

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

ORDINANCE

NO. 2023 - 006

**REVISIONS OF KITTITAS COUNTY CODE
AS PART OF THE 2023 NON-DOCKET AMENDMENT PROCESS**

WHEREAS: This ordinance, revising Kittitas County Code 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-D - Changes to Kittitas County Code

**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.04.020 allows for amendments to development regulations at the discretion of the Planning Director through a public process pursuant to Table B of the Title; and

WHEREAS: Kittitas County entered into an interlocal agreement with the City of Ellensburg with Resolution 2022-013 concerning administration of development regulations in the urban growth area of Ellensburg requiring certain specific code amendments to County code; and

WHEREAS: Kittitas County Community Development Services initiated an out-of-docket cycle process to suggest changes to the Kittitas County Code 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 non-docket items on May 5, 2023, to the Department of Commerce as required by statute and received a letter of receipt

on May 22, 2023, 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 non-docket cycle SEPA checklist on May 4, 2023, and issued a Determination of Non-significance (DNS) for the non-docket items on May 20, 2023, 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 May 13, 2023, regarding the Planning Commission public hearing; and

WHEREAS: The Planning Commission conducted a public hearing on May 23, 2023, 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 the County's official website and Daily Record on May 18, 2023, and May 25, 2023, the Kittitas County Board of County Commissioners held an open public hearing on June 6, 2023; 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 June 20, 2023.

SECTION II – BOARD OF COUNTY COMMISSIONERS FINDINGS

General Findings:

The Kittitas County Board of County Commissioners held a public hearing on June 6, 2023, to hear testimony and accept written comments regarding proposed amendments to the Kittitas County Code. 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:

2023 Proposed NON-DOCKET AMENDMENTS to Kittitas County Code				
<i>Number</i>	<i>Applicant Name</i>	<i>Project Description</i>	<i>Planning Commission Recommendation</i>	<i>Staff Recommendation to BOCC</i>
23-01	Kittitas County CDS Staff and Public Works	Amend KCC 9 adopting by reference Ellensburg City Code 14.02 for the collection of Park Impact fees for development in the UGA.	The Planning Commission unanimously recommended approval of the amendment as proposed.	Staff recommends approval of the amendment as proposed.
23-02	Kittitas County CDS Staff and Public Works	Amend KCC 12 to include road standards for developments in the Ellensburg UGA, adopt City Code 14.04 by reference as it pertains to Traffic Impact fees in the UGA and add section 12.89 for development agreements.	The Planning Commission unanimously recommended approval of the amendment as proposed.	Staff recommends approval of the amendment as proposed.
23-03	Kittitas County CDS Staff and Public Works	Amend KCC 17.11 removing effective date reference and removing ability to comment section from the applicability title 17.11.033.	The Planning Commission unanimously recommended approval of the amendment as proposed.	Staff recommends approval of the amendment as proposed.
23-04	Kittitas County CDS Staff and Public Works	Amend KCC 17.22 removing the exemption language for properties in the airport overlay and listing the minimum lot size for single family in the UR zone.	The Planning Commission unanimously recommended approval of the amendment as proposed.	Staff recommends approval of the amendment as proposed.

22-01 Kittitas County Proposal:

Amend KCC 9 Title 9 Parks code section, amendments include adding the Impact Fees for Parks for properties located within the City of Ellensburg Urban Growth Area.

Title 9.50 Parks, more specifically 9.50.190 Park Impact fees required to be collected per the Interlocal agreement adopted jointly by the BOCC and the City of Ellensburg. Properties developed within the Ellensburg Urban Growth Area are subject to Park Impact fees. The City of Ellensburg City code title 14.04 is suggested to be incorporated into 9.50.190 by reference.

The Board of County Commissioners held a public hearing on May 24, 2022, 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 5-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

22-02 Kittitas County Proposal:

Amend KCC 12 to add sections 12.86 Land Use Developments in the UGA of Ellensburg accepting City Utilities and adding Section 12.87 Land Use Developments in the UGA of Ellensburg without city utilities add section 12.88 Transportation Impact Fees in the Ellensburg UGA and Section 12.89 Development Agreements.

The revised amendments to KCC 12.01.130 will revise the current road standards for those properties in the UGA of Ellensburg to facilitate the orderly transition of urban services from the County to the City throughout the UGA. The generalized interlocal agreement will implement uniform and consistent urban development standards in order to further the transition of the UGA to urban service levels.

The Board of County Commissioners held a public hearing on May 24, 2022, and **approved the request as amended** by a 3-0 vote, finding that:

- I. The Planning Commission recommended remanding this item back to staff as presented by staff to the Board of County Commissioners with a vote of 5-0.
- II. No public testimony for this proposal was received.
- III. The change meets the Growth Management Act and the objectives of the Comprehensive Plan.

22-03 Kittitas County Proposal:

Amend KCC 17.11 Urban Growth Areas, removing the effective date of June 30, 2023, reference and removing the notice and opportunity to comment section from the applicability title 17.11.033.

The proposed amendment to KCC 17.11 will Remove the effective date of June 30, 2023, reference and remove the notice and opportunity to comment section from the applicability title 17.11.033.

The Board of County Commissioners held a public hearing on May 24, 2022, 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 5-0.
- 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.

22-04 Kittitas County Proposal:

Amend KCC 17.22 Urban Residential Zone, removing a section exempting properties in the airport overlay or those properties not requesting city utilities. Listing the minimum lot size for single family dwellings in the UR zone to 7,200 square feet. Previous versions of section 17.22.030 only listed minimum lot size for two (2) family dwellings.

The proposed amendment to KCC 17.22 will remove reference to the properties not subject to the interlocal agreement in order to remain consistent with the City of Ellensburg standards intended with adoption of the ILA. This will also clarify the minimum lot size for single family dwellings in the UR zone.

The Board of County Commissioners held a public hearing on May 24, 2022, 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 5-0.
- 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.

SECTION III - FINAL DECISION AND SIGNATURES

BE IT ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC Title 9.50 as shown in **Exhibit A**.

BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC Title 12.86, 12.87, 12.88 and 12.89, as shown in **Exhibit B**.


BE IT FURTHER ORDAINED that the Board of Kittitas County Commissioners, after due deliberation, hereby approves amendments to KCC Title 17.11, 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 17.22, as shown in **Exhibit D**.

NOW, BE IT FURTHER ORDAINED that the Board of County Commissioners, after due deliberation, hereby approves the adoption of the 2023 Non-Docket Amendments to the Kittitas County Code as shown in Exhibits A through D 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 20th day of June 2023, at Ellensburg, Washington.

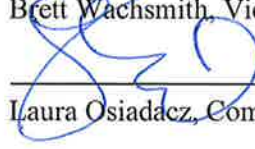
**BOARD OF COUNTY COMMISSIONERS
KITITAS COUNTY, WASHINGTON**



Cory Wright, Chairman

ABSENT

Brett Wachsmith, Vice-Chairman



Laura Osiadacz, 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: Docket Item 23-01

Title 9 Amendments

Chapter 9.50

PARKS

Sections

9.50.010 Definitions.

9.50.020 Purpose.

9.50.030 Hours.

9.50.040 Park facilities - Liability.

9.50.050 Park facilities - Liability insurance.

9.50.060 Park facilities - Cleanup.

9.50.070 Concessions.

9.50.080 Park misuse.

9.50.090 Motor vehicles - Parking.

9.50.100 Camping - Authorization.

9.50.110 Camping - Occupancy policy.

9.50.115 Swimming in boat launch areas prohibited.

9.50.120 Game fish.

9.50.125 Food fish.

9.50.130 Damage to park property prohibited.

9.50.135 Removal of park property.

9.50.140 Outside household or commercial waste.

9.50.145 Rubbish.

9.50.150 Waste from vehicles.

9.50.155 Dumping in water prohibited.

9.50.160 Solicitation.

9.50.165 Alcoholic beverages - Minors.

9.50.170 Fires.

9.50.175 Area closures.

9.50.180 Violation - Penalty.

9.50.190 City of Ellensburg Park Impact Fees adopted within the City's Urban Growth Area.

9.50.010 Definitions.

Whenever used in this title, the following items shall be defined as indicated in this section:

Agreements

Any and all written agreements between a person or persons and the department for the purpose of specific use of certain department facilities.

Aircraft

Any machine or device designed to travel through the air, such as an airplane, helicopter, balloon, glider, ultralight, etc.

Alcoholic beverages (or "liquor")

Includes the four varieties of liquor herein defined (alcohol, spirits, wine and beer) and all fermented, spirituous, vinous, or malt liquor, or otherwise intoxicating beverages; and every liquor or solid or semisolid or other substance, patented or not, containing alcohol, spirits, wine or beer, and all drinks or drinkable liquids and all preparations or mixtures capable of human consumption, and any liquor, semisolid, solid or other substance, which contains more than one percent alcohol by weight shall be conclusively deemed to be intoxicating.

Board

The current and duly elected Kittitas board of county commissioners.

Boat

Any floating device, powered by internal combustion engine or human power, capable of traveling on or under water.

Camper

A motorized vehicle containing sleeping and/or housekeeping accommodations, and shall include a pickup truck with camper, a van-type body, a converted bus, or any similar type vehicle.

Camping

Erecting a tent or shelter or arranging bedding or both, for the purpose of, or in such a way as will permit remaining overnight, or parking a trailer, camper, or other vehicle for the purpose of remaining overnight.

Department

The Kittitas County department of public works.

Director

The director of the Kittitas County department of public works.

Discrimination

Any action or practice which prohibits participants based on sex, age, race, color, national origin, marital status, or the presence of any sensory, mental or physical handicap.

Drugs

Any mind or mood altering substance which is illegal for consumption.

Facilities

Any building, structure, roadway, trail, path, equipment or area operated by the Kittitas County department of public works.

Facility manager

The duly appointed Kittitas County public works employee serving as a manager of a county park.

Fee

The currently adopted fee schedule for use of Kittitas County park facilities.

Motor vehicle

Any self-propelled device capable of being moved upon a road, and in, upon, or by which any persons or property may be transported or drawn, and shall include, but not be limited to, four-wheel drive vehicles, two-wheel drive vehicles, three-wheelers, motorcycles, and snowmobiles, whether or not they can legally be operated upon the public highways, whether licensed or unlicensed.

Permit

Any and all permits, licenses, or approvals required by federal or state law, or required by county ordinance or the Kittitas County public works department.

Person

All natural persons, firms, partnerships, corporations, clubs and all associations or combination of persons whenever acting for themselves or by an agent, servant, or employee.

Reservation

Any and all written reservations for a person or persons for the purpose of specific use of certain department facilities.

Trail

Any path or track designed for use of pedestrians, bicycles, motorcycles, jeeps or equestrians; and which is not of sufficient width, nor graded or paved with concrete, asphalt, gravel or similar substance, so as to permit its use by standard passenger automobiles, or other right-of-way specifically designated and posted for non-vehicular use.

Trailer

A towed vehicle which contains sleeping, housekeeping accommodations or material transporting capabilities.

Kittitas County park area

Any area under the ownership, management, or control of Kittitas County.

(Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.020 Purpose.

The park playgrounds, passive use areas, special use areas, roads, paths, trails, activity centers and other park facilities of the department are established by law for public recreation purposes. Public recreation consists of passive use, appropriate to the facility, initiated by individuals, families or small groups with or without reservations and permits; or, large group activities planned by groups and brought under the control of the department when authorized by and conducted under reservation, permit, agreement or contract with the department. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.030 Hours.

The director of public works shall establish for each Kittitas County park area according to existing conditions, times and periods when the park area will be open or closed to the public. Such times and periods shall be posted at the entrance to the Kittitas County park area affected and at the park office. Park hours are subject to current conditions and may vary by season. Park front gates and offices may be open during normal business hours but the park area may be closed to public use when so posted. No person shall enter or be present at a Kittitas County park area after closing time, or when the park area is closed, except persons camping in a designated camping area who have paid the applicable use fee; or persons who have a reservation or are associated with the person or persons having a reservation at a department facility. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.040 Park facilities - Liability.

A person or persons using facilities by reservation or agreement may be required to protect and save Kittitas County, its elected and appointed officials and employees while acting within the scope of their duties as such, harmless from and against all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, arising in favor of the persons, employees or third parties on account of personal injuries, death or damage to property arising out of the premises, or in any way arising out of the acts or omissions of the person and/or his agents, employees or representatives. Users of any and all Kittitas County park facilities or areas do so at their own risk. Kittitas County assumes no liability or responsibility due to accidents or injury through authorized or unauthorized use of department facilities. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.050 Park facilities - Liability insurance.

A person or persons using facilities by reservation or agreement may be required to obtain and maintain during all periods of use public liability insurance acceptable to the county and/or other insurance

necessary to protect the public and the county on premises reserved, with coverage of liability not less than combined single limit personal injury and/or personal damage liability of \$300.00 per occurrence. The group shall provide a certificate of insurance or an insurance binder prior to the reservation and upon written request of the county, a duplicate of the policy, as evidence of the insurance protection provided. This insurance shall not be cancelled or reduced without prior written notice to the county, 30 days in advance of the cancellation or reduction. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.060 Park facilities - Cleanup.

All groups must leave the facility or area in a condition considered satisfactory to the manager in charge. No group shall conduct activities causing extra custodial work unless previous arrangements have been made to pay for such work and are so stated in the reservation agreement. Causing extra custodial work without previous arrangements may subject the group to mandatory cleanup fees as listed in the currently adopted fee schedule. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.070 Concessions.

Kittitas County reserves all concession rights in county-owned parks. Nonprofit groups and organizations may sell or arrange for a concessionaire to sell concessions to members of their group or organization using a park facility and to spectators at that facility; provided, that arrangements and fees to the department are agreed upon in writing prior to the event(s). (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.080 Park misuse.

The misuse of a park facility or the failure to conform with these regulations will be sufficient reason for denying any future application for use of park facilities. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.090 Motor vehicles - Parking.

No operator of any automobile, trailer, camper, boat trailer, or other motor vehicle, shall park such vehicle in any Kittitas County park area other than designated motor vehicle parking area, except where the operator is using the area for a designated recreational purpose and the vehicle is parked either in a designated parking area for the event, or in another area with the permission of the facility manager. No person shall park, leave standing, or abandon a motor vehicle, camper or trailer, in any Kittitas County park area after closing time, except when camping in a designated area, or with permission of the manager. Any vehicle found parked in violation of this section may be towed away at the owner's or operator's expense. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.100 Camping - Authorization.

No person shall camp in any Kittitas County park area except when specifically authorized by the facility manager or the director. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.110 Camping - Occupancy policy.

Occupancy of camping facilities shall be limited to the conditions of the group reservation, agreement, or contract; or limited to occupancy related to an event and so posted at the park. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.115 Swimming in boat launch areas prohibited.

No person shall swim or sunbathe in any designated boat launching area, except by permit issued by the department of public works. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.120 Game fish.

All laws, rules and regulations of the State Game Commission relating to season, limits, and methods of fishing are applicable to fishing for game fish in Kittitas County park areas. No person may fish for, or possess any fish taken from any dam, dike, bridge, dock, boat landing, or beach, which is posted with a sign prohibiting fishing. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.125 Food fish.

All laws, rules and regulations of the State Department of Fisheries relating to season, limits, and methods of taking are applicable to the taking of food fish in Kittitas County park areas except that in addition to such laws, the department, upon its finding and for good cause may close certain Kittitas County park areas for specific periods of time, to the taking of fish. Such closed areas shall be posted. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.130 Damage to park property prohibited.

No person shall cut down, destroy or in any way injure or damage any shrub, tree, vine, grain, grass or crop, standing or growing or which has been cut down, in any Kittitas County park area unless authorized to do so by the department. No person shall deface, damage or destroy any property, material, equipment or facility which is under the jurisdiction of the department. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.135 Removal of park property.

No person shall change the position of or remove any property, material, or equipment from its original position on or from any area under the jurisdiction of the Kittitas County parks department. (Ord. 99-09, 1999; Ord. 954, 1995).

9.50.140 Outside household or commercial waste.

No person shall deposit any household or commercial garbage, refuse, waste, or rubbish which is brought as such from any private property, in any Kittitas County park area garbage can or other receptacle designated for rubbish collection. (See Chapter 8.20 KCC, Depositing Garbage in Designated Places, for penalties.) (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.145 Rubbish.

No person shall leave, deposit, drop or scatter bottles, broken glass, ashes, waste paper, cans or other rubbish, in a Kittitas County park area, except in a garbage can or other receptacle designated for such purposes. (See Chapter 8.20 KCC, Depositing Garbage in Designated Places, for penalties.) (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.150 Waste from vehicles.

No person shall in any Kittitas County park area, drain or dump refuse, oil, gas or waste from any trailer, camper, automobile, or other vehicle, except in designated disposal areas or receptacles. (See Chapter 8.20 KCC, Depositing Garbage in Designated Places, for penalties.) (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.155 Dumping in water prohibited.

No person shall pollute, or in any way contaminate by dumping or otherwise depositing therein any waste or refuse of any nature, kind or description, including human or bodily waste, in any stream, river, lake or other body of water running in, through or adjacent to any Kittitas County park area. (See Chapter 8.20 KCC, Depositing Garbage in Designated Places, for penalties.) (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.160 Solicitation.

No person shall solicit, sell, or peddle any goods, wares, merchandise, liquids, or edibles for human consumption or distribute or post any handbills, circulars, or signs, or use any loudspeakers or other amplifying device in any Kittitas County park area, except by concession contract or by permission by the department. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.165 Alcoholic beverages - Minors.

No person who has not reached his or her twenty-first birthday shall be in possession of or consume of any alcoholic beverage in a Kittitas County park facility or area. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.170 Fires.

Open fires and portable units using flammable material are restricted to designated park areas, fireplaces, fire rings or grills. (Ord. 9909, 1999; Ord. 95-4, 1995).

9.50.175 Area closures.

Areas designated by signs or barricades are closed to public access or use. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.180 Violation - Penalty.

Every person who violates any of the provisions of this chapter shall be guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not more than \$1,000 and/or by imprisonment in a county jail for not more than 90 days. In addition, every person failing to comply with any provision of this chapter shall be subject to immediate ejection from the Kittitas County park area. The Kittitas County public works director, public works employees, and other law enforcement officers are authorized and directed to enforce the provisions of this chapter. (Ord. 99-09, 1999; Ord. 95-4, 1995).

9.50.190 City of Ellensburg Park Impact Fees adopted within the City's Urban Growth Area.

Pursuant to Kittitas County Resolution 2022-013 and consistent with Ellensburg City Code (ECC) Chapter 14.02 Park Impact Fees, Kittitas County agrees to collect park impact fees as described at ECC 14.02.150. Collection of the park impact fee shall occur when application is made for a building permit; provided, however, fees applicable to a single-family subdivision may be subject to an in-lieu-of fee arrangement at the preliminary plat stage.

Exhibit B: Docket Item 23-02

Title 12 Amendments

Title 12 | ROADS AND BRIDGES*

Chapters

[12.01 General Information](#)

[12.02 Definitions and Abbreviations](#)

[12.03 Roadway Classification](#)

[12.04 Road Design Criteria](#)

[12.05 Driveway and Accesses](#)

[12.06 Storm Water Management Standards](#)

[12.07 Bridges and Major Drainage Structures](#)

[12.08 Submittal Requirements for Construction Plans](#)

[12.09 Public Road Construction Control and Inspection](#)

[12.10 Transportation Concurrency Management](#)

[12.11 Roadside Features](#)

[12.12 Private Roads \(moved to Chapter \[12.04.070\]\(#\) Private Road Standards\)](#)

[12.13 Design and Construction Standards for Utility](#)

[12.14 Electric Vehicle Charging Stations](#)

[12.15 Water on the Road](#)

[12.20 Road-Sanding Policy](#)

[12.21 Work on Rights-of-Way](#)

[12.22 Vacation of County Roads](#)

[12.23 Utility Accommodating Policy](#)

[12.24 Uniform Standards for Installation of Buried](#)

[12.25 Pit Reclamation](#)

[12.28 Road Intersection Illumination Policy](#)

[12.32 Renumbered](#)

[12.36 Renumbered](#)

[12.44 Right-of-way Acquisition and Maintenance](#)

[12.48 Right-of-way Acquisition for Projects Involving Federal Funds](#)

[12.50 Signs Along the Rights-of-Way](#)

[12.56 Franchises for Use of Roads and Other County Properties](#)

[12.80 Issuance of Permits to Perform Work on County Road Rights-of-Way](#)

[12.86 Land Use Developments requiring engineering review in the Urban Growth Area of the city of Ellensburg not utilizing city utilities.](#)

[12.87 Land Use Developments requiring engineering review in the Urban Growth Area of the City of Ellensburg utilizing city utilities.](#)

[12.88 Transportation Impact Fees](#)

[12.89 Development Agreements](#)

* For provisions relating to load limits on county bridges, see [KCC 10.28](#). For provisions on the operation of off-road vehicles, see [KCC 10.36](#) and [10.37](#).

Prior ordinance history for 12.01 through 12-13: Ord. 2004-13, 2004, Ord. 99-2 § 3, 1999; Ord. 98-16, 1998; Ord. 97-21, 1997; Ord. 96-8, 1996; Ord. 96-22, 1996; Ord. 95-2, 1995; Ord. 94-32, 1994; Ord. 94-27, 1994; Ord. 94-18, 1994; Ord. 93-17, 1993; Ord. 92-30, 1992; Ord. 82-7 § 1, 1982; Res. DPW-3-80, 1980; Ord. RD-

40-76, 1976; Res. 75-38, 1975; Vol. 1, p. 575, 1975; Res. RD-27-73, 1973; Res. RD-75-71, 1971; Res. RD-16-71, 1971; Res. RD-55-70, 1970; Res. RD § 15-65, Vol. N, p. 139-140, 1965; Vol. K, p. 177, 1949

Chapter 12.1

GENERAL INFORMATION

Sections

[12.01.010](#) Purpose.

[12.01.020](#) Scope.

[12.01.030](#) Applicability.

[12.01.040](#) Amendments and Revisions.

[12.01.050](#) Enforcement and Responsibility.

[12.01.060](#) Review and Approval.

[12.01.070](#) Interpretation.

[12.01.080](#) Relationship to Other Standards.

[12.01.090](#) Responsibility to Provide Roadway Improvements.

[12.01.095](#) General Requirements.

[12.01.100](#) General References.

[12.01.110](#) Primary Design and Construction Reference Documents.

[12.01.120](#) Other Specifications.

[12.01.130](#) Variances (Departures from the Standards) and Appeals.

[12.01.135](#) Repealed

[12.01.140](#) Authority of the Public Works Director.

[12.01.150](#) Performance Guarantees.

[12.01.160](#) New County Roads.

[12.01.170](#) Joint Review.

12.01.010 Purpose.

Kittitas County has adopted these Road Standards to:

1. Set forth specific and consistent road design elements for developers and other private parties constructing or modifying road or right-of-way facilities which require County approvals;
2. Establish uniform criteria to guide the County's own construction of new County roads or reconstruction of existing roads; and
3. Support Kittitas County's goals for achieving affordable housing, providing adequate facilities for development in an efficient manner and to balance these goals with the general safety and mobility needs of the traveling public.

In adopting the Road Standards, the County has sought to encourage standardization of road design elements where necessary for consistency and to assure, so far as practical, that the motoring, bicycling, equestrian and pedestrian public safety needs are met. Considerations include safety, convenience, pleasant appearance, proper drainage and economical maintenance. The County's permitting and licensing activities require the adoption of specific, identifiable standards to guide

private individuals and entities in the administrative process of securing the necessary County approval. The County must have flexibility to carry out its general duty to provide streets, roads and highways for the diverse and changing needs of the traveling public. Accordingly, these standards are not intended to represent the legal standard by which the County's duty to the traveling public is measured.

The Standards cannot provide for all situations. They are intended to assist but not substitute for competent work by design professionals. It is expected that land surveyors, engineers and architects will bring to each project the best of skills from their respective disciplines. These Standards are also not intended to limit unreasonably any innovative or creative effort, which could result in better quality, better cost savings, or both. Any proposed departure from the Standards will be judged on the likelihood that such variance will produce a compensating or comparable result.

In order to remain current with technological changes and public needs, these standards are subject to revisions. This manual is printed in a format that can be easily updated. This edition will be current at the time of issuance; however, it is incumbent for the holder to keep the manual current with revisions to the standards. ([Ord. 2015-010](#), 2015)

12.01.020 Scope.

This title is not a textbook or a substitute for engineering knowledge, experience, or judgment. It is intended to aid in deciding those factors needed to intelligently plan, design, construct, upgrade, and maintain public and private roads in the County.

The requirements contained in this title apply to all new construction, improvements to existing roads, or other work done on, over, or under any public or private roads within the County.

Requirements of the title shall be enforced in the same manner as other Kittitas County Codes (KCC), including injunctions resulting in work stoppage and noncompliance suits for damages to County roads or rights-of-way. ([Ord. 2015-010](#), 2015)

12.01.030 Applicability.

This title shall apply to all land within the unincorporated areas of the County except where superseded by other governmental jurisdiction.

These Standards shall apply to all newly constructed public and private roads and right-of-way facilities required by land use development approvals within Kittitas County. In the event of conflict with the current subdivision and zoning codes, KCC Titles [16](#) and [17](#), these Standards shall control. These Standards do not apply to State or Federal roads. If roads are required to be built to public standards and are inspected and certified as such, the County may accept these roads onto the County Road system for continued maintenance, subject to limitations as addressed in [KCC 12.01.070](#).

The Standards may apply to modifications of roadway features of existing facilities which are within the scope of reconstruction or capital improvement projects when so required by Kittitas County or to the extent they are expressly referred to in project plans and specifications. The Standards are not intended to apply to "resurfacing, restoration and rehabilitation (3R)" projects as those terms are defined in the Local Agency Guidelines, Washington State Department of Transportation (WSDOT),

as amended; however, the Director may at his discretion consider the Standards as optional goals for 3R projects.

Every new utility facility and all planned, non-emergency replacement of existing utility structures within Kittitas County right-of-way shall be governed by the most current version of the Manual on Accommodating Utilities in Kittitas County Rights-of-Way. ([Ord. 2015-010](#), 2015)

12.01.040 Amendments and Revisions.

The standards shall be amended as required. The Board of County Commissioners (BOCC), following the recommendations of the Director of Public Works and Planning Commission, may consider revisions and/or amendments to this title. The revisions will be adopted by ordinance following a public hearing. ([Ord. 2015-010](#), 2015)

12.01.050 Enforcement and Responsibility.

It shall be the duty of the Board of County Commissioners, acting through the Director of Public Works or his/her designee, to enforce the provisions of this title.

12.01.060 Review and Approval.

The County will review all land use development applications for general compliance with Kittitas County Road Standards. An approval by the County does not relieve the developer from final responsibility of insuring all calculations, plans, specifications, construction, and as-built drawings are in compliance with this title as stated in the developer's engineer's certification provided in accordance with [KCC 12.08.020](#). ([Ord. 2015-010](#), 2015)

12.01.070 Interpretation.

In the interpretation and application of the provisions of this title, the following shall govern:

- A. In its interpretation and application, the provisions shall be regarded as the minimum requirements for the protection of the public health, safety, and welfare of the residents of Kittitas County.
- B. Whenever a provision of this title or any provision in any law, ordinance, resolution, rule, or regulation of any kind, contain any restrictions covering any of the same subject matter, whichever standards are more restrictive or impose higher standards or requirements shall govern.
- C. The standards in this title shall not modify or alter any road construction plans, which have been filed with and accepted by the County prior to the effective date of this title.
- D. Any ambiguities in the interpretation of material contained in this title shall be resolved through the appeals process.

([Ord. 2015-010](#), 2015)

12.01.080 Relationship to Other Standards.

When applicable Washington Administrative Code (WAC), Revised Code of Washington (RCW), American Association of State Highway and Transportation Officials (AASHTO) standards, and/or Washington State Department of Transportation (WSDOT) standards are referenced, any reference to "State highways", or the like, shall be interpreted to mean "County Road". This in no way should be interpreted that Kittitas County will require all roads to be built to State highway standards. Since the County is the approval authority for land use changes, this title, which stipulates certain minimum conditions for land use changes, shall apply. If special districts or other agencies impose

more stringent standards, this difference is not considered a conflict; the more stringent standard shall apply. If the State or Federal Government imposes more stringent standards, criteria, or requirements, those standards shall be incorporated into the conditions of approval of the project. ([Ord. 2015-010](#), 2015)

12.01.090 Responsibility to Provide Roadway Improvements.

- A. Any land use development activity which will impact the Level of Service (LOS), safety, or operational efficiency of abutting or serving roadways, or is required by other County Code or ordinance to improve such roadways, shall improve those roadways in accordance with these Standards. The extent of the off-site improvements to roads serving a development shall be based on a concurrency analysis of the proposed land use development impacts. The concurrency analysis shall be prepared in accordance with [KCC 12.10](#).
- B. Any land use development activity abutting and impacting existing roads shall improve the frontage of those roads in accordance with these Standards. If the proposed development is found to impact areas located beyond the development, improvements to these areas shall be required. The extent of improvements shall be based on a concurrency analysis of the proposed land use development impacts in accordance with [KCC 12.10](#).
- C. All road improvement requirements for a land use development activity shall be constructed to these Standards prior to the issuance of final approval, unless a performance guarantee is provided as outlined in [KCC 12.01.150](#).

When a performance guarantee is provided, building permits will not be issued until road construction is completed to the minimum requirements of the International Fire Code and certified by a civil engineer licensed in the State of Washington. Commercial occupancy permits will not be issued until road construction is completed and certified by a civil engineer licensed in the State of Washington. A final acceptance inspection by the Department of Public Works is required prior to acceptance of the road certification. Any noted deficiencies must be corrected prior to final acceptance.

- D. Subdivisions will not be approved unless a recorded continuous public or private access easement or right-of-way to the subdivision exists.
- E. All land use development activities proposing public or private roads located within Urban Growth Areas (UGA) shall follow the guidelines of [KCC 12.04.040](#).
- F. All public road improvement and development projects within UGAs shall include pedestrian access as a part of the design in accordance with the appropriate city's standard.
- G. All road improvements planned or specified in any adopted Growth Management plan of the County, including but not limited to the most current Kittitas County Comprehensive Plan and Kittitas County Long-Range Transportation Plan, shall be planned and constructed in accordance with these Standards.
- H. Contiguous parcels, parcels under the same ownership and/or parcels sharing access easements/roads that submit any land use development application, shall be reviewed as one development for transportation and road improvement purposes.

- I. Public roads that are not maintained by the County or other agency and that are used to access new land use development activities shall be improved by the developer to comply with [KCC 12.04.070](#) Private Road Standards.

([Ord. 2015-010](#), 2015)

12.01.095 General Requirements.

- A. The road circulation system within a proposed plat shall provide for access to adjacent properties whenever such provision is reasonable and practical.
- B. Second access requirements:
A second access is required if more than 30 (thirty) lots/units will use the private road.

If the second access is restricted to emergency access only, it must meet or exceed the following requirements: 60 foot easement, 20 foot roadway width, all-weather surface and a paved apron. Access restrictions such as gates or bollards must be approved by the Fire Marshal. If the second access is to be used for ingress and egress, it must meet the same standards of the first access.

The number of lots calculation is based on the total number of lots or units served by the entire private road system, beginning at the nearest public road.

- C. Roads to be dedicated to the County shall be constructed as specified by the public road standards in [KCC 12.04](#). All roads to be dedicated to the County shall be connected to an on-system county or other publicly maintained road.
- D. Gated accesses shall be approved by the Fire Marshal and meet the requirements of the International Fire Code and [KCC 20.03.010](#) as adopted by the County. Gates shall comply with minimum width and emergency opening device requirements as required by the Fire Marshal.
- E. When a road extends more than 150' from the centerline of a County or other publicly maintained road or serves more than three lots, a turnaround shall be provided. The turnaround shall be a cul-de-sac for roads serving five or more lots/units. The turnaround may be a hammerhead for roads serving four or less lots/units or for a land use development activity occurring prior to the end of the road. Cul-de-sac and hammerhead designs must conform to the specifications of the International Fire Code. A cul-de-sac shall have an easement diameter of at least 110 feet and a driving surface of at least 96 feet in diameter.
- F. Any public road whose rights have been acquired by deed easement or prescription shall not be closed off or otherwise made inaccessible in any way.
- G. Roads serving six or more lots shall be named according to the Kittitas County Private Road Naming & Signing Standards. Road names shall be subject to the approval of the Department of Public Works and KITTCOM. Private roads shall be signed with a Manual on Uniform Traffic Control Devices (MUTCD) approved road name sign at all times.
- H. All private roads shall be signed with a stop sign at the intersection with a County road. Stop signs shall conform to the requirements of the MUTCD.
- I. All signs, signal markings, or other devices intended to regulate, warn, or guide traffic and installed or maintained on private property shall conform to the MUTCD.
- J. All public or private development impacting County roads shall comply with the traffic control and haul route requirements in [KCC 12.09.050](#).

- K. Corner lots shall have no dimension less than 90 feet. Lot corners shall be rounded by an arc, the minimum radius of which shall be not less than 35 feet at street intersections
- L. All land use development activities that access property over private lands, public lands, or road easements managed by other agencies must submit a recorded easement, permit, road maintenance agreement, or other document from the land owners or road/easement managers that specifically address access, maintenance, seasonal restrictions and other restrictions and limitations. These agreements shall be presented to the Department of Public Works prior to preliminary approval.
- M. New irrigation ditches shall not be constructed within new or existing County rights-of-way. A franchise agreement will be required for irrigation water crossing a County right-of-way or any piped irrigation water within the County right-of-way.
- N. All roads crossing an irrigation ditch or canal shall have a crossing agreement with the ditch owner or irrigation entity.
- O. All new roads shall conform to the Kittitas County Long-Range Transportation Plan.
- P. The following notes shall be placed on the face of the plat, short plat, or other development authorization:
 - 1. "Maintenance of the access is the responsibility of the property owners who benefit from its use."
 - 2. "Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards."
 - 3. "An approved access permit shall be required from the Department of Public Works prior to creating any new driveway access or performing work within the County right-of-way."

