

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

**ORDINANCE**

**NO. 2020 - 009**

**REVISIONS OF KITTITAS COUNTY CODE AND COMPREHENSIVE PLAN  
AS PART OF THE 2020 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-M - 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 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 Board of County Commissioners Resolution 2020-134 extended the deadline for docketing amendments until August 14, 2020, in response to Washington's COVID-19 stay-at-home and phased reopening plans.
- 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 25, 2020 to the Department of Commerce as required by statute and received a letter of receipt on September 28, 2020 that the docket proposal had been received and was sent to other agencies for comment; and
- Whereas,** Comments were received from state agencies and members of the public; and
- Whereas,** Kittitas County filed its overall docket SEPA checklist on September 22, 2020 and issued a Determination of Non-significance (DNS) for the annual docket on September 22, 2020 through authority of WAC 197-11-340; and
- Whereas,** There were no agency or public appeals or reviews filed on the Determinations of Non-significance; and
- Whereas,** Due public notice was placed upon the County official website and in the Daily Record on September 29, 2020 and October 6, 2020 regarding the Planning Commission public hearing; and
- Whereas,** The Planning Commission was scheduled to conduct a public hearing on October 13, 2020 to hear testimony and take public comment on the items considered for amendment however, due to a lack of quorum, the hearing was cancelled; and

- Whereas,** After due notice and publication on official website and Daily Record on October 27, 2020 and November 3, 2020, the Planning Commission conducted a public hearing on November 10, 2020 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 5, 2020 and November 12, 2020, the Kittitas County Board of County Commissioners held an open public hearing on December 2, 2020; and
- Whereas,** After deliberation, the Board of County Commissioners made decisions 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 15, 2020.

## SECTION II – BOARD OF COUNTY COMMISSIONERS FINDINGS

### General Findings:

The Kittitas County Board of County Commissioners held a public hearing on December 2, 2020 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 hearing included:

<b>2020 Proposed AMENDMENTS to Kittitas County Code and Comprehensive Plan</b>				
<i>Number</i>	<i>Applicant Name</i>	<i>Project Description</i>	<i>Planning Commission Recommendation</i>	<i>Staff Recommendation to BOCC</i>
20-01 KCC Chapter 17.08.500 KCC 17.15	Commissioner Osiadacz	KCC 15A.11.010 – Amend definition of “Special Care Dwelling” to include park model trailers. KCC 17.15 – Amend use tables in KCC 17.15 to provide standards for park model trailers in special care dwelling uses.	Amend the code as proposed by staff, with additional clarifying language to 17.15.050.2(7)(h).  4-0 Approve	Approve as recommended by Staff and PC.
20-02 KCC Chapter 17.15	Commissioner Wright	Amend land use tables to allow cold storage in rural/resource zoning districts.	Amend the code as proposed by staff. 4-0 Approve	Approve as recommended by Staff and PC.

20-03 Chapter 17.70	Commissioner Wright	Amend sign code to allow greater sign height and area for commercial zones fronting highways. Also add conditional use permit option for proposed signs that exceed standards.	Amend the code as proposed by staff, but recommended that step explore development of lighting standards for signs and commercial uses in Kittitas County.  4-0 Approve	Approve as recommended by Staff and PC.
20-04 Map Amendments	Kittitas County CDS Planning Division	Annexations into City of Ellensburg Jurisdiction through Ellensburg Ordinances. This is a map amendment.  Update zoning and land use tables in Chapter 2 and Chapter 8 of Comp Plan, if necessary.	Accept staff recommendation.  4-0 Approve	Approve as recommended by Staff and PC.
20-05 KCC 16.10	Public Works – County Surveyor	Amend Survey Requirements for Boundary Line Adjustments per County Surveyor.	Amend the code as proposed by staff, with amendment to address setting property corners when weather will not allow.  4-0 Approve	Approve as recommended by Staff and PC.
20-06 KCC 17.15.070	Public Works Staff	Amend land use tables to allow for impound/towing yards in Snoqualmie Pass LAMIRD.	Amend the code as proposed by staff.  4-0 Approve	Approve as recommended by Staff and PC.
20-07	Commissioner Osiadacz	Amend land use tables to allow nurseries by Conditional Use Permit in Rural Recreation zones.	Recommend denying the code as proposed by staff.  4-0 Deny	None.
20-08 KCC 17.13 KCC 17.36	Commissioner Wright	Remove Transfer of Development Rights (TDR) requirement that conservation easements be held by nonprofit or quasi-governmental agency. Allow transfer of development rights for Planned Unit Developments (PUD) in the rural areas. <b>Removed from Docket by BOCC 11/3/2020</b>	N/A	N/A

20-09 KCC 15A.03.020	Kittitas County CDS – Planning	Amend to allow pre-application conference waivers.	Accept Staff Recommendation  4-0 Approve	Approve as recommended by Staff and PC.
20-10 KCC 13.40	BOCC and Public Works Staff	Transfer Authority for Water Mitigation and Metering from Public Health to Public Works	Accept Staff Recommendation  3-1 Approve	Approve as recommended by Staff and PC.
20-11	Fire Marshall	Authorize Fire & Life Safety Inspections for Short-Term Rentals	Recommend denying the code amendment as proposed by staff. PC remanded to staff for further study on Short Term Rental certification standards.  4-0 Deny	Approve as presented.

