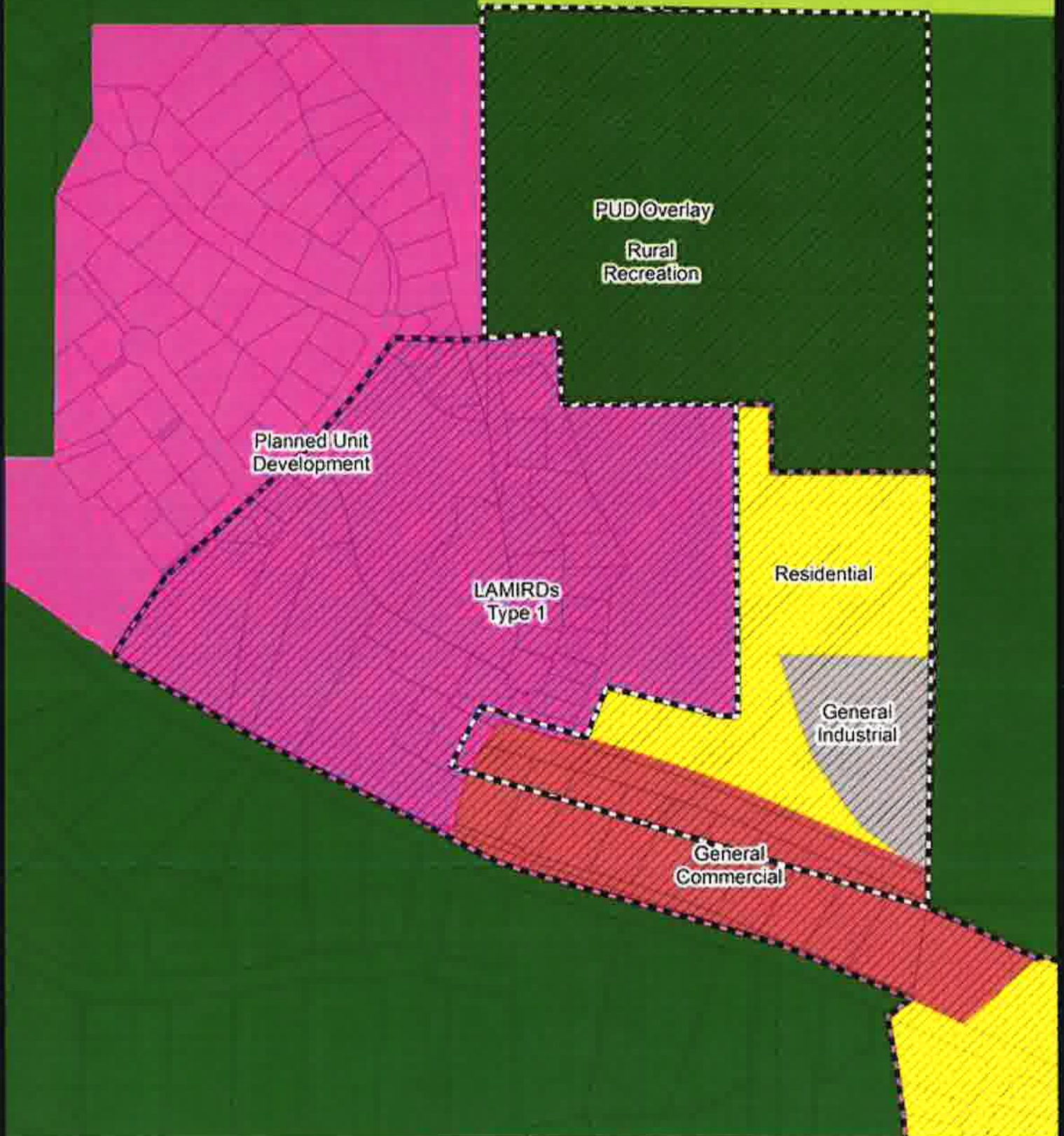
2018 Comprehensive Plan Update

Current Zoning Classification



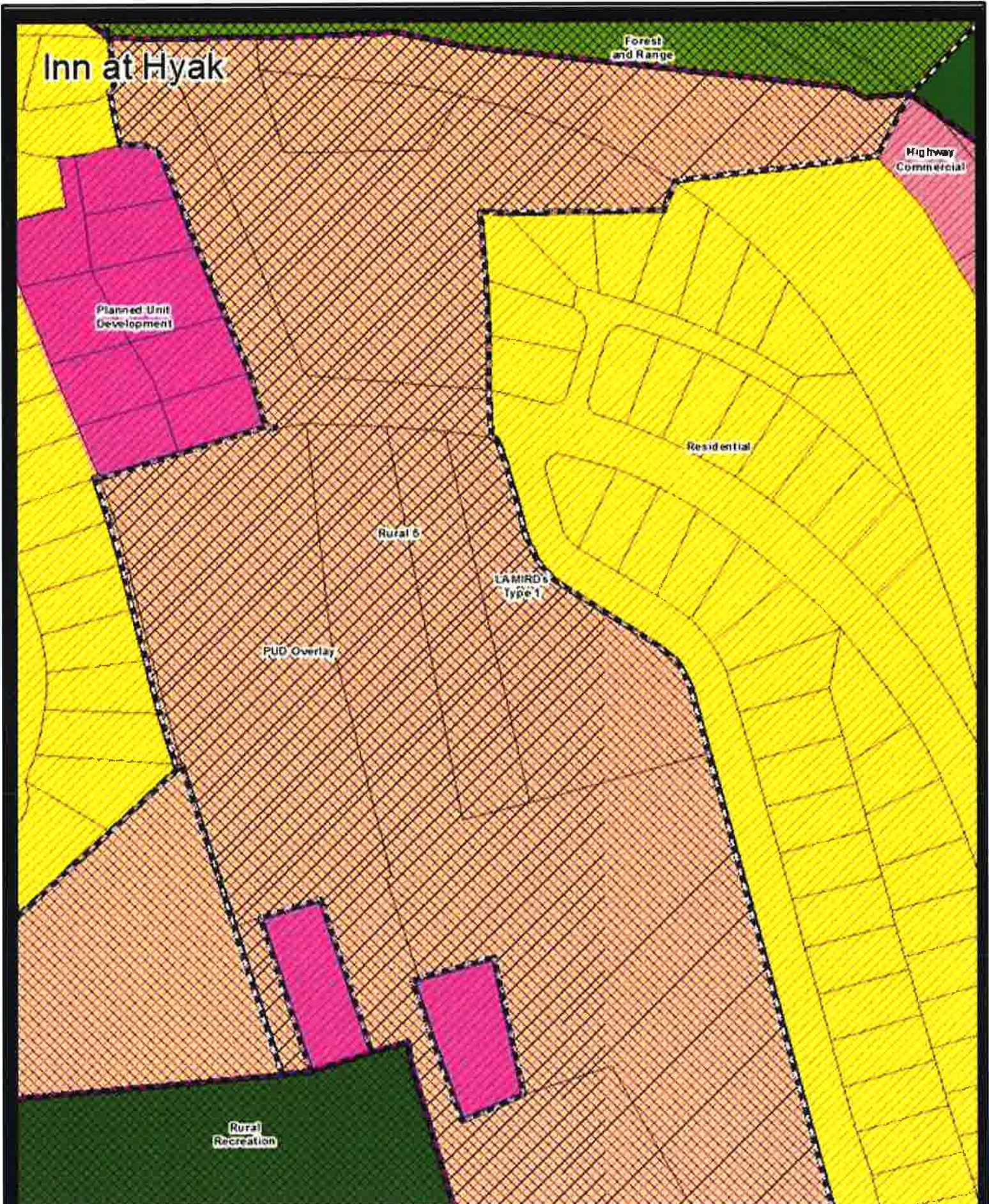
Evergreen Ridge

Commercial Forest



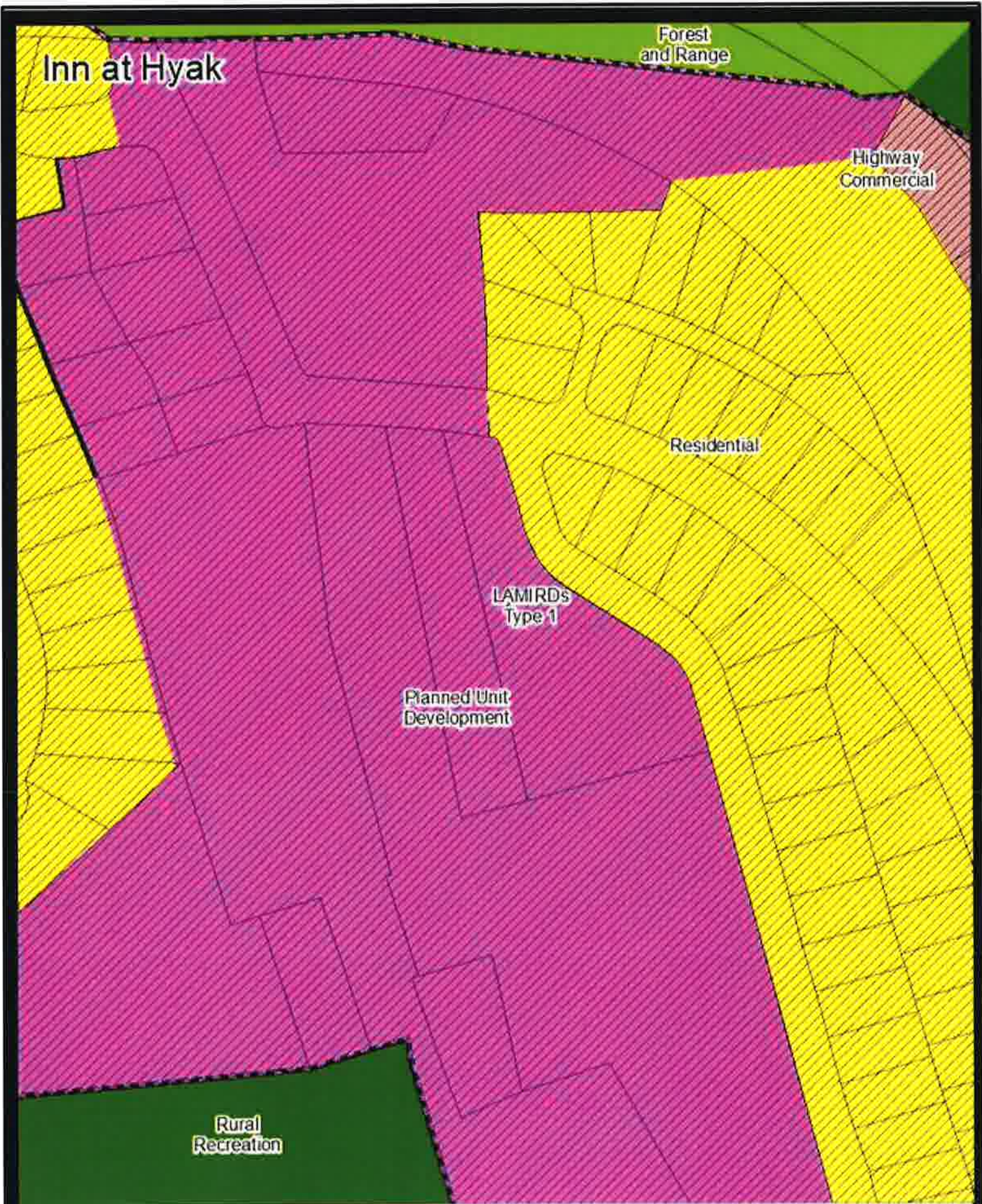
2018 Comprehensive Plan Update

Proposed Zoning Classification



2018 Comprehensive
Plan Update

Current
Zoning Classification



Inn at Hyak

Forest and Range

Highway Commercial

Residential

LAMIRDs Type 1

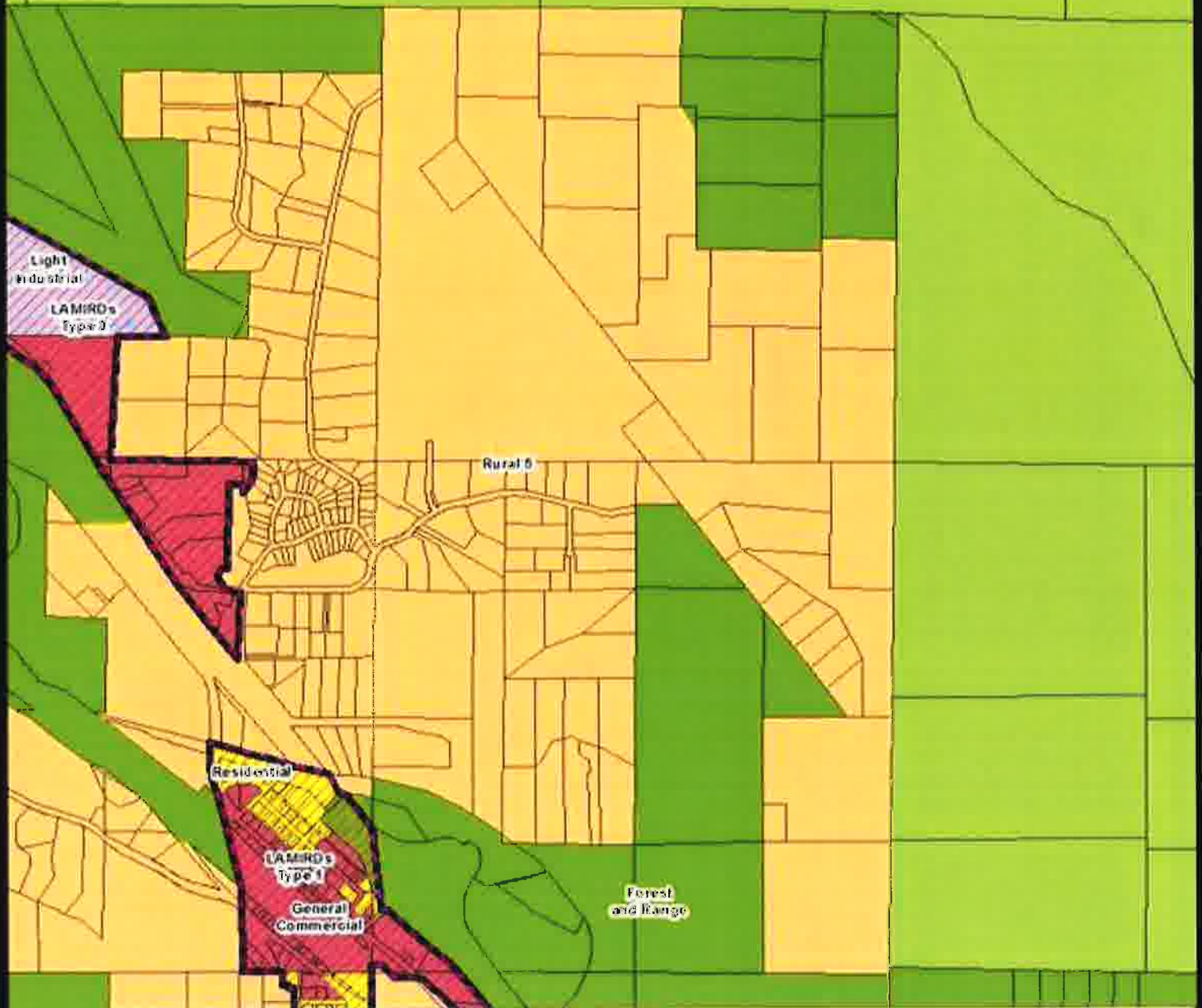
Planned Unit Development

Rural Recreation

2018 Comprehensive Plan Update

Proposed Zoning Classification

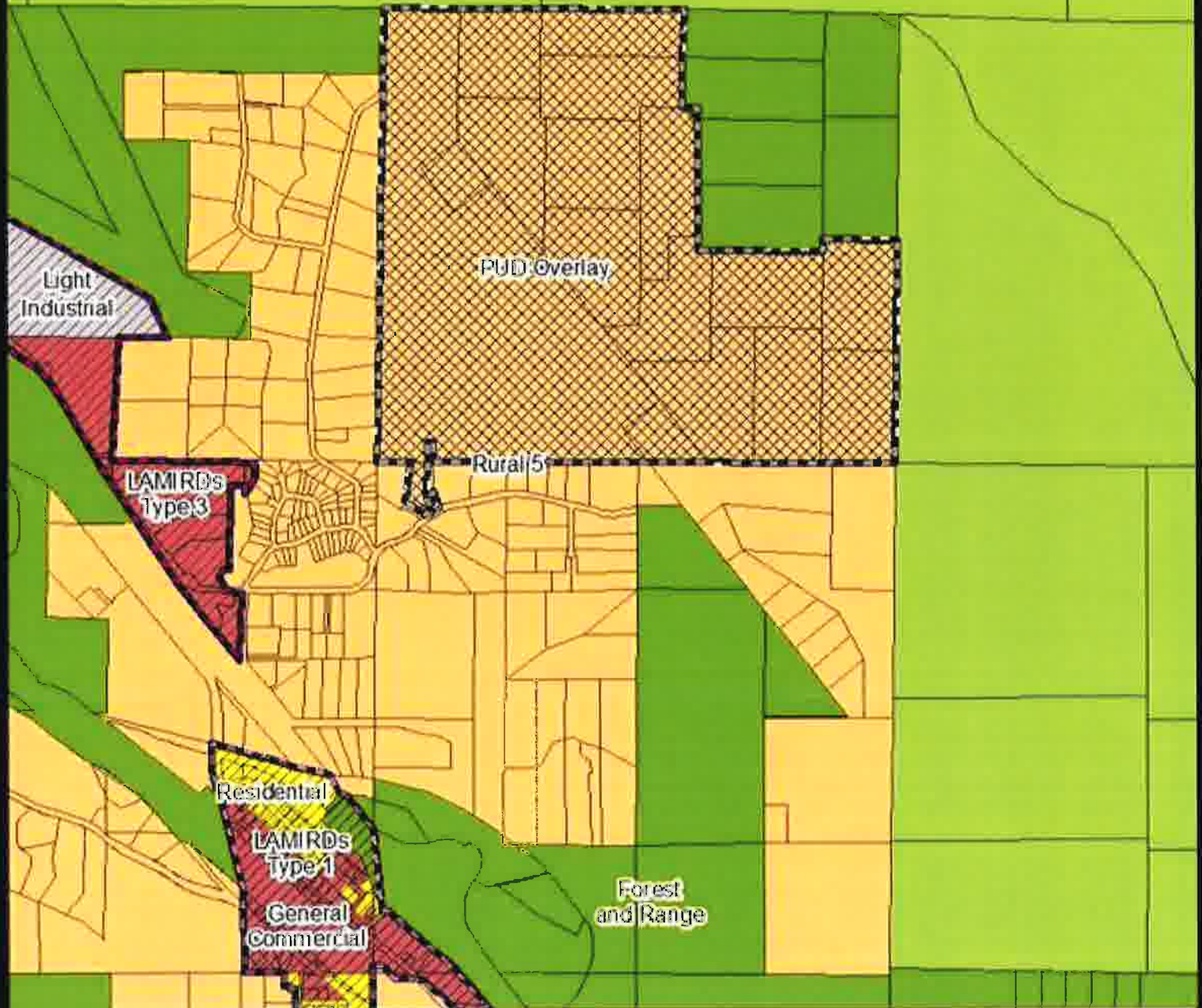
Marian Meadows



2018 Comprehensive
Plan Update

Current
Zoning Classification

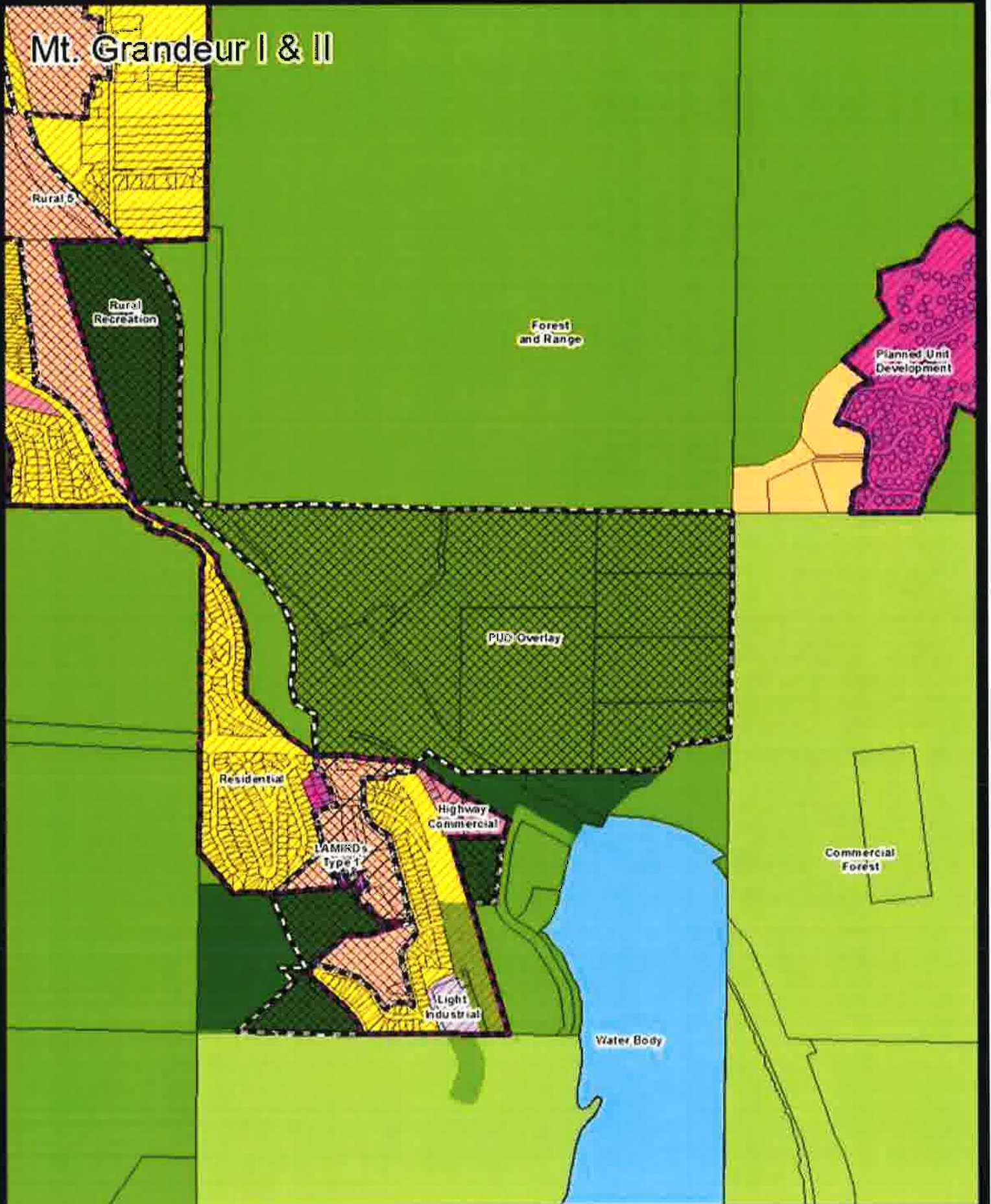
Marian Meadows



2018 Comprehensive
Plan Update

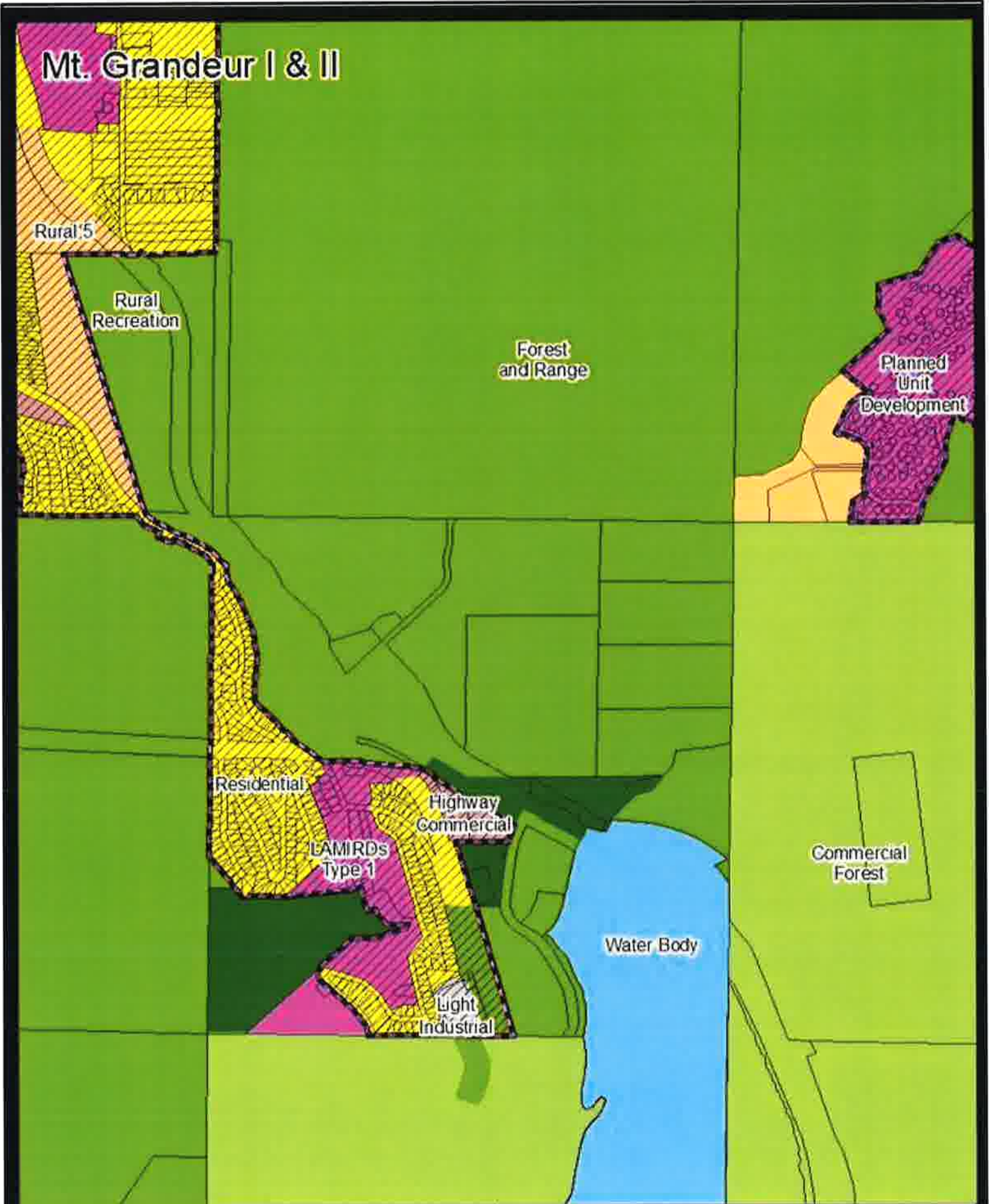
Proposed
Zoning Classification

Mt. Grandeur I & II



2018 Comprehensive
Plan Update