([Ord. 2016-023](#), 2016; [Ord. 2015-010](#), 2015)

12.01.100 General References.

The Standards implement and are intended to be consistent with:

- A. Kittitas County Code, as amended.
- B. Kittitas County Comprehensive Plan, current edition as amended.
- C. Kittitas County Long-Range Transportation Plan, current edition as amended.
- D. Adopted Community Plans.
- E. Kittitas County Capital Improvement Program, current edition as amended.
- F. Kittitas County Manual on Accommodating Utilities within the Right-of-way.

12.01.110 Primary Design and Construction Reference Documents.

Except where these Standards provide otherwise, design detail, construction materials and workmanship shall be in accordance with the most current editions of the following publications produced by WSDOT.

- A. WSDOT Standard Specifications for Road, Bridge, and Municipal Construction, current edition as amended, to be referred to as the "WSDOT Standard Specifications."
- B. WSDOT Standard Plans current edition as amended.
- C. WSDOT Design Manual, current edition as amended.
- D. WSDOT Bridge Design Manual, current edition as amended.

([Ord. 2015-010](#), 2015)

12.01.120 Other Specifications.

Other specifications include, but are not limited to, the most current editions of the following publications. These publications shall be applicable when pertinent, when specifically cited in the Standards, or when required by State or Federal funding authority.

- A. WSDOT Local Agency Guidelines, current edition, as amended.
- B. WSDOT Guidelines for Urban Arterial Program, current edition as amended.
- C. WSDOT Pavement Guide, Volume 1 – Pavement Policy, current edition as amended.
- D. Design criteria of federal agencies including the Federal Housing Administration, US Department of Housing and Urban Development; Federal Highway Administration, and US Department of Transportation.
- E. A Policy on Geometric Design of Highways and Streets, AASHTO, current edition as amended.
- F. Standard Specifications for Highway Bridges, adopted by AASHTO, current edition as amended.
- G. Federal Highway Administration Manual on Uniform Traffic Control Devices (MUTCD), current edition as amended and adopted by WSDOT.
- H. Guide for the Development of Bicycle Facilities, AASHTO, current edition as amended.
- I. Guidelines for the Geometric Design of Very Low-Volume Local Roads (ADT < 400), AASHTO, current edition as amended.

([Ord. 2015-010](#), 2015)

12.01.130 Variances (Departures from the Standards) and Appeals.

Variances from these Standards may be granted by the Road Variance Committee, comprised of the Public Works Director, Fire Marshal, or designees, and one citizen appointed by the BOCC.

If the proposed road variance is located within a fire district, notice of the proposed variance shall be provided to the applicable fire district at the same time as the Road Variance is submitted to the County Engineer. The Fire District shall have a minimum of 14 days to submit comments from the application submittal date to the variance hearing date.

The granting of a variance shall be in the public interest. When the need for a variance can be identified in advance, the variance should be proposed at preliminary plat stage and be included for consideration during plan review and public hearing. Variances from the standards in this title will be considered on a case-by-case basis. Variances will be granted only upon evidence that the variance demonstrates the following:

1. Unusual circumstances or conditions apply to the property and/or the intended use that do not apply generally to other property in the same vicinity or district; and
2. Such variance is necessary for the preservation and enjoyment of a substantial property right of the developer possessed by the owners of other properties in the same vicinity or district; and
3. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located; and
4. Special conditions and circumstances do not result from the actions of the developer; and

5. The granting of such variance will not adversely affect the realization of the Kittitas County Comprehensive Plan, Long-Range Transportation Plan or this title.

The variance request(s) shall consist of:

1. Variance fee.
2. Variance application.
3. Identification of the standard provision to be waived or varied.
4. Identification of the alternative design or construction standards to be adhered to.
5. A thorough justification of the variance request.

Requests may be prepared by the developer, professional civil engineer licensed to practice in Washington, or professional land surveyor licensed to practice in Washington. To appeal the denial or imposition of conditions of a variance decision, an appeal shall be filed per [KCC 15A.07](#) or [KCC 15A.08](#), based on the underlying land use decision in accordance with [Ch. 36.70B RCW](#). ([Ord. 2022-005](#), 2022; [Ord. 2018-001](#), 2018; [Ord. 2015-010](#), 2015)

12.01.135 Variance Fairness Standard.

(Repealed by [Ord. 2022-005](#), 2022; [Ord. 2018-001](#), 2018)

12.01.140 Authority of the Public Works Director.

The Director of Public Works or his/her designee shall have the authority, on behalf of the County, to ascertain that all design and construction complies with the requirements set forth in these Standards. ([Ord. 2015-010](#), 2015)

12.01.150 Performance Guarantees.

Failure to comply with these Standards may result in denial of plan or development permit approval, revocation of prior approvals, or legal action for forfeiture of performance guarantee.

A. **Construction Performance Guarantees:** In lieu of the completion of any required public or private improvements prior to final approval of a land-use development activity, the developer shall provide a performance guarantee in an amount and with satisfactory surety and conditions providing for and securing to Kittitas County the actual professional services, construction and installation of such improvements within two years of final approval. The Director will enforce the guarantee through appropriate legal and equitable remedies. All performance guarantees shall be prepared in accordance with the Department of Public Works Performance Guarantee Form.

If a surety bond, letter of credit, or cash is provided, the amount covered shall equal 135% of the estimated design and construction cost. The estimated costs must be reviewed and concurred by the County Engineer.

The amount of the financial guarantee may be reduced during construction proportionally to the amount of work completed, as said work is approved by the Public Works Director.

The developer is legally and financially responsible for ensuring all roads are constructed in accordance with this code.

B. **Maintenance Performance Guarantees:** The successful performance of public improvements shall be guaranteed for a period of not less than two years from the date of acceptance as an on-system road or final construction approval of existing facilities. The amount of the maintenance guarantee shall be 10% of the construction cost and the form of the maintenance financial guarantee shall be approved by the Public Works Director. Maintenance guarantees will not be required when the required performance guarantee is \$1,000.00 or less.

([Ord. 2015-010](#), 2015)

12.01.160 New County Roads.

A. General

New roads may be added to the county road system by resolution passed by the BOCC. Sources of new roads are additions, realignments, relinquished State Highways and Forest Service roads, subdivision and other development. Before a new road becomes a part of the county road system, it passes through seven steps: planning, design, right-of-way acquisition or dedication, construction, inspection, acceptance through resolution, and warranty period.

The initial approval of subdivision road construction by the County Engineer is for purposes of releasing the developer's development collateral and not for purposes of acceptance by the County for maintenance. The developer shall construct all roads proposed in any development to the required standard with no liability or obligation for such construction or maintenance by the County.

The County may bring a road onto the county road maintenance system if the new road has a potential ADT greater than 400, is a through road or the road is identified in the Long-Range Transportation Plan as a future corridor.

For roads serving proposed developments, the County shall determine which roads, if any, are intended to be added onto the county road system at the planning stage of a proposed development. Any roads not intended to be added onto the County road system shall be privately developed and maintained in accordance with Kittitas county Road Standards for private roads

B. Preliminary and Final Acceptance

For unconstructed roads or roads needing improvements to meet public road standards that are not part of a preliminary plat or project requiring a public hearing, the developer shall petition the BOCC by submitting an on system county road establishment application prior to construction. If approved, the road will be accepted onto the county road system upon an approved final inspection as defined in [KCC 12.09.020\(K\)](#).

Roads which are required to be constructed to public road standards and dedicated to the public as a condition final plat or project approval shall be added to the county road system and shall be maintained by the County upon an approved final inspection as defined in [KCC 12.09.020\(K\)](#) and final plat or project approval. Such roads are not subject to the requirement of a resolution by the BOCC.

C. Planning Standards

Prior to the design of a new road, the functional classification, terrain classification, and the design speed must be determined. The functional classification and terrain classification are defined in [KCC 12.03.020](#) and [12.02.030](#). The design speeds are addressed under [KCC 12.04](#).

The road systems of proposed new developments must correspond to the definitions given previously. If the developer's engineers have any questions in regard to the classification type of a particular road or roads within a proposed development, they should contact the County Engineer for clarification.

D. Design Standards

Roads must be designed as required by [KCC 12.08](#). Road plans and profiles, signing plans and striping plans must be approved by the County Engineer before starting construction.

E. Construction and Testing Standards

Specific construction specifications for materials and workmanship, and testing requirements are found in [KCC 12.09](#). The construction specifications used during work on the county road system generally comply with the WSDOT Standard Specifications in force at the time of construction.

F. Construction Warranty and Collateral

The developer shall guarantee all portions of construction work done in the right-of-way in accordance with [KCC 12.01.150](#) ([Ord. 2015-010](#), 2015)

12.01.170 Joint Review.

Situations may arise in which the County, Forest Service, State, city, town, utility, or other agency will become involved in the review of public or private roads in a given development. This shall occur in situations such as, but not limited to, developments located within UGAs, accessed by State highways or Forest Service easements, or affected by utility easements or rights-of-way. The following procedures shall then apply:

- A. The conditions of any Inter-Governmental Agreements between the County and other agencies shall be complied with.
- B. The County shall refer development plans to other involved agencies for review and comment.
- C. The other agencies shall be responsible for the issuance of access and utility permits and inspections of their respective roads and utilities. Preliminary approval of a development application will not be issued by the County until a valid permit or agreement from the other agencies is received by the Department of Public Works.

D. The County shall be responsible for the issuance of permits for all road construction and installation or modification of utilities within the County rights-of-way. The Department of Public Works should be contacted for additional information.

E. Other agencies shall be responsible for the issuance of permits and inspections of all road construction and installation or modification of utilities, within the other agency's easements or rights-of-way. The other agencies should be contacted for additional information.

(Ord. 2015-010, 2015)

Chapter 12.2

DEFINITIONS AND ABBREVIATIONS

Sections

[12.02.010](#) Abbreviations.

[12.02.020](#) Definitions.

[12.02.030](#) Terrain Classification.

12.02.010 Abbreviations.

Where the following words, phrases, or abbreviations appear in these specifications they shall have the following meanings:

- A. 3R – Resurfacing, Restoration, and Rehabilitation.
- B. AASHTO - American Association of State Highway and Transportation Officials
- C. ADT - Average Daily Traffic
- D. BMP - Best Management Practice
- E. BST - Bituminous Surface Treatment
- F. BOCC - Board of County Commissioners of Kittitas County, Washington
- G. DPW - Kittitas County Department of Public Works
- H. HMA - Hot Mix Asphalt
- I. IGA - Inter-Governmental Agreement
- J. KCC - Kittitas County Code
- K. LOS - Level of Service
- L. MUTCD - Manual on Uniform Traffic Control Devices
- M. PC - Point of Curvature
- N. PI - Point of Intersection
- O. PRC - Point of Reverse Curve
- P. PT - Point of Tangency
- Q. RCW - Revised Code of Washington
- R. ROW - Right-of-Way
- S. SWMMEW - Stormwater Management Manual for Eastern Washington
- T. TIA - Traffic Impact Analysis
- U. UGA - Urban Growth Area
- V. USGS - United States Geologic Survey

- W. VPC - Vertical Point of Curvature
- X. VPI - Vertical Point of Intersection
- Y. VPT - Vertical Point of Tangency
- Z. WAC - Washington Administrative Code
- AA. WSDOT - Washington State Department of Transportation

(Ord. 2015-010, 2015)

12.02.020 Definitions.

- A. ACCESS - That portion of the driveway or private road extending from the edge of the county road to the edge of right-of-way.
- B. AGRICULTURAL ACCESS – An access that serves fields or outbuildings and is not for commercial or residential use.
- C. AS-BUILT or RECORD DRAWINGS - Set of original plans, with information superimposed upon them, showing any additions, deletions, changes, etc.
- D. AVERAGE DAILY TRAFFIC – The average 24-hour traffic volume on a roadway.
- E. AVERAGE LOT SIZE - The total number of acres divided by the total number of existing and proposed lots or dwelling units to be served by a private road, from the end of the private road to the county, city, or state maintained road.
- F. BRIDGE – A structure that measures at least 20' in length along the centerline, generally.
- G. CENTER LINE - The line, marked or unmarked, parallel to and equal distance from the sides of a two-way traffic roadway of a highway except where otherwise indicated by painted lines or markers.
- H. CITY - Any incorporated area within Kittitas County, Washington.
- I. CONSTRUCTION PLANS - Detailed and working plans including plan and profile, details, notes and any other information necessary for complete construction of the required improvements.
- J. CONSULTANT - A person, partnership, or corporation who is hired by the landowner or developer and is empowered to act as his agent.
- K. CONTRACTOR - A person, partnership or corporation who is hired to perform work.
- L. CORNER SIGHT TRIANGLES - Specified areas along intersections that shall be clear of obstructions that might block a driver's view of potentially conflicting vehicles.
- M. COUNTY - County of Kittitas, State of Washington.
- N. COUNTY ROAD - Every road or part thereof, outside the limits of incorporated cities and towns and which has not been designated as a state highway, that has been accepted by resolution by the BOCC onto the county road system.
- O. COUNTY ROAD SYSTEM – Those roads or rights-of-way maintained by Kittitas County
- P. CUL-DE-SAC - A cul-de-sac is the end of a dead-end street or alley that widens to provide a circular turnaround for vehicles.
- Q. DESIGN SPEED - A speed determined for design and correlation of the physical features of a street that influence vehicle operation; the maximum safe speed maintainable on a specified section of street when conditions permit design features to govern.
- R. DIRECTOR or DIRECTOR OF PUBLIC WORKS - The Director of the Kittitas County Department of Public Works or the County Engineer.
- S. DEVELOPER - The person or persons legally responsible for the construction of infrastructure related to a land use development activity.

- T. DRIVEWAY - Access road used by no more than two privately maintained residential, commercial, agricultural or industrial properties.
- U. EASEMENT - A right held by one person to make specific, limited use of land owned by another person.
- V. ENGINEER, COUNTY - The statutorily required position of county engineer appointed under [RCW 36.80.010](#). The County Engineer may also be the Director of Public Works when the person in that position also meets the requirements of a licensed professional engineer and is duly appointed by the county legislative authority under [RCW 36.80.010](#).
- W. ENGINEER, OWNER, APPLICANT, OR DEVELOPER'S - A civil engineer licensed in the State of Washington, acting for the owner, applicant or developer.
- X. FUNCTIONAL CLASSIFICATION - A classification system for roads with specific definitions in [KCC 12.03](#).
- Y. HAMMERHEAD - A T-shaped turnaround for vehicles.
- Z. HIGHWAY - Every way, lane, road, street, boulevard, and every way or place in the State of Washington open as a matter of right to public vehicular travel both inside and outside the limits of incorporated cities and towns.
- AA. INSPECTOR - An authorized representative of the County Engineer assigned to make inspections for contract performance, standards, and contract compliance.
- BB. IRRIGATION SYSTEM - means a man-made feature and/or an upland swale that either conveys water to an ultimate irrigation use or place of use, or that moves and/or conveys irrigation water (e.g., "run-off" from irrigation) away from irrigated lands. Irrigation systems may include the distribution system or parts thereof, consisting of manmade canals, laterals, ditches, siphons, and/or pipes, or pump systems.
- CC. LAND USE DEVELOPMENT ACTIVITY - Any activity requiring a land use permit from Kittitas County as defined in [KCC 15A.02.080](#), including, but not limited to, Administrative Segregations, Boundary Line Adjustments and Conditional Use Permits.
- DD. MAJOR DRAINAGE STRUCTURE - A device composed of a virtually nonerodible material such as concrete, steel, plastic, or such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for storm-water management, drainage control, or flood control purposes.
- EE. MAY - A permissive condition. No requirement for design or application is intended.
- FF. OFF-SYSTEM ROAD - A road or right-of-way dedicated or used by the public but not maintained by Kittitas County.
- GG. ON-SYSTEM ROAD - A road or right-of-way dedicated or used by the public and maintained by Kittitas County.
- HH. PRIMITIVE ROAD - County roads without the requirement to be maintained, that have a gravel or earth surface, and average annual daily traffic of 100 or fewer vehicles, and meets the requirements of [RCW 36.75.300](#).
- II. PRIVATE ROAD - An access road serving three or more lots, residences or multi-family units that is privately owned and maintained for the use of the owner(s) or those having expressed or implied permission from the owner(s).
- JJ. PUBLIC ROAD - Any street or road which is open to or dedicated to the use of the public. Public Roads may be privately maintained or maintained by a public agency such as Kittitas County, Washington State Department of Transportation or the United States Forest Service.

- KK. RIGHT-OF-WAY - Land, property, or property interest, usually in a strip, acquired for or devoted to transportation purposes.
- LL. ROAD OR STREET - A general term denoting a public or private way for purposes of vehicular travel and utilities, including the entire area within the right-of-way (includes alleyways).
- MM. SHALL - A mandatory condition. Where certain requirements in the design or application use the word "shall", it is mandatory that these requirements be met.
- NN.SHOULD - Where the word "should" is used, it is considered to be advisable usage, recommended but not mandatory.
- OO. SPECIAL DISTRICT - Any recognized district within Kittitas County that may have some level of jurisdiction over some aspect of a development. A special district may include, but is not limited to, Irrigation Districts, Water Districts, and Fire Districts.
- PP. STOPPING SIGHT DISTANCE - The distance required to safely stop a vehicle traveling at design speed. It is measured from the driver's eye, 3.5 feet above the pavement to the top of an object 2.0 feet high on the pavement anywhere on the road as defined in AASHTO.
- QQ. STREET OR ROAD WIDTH - The distance measured from curbface to curbface across a street or edge of traveled way.
- RR. TRAVELED WAY – That part of the roadway made for vehicular traffic excluding shoulders and auxiliary lanes.
- SS. UTILITY - A company or individual providing public service such as gas, electric power, irrigation, telephone, Internet, water, sewer or cable television, whether or not such company is privately owned or owned by a governmental entity.
- TT. WORKING DAYS – Days on which the Department of Public Works is open for business, typically including Monday thru Friday, not including holidays.

([Ord. 2015-010](#), 2015)

12.02.040 Terrain Classification.

For the purposes of this manual, the terrain in Kittitas County is divided into three categories:

- A. FLAT - highway sight distances, as governed by both horizontal and vertical restrictions, are generally long or can be made to be so without construction difficulty or major expense. The slope of existing terrain is from 0% to and including 5%.
- B. ROLLING TERRAIN - natural slopes consistently rise above and fall below the road or street grade, and occasional steep slopes offer some restriction to normal horizontal and vertical roadway alignment. The slope of the existing terrain is from 5% to and including 10%.
- C. MOUNTAINOUS TERRAIN - longitudinal and transverse changes in the elevation of the ground with respect to the road or street are abrupt, and benching and side hill excavation is frequently needed to obtain acceptable horizontal and vertical alignment. The slope of the existing terrain exceeds 10%.

Terrain classification pertains to the general character of the specific route corridor. Roads in valleys or passes of mountainous areas that have all the characteristics of roads traversing flat or rolling terrain should be classified as flat or rolling. In rolling terrain, trucks reduce their speeds below those of passenger cars on some sections of roadway. Mountainous terrain is responsible for some truck

operation at crawl speeds. In cases where the terrain classification is in question, the County Engineer shall make the final decision.

([Ord. 2015-010](#), 2015)

Chapter 12.3

ROADWAY CLASSIFICATION*

Sections

[12.03.010](#) Road Classifications.

12.03.010 Road Classifications.

County roads are classified functionally to define the part that they play in serving the flow of trips through the road network. The function of a road is used to determine required right-of-way width, road width, access spacing, intersection spacing, and other road geometrics. Functional classification changes or additions of county roads can be initiated by the County, but are reviewed by WSDOT and the Federal Highway Administration, who provides approval, denial, or conditional approval of functional classification requests.

More information on functional classification, including the functional classifications of county roads, can be found on the Public Works website. ([Ord. 2015-010](#), 2015)

Chapter 12.4

ROAD DESIGN CRITERIA

Sections

[12.04.010](#) Scope.

[12.04.020](#) General.

[12.04.030](#) Public Road Design Requirements.

[12.04.040](#) Design Criteria within an Urban Growth Area.

[12.04.050](#) Design Standards.

[12.04.060](#) Geotechnical Investigation.

[12.04.070](#) Private Road Design Requirements.

[12.04.080](#) Private Road Design Criteria.

[12.04.090](#) Private Road Construction Control, Inspection and Certification.

12.04.010 Scope.

The purpose of this chapter is to present Kittitas County criteria for the design of public and private roads and streets. It is to be used by developers and their engineers in the design of roads for which approval by the Kittitas County Department of Public Works is required, or which are required to be constructed by a land use development activity. ([Ord. 2015-010](#), 2015)

12.04.020 General.

The provisions stipulated in this section are general in nature and shall be considered as applicable to all parts of these specifications, including any supplements and revisions.

All road construction within the public or private right-of-way shall be designed by or under the direct supervision of a civil engineer, licensed to practice in the State of Washington as required by [KCC 12.08](#). All drawings and support data submitted to the County for approval must bear his/her seal and signature. The design criteria, as presented, are intended to aid in preparation of plans and specifications, and shall be considered as minimum standards.

As with any design criteria, occasions may arise where the minimum standards are either inappropriate or not feasible due to unusual circumstances. In these cases a variance to these criteria shall be considered. Variance requests shall follow the procedures outlined in [KCC 12.01.130](#). ([Ord. 2015-010](#), 2015)

12.04.030 Public Road Design Requirements.

- A. Road surfacing requirements shall be in accordance with the WSDOT Pavement Guide, Volume 1 - Pavement Policy, current edition, and tables 4-1 through 4-3 of this chapter.
- B. The minimum design speed for all roads shall be 25 MPH. Design speeds shall be based upon WSDOT Design Manual, current edition. Entire road segments shall be designed at the same speed.
- C. Intersections
 1. Location of new arterial and collector streets shall be in accordance with the WSDOT Design Manual.
 2. All new intersections will have a minimum straight tangent length prior to beginning any curves in accordance with the WSDOT Design Manual.
 3. The design of intersections on arterial streets shall be in accordance with WSDOT Design Manual.
 4. Separation of intersections shall be in accordance with WSDOT Design Manual.
- D. Residential streets should be designed to direct traffic to collector streets and adequately provide for circulation and movement within the subdivision.
- E. Vertical Alignment - Connection with existing streets shall be smooth transitions and existing grades shall be shown for at least 150 ft on all sides of the connection. Vertical alignment designs shall be in accordance with the applicable WSDOT or AASHTO Design Manual.
- F. The grade and ground lines of all streets that dead-end, except cul-de-sacs, shall be continued for 500 ft beyond the proposed construction, unless that property is under different ownership. The grade and ground lines of all arterials shall be designed to continue 1000 ft beyond the end of proposed construction unless that property is under different ownership.
- G. Sight Triangle Standards shall be in accordance with the WSDOT Design Manuals. Site triangles shall be shown on the preliminary and final land segregation documents. Site triangles shall apply to all private and public roads. Plat notes and covenants shall reflect that site triangles shall be kept free of all trees, bushes, landscaping, fences or obstacles.
- H. Street Projections into Future Adjoining Subdivisions.

1. The location of proposed streets shall allow for the proper conveyance of the storm drainage system.
 2. Where a street is indicated to dead end into an adjacent unplatted area, the developer shall provide written approval from the adjacent landowner to discharge his storm drainage from the street onto the adjacent land if such drainage occurs.
 3. Stub streets shall end at the property line with a cul-de-sac unless the Engineer recommends otherwise.
 4. Type III barricades shall be permanently installed at the end of all stub streets that do not end in a cul-de-sac.
- I. The County Engineer may determine that the AASHTO's Policy on Geometric Design of Highway and Streets, current edition, can be substituted for the WSDOT Design Manual on a case-by-case basis.

Table 4-1

Roadway and Right-of-Way Width Requirements

ADT ¹	< 40 MPH Design Speed		> 40 MPH Design Speed	
	Roadway Width ²	ROW Width	Roadway Width ²	ROW Width
0-400 ADT	24	60	26	60
Less than 400 ADT	26	60	26	60

¹ADT to be determined using the most recent edition of the ITE Trip Generation manual.

²Additional roadway or shoulder width may be required on roads with steep side slopes or roads designated as bicycle routes in the Long-Range Transportation Plan.

Table 4-2

BST Surfacing and Structural Requirements

ADT ¹	Subgrade Condition ⁴	Crushed Stone Depth ⁵	BST Surface Class A ²
0-200 ADT	Poor	20 inches	3/4 inch nominal
	Average	16 inches	
201-400 ADT	Good	16 inches	3/4 inch nominal
	Poor	21 inches	
	Average	16 inches	
> 400 ADT	Good	16 inches	3/4 inch nominal
	Poor	24 inches	
	Average	18 inches	

Good

18 inches

¹ADT to be determined using the most recent edition of the ITE Trip Generation manual.

²BST Class A is a Bituminous Surface Treatment Class A as defined in WSDOT Standard Specifications 5-02.1(1), current edition.

³HMA shall be used on grades exceeding 10%

⁴Subgrade Conditions

Poor	Mr=5000 psi	AASHTO SOIL	A4, A5, A6, A7
Average	Mr=10000 psi	AASHTO SOIL	A2
Good	Mr=20000 psi	AASHTO SOIL	A1, A3

⁵Crushed stone depth may be reduced based upon on-site soils investigation. Design assumes the area is well drained and not susceptible to frost.

[Print Table 4-2](#)

Table 4-3

HMA Surfacing and Structural Requirements

ADT ¹	Subgrade Condition ²	HMA Surface	Crushed Stone Depth ³
0-200 ADT	Poor	2.5 inches	11 inches
	Average	2.5 inches	9 inches
	Good	2.5 inches	9 inches
201-400 ADT	Poor	3 inches	12 inches
	Average	3 inches	9 inches
	Good	3 inches	9 inches
> 400 ADT	Design for greater than 400 ADT shall be in accordance with WSDOT Pavement Policy, Volume 1, current edition.		

¹ADT to be determined using the most recent edition of the ITE Trip Generation manual.

²Subgrade Conditions

Poor	Mr=5000 psi	AASHTO SOIL	A4, A5, A6, A7
Average	Mr=10000 psi	AASHTO SOIL	A2

Good Mr=20000 psi AASHTO SOIL A1, A3

³Crushed stone depth may be reduced based upon on-site soils investigation.
Design assumes the area is well drained and not susceptible to frost.

[Print Table 4-3](#)

([Ord. 2015-010](#), 2015; Ord. 2005-30, 2005; Ord. 2004-013, 2004; Ord. 94-18, 1994)

12.04.040 Design Criteria within an Urban Growth Area.

- A. Roads proposed within the UGA shall conform and support the road system or grid, Transportation Plan and Comprehensive Plan of the affected city.
- B. Roads constructed within the UGA shall comply with the road standards of the affected city or Kittitas County Road Standards, whichever is more stringent. The city shall have the final approval of the road alignment, geometry and construction requirements.
- C. Utilities constructed within the UGA shall comply with the requirements of the affected city.

([Ord. 2015-010](#), 2015)

12.04.050 Design Standards.

The design standards established in this title represent minimum values. The sources for these design standards include applicable standards established by AASHTO and WSDOT. Every effort has been made in this title to provide consistent, accepted, and established standards to follow, which will result in a safe and efficient public and private road system at a reasonable cost to construct and maintain, while at the same time minimizing adverse environmental impacts.

In addition to the specific design standards found throughout other parts of this title, the following general design principals shall be adhered to insofar as practical :

- A. Layout of lots and blocks should provide desirable settings for structures by making use of natural contours and maintaining existing views, affording privacy for the residents and protection from adverse noise and vehicular traffic. Natural features and vegetation of the area should be preserved where practical. The resulting road system must, however, provide for the safe and efficient movement of people and goods and also allow for proper construction and maintenance practices to occur.
- B. Tree masses and large individual trees should be preserved. The system of roadways, sidewalks, bicycle and equestrian trails, and the lot layout should be designed to take advantage of visual qualities of the area.
- C. In high-density development particularly, pedestrian ways, bike paths, and equestrian trails should be separated from roadways used by vehicular traffic. Sidewalks should be designed to provide all residential building sites with direct access to all neighborhood facilities, including schools and school collection points, parks and playgrounds, churches and shopping areas.
- D. Roads should be located with appropriate regard for topography, creeks, wooded areas, and other natural features, which would enhance attractive development.

- E. Roads should not be located so as to closely parallel streams or be subject to flooding. There should be a vegetated strip to trap soil carried by runoff between the toe of fill and the stream channel.
- F. In mountainous terrain, it may be preferable to provide more right-of-way than the minimum required to construct the road itself. The road will be permitted to wind around within the right-of-way to reduce cuts and unnecessary scarring, provided minimum standards are met. This higher standard right-of-way will permit improvements of the alignment as traffic warrants.
- G. Existing roads, including roads in subdivisions having preliminary plat approval in adjoining properties, shall be continued at equal or greater width and in similar alignments by roads proposed in the subdivision, unless variations are approved.
- H. Roads within rural subdivisions should be designed as a system of circulation routes so that the use of local roads by through traffic will be discouraged.
- I. Roads shall intersect at right angles as possible. Written approval from the Engineer shall be required if an intersection is proposed that would deviate more than 10 degrees from perpendicular.
- J. When a tract is divided into lots which are twice as large on average than the underlying zoning, such lots or parcels shall be arranged to permit the logical location and opening of future streets or roads.

([Ord. 2015-010](#), 2015)

12.04.060 Geotechnical Investigation.

Geotechnical conditions shall be investigated and tested in accordance with WSDOT Geotechnical Design Manual or AASHTO design manuals. The County Engineer may require additional geotechnical investigation based upon specific site conditions. ([Ord. 2015-010](#), 2015)

12.04.070 Private Road Design Requirements.

Private roads shall comply with the following conditions:

- A. Shall meet the minimum access requirements of the International Fire Code as adopted by the County, [KCC 20](#), or Kittitas County Road Standards, whichever is more stringent, and
- B. Shall be designed and constructed in conformance with AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT < 400), most recent edition, and
- C. Shall be permanently established by a right-of-way or easement recorded with the Kittitas County Auditor, providing legal access to each affected lot, dwelling unit, or business, and
- D. Stormwater generated by roads shall be managed and retained on-site with a stormwater system that conforms to the specifications of the most current version of the Stormwater Management Manual for Eastern Washington and [KCC 12.06](#). The stormwater system construction shall be certified by a licensed engineer. The certification shall be included with the road certification, and
- E. Will not result in land locking of existing or proposed parcels, and
- F. Will be maintained by the developer or legally responsible owner or homeowners' association or other legal entity made up of all benefited property owners, under the provisions of an acceptable and recorded "Private Road Maintenance Agreement", and

- G. Clearly described on the face of the plat, short plat, or other development authorization, signed as a private road according to Public Works Road Naming & Signing Standards, and a disclosure statement filed with the County Auditor stating that Kittitas County is not responsible for the maintenance, and
- H. The following notes shall be placed on the face of the plat, short plat, or other development authorization, as appropriate:
 - a. "Kittitas County will not accept private roads for maintenance as public roads until such roads are brought into conformance with current Kittitas County Road Standards and formally adopted by the Kittitas County Board of County Commissioners.
 - b. Those notes required by [KCC 12.01.095\(P\)](#).

([Ord. 2019-013](#), 2019; [Ord. 2015-010](#), 2015)

12.04.080 Private Road Design Criteria.

Private roads shall comply with the design requirements of Table 4-4A and 4-4B.

Table 4-4A

Private Road Minimum Design Standards

Design Elements	Road Type				
	Joint-Use Driveway	Private Road ²	Private Road ²	Private Road ²	Private Road
		Average Lot Size <= 10.0 acres			Average Lot Size > 10.0 acres
Number of Parcels and/or Units	4	3-14	15-40	41+	2+
Minimum Easement Width	30' ³	60' ³	60'	60'	60'
Paved Apron ¹	N/A	Req'd	Req'd	Req'd	Req'd
Roadway Width	12' or 16'	20'	22'	22'	20'
Shoulder Width	N/A	1'	1'	2'	1'
Minimum Centerline Radius (ft)	N/A	60		60	60
Surfacing Requirements ⁴	Gravel	Gravel		BST/ACP	Gravel
Minimum Crushed Surfacing ⁵	N/A	6"		6"	6"
Maximum Grade % ⁶	15	10		10	10
Cul-de-Sac Required	N/A	Req'd		Req'd	Req'd

County Road Approach Permit	Req'd	Req'd	Req'd	Req'd
Stopping Site Distance	N/A	AASHTO	AASHTO	AASHTO
Ditch Slope (inside slope)	2:1	2:1	2:1	2:1

¹Applies to all roads accessing existing paved roadway.

²All private roads shall be inspected and certified by a civil engineer licensed in the State of Washington for conformance with the current edition of the Kittitas County Road Standards

³Existing road easements may be a minimum of 40'. New road easements shall be a minimum of 60'. Existing driveway easements may a minimum of 20'. New driveway easements shall be a minimum of 30'.

⁴Crushed surfacing per WSDOT Standard Specifications.

⁵Additional depth may be required for roads that are to be public roads.

⁶A variance request is required for private road grades between 10-12%

Table 4-4B

Driveway Design Standards

Minimum Driveway Standards

Length	Grade	Required Minimum Surfacing	Required Minimum Width
<150	10% or less	Gravel compacted surface	12 feet
>150	10% or less	Gravel compacted surface	16 feet with two foot clear zone on each side

Single and Joint-Use Driveway Mitigation Options Due to Grades Exceeding 10%

<100	10% – 16%	Gravel compacted surface	20 feet
<100	<16%	Asphalt or concrete paving	20 feet
>100	10% – 12%	Asphalt or concrete paving	16 feet with two foot clear zone on each side
>100	13% – 15%	Asphalt or concrete paving	20 feet wide with one foot gravel shoulders
>100	>16%	Variance Required	Variance Required

(Ord. 2019-013, 2019; Ord. 2015-010, 2015)

12.04.090 Private Road Construction Control, Inspection and Certification.

Prior to final approval of any land use development activity, the entire private road system serving a development shall be certified by a civil engineer licensed in the State of Washington to meet Kittitas

County Road Standards, unless a performance guarantee is provided in accordance with [KCC 12.01.150](#). The certification shall include all private roads used to access the development from a County or other publicly maintained road. The certification shall be prepared in accordance with the Department of Public Works private road certification guidelines. All information required by the private road certification guidelines shall be presented for the certification to be complete.