**20-01 Kittitas County Proposal:**

**Amend definition of “Special Care Dwelling” to include park model trailers. Amend use tables in KCC 17.15 to provide standards for park model trailers in special care dwelling uses.**

The proposed amendment to KCC 17.08.500 would amend the existing definition of “Special Care Dwelling” to include park model trailers. The land use tables in KCC 17.15 would be amended to provide standards for siting park model trailers.

KCC 17.08.431 defines “park model trailer” as 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 four hundred (400) square feet.

The Board of County Commissioners held a public hearing on December 2, 2020 and, by a 3-0 vote, **approved the request as presented based on the Planning Commission recommendation**, with one clarification adding a minor language change to KCC 17.15.050.2, 17.50.060.2, 17.15.070.02, and 17.15.080.2: “Park model trailers shall obtain the same building permit as for placement of a manufactured home,” finding that:

- I. The Planning Commission recommended approval, with additional clarifying language to 17.15.050.2(7)(h), as presented by staff 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.

**20-02 Kittitas County Proposal:  
Amend KCC Chapter 17.15 land use tables to allow cold storage in rural/resource zoning districts.**

The proposed amendment to KCC 17.15 would allow agricultural cold storage in rural and resource zoning districts.

The Board of County Commissioners held a public hearing on December 2, 2020 and **approved the request as presented** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval as presented by staff 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.

**20-03 Kittitas County Proposal:  
Amend KCC Chapter 17.70 sign code to allow greater sign height and area for commercial zones fronting highways. Also add conditional use permit option for proposed signs that exceed standards.**

The proposed amendment to KCC 17.70 would allow a greater sign height and a greater area for commercial zoned properties fronting highways. The amendment would also include a Conditional Use Permit option for signs proposed to exceed height and area standards.

The Board of County Commissioners held a public hearing on December 2, 2020 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 County's Comprehensive Plan.

**20-04 Kittitas County Proposal:  
Amendment to Comprehensive Plan and Zoning Map, Exhibit D.**

This amendment includes the following:

- City of Ellensburg zoning map changes - The official zoning map is updated to reflect the recent annexation of parcel numbers 322733, 20998, and 20999, depicted in the City of Ellensburg Annexation Ordinance No. 4828.
- City of Ellensburg zoning map changes - The official zoning map is updated to reflect the recent annexation of 260 parcels, known as the "Currier Creek Annexation Area, depicted in the City of Ellensburg Annexation Ordinance No. 4847.
- 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.

An official paper zoning map is provided with this ordinance for approval and signature by the BOCC Chair reflecting all changes approved through this ordinance.

The Board of County Commissioners held a public hearing on December 2, 2020, 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.

#### **20-05 Kittitas County Proposal**

##### **Amend Survey Requirements for Boundary Line Adjustments per County Surveyor.**

The proposal would amend survey requirements for Boundary Line Adjustments as recommended by the County Surveyor.

The Board of County Commissioners held a public hearing on December 2, 2020 and **approved the request as presented and amended based on the Planning Commission recommendation** by a 3-0 vote, amending KCC 16.10.050: “Additionally, as a minimum, all corners of the new division lines shall be set, weather dependent, and positions noted on face of survey,” finding that:

- I. The Planning Commission recommended approval with amendments 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.

#### **20-06 Kittitas County Proposal:**

##### **Amend land use tables to allow for impound yard in Snoqualmie Pass LAMIRD.**

The proposed amendment to KCC 17.15.070 would allow impound/towing yards in the Snoqualmie Pass LAMIRD in order to assist with parking enforcement at the pass. Impound/towing yards would be a permitted use in the Light Industrial zoning district and would require a conditional use permit in the Highway Commercial and PUD zoning districts.

KCC 17.08.320 defines “Impound/towing yard” as a fully enclosed area which is designed to hold and store vehicles for a period not more than ninety (90) days which have been impounded by a jurisdiction or private party.

The Board of County Commissioners held a public hearing on December 2, 2020 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.

**20-07 Kittitas County:**

**Amend land use tables to allow nurseries by Conditional Use Permit in Rural Recreation zones.**

The proposed amendment to KCC 17.15.060 would allow nurseries by Conditional Use Permit in Rural Recreation zoning districts.

KCC 17.08.415 defines “nurseries” as 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.

The Board of County Commissioners held a public hearing on December 2, 2020 and **denied the request as presented based on the Planning Commission recommendation** by a 2-1 vote, with the request that staff consider and develop a set of minimum standards, and expedite another public hearing before the next docket hearing, with Commissioner Wright voting against, finding that:

- I. The Planning Commission recommended denial of the proposal to the Board of County Commissioners with a vote of 4-0.
- II. No public testimony for this proposal was received.

**20-08 Kittitas County Proposal**

**Item 20.08 was removed from the docket by the BOCC on November 3, 2020 and was not included in the Planning Commission or Board of County Commissioners Hearings.**

**20-09 Kittitas County Proposal:**

**Amend to allow pre-application conference waivers.**

Currently, KCC 15A.03.020 requires a pre-application conference prior to applying for Cluster Plats and Conservation Plats, Planned Unit Developments, master planned resorts, conditional use permits, shoreline substantial development permits, shoreline conditional use permits, shoreline variances, rezones and any preliminary plat over nine (9) lots. The proposed amendment would allow for pre-application waivers under certain circumstances.