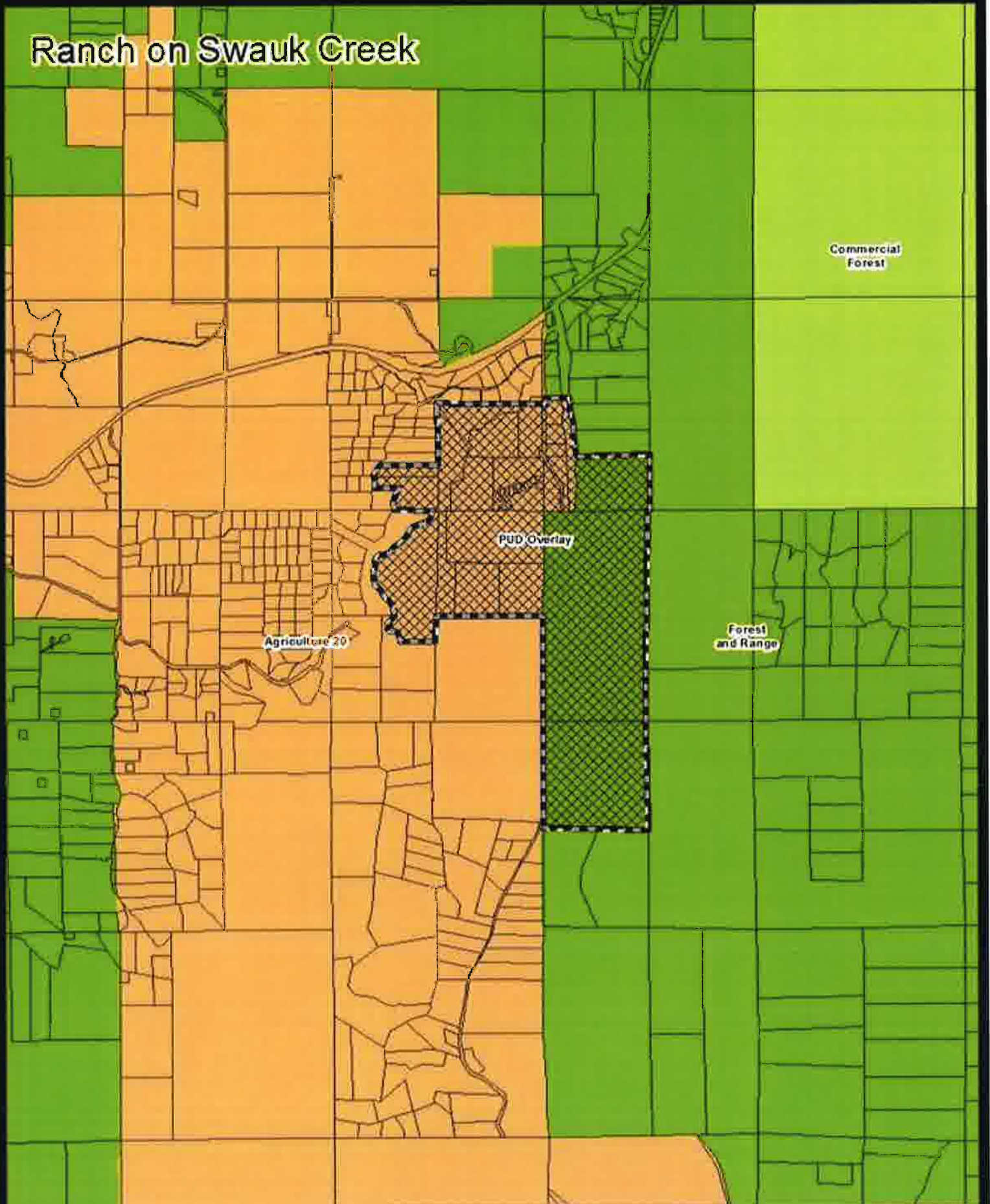
Current
Zoning Classification



2018 Comprehensive
Plan Update

Proposed
Zoning Classification

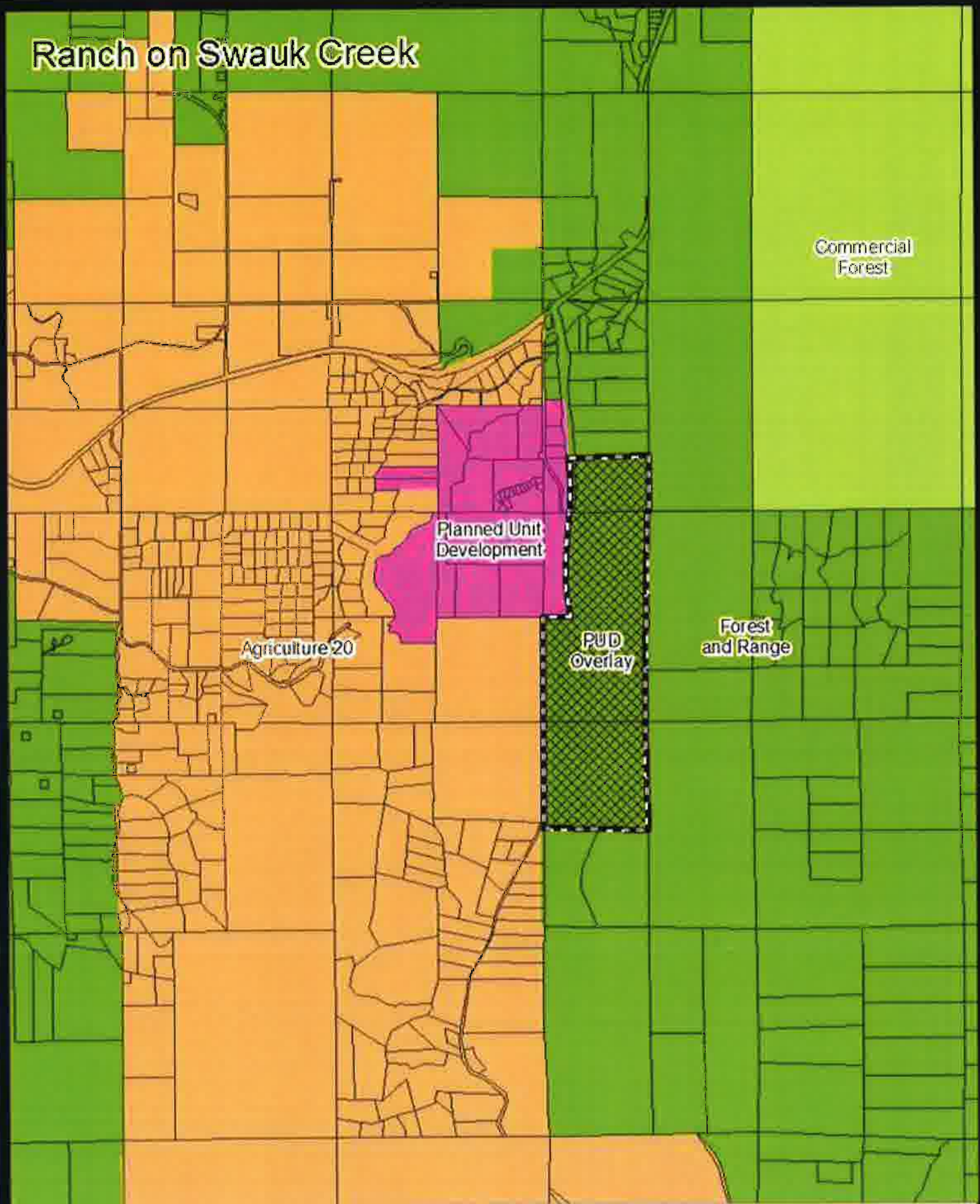
Ranch on Swauk Creek



2018 Comprehensive
Plan Update

Current
Zoning Classification

Ranch on Swauk Creek



Commercial Forest

Planned Unit Development

Agriculture 20

PUD Overlay

Forest and Range

2018 Comprehensive Plan Update

Proposed Zoning Classification

Ronald Mill PUD

Commercial Forest

Rural Recreation

Planned Unit Development

PUD Overlay

Rural 3

Residential

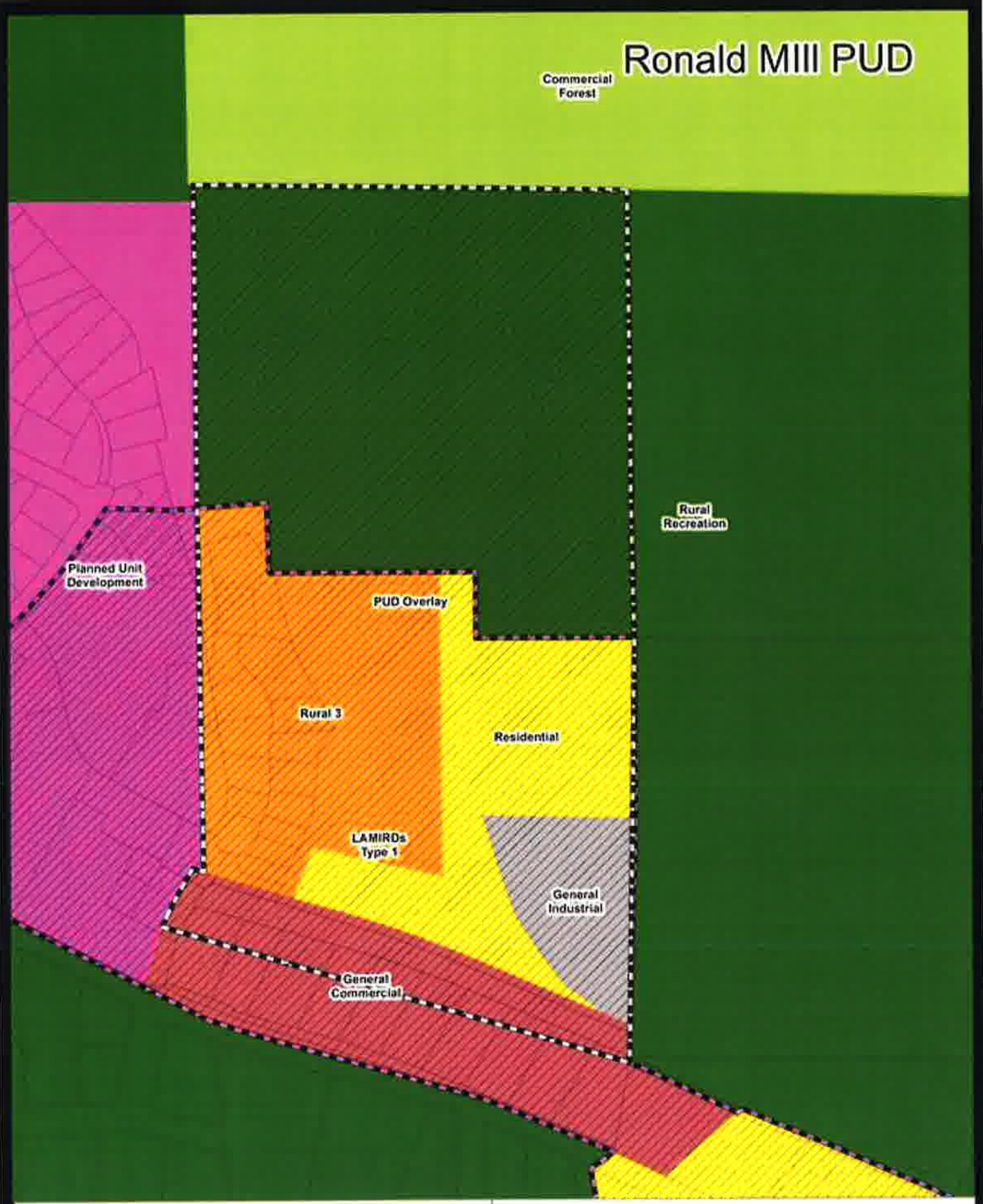
LAMIRDs Type 1

General Industrial

General Commercial

2018 Comprehensive Plan Update

Current Zoning Classification



Ronald Mill PUD

Commercial
Forest

Rural
Recreation

Planned Unit
Development

PUD Overlay

Rural 3

Residential

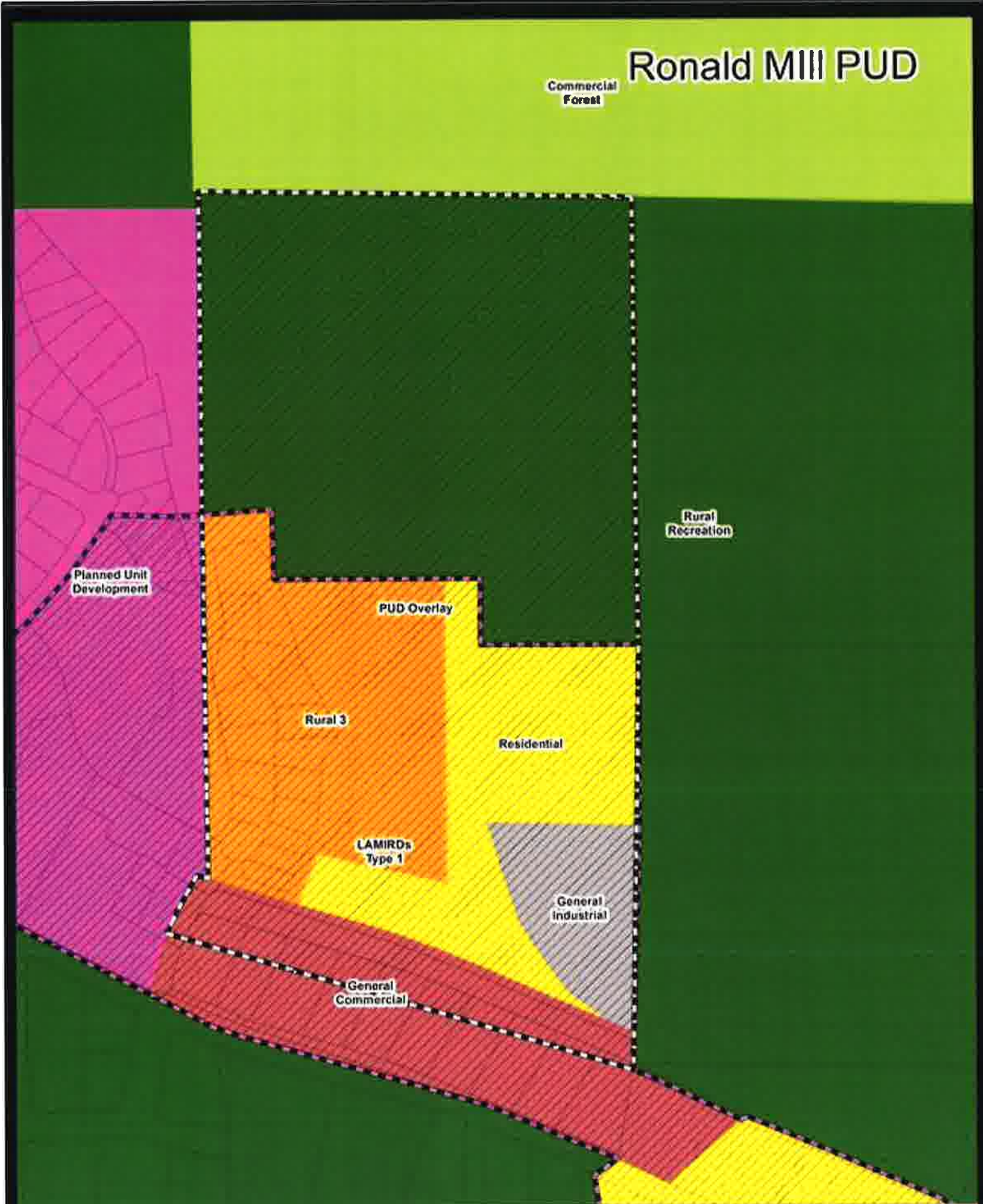
LAMIRDs
Type 1

General
Industrial

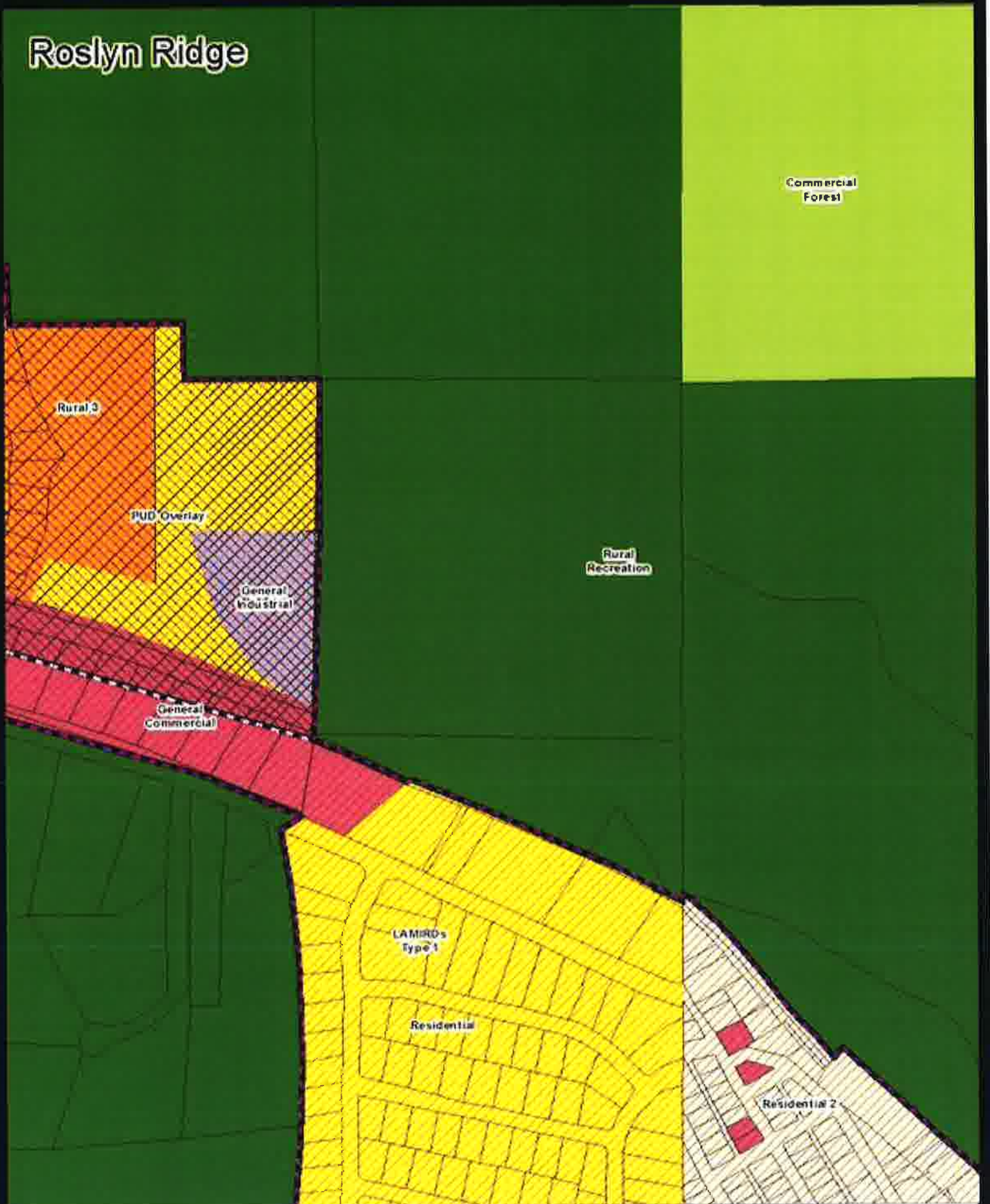
General