A final acceptance inspection by the Department of Public Works is required prior to acceptance of the road certification. Any noted deficiencies must be corrected prior to final acceptance.

The following provides road certification guidelines:

- A. Compaction Testing: Materials used to construct private roads shall be compacted as specified by [KCC 12.09.040](#). Testing methods and results shall be included in the road certification.
- B. Bridges: Bridges serving private roads shall have a certified live load rating of at least 75,000 pounds or as required by [KCC 20.02.050](#). Certification of bridges shall follow the guidelines of [KCC 12.07.020](#). All inspection and testing results shall be included in the road certification.
- C. Road Grade: Maximum grade shall not exceed 10%. The County Engineer may require profile sheets or grade between stations to be included in the road certification.
- D. Stormwater Management: Stormwater generated by roads shall be managed and retained on-site with a stormwater system that conforms to the specifications of the most current version of the Stormwater Management Manual for Eastern Washington and [KCC 12.06](#). The stormwater system construction shall be certified by a licensed engineer. The certification shall be included with the road certification.
- E. Geotechnical Analysis: Geotechnical conditions shall be investigated and tested in accordance with WSDOT Geotechnical Design Manual or AASHTO design manuals. The County Engineer may require additional geotechnical investigation based upon specific site conditions. Results shall be included in the road certification.
- F. As-built Plans: As-built plans or design plan markups of the constructed road shall be submitted with the road certification.
- G. General Info: Vicinity map, plat info, inspection date, construction date, applicable road standards, developer name, terrain, road maintenance agreement, photos, etc.

([Ord. 2015-010](#), 2015)

Chapter 12.5

DRIVEWAYS AND ACCESSES*

Sections

[12.05.010](#) Authority.

[12.05.020](#) Purpose.

[12.05.030](#) Implementation.

[12.05.040](#) Obtaining a Permit.

[12.05.050](#) Construction of Access.

[12.05.060](#) Use of Access.

[12.05.070](#) Illegal Access to the County Road.

[12.05.080](#) Conditions for Approval of New Driveways.

[12.05.090](#) Driveway Access Predating the Adoption of Road Development Standards.

* Formerly 12.30; renumbered by Ord. 2004.13, 2004

12.05.010 Authority.

Pursuant to [RCW 36.75.130](#), local governments are authorized to regulate vehicular access to and from any public road under their respective jurisdiction from or to property adjoining a public road. ([Ord. 2015-010](#), 2015)

12.05.020 Purpose.

It is the purpose of this section to provide the procedures and standards necessary to protect the public health, safety and welfare, maintain smooth traffic flow, maintain road right-of-way drainage, and protect the functional level of the public roads while meeting state, regional, local, and private transportation needs and interests. ([Ord. 2015-010](#), 2015)

12.05.030 Implementation.

- A. No person shall construct any access providing direct movement to or from any Kittitas County maintained road from or to property adjoining the road without an access permit issued by the Kittitas County Department of Public Works, hereinafter called the "Department."
- B. Access permits shall be issued only in compliance with this chapter, Table 4-4, and the conditions for approval of the Kittitas County Access Permit. In no event shall an access be allowed or permitted if it is detrimental to public health, welfare, and safety. Spacing requirements for all access points are shown in [Table 5-1](#). Site distance requirements are shown in Table 5-2.
- C. Residential and agricultural accesses shall be designed in accordance with [Kittitas County Drawings], most recent version. All commercial and industrial accesses shall be designed in accordance with Exhibits 1340-1 and 1340-2 Driveway Design Templates of the WSDOT Design Manual and approved by the County Engineer prior to access permit issuance.
- D. Commercial approaches are subject to all requirements of the Kittitas County Department of Public Works Commercial Approach Procedures.
- E. For commercial or industrial driveways with heavy traffic volumes or a significant number of trucks, the Engineer may require construction of the access as a road intersection. This requirement will be based on a concurrency analysis that considers, among other factors, intersection spacing, sight distances and traffic volumes. The concurrency analysis shall be completed in conformance with [KCC 12.10](#).
- F. Direct access from an individual lot to the County Road shall not be permitted unless no other alternative exists. Newly created lots shall access onto an internal road system and not directly onto a County Road, unless approved by the County Engineer. Lots adjoining County Roads shall access from the lowest classified road or from a joint-use

driveway, when possible. Police, fire, ambulance, and other emergency stations shall have a right to direct access to County roads..

- G. Lots that access easements or rights-of-way controlled by different agencies, such as State highways, Forest Service Roads, irrigation canals, or railroads will require separate access approvals from those agencies. A copy of the access approval shall be submitted to the County prior to issuance of the County's access permit or preliminary approval for any land use development application. The County cannot grant access to roads or easements it does not control.
- H. All lots created having direct access to a County road must show the proposed driveway access locations that conform to access/spacing requirements on the face of the plat, unless the County Engineer decides the location may be determined through the access permit application process.
- I. Access permits shall not be required for lots created upon final approval of a plat where the newly created lots access subdivision internal roads or cul-de-sacs or access to a public road is established through an access review during the subdivision process.
- J. No more than one access shall be granted to an individual parcel or to continuous parcels under the same ownership unless it can be shown that:
 - a. The additional access would be beneficial to the public traveling the public road; and
 - b. Allowing only one access would be in conflict with local safety regulations; and
 - c. The additional access would not be detrimental to public health, safety and welfare; OR
 - d. The additional access is for agricultural use only and the access location meets spacing and site distance requirements. Any change of use of the agricultural access will require the access to be reevaluated to meet the conditions of Kittitas County Road Standards.

(Ord. 2015-010, 2015)

12.05.040 Obtaining a Permit.

- A. Persons wishing to apply for direct access to a County road should contact the Kittitas County Department of Public Works. The Department may require any of the following items, when relevant to the evaluation of an access:
 - 1. Road and driveway plan and profile,
 - 2. Complete drainage plan of the site that impacts the road right-of-way,
 - 3. Map and letters detailing utility locations before and after development in and along the road,
 - 4. A subdivision zoning or development plan,
 - 5. Property map indicating other access and abutting public roads and streets, and
 - 6. Proposed access design.
- B. The Department will evaluate access permit applications upon receiving the permit fee. The Department will make every effort to evaluate the permit within 15 days.

- C. The Department will work cooperatively with applicants when determining requirements on access requests. Through this cooperative evaluation process, the Department may determine a variation from the access design standards is necessary due to site limitations or other existing conditions and has the authority to make that decision. However, if the applicant disagrees with the Department's requirements on an access request, the applicant will be required to request a variance to the standards according to KCC 12.01.130.
- D. Prior to issuing a denial on an access permit request, the Department shall attempt to resolve the reasons for the denial with the applicant.
- E. Any appeals of a denied access permit shall be resolved through the Administrative Decisions Appeals process according to [KCC 15A.07](#).

([Ord. 2015-010](#), 2015)

12.05.050 Construction of Access.

- A. The issued access permit will be provided to the permittee along with the requirements for construction. The permittee will have the amount of time defined by the accompanying building permit from the date of issuance, as shown on the permit, to complete construction of the access and request inspection by the Department. In the absence of a building permit the permittee will have 12 months from the date of issuance to complete construction and request inspection by the Department.
- B. The construction of the access suitable to Public Works inspection staff must complete prior to issuance of final occupancy.
- C. The expected dates of construction and use of the access shall be included on the request for an access. The permittee shall notify the Department at least 48 hours prior to any construction in County right-of-way.
- D. The Department shall inspect the access upon completion of construction to ensure that all terms and conditions of the permit are met. The Department may request to inspect the access during construction.
- E. The construction of the access and its appurtenances as required by the terms and conditions of the permit shall be completed at the expense of the permittee.
- F. It is the responsibility of the permittee to complete the construction of the access according to the terms and conditions of the permit. The Department may order a halt to any unauthorized construction or use.
- G. Adequate construction signing, in conformance with MUTCD, most recent edition, is required at all times during access construction. This may include, but is not limited to, the use of signs, flashers, barricades and flaggers. The Department and its duly appointed agents and employees shall be held harmless against any action for personal injury or property damage sustained during construction of the access.

- H. The hours of work on or immediately adjacent to the highway may be restricted due to peak hour traffic demands and other pertinent roadway operating restrictions.
- I. A copy of the permit shall be available for review at the construction site. If necessary, minor changes and additions may be ordered by the Department to meet unanticipated site conditions.

([Ord. 2021-015](#), 2021; [Ord. 2015-010](#), 2015)

12.05.060 Use of Access.

- A. During road construction or maintenance, the Department may determine that it is necessary to reconstruct or relocate an existing access. The Department will notify affected landowners prior to performing any work on the access
- B. It is the responsibility of the property owner to ensure that the use of the access to the property is not in violation of the section, permit terms and conditions. The terms and conditions of the permit are binding upon all assigns, successors-in-interest and heirs.
- C. When there are changes in property use which result in changes in the type of access operation and/or the access is not in conformance with this chapter, the reconstruction, relocation, and conformance of the access to this chapter may be required at the expense of the owner.

([Ord. 2015-010](#), 2015)

12.05.070 Illegal Access to the County Road.

The property owner will be sent written notice of any illegal access location, or use. The owner will be given 10 days to respond to notification of pending actions. After 10 days, the Department may install barriers across or remove any access not conforming to this chapter at the expense of the owner. ([Ord. 2015-010](#), 2015)

12.05.080 Conditions for Approval of New Driveways.

- A. Driveways directly accessing arterials and major or minor collectors may be denied if alternate access is available.
- B. All abandoned driveways shall be removed at the owner's expense.
- C. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain accesses.
- D. Maintenance of any driveway culvert shall be the responsibility of the owner whose property they serve. Damaged or failing culverts must be replaced by the owner whose property they serve. If the culvert is in need of replacing the county may give the property owner 30 days notice to replace the culvert. After such time the County may replace the culvert and charge the owner the cost of the replacement. The County will not maintain accesses. The county may clear the culvert to allow water to pass.
- E. For driveways crossing an open ditch that is anticipated to carry storm water flows, culverts shall be new corrugated metal 15 inches in diameter or larger, with beveled ends. The beveled ends shall have a 4:1 slope. The culvert type, diameter and length shall be constructed as required by the County and noted on the Access Permit. Any other substitute requires the approval of the County Engineer.

- F. No driveway or road shall be constructed within five feet of the side yard boundary, unless the driveway or road is part of an easement shared with the neighboring property owner.

Table 5-1

Access Spacing Requirements^{1,2}

Road Classification(FFC³)	Speed	Access⁴ Spacing
Rural Arterial	Above 35	475 ft.
Rural Major Collector	35 and below	250 ft.
Rural Minor Collector	Above 35	300 ft.
	35 and below	150 ft.
Rural Local Access	Above 35	100 ft.
All Urban Classifications	35 and below	100 ft.

¹Any access that cannot meet applicable spacing will require an approved variance

² Residential & urban zones will be evaluated on a case by case basis

³ Federal Functional Classification - Refer to KCC 12.03.030

⁴ Includes public and private roads and all other access points

Table 5-2

Sight Distance Requirements

Posted Speed Limit	Distance
25 Mph	150 ft.
35 Mph	250 ft.
50 Mph	475 ft.

([Ord. 2015-010](#), 2015)

12.05.090 Driveway Access Predating the Adoption of Road Development Standards.

Driveway access existing prior to the County’s adoption of Standard Specifications for Road and Bridge Construction with Resolution RD-41-70 (1970), are allowed to remain with a change in land use provided such existing access does not constitute a resulting safety hazard as defined by the County Road Engineer. ([Ord. 2022-017](#), 2022)

Chapter 12.6

STORM WATER MANAGEMENT STANDARDS AND GUIDELINES*

Sections

[12.06.010](#) Purpose.

[12.06.020](#) Specifications.

[12.06.030](#) Exemptions.

[12.06.040](#) General Requirements.

[12.06.050](#) Drainage Facilities.

[12.06.060](#) Submittal Requirements.

[12.06.070](#) Review and Approval of Plan.

[12.06.080](#) Variances.

[12.06.090](#) Stormwater System Maintenance.

* Formerly 12.70; renumbered by Ord. 2004.13, 2004

12.06.010 Purpose.

This chapter establishes stormwater standards and guidelines for use in Kittitas County. They will be used by the development community and others who will create stormwater runoff through land-disturbing activities. The purpose of this chapter will be met through the following:

- A. Adopting the Stormwater Management Manual for Eastern Washington (SWMMEW) as now and hereafter amended, for use within Kittitas County.
- B. Prevent accelerated soil erosion and control stormwater runoff resulting from land disturbing activities both during and after construction through the use of best management practices.
- C. Eliminate the need for costly maintenance and repairs to roads, embankments, ditches, streams, wetlands, and stormwater control facilities due to inadequate soil erosion and stormwater runoff control.
- D. Reduce stormwater runoff rates and volumes, soil erosion, sediment, and nonpoint source pollution from development and redevelopment through stormwater Best Management Practices (BMP).
- E. Provide long-term responsibility for and maintenance of stormwater BMPs.
- F. Protect the conditions of state (and U.S.) waters for all reasonable public uses and ecological functions.
- G. Facilitate compliance with state and federal standards and permits by owners of construction sites, developments, and permanent stormwater BMPs within Kittitas County.

([Ord. 2015-010](#), 2015)

12.06.020 Specifications.

All stormwater facilities shall be designed in accordance with the current editions of Washington State Department of Ecology's SWMMEW, WSDOT's Highway Runoff Manual and Hydraulics Manual, current editions, using the most restrictive specifications. ([Ord. 2015-010](#), 2015)

12.06.030 Exemptions.

Projects exempt from this code include the exemptions and partial exemptions listed in the SWMMEW, Sections 2.1.3, 2.1.5 and 2.1.6, current edition. Local exemptions shall be determined through the variance process outlined in KCC 12.06.080. ([Ord. 2015-010](#), 2015)

12.06.040 General Requirements.

The following requirements shall be implemented in accordance with the SWMMEW:

- A. Core Element No. 1. Prepare a stormwater site plan prior to final plat approval that will be reviewed by the County Engineer according to all of the applicable core elements as defined below.
- B. Core Element No. 2: Construction Stormwater Pollution Prevention. Prepare and maintain a construction stormwater pollution prevention plan on site during the entire project and amend as necessary.
- C. Core Element No. 3: Source Control of Pollution. Apply all known, available and reasonable source control BMPs. Operational and structural source control BMPs shall be selected, designed and maintained according to the SWMMEW.
- D. Core Element No. 4: Preservation of Natural Drainage Systems. Preserve natural drainage systems to the extent possible at the site.
- E. Core Element No. 5: Runoff Treatment. Projects that result in five thousand square feet or more of new pollutant-generating impervious surfaces shall design, size, construct, operate and maintain runoff treatment at the site.
- F. Core Element No. 6: Flow Control. Projects that result in ten thousand square feet or more of new impervious surfaces shall design, size, construct, operate and maintain stormwater flow control facilities at the site.
- G. Core Element No. 7: Operation and Maintenance. Projects that utilize structural BMPs shall prepare an operation and maintenance plan that is prepared in accordance with the SWMMEW.
- H. Core Element No. 8: Local Requirements. Projects that meet the requirements of Kittitas County Road Standards will meet any optional requirements that are adopted as a part of this chapter or required by Kittitas County Public Works.
- I. Conveyance systems shall be analyzed and designed to manage the twenty-five-year peak flows from core element Nos. 5 and 6.

([Ord. 2015-010](#), 2015)

12.06.050 Drainage Facilities.

Culverts with a minimum diameter of 15 inches must be installed at all County road intersections and at all crossings of well defined natural drainage courses, unless other provisions are made to handle the passage of surface run-off through the roadway prism. BMPs shall be used during construction to manage stormwater. All internal development roads shall handle all stormwater within the development.

All drainage facilities within current or future County right-of-way must be of the type and nature that can be easily maintained by the County. All stormwater facilities within the development and outside the County's right-of-way shall be maintained by the developer or homeowner's association.

([Ord. 2015-010](#), 2015)

12.06.060 Submittal Requirements.

Submittal Requirements for Stormwater Site Plans (Reference Ch.3 of the SWMMEW):

- A. Preliminary Submittal Requirements
 - a. Collect and Analyze Information on Existing Conditions
 - i. Downstream Analysis
 - ii. Identify areas of high erosion and sediment depositions
 - iii. Locations of sensitive and critical areas
 - b. Determine Applicable Core Elements
 - c. Prepare a Conceptual Stormwater Control Plan
 - i. Identify Stormwater Conveyance System
 - ii. Identify Stormwater Detention/Retention Area & Methods
- B. Final Submittal Requirements
 - a. Apply preliminary subdivision conditions relating to stormwater
 - b. Prepare a Final Stormwater Control Plan
 - c. Provide a Drainage Report with supporting calculations
 - d. Prepare a Construction Stormwater Pollution Prevention Plan
- C. Provide a copy of recorded Notice to Title – For maintaining private stormwater drainage system prior to final project approval. The Notice to Title is available at the Public Works Department.

([Ord. 2015-010](#), 2015)

12.06.070 Review and Approval of Plan.

The stormwater plan and supporting calculations will be reviewed by the Department of Public Works using the Department's construction plan review procedures in coordination with all other County development and/or permit review procedures. The County's review and approval of the stormwater plan shall not relieve the developer, owner and/or designer of liability for errors or omissions in the design of storm drainage facilities.

12.06.080 Variances.

Variances from these Stormwater standards and guidelines may be requested by the developer in accordance with [Section 12.01.130](#). Variances shall be issued only when the following criteria exist:

- A. There are special physical circumstances or conditions affecting the property such that would prohibit the strict application of these provisions; and
- B. Every effort has been made to find alternative ways to meet the objectives of the Core Elements; and
- C. The granting of the exception or variance will not be detrimental to the public health and welfare, nor injurious to other properties in the vicinity and/or downstream, and to the quality of waters of the state; and
- D. The exception is the least possible exception that could be granted to comply with the intent of the Core Elements.

12.06.090 Stormwater System Maintenance.

All newly constructed stormwater systems will be maintained at the expense of the property owner, developer or other legal entity. The County will not maintain systems constructed for the purpose of storage, conveyance, collection or treatment of stormwater generated on privately owned properties.

This responsibility and the provision for maintenance shall be clearly stated on subdivision and short plat plans, property conveyance documents, and/or drainage improvement plans.

In the event the owner(s) does not provide property maintenance and the County Engineer determines the stormwater facility represents a public safety threat, the Director will give 30-day notice to the owner(s) to correct the deficiencies. If the deficiencies are not corrected within 30-days the County may enter upon the property to perform the necessary maintenance at the owner(s) expense. This provision for access will be included as a provision of plat or plan approval. ([Ord. 2015-010](#), 2015)

Chapter 12.7

BRIDGES AND MAJOR DRAINAGE STRUCTURES*

Sections

[12.07.010](#) Design Standards.

[12.07.020](#) Structure Inspections.

* Formerly 12.60; renumbered by Ord. 2004.13, 2004

12.07.010 Design Standards.

- A. All bridges and major drainage structures serving public or private roads and driveways shall conform to [KCC 12.01.110](#)
- B. Bridge and major drainage structure clear width shall accommodate the full width of the traveled lanes and shoulders of approach roads. Bikeway and pedestrian walkways shall be provided where justified.
- C. All roadway structures must be designed in accordance with applicable WSDOT design manuals or AASHTO design guidelines. All new bridges and major drainage structures shall meet a minimum design load structural capacity of HL-93, or as required by [KCC 20.02.050](#). The load rating for privately owned bridges shall be posted as required by [KCC 20.02.050](#).
- D. All box culverts and bridges shall have the year of construction permanently indented on the downstream headwall face in legible numbers. The numbers shall be 3" high by 1-1/2" wide by approximately 3/8" deep in the headwall face.
- E. All bridge and major drainage structures shall be designed by a professional civil engineer licensed in the State of Washington.
- F. Foundation designs shall be based upon the recommendations of a qualified geotechnical engineer. These recommendations shall be documented in the geotechnical report.
- G. Bridge and major drainage structure waterway opening designs shall conform to the parameters of the applicable WSDOT design manual, AASHTO design guidelines, and the guidelines and regulations of any agency, such as the Washington Department of Fish and Wildlife and Army Corps of Engineers.
- H. Bridges and major drainage structures that function as a driveway must meet the standards set forth in the most current version of the International Fire Code for minimum width and load as required by [KCC 20.02.050](#).

([Ord. 2015-010](#), 2015)

12.07.020 Structure Inspections.

- A. It is the developer's responsibility to ensure all materials are tested and inspected as required.
- B. The developer's structural engineer or his representative, familiar with the structure's design, shall review the construction in sufficient detail to confirm that the construction is as specified.
- C. Inspection of construction shall be conducted, as frequent as necessary to ensure the construction conforms to the plans and specifications. A written log or report of all work shall be furnished to the County Engineer at completion of the structure.
- D. Testing of materials shall conform to the requirements of WSDOT Standard Specifications, and WSDOT Materials Manual, latest edition.
- E. When land use development activities increase the use of existing bridges, the bridges shall be re-inspected and all inspection and testing results provided to the Department of Public Works. Re-inspection of privately owned bridges shall be included in the road certification.
- F. Inspection of existing bridges shall be conducted by a civil engineer licensed in the State of Washington familiar with bridge design, construction and load ratings. The engineer shall submit a report indicating the existing bridge meets the requirements set forth in these standards in regards to load rating, function, superstructure and abutments. Bridges inspected within two years do not need to be re-inspected unless there is obvious damage or deterioration to the sub-structure, superstructure or the approach.

(Ord. 2015-010, 2015)

Chapter 12.8

SUBMITTAL REQUIREMENTS FOR CONSTRUCTION PLANS

Sections

[12.08.010](#) General.

[12.08.020](#) Certification.

[12.08.030](#) Submittal Procedure.

[12.08.040](#) Vicinity Map.

[12.08.050](#) Key Map.

[12.08.060](#) Title Block.

[12.08.070](#) Acceptance Block.

[12.08.080](#) General Standards for Subdivision Final Construction plans. (Publisher's note - 12.04.090 was not enumerated in the ordinance.)

[12.08.100](#) Scale.

[12.08.110](#) Date of Plans.

[12.08.120](#) Seal and Signature.

[12.08.130](#) Underground Utilities.

[12.08.130](#) Private Improvements. (Publisher's note - 12.04.030 was a duplicate number in the ordinance.)

[12.08.140](#) Requirements for Road Plan and Profile Drawings.

[12.08.150](#) Signing and Striping Plans.

[12.08.160](#) Range Points/Property Monuments/Benchmarks.

12.08.010 General.

The following documentation is required in conjunction with the submittal of construction plans for any public or private roadway or storm drainage improvement for which approval by the Kittitas County Department of Public Works is required. ([Ord. 2015-010](#), 2015)

12.08.020 Certification.

A. All construction plans and drainage reports, soils reports and pavement designs shall be prepared by, or under the direction of, a civil engineer, licensed in the State of Washington, and shall be reviewed for the minimum requirements set forth herein. The engineer should be aware that whenever unusual or serious problems are anticipated in conjunction with a proposed construction project, additional information and analysis beyond the minimum requirements of these specifications and criteria would be required.

B. Construction plans submitted for review and comment must include the following statement on the cover sheet:

These construction plans for (name of subdivision, development, or project) were prepared by me (or under my direct supervision) in accordance with the requirements of the Kittitas County Road Standards.

Name of Engineer

Name of Firm

Date

The statement shall be signed and stamped by the licensed civil engineer who prepared or directed preparation of the construction plans.

C. Unless otherwise identified or noted, all construction plan submittals are assumed to comply with the provisions of these standards. Failure to follow prescribed procedures may result in return of submittals, additional review fees, or both.

D. Kittitas County shall not be responsible for the accuracy and adequacy of the design or dimensions and elevations on the plans. Kittitas County, through the acceptance of the

construction plan or drainage report, assumes no responsibility for the completeness and/or accuracy of the construction plan or drainage report. The cover sheet shall bear the following statement:

The engineer who has prepared these plans, by execution and/or seal hereof does hereby affirm responsibility to the County, as a beneficiary of said engineer's work, for any errors and omissions contained in these plans, and approval of these plans by the Department of Public Works shall not relieve the engineer who has prepared these plans of any such responsibility.

([Ord. 2015-010](#), 2015)

12.08.030 Submittal Procedure.

Plans for proposed road and drainage construction shall be submitted to the Department of Public Works as follows:

- A. The first submittal shall consist of two complete sets of preliminary civil engineering plans. The plans shall be submitted at plat application. The plans shall consist of a conceptual plan and profiles plan, proposed cross section and conceptual stormwater plan as required by [KCC 12.06](#)
- B. The second submittal shall consist of two complete sets of final civil engineering plans together with a final grading plan and profile plans, final stormwater plan, construction details, temporary erosion and sediment control plan or SWPPP, and any supporting documents such as stormwater calculations, geotechnical reports, environmental studies and traffic impact analysis. The plans shall be signed and stamped by the developer's engineer. The developer's engineer must be a civil engineer licensed in the State of Washington. Review fees, when adopted and applicable, shall be paid by the developer before review of the plans by the County commences.
- C. If corrections are required, the County will return a redlined print showing necessary corrections within 30 days of submittal.
- D. Subsequent submittals shall also contain two complete sets of plans and other supporting information, if corrected. When all corrections have been made to the County Engineer's satisfaction, the final mylar set of plans will be signed and returned to the developer's engineer.
- E. Any revisions to approved plans shall be submitted for approval prior to construction. Revisions shall be stamped and signed by the developer's engineer. Proposed revisions shall be indicated on a copy of the original approved construction plans that includes the County Engineer's signature. The proposed revision shall be clearly shown by strikeout of text, cross-out of items, and/or clouding as appropriate, and by posting the drawing revision block. If the proposed revisions are to the satisfaction of the County Engineer, the revised mylar set of plans will be signed and returned to the developer's engineer.
- F. The developer's engineer shall provide the County with a good quality reproducible mylar and two complete sets of prints of the approved plans and one complete set of other supporting documentation. The developer's engineer shall also provide a quantity take-off and engineer's cost estimate of proposed construction when the project is to be secured by a performance guarantee as outlined by [KCC 12.01.150](#).

- G. Plans will be reviewed by the County according to the date they were submitted. Previously reviewed or approved plans submitted to the County for a revision will be considered a new submittal. Approved plans under construction will be considered a resubmittal and will be reviewed prior to new submittals.

(Ord. 2015-010, 2015)

12.08.040 Vicinity Map.

- A. Minimum scale is 1"=1000' showing the location and name of all arterial roadways within one mile of the proposed construction, and all other roadways in the vicinity of the proposed construction. Shading shall indicate the project area. This map is required on the cover sheet or first sheet of all submittals, if no cover sheet has been used. The vicinity map shall show all arterial roadways and major drainage ways. Section, Township, and Range shall also be shown.
- B. Minimum size of vicinity map shall be 10" x 10".

12.08.050 Key Map.

- A. Minimum scale is 1"=500' showing the location and name of all roadways within and adjacent to the proposed construction and all future roadways. Scale shall be indicated. The key map shall be oriented consistent with detail in the sheet, i.e. same north.
- B. The key map is to appear on every sheet showing proposed roadway, storm drainage or grading improvements. The roadway or area that the design pertains to shall be shaded.

(Ord. 2015-010, 2015)

12.08.060 Title Block.

A title block is required on every sheet and cover sheet submitted for review and acceptance. The subdivision name and filing number; Planned Unit Development name (if applicable); the type of improvement; name, address, including zip code, and telephone number and name of the consulting engineer; name, address, including zip code, telephone number and name of the developer or agent; and sheet number (consecutive, beginning with the cover sheet) shall be included in the title block.

The title block shall be located in the extreme lower right hand corner, the right side margin, or along the bottom edge of the sheet.

12.08.070 Acceptance Block.

All roadway construction plans, stormwater or other drainage improvement construction plans, and privately or publicly maintained stormwater detention or retention facility construction plans must show the acceptance signature of the designated representative of the Kittitas County Department of Public Works.

- A. The acceptance block shall be located in the lower right hand quadrant of the cover sheet.
- B. Acceptance block shall be as follows:

"These plans have been reviewed by Kittitas County Department of Public Works and have been accepted for complying with the requirements of Kittitas County Road Standards.

County Engineer Date

([Ord. 2015-010](#), 2015)

12.08.080 General Standards for Subdivision Final Construction Plans.

The following general standards shall be met for final construction plans.

- A. All road and stormwater construction must conform to Kittitas County Road Standards current at the time of application. Any construction occurring four years or more after final approval shall require reexamination of the plans by the Engineer who may require that they be made to conform to standards and specifications current at that time.
- B. The developer's contractor shall give the Department of Public Works staff at least 24-hours advance notice before beginning road construction. Road paving or aggregate base course placement shall not start until the subgrade is proof rolled and inspected, and compaction test results for the subgrade and any utility trenches are submitted and approved by the County Engineer
- C. The contractor shall obtain separate access, work in the right-of-way or franchise permits from Public Works before undertaking any construction work in the existing County right-of-way.
- D. All traffic control devices must conform to the Manual on Uniform Traffic Control Devices (MUTCD), current edition at the time of construction.
- E. Prior to release of collateral by Kittitas County the developer must present a statement from a civil engineer licensed in the State of Washington that the project has been completed in substantial compliance with approved plans and specifications. The developer's engineer must document that regular on-site inspections were conducted during the course of construction, and the field plans utilized were the same as those approved by Kittitas County. The engineer shall also state quality control testing demonstrates compliance with the plans and specifications approved by Kittitas County. A final inspection by the Department of Public Works is required and all deficiencies must be corrected prior to release of collateral.

The developer must also submit the following items prior to release of collateral or final approval:

1. "As-built" plans for the improvements must be submitted with the road certification or at the time the letter requesting collateral release is submitted. The "as-built" plans must be clearly labeled as such, and must be signed and dated by a licensed civil engineer. They may be design plan markups and must show any deviations from the approved plans. Release of collateral will not occur if the County Engineer determines deviations are present which have not received prior approval.
2. A letter or letters of acceptance and responsibility for maintenance of the improvements by the appropriate utility company, special district, city, or town for all utilities and roads.

3. A letter from the appropriate fire authority stating that fire hydrants are in place in accord with the approved plans. The letter shall also state that the fire hydrants are operational and provide the results of fire flow tests.
4. Quality control test results must be submitted for all phases of the project in accordance with the schedule for minimum materials sampling, testing, and inspection as found in the WSDOT Materials Manual. The Department of Public Works shall review and approve a proposed schedule of testing before commencement of construction.

F. Phased Construction

1. Engineer drawn plans must be submitted and approved by the County for the entire development.
2. The construction may be phased. Final approval of a phase will be granted once the road is constructed and inspected or the construction is bonded.
3. Phased construction must result in a safe and usable facility at the end of the current phase. Temporary road construction or safety features may be required until the next phase is completed.

([Ord. 2015-010](#), 2015)

12.08.090 Scale.

Scales listed are the minimum. More detailed scales may be required where necessary to clearly show details.

A. Plan and profile plans: Horizontal 1"=50', Vertical 1"=5'.

B. Master, preliminary, and final drainage plans; site plans, etc.: from 1"=50' to 1"=100'.

([Ord. 2015-010](#), 2015)

12.08.100 Date of Plans.

The original date of the plans and any subsequent revisions must be shown in the title block. ([Ord. 2015-010](#), 2015)

12.08.110 Seal and Signature.

The seal and signature of the developer's engineer, under whose supervision the plans were prepared, shall be located next to the acceptance block on each sheet. ([Ord. 2015-010](#), 2015)

12.08.120 Underground Utilities.

The type, size, location and number of all underground utilities shall be shown. Field verified elevations and locations may be required on the construction plans for all underground utilities that will potentially affect the design or construction. It will be the responsibility of the contractor to verify the existence and location of all underground utilities along their route of work prior to commencing any new construction. ([Ord. 2015-010](#), 2015)

12.08.130 Private Improvements.

- A. Private improvements such as roadways, driveways, utilities, etc. shall be clearly shown and labeled as such on each sheet of the construction plans. The note below shall appear on the cover sheet of the construction plans for private improvements:

Kittitas County shall not be responsible for the maintenance of roadway and appurtenant

improvements, including storm drainage structures and pipes, for the following private roads: (list).

- B. When a request is made for the County to assume maintenance of any private improvement, it shall be the responsibility of the person(s) making the request to satisfactorily demonstrate that the private improvement is in fact constructed in accordance with Kittitas County Road Standards.
- C. The County will review these requests under normal review procedures as outlined previously in these Standards in [KCC 12.01.160](#).

([Ord. 2015-010](#), 2015)

12.08.140 Requirements for Road Plan and Profile Drawings.

In addition to the requirements set forth elsewhere in these Standards, the following information shall be shown on all roadway plans submitted for review and approval.