The Board of County Commissioners held a public hearing on December 2, 2020 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.

**20-10 Kittitas County Proposal:**

**Transfer Authority for Water Mitigation and Metering from Public Health to Public Works.**

The proposed amendment to KCC 13.40 would transfer the authority for Water Mitigation and Metering from Public Health to Public Works.



The Board of County Commissioners held a public hearing on December 2, 2020, and **approved the request as presented and amended based on the Planning Commission recommendation** by a 3-0 vote, finding that:

- I. The Planning Commission recommended approval to the Board of County Commissioners with a vote of 3-1.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

**20-11 Kittitas County Proposal:  
Authorize Fire & Life Safety Inspections for Short-Term Rentals.**

The proposed amendment to KCC 20.05 would authorize Fire and Life Safety inspections for Short-Term Rentals. Short-term rentals are defined by RCW 64.37.010 as follows:

(9)(a) "Short-term rental" means a lodging use, that is not a hotel or motel or bed and breakfast, in which a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental operator for a fee for fewer than thirty consecutive nights.

(b) "Short-term rental" does not include any of the following:

(i) A dwelling unit that is occupied by the owner for at least six months during the calendar year and in which fewer than three rooms are rented at any time;

(ii) A dwelling unit, or portion thereof, that is used by the same person for thirty or more consecutive nights; or

(iii) A dwelling unit, or portion thereof, that is operated by an organization or government entity that is registered as a charitable organization with the secretary of state, state of Washington, or is classified by the federal internal revenue service as a public charity or a private foundation, and provides temporary housing to individuals who are being treated for trauma, injury, or disease, or their family members.

The Board of County Commissioners held a public hearing on December 2, 2020 and **denied the request as presented based on the Planning Commission recommendation** by a 3-0 vote, with the request that staff form a committee of fire community members and short-term rental stakeholders, to develop a plan to bring this proposed amendment into code, finding that:

- I. The Planning Commission recommended denial to the Board of County Commissioners with a vote of 4-0.
- II. No public testimony for this proposal was received.

**SECTION III - FINAL DECISION AND SIGNATURES**

**BE IT ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 17.08.500 and 17.15 to amend the definition of "Special Care Dwellings" to include park model trailers, and provide standards for park model trailers in special care dwelling uses, as shown in **Exhibit A**.

**BE IT FURTHER ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 17.15, to allow cold storage in Rural and Resource zoning districts, as shown in **Exhibit B**.

**BE IT FURTHER ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 17.70 to allow greater sign height and area for commercial zones fronting highways, with a Conditional Use Permit option for signs that exceed required standards, as shown in **Exhibit C**.

**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 D**.

**BE IT FURTHER ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 16.10 to update existing survey requirements for Boundary Line Adjustments, as shown in **Exhibit E**.

**BE IT FURTHER ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendment to KCC 17.15, to allow an impound yard in the Snoqualmie Pass LAMIRD, as shown in **Exhibit F**.

**BE IT FURTHER ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby denies amendment to KCC 17.15.060, to allow nurseries by Conditional Use Permit in Rural Recreational zoning districts.

**BE IT FURTHER ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 15A.3.020, to allow pre-application waivers for applicants meeting a set of criteria standards, as shown in **Exhibit G**.

**BE IT FURTHER ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC 13.40 and 18.01.020, to transfer the authority for Water Mitigation and Metering from the Public Health Department to Public Works, as shown in **Exhibit H**.

**BE IT FURTHER ORDAINED** that the Board of Kittitas County Commissioners, after due deliberation, hereby denies amendments to KCC 20.05 to authorize Fire and Life Safety Inspections for Short Term Rentals.

**NOW, BE IT FURTHER ORDAINED** that the Board of County Commissioners, after due deliberation, hereby approves the adoption of the 2020 Amendments to the Kittitas County Code as shown in Exhibits A through H 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 15th day of December, 2020, at Ellensburg, Washington.

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

  
\_\_\_\_\_  
Brett Wachsmith, Chairman

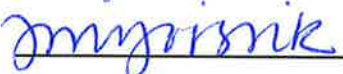
  
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Laura Osjadacz, Vice-Chairman

  
\_\_\_\_\_  
Cory Wright, Commissioner



**ATTEST:**

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

  
\_\_\_\_\_

**APPROVED AS TO FORM:**

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

# Exhibit A: Amendment 20-01

## Amendment to Special Care Dwellings

### 17.08.500 Special care dwelling.

"Special care dwelling" means a Manufactured Home or Park Model Trailer providing separate living quarters for the purpose of providing care to an immediate family member. (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. O-2006-01, 2006)

### 17.15.050.2 Footnotes Associated with Resource Use Table.

7. Subject to the following requirements:

The Special Care Dwelling must meet all setback requirements for the zone in which it is located;

- a. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal;
- b. Placement is subject to obtaining a building permit for the manufactured home;
- c. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements;
- d. The Special Care Dwelling unit cannot be used as a rental unit;
- e. The Special Care Dwelling unit must be removed when the need for care ceases;
- f. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
- g. Park model trailers shall obtain the same building permit as for placement of a manufactured home.
- h. Park model trailers shall be inspected and approved by Washington State Department of Labor and Industries.