Commercial

2018 Comprehensive
Plan Update

Proposed
Zoning Classification



Roslyn Ridge



2018 Comprehensive
Plan Update

Current
Zoning Classification

Roslyn Ridge

PUD Overlay

Commercial Forest

Planned Unit Development

Rural Recreation

General Industrial

General Commercial

LAMIRDs Type 1

Residential

Residential 2

2018 Comprehensive Plan Update

Proposed Zoning Classification

Summit Park

Highway
Commercial

Forest
and Range

Commercial
Forest

PUD Overlay

LAMIRDs
Type 3

Residential

Rural
Recreation

Rural 5

2018 Comprehensive
Plan Update

Current
Zoning Classification



Summit Park

Highway
Commercial

Forest
and Range

Commercial
Forest

Planned Unit
Development

LAMIRDs
Type 1

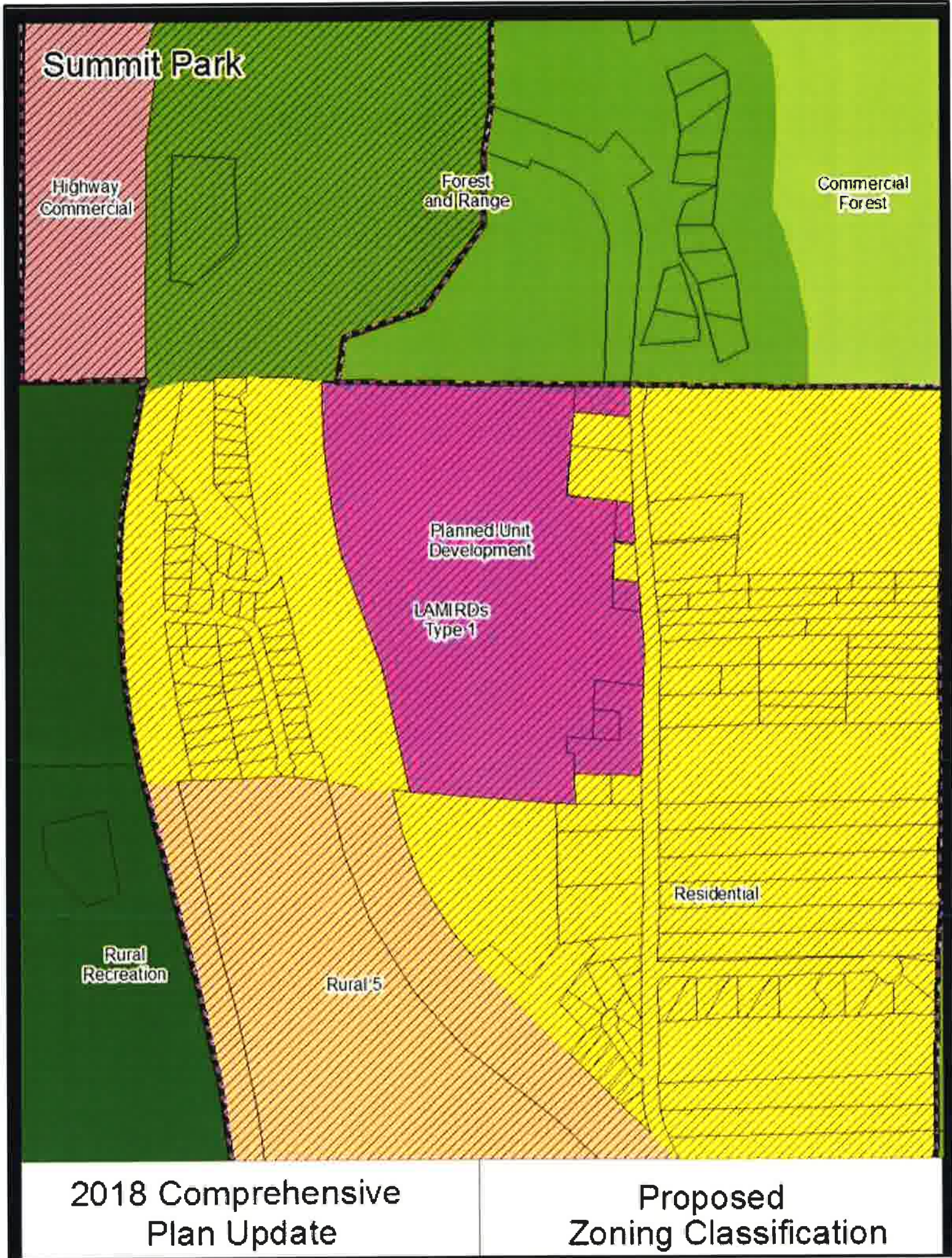
Residential

Rural
Recreation

Rural 5

2018 Comprehensive
Plan Update

Proposed
Zoning Classification



Vantage Bay

Residential

General
Commercial

LAMIRD's
Type 1

PUD Overlay

Forest
and Range