- A. Plan View - The plan view shall include, but not be limited to, the following:
 - 1. Existing and proposed property and right-of-way lines, easements, tracts and irrigation ditch(s). Type and dimension of the easements or tracts are to be clearly labeled. Property lines and right-of-way lines are to be dimensioned.
 - 2. Survey lines and stations shall normally be based on centerline of street; other profiles may be included but shall be referenced to centerline stationing. Stationing is to be equated to flowline stationing at cul-de-sacs.
 - 3. Roadways and roadway names.
 - 4. Existing utilities, structures and their appurtenances, including, but not limited to:
Stormwater, fence lines and gates, water lines, irrigation, ditches, electric lines, curbs and gutters, sewer lines, pavement limits, communication lines, bridges or culverts, guardrails, signs, gas lines, etc.
 - 5. Station and critical elevation (flowline, invert of pipe, etc.) of all existing and proposed utility or drainage structures. Location of utilities shall be dimensioned horizontally and vertically from roadway centerline profile grade.
 - 6. Storm drainage flow direction arrows, particularly at intersections and all high and low points.
 - 7. Match lines and consecutive sheet numbers, beginning with cover sheet.
 - 8. Station and elevation of all horizontal curves including PI, PC's, PT's, etc.; high or low point and PI of all vertical curves; existing and proposed, centerline bearings, distances, and complete curve data.
 - 9. Curb return radii, existing and proposed; stations and elevations of all curb returns; mid point elevations, flowline-flowline intersection elevations, and percent of grade from the PRC to flowline-flowline intersections of all crosspans.
 - 10. Mid-block handicap ramp locations at tee intersections.
 - 11. Centerline stations of all non-single family residential driveways and all intersecting roadways.
 - 12. Survey tie lines to section corners or quarter corners, consistent with that shown on the plat.

13. Typical roadway cross section for all roadways, existing or proposed, within and adjacent to the proposed development. These cross sections shall appear on the detail sheet, or if no detail sheet has been used, on the first sheet of the submittal showing roadway design. They shall indicate type of roadway(s), profile grade design point (centerline, flow-line, top of curb, lip of gutter, etc.), roadway width, right-of-way, type of curb, gutter and sidewalk as required, pavement cross slope, pavement thickness, and structural material components of the pavement, base and subbase, together with specifications for treatment of subgrade and installation of pavement structural members.
14. Construction plans for any roadway improvements including intersections requiring signalized traffic control. The construction plans shall include construction and lane details for the new construction and existing facilities a minimum of 150 ft beyond the limits of construction.
15. Basis of plan view and profile elevations shall be the same, i.e. flowline and flowline, top of curb and top of curb, etc.

B. Profile

The profile shall include, but not be limited to, the following:

1. Original ground (dashed) and design grade (heavy, solid). Both grades are to be plainly labeled.
2. For six inch vertical curb and gutter, all design elevations shall be centerline, lip of gutter, or flowline (preferred). For combination of curb, gutter and sidewalk, all design elevations shall be back of sidewalk, lip of gutter, or flowline (preferred). The basis of record drawing information shall be the same as the design (both flowline or both top of curb, etc.).
3. Stationing continuous for the entire portion of the roadway shown in the plan view, with the centerline station of all non-single family driveways and all intersecting roadways clearly labeled.
4. All existing curbs, gutters, sidewalks and pavement adjacent to the proposed design. Basis for existing grades shall be as-built elevations at intervals not to exceed 25 feet. Previously approved designs are not an acceptable means of establishing existing grades.
5. Elevation and location of all existing and new utilities in the immediate vicinity of the construction shall be shown on the plans.
6. Station and elevation of all vertical grade breaks, existing (as-built) and proposed.
7. Distance and grade between VPI's.
8. Vertical curves, when necessary, with VPI, VPC, and VPT, high or low point (if applicable) stations and elevations. All vertical curves shall be labeled with length of curve (L) and $K=L/A$ where A is the algebraic difference in slopes, in percent.
9. Profiles for all curb returns (except medians).

C. Notes

In addition to other notes required in these Standards, the following notes shall appear on the cover sheet of all submittals containing roadway plans. If a cover sheet has not

been used, they shall be put on the sheet of the plans containing roadway design criteria.

1. Inspection: Construction shall not begin until permits have been issued. If a Department of Public Works site inspector is not available after proper notice of construction activity has been provided, the permittee may commence work in the inspector's absence. However, Kittitas County reserves the right to not accept the improvement if subsequent testing reveals an improper installation.
2. Paving shall not start until the mix design is accepted by the County Engineer.
3. All stationing is based on centerline of roadways unless otherwise noted.
4. All elevations are on USGS DATUM with date. Point monument shall be shown on construction location plans.
5. Except where otherwise provided for in these plans and specifications, the most current editions of the WSDOT Standard Specifications and WSDOT Standard Plans shall apply.

([Ord. 2015-010](#), 2015)

12.08.150 Signing and Striping Plans.

- A. All traffic control devices shall be fabricated and installed in accordance with MUTCD, current edition at the time of construction.
- B. All signage and striping costs shall be the responsibility of the developer
- C. Plans for traffic control during construction must be accepted prior to issuing construction permits.
- D. Signing and striping plans require acceptance prior to issuing construction permits.
- E. Permanent signage and striping shall be complete and in place before any new roadway is opened to the public. Traffic signal installation and equipment shall conform to WSDOT Standards and Specifications. MUTCD requirements shall be met for signal installation. All subdivisions, road improvement projects, and commercial development must incorporate a separate signage and striping plan in accordance with the following criteria:
 1. Submittal - Separate signage and striping plans are to consist of an overall area map noting all specific use areas, such as schools, parks, recreation centers, library, commercial, industrial, etc. The pages following the area map are to be broken down into road segments, for notation of signage and striping details.
 2. Review Process - There are two steps the plans must undergo for review.
 - a. The first step of review is a redline markup. Requirements will be marked where necessary and the plans returned to the developer's engineer.
 - b. Second, the revised plans and the marked preliminary plans must be resubmitted for final review with a signature box included for the County Engineer. If the final submittal is acceptable, the County Engineer will notify the developer's engineer to send the mylar cover sheet of the plans for sign off.

- c. Final plans shall, in all cases, be included along with the road construction plans, utility construction plans, grading and drainage plan, and the plat.
3. Sign Warrants - Traffic control devices which are not warranted by MUTCD shall not be installed. When MUTCD guidelines are not applicable for a given case, a traffic engineering study by the developer's engineer will be required. This study will address the existing conditions, safety issues, and the applicable warrants.

([Ord. 2015-010](#), 2015)

12.08.160 Range Points, Property Monuments, and Benchmarks.

- A. All monuments delineating right-of-way boundaries of property or witness thereof shall be set in accordance with this section and all applicable State of Washington laws and regulations.
- B. Any "aliquot corner" (section corner, quarter corner, etc.), as described in the Public Land Survey System, shall be monumented per Washington State Statutes. If such a corner falls within concrete or asphalt, a monument case and cover shall be installed to protect and provide access to said corner.
- C. If so desired, the Developer may install monument cases and covers in asphalt or concrete for property monuments, range points, benchmarks, etc., if the boxes comply with Kittitas County standards.

Chapter 12.9

PUBLIC ROAD CONSTRUCTION CONTROL AND INSPECTION*

Sections

[12.09.010](#) Basis for Control of the Work.

[12.09.020](#) Subdivision, Commercial and Right-of-Way Development Inspection.

[12.09.030](#) Penalties for Failure to Notify for Development Inspection.

[12.09.040](#) Embankment Construction Control in Developments.

[12.09.050](#) Traffic Control in Development Construction.

[12.09.060](#) County Forces and County Contract Road Inspection.

[12.09.070](#) Call Before You Dig.

* Formerly 12.90; renumbered by Ord. 2004.13, 2004

12.09.010 Basis for Control of the Work.

- A. Work performed in the construction or improvement of County roads, future county roads, whether by or for a private developer, by County forces, by County contractor or by private contractor, shall be done in accordance with Kittitas County Road Standards and approved plans ([KCC 12.08](#)). **IT IS EMPHASIZED THAT NO WORK MAY BE STARTED UNTIL SUCH PLANS ARE APPROVED.** Any revision to such plans shall be approved by the County Engineer before being implemented.

- B. The County Engineer will have authority to enforce the Standards as well as other referenced or pertinent specifications. He will appoint project engineers, assistants and inspectors as necessary to inspect work and they will exercise authority as the County Engineer may delegate.
- C. Provisions of Section 1-05 (Control of Work) of the WSDOT Standard Specifications, most recent edition, shall apply, with the term "Engineer" therein construed to be the County Engineer as defined in [KCC 12.02.020](#).

(Ord. 2015-010, 2015)

12.09.020 Subdivision, Commercial and Right-of-Way Development Inspection.

On all road and drainage facility construction open to the public or maintained by the public, proposed or in progress for adoption onto the county road system, which relates to subdivision, commercial and right-of-way development, control and inspection will be done by the Department of Public Works. Unless otherwise instructed by the County Engineer, construction events which require monitoring or inspection are identified as follows, with prior notification to the Department of Public Works office (Telephone 509-962-7523).

- A. Preconstruction Conference: Three working days prior notice. Conference must precede the beginning of construction and include contractor, designing engineer, utilities and other parties affected. Plan approvals and permits must be in hand prior to the conference.
- B. Clearing and Temporary Erosion/Sedimentation Control: One working day notice prior to initial site work involving drainage and installation of temporary water retention, detention and siltation control. Such work to be in accordance with the approved plans.
- C. Utility and Storm Drainage Installation: One working day notice prior to trenching and placing of storm drainage systems.
- D. Utility and Storm-Drainage Backfill and Compaction: One working day notice before backfill and compaction of storm drainage systems.
- E. Subgrade Completion: One working day notice at stage that underground utilities and roadway grading are complete, to include placement of gravel base if required. Inspection to include compaction tests and certifications described in [KCC 12.08](#).
- F. Curb and Sidewalk Forming: One working day notice to verify proper forming and preparation prior to pouring concrete.
- G. Curb and Sidewalk Placement: One working day notice to check placement of concrete.
- H. Crushed Surfacing Placement: One working day notice to check placement and compaction of crushed surfacing base course and top course.
- I. Paving: Three working days notice in advance of paving with asphalt or Portland cement concrete.
- J. Structural: Three working days notice prior to each of critical stages such as placing foundation piling or footings, placement and assembly of major components, and completion of structure and approaches. Tests and certification requirements will be as directed by the County Engineer.
- K. Final Inspection: Five working days prior to overall check of roadway or drainage project site, to include completion of paving and associated appurtenances and improvements, cleaning of drainage system and all necessary clean-up. Prior to approval of construction work, acceptance for maintenance and release of construction performance bonds, the developer/contractor shall pay any required fees, submit any required

maintenance and defect financial guarantees, provide certification of monumentation and submit one mylar set of corrected plans (as-built) reflecting all minor and design plan changes of the roadway and drainage systems. The Department of Public Works shall specify the number of mylar sets as warranted by the type of improvement. Mylars shall not have any shading or adhesive addition in any areas. If original plans were completed on a CADD system, the developer/contractor shall submit, in addition to mylars, a copy of the CADD drawing files in .DWG format.

- L. Final Maintenance Inspection: 30 days prior to the end of the maintenance period. Prior to release of the maintenance guarantee, there shall be successful completion of the maintenance period as described in [KCC 12.01.150](#), repair of any failed facilities and the payment of any outstanding fees.
- M. Quality Control: Contractor shall retain the services of an independent testing agency to perform quality control/quality assurance (QC/QA). Inspection reports and testing results shall be submitted to the Department of Public Works before close of the next working day.

([Ord. 2015-010](#), 2015)

12.09.030 Penalties for Failure to Notify for Development Inspection.

Timely notification by the developer as noted is essential for the County to verify through inspection that the work meets the standard. Failure to notify in time may oblige the County to arrange appropriate sampling and testing after-the-fact, with certification, either by a qualified private engineer or by County personnel. Costs of such testing and certification shall be the responsibility of the developer. If the County Engineer requires further sampling, testing or certification, further work on the development may be prohibited or limited until all directed tests have been completed and corrections made to the satisfaction of the County Engineer. If necessary the County may take further legal actions. ([Ord. 2015-010](#), 2015)

12.09.040 Embankment Construction Control in Developments.

The provisions of Section 2-03 (Roadway Excavation and Embankment) of the WSDOT Standard Specifications apply in all respects to development construction unless otherwise instructed by the County Engineer. The following elements are cited for clarification and emphasis:

- A. Embankment and Cut-Section Compaction: Compaction of all fill subgrade and the top six inches of cut native subgrade shall meet a minimum 95% of maximum density in accordance with WSDOT Standard Specifications Section 2-03.3(14) C (Compacting Earth Embankment) - Method B.
- B. Testing for Density:
 - 1. Prior to placing any surfacing material on the roadway, it will be the responsibility of the developer or contractor to provide density test reports certified by a civil engineer licensed in the State of Washington. Optimum moisture content and maximum density shall be determined by methods cited in Section 2-03.3(14)D (Compaction and Moisture Control Tests) of WSDOT Standard Specifications or by other tests approved by the County Engineer. In fill sections a minimum of one test shall be taken every 1,000 cubic yards or fraction thereof and on each lift of embankment. In cut sections the interval shall be every 100 feet of roadway. For work to be

accepted, tests must show consistent uniform density as required by the tests referenced above.

2. In cases where tests do not meet the minimum standard, corrective action shall be taken such as adding water, aerating, replacing material or applying more compactive effort as directed by the developer's engineer. Retests shall show passing densities prior to placing the next lift of subgrade fill.

C. Finishing Subgrade:

After subgrade preparation has been completed, it shall be thoroughly checked by the developer or contractor using a level, string line, crown board or other means to determine that the subgrade conforms to the typical section or special plan conditions prior to placing any surfacing material.

([Ord. 2015-010](#), 2015)

12.09.050 Traffic Control in Development Construction.

A. Interim Traffic Control:

The developer's contractor shall be responsible for interim traffic control during construction on or along traveled County roadways. When roadway or drainage work is to be performed on County roadways that are open to traffic, the contractor will be required to submit a traffic control plan for approval by the County Engineer prior to beginning the work. Traffic control shall follow the guidelines of Section 1-07.23 (Public Convenience and Safety) of the WSDOT Standard Specifications. All barricades, signs and flagging shall conform to the requirements of the MUTCD. Signs must be legible and visible and should be removed at the end of each workday if not applicable after construction hours.

B. Temporary Road Closures and Detours:

When temporary road closures cannot be avoided the contractor shall post "To Be Closed" signs and place a legal notice in the newspaper a minimum of five working days prior to the closing. The types and locations of the signs shall be shown on a detour plan. A detour plan must be prepared and submitted to the Department of Public Works at least 10 working days in advance of the proposed closure, and approved prior to closing any County roadway. In addition, the contractor must notify, in writing, local fire, school, law enforcement authorities, postal service and any other affected persons as directed by the County Engineer at least five working days prior to the closing.

C. Haul Routes:

The County Engineer may require the contractor to submit a pavement analysis of the proposed haul route, prior to and immediately after construction ends. The pavement analysis shall be performed by an engineer licensed in the State of Washington. If the final pavement analysis determines that the roadway has been damaged, the contractor shall be responsible for restoration of the roadway.

If the construction of a proposed development is determined by the County Engineer to require special routing of large trucks or heavy construction equipment to prevent impacts to surrounding roads, residences or business, the contractor shall be required to develop and use an approved haul route.

When required, the haul route plan must be prepared and submitted to the County Engineer and approved prior to beginning or continuing construction. The haul route plan shall address routing, hours of operation, signing, flagging and daily maintenance.

If the contractor's equipment or suppliers fail to use the designated haul route, the County Engineer may prohibit or limit further work on the development until such time as the requirements of the haul route are complied with.

D. Haul Route Agreement:

When identified as a need by the SEPA review process or by the County Engineer, a haul route agreement shall be obtained by the franchised utility, developer or property owner establishing restoration procedures to be performed upon completion of the haul operation.

([Ord. 2015-010](#), 2015)

12.09.060 County Forces and County Contract Road Inspection.

Road construction performed by County forces or by contract for the County will be inspected under supervision of the County Engineer.

12.09.070 Call Before You Dig.

Developers and contractors are responsible for notification of utilities a minimum of two working days in advance of any excavation, or as required by [RCW 19.122](#). The utility One-Call Center phone number 1-800-424-5555 or 811 should be prominently displayed at the work site. Notifications may also be entered online at www.callbeforeyoudig.org. ([Ord. 2015-010](#), 2015)

Chapter 12.10

TRANSPORTATION CONCURRENCY MANAGEMENT

Sections

[12.10.010](#) Purpose.

[12.10.020](#) Authority.

[12.10.030](#) Level of Service Standards.

[12.10.040](#) Concurrency Evaluation.

[12.10.050](#) Concurrency Determination.

[12.10.060](#) Determination of Concurrency Finding.

[12.10.070](#) Administrative Reconsideration.

[12.10.090](#) Definitions.

12.10.010 Purpose.

The purpose of this chapter is to ensure that adequate transportation facilities are available or provided concurrent with development, in accordance with the Growth Management Act ([RCW 36.70A.070](#)) and consistent with [WAC 365-195-510](#) and [365-195-835](#). No development permit shall be issued except in accordance with this chapter. ([Ord. 2011-011](#), 2011)

12.10.020 Authority.

The public works director, or his/her designee, shall be responsible for implementing and enforcing this chapter. ([Ord. 2011-011](#), 2011)

12.10.030 Level of Service Standards.

The transportation level of service standards for purposes of concurrency review are described and contained in the Kittitas County Comprehensive Plan, Long Range Transportation Plan and any adopted modifications. ([Ord. 2011-011](#), 2011)

12.10.040 Concurrency Evaluation.

- A. The County review of all applications for development permits shall include a concurrency evaluation.
- B. The County shall monitor what the impact of approving concurrency will be on the capacity of transportation facilities.
- C. A concurrency evaluation shall be required for all development applications in which the proposed development is projected to have an impact upon any affected transportation corridor or intersection. A transportation impact analysis (TIA) shall be required for all development that will generate more than nine (9) peak hour vehicle trips unless the requirement for a study has been waived by the Public Works director.
- D. The TIA shall be prepared by and/or under the supervision of a registered engineer in the State of Washington.
- E. To establish the scope of the TIA, the developer shall follow the Public Works Department TIA guidelines and shall provide a preliminary, limited scope analysis documenting the estimated trip generation and distribution for the proposed development application. The director or his designee will review and adjust, if necessary, this information for use in establishing the analysis locations for the TIA for the concurrency evaluation. The TIA shall, at a minimum, provide the following information for the identified concurrency locations:
 - a. Number of peak hour trips generated by the development according to the ITE trip generation manual or other method approved by the director;
 - b. Anticipated trip distribution;
 - c. The current calculated level of service of all impacted transportation facilities;
 - d. The future calculated level of service of all impacted transportation facilities, as identified by the county, incorporating traffic volumes from the proposed development;
 - e. Any proposed mitigation; and
 - f. The future calculated level of service of all impacted transportation facilities with the incorporation of proposed development traffic volumes and any proposed mitigation.
 - g. Any adverse effects or safety hazards that are created or worsened by trips generated by the development and the effect these trips may have on the structural integrity of the transportation facilities.
- F. The TIA shall be based on traffic counts obtained within twelve (12) months of the fully complete date of the development application as determined under Section [15A.03.040](#).

The traffic counts shall reflect representative traffic conditions within transportation corridors and at intersections.

- G. The Public Works director reserves the right to require a developer to provide data and/or analysis as part of a particular TIA, where the Public Works director determines that additional information or analysis is required to implement the standards and requirements contained in this section.
- H. The concurrency evaluation and determination shall be completed prior to:
 - a. Issuance of administrative approval/denial of the project permit if SEPA review is not a requirement of the project; or
 - b. Issuance of the DNS, MDNS or DS if SEPA review is a requirement of the project; or
 - c. Issuance of the staff report to the hearings examiner if there is a hearing before the hearings examiner and SEPA review is not a requirement of the project.
- I. Development permits for phased developments shall have the concurrency evaluation completed for the entire project. A developer may elect to have the concurrency evaluation undertaken for less than the entire project if and only if:
 - a. The director agrees to such limited evaluation; and
 - b. Each phase shall include all of the infrastructure to service that phase; and
 - c. There is a written note included in the preliminary approval for such phased development that the traffic concurrency evaluation is limited only to the specific phases for which approval has been provided.
- J. Upon the written request of a developer, the Public Works director may waive the requirement for a TIA where potential transportation impacts upon the affected transportation corridor(s) and/or intersections have been adequately analyzed in prior research or reports and/or are not projected to cause a reduction in the operating level of affected transportation corridors and/or intersections. Developers must provide justification for their request to include, but not be limited to, the number of trips that will be generated by the development, where these trips will access transportation facilities, and the distribution of the trips when entering onto transportation facilities at multiple access points.
- K. The County may undertake an independent TIA to confirm or revise the results of the developer's TIA.
- L. The County may reserve capacity on its transportation facilities for future developments considered high priority by the County. ([Ord. 2011-011](#), 2011)

([Ord. 2015-010](#), 2015)

12.10.050 Concurrency Determination.

The county shall not approve a development permit unless there are adequate transportation facilities to meet the level of service standards for existing and approved uses, based on the forecast peak hour traffic volumes and the committed transportation system. Concurrency requires adequate transportation facilities to be in place at the time of development or that a financial commitment is in place to complete the improvements or strategies needed for adequate transportation facilities within six years.

- A. If the concurrency evaluation shows that the ratio of the forecast peak hour traffic volume to the capacity of each transportation facility is equal to or less than the

adopted level of service standard for each impacted transportation facility, the director shall issue a determination of concurrency finding, according to the provisions of [KCC 12.10.060](#). This determination of concurrency finding shall include a certificate of transportation capacity for developments that are expected to generate more than nine (9) peak hour vehicle trips.

- B. If the concurrency evaluation shows that the ratio of the forecast peak hour traffic volume to the capacity of any transportation facility exceeds the adopted level of service standard for any impacted transportation facility, the concurrency test is not passed and the director shall notify the developer in writing of the denial finding. The developer may:
1. Amend the application within 90 days in such a way to ensure that the ratio of the forecast peak hour traffic volume to the capacity of each transportation facility does not exceed the adopted level of service standard for each impacted transportation facility. To meet the foregoing, amendments may include one or more of the following:
 - a. Modify the project to reduce the impact on affected facilities;
 - b. Phase the project to coincide with planned improvements that will ensure concurrency;
 - c. Mitigate the impacts of the project to ensure concurrency;
 - d. Arrange with the service provider to provide the additional capacity of facilities required; and/or
 - e. Propose transportation strategies that will reduce the demand for capacity;
 2. Ask the director for formal reconsideration of the concurrency evaluation in accordance with the provisions of [KCC 12.10.070](#);
 3. Withdraw the application and reapply for an evaluation when concurrency can be ensured; or
 4. Appeal the denial or imposition of conditions per [KCC 15A.07](#) or [KCC 15A.08](#), based on the underlying land use decision in accordance with [Ch. 36.70B RCW](#). ([Ord. 2011-011](#), 2011)

([Ord. 2015-010](#), 2015)

12.10.060 Determination of Concurrency Finding.

- A. A determination of concurrency finding shall be issued by the County for the development permit for which a concurrency evaluation was conducted. If applicable, payment of a fee shall be a condition prior to issuing the determination of concurrency finding.
- B. The determination of concurrency finding will include a certificate of transportation capacity for proposed developments that are expected to generate more than nine (9) peak hour vehicle trips. This certificate shall apply only to the specific land uses, densities, intensities and development projects described in the approved development permit. In the event that, subsequent to issuance of the certificate, the approved development is modified to generate lower traffic impacts on the transportation system, the certificate shall be modified to reflect the reduced traffic impact. In no event shall the certificate of transportation capacity be for a greater amount of capacity than is

needed for the development proposed in the underlying permit application, except as provided for phased development.

- C. Phasing. The determination of concurrency finding shall be issued for all phases of a development permit, except when the conditions set forth in [KCC 12.10.040\(1\)](#) have been fulfilled. In this case the certificate shall be conditioned to note that certificates are required for future phases. The certificate shall specifically identify the amount, extent and timing of any required traffic mitigation.
- D. Transferability. A certificate of transportation capacity is not transferable to other land. The certificate of transportation capacity, once issued, shall become part of the development permit and shall be transferred to new owners of the original land, if and only if the development permit is so transferred to the new owners.
- E. Capacity Allocations. The developer may, as part of a development permit application, designate in writing the amount of capacity to be allocated to portions of the property, such as lots, blocks, parcels, or tracts included in the application. Any such allocation shall be reflected in the certificate of transportation capacity. Capacity may be reassigned or allocated within the boundaries of the original property by application to the director. The director shall amend the certificate accordingly.
- F. Life Span of Certificate. A certificate of transportation capacity shall expire when the accompanying development permit expires or is revoked. The certificate may be extended according to the same terms and conditions as the accompanying development permit. If the development permit is granted an extension, so shall the certificate of transportation capacity. If the accompanying development permit does not expire, the certificate of transportation capacity shall be valid for four years from the date of issuance. The director may approve an extension of up to one year.
- G. Unused Capacity. Any capacity that is not used because the developer voluntarily surrenders the certificate, decides not to develop, or the accompanying development permit expires, shall be returned to the available pool of capacity. ([Ord. 2011-011](#), 2011)

([Ord. 2015-010](#), 2015)

12.10.070 Administrative Reconsideration.

- A. The developer may request reconsideration of the results of the concurrency evaluation within 15 days of the written notification of the evaluation results by filing a formal request for reconsideration specifying the grounds thereof, using forms authorized by the department.
- B. The director shall reconsider the evaluation results and issue a determination within 30 days of the filing of such request either upholding the original determination or amending it.
- C. The results of an administrative reconsideration may be appealed as provided by [KCC 12.10.050\(B\)\(4\)](#). ([Ord. 2011-011](#), 2011)


([Ord. 2015-010](#), 2015)

12.10.080 Repealed.



([Ord. 2015-010](#), 2015)

12.10.090 Definitions.

- A. "Adequate transportation facilities" means transportation facilities which have the capacity to serve development while meeting the county's established level of service standards.
- B. "Calculated level of service" means the ratio of the forecast peak hour traffic volume to the capacity of a transportation facility.
- C. "Capacity" means the estimated directional rate of traffic flow that can be accommodated by a given transportation facility within the peak hour and is expressed in terms of vehicles per hour. The capacity used in the concurrency evaluation is defined by the county and based on the committed transportation system.
- D. "Capacity allocation" is a measure of the traffic generated by a development that is assigned to use a transportation facility.
- E. "Capacity pool" is a measure of the remaining capacity available on a transportation facility that can be allocated to future developments.
- F. "Certificate of transportation concurrency" is the final document issued by Kittitas County, confirming availability and reserving capacity on the county's transportation facilities specific to the proposed development or development permit.
- G. "Committed transportation system" means the system of transportation facilities used to calculate the level of service relative to a development proposal. It includes existing transportation facilities and proposed facilities which are fully funded for construction in the most currently adopted six-year transportation improvement program or for which voluntary financial commitments have been secured in an amount sufficient to complete the particular facility improvement. The county may make adjustments to the committed transportation system for corrections, updates, and modifications concerning costs, revenue sources, acceptance of facilities pursuant to dedications consistent with the adopted Comprehensive Plan, or the date of construction (scheduled for completion within the six-year period) of any facility enumerated in the six-year transportation improvement program. The committed transportation system includes:
 - a. County roads;
 - b. State highways and freeways within the county;
 - c. Bus routes;
 - d. Park and ride lot locations;
 - e. Trails, pathways, or other nonmotorized transportation facilities;
 - f. High occupancy vehicle exclusive lanes; and
 - g. Projects to be provided by the state, cities or other jurisdictions may become part of the committed transportation system upon decision of the county.
- H. "Change in use" means a modification to an existing building or site to accommodate a more intensive use. A change in use is subject to concurrency determination for the new increase in traffic only.
- I. "Concurrency" means that adequate transportation facilities are in place at the time of development or that a financial commitment is in place to complete the improvements or strategies needed for adequate transportation facilities within six years.
- J. "Concurrency evaluation" means the process to determine if a proposed development's impact on transportation facilities meets the county's level of service standards set for those affected roadways, as defined in this chapter.

- K. "Determination of concurrency" means a determination by the director based on a concurrency evaluation that shows that the development's impacts on the transportation system will not result in the level of service of a transportation facility falling below the adopted level of service standard for the facility.
- L. "Department" means the Kittitas County Department of Public Works.
- M. "Developer" means the person or persons legally responsible for the land use development activity.
- N. "Development permit" means any order, permit or other official action of the county granting, or granting with conditions, an activity that requires federal, state, or local approval for the use or modification of land or its resource. These activities include, but are not limited to, subdivision and short subdivisions; binding site plans; planned unit developments; variances; shoreline substantial development; and conditional use permits. Building or construction permits are not considered for a concurrency determination unless they create a more intensive change in use because the lot sites for building or construction permits have already been evaluated for concurrency during the lot creation process.
- O. "Development units" means the proposed quantity of development measured by dwelling units for residential development and square feet for specific nonresidential use categories, which are the basis of the calculations of level of service for the determination of concurrency.
- P. "Director" means the public works director, or his/her designee.
- Q. "Financial commitment" consists of the following:
 - a. Revenue designated in the most currently adopted six-year transportation improvement program for transportation facilities or strategies comprising the committed transportation system. Projects to be used in defining the committed transportation system shall represent those projects that are identified as funded for construction in the six years of the six-year transportation improvement program;
 - b. Revenue from federal or state grants for which the county has received notice of approval; and
 - c. Revenue that is assured by a developer in a form approved by the county in a voluntary agreement.
- R. "Forecast peak hour traffic volume" means a forecast peak hour traffic volume that includes existing traffic, ambient traffic growth, traffic from other future development projects that were applied for prior to the subject development application based on Kittitas County records, and the traffic anticipated from the subject development.
- S. "Growth Management Act" means the Washington State Growth Management Act ([Chapter 36.70A RCW](#) ) and any adopted amendments.
- T. "ITE trip generation manual" means the manual prepared by the Institute of Transportation Engineers, latest edition, for the purpose of assigning numbers of vehicle trips associated with various land uses.
- U. "Level of service standard" means the transportation level of service standard as adopted in the Kittitas County Comprehensive Plan based on the ratio of forecast peak hour traffic volumes to capacity.
- V. "Mitigation" means transportation demand management strategies and/or facility improvements constructed or financed by a developer which fully offset the subject

development's impacts to a facility so that: a.) The level of service for a transportation facility with a preexisting level of service deficiency is not further degraded; or b.) The level of service for a transportation facility without a preexisting level of service deficiency is not reduced below the approved level of service.

- W. "Peak hour project trips" means the traffic estimated by a traffic engineer to be generated by a proposed development during the one-hour period during which the greatest volume of traffic uses the road system.
- X. "Peak hour traffic" means traffic volumes during the one-hour period during which the greatest volume of traffic uses the road system, as identified separately for each segment of a transportation facility.
- Y. "SEPA" means the State Environmental Policy Act ([Chapter 43.21 RCW](#) ) as implemented by Kittitas County.
- Z. "Service provider" means the jurisdiction, department or agency responsible for providing the facility.
- AA. "Six-year transportation improvement program" means the expenditures programmed by the county for capital purposes over the next six-year period in the six-year transportation improvement program pursuant to [RCW 36.81.121](#) .
- BB. "Traffic engineer" means an engineer licensed in the state of Washington qualified to perform traffic impact analyses.
- CC. "Transportation facilities" means all principal arterials, minor arterials, collector arterials, major collectors, minor collectors and local accesses in Kittitas County as defined in [KCC 12.03](#).
- DD. "Transportation strategies" means transportation demand management strategies and other techniques or programs that reduce single-occupant vehicle commute travel or improve the capacity of a transportation facility and that are approved by the director. Strategies may include but are not limited to vanpooling, carpooling, public transit, access management, signalization and channelization. ([Ord. 2011-011](#), 2011)

([Ord. 2015-010](#), 2015)

Chapter 12.11

ROADSIDE FEATURES*

Sections

[12.11.010](#) Roadside Features.

[12.11.020](#) Survey Monuments.

* Formerly 12.51; renumbered by Ord. 2004.13, 2004

12.11.010 Roadside Features.

Roadside Features - All roadside features shall be designed in accordance with applicable WSDOT Design Manuals or AASHTO Design Guidelines.

12.11.020 Survey Monuments.

- A. All existing survey control monuments, which are disturbed, lost or destroyed during surveying or construction; shall be replaced by a land surveyor registered in the State Of Washington at the expense of the responsible developer.
- B. Survey control monuments shall be placed or replaced by a licensed land surveyor as shown on the approved construction plans in accordance with recognized good practice in land surveying, and in accordance with the approved details for survey monuments.
- C. Survey monuments are required at all road intersections, points of horizontal curvature (PC's), points of horizontal tangency (PT's), centers of cul-de-sacs and other appropriate locations as determined necessary by the County. Monuments at PC's and PT's may be eliminated and replaced with a monument at the Point of Intersection (PI), if the PI falls within the paved roadway surface.
- D. A signed and sealed statement from the developer's land surveyor that all monuments and corners indicated on the plat or construction plans have been set and are in good condition will be required before final acceptance of the road by the County.
- E. Record of the monumentation shall be made in accordance with the Survey Recording Act.

Chapter 12.12 PRIVATE ROADS

Publisher's note - Chapter 12.12 Private Roads has been moved to Chapter [KCC 12.04.070](#) Private Road Standards. ([Ord. 2015-010](#), 2015)

Chapter 12.13 DESIGN AND CONSTRUCTION STANDARDS FOR UTILITY

Sections

[12.13.010](#) Design and construction standards. (Publisher's note - 12.13.010 was not enumerated in the ordinance.)

12.13.010 Design and construction standards.

Design and construction standards for utility shall be in accordance with The Manual for Accommodating Utilities.

Chapter 12.14

ELECTRIC VEHICLE CHARGING STATIONS

Sections

[12.14.010](#) On-street Electric Vehicle Charging Stations - Generally.

[12.14.020](#) Signage.