### 17.15.060.2 Footnotes Associated with Rural Non-LAMIRD Use Table.

30. Subject to the following requirements:

- a. The Special Care Dwelling must meet all setback requirements for the zone in which it is located;
- b. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal;
- c. Placement is subject to obtaining a building permit for the manufactured home;
- d. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements;
- e. The Special Care Dwelling unit cannot be used as a rental unit;
- f. The Special Care Dwelling unit must be removed when the need for care ceases;
- g. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
- h. Park model trailers shall obtain the same building permit as for placement of a manufactured home.
- g.i. Park model trailers shall be inspected and approved by Washington State Department of Labor and Industries.

### 17.15.070.2 Footnotes Associated with Rural LAMIRD Use Table.

39. Subject to the following requirements:

- a. The Special Care Dwelling must meet all setback requirements for the zone in which it is located;

- b. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal;
- c. Placement is subject to obtaining a building permit for the manufactured home;
- d. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements;
- e. The Special Care Dwelling unit cannot be used as a rental unit;
- f. The Special Care Dwelling unit must be removed when the need for care ceases;
- g. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
- h. Park model trailers shall obtain the same building permit as for placement of a manufactured home.
- g-i. Park model trailers shall be inspected and approved by Washington State Department of Labor and Industries.

**17.15.080.2 Footnotes Associated with Urban Use Table.**

17. Subject to the following requirements:

- a. The Special Care Dwelling must meet all setback requirements for the zone in which it is located.
- b. The Special Care Dwelling must meet all applicable health department requirements for potable water and sewage disposal.
- c. Placement is subject to obtaining a building permit for the manufactured home.
- d. Owner must record a notice to title prior to the issuance of building permit which indicates the restrictions and removal requirements.
- e. The Special Care Dwelling unit cannot be used as a rental unit.
- f. The Special Care Dwelling unit must be removed when the need for care ceases.
- g. A Special Care Dwelling is not permitted on the same lot where an Accessory Dwelling Unit or Accessory Living Quarter exists.
- h. Park model trailers shall obtain the same building permit as for placement of a manufactured home.
- g-i. Park model trailers shall be inspected and approved by Washington State Department of Labor and Industries.

## **Exhibit B: Amendment 20-02**

### **Amendments to Cold Storage in Rural and Resource Zoning Districts**

**KCC 17.15.050.2 Footnotes Associated with Resource Use Table.**

26. Existing facilities are permitted; new facilities require a conditional use permit. Limited to agricultural products. ~~Excludes controlled atmosphere and cold storage warehouses.~~

**KCC 17.15.060.2 Footnotes Associated with Rural Non-LAMIRD Use Table.**

46. Existing facilities are permitted; new facilities require a conditional use permit. Limited to agricultural products. ~~Excludes controlled atmosphere and cold storage warehouses.~~

**KCC 17.15.070.2 Footnotes Associated with Rural LAMIRD Use Table**

44. Existing facilities are permitted; new facilities require a conditional use permit. Limited to agricultural products. ~~Excludes controlled atmosphere and cold storage warehouses.~~



# Exhibit C: Amendment 20-03

## Amendments to Sign Code

### 17.70.060 General regulations.

The type, number, height, setbacks and maximum sign area are subject to the review procedures of this chapter, and are established for all signs in all zoning districts.

1. Development Standards.
  - a. Construction shall satisfy the requirements of KCC [Title 14](#) and the International Codes.
  - b. All signs, together with their supports, braces, and guys, shall be maintained in a safe and secure manner.
  - c. Except for exempt signs as provided in KCC Section [17.72.030](#), all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame or structure.
  - d. The ratio of the area of the sign support, framing structure and/or other decorative features which contain no written or advertising copy to the sign cabinet shall not be greater than one to one (1 to 1).
  - e. Setbacks. All signs shall be at least ten (10) feet from the front property line, but must be setback additional distance if right of way extends onto property so that the sign is no closer than ten (10) feet from the edge of the right of way.
  - f. Sight Triangles: Signs must be located in conformance with KCC Section [12.04.030.E](#) for sight triangles.
  - g. Height. Except where allowed or restricted otherwise in this chapter or by state or federal law, all signs and supporting structures shall be no higher than the allowed building height in the applicable zoning district. Signs in Limited Commercial, General Commercial, or Highway Commercial zoning districts shall not exceed eighty (80) feet in height. Signs that exceed height standards in Limited Commercial, General Commercial, or Highway Commercial zoning districts shall require Conditional Use permit approval in accordance with KCC 17.60A.
  - h. Projecting, hanging, and awning signs shall maintain a minimum clearance of eight (8) feet above the finished grade.
2. Illumination. Illumination from any sign shall be shaded, shielded, directed or reduced so as to avoid undue brightness, glare or reflection of light onto private or public property or right-of-way in the surrounding area, and so as to avoid unreasonable distractions of pedestrians or motorists.
3. Computations. The following principles shall control the computation of sign area and sign height:
  - a. Area of Individual Signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or



- structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall that is clearly incidental to the display itself.
- b. Area of Multi-Faced Signs. The sign area shall be computed by adding together the area of all sign faces. When two identical sign faces are placed back to back, the sign area shall be computed by the measurement of one of the faces. No greater than two (2) faces are permitted per freestanding sign.
  - c. Height. The height of a sign shall be computed as the distance from the base of the sign at the average finished grade of the lot to the top of the highest attached component of the sign. In cases in which the normal grade cannot reasonably be determined, or the property is improved with curbs and gutters, sign height shall be computed on the assumption that the elevation of the normal grade at the sign is equal to the average elevation of the roadway within fifty (50) feet in either direction of the proposed sign.
4. Number of signs.
    - a. Only one (1) monument sign is allowed on each frontage, including for multi-tenant buildings, provided it is not located on the same street frontage as an allowed freestanding sign.
    - b. Only one (1) freestanding sign is allowed on each frontage, including for multi-tenant buildings, provided it is not located on the same street frontage as an allowed monument sign.
    - c. Single or multiple occupancy buildings whose premises extend through a block to face on two (2) parallel or nearly parallel roads with customer entrances on each road are permitted one (1) freestanding sign or monument sign per road frontage; provided, that each freestanding sign or monument sign is located on different road frontages. Where a multi-tenant development does not abut a public street frontage, one (1) multi-tenant sign shall be allowed. However, no signs shall be permitted on roads abutting residential districts.
    - d. Unless otherwise addressed in this chapter, the number of wall or window signs shall not be limited as long as the maximum sign surface area per building face is not exceeded.
    - e. Only one (1) suspended and/or projecting sign shall be permitted per exterior building entrance;
    - f. One (1) suspended and/or projecting sign per business shall be allowed under a canopy.
  5. Any signs visible from a Washington State-designated scenic byway shall comply with the requirements of [Chapter 47.42 RCW](#) and other applicable state requirements, as administered by the appropriate state agency, including any permitting required by the Washington State Department of Transportation.
  6. One (1) informational sign per business or use may be permitted indicating the use or business name and the direction in which it is located. The name or logo may be listed but shall not be the primary focus or feature of the sign. Such signs may be a maximum of four (4) feet in height.

([Ord. 2014-015](#), 2014;)

#### **17.70.070 Specific sign regulations.**

All permitted signs shall comply with one of the following types of structural and/or construction

related requirements:

1. Monument Signs

- a. Unless otherwise permitted herein, each monument sign shall be no larger than thirty-two (32) square feet;
- b. Unless otherwise permitted herein, each monument sign shall be no taller than forty-two (42) inches above street grade when located within the sight triangle, and no taller than seventy-two (72) inches above finished grade when located outside of the sight triangle;
- c. Monument signs shall be constructed as ground-mounted signs with the message component of the sign located above the average ground elevation and attached to the ground by means of a wide base of solid appearance.

2. Freestanding Signs

- a. Unless otherwise permitted herein, each freestanding sign shall be no larger than thirty-two square feet (32); except that a multi-tenant freestanding signs shall not exceed a maximum of one hundred fifty (150) square feet in area.
- a.b. Signs oriented toward highways and freeways shall have a maximum area per face of four hundred (400) square feet. Signs oriented toward highways and freeways that exceed four hundred (400) square feet in area shall require Conditional Use permit approval in accordance with KCC 17.60A.
- b.c. The maximum size for outdoor advertising signs shall be thirteen (13) feet in height and twenty-five (25) feet in length or three hundred twenty-five (325) square feet in area, including border and trim, but excluding supports, In no case shall more than two signs outdoor advertising signs be permitted on the same lot.

# Exhibit D: Amendment 20-04

## Amendments to Comprehensive Plan and Zoning Map

Kittitas County June 2019

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

Type of Land Use	Land Use	Use Intensity	Description	Acres <sup>1</sup>	Zoning Classification	Acres <sup>1</sup>
Resource	Commercial Agriculture	Resource Lands	Agricultural lands of long-term commercial significance	289,515.8	Commercial Agriculture	289,515.8
	Commercial Forest	Resource Lands	Forest lands of long-term commercial significance	800,275.0	Commercial Forest	800,275.0
	Mineral Lands	Resource Lands	Mineral lands of long-term commercial significance	5,690.7	Zoning Classification Varies <sup>2</sup>	5,690.7
<b>Section Total:</b>						<b>1,095,481.5</b>
Rural	Rural Working	Low	Supports Ag, Timber and Mineral uses not in resource lands	328,754.3	Agriculture 20	111,226.4
					Forest and Range	217,527.9
	Rural Residential	Moderate	Residential opportunities with rural character outside of UGAs and LAMIRDS	29,900.9	Agriculture 5	11,921.6
					Rural 5	17,936.5
					General Commercial	0.7
					Planned Unit Development	42.1
	Rural Recreation	Moderate	Activities to support and enhance recreational opportunities	10,461.9	General Commercial	22.0
					Master Planned Resort	6,444.5
					Planned Unit Development	363.8
	LAMIRD <sup>1</sup>	More Intense	Non-incorporated urban like development	1,210.4	Rural Recreation	3,631.7
Agriculture 20					28.3	
Agriculture 3					42.4	
Forest and Range					77.6	
General Commercial					195.2	
General Industrial	4.7					
Highway Commercial	45.2					