2018 Comprehensive
Plan Update

Current
Zoning Classification

Vantage Bay

Residential

LAMIRDs
Type 1

General
Commercial

PUD
overlay

Forest
and Range

2018 Comprehensive
Plan Update

Proposed
Zoning Classification

Village at Ski Acres

Planned Unit Development

Highway Commercial

Commercial Forest

Rural Recreation

LAMIRDs Type 1

Residential

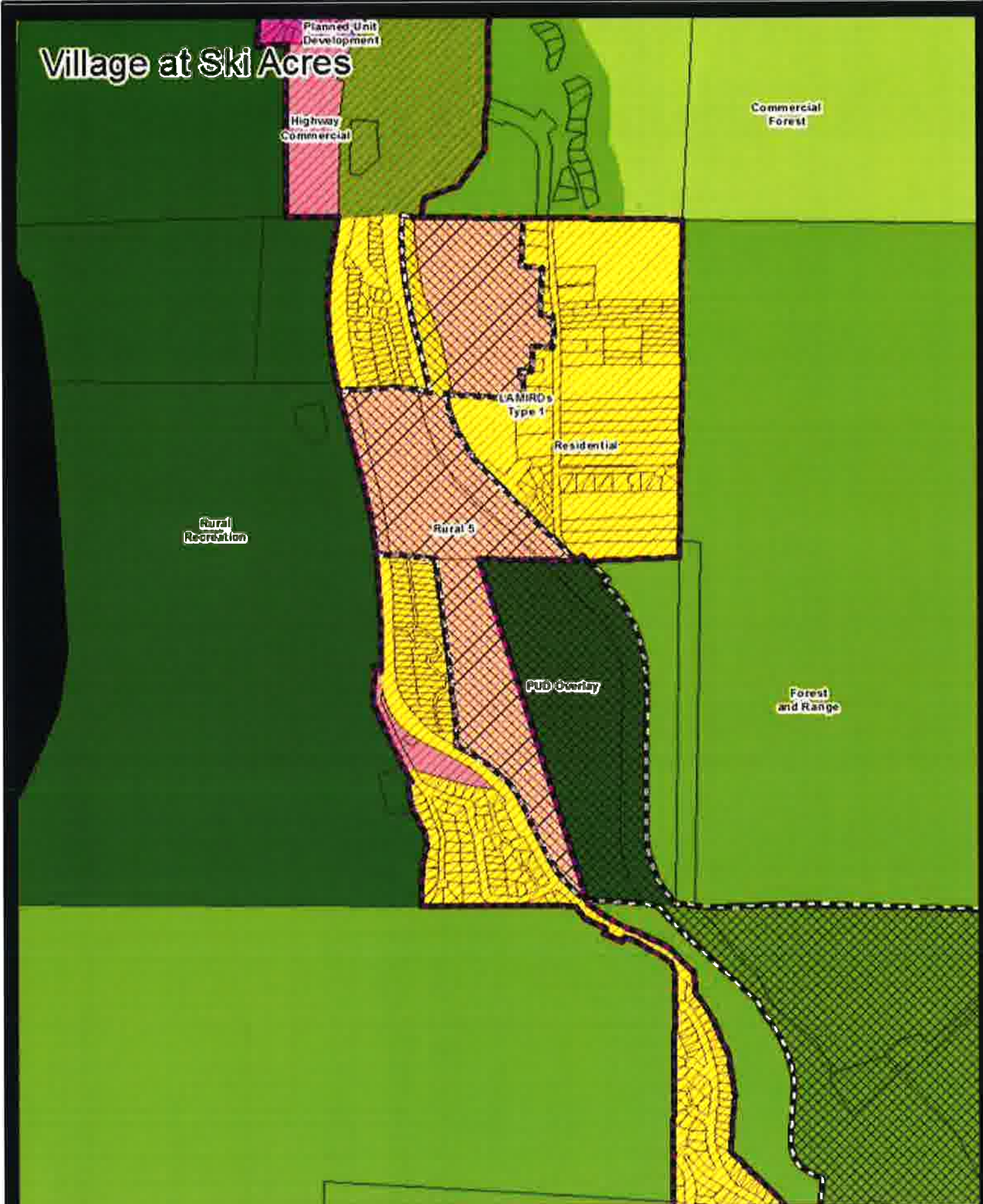
Rural 5

PUD Overlay

Forest and Range

2018 Comprehensive Plan Update

Current Zoning Classification



Village at Ski Acres

Highway
Commercial

Commercial
Forest

Planned Unit
Development

Residential

LAMIRDs
Type 1

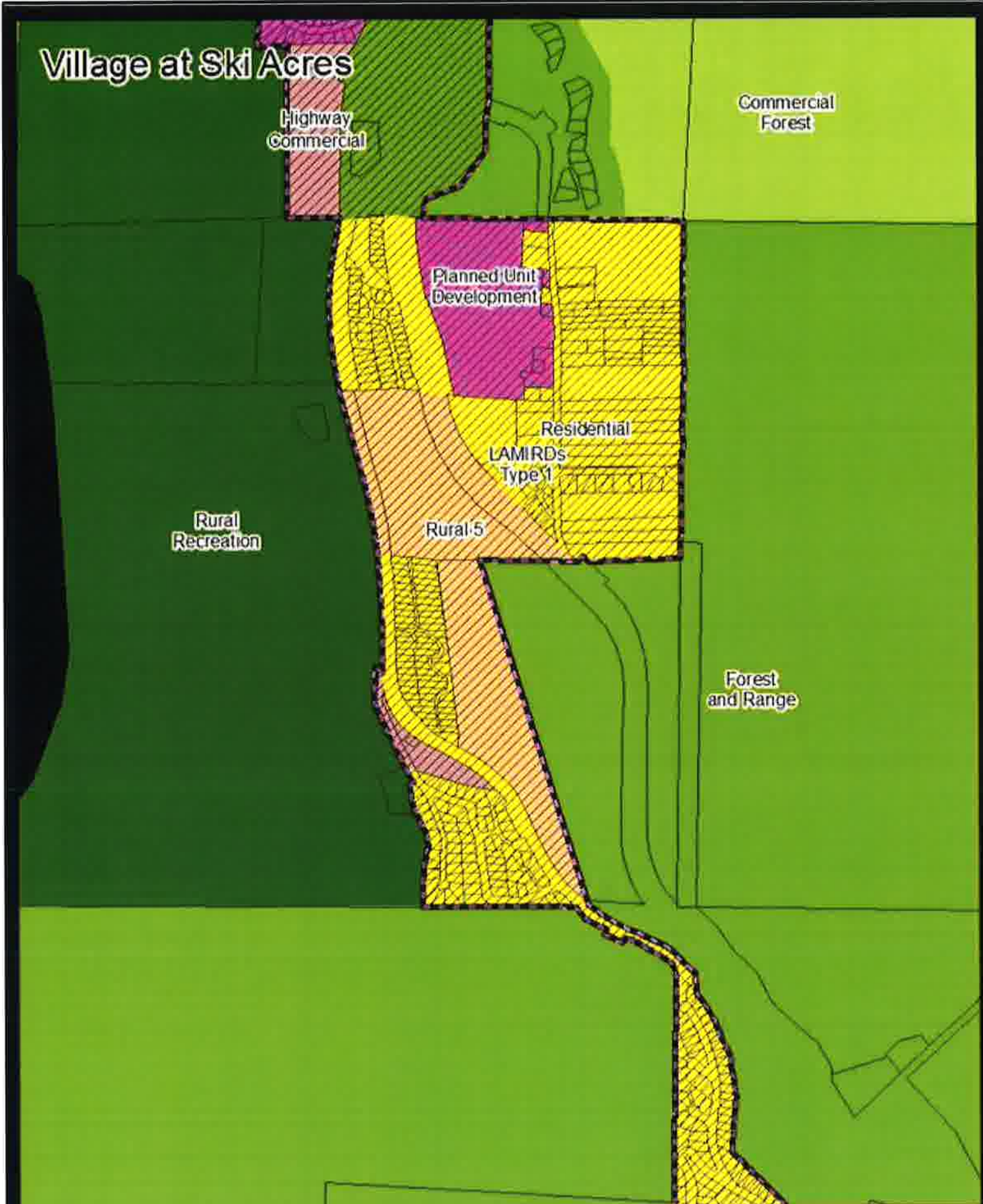
Rural
Recreation

Rural-5

Forest
and Range

2018 Comprehensive
Plan Update

Proposed
Zoning Classification



Pacific West and Hyak

Rural
Recreation

PUD Overlay

Residential

Planned Unit
Development

Rural 5

LAMIRD's
Type 1

Highway
Commercial

Forest
and Range

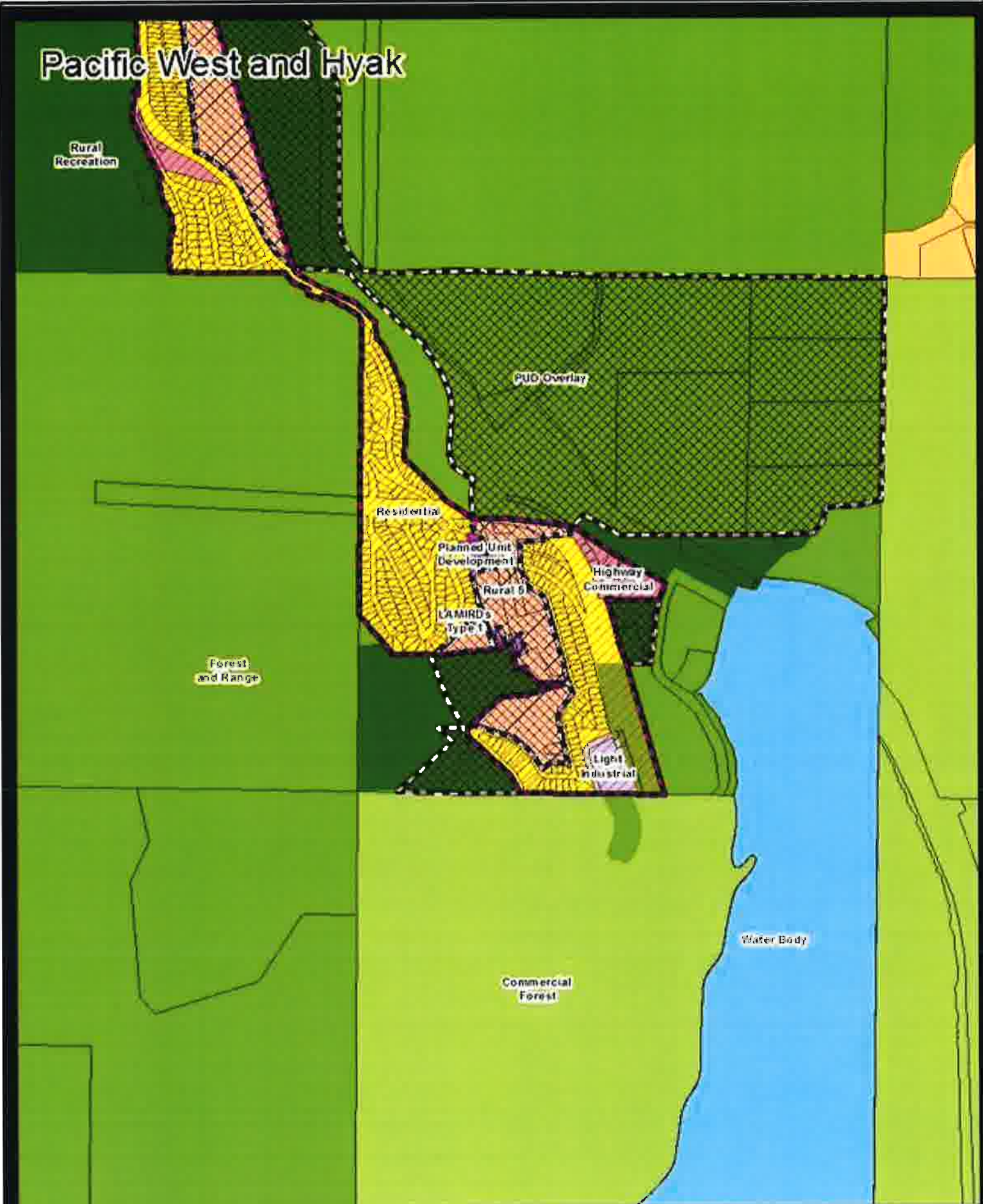