12.14.010 On-street Electric Vehicle Charging Stations - Generally.

1. Purpose. Curbside electric vehicle charging stations adjacent to on-street parking spaces are reserved for charging electric vehicles.
2. Size. A standard size parking space may be used as an electric vehicle charging station.
3. Location and Design Criteria.
 - a. Where provided, parking for electric vehicle charging purposes is required to include the following:
 - i. Signage. Each charging station space shall be posted with signage in accordance with [RCW 46.08.185](#).
 - ii. Maintenance. Charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.
 - iii. Accessibility. Charging station equipment located within a sidewalk shall not interfere with accessibility requirements of [WAC 51-50-005](#).
 - iv. Clearance. Charging station equipment mounted on pedestals, light posts, bollards or other devices shall be a minimum of 24 inches clear from the face of curb.
 - v. Lighting. Where charging station equipment is installed, adequate site lighting shall exist, unless charging is for daytime purposes only.
 - vi. Charging Station Equipment. Charging station outlets and connector devices shall be no less than 36 inches or no higher than 48 inches from the top of surface where mounted, and shall contain a retraction device and/or a place to hang permanent cords and connectors sufficiently above the ground or paved surface.
 - vii. Charging Station Equipment Protection. When the electric vehicle charging station space is perpendicular or at an angle to curb face and charging equipment, adequate equipment protection, such as wheel stops or concrete-filled steel bollards shall be used. Appropriate signage indicating if backing in is allowed or not shall be posted.
 - b. Parking for electric vehicles should also consider the following:

- i. Notification. Information on the charging station identifying voltage and amperage levels and any time of use, fees, or safety information.
 - ii. Signage. Installation of directional signs at appropriate decision points to effectively guide motorists to the charging station space(s).
 - iii. Location. Placement of a single electric vehicle charging station is preferred at the beginning or end stall on a block face.
 4. Data Collection. To allow for maintenance and notification, the local permitting agency will require the owners of any private new electric vehicle infrastructure station that will be publicly available (see definition "electric vehicle charging station - public") to provide information on the station's geographic location, date of installation, equipment type and model, and owner contact information. ([Ord. 2016-023](#), 2016; [Ord. 2011-013](#), 2011)

12.14.020 Signage.

Signage shall be provided in accordance with [RCW 46.08.185](#). ([Ord. 2016-023](#), 2016; [Ord. 2011-013](#), 2011)

Chapter 12.15

WATER ON THE ROAD

Sections

[12.15.010](#) Conduct of Water Upon or Across County Roads.

[12.15.020](#) Violation – Penalties.

[12.15.030](#) Damages.

[12.15.040](#) Provisions Supplemental.

[12.15.050](#) Severability.

12.15.010 Conduct of Water Upon or Across County Roads.

No person, firm or corporation shall operate any irrigation system which, in still air, directs water upon or across any county road so as to endanger or impede the road or travel thereon.

12.15.020 Violation – Penalties.

Any person, firm, or corporation violating or failing to comply with any of the provisions of this chapter is subject to penalties and enforcement under [Title 18 KCC](#).

12.15.030 Damages.

In addition to any penalties under 12.15.02, any person, firm or corporation violating the provisions of this chapter shall be responsible in damages to Kittitas County for any reasonable amount necessary to repair, replace, resurface or to otherwise restore such county road as may be affected, to the condition in which said road was prior to violating acts.

12.15.040 Provisions Supplemental.

The provisions of this chapter shall be cumulative and nonexclusive and shall not affect any other remedy of law.

12.15.050 Severability.

If any provision of this Chapter or its application to any person or circumstances is held invalid, the remainder of the Chapter or the application of the Chapter to other persons or circumstances shall not be affected.

Chapter 12.20 ROAD-SANDING POLICY*

Sections

[12.20.010](#) Emergency and non-emergency.

* Formerly 12.05; renumbered by Ord. 2004.13, 2004

12.20.010 Emergency and non-emergency.

The board of county commissioners, in the best interest of the public, sets the following policy: Sanding will be done at intersections, hills and railroad crossings. Sanding on other areas will be done only in emergencies deemed necessary by a county commissioner of his respective district and the county engineer. (Ord. 94-27 (part), 1994; Res. RD-8-75 (part), 1975. Formerly 12.32.010).

Chapter 12.21 WORK ON RIGHTS-OF-WAY*

Sections

[12.21.010](#) Bond requirement waived for municipal corporations.

* Formerly 12.06; renumbered by Ord. 2004.13, 2004

12.21.010 Bond requirement waived for municipal corporations.

The board of county commissioners waives the bond requirement for all municipal corporations when permits are granted to them for work on the county road right-of-way. (Ord. 94-27 (part), 1994; Vol. 1, p. 575, 1975. Formerly 12.36.010).

Chapter 12.22 VACATION OF COUNTY ROADS*

Sections

[12.22.010](#) Vacation.

[12.22.020](#) Resolution.

[12.22.030](#) Freeholder's petition.

[12.22.040](#) Director's report.

[12.22.050](#) Notice of hearing.

[12.22.060](#) Hearing.

[12.22.070](#) Expense of proceeding.

[12.22.080](#) Compensation to county as condition to vacation.

[12.22.090](#) Vacation of roads abutting bodies of water prohibited, exception.

[12.22.100](#) Retention of easement for public utilities and services.

[12.22.110](#) Sale to adjacent land owners.

* Formerly 12.08; renumbered by Ord. 2004.13, 2004

12.22.010 Vacation.

Vacation of right-of-way is controlled by Chapter 36.87 [RCW](#) and the provisions of this chapter. Road vacation procedures may be initiated either by board resolution or freeholder petition. (Ord. 94-32 (part), 1994; Ord. 93-17 (part), 1993. Formerly 12.60.010).

12.22.020 Resolution.

When a county road or any part thereof is considered useless, the board by resolution entered upon its minutes, may declare its intention to vacate and abandon the same or any portion thereof and shall direct the director of public works to report upon such vacation and abandonment. (Ord. 94-32 (part), 1994; Ord. 93-17 (part), 1993. Formerly 12.60.020).

12.22.030 Freeholder's petition.

Ten freeholders residing in the vicinity of any county road or portion thereof may petition the board to vacate and abandon the same or any portion thereof.

1. The petition must show the land owned by each petitioner and set forth that such county road is useless as part of the county road system and that the public will be benefited by its vacation and abandonment.
2. The petition shall be accompanied by an application fee in the amount specified in Kittitas County Code Chapter 4.16. When necessary to cover the cost and expenses incurred in the examination, report, appraisal and all proceedings pertaining to such petition to vacate and/or abandon, the petitioners will be required to pay such additional costs.
3. On the filing of the petition and application fee and on being satisfied that the petition has been signed by petitioners residing in the vicinity of the county road or portion thereof, the board shall direct the director to report upon such vacation and abandonment. (Ord. 94-32 (part), 1994; Ord. 93-17 (part), 1993. Formerly 12.60.030).

12.22.040 Director's Report.

Director's report. In response to the board's direction, the director of public works shall examine any county road or portion thereof proposed to be vacated and abandoned and report to the county on the following:

1. Whether the county road should be vacated and abandoned;
2. Whether the same is in use or has been in use;

3. The condition of the road;
4. Whether it will be advisable to preserve it for the county road system in the future;
5. Whether the public will be benefited by its vacation and abandonment;
6. A determination by appraisal of the fair market value of the area sought to be vacated;
7. The classification of the road area according to the type and amount of expenditures made and the nature of the county's interest therein according to the following classification:
 - a. Class A - public expenditures made
 - b. Class B - no public expenditures made.
8. Whether the proposed area to be vacated contains utilities.
9. All other matters which will be of interest to the board including an itemized list of costs and expenses incurred in the examination, report, appraisal and all proceedings pertaining to such petition to vacate and abandon. (Ord. 94-32 (part), 1994; Ord. 93-17 (part), 1993. Formerly 12.60.040).

12.22.050 Notice of hearing.

Notice of hearing upon the report for vacation and abandonment of a county road shall be published by the board at least once a week for two consecutive weeks preceding the date fixed for the hearing in the county official newspaper and a copy of the notice shall be posted for at least twenty days preceding the day fixed for hearing at each termini of the county road or portion thereof proposed to be vacated or abandoned. Notice of hearing shall also be addressed through the United States mail to all property owners of record within a radius of three hundred feet of the exterior boundaries of the subject property and mailed not less than twelve days prior to the hearing. (Ord. 94-32 (part), 1994; Ord. 93-17 (part), 1993. Formerly 12.60.050).

12.22.060 Hearing.

Hearing. On the day fixed for the hearing, the board shall proceed to consider the report of the director, together with any evidence for any objection against such vacation and abandonment. If the county road is found useful as a part of the county road system it shall not be vacated, but if it is not useful and the public will be benefited by the vacation, the board, by ordinance, may vacate the road or portion thereof. (Ord. 94-32 (part), 1994; Ord. 93-17 (part), 1993. Formerly 12.60.060).

12.22.070 Expense of proceeding.

If the board determines to vacate the road, one of the conditions for vacation shall be that petitioners pay to the county road fund the itemized costs and expenses detailed in Kittitas County Code Chapter 4.16. Upon payment of these costs and the meeting of any other terms and conditions included in the ordinance granting vacation and entered into its minutes, the road or portion thereof shall be considered vacated. (Ord. 94-32 (part), 1994; Ord. 93-17 (part), 1993. Formerly 12.60.070).

12.22.080 Compensation to county as condition to vacation.

The board in its ordinance of vacation may require persons benefiting from the vacation of county roads to pay Kittitas County for the appraised fair market value of the property vacated. Such compensation shall be one of the conditions precedent to the actual vacation of the county road right-of-way. Pursuant to [RCW 36.87.110](#) the board may separately classify county roads for which no public expenditures have been made in the acquisition, improvement or maintenance of the same, according to the nature of the county's property interest in the road, and determine

compensation to the county, if any. (Ord. 94-32 (part), 1994; Ord. 93-17 (part), 1993. Formerly 12.60.080).

12.22.090 Vacation of roads abutting bodies of water prohibited, exception.

No county road or part thereof shall be vacated which abuts on a body of fresh water unless the purpose of the vacation is to enable any public authority to acquire the vacated property for port purposes, boat moorage or launching sites, or for park viewpoint, recreational, educational or other public purposes, or unless the property is zoned for industrial uses. (Ord. 94-32 (part), 1994; Ord. 93-17 (part), 1993. Formerly 12.60.090).

12.22.100 Retention of easement for public utilities and services.

Whenever a county road or any portion thereof is vacated, the board may include in the ordinance authorizing the vacation, a provision that the county retain an easement in respect to the vacated land for the construction, repair, maintenance of public utilities and services which at the time the ordinance is adopted are authorized or are physically located in a portion of the land being vacated; provided, that the board shall not convey such easement to any public utility or other entity or person but may convey a permit or franchise to a public utility to effectuate the intent of this section. The term "public utility" as used in this section shall include utilities owned, operated, or maintained by every gas company, electrical company, communications company, telephone company, telegraph company, water company and sewer company whether or not such company is privately owned or owned by a governmental entity. (Ord. 94-32 (part), 1994; Ord. 93-17 (part), 1993. Formerly 12.60.100).

12.22.110 Sale to adjacent land owners.

The benefiting property owners will each be offered one half of the vacated road and/or road right-of-way adjacent to their property. If one of the benefiting property owners does not wish to purchase the one-half portion of the road or road right-of-way adjacent to his/her property then the other benefiting property owner(s) shall be entitled to purchase that portion of the road and/or road right-of-way. If the property is not purchased by adjacent property owner(s), then said vacation shall be automatically voided. (Ord. 94-32 (part), 1994; Ord. 93-17 (part), 1993. Formerly 12.60.110).

Chapter 12.23

UTILITY ACCOMMODATION POLICY*

Sections

12.23.010 Adoption.

* Formerly 12.12; renumbered by Ord. 2004.13, 2004

12.23.010 Adoption.

In accordance with [RCW 36.55](#), the "Policy on Accommodation of Utilities," written and approved by the Washington Association of Counties in the fiscal year of 1971, is adopted by the county. Where the word "State" appears in the policy, the County of Kittitas shall be used. Where the word "Highway" appears in the policy, the word roadway will be used. Where the word "Commission" appears in the policy, the word county engineer will be used. Where the words "Washington State

Highway Commission" appears, the words Kittitas County Commissioners will be used. (Res. RD-75-71, 1971; Res. RD-55-70, 1970).

Chapter 12.24

UNIFORM STANDARDS FOR INSTALLATION OF BURIED CABLES*

Sections

[12.24.010](#) Standards adopted.

[12.24.020](#) Conditions established.

[12.24.030](#) Right-of-way line proximity.

[12.24.040](#) Minimum cover.

[12.24.050](#) Pipe carrier use.

[12.24.060](#) Location markers.

[12.24.070](#) Road crossing repair.

[12.24.080](#) Repealed.

[12.24.090](#) Traffic control devices.

[12.24.100](#) County saved harmless.

[12.24.110](#) Excavation within county road limits.

[12.24.120](#) Item 10 of Buried Cable Specifications amended - Placement location.

[12.24.130](#) Drainage provisions.

[12.24.140](#) Rubbish removal.

[12.24.150](#) Supervision - Maintenance standards.

[12.24.160](#) Location change - Removal.

[12.24.170](#) Noncompliance.

[12.24.180](#) Maintenance responsibility.

[12.24.190](#) Drawings required.

[12.24.200](#) On-site job inspection.

* Formerly 12.16; renumbered by Ord. 2004.13, 2004

12.24.010 Standards adopted.

The Uniform Standards for the Installation of Buried Cables Along Kittitas County Road Rights-of-way is adopted and effective. (Res. RD § 15-65 (part), Vol. N, p. 139, 1965).

12.24.020 Conditions established.

Conditions pertinent to placing buried cables along public rights-of-way on county roads shall be as follows in Sections 12.16.030 through 12.16.200. (Res. RD § 15-65 (part), Vol. N, p. 139, 1965).

12.24.030 Right-of-way line proximity.

The cable is to be as close to the right-of-way line as practicable, or as directed by the county road engineer. (Res. RD § 15-65 § 1, Vol. N, p. 139, 1965).

12.24.040 Minimum cover.

The cable is to have a minimum cover of thirty inches along the road and twenty-four inches minimum under all road ditches. (Res. RD § 15-65 § 2, Vol. N, p. 139, 1965).

12.24.050 Pipe carrier use.

Where road crossings are made over roads paved with asphaltic concrete, a pipe carrier shall be jacked under the road to eliminate patching of pavement. (Res. RD § 15-65 § 3, Vol. N, p. 139, 1965).

12.24.060 Location markers.

At all road crossings, cable location shall be marked with suitable posts to make aware all county maintenance forces of buried cable at the location. The cable location shall be marked when the cable is placed parallel with the county road with suitable posts. (Res. RD § 15-65 § 4, Vol. N, p. 139, 1965).

12.24.070 Road crossing repair.

Where asphalt or light bituminous must be cut for road crossings, the permittee shall arrange for proper repair of road crossings and to the satisfaction of the engineer. (Res. RD § 15-65 § 5, Vol. N, p. 139, 1965).

12.24.080 Deposit Fee.

Repealed by [Ord. 2017-001](#). ([Ord. 2017-001](#), 2017; Res. RD § 15-65 § 6, Vol. N, p. 139, 1965)

12.24.090 Traffic control devices.

The permittee shall adequately protect the public and shall furnish and maintain flagman, signs, and other traffic control devices as outlined in Part V of the Manual on Uniform Traffic Control Devices as warranted. (Res. RD § 15-65 § 7, Vol. N, p. 139, 1965).

12.24.100 County saved harmless.

In accepting this permit, the petitioner, his successors and assigns, agrees to protect the county and save it harmless for all claims, actions or damages of every kind and description which may accrue to or be suffered by any person or persons, corporation or property by reason of the performance of any such work, character of materials used or manner of installation, maintenance and operation or by the improper occupancy of rights-of-way or public place or structure, and in case any suit or action is brought against the county for damages arising out of or by reason of any of the above causes, the petitioner, his successors or assigns, will upon notice to him or them of commencement of such action defend the same at his or their own sole cost and expense and will satisfy any judgment after the said suit or action shall have finally been determined if adverse to the county. (Res. RD § 15-65 § 8, Vol. N, p. 139, 1965).

12.24.110 Excavation within county road limits.

Except as herein authorized, no excavation shall be made or obstacle placed within the limits of the county road in such a manner as to interfere with the travel over said road. (Res. RD § 15-65 § 9, Vol. N, p. 139, 1965).

12.24.120 Item 10 of Buried Cable Specifications amended - Placement location.

Item 10 of the Buried Cable Specifications is changed to read as follows: "Except as herein authorized, no excavation shall be made within five feet of the edge of the pavement or traveled roadway and no placement of buried cables is to be placed closer than one foot from the edge of the pavement, provided proper equipment is used for such placement of buried cables." (Res. RD-36-66, Vol. N, p. 305, 1966; Res. RD § 1565 § 10, Vol. N, p. 139, 1965).

12.24.130 Drainage provisions.

If the work done under this permit interferes in any way with the drainage of the county road, the grantee shall wholly and at his own expense make such provision as the engineer may direct to take care of said drainage. (Res. RD § 15-65 § 11, Vol. N, p. 139, 1965).

12.24.140 Rubbish removal.

On completion of said work herein contemplated all rubbish and debris shall be immediately removed and the roadway and roadside shall be left neat and presentable and satisfactory to the county road engineer. (Res. RD § 15-65 § 12, Vol. N, p. 140, 1965).

12.24.150 Supervision - Maintenance standards.

All of the work herein contemplated shall be done under the supervision and to the satisfaction of the county road engineer and thereafter maintained in accordance with all rules and regulations governing such construction and maintenance in the state. (Res. RD § 15-65 § 13, Vol. N, p. 140, 1965).

12.24.160 Location change - Removal.

The county hereby reserves the right to order the change of location or the removal of any structure or structures authorized by this permit at any time, said change or removal to be made at the sole expense of the party or parties to whom this permit is issued, or their successors and assigns. (Res. RD § 15-65 § 14, Vol. N, p. 140, 1965).

12.24.170 Noncompliance.

The county road engineer may revoke, annul, change, amend, amplify, or terminate this permit or any of the conditions enumerated in Sections 12.16.030 through 12.16.200 if grantee fails to comply with any or all of its provisions, requirements or regulations as herein set forth or through willful or unreasonable neglect, fails to heed or comply with notices given or if the utility herein granted is not installed or operated and maintained in conformity herewith or at all or for any cause or reason whatsoever. (Res. RD § 15-65 § 15, Vol. N, p. 140, 1965).

12.24.180 Maintenance responsibility.

The party to whom this permit is issued maintains at his sole expense the structure or object for which this permit is granted in a condition satisfactory to the county road engineer. (Res. RD § 15-65 § 16, Vol. N, p. 140, 1965).

12.24.190 Drawings required.

Drawings will be required showing in detail all work intended by the permittee. (Res. RD § 15-65 § 17, Vol. N, p. 140, 1965).

12.24.200 On-site job inspection.

The county reserves the right to provide on-site job inspection of which said costs shall be reimbursed by the permittee at the rate of five dollars per hour. (Res. RD § 15-65 § 18, Vol. N, p. 140, 1965).

Chapter 12.25

PIT RECLAMATION*

Sections

[12.25.010](#) Policy adoption.

[12.25.020](#) Reclamation plan.

[12.25.030](#) Minimum standards.

[12.25.040](#) Borrow, quarry or pit, stockpile and waste sites.

[12.25.050](#) Borrow sites.

[12.25.060](#) Borrow and quarry or pit sites which result in the formation of a body of water.

[12.25.070](#) Quarry sites.

[12.25.080](#) Waste sites.

* Formerly 12.24; renumbered by Ord. 2004.13, 2004

12.25.010 Policy adoption.

The board of county commissioners adopts the policy set forth in Sections 12.24.020 through 12.24.080 for the operation and reclamation of all county operated borrow, quarry or pit, stockpile and waste sites within the county. (Res. RD-16-71 (part), 1971).

12.25.020 Reclamation plan.

All county owned and leased borrow, quarry or pit, stockpile and waste sites, to be henceforth acquired or presently operated, for the construction and maintenance of county roads and highways by the county road department shall require a reclamation plan which shall be effected by said county forces or the county's contractors, within two years after depletion or abandonment of the site. The reclamation plan shall include, but not limit to the following details:

1. Site boundaries and pertinent topographic features;
2. Proposed finished ground contours or cross-sections and all final slopes;
3. Site drainage; Restoration of stream beds;
4. Methods by which contaminates are controlled;
5. Planned lakes, ponds or other bodies of water which would be beneficial for residential, recreational, game or wildlife purposes;
6. Local zoning and/or planning, if any;
7. Type of vegetative cover, if required;
8. Proposed stockpiles or maintenance buildings;
9. Any other feature which contributes to the final appearance of the land subsequent to restoration measures. (Res. RD-16-71 (part), 1971).
- 10.

12.25.030 Minimum standards.

The county will adhere to the following minimum standards set forth in Sections 12.24.040 through 12.24.080. (Res. RD-16-71 (part), 1971).

12.25.040 Borrow, quarry or pit, stock pile and waste sites.

1. On all sites in view of a highway where excavation below roadway level is anticipated, a strip not less than fifty feet in width shall be left undisturbed between the toe of the highway slope and the edge of the site.
2. Slopes of sites shall be graded and dressed to appear natural with the adjacent terrain. Slope treatment shall be provided on all slopes, except those within quarries, to effect a rounded slope condition at the junction of the slope with the native ground.
3. An undisturbed strip of native ground not less than ten feet in width shall be left between the outside slope treatment and the right-of-way boundaries of pit sites.
4. Strippings consisting of that material foreign to the kind of materials to be borrowed or produced for use shall be removed and deposited within the site for later placement over the slopes and exposed faces of the site, if deemed suitable for this purpose.
5. All such sites, upon completion of operations, shall be cleared of all rubbish, temporary structures and equipment, and shall be left in a neat and presentable condition.
6. Vegetative cover which may consist of grass seeding, tree seeding or plant materials will be required to achieve reclaimed sites which are compatible with the surrounding area except that vegetative cover will not be required when the following conditions prevail:
 - a. Sites where adverse growing conditions would prohibit vegetative growth and would not contribute to the compatibility of the site with the surrounding area;
 - b. Those sites where the county or the owners have scheduled site development, such as maintenance buildings, industrial or commercial development, etc., which would be effected within two years after depletion or abandonment of the site.
7. Maintenance operations within such sites shall be restricted to only those segments of the site necessary for the operations underway and all stockpiled materials shall be maintained in a neat and presentable condition. (Res. RD-16-71 (part), 1971).

12.25.050 Borrow sites.

The sides of borrow sites which require excavation in soil, sand, gravel, and other unconsolidated materials shall be no steeper than one and one-half feet horizontal to one foot vertical. (Res. RD § 16-71 (part), 1971).

12.25.060 Borrow and quarry or pit sites which result in the formation of a body of water.

Excavations which are of such depth that sufficient waters accumulate to form a body of water will be reclaimed as follows:

1. Under no circumstances will stagnant or polluted waters be permitted in any site. Should these waters accumulate remedial measures, such as draining or backfilling, will be taken as corrective action. Backfill material shall be placed to a point one foot above the level at which the water table was encountered when this corrective action is selected;
2. Lakes formed in areas which may be used for recreational purposes shall be of such depth that will inhibit the growth of vegetative matter in the water. A minimum two foot depth of water shall be maintained in these areas;
3. All banks adjacent to any body of water created shall be sloped or stepped as follows to permit a person to escape from the water:

- a. Soil, sand, gravel and other unconsolidated materials shall be sloped to two feet below the low groundwater line at a slope no steeper than one and one-half feet horizontal to one foot vertical,
- b. Solid rock, or other consolidated materials shall be stepped or otherwise constructed to maintain a safe condition.

The restoration of any borrow, quarry or pit site which results in the formation of a lake shall be the result of careful planning and will take into consideration all factors which contribute to the ultimate ecology of the site. (Res. RD-1671 (part), 1971).

12.25.070 Quarry sites.

The slopes of quarry walls in rock or other consolidated materials shall have no prescribed angle of slope, but where hazardous conditions exist, the quarry shall be either graded or backfilled to a slope of one foot horizontal to one foot vertical or other precautions must be taken to provide adequate safety. (Res. RD-16-71 (part), 1971).

12.25.080 Waste sites.

The peaks and depressions of wasted materials shall be reduced to a gently rolling topography or a uniformly graded surface which will minimize erosion, drain properly and which will be in substantial conformity with the immediately surrounding terrain.

The county road department shall cooperate with other governmental and private agencies in this state and agencies of the federal government in an effort to provide land reclamation of the sites used for the hereinbefore described purposes which will be in the best interests of all concerned. (Res. RD-16-71 (part), 1971).

Chapter 12.28

ROAD INTERSECTION ILLUMINATION POLICY

Sections

[12.28.010](#) Adopted.

12.28.010 Adopted.

The board of county commissioners, all members present, adopts the county engineer's recommendation to install highway intersection lighting on all arterial road intersections having an ADT of over one thousand count or more, with a minimum of one twenty thousand lumen fixture or more, as may be required. (Res. RD-27-73, 1973).

Chapter 12.30

DRIVEWAYS, ACCESSES, WALKS AND TRAILS

(Deleted by Ordinance 2004-13)

Chapter 12.32

ROAD-SANDING POLICY

(Renumbered to 12.20 by Ordinance 2004-13)
(Renumbered to 12.05 by Ordinance 94-27)

Chapter 12.36

WORK ON RIGHTS-OF-WAY

(Renumbered to 12.21 by Ordinance 2004-13)
(Renumbered to 12.06 by Ordinance 94-27)

Chapter 12.40

SURFACING REQUIREMENTS

(Deleted by Ordinance 2004-13)

Chapter 12.44

RIGHT-OF-WAY ACQUISITION AND MAINTENANCE

Sections

[12.44.010](#) Acquisition generally.

[12.44.020](#) Preliminary activities.

[12.44.030](#) Appraisal methods and procedures - Review.

[12.44.040](#) Just compensation for property - Establishment procedure.

[12.44.050](#) Purchase - Additional requirements - Unsuccessful negotiation.

[12.44.060](#) Donation - Additional requirements.

[12.44.070](#) Eminent domain proceedings - Board of county commissioners authority.

[12.44.080](#) Disposition of salvageable items - County engineer responsibility.

[12.44.090](#) Relocation assistance.

[12.44.100](#) Funds available from government agencies - Compliance with agency guidelines required.

12.44.010 Acquisition generally.

1. Rights-of-way for Kittitas County roads are acquired generally as follows:
 - a. Dedications in accordance with applicable Kittitas County ordinances;
 - b. Donation by the landowner and acceptance by the county engineer acting for the board of county commissioners;
 - c. Purchase by the county engineer acting for the board of county commissioners;
 - d. Condemnation through eminent domain proceedings instituted by the board of county commissioners;
 - e. Transfer from another governmental agency.
2. The determination of the manner of acquisition of rights-of-way is made on a project-by-project basis by the board of county commissioners.
3. Rights-of-way for projects funded in whole or in part by federal funds, or which are anticipated to be funded in whole or in part by federal funds at future stages of development, as determined by the board of county commissioners, will be acquired in accordance with Public Law 91-646, "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970" and [RCW 8.26](#), "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1971". (Ord. RD-40-76 (part), 1976).

12.44.020 Preliminary activities.

1. When a determination has been made that rights-of-way for any project will be acquired in accordance with the foregoing acts, the procedures set forth in this section and Sections 12.44.030 through 12.44.100 shall be utilized.
2. Preliminary Activities. The county engineer shall prepare and/or obtain the following:
 - a. Right-of-way maps delineating:
 - i. Individual ownerships,
 - ii. Individual parcels of right-of-way,
 - iii. Right-of-way parcel identification numbers,
 - iv. Existing ground or road profile and designed road profile, when applicable,
 - v. Private approaches marked with Permit No. or None,
 - vi. Required approach revisions together with construction easement areas required,
 - vii. Drainages, and revisions together with easements required,
 - viii. Irrigation facilities (private and public) and revisions together with easements required,
 - ix. Any other facilities, structures or uses that are affected by the right-of-way acquisition and road improvement;

NOTE:
Individual ownership and parcel maps may be necessary to provide proper delineation. Items (E) through (I) must be considered preliminary until after appraisal or other contact has been made with the land owner.

- b. Limited liability title report for each parcel;
 - c. Legal descriptions for each parcel of right-of-way;
 - d. Proposed agreements, as required, for drainage, irrigation, approach or other revisions for each parcel;
 - e. Preliminary estimate of right-of-way costs for:
 - i. Land and/or easements if to be purchased. If acquisition is to be by donation, no estimate of land is necessary,
 - ii. Facility revisions (other than approaches which will be included in construction),
 - iii. Appraisal and appraisal review (except where donation is expected),
 - iv. Negotiations.
3. The county engineer shall present the right-of-way maps, preliminary estimate, and proposed method of acquisition to the board of county commissioners, for approval.
 4. If rights-of-way are to be acquired with federal funds, the county engineer shall submit the approved right-of-way plan to the District Engineer, Washington State Department of Highways, for authorization to proceed. (Res. RD-40-76 (part), 1976).

12.44.030 Appraisal methods and procedures - Review.

In the case of acquisition by other than donation, the following procedures shall apply:

1. Appraisals will be undertaken, for those parcels to be acquired by purchase, by one of the following methods:
 - a. By county engineer department personnel, on those parcels involving other than complicated and higher valued lands;
 - b. By other government agency appraisers upon mutual agreement therefore, or by qualified fee appraisers.
2. All appraisers shall include the following in their appraisal procedures:
 - a. Owners must be given an opportunity to accompany each appraiser during his inspection of the property.
 - b. No increase or decrease in fair market value due to the project, except physical deterioration, is to be considered in the valuation of the property.
 - c. Appraisals are not to give consideration nor include any allowance for relocation assistance benefits.
3. Appraisal reviews will be undertaken by the county engineer and a recommendation made as to just compensation. The owner is not to be left with an uneconomic remnant which Kittitas County does not make an offer to acquire. (Res. RD-40-76 (part), 1976).

12.44.040 Just compensation for property - Establishment procedure.

1. The appraisal review and just compensation recommendation shall be transmitted to the board of county commissioners, and the chairman, upon review of the recommendation and concurrence therein by the board, shall approve same and execute a letter to the owner setting forth the amount of just compensation, a summary of the basis for the amount of just compensation, and where appropriate, the just compensation for real property to be acquired, and damages are to be stated separately.
2. If the board, upon its review, finds it cannot concur in the recommended just compensation, the appraisal review shall be returned, with reasons therefore, to the

person making the appraisal review, who shall again review the appraisal together with the reasons for non-concurrence, take appropriate action as to the recommended just compensation and forward same to the board for its disposition. (Res. RD-40-76 (part), 1976).

12.44.050 Purchase - Additional requirements - Unsuccessful negotiation.

Upon establishment of just compensation for all parcels that are to be purchased on any one project or complete segment thereof, the county engineer shall:

1. Mail, by certified return receipt, all of the letters of just compensation to all parties having a known interest in each parcel;
2. Arrange to acquire the parcels by negotiation in an expeditious manner provided a reasonable settlement can be negotiated. There must be no action taken to advance condemnation, defer negotiations or condemnation or take any other action coercive in nature in order to compel an agreement on the price to be paid for the parcel;
3. Provide for relocation assistance when same is required due to displacement of persons, businesses or farms;
4. Complete the acquisition making certain that:
 - a. An equal interest is acquired in all buildings etc. located upon the real property acquired.
 - b. All recording fees, transfer taxes, etc., penalty costs for prepayment of a pre-existing mortgage and the pro rata share of real property taxes paid subsequent to vesting title in Kittitas County, are paid by Kittitas County.
5. If negotiations are unsuccessful, as evidenced by documented offers and attempts to arrive at a reasonable settlement, the county engineer shall summarize the same in a written report to the board of county commissioners for a determination as to further steps to be taken. (Res. RD-40-76 (part), 1976).

12.44.060 Donation - Additional requirements.

Upon completion of the right-of-way maps and other items of work together with the board of county commissioners' approval all as set forth in subsections (b) and (c) of Section 12.44.020 the county engineer shall:

1. Prepare and mail letters to all parties having a known interest in parcel expected to be donated. Said letters shall set forth the rights of the parties to receive just compensation for the title being acquired, that donation of said title is requested, and that the parties in making the donation will be required to execute a waiver of the just compensation. The letter shall also include proposed agreements for the relocation or replacement of any facilities affected by the acquisition and improvements together with arrangements for funding the same.
2. Arrange to acquire the parcels by donation in an expeditious manner.
3. Complete the acquisition making certain that all recording fees, transfer taxes, etc., and the pro rata share of real property taxes paid subsequent to vesting title in Kittitas County, are paid by Kittitas County. (Res. RD-40-76 (part), 1976).

12.44.070 Eminent domain proceedings - Board of county commissioners authority.

Should the board of county commissioners determine that acquisition through eminent domain

proceedings is necessary to acquire one or more parcels, the board shall adopt a resolution initiating such proceedings in accordance with statute. (Res. RD-40-76 (part), 1976).

12.44.080 Disposition of salvageable items - County engineer responsibility.

The disposition of all salvageable items acquired with property shall be accounted for by the county engineer. (Res. RD-40-76 (part), 1976).

12.44.090 Relocation assistance.

The county engineer shall review the right-of-way maps and the parcels to be acquired to determine whether or not any individual, family, business, nonprofit organization or farm operation would be displaced and:

1. If there are no displacements the county engineer shall make a negative finding and report.
2. If displacements will occur, the county engineer shall prepare and carry out a relocation assistance plan in compliance with the foregoing acts, or arrange for another government agency, competent in relocation assistance, to do the same, upon mutual agreement therefore. (Res. RD-40-76 (part), 1976).

12.44.100 Funds available from government agencies - Compliance with agency guidelines required.

Should funds be available to Kittitas County for use from government agencies other than the Federal Highways Administration, Kittitas County will follow those particular requirements to comply with the guidelines of that particular government agency providing those funds. (Res. RD-40-76 (part), 1976).