Type of Land Use	Land Use	Use Intensity	Description	Acres <sup>1</sup>	Zoning Classification	Acres <sup>1</sup>
					Light Industrial	36.3
					Limited Commercial	13.6
					Planned Unit Development	218.0
					Residential	412.3
					Residential 2	40.8
					Rural 3	42.4
					Rural 5	53.6
<b>Section Total:</b>						<b>370,327.6</b>
					Agriculture 3	80.2
					Forest and Range	606.8
					General Commercial	<del>119,124.7</del>
					General Industrial	592.5
					Highway Commercial	83.4
					Historic Trailer Court	24.2
					Incorporated City	<del>10,043.3</del> 10,137.1
<b>Urban</b>	Urban	Intense	Incorporated Cities and their Urban Growth Areas	<b>16,047.3</b>	Light Industrial	<del>1,641.1</del> 1,631.0
					Limited Commercial	3.8
					Planned Unit Development	88.7
					Residential	140.4
					Rural 3	423.6
					Rural 5	10.1
					Urban Residential	<del>2,190.1</del> 1,980.8
<b>Section Total:</b>						<b>16,047.3</b>
<b>County Total:</b>				<b>1,481,813.7</b>		<b>1,481,813.7</b>

<sup>1</sup> Acreages are approximate.

<sup>2</sup> Mineral lands include lands zoned Commercial Agriculture, Commercial Forest, Agriculture 20, or Forest & Range.

***The above table reflects the following changes:***

*City of Ellensburg Zoning Map Changes*

- City of Ellensburg zoning map changes - The official zoning map is updated to reflect the recent annexation of parcel numbers 322733, 20998, and 20999 depicted in the City of Ellensburg Annexation Ordinance No. 4828.
- City of Ellensburg zoning map changes - The official zoning map is updated to reflect the recent annexation of 260 parcels, known as the “Currier Creek Annexation Area” depicted in the City of Ellensburg Annexation Ordinance No. 4847.

***Amended Map***

An official paper zoning map is provided with this ordinance for approval and signature by the BOCC Chair reflecting all changes approved through this ordinance.

# Exhibit E: Amendment 20-05

## Amendments to Boundary Line Adjustment Survey Requirements

### Chapter 16.10

#### Boundary Line Adjustments

##### Sections

[16.10.010](#) Applicability

[16.10.020](#) Application requirements

[16.10.030](#) Review criteria

[16.10.040](#) Review procedures

[16.10.050](#) Recording

[16.10.060](#) Transfer of title

[16.10.070](#) Expiration

##### **16.10.010 Applicability.**

A boundary line adjustment is an acceptable means of transferring land between abutting legally created parcels, provided:

1. No additional lots, parcels or tracts are created as part of the transfer;
2. No lot that currently conforms to minimum area and dimension regulations shall be adjusted so as to become nonconforming; and
3. No nonconforming lot shall be adjusted in a manner that increases the nonconformity.
4. No parcels with split zoning are created as a part of the transfer per KCC Chapter [16.04.025](#).

([Ord. 2014-015](#), 2014;)

##### **16.10.020 Application requirements.**

Applicants for a boundary line adjustment shall submit the following for review and approval:

1. A brief narrative description of the proposed boundary line adjustment;
2. Existing and proposed legal descriptions of the affected lots;
3. Scaled drawings of both existing and proposed site plans as described in KCC Title [15A.03.030](#);
4. A certificate of title issued within the preceding one hundred twenty (120) days.

([Ord. 2014-015](#), 2014;)

##### **16.10.030 Review criteria.**

In addition to the requirements in KCC [16.10.010](#) above, the Director shall consider, and base his/her decision to approve or deny a boundary line adjustment on the following:

1. Compliance with KCC Title 17 Zoning;
2. Compliance with KCC Title 12 Roads and Bridges;
3. Compliance with KCC Title 13 Water and Sewers;
4. Compliance with KCC Title 14 Buildings and Construction;

5. Compliance with KCC Chapter 16.18 Irrigation and Sprinkling and RCW 58.17.310 and;
6. Compliance with KCC Title 20 Fire and Life Safety  
([Ord. 2014-015](#), 2014;)

**16.10.040 Review procedures.**

The Director, County Engineer and County Surveyor shall review the boundary line adjustment for compliance with this chapter and all other land use regulations in effect at the time the application was deemed complete. If all requirements for approval are met, the Director shall provide written findings of fact supporting the approval of the boundary line adjustment.

([Ord. 2014-015](#), 2014;)

**16.10.050 Recording.**

Prior to recording, a final Preliminary Survey along with legal descriptions and final acreages for all lots involved shall be submitted to Community Development Services for review and approval. The Director shall verify that the final survey and any attachments are accurate and complete and that they comply with all of the requirements in KCC [16.10.030](#), [KCC 16.24.010](#), [KCC 16.24.020](#) and [WAC 332.130](#).