Light
Industrial

Water Body

Commercial
Forest

2018 Comprehensive
Plan Update

Current
Zoning Classification



Pacific West and Hyak

Rural
Recreation

Rural
5

LAMIRDS
Type 1
Residential

Highway
Commercial

Forest
and Range

Planned Unit
Development

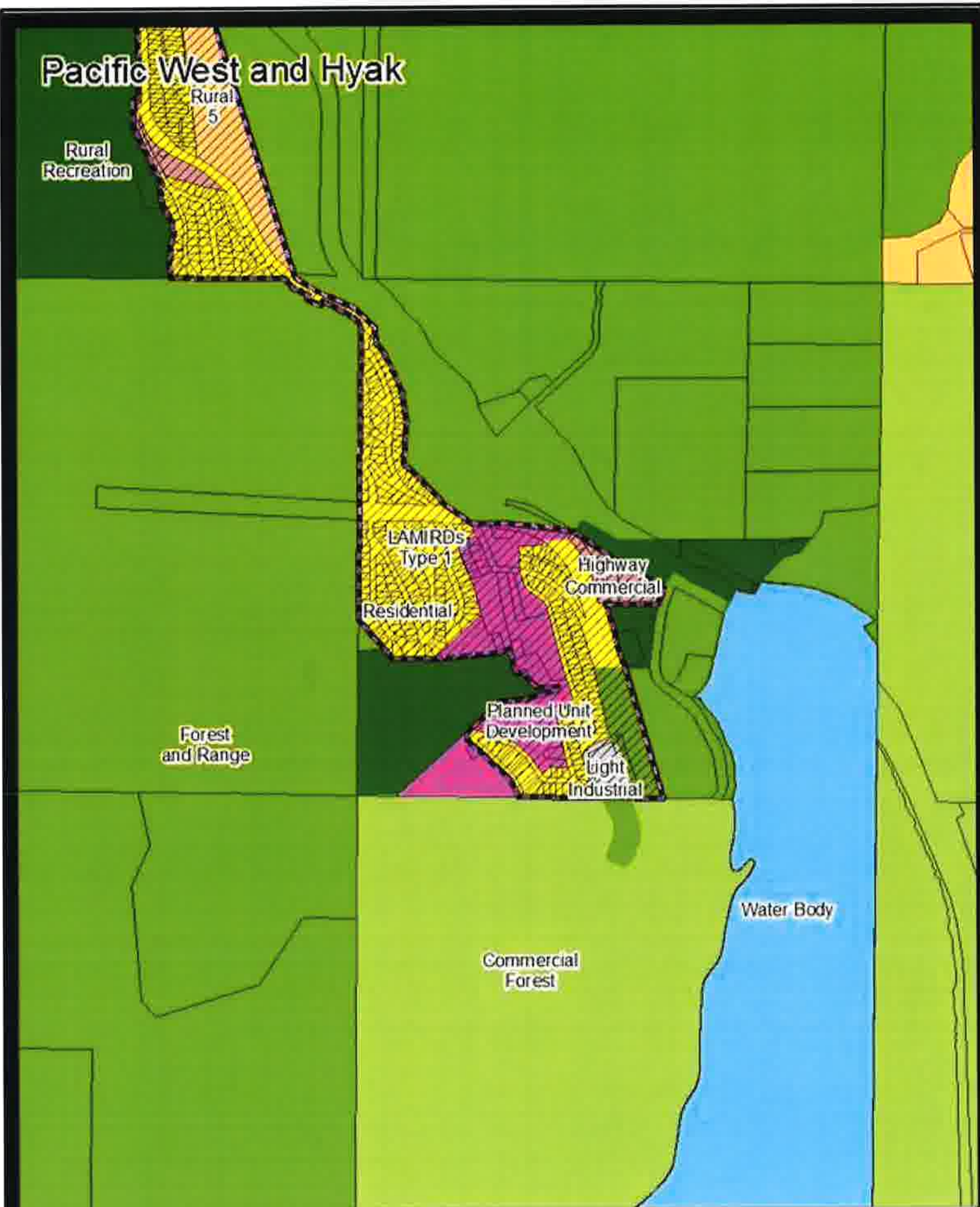
Light
Industrial

Water Body

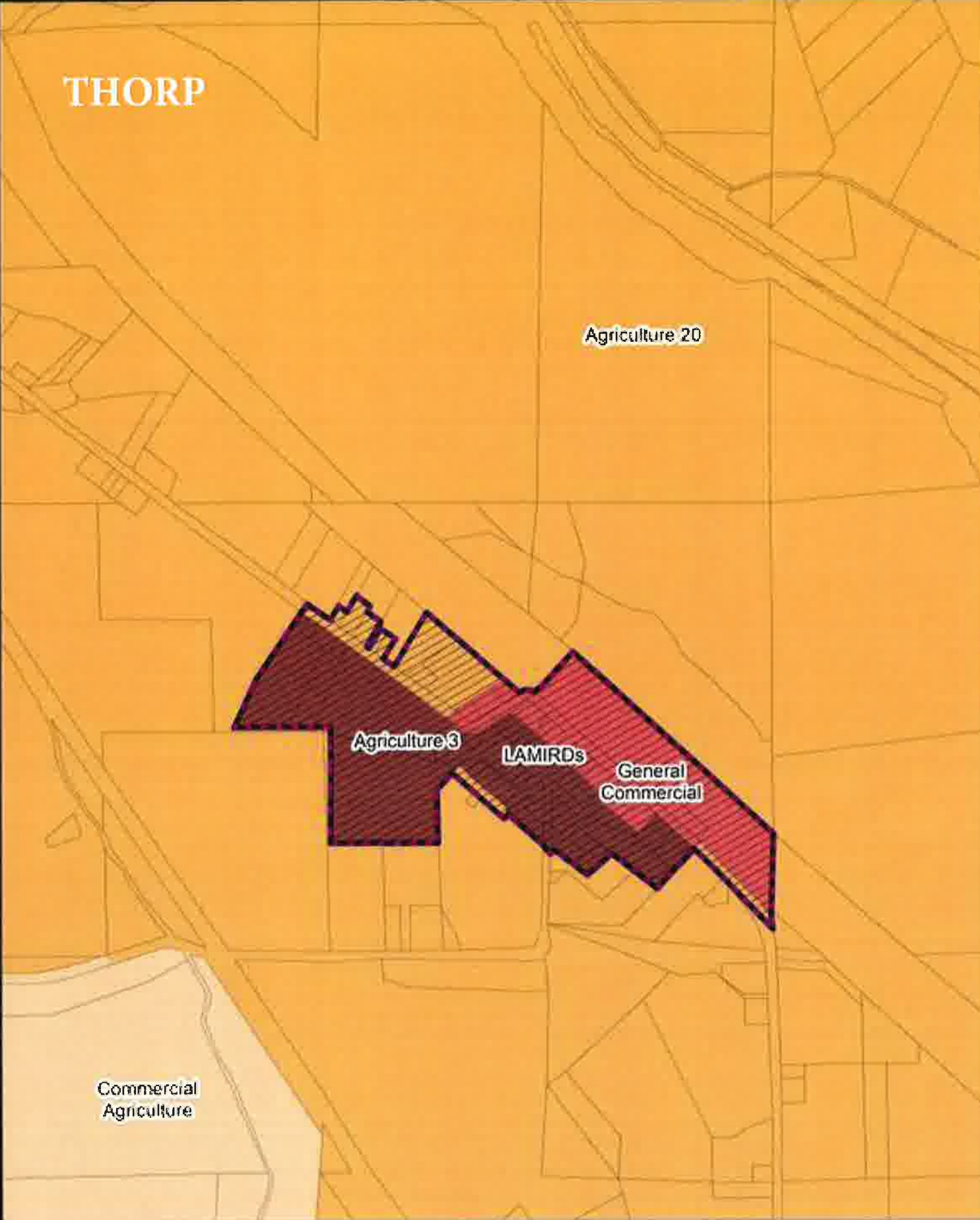
Commercial
Forest

2018 Comprehensive
Plan Update

Proposed
Zoning Classification



THORP



2018 Comprehensive
Plan Update

Existing
Zoning Classification

THORP

Agriculture 20

Agriculture 3

General
Commercial

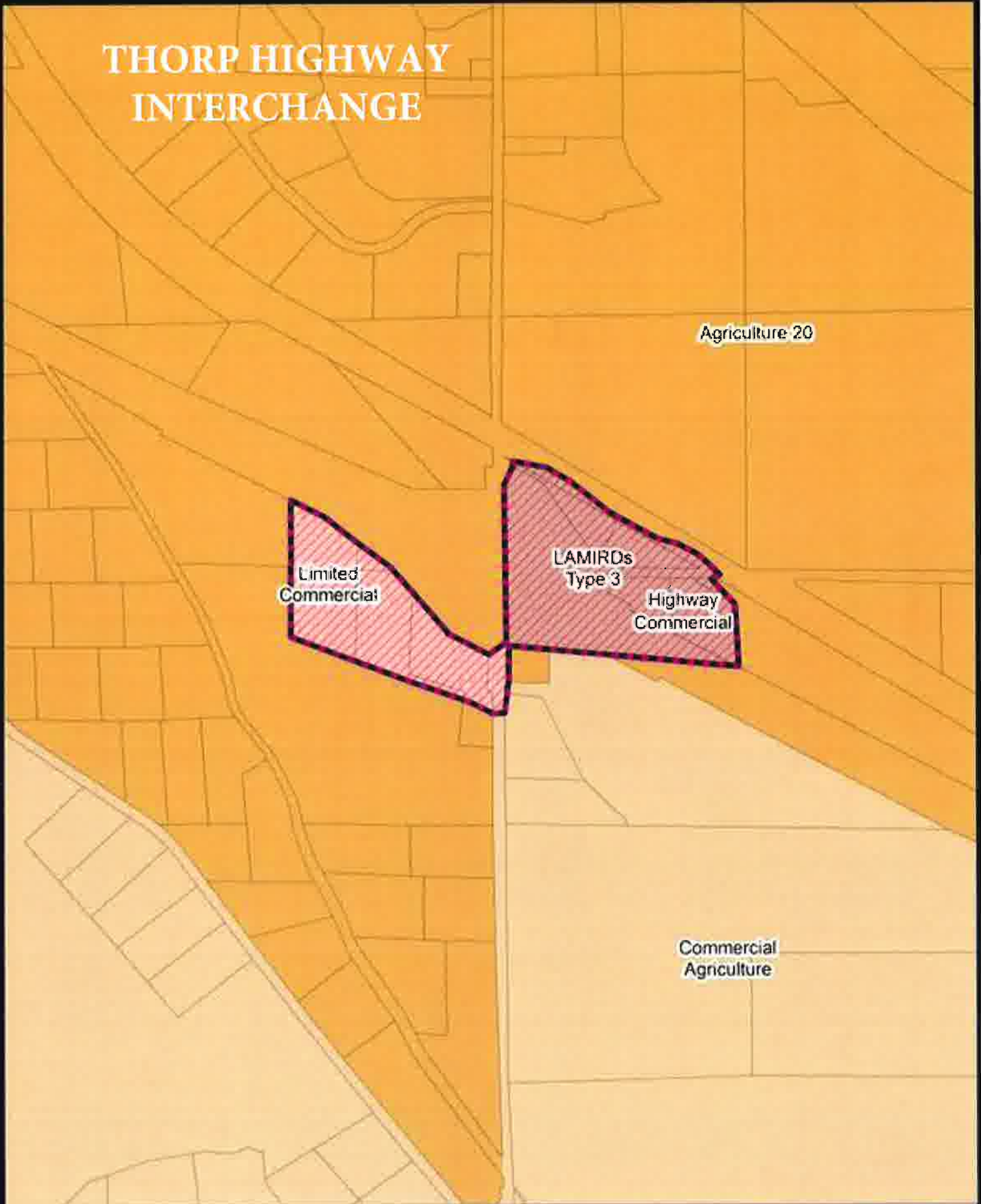
LAMIRDs
Type 1

Commercial
Agriculture

2018 Comprehensive
Plan Update

Corrected
Zoning Classification

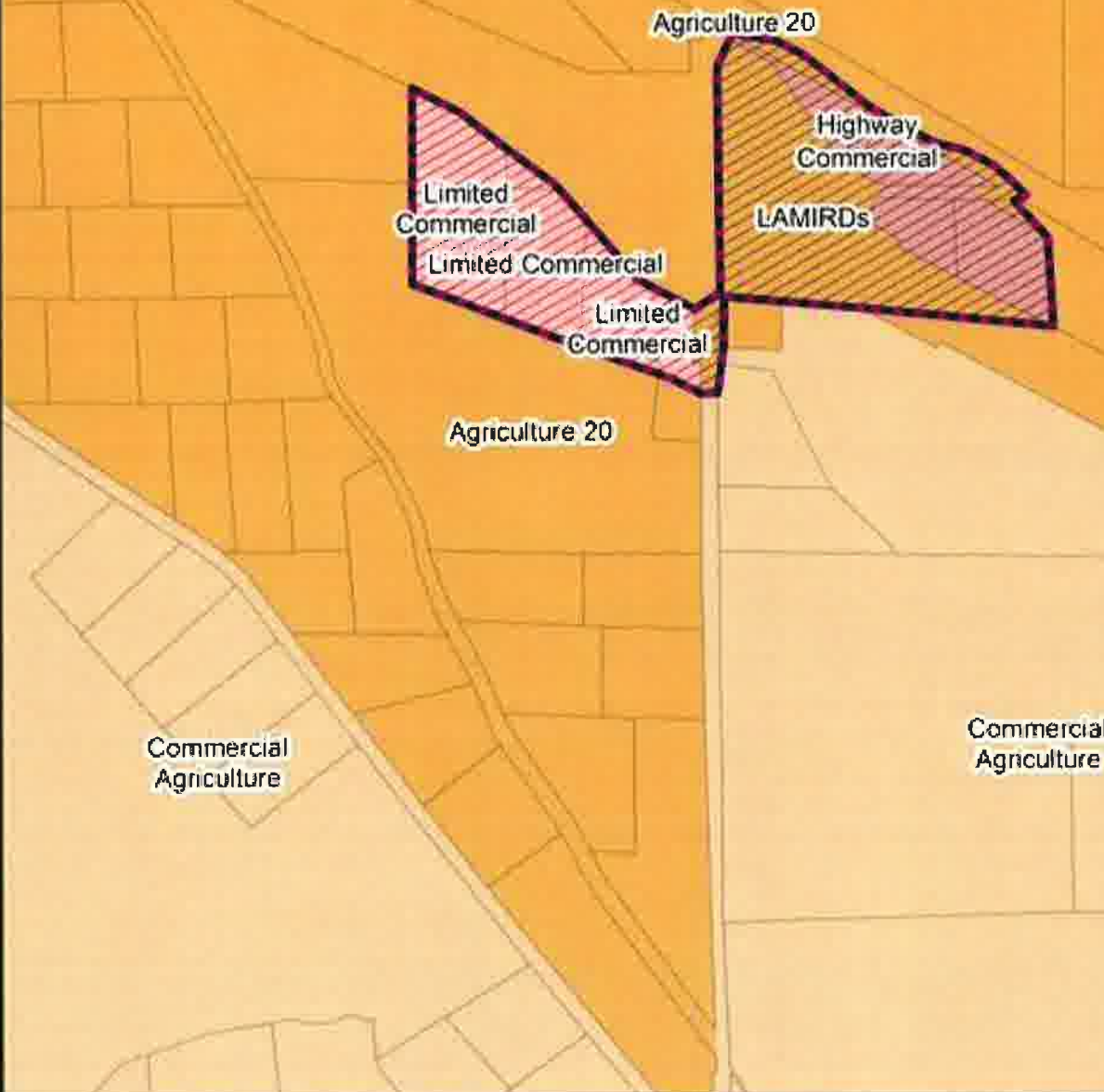
THORP HIGHWAY INTERCHANGE



2018 Comprehensive
Plan Update

Corrected
Zoning Classification

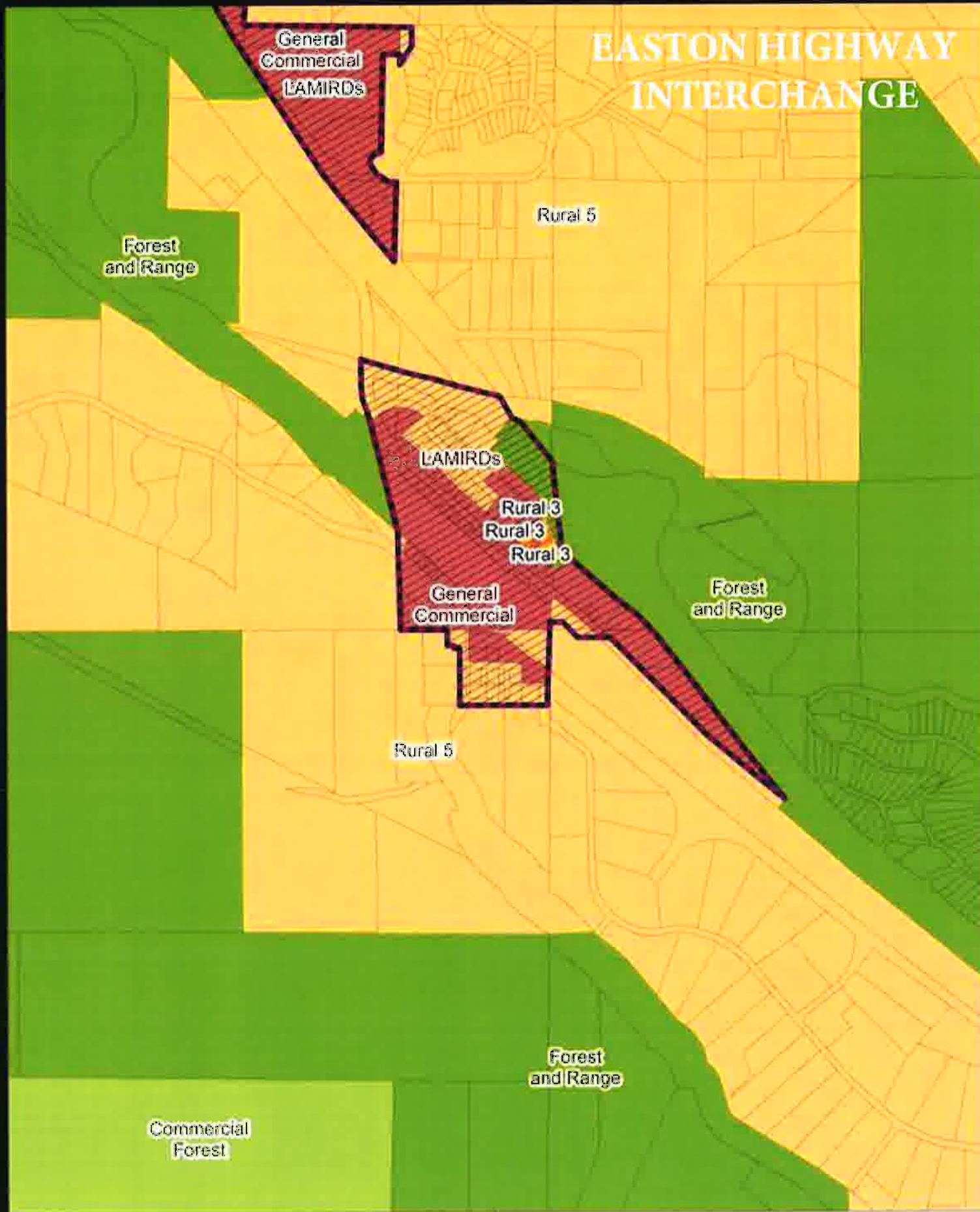
THORP HIGHWAY INTERCHANGE