Chapter 12.48

RIGHT-OF-WAY ACQUISITION FOR PROJECTS INVOLVING FEDERAL FUNDS

Sections

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[12.48.120](#) Owner to be given written statement of amount established as just compensation, summary of basis for amount of just compensation and, where appropriate, just compensation for real property acquired, and damages to be separately stated in written statement.

[12.48.130](#) No owner shall be required to surrender possession before agreed purchase price has been paid or approved amount of compensation has been paid into court.

[12.48.140](#) All displaced persons must be given ninety-day notice in advance of date required to move.

[12.48.150](#) Rental amount charged to owners and/or tenants permitted to occupy property subsequent to acquisition must not exceed fair market rental value to short-term occupant.

[12.48.160](#) No action must be taken to advance condemnation, defer negotiations or condemnation or take any other action coercive in nature in order to compel agreement on price to be paid for property.

[12.48.170](#) Acquiring county must acquire equal interest in all buildings, etc., located upon real property acquired.

[12.48.180](#) Acquiring county must pay recording fees, transfer taxes, etc., penalty costs for prepayment of a preexisting mortgage and pro rata share of real property taxes paid subsequent to vesting title in acquiring county.

[12.48.190](#) No property owner can voluntarily donate property prior to being informed of right to receive just compensation.

[12.48.200](#) Provisions made for rodent control.

[12.48.210](#) No owner intentionally required to institute legal proceedings to prove fact of taking real property.

[12.48.220](#) Use of federal aid project number.

I POLICY STATEMENT

12.48.010 Policy statement.

1. The county of Kittitas, hereinafter referred to as the county, desiring to acquire real property in accordance with the state Uniform Relocation Assistance and Real Property Acquisition Act ([RCW 8.26](#)) and state regulations ([WAC 365-24](#)) for projects involving federal funds, adopts the following procedures to implement the above statute and Washington Administration Code.
2. The department of public works of the county is responsible for the real property acquisition and relocation activities on projects administered by the county. To fulfill the property acquisition-relocation assistance role in development and implementation, the department of public works has the following expertise and personnel capabilities and accomplishes these functions under the following procedures. (Res. DPW-3-80 (part), 1980).

II PERSONNEL AND DUTIES

12.48.020 County director of public works.

The county director of public works is a civil engineer licensed in the state of Washington:

1. Administers all activities of applicable departments including support to the county prosecuting attorney, environmental law compliances and the property acquisition programs for the county. Assures compliances with appropriate county ordinances and resolutions, and with state statutes, rules and regulations which pertain to real property acquisition and relocation assistance;
2. Administers all appraisal activities, including estimates of right-of-way costs and appraisals of fair market value to assure that the county appraisal process complies with appropriate county and state statutes, laws, rules and regulations. Coordinates and assigns all appraisal work, hires contract (fee) appraisers, maintains permanent files on all appraisals. Reviews all appraisals to determine the adequacy and reliability of supporting data and to approve an adequately supported appraisal report which represents fair market value;
3. Advises owners of need for project, of impact upon their property and of their rights under Public Law [RCW 8.26](#). Reviews project plans, appraisals, reviews appraisals and instruments for adequacy as to real property considerations;
4. Requests condemnation procedure where necessary. Sets up escrows and instructions;
5. In compliance with county and state statutes, laws, rules and regulations, gives notice of relocation assistance of the time of or subsequent to initiation of negotiations according to time limits determined by the funding agency. Prepares letter to property owner explaining entitlements. If the project does not require relocation, prepares letter disclaiming necessity to prepare relocation plan (negative relocation statement);
6. If the project requires relocation assistance, prepares a relocation assistance program plan and carries out the same; or arranges for another government agency, competent in relocation assistance, to do the same, upon mutual agreement therefore. (Res. DPW-3-80 (part), 1980).

12.48.030 Appraiser.

The county utilizes the services of the county assessor and his staff, or retains private appraisers to prepare appraisals and for review of said appraisals; research market data to assure up to date information on the real estate market and provide court testimony on appraisals for condemnation, if required. (Res. DPW-3-80 (part), 1980).

12.48.040 Real property agent.

The real property agent:

1. Actively negotiates with owners to acquire real property in conformance with all laws, rules and regulations;
2. This function would either be performed by a department staff person, at the direction of the director of public works; the county prosecuting attorney; or a private individual retained by the county for this purpose. (Res. DPW-3-80 (part), 1980).

III FEDERAL AID REQUIREMENT CHECKLIST

12.48.050 Utilization.

Utilization. The following federal aid requirement checklist shall be utilized in acquiring property for the county. (Res. DPW-3-80 (part), 1980).

12.48.060 Real property must be appraised before initiation of negotiations with owner.

Property acquired by the county for public works projects will be appraised by a qualified staff or fee appraiser with appropriate appraisal review before initiation of negotiations with the owner. (Res. DPW-3-80 (part), 1980).

12.48.070 Owners must be given opportunity to accompany each appraiser during inspection of property.

The county appraiser will contact the owner and extend an invitation for the owner to accompany the appraiser during his inspection of the property. Appointment should be made at the owner's convenience. (Res. DPW-3-80 (part), 1980).

12.48.080 Acquiring agency must establish just compensation before initiation of negotiations with owners.

The county will establish just compensation from the review appraiser's estimate of value before negotiating with any owner. Any amounts paid over just compensation for the property will be an administrative settlement and will be so documented in the acquisition file as to the justification used in arriving at the amount of the settlement. However, in an administrative or stipulated settlement, payment will not be made by the person who determined the settlement. (Res. DPW3-80 (part), 1980).

12.48.090 No increase or decrease in fair market value due to project except physical deterioration to be considered in valuation of property.

No increase or decrease in fair market value due to project, except physical deterioration is to be considered in valuation of property. During the appraisal process, the county will not consider any factors of the project that will influence the valuation of the property except physical deterioration wherever appropriate. (Res. DPW-3-80 (part), 1980).

12.48.100 Appraisals not to give consideration nor include allowance for relocation assistance benefits.

The county will not consider relocation assistance benefits in their appraisal process in establishing fair market value for the property to be acquired. (Res. DPW-3-80 (part), 1980).

12.48.110 Owner not to be left with uneconomic remnant that acquiring agency did not offer to acquire.

Pursuant to [RCW 8.26.180](#), paragraph 9, the county during acquisition of a portion of the owner's property will not leave an uneconomic remnant without offering to acquire the entire property from owner. (Res. DPW-3-80 (part), 1980).

12.48.120 Owner to be given written statement of amount established as just compensation, summary of basis for amount of just compensation and, where appropriate, just compensation for real property acquired, and damages to be separately stated in written statement.

The county will give to the owner at the initiation of negotiation a written statement known as the "fair offer letter." That statement will be the amount of just compensation based on a review and analysis of appraisal(s) made by a qualified appraiser with a summary thereof, showing the basis for just compensation. Included in the fair offer letter will be identification of the real property to be acquired, including the estate or interest being acquired. There will be, when appropriate, the identification of the improvements and fixtures considered to be part of the real property to be acquired. The fair offer letter will show that portion of just compensation considered the amount of damages to the remaining property. At the initiation of negotiation with the owner the county will give to the owner an acquisition brochure furnished by the Washington State Department of Transportation. (Res. DPW-3-80 (part), 1980).

12.48.130 No owner shall be required to surrender possession before agreed purchase price has been paid or approved amount of compensation has been paid into court.

The county will not require the owner or tenant to surrender possession of the property before ninety days after the agreed purchase price has been paid or the approved amount of compensation has been paid into court. The ninety-day notice may be reduced only in the event the property being acquired is unimproved, contains no personal property and is not being utilized by the owner or tenant. (Res. DPW-3-80 (part), 1980).

12.48.140 All displaced persons must be given ninety-day notice in advance of date required to move.

The county will provide relocation assistance to an owner or tenant or contract with a qualified organization to perform this service. (Res. DPW-3-80 (part), 1980).

12.48.150 Rental amount charged to owners and/or tenants permitted to occupy property subsequent to acquisition must not exceed fair market rental value to short-term occupant.

Rental amounts charged to owners and tenants occupying the property subsequent to acquisition will not be in excess of the fair rental amount of a short-term occupant. (Res. DPW-3-80 (part), 1980).

12.48.160 No action must be taken to advance condemnation, defer negotiations or condemnation or take any other action coercive in nature in order to compel agreement on price to be paid for property.

Every reasonable effort will be made to acquire expeditiously real property by negotiations without exercising the right of Eminent Domain. No action will be taken to advance condemnation, defer negotiations or condemnation or take any other action coercive in nature in order to compel an agreement on the price to be paid for the property. (Res. DPW-3-80 (part), 1980).

12.48.170 Acquiring county must acquire equal interest in all buildings, etc., located upon real property acquired.

When any interest in real property is acquired, at least an equal interest will be acquired in all buildings, structures, or other improvements located upon the real property so acquired and which is required to be removed from such real property or which will be adversely affected by the future use of such real property. (Res. DPW-3-80 (part), 1980).

12.48.180 Acquiring county must pay recording fees, transfer taxes, etc., penalty costs for prepayment of a preexisting mortgage and pro rata share of real property taxes paid subsequent to vesting title in acquiring county.

The county will comply with [RCW 8.26.200](#) and will pay direct or reimburse the owner for expenses necessarily incurred in the acquisition for:

1. Recording fees, transfer taxes, and similar expenses incidental to conveying such real property to the acquiring county;
2. Penalty costs for full or partial prepayment of any preexisting recorded mortgage entered into in good faith encumbering such real property;
3. The pro rata share of real property taxes paid which are allocable to a period subsequent to the date of vesting title in acquiring county, whichever is the earlier. (Res. DPW-3-80 (part), 1980).

12.48.190 No property owner can voluntarily donate property prior to being informed of right to receive just compensation.

A donation or gift of real property will be accepted only after the owner has been fully informed of his right to receive just compensation. (Res. DPW-3-80 (part), 1980).

12.48.200 Provisions made for rodent control.

If rodent control should become necessary in the project, the county will make provisions to maintain control or eradicate the rodents. (Res. DPW-3-80 (part), 1980).

12.48.210 No owner intentionally required to institute legal proceedings to prove fact of taking real property.

No owner will be intentionally required to institute legal proceedings to prove the fact of the taking of his real property. (Res. DPW-3-80 (part), 1980).

12.48.220 Use of federal aid project number.

The county, to promote more convenient administration of federal aid projects, will require that right-of-way plans, contracts, deeds, appraisals, options, vouchers, correspondence and all other documents and papers to which the Federal Highway Administration needs to refer will carry the federal aid project number for ready identification. (Res. DPW-380 (part), 1980).

Chapter 12.50

SIGNS ALONG RIGHTS-OF-WAY

Sections

[12.50.010](#) Commercial signs prohibited.

[12.50.020](#) Removal of commercial signs.

12.50.010 Commercial signs prohibited.

It shall be the policy of the county that commercial signs shall not be permitted within the right-of-way of county roads. (Ord. 94-18 (part), 1994; Res. 75-38 (part), 1975. Formerly 12.40.010).

12.50.020 Removal of commercial signs.

Removal of commercial signs. The county road department is instructed to remove any signs prohibited by Section 12.40.010 which are found along the right-of-way of county roads. (Ord. 94-18 (part), 1994; Res. 75-38 (part), 1975. Formerly 12.40.020).

**Chapter 12.51
ROADSIDE FEATURES**

(Renumbered to 12.11 by Ordinance 2004-13)

**Chapter 12.52
MAILBOX LOCATIONS**

(Repealed by Ordinance 94-32)

**Chapter 12.56
FRANCHISES FOR USE OF ROADS AND OTHER COUNTY PROPERTIES**

Sections

12.56.010 Applicability.

12.56.020 Rights of grantee.

12.56.030 Bond of grantee.

12.56.040 Approval of plans and specifications - Supervision.

12.56.050 Application for permit - Inspection and supervision expenses.

12.56.060 Commencement of work.

12.56.070 Quality of work - Safety precautions.

12.56.080 Restoration.

12.56.090 County held harmless.

12.56.100 Damage to grantee's installation.

12.56.110 Underground facilities.

12.56.120 Work by county.

12.56.130 Improvement of county roads.

12.56.140 Installation of county utilities.

12.56.150 Vacation of streets - City incorporation.

12.56.160 Condemnation.

12.56.170 Non-exclusivity - Work not to interfere - Prior utilities' preference.

12.56.180 Successors in interest.

12.56.190 Independent contractors.

[12.56.200](#) Revocation of franchise.

[12.56.210](#) Amendments to chapter.

[12.56.220](#) Acceptance by grantee.

12.56.010 Applicability.

The terms and conditions set out in this chapter are terms and conditions of any franchise to use the roads, streets, avenues, highways, alleys, rights-of-way or other county properties hereafter granted by the county to any individual or municipal or private corporation engaged in the public service or utility business, unless and except to the extent that such ordinance or resolution granting such franchise expressly provides terms or conditions contrary to those contained in this chapter. (Ord. 82-7 § 1, 1982).

12.56.020 Rights of grantee.

The grantee shall have the right and authority, to the extent expressed in the resolution of the board of county commissioners granting such franchise, or in any supplemental document, to enter upon the streets, avenues, alleys, roads, highways, rights-of-way and public places designated by such franchise for the purpose of construction work, extension of existing systems, connection of such systems with consumers' pipelines, cables, lines or equipment, repairing of equipment and in all fashions maintaining and operating the improvements installed within such county property. ([Ord. 2021-015](#), 2021;Ord. 82-7 § 5,1982).

12.56.030 Bond of grantee.

Before undertaking any of the work or improvements authorized by the franchise, the grantee, if other than a municipal corporation, shall furnish to the county a bond, executed by grantee and a corporate surety authorized to do a surety business in the state, in a sum to be recommended by the director of public works and set and approved by the board of county commissioners as sufficient to insure performance of the grantee's obligations under such franchise, and conditioned that the grantee shall well and truly keep and observe all of the covenants, terms and conditions and faithfully perform all of the grantee's obligations under said franchise, and to reset or replace any defective work performed or materials installed by or under the direction of the grantee, its/his employees or contractors, discovered in the replacement of the county's roads, rights-of-way or other county properties within a period of two years from the date of the replacement and acceptance of such repaired roads, rights-of-way or other county properties by the county. The bond requirement may be met by surety bonds of a continuing nature in effect as of August 1, 1982 or that may thereafter come into effect. (Ord. 82-7 § 20, 1982).

12.56.040 Approval of plans and specifications - Supervision.

The grantee shall install the pipes, poles, lines, cables or other authorized improvements in the designated streets, avenues, alleys, roads, highways, rights-of-way or other public places pursuant to plans and specifications approved by the county director of public works and under supervision provided by the county at the expense of such grantee, whenever the grantee's inspection services are determined by the county to be inadequate. (Ord. 827 § 6, 1982).

12.56.050 Application for permit - Inspection and supervision expenses.

1. Before any work is done by the grantee under such franchise, it/he shall first file with the director of public works an application for permit to do such work accompanied by such supporting documents and/or field information as the director of public works may require. The grantee shall specify the class and type of material to be used and provide sufficiently detailed plans so as to adequately show the type and extent of work to be performed upon the rights-of-way. All material and equipment shall conform to or exceed the standards of the industry. When requested by the director of public works, the manner of excavation, construction installation, backfill and the type and size of temporary structures, including traffic turnouts, road obstructions, etc., shall be submitted for approval.
2. The grantee shall pay to the county the actual cost and expenses incurred in the examination, necessary inspection and supervision of such work granted by the permit and done by the grantee or by an independent contractor under the franchise of the grantee. (Ord. 82-7 § 7, 1982).
- 3.

12.56.060 Commencement of work.

The grantee, its/his successors or assigns, shall commence construction under such permit granted by the director of public works within the time period stated in such permit and shall have completed and have in operation such portion of the system of improvements as may be specified in such permit or the rights therein conferred upon the grantee shall cease and terminate insofar as unoccupied streets, roads, etc., are concerned. (Ord. 82-7 § 8, 1982).

12.56.070 Quality of work - Safety precautions.

All work done under the franchise shall be done in a thorough and workmanlike manner. In the laying of underground pipelines and cables and the construction of other facilities and the opening of trenches, the tunneling under county roads, rights-of-way or other county properties, the grantee shall leave such trenches, ditches and tunnels in such a way as to interfere as little as possible with public travel and shall take all due and necessary precautions to guard the same so that damage or injury shall not occur or arise by reason of such work; and where any of such trenches, ditches or tunnels are left open at night, the grantee shall place warning lights and barricades at such a position as to give adequate warning of such work. (Ord. 82-7 § 2, 1982).

12.56.080 Restoration.

1. The grantee shall leave all streets, avenues, alleys, roads, highways, rights-of-way and other county properties, after laying and installing mains and doing construction work, making repairs to equipment, etc., in as good and safe condition in all respects as they were before the commencement of such work by the grantee, its/his agents or contractors, and all recorded monuments which have been disturbed or displaced by the work shall be reset to the specifications and approval of the director of public works.
2. In case of any damage to the streets, avenues, alleys, roads, highways, rights-of-way or other county properties, or to paved or surfaced roadways, turnouts, gutters, ditches, wood or concrete walls, drain pipes, hand or embankment rails, bridges, trestles, wharves, landings or monuments by the grantee, the grantee agrees to immediately repair the damage at its/his own sole cost and expense.

3. When the director of public works determines that an emergency situation does exist, he may order and have done any and all work considered necessary to restore to a safe condition any such street, avenue, alley, road, highway, right-of-way or other county property left by the grantee or agents in a condition dangerous to life or property. He may cause to be replaced or reset recorded monuments if a grantee fails to replace or reset same within a reasonable time after completion of construction. The grantee, upon demand, shall pay to the county all costs of such construction or repair and of doing such work. (Ord. 82-7 § 9, 1982).

4.

12.56.090 County held harmless.

The grantee, its/his successors or assigns, shall protect, indemnify and save harmless the county, its agents and employees, from all claims, actions or damages of every kind and description which may accrue to or be suffered by any person or persons, corporation or property by reason of any construction, the presence of any material or equipment, the operation of or the occupation of the rights-of-way or other county properties by the grantee or for any claims on account of the existence of any excavation, temporary turnouts or the operation by the grantee of its/his lines over or under the streets, avenues, alleys, roads, highways, rights-of-way or other county properties as hereinafter designated, or for any other acts or omissions on the part of grantee, and in case that suit or action is brought against the county, its agents or employees, for damage arising out of or by reason of any of the above-mentioned causes, the grantee, its/his successors or assigns, will, upon notice to it or him of the commencement of said action, defend the same at its or his sole cost and expense and in case judgment shall be rendered against Kittitas County, its agents or employees, in such suit or action, will fully satisfy the judgment within ninety days after the suit or action has been finally determined, if determined adversely to the county, its agents or employees. Acceptance by the county of any work performed by the grantee at the time of completion shall not be a ground for avoidance of this hold harmless agreement. (Ord. 82-7 § 10, 1982).

12.56.100 Damage to grantee's installation.

In consideration of the granting of such franchise by the grantor to the grantee, the grantee, for itself/himself and its/his assigns, shall contract and agree to save the county harmless from any liability of whatsoever nature arising out of any damage and/or destruction done or suffered to be done to grantee's mains, valves, pipes, poles, cables, lines or other fittings or appurtenances of whatsoever nature placed upon, along, across, over and/or under the county road right-of-way or other county property. This paragraph shall be construed to mean that the grantee accepts such franchise and any rights conferred thereunder for the use and occupation of any portion of the right-of-way at its/his own risk, and agrees to assume responsibility or any damage occasioned to grantee or third parties by grantor in the maintenance and/or construction work performed by grantor upon the roadways described herein and which would not have occurred but for the presence on the roadways of the grantee's pipes, poles, lines, cables, fittings or other appurtenances mentioned above, except to the extent any such damage or loss is caused by the sole negligence of the grantor. (Ord. 82-7 § 11, 1982).

12.56.110 Underground facilities.

The grantee, as far as practicable, shall construct all new utility facilities underground. Extension of overhead facilities following streets, avenues, roadways, boulevards or thoroughfares shall be undertaken only with the approval of the director of public works; provided, however, that approval

shall not be unreasonably withheld. Grantee recognizes the desirability of underground facilities rather than overhead facilities and shall convert existing overhead facilities to underground facilities as and when equipment replacement is undertaken, or when other existing overhead utilities are placed underground, unless such replacement is unsafe, impractical, or economically unreasonable. Line extension policies and procedures established by the grantee, and uniformly applied through its service area, shall be the standard in determining what is "practical, impractical or economically unreasonable" under this chapter; provided, that no new overhead utility facilities shall be constructed or established in any area set aside for public park, school, playground or athletic purposes. (Ord. 82-7 § 19, 1982).

12.56.120 Work by county.

The laying, construction, maintenance and operation of the system of improvements granted under the franchise shall not preclude the county, its agents or its contractors from blasting, grading or doing other necessary road work in a reasonably careful and prudent manner contiguous to the grantee's improvement; provided, that the grantee shall be given a minimum two business days' prior notice, in writing, signed by the director of public works of the blasting or excavating in order that the grantee may protect it/his lines and property. (Ord. 82-7 § 12, 1982).

12.56.130 Improvement of county roads.

If at any time the county deems it advisable to improve any of its streets, avenues, alleys, roads, highways, rights-of-way or other county properties as hereinbefore designated, by grading, re-grading, surfacing or paving same, or altering, changing, repairing or improving same, the grantee upon written notice by the county shall, at its/his own expense, as soon as reasonably practicable, so raise, lower or move its/his lines or improvements to conform to such new grades as may be established, or place the property in such locations or positions as shall cause the least interference with any such improvements or work thereon as contemplated by the county and the county shall in no wise be held liable for any damage to the grantee that may occur by reason of the county improvements, repairs or maintenance performed in a reasonably careful and prudent manner, or by the exercise of any rights so reserved in this section or grant. If the county shall improve such streets, avenues, alleys, roads, highways, rights-of-way or other county properties, the grantee shall on written notice by county officials, at its/his own expense, replace such pipes, lines or system as may be in or through the improved sub-grade of such improvement, with such materials as shall conform to or exceed the applicable standards of the industry for use in such streets, avenues, roads, highways, rights-of-way or other county properties. (Ord. 82-7 § 13, 1982).

12.56.140 Installation of county utilities.

If at any time the county installs a line of pipes for sewage and/or drainage upon any of the streets, avenues, alleys, roads, highways, rights-of-way or other county properties herein described, wherein a grantee's facilities unreasonably interfere with the construction project, the grantee, upon written notice by the director of public works, shall temporarily remove or relocate its/his line of pipes or improvements at its/his own expense during the installation and replace same at its/his own sole cost and expense under the supervision of the county. (Ord. 82-7 § 14, 1982).

12.56.150 Vacation of streets - City incorporation.

1. Whenever any of the streets, avenues, alleys, roads, highways, rights-of-way or public places designated in such franchise shall be eliminated from the county jurisdiction by reason of the incorporation or annexation to a city, then all the rights, privileges and franchises so granted shall terminate in respect to the streets, avenues, alleys, roads, highways, rights-of-way and public places so eliminated.
2. If at any time the county vacates any county street, avenue, alley, road, highway, right-of-way or other county property which is subject to rights granted by the franchise and the vacation is for the purpose of acquiring the fee or other property interest in the road, right-of-way or other county property for the use of the county, in either its proprietary or governmental capacity, then the board of county commissioners may, at its option, by giving ninety days' written notice to the grantee and after granting an alternate route, terminate this franchise with reference to such county road, right-of-way or other county property so vacated, and the county shall not be liable for any damages or losses to the grantee by reason of such termination and the grantee shall move its franchise at its own cost. (Ord. 82-7 § 3, 1982).
- 3.

12.56.160 Condemnation.

The granting of any franchise shall not preclude the county from acquiring by purchase or condemnation any or all of the improvements installed by the grantee within the franchises. (Ord. 82-7 § 4, 1982).

12.56.170 Non-exclusivity - Work not to interfere - Prior utilities' preference.

1. The grants and privileges herein enumerated shall not be deemed or held to be an exclusive franchise. It shall in no manner prohibit the county from granting other franchises of a like nature or franchises for other public or private utilities over, along, across, under and upon any of the streets, avenues, alleys, roads, highways, rights-of-way or other county properties as herein enumerated, and shall in no wise prevent or prohibit the county from using any of the streets, avenues, alleys, roads, highways, rights-of-way or other county properties or affect its jurisdiction over them or any part of them.
2. All construction or installation of mains, valves, pipes, poles, cables, lines, fittings and facilities, service, repair, or relocation of the same, performing along, over and/or under the county roads, rights-of-way or other county properties subject to the franchise shall be done in such a manner as not to interfere with the construction and maintenance of other utilities, public or private, drains, drainage ditches and structures located therein, nor with the grading or improvement of such county roads, rights-of-way or other county properties.
3. The owners of all other utilities, public or private, installed in such county roads, rights-of-way or other county properties prior in time to the lines and facilities of the grantee, shall have preference as to the positioning and location of such utilities so installed with respect to the grantee. Such preference shall continue in the event of the necessity of relocating or changing the grade of any such county road or right-of-way. (Ord. 82-7 § 15, 1982).

12.56.180 Successors in interest.

1. All the provisions, conditions, regulations and requirements herein contained shall be binding upon the successors, assigns and independent contractors of the grantee, and all rights and privileges of the grantee shall inure to its/his successors, assigns and such contractors equally as if they were specifically mentioned herein whenever the grantee is mentioned.
2. The grantee, its/his successors and assigns shall have the right to sell, transfer or assign the franchise upon giving written notice of its/his intention to do so not less than sixty days in advance of the date of any proposed transfer to the clerk of the board of county commissioners of the county. (Ord. 82-7 § 16, 1982).

12.56.190 Independent contractors.

The obligations imposed upon the grantee by the express terms of the resolution granting such franchise, or implied by the terms of the ordinance codified in this chapter or any other ordinance affecting the same, include every employee, nominee or independent contractor of the grantee performing work in the county streets, avenues, alleys, roads, highways, rights-of-way or other county properties under contract, direction, request or authority of the grantee under this franchise, and the grantee, its/his agent, employee or independent contractor, severally, shall be responsible to the county for any injury or damage to county property or the expense incurred or suffered by the county in correcting defects in work replacing county roads or other improvements damaged by the acts or neglect of such servants, agents or independent contractors of grantee. (Ord. 82-7 § 21, 1982).

12.56.200 Revocation of franchise.

If the grantee, its/his successors or assigns, through willful or unreasonable neglect, fail to heed or comply with any notice given the grantee under the provisions of such grant, then the said grantee, its/his successors or assigns, shall forfeit all rights conferred thereunder and such franchise may be revoked or annulled by the board of county commissioners of the county upon thirty days' written notice thereof to the grantee. (Ord. 82-7 § 17, 1982).

12.56.210 Amendments to chapter.

1. The county reserves for itself the right at any time to change, amend, modify or amplify any of the provisions or conditions herein enumerated to conform to any state statute or county regulation or to protect the public welfare, health or safety as the county may deem appropriate, and such franchise may thereafter be terminated as provided in Section 12.56.200 if such change, amendment, modification or amplification of this chapter are not complied with.
2. The grantee, notwithstanding any other terms of such franchise appearing to the contrary, shall be subject to the police power of the county to adopt and enforce general ordinances necessary to protect the safety and welfare of the general public in relation to the rights granted in such franchise. (Ord. 82-7 § 18, 1982).

12.56.220 Acceptance by grantee.

If within thirty days of the granting of such franchise, the grantee shall have failed to sign its/his written acceptance of same, then the granted rights and privileges therein shall be deemed forfeited and declared null and void. (Ord. 82-7 § 23, 1982).

Chapter 12.60

BRIDGES

(Renumbered to 12.07 by Ordinance 2004.13)

Chapter 12.70

STORM WATER MANAGEMENT STANDARDS AND GUIDELINES

(Renumbered to 12.06 by Ordinance 2004.13)

Chapter 12.80

ISSUANCE OF PERMITS TO PERFORM WORK ON COUNTY ROAD RIGHTS-OF-WAY

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I. Provisions Generally

12.80.010 Ownership responsibility.

The entity benefited by the construction, whether it be a private party, a public utility, a municipal entity or a service district, is solely responsible for the construction, maintenance, restoration, repair, installation and ownership of any of their facilities located within the county road rights-of-way. Agreements between any vendor of services and their vendees should reflect this understanding. (Ord. 94-18 (part), 1994; Ord. 92-30 (part), 1992. Formerly 12.20.010).

12.80.020 Acquiring permits.

The public utility, municipal entity or service district providing requested service is solely responsible for acquiring all the necessary permits and approvals prior to locating facilities within the county rights-of-way and compliance with all the terms and conditions stipulated in the permit. No permits to install facilities in county right-of-way will be issued to private individuals or legal persons or entities for services that are provided by public utilities, municipal entities or service districts. (Ord. 94-18 (part), 1994; Ord. 92-30 (part), 1992. Formerly 12.20.020).

12.80.030 Cost of restoration and repair.

The cost of restoration and repair will be the sole responsibility of the entity benefited by the construction whether it be a public utility, a municipal entity or a service district providing the service. (Ord. 94-18 (part), 1994; Ord. 92-30 (part), 1992. Formerly 12.20.030).

12.80.040 Adoption.

[Chapter 136-40 WAC](#) and any subsequent amendments thereto is hereby adopted and the provisions contained therein shall be applicable to all franchises and permits issued pursuant to Chapters [36.55](#), [80.32](#) and [80.36](#) RCW, to all public and private utilities including but not limited to electric power, telephone, telegraph, water, gas, oil, petroleum products, steam, chemicals, sewage, drainage, irrigation and similar lines that are to be located, adjusted or relocated with the rights-of-way of county roads.

Nothing in this chapter shall be construed as limiting the rights of Kittitas County to impose restrictions or requirements in addition to and/or deviations from those stated in Chapter 136-40 WAC in a franchise or permit where Kittitas County deems it advisable to do so. (Ord. 94-18 (part), 1994; Ord. 92-30 (part), 1992. Formerly 12.20.040).

II. Accommodation of Utilities on County Road Right-of-Way

12.80.100 Purpose.

The purpose of this chapter is to establish a county policy to provide administrative and procedural guidance needed to accommodate the installation and relocation of all above and below ground utilities which are located within the county road right-of-way. (Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 1, 1992. Formerly 12.20.100).

12.80.110 Application.

This policy shall apply to all new franchises and permits issued pursuant to [RCW 80.32.010](#), [RCW 80.36.040](#) and [Chapter 36.55 RCW](#), to all public and private utilities, and to all installation and relocation of utilities within the county road right-of-way, including but not limited to electric power, telephone, television, telegraph, communication, water, gas, all petroleum products, steam, chemicals, sewage, drainage, irrigation, and similar pipes, lines or cables.

This policy cannot address all situations and conditions that may be encountered. Specific provisions contained herein may not be appropriate for all locations and existing conditions. The policy is intended to assist, but not substitute for, competent work by both road and utility design and installation professionals. This policy is not intended to limit any innovative or creative effort which could result in better quality, better cost savings or improved safety characteristics.

It shall be the responsibility of any utility installing or relocating any of its facilities to ascertain and abide by the requirements and conditions of this policy. (Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 2, 1992. Formerly 12.20.110).

12.80.120 Definition of terms.

Unless otherwise stated, words and phrases used herein shall have the following meanings:

Appurtenance

Equipment and/or accessories which are a necessary part of an operating utility system or subsystem.

Backfill

Replacement of excavated material with suitable material compacted as specified.

Boring

Grade and alignment controlled mechanical or other method of installing a pipe or casing under a road without disturbing the surrounding medium.

Carrier

Pipe directly enclosing a transmitted fluid or gas.

Casing

A larger pipe enclosing a carrier for the purpose of providing structural or other protection to the carrier and/or to allow for carrier replacement without re-excavation, jacking or boring.

Coating

Protective material applied to the exterior of a pipe or conduit to prevent or reduce abrasion and/or corrosion damage.

Conduit

An enclosed tubular runway for protecting wires or cables.

Cover

Depth to top of pipe, conduit, casing or gallery below the grade of a road or ditch.

Drain

Appurtenances to discharge accumulated liquids from casings or other enclosures.

Encasement

Structural element surrounding a pipe or conduit for the purpose of preventing future physical damage to the pipe or conduit.

Franchise

Occupancy and use document granted by the county required for occupancy of road rights of way in accordance with Chapters 36.55 and 80.32.

Gallery

Underpass for two or more utility lines.

Manhole

An opening in an underground utility system into which workers or others may enter for the purpose of making installations, inspections, repairs, connections, cleaning, and testing.

Pavement

The combination of subbase, base course, and surfacing placed on a subgrade to support the traffic load and distribute it to the subgrade.

Permit

A document issued under the authority of (1) the County Engineer (or Public Works Director) and/or (2) a franchise granted by the County's legislative authority. The permit provides specific requirements and conditions for specific utility work at specific locations within the right-of-way.

Pipe

A structural tubular product designed, tested, and produced for the transmittance of specific liquids and gases under specific conditions.

Plowing

Direct burial of utility lines by means of a 'plow' type mechanism which breaks the ground, places the utility line at a predetermined depth, and closes the break in the ground.

Pressure

Internal gage pressure in a pipe in pounds per square inch, gage (psig).

Private lines

Privately owned, operated and maintained utility facilities devoted exclusively to the use of the owner.

Relocation

Planned change of location of an existing facility to a more advantageous place without changing the character or general physical nature of the facility.

Replacement

Installation of a like element of a utility system or subsystem in the same or near-same physical location normally due to damage, wear or obsolescence of the element.

Restoration

All work necessary to replace, repair or otherwise restore the right-of-way and all features contained within to the same or equal condition as before any change or construction thereto.

Right-of-way

A general term denoting public land, property, or interest therein, usually in a strip, acquired for or devoted to transportation or secondary purposes.

Road (or roadway)

A general term denoting a street, road or other public way, including shoulders, designated for the purpose of vehicular traffic.

Sleeve

Short casing through a pier, wall or abutment of a highway structure.