Additionally, as a minimum, all corners of the new division lines shall be set, weather dependent, and positions noted of face of survey. Boundary line adjustments do not become effective until recorded with the Kittitas County Auditor.

([Ord. 2014-015](#), 2014;)

**16.10.060 Transfer of title.**

The recording of a boundary line adjustment does not constitute a transfer of title. Separate deeds to this effect must be recorded with the Kittitas County Auditor and are not subject to the provisions of this Chapter.

([Ord. 2014-015](#), 2014;)

**16.10.070 Expiration.**

If the boundary line adjustment is not recorded with the Kittitas County Auditor within two (2) years of the date of approval, the boundary line adjustment shall be null and void.

([Ord. 2014-015](#), 2014;)



## Exhibit F: Amendment 20-06

### Amendment to allow impound/towards yards in Snoqualmie Pass LAMIRD

KCC 17.15.070

	Residential	Residential 2	Rural 5	Agriculture 3	General Commercial	Highway Commercial	Light Industrial	General Industrial	Forest & Range	PUD	Limited Commercial	General Commercial	Highway Commercial	Light Industrial
Impound/ Towing Yard*						<u>CU<sup>60</sup></u>	<u>P<sup>60</sup></u>			<u>CU<sup>60</sup></u>				

59. Pursuant to KCC [17.61C.050](#) and [17.61C.060](#).

60. Applies only to Snoqualmie Pass LAMIRD.

## Exhibit G: Amendment 20-09

### Amendment to allow pre-application conference waivers

#### 15A.03.020 Pre-application conference.

A pre-application conference is offered to all interested potential applicants. Applicants are encouraged but not required to request this conference except in the case of a Cluster Platting and Conservation Platting, Planned Unit Development, master planned resort, conditional use permit, shoreline substantial development permit, shoreline conditional use permit, shoreline variance, rezone and any preliminary plat over nine (9) lots where a pre-application 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.
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.
3. Such conferences are not publicized and the public is not permitted to attend in order that a potential applicant's interests be protected.
- ~~3.4.~~ A pre-application conference may be waived if the CDS Director or Planning Official determines that the proposal is relatively simple (has few, if any, development-related issues), is substantially similar to a prior proposal affecting the same property, or is substantially similar to other projects developed by the same applicant. In order to request a pre-application waiver, the applicant shall submit a completed pre-application waiver request form, a written narrative justifying the request for a pre-application waiver, and the required fee.

([Ord. 2016-006](#), 2016; [Ord. 2013-001](#), 2013; [Ord. 2011-013](#), 2011; [Ord. 2010-014](#), 2010; Ord. 2007-22, 2007; Ord. 2007-22, 2007; Ord. 2000-07; Ord. 98-10, 1998)

# Exhibit H: Amendment 20-10

## Amendment to transfer authority for water mitigating and metering to Public Works

### Chapter 13.40

### MITIGATION AND METERING PROGRAM

#### Sections

[13.40.010](#) Eligibility.

[13.40.020](#) Water Usage Packages.

[13.40.030](#) Metering Requirements.

[13.40.040](#) Well Requirements.

[13.40.050](#) Septic Requirements.

[13.40.060](#) Monitoring and Enforcement.

#### 13.40.010 Eligibility

Applicants for residential building permits requiring mitigation may use the publicly-operated Kittitas County Water Bank if certain qualifications are met. To be eligible to mitigate through the Kittitas County Water Bank, an applicant must meet the following requirements:

- a. Be located within an area in which the Kittitas County Water Bank can provide adequate water mitigation, and
- b. Submit an application for a residential building permit within two (2) years of issuance of the mitigation certificate. Commercial uses are not eligible.

Applicants must submit a mitigation application, all applicable documentation, and all applicable fees (~~according to the Kittitas County Public Health Department fee schedule~~) to the Kittitas County Public ~~Health Department (KCPHD) Works~~ prior to submitting an Adequate Water Supply Determination application. Applicants will also be required to legally record the mitigation certificate and any applicable agreements on the title record associated with the property parcel. ([Ord. 2018-009](#), 2018; [Ord. 2017-007](#), 2017; [Ord. 2015-007](#), 2015)

#### 13.40.020 Water Usage Packages

Applicants with access to outdoor irrigation (as determined by a signed affidavit) will be required to purchase mitigation Package A, which consists of an annual average of 275 gallons per day of indoor domestic use only. The daily maximum withdrawal allowed on any given day is 825 gallons per day, as long as the annual average is not exceeded.

Applicants without access to outdoor irrigation (as determined by a signed affidavit) will be required to purchase mitigation Package B which consists of an annual average of 275 gallons

per day or indoor domestic use only and up to an annual average of 25 gallons per day for outdoor irrigation of up to 500 square feet. The daily maximum withdrawal allowed on any given day is 900 gallons per day, as long as the annual average is not exceeded.

Applicants using a cistern water system as the potable water source will be allowed to purchase mitigation Package C, which consists of an annual average of 150 gallons per day of indoor domestic use only. Cistern users may purchase other water use packages as per design specifications as submitted and signed by a licensed engineer. ([Ord. 2017-007](#), 2017 [Ord. 2015-007](#), 2015)

### **13.40.030 Metering Requirements**

All new uses of groundwater for domestic purposes in Kittitas County (within the Yakima River Basin) using wells as their potable water source will be required to meter their mitigated water usage and pay an annual fee (~~according to the Kittitas County Public Health Department fee schedule~~) associated with the administration of a metering and monitoring program.