2018 Comprehensive
Plan Update

Existing
Zoning Classification

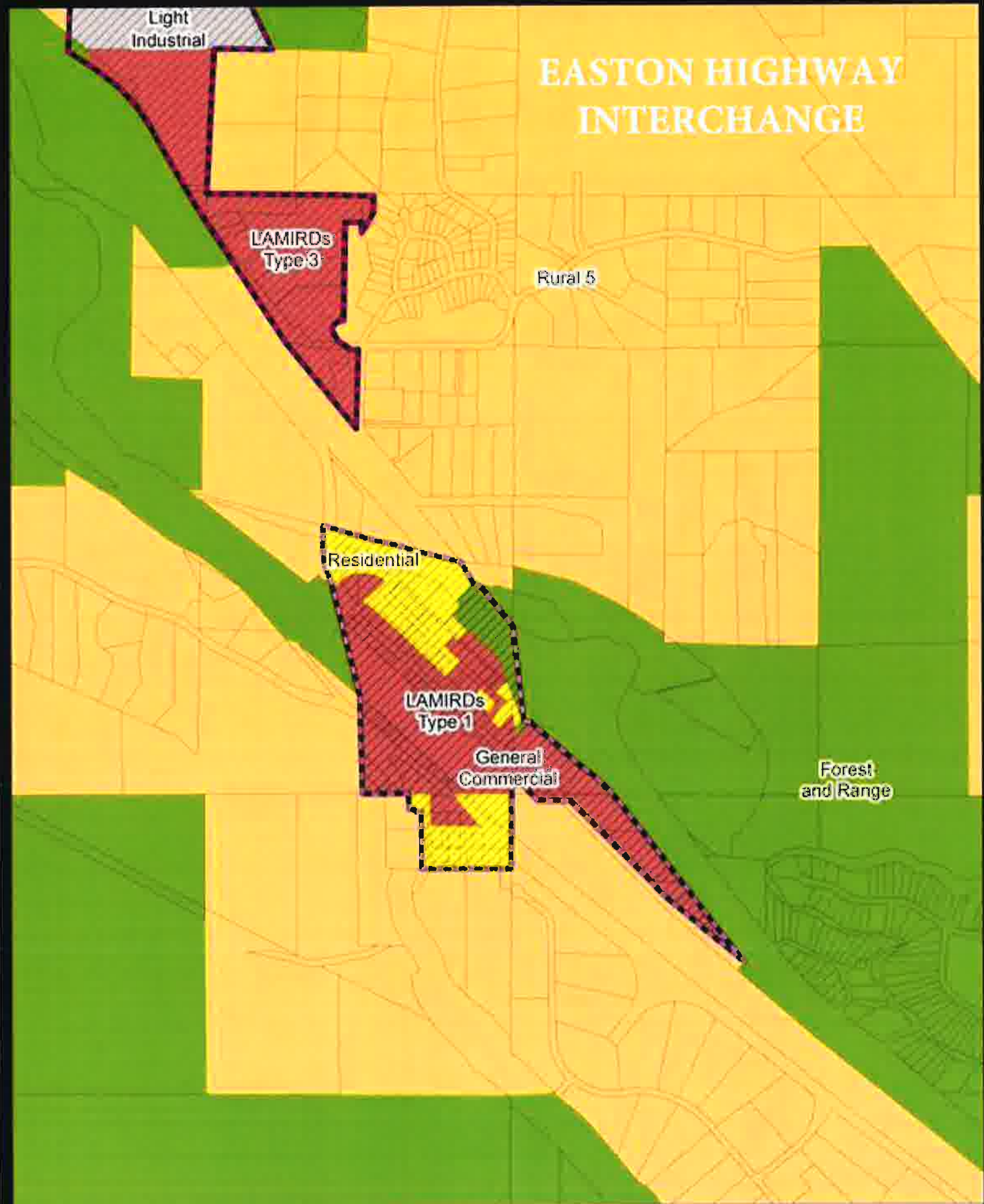
EASTON HIGHWAY INTERCHANGE



2018 Comprehensive
Plan Update

Existing
Zoning Classification

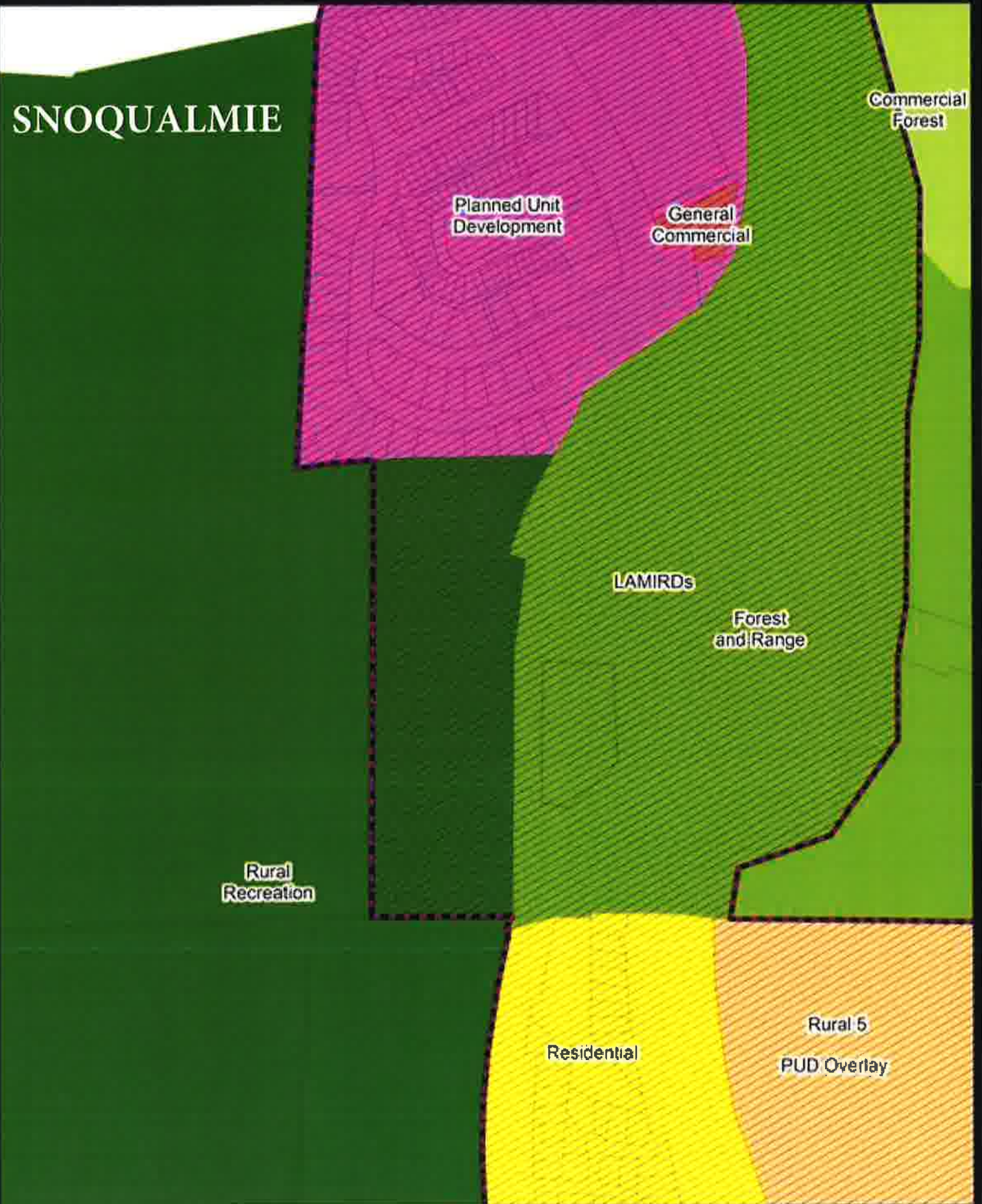
EASTON HIGHWAY INTERCHANGE



2018 Comprehensive
Plan Update

Corrected
Zoning Classification

SNOQUALMIE



2018 Comprehensive
Plan Update

Existing
Zoning Classification

SNOQUALMIE

Rural
Recreation

Planned Unit
Development

LAMIRDs
Type 1

Forest
and Range

Highway
Commercial

Residential

2018 Comprehensive
Plan Update

Corrected
Zoning Classification

ELLENSBURG

General
Commercial

Urban
Residential

Residential
Medium
Density

Urban
Residential

Industrial
Light

Planned Unit
Development

2018 Comprehensive
Plan Update

Existing
Zoning Classification

ELLENSBURG

General
Commercial

Urban
Residential

Urban
Growth
Area

Residential
Medium
Density

Incorporated
City

Planned Unit