Traffic control

Those activities necessary to safeguard the general public, as well as all workers, during the construction and maintenance of utility facilities within the right-of-way.

Trenched

Installation of a utility in an open excavation.

Untrenched

Installation of a utility without breaking the ground or pavement surface such as by jacking or boring.

Vent

Appurtenance to discharge gaseous contaminants from casings or other enclosures.

(Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 3, 1992. Formerly 12.20.120).

12.80.130 General conditions and requirements - Location.

1. Utility installations shall be located to minimize need for later adjustment to accommodate future roadway improvements and to permit access to servicing such installations with minimum interference to roadway traffic. Counties shall make available to utilities a copy of their six-year transportation improvement program (or capital facilities and transportation plan where required) in order to minimize both utility customer and road user inconvenience should future road improvements (on existing or new alignment) require adjustment or relocating of the utility facilities. Said utilities shall, within the limits of standard business practice, make available appropriate short and long range development plans to the county.
2. Unless otherwise approved by the county, all above-ground utilities and their appurtenances as well as all above-ground appurtenances of below-ground utilities that may constitute a roadside obstacle for traffic using the road shall be located as close as practicable to the edge of the right-of-way line. If an appurtenance within the right-of-way would constitute an unacceptable roadside obstacle, said obstacle may be:
 - a. relocated to another place within the right-of-way,
 - b. converted to a break-away design,
 - c. crash-protected, or
 - d. relocated to another location off the road right-of-way.
3. Installations that are required for a road purpose, such as street lighting or traffic signals, are to be located and designed in accordance with this policy.
4. Where existing facilities are in place, new facilities shall be compatible with the existing installations and conform to this policy as nearly as practicable. (Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 4A, 1992. Formerly 12.20.130).

12.80.140 General conditions and requirements - Design - General.

1. The utility shall be responsible for the design of the utility facility being proposed. This responsibility shall include, in addition to the integrity of the proposed utility facility, provisions for public safety during the course of construction, as well as consideration of traffic safety and accident potential for the life of the installation.
2. For work requiring application to the county, the county may review and approve the utility's plans with respect to:
 - a. location,
 - b. the manner in which the utility facility is to be installed,
 - c. measures to be taken to preserve safe and free flow of traffic,
 - d. structural integrity of the roadway, bridge, or other structure,
 - e. ease of future road maintenance, and appearance of the roadway.
3. Provision shall be made for known or planned expansion of the utility facilities, particularly those located underground or attached to bridges or other structures within the right-of-way.
4. Granting of a franchise or permit shall not imply or be construed to mean the county shall be responsible for the design, construction, or operation of the facility or for public safety during the facility's installation, operation, or maintenance. (Ord. 94-18 (part), 1994; Ord. 9230 Exh. A § 4B, 1992. Formerly 12.20.140).

12.80.150 General conditions and requirements - Standards and codes.

All utility installations shall be designed in accordance with the standards, codes and regulations applicable to the type of utility. The methods of installation and materials used shall conform to the codes and standards promulgated by government and by the industry. This shall also include any road design standards which the county shall deem necessary to provide adequate protection to the road, its safe operation, appearance and maintenance. (Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 4C, 1992. Formerly 12.20.150).

12.80.160 General conditions and requirements - Adjustment and relocation of existing facilities.

1. Existing underground utilities on county road right-of-way may be removed or relocated when road work funded by the county would disturb the existing underground utility. All such removal or relocation shall be at the sole expense of the owning utility and all work must be accomplished by the same permitting process as for new installations.
2. Notwithstanding reinforcement or protection otherwise provided, a permittee shall be responsible for the security of each existing pipeline and utility within a road construction zone. Where there are unusual utility hazards or where heavy construction equipment will be used, the permittee shall provide adequate temporary protection. In replacing the roadway, the design should give due consideration to the protection of previously existing utilities in the roadway section without sacrificing the geometrics of roadway design. (Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 5A, 1992. Formerly 12.20.160).

12.80.170 Permits - General requirements.

For work not authorized by franchise, comprehensive plan, or other agreement, a written permit may be required for occupancy of road right-of-way by all utility facilities, including private lines. No

facility shall be used for other than the purpose stated, unless written approval is granted by the county. (Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 5A, 1992. Formerly 12.20.170).

12.80.180 Permits - Specific requirements.

When required, permit applications shall be submitted in a standard format as prescribed by the county. The permit application shall include the following information:

1. Agreement to all pertinent provisions of this policy and to such special conditions as the county may deem appropriate.
2. Description of the facilities to be installed.
3. Adequate exhibits depicting existing or proposed location of the facility in relation to the road, including right-of-way or easement lines; relationship to currently planned road revisions, if applicable; and all locations and situations for which deviations in depth of cover (including the proposed method of protection) or other locational standards are anticipated. (Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 5B, 1992. Formerly 12.20.180).

12.80.190 Underground utilities - Location and alignment.

1. For all crossings, the angle of crossing should be as near a right angle to the road centerline as practicable. However, lesser angles may be permitted based upon economic considerations of practical alternatives.
2. Where practicable, crossings should avoid deep cuts, footings of bridges and retaining walls, or locations where highway drainage would be affected.
3. Longitudinal installations should run parallel to the roadway and lie as near as practicable to the right-of-way line. Installations which cannot be so installed will be allowed within the right-of-way, provided that:
 - a. The installation will not adversely affect the design, construction, stability, structural integrity, traffic safety, or operation of the road facility; or
 - b. Failure to allow such installation will create an undue hardship or financial burden upon the utility.
4. Where irregularly shaped portions of the right-of-way extend beyond the normal right-of-way limits, a uniform alignment of facilities shall be allowed. (Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 6A, 1992. Formerly 12.20.190).

12.80.200 Underground utilities - Cover.

The grade of and resulting cover for an underground utility shall be in compliance with applicable federal, state and county requirements unless otherwise specified. (Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 6B, 1992. Formerly 12.20.200).

12.80.210 Underground utilities - Encasement.

1. Casings shall be installed for roadway crossings where required by appropriate industry code.
2. Casings may be required for the following conditions:
 - a. As an expediency in the insertion, removal, replacement, or maintenance of a carrier line crossing or other locations where it is necessary in order to avoid open trench construction.

- b. As protection for carrier lines from external loads or shock either during or after construction of a road.
 - c. For jacked or bored installations of coated carrier lines unless assurance is provided to the county that there will be no damage to the protective coating.
- 3. Within the road right-of-way, where practicable, casing pipes shall extend beyond the toe of fill slopes, back of roadway ditch, or outside of curb.
- 4. Other than for necessary vents and/or drains, casing pipes shall be sealed at both ends.
- 5. Casing pipes shall be designed to support the load of the road and superimposed loads thereon and, as a minimum, shall equal the structural requirements for road drainage facilities. Casings shall be composed of materials of sufficient durability to withstand conditions to which they may normally be exposed. (Ord. 9418 (part), 1994; Ord. 92-30 Exh. A § 6C, 1992. Formerly 12.20.210).

12.80.220 Underground utilities - Uncased carriers.

- 1. The carrier pipe shall conform to the material and design requirements of the appropriate utility industry and governmental codes and specifications.
- 2. The carrier pipe shall be designed to support the load of the road, plus superimposed loads thereon, when the pipe is operated under all ranges of pressure from maximum internal to zero pressure. (Ord. 94-18 (part), 1994; Ord. 9230 Exh. A § 6D, 1992. Formerly 12.20.220).

12.80.230 Underground utilities - Appurtenances.

- 1. Vents shall be required for casings, tunnels and galleries enclosing carriers of fuel where required by federal safety standards. Vent standpipes should be located and constructed so as neither to interfere with maintenance of the road nor to be concealed by vegetation. Preferably standpipes should stand by a fence or on the right-of-way line.
- 2. Drains shall be required for casings, tunnels or galleries enclosing carriers of liquid, liquefied gas, or heavy gas. Drains for carriers of hazardous materials shall be directed to natural or artificial holding areas to prevent the potential for surface or ground water contamination. Drains for which only water or other non-hazardous liquids may discharge may be directed into the roadway ditch or natural water course at locations approved by the county. The drain outfall shall not be used as a wasteway for routine purging of the carrier unless specifically authorized by the county.
- 3. Location markers and emergency information should be used when required by applicable state and federal standards.
- 4. Manholes should be designed and located in a manner that will cause the least interference to other utilities or future road expansion. Where practicable, installations in the pavement or shoulders should be avoided. (Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 6E, 1992. Formerly 12.20.230).

12.80.240 Underground utilities - Installation.

Installations shall ensure safety of traffic and preservation of the roadway structure, and required construction shall, unless otherwise provided in the approved permit, be in accordance with the following controls:

- 1. Trenched Construction and Backfill.

- a. Where the pavement must be removed, it first shall be cut in vertical (or undercut) continuous straight lines.
 - b. Trenches shall be cut to have vertical faces, where soil and depth conditions permit, with a maximum width of outside diameter of pipe plus two feet. Shoring shall comply with the Washington State Department of Labor and Industries Safety Code.
 - c. The pipe or carrier shall be installed and the trench backfilled in a manner assuring no deformation of the pipe likely to cause leakage and restoration of the structural integrity of the roadway structure. Specific trench backfill requirements regarding materials and methods shall be provided by the county.
 - d. When trenching is approved on paved roads, the pavement shall be restored as required by the county.
2. Untrenched construction may be required for pipelines crossing roads paved with asphalt concrete or cement concrete and for roads paved with bituminous surface treatment when directed by the county.
 - a. If sufficient right-of-way exists, the length of untrenched construction shall extend a minimum of four feet from edge of pavement, except that a lesser standard may be permitted by the county engineer where conditions warrant.
 - b. Overbreaks, unused holes, or abandoned casings shall be backfilled as directed by the county engineer.
 - c. Water boring under roadways shall not be permitted.
 - d. Existing carriers and conduit installed under a roadway may be physically located prior to pipeline installation.
 3. Plowing of communication and electrical lines on or adjacent to existing roads by means of a vibratory plow may be allowed by the county, provided that the structural integrity of the roadway is not impaired. (Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 6F, 1992. Formerly 12.20.240).

12.80.250 Underground utilities - One call system.

All owners of underground facilities shall comply with [Title 19 RCW, Chapter 19.122 RCW, RCW 19.122.010](#) through [19.122.900](#) (Washington State One Call System or Dig Law). (Ord. 94-18 (part), 1994; Ord. 9230 Exh. A § 6G, 1992. Formerly 12.20.250).

12.80.260 Overhead utilities - Power and communication lines.

1. Single-pole construction and joint use of the pole is desirable and should be used whenever feasible.
2. The minimum vertical clearance for overhead power and communication lines above the road and the minimum lateral and vertical clearance from bridges shall be in compliance with the National Electrical Safety Code and Washington State Department of Labor and Industries "Electrical Construction Code".
3. Where irregularly shaped portions of the right-of-way extend beyond the normal right-of-way limits, a uniform alignment of facilities shall be allowed. (Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 7, 1992. Formerly 12.20.260).

12.80.270 Aesthetic/scenic considerations.

1. Utility installations shall be designed and constructed to minimize the adverse effect on existing roadside manmade or natural amenities. Special efforts shall be taken to minimize any potential negative impact on areas of scenic beauty (i.e., scenic strips, viewpoints, rest areas, recreation areas, public parks or historic sites, etc.).
2. Overhead utility installations shall be permitted in areas of scenic beauty when other utility locations are not available, are not technically feasible, are unreasonably costly, or are less desirable from the standpoint of visual quality.
3. If the utility intends to use chemical sprays to control or kill weeds and brush in scenic areas, prior approval must be granted by the county at least annually. The county may limit or restrict the types, amounts, and timing of applications if a significant negative impact on the aesthetics of the area is anticipated, provided such limitations or restrictions are not in conflict with state law governing utility right-of-way maintenance.
4. Refuse and debris resulting from the installation or maintenance of the utility facilities shall be promptly removed once work is completed. (Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 8, 1992. Formerly 12.20.270).

12.80.280 Installations on roadway bridges and structures.

Attachment of utility lines to a roadway structure (including bridges) may be allowed where such attachment conforms to sound engineering considerations for preserving the roadway structure and its safe operation, maintenance and appearance. The attachment shall be in accordance with the following:

1. Attachment of a utility shall not be considered unless the structure in question is of a design that is adequate to support the additional load and can accommodate the utility facility without compromise of highway features, including reasonable ease of maintenance.
2. Manholes and other utility access panels should be avoided within the roadway portion of the structure.
3. Attachment on a structure of a pipeline carrying a hazardous transmittant shall be avoided where practicable.
4. The utility attachment shall not reduce the clearance of a structure where such clearance is critical. Attachment to the outside of a structure should be avoided where there are reasonable alternatives.
5. Utility mountings shall be of a type which shall not create noise resulting from vibration.
6. The hole created in a structure abutment shall be sleeved, shall be of the minimum size necessary to accommodate the utility line, and shall be sealed to prevent any leakage of water or backfill material.
7. The utility line back of the abutment shall curve or angle out to align outside the roadbed area in as short a distance as is operationally practicable.
8. Communication and electrical power line attachments shall be suitably insulated, grounded, and preferably carried in protective conduit or pipe from point of exit from the ground to re-entry. Carrier pipe and casing pipe shall be properly isolated from electric power line attachments. (Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 9, 1992. Formerly 12.20.280).

12.80.290 Preservation, restoration and cleanup.

1. The size of disturbed area necessary to install a utility shall be kept to a minimum.
2. Restoration methods shall be in accordance with the specifications of the county and/or special provisions of the franchise, permit, or agreement.
3. Unsatisfactory restoration work shall be promptly corrected by the utility. If necessary, unsatisfactory restoration work may be corrected by the county and billed to the utility. (Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 10A, 1992. Formerly 12.20.290).

12.80.300 Traffic control and public safety.

1. Traffic controls, including detours for all utility work, shall conform with the currently applicable "Manual on Uniform Traffic Control Devices for Streets and Highways".
2. All construction and maintenance operations shall be planned to keep interference with traffic to a minimum. On heavily traveled roads, construction operations interfering with traffic should not be scheduled during periods of peak traffic flow. Work shall be planned so that closure of intersecting streets, road approaches, or other access points is held to a minimum.
3. Adequate provision shall be made to safeguard any open excavation, and shall include barricades, lights, flaggers, or other protective devices as may be necessary.
4. The storage of materials on through roadways shall not be allowed, and parking of vehicles on through roadways shall be kept to a minimum. (Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 10B, 1992. Formerly 12.20.300).

12.80.310 Emergency repairs.

1. All utility facilities shall be kept in a good state of repair. Emergency repairs shall be undertaken in a timely manner.
2. If emergency repairs disturb the right-of-way, such repairs may be immediately undertaken and the right-of-way restored. Approval as to the manner of final restoration of the right-of-way shall be secured from the county in a timely fashion. (Ord. 94-18 (part), 1994; Ord. 92-30 Exh. A § 10C, 1992. Formerly 12.20.310).

12.86 Land Use Developments requiring engineering review in the Urban Growth Area of the city of Ellensburg not utilizing city utilities.

A. Rural Road Standards

Land use developments requiring engineering review in the Urban Growth Area of the City of Ellensburg NOT utilizing city utilities shall meet Kittitas County rural road standards providing:

1. The owner/developer dedicates sufficient right of way pursuant to the city's road and street plan.
2. The owner/developer signs a waiver of protest for the County and City to the formulation of a future Local Improvement District (LID) for the development.

12.87 Land Use Developments requiring engineering review in the Urban Growth Area of the City of Ellensburg utilizing city utilities.

A. Developer reimbursement agreements

Developer reimbursement agreements in the Urban Growth Area of the City of Ellensburg are pursuant to Ellensburg City Code Chapter 2.50.

B. Public Works Standards in the Urban Growth Area of the City of Ellensburg

Public Works standards in the Urban Growth Area of the City of Ellensburg are pursuant to Ellensburg City Code Title 4.

C. City of Ellensburg utilities

All land use development in the Urban Growth Area of the City of Ellensburg utilizing city utilities shall adhere to Ellensburg City Code Title 9.

12.88 Transportation Impact Fees

A. Kittitas County accepts the City of Ellensburg Transportation Impact Fee study for use in the Urban Growth Area of the city, as provided in ECC 14.04.020(B) as currently enacted or hereafter adopted. Fees are determined pursuant to Chapter 14.04, of the Ellensburg City Code.

12.89 Development Agreements

Kittitas County Department of Public Works shall authorize development agreements pursuant to Revised Code of Washington 36.70B.170 – 210 and Washington Administrative Code 365-196-845(17). Prior to approval of any Development Agreement within the Urban Growth Area of the City of Ellensburg, the County shall provide 30 days written notice to the City of Ellensburg with a copy of the proposed agreement. Agreements will be negotiated following preliminary plat approval from the Board of County Commissioners and after the development has obtained final engineering plan approval from the County Engineer. Projects within the Ellensburg UGA utilizing city utilities will also require final engineering plan approval from the City Engineer. Agreements shall remain in effect for an initial five-year period beginning upon the approval date from the Board of County Commissioners. Extension requests are pursuant to Kittitas County Code section 16.12.250.

Exhibit C: Docket Item 23-03

Title 17 Amendments

Chapter 17.11

URBAN GROWTH AREAS

Sections

- [17.11.010](#) Purpose and Intent.
- [17.11.020](#) Intergovernmental Review.
- [17.11.030](#) City of Ellensburg Urban Growth Area Interlocal Agreements.
- [17.11.031](#) Conflicts.
- [17.11.032](#) Adoption by reference and modified code sections.
- [17.11.033](#) Applicability.
- [17.11.034](#) Airport Zone.
- [17.11.035](#) County/City Zoning conversion chart.
- [17.11.036](#) Definitions.
- [17.11.037](#) Permitted Uses.
- [17.11.038](#) Building Setback and Intensity Standards.
- [17.11.039](#) Off-Street Parking.
- [17.11.040](#) Infrastructure.
- [17.11.050](#) Minimum Density.
- [17.11.060](#) Maximum Lot Coverage.

17.11.010 Purpose and Intent.

The purpose and intent of the Urban Growth areas is to provide for areas that are suitable and desirable for urban densities as determined by the sponsoring city's ability to provide urban services, and to allow for alternative methods of development that allows for infill and development at urban levels. (Ord. 2007-22, 2007)

17.11.020 Intergovernmental Review

Proposed projects occurring within the Urban Growth Area shall be jointly reviewed with the associated city. (Ord. 2007-22, 2007)

17.11.030 City of Ellensburg Urban Growth Area Interlocal Agreements.

Kittitas County and the City of Ellensburg have adopted an interlocal agreement to facilitate the orderly transition of urban services from the County to the City throughout the Urban Growth Area (UGA) and to coordinate and manage growth and development within the UGA. Permit process and development standards outlined in KCC 17.11.030 through KCC 17.11.039 are adopted for application to properties within the City of Ellensburg Urban Growth Area. ([Ord. 2022-017](#), 2022; Ord. 2007-22, 2007)

17.11.031 Conflicts.

If there is a conflict between the provisions within KCC 17.11 or the ILA and other sections of Kittitas County Code, KCC [17.04.020](#) and [17.04.040](#) shall be utilized to resolve the conflict. When 17.04 is utilized to resolve a conflict, the county will notify the city. ([Ord. 2022-017](#), 2022)

17.11.032 Adoption by reference and modified code sections.

[Resolution No. 2022-1](#), a resolution authorizing execution of an interlocal agreement with the City of Ellensburg regarding development in its Urban Growth Area (UGA), is adopted by reference except as amended by the provisions 17.11.030 through 17.11.039. Provisions shall apply to City of Ellensburg code sections as currently adopted as of the date of Resolution No. 2022-1 or hereby amended in the future by the City. This includes the following Chapters of the City of Ellensburg code:

Exhibits A (Ellensburg UGA map) and B (Future Land Use Map) within [Resolution No. 2022-1](#) are provided for reference only and do not modify the UGA boundary or change the land use designation of any property. The UGA boundary and land use designations of properties are identified within the Kittitas County Comprehensive Plan.

The following City of Ellensburg code sections have been modified as provided for within this code section. They include:

- [Chapter 15.130](#) – Land Development Code – Definitions
- [Chapter 15.310](#) – Land Development Code – Permitting Uses
- [Chapter 15.320](#) – Land Development Code – Building Setback and Intensity Standards
- [Chapter 15.550](#) – Land Development Code – Off-Street Parking

([Ord. 2022-017](#), 2022)

17.11.033 Applicability.

This Agreement applies to the lands within the Ellensburg Urban Growth Area as currently adopted and identified in the County Comprehensive Plan, as of the date of execution of [Resolution No. 2022-1](#) and hereby amended in the future. Where the ILA does not identify development standards to be utilized for development within the UGA, existing Kittitas County Code standards apply.

([Ord. 2022-017](#), 2022)

17.11.034 Airport Zone.

[KCC 17.58](#), Airport Zone, applies to all projects within the City of Ellensburg Urban Growth Area which are located within the Bowers Field Airport Overlay Zone. ([Ord. 2022-017](#), 2022)

17.11.035 County/City Zoning conversion chart.

Where City of Ellensburg zoning designations are referred to within the adopted ILA or this chapter, the following conversion chart shall be utilized.

County Zone

R Residential
UR Urban Residential

Applicable City Zone

R-S Residential Suburban

I-L Light Industrial	I-L Light Industrial
I-G General Industrial	I-H Heavy Industrial
C-G General Commercial	C-H Commercial Highway
C-H Highway Commercial C-L Limited Commercial	C-H Commercial Highway
PUD Planned Unit Dev. (Bender/Reecer)	R-S Residential Suburban
PUD Planned Unit Dev. (the Verge)	R-H Residential High
HTC Historic Trailer Court	MHP Manufactured Home Park
F-R Forest and Range	Refer to County standards

([Ord. 2022-017](#), 2022)

17.11.036 Definitions.

The following definitions shall apply and be utilized for projects located within the Ellensburg UGA. Where terms are not defined, the definitions in [KCC 17.08](#) shall apply.

1. "Accessory dwelling unit" means a self-contained residential unit that is accessory to a single family dwelling on a lot and may be added to, created within, or detached from the primary single-family dwelling unit. An accessory dwelling unit has its own bathroom, kitchen facilities, living and sleeping areas, though it can share other features with the single-family dwelling including the yard, parking, or storage.
2. "Accessory use" means on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
3. "Adult family home" means a residential home in which a person or persons provide personal care, special care, room and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services.
4. "Agriculture" means the use of land for farming, dairying, pasturing and grazing, horticulture, floriculture, viticulture, apiaries, animal and poultry husbandry, Christmas trees not subject to the excise tax imposed by RCW [84.33.100](#) through [84.33.140](#), finfish in upland hatcheries, and accessory activities, including, but not limited to, storage, harvesting, feeding or maintenance of equipment, but excluding stockyards, slaughtering or commercial food processing.
5. "Boarding houses, lodging houses, sororities, fraternities" means an establishment with lodging for five or more persons on a weekly or longer basis with a central kitchen and dining area maintained exclusively for residents and their guests.
6. "Community residential facility" means a facility that provides, on a regular basis, personal care, including dressing and eating and health-related care and services for at least five, but not more than 15 functionally disabled persons and which is not licensed under Chapter 70.128 RCW. A residential care facility shall not provide the degree of care and treatment that a hospital or longterm care facility provides.

7. "Conference center" means an establishment developed primarily as a meeting facility, including only facilities for recreation, overnight lodging, and related activities provided for conference participants.
8. "Cooperative" means a group of more than one, but no more than four qualified medical marijuana patients and/or designated providers who share responsibility for growing and processing marijuana only for the medical use of the members of the cooperative.
9. "Day care" means an establishment for group care of nonresident adults or children. Specifically:
 - a. Day care shall include child day care services, adult day care centers, and the following:
 - i. Adult day care, such as adult day health centers or social day care as defined by the Washington State Department of Social and Health Services;
 - ii. Nursery schools for children under minimum age for education in public schools;
 - iii. Privately conducted kindergartens or pre-kindergartens when not a part of a public or parochial school; and
 - iv. Programs covering after-school care for school children.
 - b. Day care establishments are subclassified as follows:
 - i. Day care I - a maximum of 12 adults or children in any 24-hour period; and
 - ii. Day care II - over 12 adults or children in any 24-hour period.
10. Dwelling, Cottage. "Cottage" means a small single-family dwelling that is clustered with other similar units surrounding a common open space. See ECC 15.540.050 for special cottage housing provisions.
11. Dwelling, Duplex. "Duplex" refers to a building that is entirely surrounded by open space on the same lot and contains two dwelling units or two dwelling units that are physically separated but on the same lot. A duplex will not be considered a duplex for purposes of the land development code standards if more than one duplex building is located on one lot.
12. Dwelling, Live-Work Unit. "Live-work unit" means an individual dwelling unit that is used for residential and nonresidential use types. The dwelling unit type may be any type that is permitted in the applicable zoning district. Permitted nonresidential uses may be those that are permitted in the applicable zoning district.
13. Dwelling, Multifamily. See definition of "Multifamily"
14. Dwelling, Single-Family. "Single-family dwelling" means one dwelling unit or one dwelling unit with an attached or detached accessory dwelling unit used, intended, or designed to be used, rented, leased, let, or hired out to be occupied for living purposes.
15. Dwelling, Townhouse. "Townhouse" is a single-family dwelling constructed in a group of three or more attached units in which each unit extends from the foundation to the roof and with open space on at least two sides. Ownership of a townhouse includes the unit's building and associated property.
16. "Farmers' market" means a public market at which farmers and other vendors sell agricultural products, crafts, and food and beverages.

17. "Fruit stand" means a building, structure, or land area used for the sale of fresh fruit or vegetables grown on-site.
18. "Heavy service" includes service activities that may have regular exterior service, or storage areas. This use category includes, but is not limited to, contractors, heating fuels, truck stops, breweries and warehousing. Heavy service uses are limited to buildings no larger than 50,000 gross square feet in area.
19. "Home occupation" means any activity undertaken for gain or profit that results in a product or service and is carried on in a dwelling, or building accessory to a dwelling.
20. "Hospital" means an institution receiving inpatients and outpatients and rendering medical, surgical and/or obstetrical care and associated support facilities such as administrative offices, information technology department, or other similar facilities.
21. "Hotel" means any building or portion thereof in which lodging is provided and offered to the public for compensation, and which is open to transient guests and is not a boarding, lodging, sorority or fraternity house.
22. "Kennel" or "shelter" means any outdoor or indoor facility which houses four or more small domestic animals (that number not including one unweaned litter) for periods longer than 24 hours as a commercial venture, as a nonprofit organization, or for a governmental purpose. The facility may be either a separate business or an accessory use. A kennel is to be distinguished from a veterinary clinic which houses animals for periods that may exceed 24 hours as a commercial venture that is accessory to the primary medical activity performed in a veterinary clinic.
23. "Manufactured home park" means a lot, parcel, or tract of land having as its principal use the rental of space for occupancy by two or more manufactured homes, including any accessory buildings, structures or uses customarily incidental thereto.
24. "Marijuana processor" means a person licensed by the State Liquor and Cannabis Board to process marijuana into marijuana concentrates, useable marijuana and marijuana-infused products, package and label marijuana concentrates, useable marijuana and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana and marijuana-infused products at wholesale to marijuana retailers (as defined in [RCW 69.50.101](#) and provided herein for reference).
25. "Marijuana producer" means a person licensed by the State Liquor and Cannabis Board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers (as defined in [RCW 69.50.101](#) and provided herein for reference).
26. "Marijuana retailer" means a person licensed by the State Liquor and Cannabis Board to sell marijuana concentrates, useable marijuana and marijuana-infused products in a retail outlet (as defined in [RCW 69.50.101](#) and provided herein for reference).
27. "Miniwarehouse" means an enclosed single-story building(s) designed and constructed to provide individual compartmentalized controlled access stalls or lockers which shall be used only for the storage of personal property. Ministorage is synonymous with miniwarehouse.
28. Motel. See definition for "Hotel".
29. "Nursery and greenhouses" means an establishment for the growth, display, and/or sale of plants, shrubs, trees, and materials used in indoor or outdoor plantings conducted within or without an enclosed building.
30. "Nursing home" means any facility licensed by the Washington State Department of Social and Health Services or other appropriate state agencies, providing convalescent,

chronic or domiciliary care for a period in excess of 24 consecutive hours, for three or more patients or residents not related by blood or marriage to the licensee.

31. Office, Business or Professional. "Business or professional office" means an office wherein business, technical or scientific services are rendered involving labor, skill, education and special knowledge for certain compensation or profit, but such labor, skill, education and special knowledge being predominantly mental or intellectual, rather than physical, manual or mercantile in nature. Examples of such uses would include, but not be limited to, the offices of lawyers, accountants, brokers, and insurance agents.
32. Office, Medical. "Medical office" means an office or clinic used primarily by physicians, dentists, optometrists, and similar personnel for the treatment and examination of patients solely on an outpatient basis; provided, that no overnight patients shall be kept on the premises.
33. "Personal services" means services rendered to individuals for their personal physical appearance and conditioning needs. Examples would include but not be limited to the following types of services: barber, beautician, masseur, and steam and sauna baths.
34. "Places of assembly" means a structure for groups of people to gather for an event or regularly scheduled program. Examples include but are not limited to arenas, religious institutions, lecture halls, banquet facilities, and similar facilities.
35. "Public agency or utility office" means a building or portion thereof used primarily for administration purposes by a public agency or utility.
36. "Recreation - indoor commercial" means a commercial recreation land use conducted entirely within a building, including, but not limited to, athletic and health clubs, pool or billiard halls, skating rinks, swimming pools, and tennis courts.
37. "Recreation - outdoor commercial" means a commercial recreation land use conducted primarily outdoors, including, but not limited to, water parks, amusement parks, and miniature golf courses.
38. "Regional retail commercial" refers to any use which involves the display and sale of retail consumer goods as part of a regional retail master site plan. Permitted uses and exceptions are described within ECC 15.390.030. Regional retail commercial developments contain a minimum of 100,000 square feet of enclosed gross floor area of allowable uses; provided, that at least 50,000 square feet must be used by one retailer.
39. Senior citizen assisted housing" means housing in a building consisting of two or more dwelling units restricted to occupancy by at least one occupant 62 years of age or older per unit, and must include at least two of the following support services:
 - a. Common dining facilities or food preparation service;
 - b. Group activity areas separate from dining facilities;
 - c. A vehicle exclusively dedicated to providing transportation services to housing occupants;
 - d. Have a boarding home (assisting living) license from Washington State Department of Social and Health Services.
40. "Tow vehicle storage area" means the approved yard and buildings where stored vehicles are kept. The storage areas and fencing must comply with the requirements established by the Washington State Department of Licensing, Washington State Patrol, and all local zoning rules and regulations. All tow vehicle storage areas must be physically located within the tow zone assigned to the operator.

41. "Utility facility" means any privately, publicly, or cooperatively owned line, facility, or system for producing, transmitting, or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, stormwater not connected with highway drainage, or any other similar commodity, including any fire or police signal system or street lighting system, which directly or indirectly serves the public. For commercial wireless communication support towers, antenna arrays, and facilities.
42. "Wrecking yard, vehicle" means any area, lot, land, parcel, building, structure, or part thereof where buying, selling, or dealing in vehicles of a type required to be registered under Washington State law, for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of a vehicle, or buying or selling integral secondhand parts, in whole or in part is taking place. ([Ord. 2022-017](#), 2022)

17.11.037 Permitted Uses.

1. Purpose:
 - a. The purpose of this chapter is to establish the uses generally permitted in each zone which are compatible with the purpose of the zone and other uses allowed within the zone.
 - b. The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied, or maintained.
 - c. This section only applies to uses within those zones identified within use tables in 17.11.037(4)(a) below. See [KCC 17.22.035](#) for County/City conversation chart. For those zones within the UGA that are not listed in the tables below, the use tables 17.16 through 17.57 shall apply.
2. Interpretation of Land Use Tables:
 - a. The land use tables in this chapter determine whether a use is allowed in a zoning district. The zoning district is located on the vertical column and the use is located on the horizontal row of these tables.
 - b. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for certain temporary uses. For temporary use requirements, see [KCC 17.92.010](#).
 - c. If the letter "P" appears in the box at the intersection of the column and the row, the use is allowed in that district. If allowed, the use would follow the Kittitas County process for permitting.
 - d. If the letter "C" appears in the box at the intersection of the column and the row, the use is allowed subject to the conditional use review procedures specified in KCC 17.60A and the general requirements of the code.
 - e. Clarification of Uses and Special Conditions.
 - i. If a * appears after the use, then the use is defined in [KCC 17.11.036](#).
 - ii. Uses are subject to footnote requirements in [KCC 17.15.080.2](#) except where they conflict with the tables in 17.11.037(4)(a-c) regarding the permit process.
3. Accessory Uses. An accessory use, as defined in [KCC 17.11.036](#) and identified on the use tables in KCC 17.11.037(4)(a) by an "A" is permitted in any zone if:
 - a. It is on the same lot as the principal use to which it is accessory; and

b. It is of a nature customarily incidental and subordinate to, the principal use or structure.

4. Use Tables:

Table 17.11.037(4)(a) Residential-based uses.

Use	R-S	C-H	I-L	I-H
RESIDENTIAL, GENERAL				
Dwelling, single-family*	P			
Dwelling, cottage*	P			
Dwelling, duplex*	P			
Dwelling, townhouse*	P			
Dwelling, multifamily*	P			
Dwelling, live-work*	P			
Manufactured home park*				
GROUP RESIDENCES				
Boarding houses, lodging houses, sororities, fraternities*				
Adult family home*	P			
Community residential facility*				
Senior citizen assisted housing*				
RESIDENTIAL ACCESSORY USES				
Accessory dwelling unit*	P			
Home occupations* (KCC 17.15.080.2)	P	P	P	P
Yard sale use	A	A	A	A
TEMPORARY LODGING				
Bed and breakfast				

Table 17.11.037(4)(b) Nonresidential uses.