Participants will be responsible for the installation of meters and metering equipment and any associated costs as determined by the County's specifications. Meter installation must meet the following specifications and will be subject to inspection and applicable inspection fees:

- a. The meter must be installed on the mainline prior to any residential lateral connections, ~~or spigots, or pressure tanks in a well house.~~
- b. Meters must be accessible.
- c. The meter must be installed according to manufacturer specifications despite varying pipe-fitting, pipe size, well locations and landscape conditions
- d. Meter installation must have an even velocity profile. Installer must insure proper design and installation.
- e. Meter must be installed in an accessible, weather resistant, meter structure, such as a meter box or equivalent, and be appropriate for location and geographic area.

Proper installation of metering equipment and functional water flow must be complete prior to the inspection and issuance of the Certificate of Occupancy.

If metering equipment requires maintenance, repair, and/or replacement, the property owner is responsible for ensuring proper equipment functionality. If the property owner does not comply with any needed maintenance, repair, and/or replacement of the metering equipment at the cost of the property owner through either an invoice for costs or a lien on the property.

Participants in the Kittitas County Water Bank using a cistern water system will submit records of all potable water deliveries to Kittitas County Public Health Department as referenced in KCC 13.25.090. ([Ord. 2018-009](#), 2018; [Ord. 2017-007](#), 2017 [Ord. 2015-007](#), 2015)

#### **13.40.040 Well Requirements**

Wells being mitigated through the Kittitas County Water Bank that are drilled after 12/2/15 must meet the following conditions:

For wells 600 feet or closer to Type 1 and Type 2 stream and rivers, and natural wetlands, creeks, lakes, and ponds. Wells must be set back 100 feet or more from the surface water body when feasible and adhere to the following:

- c. Well must be cased a minimum depth of 5 feet into the first consolidated layer or formation, or until the casing is refused by the formation (casing refusal); and
- d. Wells must be drilled past the first consolidated layer or formation and into a water-bearing zone; and
- e. Wells shall have a minimum bentonite or other equivalent seal of 18 feet, or be constructed in an equivalent manner consistent with Chapter 173-160 WAC.

In instances where the 100 foot minimum set back requirement cannot be met, in addition to (1) and (2), the well shall have a bentonite or other equivalent seal down to the first consolidated layer. ([Ord. 2015-007](#), 2015)

#### **13.40.050 Septic Requirements**

Kittitas County Water Bank applicants must record with the Kittitas County Auditor's Office a property covenant that restricts or prohibits trees or shrubs over a septic drain field on the parcel. ([Ord. 2015-007](#), 2015)

#### **13.40.060 Monitoring and Enforcement**

Water usage will be monitored for annual average daily use, maximum daily use, outdoor usage, and intentional violations such as meter tampering, falsifying documents, etc. Violations of water usage restrictions may result in enforcement actions such as Orders to Correct Violations, Notices of Violation and Abatement, and/or Notices of Infraction per [KCC Chapter 18](#). ([Ord. 2015-007](#), 2015)

#### **18.01.020 Enforcement.**

Only an authorized official may enforce the provisions of this Title. For purposes of this Title, an authorized official is defined as any of the following:

1. The Kittitas County Sheriff and his or her authorized representatives shall have the authority to enforce the provisions of this Title.
2. The Kittitas County Code Enforcement Officer and his or her authorized representatives shall have the authority to enforce the provisions of this Title
3. The Kittitas County Prosecuting Attorney shall have the authority to enforce the provisions of this Title and may institute any legal proceedings necessary to enforce the provisions of this Title.
4. The Kittitas County Fire Marshal and his or her authorized representatives shall have the authority to enforce the provisions of this Title as to violations of Chapter 9.30, Chapter 15.08 and 20 of Kittitas County Code, and all other fire and life safety code and ordinances as adopted by Kittitas County.

5. The Kittitas County Community Development Services Director and Planning Official and their authorized representatives shall have the authority to enforce the provisions of this Title as to violations of Titles 15, 16, 17, 17A, and 17B of Kittitas County Code.
6. The Kittitas County Community Development Services Director and Building Official and their authorized representatives shall have the authority to enforce the provisions of this Title as to violations of all building codes adopted by Kittitas County.
7. The Kittitas County Public Works Director and his or her authorized representatives shall have the authority to enforce the provisions of this Title as to violations of Title 12, [Chapter 13.40](#), Chapter 14.05, and Chapter 14.08 of Kittitas County Code.
8. The Kittitas County Board of Health may designate other persons to administer the provisions of this Title as to violations of Titles 8 and 13 and the Kittitas County Health Code and Ordinances.
9. The Kittitas County Board of County Commissioners may designate other persons to administer the provisions of this Title. Designation of enforcement officers shall be made by resolution and may designate persons by name or position. (Ord. 2019-013, 2019; Ord. 2013-012,2013; Ord. 2009-19, 2009; Ord. 2006-37, 2006; Ord. 94-25 (part), 1994)