Development

Industrial
Light

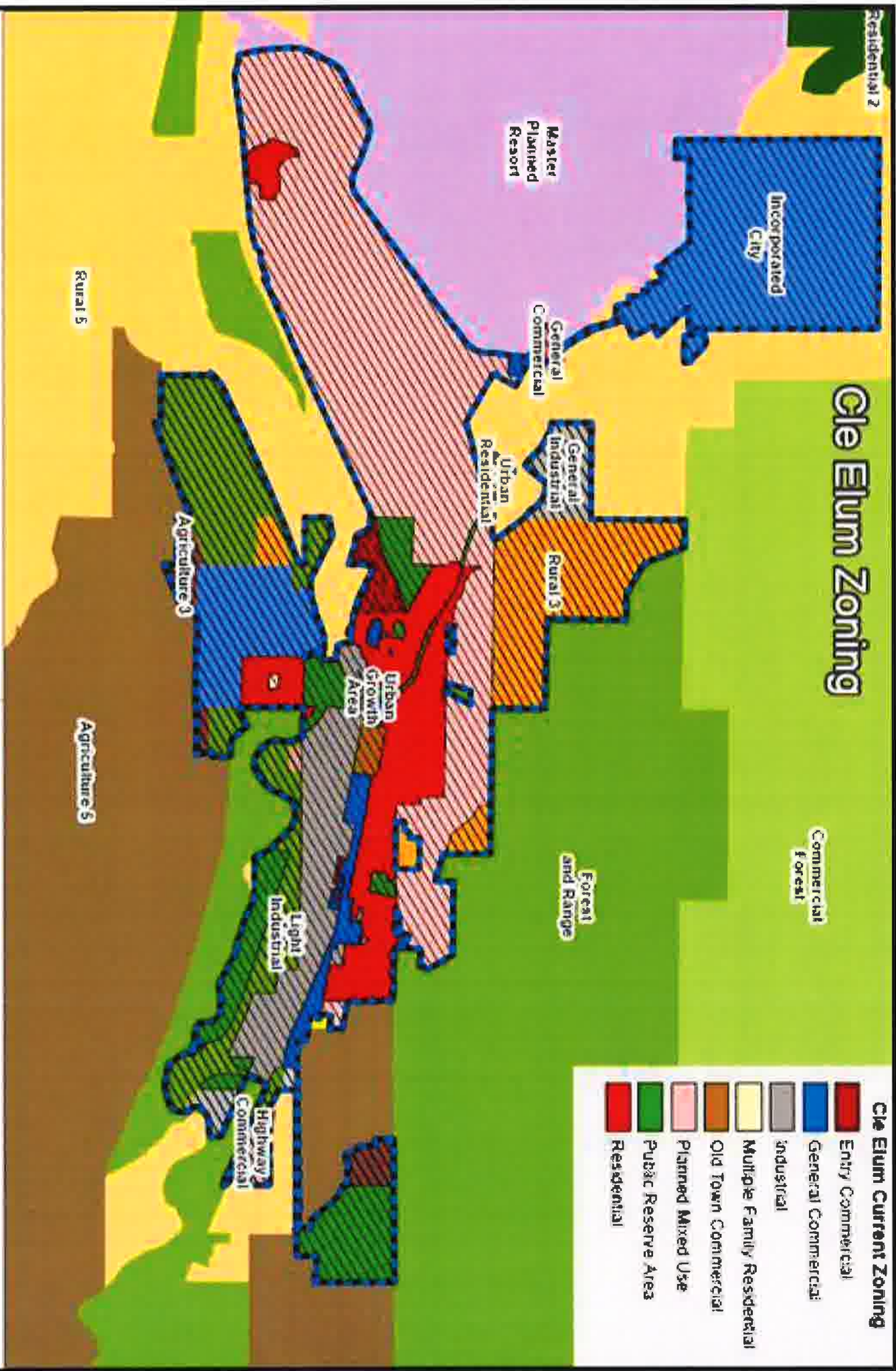
2018 Comprehensive
Plan Update

Corrected
Zoning Classification

Residential 2

Cle Elum Zoning

- Cle Elum Current Zoning**
- Entry Commercial
 - General Commercial
 - Industrial
 - Multiple Family Residential
 - Old Town Commercial
 - Planned Mixed Use
 - Public Reserve Area
 - Residential



2018 Comprehensive Plan Update Map

Current Zone Classification

Residential 2

Incorporated City

Master Planned Resort

General Commercial

General Industrial

Urban Residential

Rural 3

Urban Growth Area

Agriculture 3

Rural 5

Agriculture 5

Cle Elum Zoning

Commercial Forest

Forest and Range

Light Industrial

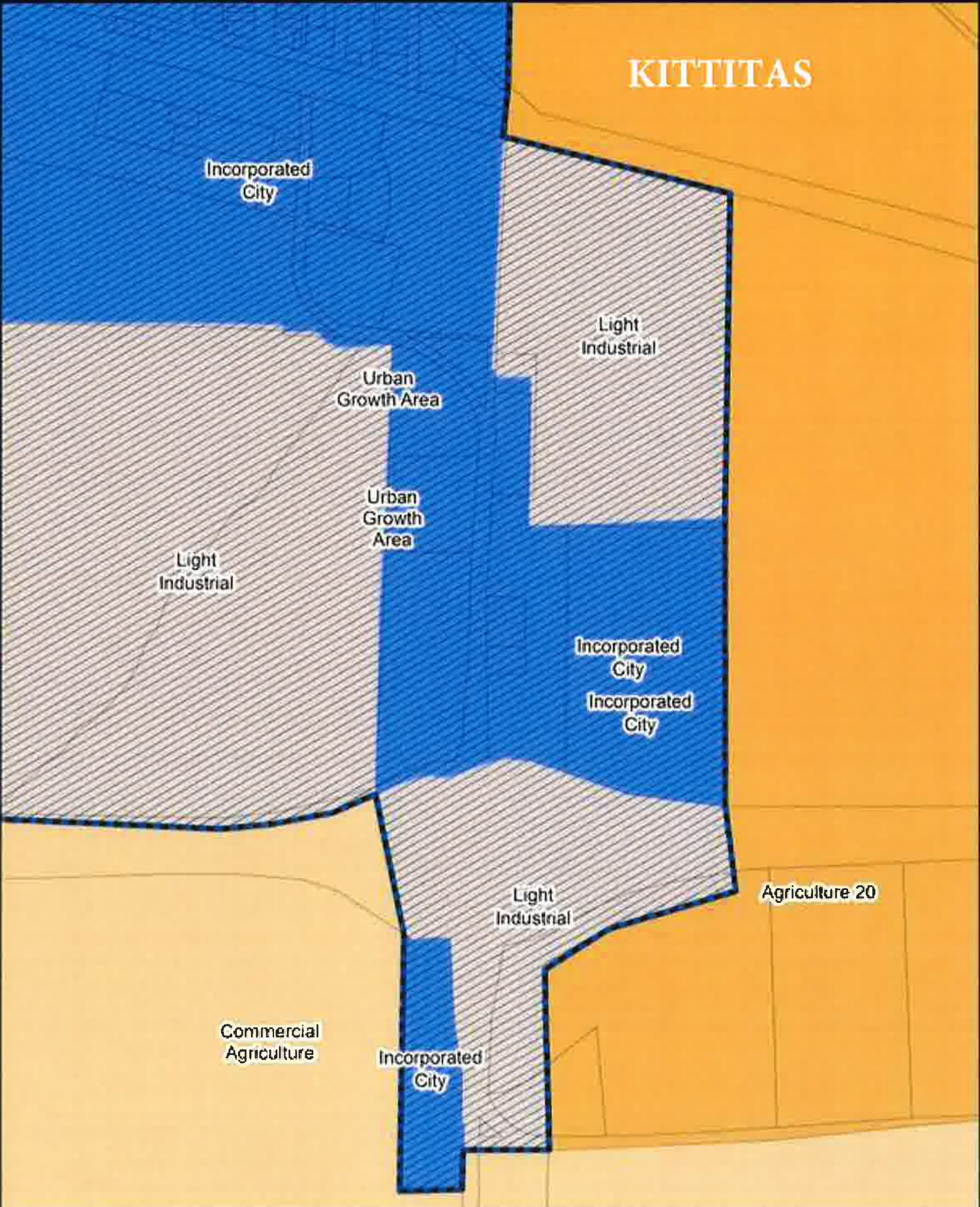
Highway 2 Commercial

- Cle Elum Proposed Zoning**
- Entry Commercial
 - General Commercial
 - Industrial
 - Multiple Family Residential
 - Old Town Commercial
 - Planned Mixed Use
 - Public Reserve Area
 - Residential