Use R-S C-H I-L I-H

RETAIL				
Auto sales, new and used		P		
Farmers' markets*				
Fruit stands*	P	P	P	
Heavy retail		P	P	P
Heavy service		P	P	P
Nurseries and greenhouses that are ancillary to a retail use*	P	P	P	P
Restaurants, bars, and brewpubs*		P	P	
Coffee house, espresso bar	P	P	P	
Retail, small scale (<2,000 sf floor area)	P	P		
Retail, medium scale (2,000 - 20,000 sf floor area)		P		
Retail, large scale (20,001 - 60,000 sf floor area)		P		
Retail, super scale (>60,000 sf floor area)				
Outlet center		P		
Regional retail commercial projects*	P	P	P	
Marijuana retailer*		P		
PERSONAL AND SERVICES				
Day care I facilities*	P	P	P	
Day care II facilities*	C	P		
General service establishments		P	P	
Heavy services		P	P	P
Hotels/motels*		P		
Hospitals*	C			

Offices, medical*	P	P		
Kennels*		P	P	
Nursing homes*	C			
Marijuana cooperative*	P	P	P	P
Personal service establishments*	P	P		
Places of assembly*	C		C	
Radio station (commercial)		C	C	C
Veterinary clinic		P	C	
BUSINESS SERVICE				
Conference center*		P		
Offices, business or professional*, small scale (<2,000 sf floor area)	P	P	P	
Offices, business or professional*, medium scale (2,000 - 20,000 sf floor area)	P	P	P	
Offices, business or professional*, large scale (20,001 - 60,000 sf floor area)		P	P	
Miniwarehouse facility*		C	P	P
INDUSTRIAL				
Light industry			P	P
Hazardous waste treatment (off-site)			C	C
Hazardous waste treatment (on-site)		C	C	C
Heavy industry				C
Marijuana processor*			P	P
Marijuana producer*			P	P
Tow vehicle storage area*			P	P
Vehicle wrecking yard*				C

Table 17.11.037(4)(c) Special uses.

Use R-S C-H I-L I-H

PARK, OPEN SPACE AND RECREATIONAL				
Cemeteries, columbarium or mausoleums	P			
Golf course	P			
Golf driving range (not associated with a golf course)	C	C		
Recreation - outdoor (commercial)*		P	C	
Recreation - indoor (commercial)*		P	C	
Parks, playgrounds (public or private)	P	P	P	
CULTURAL AND ENTERTAINMENT				
Art, performing arts, and recording studios		P		
EDUCATIONAL				
Schools	C	C		
GOVERNMENTAL				
Court		P		
Fire facility		P		
Police facility		P	P	
Public agency or utility office*		P	P	P
Public agency or utility yard	P	P	P	P
Utility facility*	P	P	P	P
Public transportation passenger terminals		P		
RESOURCE				
Gardening or fruit raising (accessory use or noncommercial)	P	P	P	P
Agriculture*	P			
Small wind energy systems	P	P	P	P

(Ord. 2022-017, 2022)

17.11.038 Building Setback and Intensity Standards.

1. Purpose:
 - a. To promote forms of development that reinforce and/or enhance the desired character of Ellensburg neighborhoods;
 - b. To promote compatibility between developments; and
 - c. To minimize environmental impacts of development.
2. Interpretation of Tables:
 - a. The building setback and intensity standards tables address the building setback and intensity of development specific to individual zoning districts. The zoning district is located on the vertical column and the form/intensity topic being addressed is located on the horizontal row of these tables.
 - b. Where a code reference/link appears after the building setback and intensity topic, then the use is subject to standards set forth in that section or chapter.
 - c. If a number appears in the box at the intersection of the column and the row, refer to the development condition with the corresponding number immediately following the table. If there are multiple numbers, then all development conditions apply.
 - d. KCC 17.11.038(4) through 17.11.038(10) provide clarification and exceptions to the building setback and intensity standards herein.

Use Tables:

Table 17.11.038(3)(a) Building setback and intensity standards - Residential zones.

Topic	R-S	R-H
DEVELOPMENT INTENSITY AND CONFIGURATION		
Minimum lot area	None <u>1</u>	None <u>1</u>
Minimum frontage	None <u>1</u>	None <u>1</u>
Density, minimum (KCC 17.11.038(4)) <u>8</u>	None	15 du/acre
Density, maximum (KCC 17.11.038(4))	6 du/acre	No limit
Maximum building height	35 ft	45 ft <u>2</u>
Minimum front yard setback <u>3 4</u>	15 ft	15 ft
Garage front yard setback	22 ft	22 ft

Minimum rear yard setback	20 ft	20 ft
Minimum rear yard setback, accessory buildings (including garages)	5 ft <u>6</u>	5 ft <u>6</u>
Minimum rear yard setback, detached accessory dwelling unit (see KCC 17.11.038(6)(c))	5 ft <u>6</u>	5 ft <u>6</u>
Minimum side yard setback (includes comer lot interior lot line) <u>5</u>	5 ft / 10 ft <u>7</u>	5 ft / 10 ft <u>7</u>
Minimum side yard setback (comer lot exterior lot line)	10 ft	10 ft
Minimum garage side yard setback (comer lot exterior lot line)	22 ft	22 ft

17.11.038(3)(a)(i) Development condition footnotes associated with Table

1. Lot sizes may be variable provided they are sized and shaped sufficient to accommodate permitted uses and conform to applicable design and density standards.
2. For buildings, or portions thereof, with pitched roofs, the maximum height may be increased by five feet. Applicable roof slopes must be at least 4:12 to qualify for this additional height.
3. Porches and covered entries may project up to six feet into the front yard.
4. No front yard is required for buildings adjacent to designated "storefront streets." Townhouses and zero lot line homes are exempt from side yard standards internal to a development. However, such uses shall meet applicable side yard standards for adjacent lots outside of the development.
5. Townhouses and zero lot line homes are exempt from side yard standards internal to a development. However, such uses shall meet applicable side yard standards for adjacent lots outside of the development.
6. Accessory buildings or accessory dwelling units, where built on top of an existing garage, may be built to a property line abutting an alley, provided sufficient turning movement and emergency vehicle access is provided within the alley.
7. For lots 6,000 square feet or less, the minimum side yard shall be five feet on each side.
8. Minimum densities apply except when limited due to Airport overlay requirements in [KCC 17.58](#).

Table 17.11.038(3)(b) Building setback and intensity standards - Nonresidential zones.

Standard	C-H	I-L	I-H
DEVELOPMENT INTENSITY AND CONFIGURATION			
Minimum lot area	None <u>1</u>	None <u>1</u>	None <u>1</u>

Density, minimum (KCC 17.11.038(4))	NA	NA	NA
Density, maximum (KCC 17.11.038(4))	None	NA	NA
Maximum building height (see KCC 17.11.038(5) for height exceptions)	35 ft	35 ft	None
BUILDING PLACEMENT (see KCC 17.11.038(5) through 17.11.038(10))			
Minimum front yard	10 ft	10 ft	10 ft
Garage front yard setback	22 ft	22 ft	22 ft
Minimum rear yard	None <u>2</u>	None <u>2</u>	None <u>2</u>
Minimum side yard	None <u>2</u>	None <u>2</u>	None <u>2</u>

17.11.038(3)(b)(i) Development condition footnotes associated with Table

1. Lot sizes may be variable provided they are sized and shaped sufficient to accommodate permitted uses and conform to applicable design and density standards. For areas within 100 feet of a residential zone, the maximum building height shall be 35 feet.
2. Where the subject property borders a residential zone, the minimum side or rear setbacks shall be the same as the adjacent residential zone.
3. Critical Areas as defined by Kittitas County Code. Calculations for Determining Maximum Density - Gross Developable Acreage.
 - a. All site areas may be used in the calculation of the maximum allowed residential density or project floor area except as outlined under the provisions of subsection (B)(2) of this section.
 - b. Critical Areas as defined by Kittitas County Code shall not be credited toward the maximum density or floor area calculations. Property used for new roadways, trails, stormwater facilities, or other features used by residents may be counted as part of the site area for density calculations. Property transferred to the city for the construction of public roadways or other public feature shall be counted as part of the site area if the city and property owner reach such an agreement as part of the transfer.
4. Density Calculations.
 - a. Maximum density for an individual site shall be calculated by multiplying the gross developable acreage by the applicable number of dwelling units. When calculation results in a fraction, the fraction shall be rounded to the nearest whole number as follows:
 - Fractions of 0.50 and above shall be rounded up.
 - Fractions below 0.50 shall be rounded down.
 - Prohibited Reduction. Any portion of a lot that was used to calculate compliance with the standards and regulations of this title shall not be subsequently subdivided or segregated from such lot.

5. Height exceptions. The following structures may be erected above the height limits set forth in KCC [17.11.038\(3\)\(a\)](#) and KCC [17.11.038\(3\)\(b\)](#):
 - a. An additional two feet in height is allowed for structures with green roofs occupying at least 50 percent of the area of the roof;
 - b. Skylights, flagpoles, chimneys, church steeples, crosses, spires, communication transmission and receiving structures, and similar structures.
6. Setback measurements.
 - a. Front Yard Setback. The front yard is measured from the street right-of-way or the edge of a surface improvement (sidewalk) which extends beyond a right-of-way, whichever is closer to the proposed structure, to a line parallel to and measured perpendicularly from the street right-of way or the edge of the surface improvement at the depth prescribed for each zone. For dual frontage properties, the front yard is measured from the street right-of-way that is the property's street address and primary access.
 - b. Side Yard Setback. The side yard setback is measured from the side lot line adjacent to another private property to a line parallel to and measured perpendicularly from the side lot lines at the depth prescribed for each zone.
 - c. Rear Yard Setback. The rear yard setback is measured from the rear lot line adjacent to another private property or an alley to a line parallel to and measured perpendicularly from the rear lot lines at the depth prescribed for each zone.
 - d. Corner Lots. For corner lots with two street frontages, setbacks from the addressed street side shall conform to the front yard setback for the underlying zoning district. The setbacks for the flanking side shall conform to the exterior side yard setbacks for the underlying zoning district.
 - e. For measurements on a pointed or irregular lot refer to definition of lot line in KCC [17.11.036](#).
7. Permitted projections into yards. The following structures may extend into or be located in required setbacks:
 - a. Fireplace structures, bay or garden windows, enclosed stair landings, closets, or similar structures may project 30 inches into a front or rear yard, provided such projections are:
 - Limited to two per facade; and
 - Not wider than 10 feet;
 - b. Eaves, cornices, and signs may not project more than:
 - Three feet into a front or rear yard; and
 - Two feet into the side yard;
 - c. Porches and covered entries may project up to six feet into the front yard subject to conformance with any required site vision standards set forth in Section 3, Street Standards, of the city's public works development standards applicable to the lot;
 - d. Uncovered porches and decks, which exceed 18 inches above the finished grade, may project up to six feet into the front or rear yards;

- e. Storefront weather protection projections into the public right-of-way are acceptable, provided they don't interfere with street trees or extend beyond the edge of the sidewalk;
 - f. The following features may project into any front yard:
 - Unenclosed porches and entry features may project six feet into the front yard;
 - Mailboxes and newspaper boxes;
 - Fire hydrants and associated appendages;
 - Bus shelters; and
 - Monument signs;
 - g. The following features may project into any yard:
 - Telephone poles and lines;
 - Power poles and lines;
 - Cable TV and internet lines;
 - Light and flagpoles;
 - Sprinkler systems;
 - Trellises not exceeding eight feet in height, not wider than 10 feet;
 - Culverts and underground water, sewer, and accessory facilities for the provision of utilities, such as drains;
 - Electrical equipment cabinets and similar utility boxes and vaults;
 - Surface and stormwater water management facilities;
 - Uncovered porches and decks not exceeding 18 inches above the finished grade; and
 - Rockeries, retaining walls and curbs provided these structures do not exceed a height of six feet from the property line grade; and
 - h. No projections are allowed into a regional utility corridor or access easement.
8. Setbacks from alleys. Accessory buildings and accessory dwelling units, where built on top of an existing garage, may be built to a property line abutting an alley, provided sufficient turning movement and emergency vehicle access is provided within the alley.
9. Setback modifications.
- a. In addition to providing the standard street setback, a lot adjoining a half-street or designated arterial shall provide an additional width of street setback sufficient to accommodate construction of the planned half-street or arterial.
 - b. For residential lots adjacent to designated local streets and built to applicable standards set forth in Section 3, Street Standards, of the city's public works development standards, setbacks shall be measured from the back of the sidewalk rather than the right-of-way edge, provided no residential structures are built within the public right-of-way.
 - c. Variance. See procedures in [KCC 17.84](#).
10. Lot or site divided by zone boundary. When a lot is divided by a zone boundary, the following rules shall apply:

- a. When a lot contains both residential and nonresidential zoning, the zone boundary between the zones shall be considered a lot line for determining permitted building height and required setbacks on the site;
- b. When a lot contains residential zones of varying density:
 - Any residential density transfer within the lot shall be allowed from the portion with the lesser residential density to that of the greater residential density;
 - Compliance with these criteria shall be evaluated during review of any development proposals in which such a transfer is proposed; and
 - Uses on each portion of the lot shall only be those permitted in each zone pursuant to KCC [17.11.037](#).
([Ord. 2022-017](#), 2022)

17.11.039 Off-Street Parking.

1. Purpose:
 - a. The purpose of this chapter is to provide adequate parking for all uses allowed in this title, to reduce demand for parking by encouraging alternative means of transportation including public transit and bicycles, and to increase pedestrian mobility by:
 - i. Setting minimum off-street parking standards for different land uses and districts that assure safe, convenient and adequately sized parking facilities;
 - ii. Recognizing that developed properties are likely to support a variety of different uses over time; and
 - iii. Providing for parking and storage of bicycles.
2. Authority and application.
 - a. The regulations of this chapter apply to all off-street parking areas in all zoning districts within the City of Ellensburg's Urban Growth Area.
 - b. The regulations of this chapter apply to all new development applications, all new parking lot construction or enlargement. In addition, these regulations shall apply at the time of enlarging, moving or increasing the capacity of existing structures by creating or adding dwelling units, commercial or industrial floor space, or seating facilities, and shall also apply when an existing land use within an existing structure is changed to a category of land use as set forth below that is different than the category of land use for which the existing parking facility was designed and installed.
 - c. Before an occupancy permit may be granted for any new or enlarged building or for a change of use in any existing building, the use shall be required to meet the provisions of this chapter.
 - d. If this chapter does not specify a parking requirement for a land use, the director shall establish the minimum requirement based on a study of anticipated parking demand. Transportation demand management actions taken at the site shall be considered in determining anticipated demand. In the study the applicant shall provide sufficient information to demonstrate that the parking demand for a specific land use will be satisfied. Parking

studies shall be prepared by a professional engineer with expertise in traffic and parking analyses, or an equally qualified individual as authorized by the director.

- e. The Electric Vehicle Infrastructure regulations in [KCC 17.66](#) shall be utilized in conjunction with this Chapter.
3. Parking plan -Building permit, surety bond, and occupancy requirements.
- a. Building Permit. No building permit nor parking lot construction or enlargement shall be issued until a parking plan showing provisions for the required off-street parking, as specified in this chapter, has been submitted and approved by the director. The plan shall clearly indicate the proposed development, including parking lot location, size, shape, design, number of spaces, curb cuts, lighting, and other features and appurtenances required by this chapter. The parking plan shall show/state the number of parking spaces and handicap spaces required and provided.
 - b. Surety. Before a building permit is issued for any building or structure for which this chapter requires off-street parking and where such off-street parking is not to be contained within the building for which the building permit is requested, the director may require that the applicant provide the city with a surety bond or other sufficient security approved by the director guaranteeing to the county the installation and improvement of the required off street parking within a time not to exceed six months following the completion of the building(s) for which such off-street parking is to be provided.
 - c. Occupancy. All required off-street parking areas must be completed and landscaped prior to occupancy of any structure.
4. Computation of required off-street parking spaces.
- a. Spaces Required. Except as modified in subsections below, off-street parking areas shall contain at a minimum the number of parking spaces as stipulated in the following table. Off street parking ratios expressed as number of spaces per square feet means the usable or net square footage of floor area, exclusive of nonpublic areas. Nonpublic areas include but are not limited to building maintenance areas, storage areas, closets or restrooms. If the formula for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number with fractions of 0.50 or greater rounding up and fractions below 0.50 rounding down.

Table 17.11.039(4)(a)(i) Computation of required off-street parking spaces.

Category of Land Use <u>1</u>	Minimum Parking Spaces Required
RESIDENTIAL / LODGING	
Dwelling, single-family	2.0 per dwelling unit; for structures containing more than 4 bedrooms, I

	<p>additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted for single-family units.</p>
Accessory dwelling unit	None required
Apartment:	
Duplex	<p>2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted for duplex dwelling units.</p>
Townhouse	<p>2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided.</p>
Studio units	1.2 per dwelling unit
Studio and 1-bedroom units in C-C zone outside of the downtown historic district	0.7 per dwelling unit
1-bedroom units	1.5 per dwelling unit
2-bedroom residential units and larger in C-C zone outside of the downtown historic district	0.7 per bedroom
2-bedroom units or larger	1.0 per bedroom
Cottage housing	1.5 per dwelling unit
Senior housing	1.0 per dwelling unit (this may be reduced based on the characteristics of the use)
Adult family home	<p>2.0 per dwelling unit; for structures containing more than 4 bedrooms, 1 additional space for each bedroom in excess of 4 shall be provided. NOTE: Tandem parking to accommodate 2-car garages is permitted.</p>

Senior citizen assisted housing	1.0 per 2 dwelling or sleeping units
Community residential facilities	1.0 per 2 bedrooms
Boarding houses, lodging houses, sororities, fraternities	1.0 per bedroom
Hotel/motels (where restaurants and conference facilities are included, see standards for applicable use)	1.0 per guest room
Bed and breakfast guesthouse	1.0 per guest room, plus 2.0 per facility
GENERAL RETAIL AND SERVICE	
Offices, banks, medical clinics, supermarkets, retail shops, department stores, or similar uses	1.0 per 300 square feet of gross floor area
General retail or service use with drive-in facility	Same parking for retail and service as provided herein, plus sufficient off- street drive-through stacking area to accommodate 3 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
Day care facility	1.0 per employee plus 1.0 temporary loading parking per each 8 full-day equivalent children
FOOD AND BEVERAGE	
Restaurant, taverns, or similar uses where patrons sit down for service	1.0 per 200 square feet of gross floor area for sit-down facilities with a minimum number of 5 spaces required
Drive-in restaurant	Same parking as restaurant plus sufficient off-street drive-through stacking area to accommodate 6 vehicles without negatively impacting other required parking areas, ingress and egress into such parking areas, or traffic on public streets
Drive-in coffee stand	2.0 per facility plus sufficient off- street drive-through stacking area to accommodate 6 vehicles without negatively impacting other required

	parking areas, ingress and egress into such parking areas, or traffic on public streets
PLACES OF ASSEMBLY	
Churches, funeral homes, mortuaries, clubs, lodges, museums, auditoriums, theaters, conference facilities, public or commercial recreational facilities, or similar uses	0.25 per person of maximum occupancy as established by the fire marshal with a minimum of 5 spaces required
INDUSTRIAL AND LAND CONSUMPTIVE USES	
Wholesale trade, warehousing (including miniwarehouse facilities), processing and manufacturing facilities, heavy equipment repair, lumber yard, car sales, or similar land consumptive but low traffic generation uses	1.0 per 1,500 square feet of gross floor area for structures up to 20,000 square feet in gross size with a minimum of 5 spaces required OR 1.0 per 2,000 square feet of gross floor area for structures greater than 20,000 square feet in gross size. NOTE: For vehicle sales lots, the sales area is not considered to be a parking facility and does not have to comply with the requirements of this chapter. However, all required parking must be designed and reserved for customer parking only.
PUBLIC AND QUASI-PUBLIC USES	
Hospital	1.5 per each 5 beds with a minimum of 5 spaces required
Elementary and junior high schools	1.0 per classroom, plus 1 per 50 students
High schools, college or university, trade school, or business school	1.0 per classroom, plus 1 per 10 students
Governmental office	1.0 per 350 square feet of gross floor area

17.11.039(4)(a)(ii) Footnotes Associated with Table

1. In those situations where a particular use is not specifically mentioned in this table, the requirements for off-street parking shall be determined by the director and in accordance with the most comparable use listed.
 - a. Shell Building Permit Applications. When the county has received a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements or uses authorized by the zone designation and compatible with the limitations of the shell permit. When the range of possible uses results in different parking requirements, the director shall establish the amount of parking based on a likely range of uses. For example, an

Category of Land Use**Minimum Parking Spaces Required**

Single-family dwelling	None
Multifamily dwelling	0.5 space per dwelling unit (units with private garages are exempt)
Hotel/motels	1.0 per 20 guest rooms
Offices, banks, medical clinics, supermarkets, retail shops, department stores, or similar uses	1.0 per 5,000 square feet of gross floor area for up to 50,000 square feet, then 1.0 per 10,000 square feet beyond 50,000
Restaurant, taverns, or similar uses where patrons sit down for service	1.0 per 800 square feet of gross floor area
All other uses	1.0 per 5 required vehicle parking spaces

applicant submits a permit for a 5,000-square-foot shell building in the C-H zone. The zone allows for a range of retail, personal, and general service retail uses. Most permitted uses in this zone fall in the category of general retail and service uses in Table 17.11.039(4)(a)(i) which requires one space per 300 square feet of gross floor area. Restaurants require more parking (one space per 200 square feet of gross floor area). While the director might find it unreasonable to require parking for the "worst case scenario" in terms of possible use types, he or she will typically choose a requirement that falls between the possible use scenarios. In this case, the odds are that most possible uses fall in the general retail and service use category with a lower parking requirement, though a slightly higher parking requirement would make sense given the possibility of a use such as a restaurant, which requires greater parking. Thus, a compromise standard, requiring a minimum of one space per 275 square feet of gross floor area, would be reasonable in this instance.

- b. Other Provisions of Code. Where other provisions of this code stipulate reduced minimum parking requirements, those provisions shall apply.
- c. Bicycle Parking. Multifamily and nonresidential developments shall provide for bicycle parking per the standards below:
 - i. Amount of Bicycle Parking.

Computation of required off-street bicycle parking spaces.

- i. Parking Location and Design - Nonresidential Uses. Bicycle facilities for patrons shall be located within 100 feet of the building entrance and located in safe, visible areas that do not impede pedestrian or vehicle traffic flow.

- ii. Parking Location and Design -Residential Uses. Bicycle facilities for residents shall be located within 100 feet of all building or individual unit entrances and located on the ground level in safe, visible areas that do not impede pedestrian or vehicle traffic flow.
 - iii. Bicycle parking hardware shall be installed according to its manufacturer's instructions, allowing adequate clearance for bicycles and their riders.
5. Primary Use. The minimum number of parking spaces shall be computed based on the primary uses on the property, except as stated in subsection (6) of this section that addresses accessory uses. When there are two or more separate primary uses on a property, the required off-street parking for the property is the sum of the required parking for the individual primary uses.
6. Accessory Use. When more than 20 percent of the gross floor area on a property is in an accessory use, the required off-street parking shall be calculated separately for the accessory use and for the primary use and then added together for the total required off-street parking. When 20 percent or less of the gross floor area on a property is in an accessory use, the required off-street parking shall be calculated on the gross floor area of the building as if it were all under the primary use.

Examples:

 - a. A 40,000-square-foot building containing a 30,000-square-foot warehouse space (75 percent of total) and a 10,000-square-foot accessory office space (25 percent of total). The minimum parking requirement would be calculated separately for the office use and the warehouse use and then added together.
 - b. The same 40,000-square-foot building containing a 35,000-square-foot warehouse space (88 percent of total) and a 5,000-square-foot accessory office space (12 percent of total). The required parking would be based solely on the gross floor area of the building as if it were all the primary use (40,000).
7. On-Street Parking. On-street parking immediately adjacent to the property may be counted towards the parking requirement for nonresidential uses.
8. All required off-street parking must have direct and unobstructed access to ingress and egress from a public street, and stacked or tandem parking shall not be counted toward meeting the required off-street parking requirements in any zoning district except for single-family residential structures and duplex dwelling units as per Table 17.11.039(4)(a)(i).
9. Garages. Required off-street parking that is provided in garages or carports shall be credited toward the required off-street parking spaces except that no stacked or tandem parking that blocks off those garages or carport parking spaces from direct or unobstructed access to ingress or egress to a public street shall be credited toward the required parking spaces except for single-family residential structures and duplex structures as set forth in Table 17.11.039(4)(a)(i).
10. Handicapped Parking. Off-street parking and access for the physically handicapped shall be provided in accordance with the Uniform Building Code.
11. Fire Lane Standards. Fire lanes may be required by the fire codes and by Kittitas Valley Fire and Rescue within off-street parking facilities. Such fire lanes, including dimensions,

width, location, etc., shall be installed as required by the fire code or Kittitas Valley Fire and Rescue and shall remain in effect throughout the life of the parking facility.

12. Changes in use to a different land use category shall provide the minimum off-street parking for the new general land use category.
13. Continued use of required parking spaces.
 - a. Continued Use. Required off-street parking spaces must be available for the continued use of residents, customers, or employees of the use, and the continued use of a building or structure or property for which off-street parking is required shall be conditioned upon the continued existence of such off-street parking. If the required off-street parking ceases to exist in connection with the use for which it was reserved, and no equivalent off-street parking is provided, such occupancy and use of the building or structure or property shall become illegal and the occupancy permit shall become void.
 - b. Assignment Prohibited. Required off-street parking spaces may not be assigned in any way to another use on another site.
 - c. Use for Non-Parking Purposes Prohibited. Required off-street parking spaces shall not be used for the parking of equipment or for storage of materials or goods or inoperable vehicles. Use of required off-street parking for commercial or other purposes in conjunction with a temporary use of a limited and specific duration shall require separate review and approval by the director in conjunction with the temporary use.
 - d. Maintenance Required. The off-street parking required by this chapter shall be maintained in a good and functioning condition as determined by the director.
14. Loading space requirements.
 - a. Every nonresidential building engaged in retail, wholesale, manufacturing, or storage activities, excluding self-service storage facilities, shall provide loading spaces in accordance with the standards listed below:

Table 17.11.039(14)(a)(i) Loading space requirements for retail, wholesale, manufacturing, or storage activities, excluding self-service storage facilities.

Gross Floor Area	Required Number of Loading Spaces
10,000 to 40,000 square feet	1
40,001 to 96,000 square feet	2
96,001 to 160,000 square feet	3
160,001 to 196,000 square feet	4
For each additional 70,000 square feet	1 additional

- b. Every building engaged in hotel, office building, restaurant, hospital, auditorium, convention hall, exhibition hall, sports arena/stadium or other similar use shall provide loading spaces in accordance with the standards listed below:

Table 17.11.039(14)(b)(i) Loading space requirements for hotel, office building, restaurant, hospital, auditorium, convention hall, exhibition hall, sports arena/stadium, or other similar uses.

Gross Floor Area	Required Number of Loading Spaces
40,000 to 120,000 square feet	1
120,001 to 264,000 square feet	2
264,001 to 520,000 square feet	3
520,001 to 784,000 square feet	4
784,001 to 920,000 square feet	5
For each additional 200,000 square feet	1 additional

- c. For storefronts and other similar buildings sited adjacent to a street without individual businesses over 10,000 square feet and no alley access, loading space may be provided by on street designated loading zones upon approval of the public works and utilities director as an administrative decision based on access and safety considerations. A site plan, proposed conditions, and reason for on-street loading facilities shall be included in the application.
- d. Each loading space required by this section shall be a minimum of 10 feet wide, 30 feet long, and have an unobstructed vertical clearance of 14 feet six inches, and shall be surfaced, improved and maintained as required by this chapter. Loading spaces shall be located so that trucks shall not obstruct pedestrian or vehicle traffic movement or project into any public right of-way. All loading space areas shall be separated from parking areas and shall be designated as truck loading spaces.
- e. Any loading space located within 100 feet of areas zoned for residential use shall be screened and operated as necessary to reduce noise and visual impacts. Noise mitigation measures may include architectural or structural barriers, beams, walls, or restrictions on the hours of operation.
- f. Multi-story self-service storage facilities shall provide two loading spaces, and single-story facilities one loading space, adjacent to each building entrance that provides common access to interior storage units. Each loading berth shall measure not less than 25 feet by 12 feet with an unobstructed vertical clearance of 14 feet six inches, and shall be surfaced, improved, and maintained as required by this chapter. Any floor area

additions or structural alterations to a building shall be required to provide loading space or spaces as set forth in this chapter.

15. Parking lot design and construction standards.

- a. Parking Area Access Standards. See Section 6, Parking Standards, of the city's public works development standards.
- b. Parking Stall and Aisle Dimensions. See Section 6, Parking Standards, of the city's public works development standards.
- c. Parking Area Development and Design Provisions.
 - i. For parking area surfacing standards, see Section 6, Parking Standards, of the city's public works development standards. Fire lane shall be in accordance with the International Fire Code (IFC) as adopted in [KCC 14.04](#). ([Ord. 2022-017](#), 2022)

17.11.040 Infrastructure.

Except as modified by a UGA interlocal agreement, development of infrastructure relating to municipal water and sewer services shall be referred to the requirements as outlined by the corresponding cities code. Joint review shall occur in the development of roads with both the city and county road standards. ([Ord. 2022-017](#), 2022; Ord. 2007-22, 2007)

17.11.050 Minimum Density.

Density calculations shall be calculated based on lands available after removal of lands protected under Critical Areas as identified in Kittitas County Code [Title 17A](#) and lands used for the purpose of development and placement of roads. This provision shall not apply to the Airport Overlay. ([Ord. 2022-017](#), 2022; [Ord. 2019-013](#), 2019; Ord. 2007-22, 2007)

17.11.060 Maximum Lot Coverage.

Except as modified by a UGA interlocal agreement, the ground area covered by all buildings, including accessory buildings, shall be consistent with the associated City's maximum lot coverage regulations for the associated land use zone. This applies only to those zones with a Maximum Lot Coverage. ([Ord. 2022-017](#), 2022; [Ord. 2018-014](#), 2018)

Exhibit D: Docket Item 24-03

Title 17 Amendments

Chapter 17.22

UR - URBAN RESIDENTIAL ZONE*

Sections

[17.22.010](#) Purpose and intent.

[17.22.015](#) Development within the Ellensburg Urban Growth Area (UGA).

[17.22.020](#) Allowed uses.

[17.22.030](#) Lot - Size required.

[17.22.040](#) Maximum lot coverage.

[17.22.050](#) Maximum height permitted.

[17.22.060](#) Yard requirements.

[17.22.065](#) Yard requirements- Zones Adjacent to Commercial Forest Zone.

[17.22.090](#) Grazing.

[17.22.100](#) Repealed.

[17.22.110](#) Repealed.

[17.22.120](#) Repealed.

* Prior history: Ord. Z77-2.

17.22.010 Purpose and intent.

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

17.22.015 Development within the Ellensburg Urban Growth Area (UGA).

For properties located within the City of Ellensburg UGA, the uses and development standards in KCC [17.11.030](#) through [17.11.039](#) shall be utilized. Where KCC [17.11.030](#) through [17.11.039](#) does not identify uses and development standards to be utilized for development within the Ellensburg UGA, this chapter shall apply. ([Ord. 2022-017](#), 2022)

17.22.020 Allowed uses.

Uses allowed in the Urban Residential zone include those uses pursuant to KCC Chapter [17.15](#). ([Ord. 2013-001](#), 2013; [Ord. 2011-013](#), 2011; Ord. O-2006-01, 2006; Ord. 96-19 (part), 1996; Res. 83-10, 1983)

17.22.030 Lot - Size required.

1. This provision shall not apply to the Airport Overlay.
2. Minimum lot sizes in the UR zone are as follows:
 - a. Single family dwelling, seven thousand two hundred (7,200) square feet.
 - b. Two (2) family dwelling, ten thousand (10,000) square feet.
3. All lots of record at the time of passage of the ordinance codified in this chapter shall be considered as conforming to lot size requirements. ([Ord. 2022-017](#), 2022; [Ord. 2019-013](#), 2019; [Ord. 2013-001](#), 2013; Ord. 2007-22, 2007; Res. 83-10, 1983)

17.22.040 Maximum lot coverage.

Refer to KCC [17.11.060](#). ([Ord. 2018-014](#), 2018; [Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.22.050 Maximum height permitted.

No structure shall exceed two and one-half (2½) stories or thirty-five (35) feet, whichever is less in height. ([Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.22.060 Yard requirements.

No structure shall be built or located closer than twenty-five (25) feet to the front and rear property line or within fifteen (15) feet of any side property line. Side and rear yard setbacks may be modified in accordance with KCC [16.10.065](#). ([Ord. 2022-005](#), 2022; [Ord. 2013-001](#), 2013; Res. 83-10, 1983)

17.22.065 Yard requirements at Zones Adjacent to Commercial Forest Zone.

Properties bordering or adjacent to the Commercial Forest zone are subject to a two hundred (200)-foot setback from the Commercial Forest Zone. (KCC [17.57.050\(1\)](#)). For properties where such setback isn't feasible, development shall comply with KCC [17.57.050\(2\)](#). ([Ord. 2013-001](#), 2013; [Ord. 2010-014](#), 2010; Ord. 2007-22, 2007)

17.22.090 Repealed.

([Ord. 2013-001](#), 2013; Ord. 88-4 § 2 (part), 1988; Res. 83-10, 1983)

17.22.100 Repealed.

([Ord. 2013-001](#), 2013; [Ord. 2010-014](#), 2010; Ord. O-2009-25, 2009; Ord. 2007-22, 2007; Ord. O-2006-01, 2006; Ord. 90-10 (part), 1990; Ord. 83-Z-2 (part), 1983; Res. 83-10, 1983)

17.22.110 Repealed.

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

17.22.120 Repealed.

([Ord. 2013-001](#), 2013; Ord. 2007-22, 2007)