2018 Comprehensive Plan Update Map

Proposed Zone Classification

KITTITAS



2018 Comprehensive
Plan Update

Existing
Zoning Classification

KITTITAS

Incorporated
City

Light
Industrial

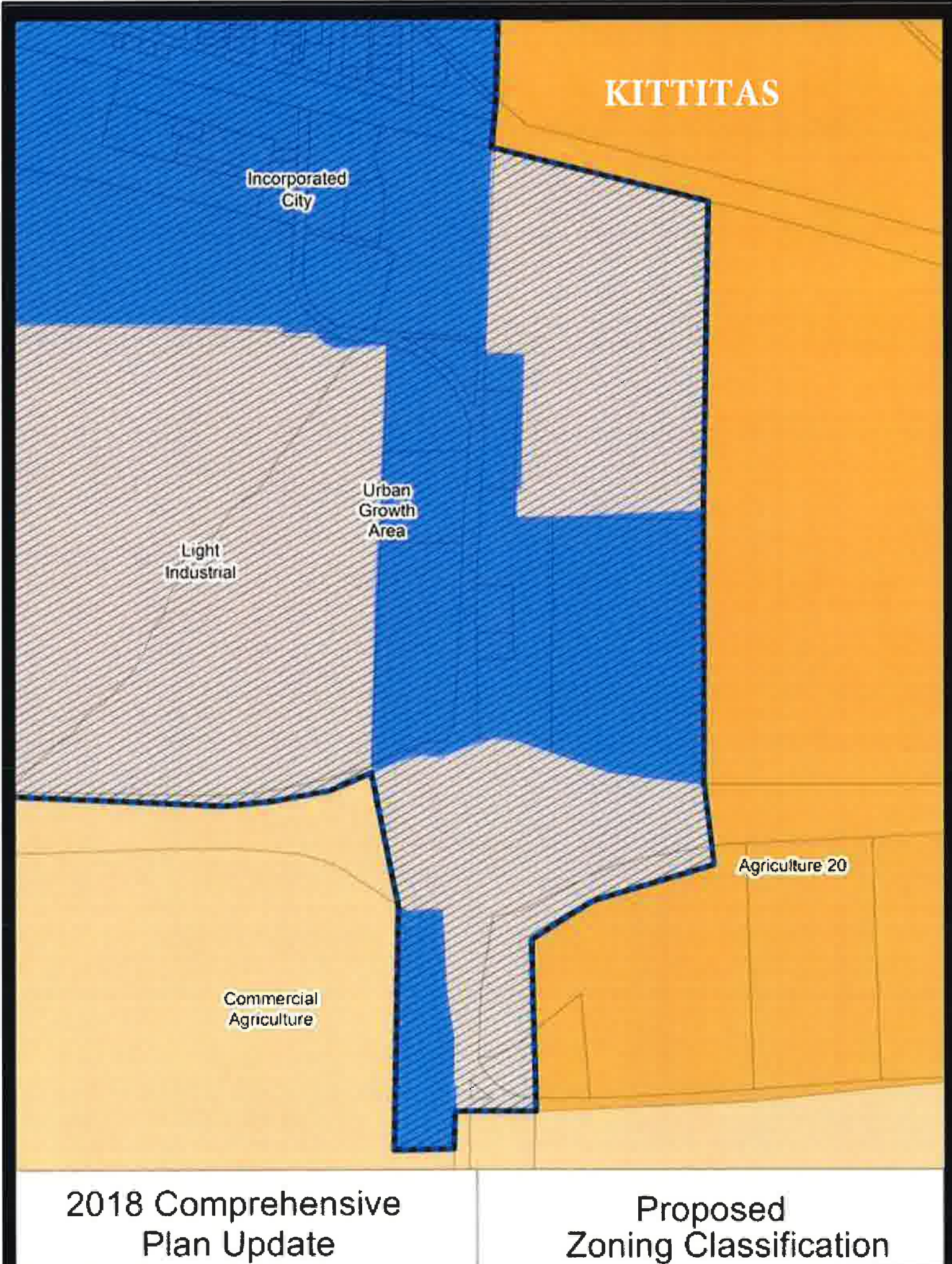
Urban
Growth
Area

Agriculture 20

Commercial
Agriculture

2018 Comprehensive
Plan Update

Proposed
Zoning Classification



Official Kittitas County Zoning Map



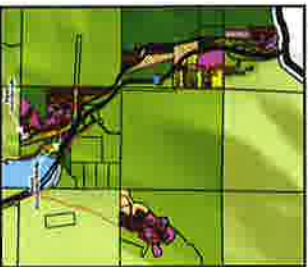
Legend

- County Boundary
- State Highway
- Historic Lacey Overlay
- LA-METs
- Airport Overlay
- Urban Growth Area
- Brewery Plant Overlay
- FUD Overlay
- Water Body
- Commercial Agriculture
- Agriculture 20
- Agriculture 3
- Agricultural Overlay
- Rural Residential
- Limited Commercial
- Highway Commercial
- General Commercial
- Agricultural
- Master Planned Area
- Planned Unit Development
- Historic Team Court
- Urban Residential
- Residential 2
- Rural Residential
- Rural 3
- Rural 4
- Rural 5
- Rural 10
- Incorporated City



Approved: February 17, 2011
 Adopted: December 16, 2010
 Date: December 16, 2010

Map prepared by Kittitas County Planning Department
 Kittitas County Planning Department
 1000 N. 2nd Street, P.O. Box 1000
 Ellensburg, WA 98926
 Phone: (509) 898-2200
 Fax: (509) 898-2201
 Email: planning@kittitascounty.gov



Skopgholm Pass



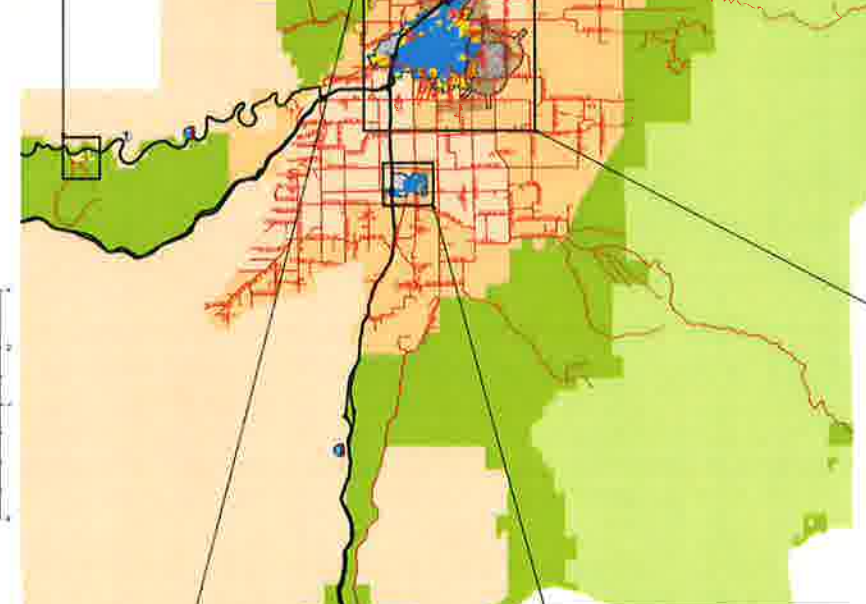
Gaston



Therp



Burbank Creek



Venango



Kittitas



Ellensburg



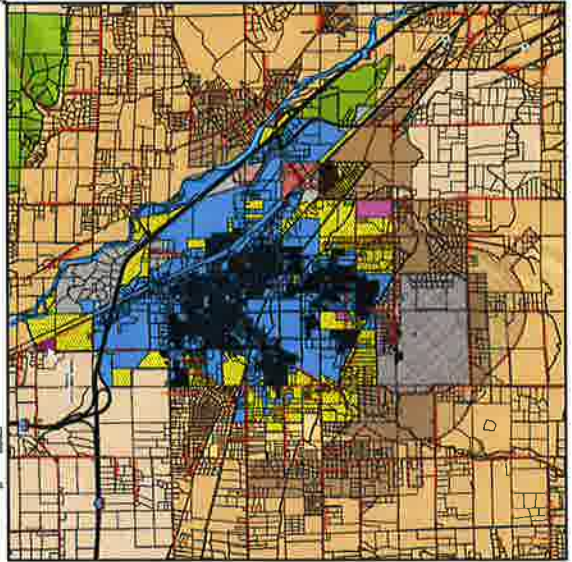
Randol



Cle Elum and Rockava



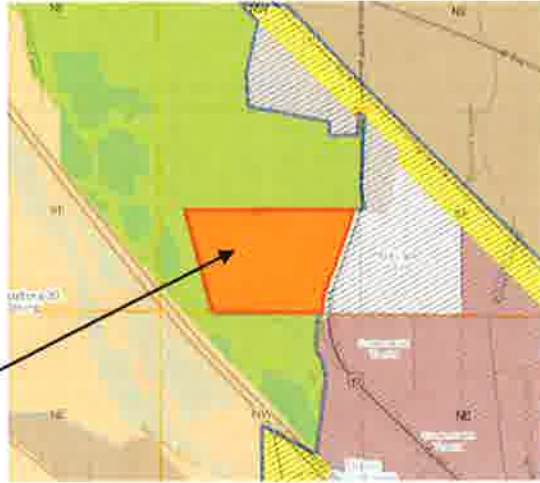
Libery



Venango

Exhibit H: Amendment 18-10

Amendment to Zoning Map



Existing parcel in Orange zoned Urban Residential. This parcel changes to Forest & Range and is depicted correctly on the Updated Official Zoning Map dated 12/18/18.

Exhibit I: Amendment 18-11

Amendments to Title 17 regarding explosives

Chapter 17.08

DEFINITIONS*

17.08.224A Electric vehicle parking space.

17.08.225 Explosives.

17.08.226 Explosives Magazine.

17.08.227 Explosives Process Building.

17.08.228 Explosives, Storage or Manufacture.

17.08.229~~5~~ Extremely hazardous waste.

17.08.230 Family.

17.08.225 Explosives.

Any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion. In addition the term "explosives" shall include all material which is classified as division 1.1, 1.2, 1.3, 1.4, 1.5, or 1.6 explosives by the United States department of transportation. For the purposes of this chapter, small arms ammunition, small arms ammunition primers, smokeless powder not exceeding fifty pounds, and black powder not exceeding five pounds shall not be defined as explosives, unless possessed or used for a purpose inconsistent with small arms use or other lawful purpose.

17.08.226 Explosives Magazine.

Any building or other structure, other than an explosives process building, used for the storage of explosives. The term "magazine" may be used in KCC to refer to an explosives magazine.

17.08.227 Explosives Process Building.

Any building or other structure (excepting magazines) containing explosives, in which the manufacturer of explosives, or any processing involving explosives, is carried on, and any building where explosives are used as a component part or ingredient in the manufacture of any article or device.

17.08.228 Explosives, Storage or Manufacture.

Any site, with any explosives process building, and/or magazine situated thereon, used in connection with the manufacturing or processing of explosives or in which any process involving explosives is carried on, or the storage of explosives thereat, as well as any premises where explosives are used as a component part or ingredient in the manufacture of any article or device.

17.08.229~~5~~ 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)

**Chapter 17.15
ALLOWED USES**

**17.15.050 Allowed Uses in Resource Lands.
17.15.050.1 Resource Use Table**

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use <i>*See KCC Chapter 17.08 Definitions</i>	Resource	
	Commercial Agriculture	Commercial Forest
D. Industrial		
Airport*	P ²⁰	P ²¹
Asphalt/concrete plants		
<u>Explosives, storage or manufacture</u>		
Forest product processing* (portable)		P
Forest product processing* (permanent)		CU

17.15.060.1 Allowed uses in Rural Non-LAMIRD Lands								
P Permitted PA Permitted Administrative CU Conditional Use ACU Admin. Conditional Use <i>* See KCC Chapter 17.08 Definitions</i>	Rural Non-LAMIRD							
	Rural Residential		Rural Working		Rural Recreation			Rural Residential & Rural Recreation
	Ag ⁵⁴⁹	Rural ⁵⁴⁹	Ag ²⁰⁴⁹	Forest & Range	Master Planned	General Commercial	Rural Recreation	PUD
D. Industrial								
Airport*	CU		CU	CU	CU	CU	CU	
Asphalt/Concrete plants				CU ³⁷				
<u>Explosives, storage or manufacture</u>								
Forest product processing* (portable)	P	P	CU	CU ³⁵				

Forest product processing* (permanent)			CU	CU**					
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17.15.070.1 Rural LAMIRD Use Table

P Permitted PA Permitted Administr ative CU Condition al Use ACU Admin. Condition al Use *See KCC Chapter 17.08 Definition s	Rural LAMIRD ⁴⁹ (Type 1 LAMIRDs)										Rural Employment Centers ^{50, 52} (Type 3 LAMIRDs)			
	Resid ential	R es id en tia l 2	Rural 5	Agric ulture 3	Gener al Comm ercial	Highw ay Comm ercial	Light Indus trial	Gene ral Indus trial	Fore st & Ran ge	PU D	Limit ed Com merci al	Gener al Comm ercial	High way Comm ercial	Light Industri al
D. Industrial														
Airport*				CU										CU ⁴⁶
Asphalt/C oncrete plants									CU ⁴⁷					
<u>Explosive s, storage or manufac ture</u>							CU	CU						CU
Forest product processin g* (portable)			P	P					CU			CU		CU
Forest product processin g*				CU					CU			CU		CU

(perman ent)																			
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17.15.070.2 Footnotes Associated with Rural LAMIRD Use Table.

20. Because of considerations of odor, dust, smoke, noise, fumes, vibration or hazard, the following uses shall not be permitted in the industrial zone unless a conditional use permit authorizing such use has been granted by the Board:

- a. All chemical manufacture, storage and/or packaging;
- b. Asphalt manufacture, mixing, or refining;
- c. Automobile dismantling, wrecking or junk yards;
- d. Blast furnaces or coke ovens;
- e. Cement, lime, gypsum or plaster of Paris manufacture;
- f. Drop forge industries;

~~g. Explosives, storage or manufacture;~~

~~h.g.~~ Reduction or disposal of garbage, offal or similar refuse;

~~i.h.~~ Oil refining; alternative energy refinery (i.e. biofuels, ethanol)

~~j.i.~~ Rubber reclaiming;

~~k.j.~~ Feed yards, livestock sales yards or slaughterhouses;

~~l.k.~~ Smelting, reduction or refining of metallic ores;

~~m.l.~~ Tanneries;

~~n.m.~~ Wineries;

~~o.n.~~ Manufacturing of industrial or household adhesives, glues, cements, or component parts thereof, from vegetable, animal or synthetic plastic materials;

17.15.080 Allowed Uses in Urban Lands

P Permitted PA Permitted Administrative CU Conditional Use ACU Admin.	Urban											
	R Urban Reside s ntial	H R s t	Agricul ture 3	Rural 3	Rural 5	Limited Commer cial	Ge ner al Co	Highw ay Comm ercial	Lig ht Ind ust	Gene ral Indus trial	Fores t & Rang e	PUD

Conditional Use *See KCC Chapter 17.08 Definitions	d e n t i a l		o r i c t r a i l e r C o u n t					m e r c h a n t i l	h o m e s i d e			
D. Industrial												
Airport*			CU					CU		CU		CU
Asphalt/Concrete plants												CU
Explosives, storage or manufacture										CU	CU	
Forest product processing* (portable)			P	P	P							P

17.15.080.2 Footnotes Associated with Rural Urban Use Table.

20. Because of considerations of odor, dust, smoke, noise, fumes, vibration or hazard, the following uses shall not be permitted in the industrial zone unless a conditional use permit authorizing such use has been granted by the Board:

- a. All chemical manufacture, storage and/or packaging;
- b. Asphalt manufacture, mixing, or refining;
- c. Automobile dismantling, wrecking or junk yards;
- d. Blast furnaces or coke ovens;
- e. Cement, lime, gypsum or plaster of Paris manufacture;
- f. Drop forge industries;
- ~~g. Explosives, storage or manufacture;~~
- ~~h.g.~~ Reduction or disposal of garbage, offal or similar refuse;
- ~~i.h.~~ Oil refining; alternative energy refinery (i.e. biofuels, ethanol)

j-i Rubber reclaiming;

k-j Feed yards, livestock sales yards or slaughterhouses;

l-k Smelting, reduction or refining of metallic ores;

m-l Tanneries;

n-m Wineries;

e-n Manufacturing of industrial or household adhesives, glues, cements, or component parts thereof, from vegetable, animal or synthetic plastic materials;